

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, June 23, 2003

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**

CITY COUNCIL AGENDA

Monday, June 23, 2003

TABLE OF CONTENTS

<u>Item No.</u>	<u>Page No.</u>	<u>Attachment No.</u>
-----------------	-----------------	-----------------------

5:00 P.M. Dinner Briefing

Conference Center

- | | | | |
|----|---|---|---|
| 1. | Proposed Ordinance Prohibiting Parking in Front Yards | 1 | 1 |
| 2. | Center City Transportation Study | 2 | |
| 3. | Commercial Non-Discrimination Ordinance Options | 3 | 2 |
| 4. | Council Redistricting Committee Report | 4 | |
| 5. | Committee Reports by Exception | 4 | |

6:30 P.M. Citizens Forum

Meeting Chamber

7:00 P.M. Awards and Recognitions

Meeting Chamber

Consent

- | | | | |
|----|---|---|--|
| 6. | Consent agenda items 24 through 55 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting. | 5 | |
|----|---|---|--|

Public Hearing

- | | | | |
|----|---|---|---|
| 7. | Public Hearing and Resolution to Close 2 nd Street between West Todd Lane and East Todd Lane | 6 | 3 |
| 8. | Public Hearing and Resolution to Close Durwood Avenue between Kenilworth Avenue and Harding Place | 7 | 4 |

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
9.	Public Hearing and Bond Order for General Obligation Refunding Bonds	9	5

Policy

10.	City Manager's Report	10	
11.	Eastland Area Plan	10	6
12.	FY2004 and FY2005 Operating Budget and FY2004-2008 Capital Investment Plan	13	7
13.	Annexation Resolution of Consideration for the 2005 Annexation Cycle	26	8
14.	Neighborhood Development FY2004 Consolidated Action Plan	28	9
15.	First Ward Developments	30	
16.	Southside Homes Rehabilitation Grant	30	10
17.	Johnston and Mecklenburg Mills Apartments	32	
18.	Interlocal Agreement for the Consolidation of the City/County Radio System	32	
19.	Redistricting Plan for 2003 City Election	34	11

Business

20.	Sale of Old Convention Center	36	12
21.	Charlotte Mecklenburg Regional Housing Consortium Agreement	37	13
22.	Passenger Facility Charge Application Contract	39	
23.	Nominations to Boards and Commissions	40	14-21

Mayor and Council Topics

Consent I

24.	Various Bids		
	A. Provincetowne Storm Drainage Improvements	43	
	B. Blumenthal Performing Arts Center Roof Replacement	44	
	C. CMGC Parking Deck Operation and Management	44	
25.	Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of the Corner of Selwyn Avenue and Queens Road	44	22
26.	Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Blakeney Heath Road	44	23
27.	Resolution of Intent to Abandon Street and Set Public Hearing for Portions of N. Brevard Street, E. 5 th Street and Four Alleyways Bounded by N. Caldwell Street, E. Trade Street, E. 5 th Street and City Rail Corridor	45	24

Consent II

28.	Washington Heights Neighborhood Improvements	46	
29.	Prosperity Church Road Widening-Phase I Change Order	46	
30.	Prosperity Church Road Widening-Phase II Change Order	47	
31.	South Corridor Project Management Support Services Consultant Agreement	48	25
32.	Storm Water/Charlotte Mecklenburg Utilities Funding Agreements with Mecklenburg County	50	

<u>Item No.</u>	<u>Page No.</u>	<u>Attachment No.</u>
33. Shillington Storm Drainage Improvements	51	
34. Storm Water Channel Maintenance Renewal FY00-B	51	
35. North Mecklenburg Rocky River Outfall Phase II	52	
36. WaterSmart Education Campaign Public Relations Contract Renewal	53	
37. Agreements with the Town of Harrisburg- Water and Sewer Services	54	
38. McDowell Creek Wastewater Treatment Plant- Change Order	55	
39. 2001 Annexation Water and Sewer Professional Service Contract Amendment	56	
40. Police Department Investigative System Contracts	57	26
41. Information Technology Professional Services Agreement Renewal	58	
42. Neighborhood Development Code Enforcement Information Management System	59	27
43. Information Technology Division Lease Agreement	61	
44. Charlotte Vintage Trolley Landscape Maintenance	62	
45. FY03 Annual Financial Audit Services Contract	62	
46. Grant Application for Police District Office Emergency Generators	63	28
47. Municipal Agreement for Installation of New Traffic Signals along Rocky River Road and I-485	64	

<u>Item No.</u>	<u>Page No.</u>	<u>Attachment No.</u>
48. Municipal Agreement for Installation of New Traffic Signals, Metal Strain Poles and Underground Fiber Optic Signal Communications Cable along Mount Holly Road	64	
49. Declaration of Withdrawal for a Portion of Hungerford Place	65	29
50. Declaration of Withdrawal for a 15-foot Alleyway off Litaker Avenue	66	30
51. Thrifty Car Rental Facility Agreement	66	
52. Sale of City Owned Property Located at 1554 West Trade Street	67	31
53. Sale of City Owned Property Located at 127 Frazier Street	68	32
54. Property Transactions	69	
55. Meeting Minutes	82	

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Proposed Ordinance Prohibiting Parking in Front Yards

Resource: Toni Tupponce, Neighborhood Development
David Stephens, Charlotte-Mecklenburg Police
Department
Walter Abernethy, Neighborhood Development

Time: 30 minutes

Synopsis of Presentation:

This presentation provides a summary of the draft amendment to Chapter 14 of the Charlotte City Code Entitled "Motor Vehicles and Traffic". Charlotte neighborhood leaders began dialogue with staff about concerns over this issue during the Neighborhood Summit, November 2001. Neighborhood Leaders indicated that the practice of parking vehicles on front lawns creates a sense of disorder in neighborhoods and, ultimately, contributes to the erosion of property values. They indicated that eliminating the problem would improve the aesthetic quality of life in their neighborhoods and help them attain model neighborhood status.

Proposed changes to the existing ordinance would:

1. Prohibit parking vehicles in the front of single-family detached or duplex dwellings except on completely improved driveways or parking pads; and
2. Permit Police Officers and Code Enforcement Inspectors to impose \$25 fines on violators with ultimate enforcement through towing of vehicles if fines are not paid.

The proposed effective date is January 1, 2004 to allow time for community education and voluntary compliance.

Future Action:

The following process is proposed for consideration of this amendment:

Public hearing on ordinance amendment July 28, 2003 and refer to Council Communities Within A City Committee, if necessary

City Council action on the ordinance on August 25, 2003

Ordinance will become effective on January 1, 2004

Notification of the public hearing will be provided to:

- Neighborhood residents that participated in focus groups
- Charlotte Landlord Association
- Neighborhood associations
- Local newspapers

Attachment 1

Draft: Ordinance Amending Chapter 14 of the Charlotte City Code
Entitled "Motor Vehicles and Traffic"

Process Chronology

Neighborhood representatives participating in review process

2. Center City Transportation Study

Resource: Norm Steinman, Transportation

Time: 20 minutes

Synopsis of Presentation:

A scope of services is now being negotiated with a consulting team to conduct a study of the land use and transportation impacts of projected growth in the Center City area. Center City will be the hub of the rapid transit system. A doubling of jobs and residents has been predicted for Center City over the next 25 years.

Proposed Scope of Services

This study will address the key issues in the development of growth scenarios for the various transportation modes related to land use arrangements in the Center City area. The general boundaries for the study area are I-77 and I-277. A total of six land use/ transportation scenarios will be developed for the study, which will be narrowed down to one preferred scenario. The study will result in specific recommendations for transportation and land use investments and policies to direct the quality and quantity of growth in the Center City over the next 25 years. The study will include an extensive public involvement campaign with key stakeholders, special interest focus groups, and opinion surveys of the general public.

Key Study Issues

1. Modeling: Will determine the application of modeled forecasts of travel, traffic, and employment and other generators affected by growth.

2. Transit: Will incorporate the "2025 Transit Corridor System Plan", especially the Trade Street Transitway, Streetcar loop and the effect of changing transit patterns on the capacity of the gateways.

3. Parking: Will determine the supply and location of parking related to future goals for travel on alternative modes, including pricing strategies and regulatory options.

4. Pedestrians and bicycles: Will determine sidewalk and bike lane widths needed, access to Center City on foot or by bicycle, design and operations plan for traffic calming and streetscape improvements in the proposed “pedestrian core”. Includes a “walkability and bikability analysis” by Dan Burden.

5. Streets: Will determine the projected level of service, access routes to Center City, the maximum capacity of the gateways, cross sections and design standards for “workhorse” and “green” streets, etc. Also, the traffic impacts of “special generators” including the new transit centers, the new arena, etc.

6. Center City Growth and Economic Development: Will determine by block, where growth in employment, residential and special generators would need to happen for Center City to reach projected employment levels for the year 2025 and beyond. Includes new and planned developments including the Arena and surrounding area, New West Park/Third Ward Plan, redevelopment of Old Convention Center, the North Tryon Urban Village Redevelopment, Mid-Town Square Redevelopment, etc.

Future Action:

The consultant contract will be on the July 28, 2003 Council business agenda.

3. Commercial Non-Discrimination Ordinance Options

Committee Chair: Joe White

Resource:

Time: 5 minutes

Synopsis of Presentation:

On May 27, Council referred the discussion of the available courses of action on the proposed commercial non-discrimination ordinance to the Restructuring Government Committee. The Committee met on June 16 and approved a motion to ask staff to research possible options for implementing a commercial non-discrimination ordinance without special legislative authority. The vote was 3 to 1 (Graham, Spencer and White in favor; Lochman in dissent; Cogdell absent).

The City Attorney will research various options and will define the level of risk under each option.

Future Action:

The Committee has scheduled a meeting on Thursday, July 17 at 10:00 a.m. to receive the staff report and begin discussion of its merits.

Attachment 2

Restructuring Government Committee June 16 agenda

4. Council Redistricting Committee Report

Committee Chair: Patrick Cannon

Resource: Mike Boyd, City Attorney's Office

Time: 15 minutes

Synopsis of Presentation:

Chairman Cannon will present the report of the Redistricting Committee on Plans A and C, the two plans considered by the Committee, as well as the recommended statement of the factors that may be considered in redistricting. The Committee is presenting both plans for Council consideration, without a recommendation on the plan to adopt, along with information on a comparison of the plans.

Future Action:

Council must approve a redistricting plan to satisfy requirements by the Board of Elections for a final redistricting plan by June 23rd. The agenda item is on page 34.

5. Committee Reports by Exception

Communities Within A City Committee:

- FY2004 Regional Consolidated Housing Action Plan
- First Ward Developments
- Southside Homes Rehabilitation Grant
- Johnston Mills and Mecklenburg Mills Apartments

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

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

CONSENT

- 6. Consent agenda items 24 through 55 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

7. **Public Hearing and Resolution to Close 2nd Street between West Todd Lane and East Todd Lane**

Action: **A. Conduct a public hearing to close 2nd Street between West Todd Lane and East Todd Lane, 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.

Petitioner:

New Zion Baptist Church/Samuel Williams

Right-of-Way to be abandoned:

2nd Street between West Todd Lane and East Todd Lane

Location:

Located within the Todd Park Neighborhood Association beginning from West Todd Lane continuing approximately 300 feet eastwardly to its terminus at East Todd Lane

Reason:

To incorporate the right-of-way into adjacent property owned by New Zion Baptist Church for the construction of a new sanctuary

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

Lessie Sloan Cowans – No objections

Neighborhood/Business Associations

Thomasboro Neighborhood Association – No objections

Hoskins Community – No objections

Westchester Community Association – No objections

Todd Park Neighborhood 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

Resolution

Map

8. Public Hearing and Resolution to Close Durwood Avenue between Kenilworth Avenue and Harding Place

Action: A. Conduct a public hearing to close Durwood Avenue between Kenilworth Avenue and Harding 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.

Background:

The Charlotte-Mecklenburg Hospital Authority (CMHA) has met with the Dilworth Community Development Association, Charlotte Department of Transportation, and the Charlotte-Mecklenburg Planning Commission to discuss the proposed project. CMHA has worked to resolve all issues, including providing additional right-of-way for bike lanes in both directions and provision for future residential development on Kenilworth Avenue along the projects frontage. CMHA commitment letter is attached.

Petitioner:

The Charlotte-Mecklenburg Hospital Authority/John Carmichael

Right-of-Way to be abandoned:

Durwood Avenue between Kenilworth Avenue and Harding Place

Location:

Located within the Dilworth neighborhood beginning at Kenilworth Avenue and continuing approximately 840 feet southeastwardly to its terminus at Harding Place

Reason:

To incorporate the right-of-way into adjacent property owned by the Charlotte-Mecklenburg Hospital Authority for the construction of new medical buildings and parking deck.

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 - None

Neighborhood/Business Associations

Center City Partners – No objections

Cherry Community Organization – No objections

Dilworth Community Development Association – No objections

Eastover Resident's Association – No objections

Elizabeth Community Association – No objections

Myers Park HOA, Inc. – No objections

Sedgefield HOA – No objections

Sedgefield Neighborhood Association – No objections

Private Utility Companies – No objections.

City Departments –

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

Be contrary to the public interest; or

Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

Attachment 4

Resolution

Map

CMHA Letter

9. Public Hearing and Bond Order for General Obligation Refunding Bonds

Action: A. Hold a public hearing concerning the bond order for up to \$65,000,000 of General Obligation Refunding Bonds,
B. Adopt the bond order as introduced, and
C. Approve a resolution authorizing the issuance of up to \$65,000,000 of General Obligation Refunding Bonds.

Staff Resource: Greg Gaskins, Finance

Explanation:

On June 9, 2003 Council approved a resolution authorizing refunding bonds. Council also approved the June 23, 2003 Council meeting as the time and place for a public hearing concerning these bonds.

The bond order is for up to \$65,000,000.

The General Obligation Refunding Bonds may total up to \$65,000,000. The actual amount of bonds to be refunded is \$58,250,000. The refunding bonds will not be issued unless the City realizes net present value savings of approximately 3% of the face value of the bonds to be refunded. Refunding bonds are issued at a lower interest rate than the existing bonds so that the City realizes a savings. Market conditions determine the savings amount. Refunding is similar to refinancing a mortgage.

Funding:

Municipal Debt Service Fund
Water and Sewer Debt Service Fund

Attachment 5

Bond Order
Resolution

POLICY

10. City Manager's Report

11. Eastland Area Plan



Action: Approve the Economic Development and Planning Committee's recommendation concerning the Eastland Area Plan Volume I Concept Plan and receive as information Volume II Implementation Plan.

Committee Chair: Lynn Wheeler

Staff Resource: Laura Harmon, Planning Commission

Explanation:

The Eastland Area Plan was developed as a follow-up to the Eastside Strategy Plan, adopted by City Council in October 2001. The Eastside Strategy Plan recognized changes occurring in the Eastland area and recommended further planning designed to direct and support positive change. Recommendations from this Eastland Area Plan will amend the East District Plan (1990) for the study area.

The plan is divided into two volumes: Volume I identifies key recommendations, and Volume II proposes specific actions to carry out the plan. City Council action relates to Volume I only.

The study area is bounded by Eastway Drive on the west, W.T. Harris Blvd. on the east, Monroe and Idlewild Roads on the south, and Shamrock Drive and Hickory Grove Road on the north. The Eastland Area Plan makes specific recommendations as summarized below:

Town Center: A town center with Eastland Mall as its anchor is envisioned as the heart of the future Eastland community. The long-term vision for the mall site, adjacent properties, and the land across Central Avenue is a compact, pedestrian-oriented town center.

International District: Central Avenue will reflect Charlotte's growing international community and will provide international shopping opportunities for all citizens. The plan recommends expanding upon the naturally emerging international district on Central Avenue as "the" international district of Charlotte.

Albemarle Road Mixed-Use Corridor: Albemarle Road will be revitalized into an attractive, pedestrian-friendly corridor with a mix of retail, office, residential, and civic uses. Short-term strategies should focus on marketing

and reuse of existing space, but in the long-term this plan recommends redevelopment into multi-use/mixed-use development.

Existing Neighborhoods: The existing neighborhoods will continue to be the greatest strength of the Eastland area. Emphasis will be placed on ensuring that the neighborhoods remain strong. Specific neighborhood strategies include connecting neighborhoods, monitoring the health of area neighborhoods, and proactively marketing these neighborhoods to potential buyers.

Multi-Family Communities: Multi-family communities will be a vital component of the Eastland area. In order to maintain the stability of the area, it is recommended that new multi-family properties be owner-occupied rather than rental property. Maintenance and marketing of existing multi-family communities is a top priority. Involving renters in community activities will also be important.

Community Design: Increased attention to community design elements will improve the appearance and function of the Eastland area. Streetscape improvements to public property will be vital. In addition, changes to private property are recommended. Future development should meet guidelines for compact, pedestrian-friendly design.

Transportation and Circulation: The area's transportation system will allow people to circulate safely and conveniently on foot, by bike, on transit, or by automobile. Pedestrian-oriented improvements to streets, as well as the addition of a new neighborhood transit center to the proposed town center, will give people more transportation choices.

Parks and Greenways: The Eastland area will have a fully developed and extensive park and greenway system that provides recreational and open space amenities for all area residents. The addition of the town center, improvements to existing parks, new park and greenway acquisition, and increased programming are recommended.

Community Safety: The Eastland area will provide a safe location to live, shop, work and recreate. Recommendations include focusing on crime "hot spots", a concerted effort to work with the international community to address crime, and formation of an Eastland Area crime watch.

Community Organization: A focused Eastland Association will be a key ingredient in the implementation of this plan and its long-term success. This organization might take on the following activities: marketing; recruiting; communication with residents, businesses, and property owners; supporting merchants; sponsoring special events; and coordinating with government.

The Planning Committee of Planning Commission received public comment on the plan on November 19 and December 17, 2002. Citizen comments included:

- Concern over percentage of residents that are renters and question on type of residential development proposed within the town center
- Need for proactive outreach to smaller businesses in area
- Concern for decline in neighborhood and need for various cultures to work and play together

At the December 17 meeting, the Planning Committee voted 7-0 to approve the Draft Plan.

Committee Discussion:

City Council's Economic Development and Planning Committee discussed the draft plan at their January 15 meeting. Staff provided background information and highlighted key recommendations. Committee members asked staff to meet with neighbors who had remaining concerns prior to acting upon the plan. The major issues were:

- Mapping of parcel-specific land use recommendations
- Neighborhood Owner/Renter ratio and owner occupancy for new multi-family projects
- Eastland Community Transit Center status relative to transit corridors
- Independence Boulevard Transit Corridor area of influence
- Type and location of Urban Housing in the Town Center
- Protection of existing single family neighborhoods from commercial and multi-family encroachment

After several additional meetings with community groups, a consensus was reached on changes to the text and the addition of a Proposed Land Use map, with a minority dissenting on urban housing as a part of larger retail/mixed use development in portions of the Town Center. The resulting Proposed Additional Text Changes and Proposed Land Use Map are provided as separate attachments.

At its May 7 meeting, the Committee reviewed the proposed changes and unanimously voted to send the plan to full Council for public comment.

Council held a public hearing on the Plan at its June 9th meeting. Notices of this public input opportunity were sent to property owners in the study area, to the stakeholder group and to those who have attended past community meetings on the plan. The Committee will consider the Plan again on June 18, 2003. The Committee's recommendation will be included in the Friday, June 20th Council-Manager Memorandum.

Community Input:

In January of 2001, the City of Charlotte and the Charlotte-Mecklenburg Planning Commission engaged Village Solutions Company to collect market research for the Eastland study area and to develop recommendations designed to enhance and revitalize the community. A stakeholder group of

leaders from the surrounding area was established to monitor the plan. During the planning process, a number of stakeholder meetings, four public workshops and a final open house were conducted to obtain community input. Based on the resulting community input, additional background research, and the initial consultant recommendations, City of Charlotte staff developed the recommendations found in Volume 1 - The Concept Plan.

As previously noted, several additional meetings with community groups were held between January and May 2003 to resolve remaining concerns. The attached Proposed Additional Text Changes and Proposed Land Use Map reflect these discussions.

On June 9, Council held a public comment meeting to receive public comments. Six speakers spoke at the meeting. Generally the issues raised included:

- Need for follow-through and details on plan elements, especially the international district
- A proposal for a particular racing-related business plan for the area.
- Need to move forward with plan without delay
- A note that implementation of key elements are already underway

Attachment 6

Draft Eastland Area Plan, Concept Plan Volume I
Proposed Additional Text Changes
Proposed Land Use Map

12. FY2004 and FY2005 Operating Budget and FY2004-2008 Capital Investment Plan

Action: Approve FY2004 Appropriations and Tax Levy Ordinance, the FY2005 Operating Resolution, the Capital Investment Plan Resolution for Fiscal Years 2004-2008, the FY2004 Pay and Benefits Resolution, and other items related to the annual operating budget adoption.

Committee Chair: Lynn Wheeler

Staff Resource: Listed under each section

Policy:

As required by state law, the City of Charlotte adopts an annual appropriations and tax levy ordinance and considers related actions prior to June 30 of each fiscal year.

Explanation:

Council is requested to adopt the following actions:

- A. The FY2004 & 2005 Appropriations and Resolution and Tax Levy Ordinance (Ruffin Hall)
- B. Changes to the Manager's Recommended Budget (Ruffin Hall)
- C. The FY2004 & 2005 Operating Plan Resolution (Ruffin Hall)
- D. The FY2004-2008 Capital Investment Plan Resolution (Ruffin Hall)
- E. The FY2004 Pay and Benefits Plan Resolution (Tim Mayes)
- F. Arts and Outside Agencies Contracts (Ruffin Hall)
- G. Municipal Service Districts Contracts (Ruffin Hall)
- H. Job Training Contracts (Stanley Watkins)
- I. Human Services Contracts (Stanley Watkins)
- J. Housing Development and Support Contracts (Stanley Watkins)
- K. Other Budgetary Items (Ruffin Hall)

A. Adopt the FY2004 & FY2005 Appropriations and Tax Levy Ordinance

Budget Overview:

On May 12, 2003, the City Manager presented the recommended FY2004 and FY2005 Operating Budget Plan and the FY2004-2008 Capital Investment Plan to the Mayor and City Council. Since March 2003, the Mayor and City Council held four budget retreats and the required public hearing to shape development of this budget.

The total recommended budget is \$1.39 billion, with \$736.5 million for operating expenses and \$656.4 million for capital expenditures.

The budget addresses Council's 2004 priorities. As tentatively approved on June 18, 2003 by straw vote, the Council endorsed the following budget scenario:

- A tax rate of 42.0¢ per \$100, a decrease of 4.7¢ from the previous fiscal year.
- An average increase in Storm Water fees of 7.5%.
- An average monthly Water and Sewer rate increase of 5.15% for residential customers.
- An increase in CATS bus fares on October 1, 2003 of 10¢ on local routes and 15¢ on express routes.

Property Tax Rate:

The property tax rate for FY2004 is a total of 42.0¢ per \$100 of assessed valuation. The FY2004 assessed value is estimated at \$60.9 billion, with an estimated collection rate of 97.75%. The distribution of the tax rate is as follows:

General Operations	34.80¢
General Debt Payments	5.40¢
Pay-As-You-Go Capital	1.80¢
Total	42.00¢

B. Changes to the Manager's Recommended Budget

Council approved the following amendments to the City Manager's recommended budget on June 18, 2003:

1. An additional \$30,000 funded from the Council's Discretionary Account for Community Building Initiative (CBI) in FY2004. The recommended budget for Council's Discretionary includes \$250,000 in FY2004 and FY2005. The balance of the FY2004 appropriation of the Council's Discretionary Account with this approval would be \$220,000.
2. An additional \$2,000,000 in FY2007 of the FY2004-2008 capital budget for the proposed U.S. National Whitewater Center. The additional \$2 million would be funded by future sale of excess arena land proceeds in the Sports and Entertainment Fund.

C. Adopt the FY2004 & FY2005 Operating Plan Resolution

The Manager's Recommended Budget includes recommendations for the next two years of operating budgets. The first year, FY2004, is listed in Section A of this action.

A resolution is adopted at the beginning of each two-year plan. The resolution approves the FY2004 Operating Plan as recommended by the City Manager and as amended by Council on June 18. Adoption of the FY2005 Plan does not appropriate funds.

D. Adopt the FY2004-2008 Capital Investment Plan Resolution

The resolution approves the five-year capital investment expenditure and financing plan totaling \$2.3 billion, a 12% decrease compared to the current 5-year Capital Program.

Municipal Debt-Funded

The recommended FY04-08 General Capital Investment Plan (CIP) includes \$264.8 million in debt financing, of which \$126.8 million is existing, approved debt and \$138.0 million is planned general government bond referendum in

November 2004. Recommended uses of voter-approved general obligation bonds are as follows:

- \$68 million for Streets
- \$30 million for South Corridor infrastructure
- \$20 million for Affordable Housing
- \$15 million for Sidewalks, and
- \$5 million for Neighborhood Improvements

Pay-As-You-Go-Funded

The five-year FY2004-2008 CIP includes \$165.6 million in Pay-As-You-Go and Current Revenues, an \$8.7 million or 5% decrease over the current FY2003-2007 CIP.

FY04 Pay-As-You-Go revenues have decreased \$2.1 million or 5.9% over the current year (FY03) due to:

- Lower sales tax growth in projections,
- An adjustment to the auto tax revenues that were projected higher than receipts, and
- Much lower fund balances in Pay-As-You-Go and Capital Reserve. The decline in capital reserve is the result of moving the City's fund balance policy from 10% to 16%, as well as an estimated current fund balance level below 16%.

Impacts from lower revenues are as follows:

- Elimination of the Transportation Connectivity project
- Elimination or reduction of 7 projects beginning in FY05, including Neighborhood Matching Grants, Small Area Plans, Neighborhood Traffic Calming (speed humps), Infrastructure Grants, Business Facades, Development and Revitalization Fund (DARF) Program and Median Improvements

The recommended Pay-As-You-Go expenditures include:

- \$92 million for the City's Maintenance of Effort (MOE) contribution to Transit
- \$21 million for building and roof maintenance
- \$19.9 million for Innovative Housing
- \$9.8 million for Smart Growth Land Acquisition

Enterprise-Funded

Major Storm Water projects include:

- \$84 million for Neighborhood Flood Control Projects
- \$29.7 million for Repairs to the Existing Storm Water System
- \$22.9 million for Storm Water Channel Restoration

Major Charlotte Area Transit projects include:

- \$448.3 million for South and North Corridors development
- \$51.1 million for new and replacement Buses

Major Water and Sewer projects include:

- \$50 million for Water and Sewer Line Rehabilitation
- \$41.3 million for Briar Creek Relief Sewer
- \$41.0 million for McAlpine Nutrient Reduction
- \$39.0 million for McDowell Waste Treatment Plant expansion

Major Aviation projects include:

- \$80.0 million for a New Third Parallel Runway
- \$71.5 million for Continued Expansion of Air Cargo Operations

E. Adopt the FY2004 Employee Pay and Benefits Plan and Resolution

The recommendations included in the FY2004 Pay and Benefits Report include the following:

Compensation

Public Safety Pay Plan

Public Safety employees will receive increases of 2.5% or 7.5% during FY2004.

A 2.5% structural market adjustment for all steps in the Public Safety Pay Plan. Public Safety employees will receive this increase effective July 5, 2003.

Funding for 5% merit pay step increases in the Public Safety Pay Plan.

Broadbanding Pay Plan

A 3% merit increase budget for all eligible employees in the Broadbanding Pay Plan. Broadbanding employees will receive this increase effective July 5, 2003.

Merit increases will range from 0 to 8% based on market position and performance level, but total merit increases in each Business Unit will not exceed 3.0%.

Funding for a 0.5% recruit and retain, workforce development pool to be managed by the Human Resources Key Business Unit.

A 3% increase to the band minimum and maximum rates in the Broadbanding pay structure. The only impact of this recommendation will be to change the minimum and maximum rates in the City's six bands. No employees will receive an increase as the result of this recommendation.

Benefits

Effective January 1, 2004, increase the individual out-of-pocket annual copay maximum for prescription drugs from \$1,500 to \$2,000

Effective January 1, 2004, increase the copay for specialists in the PPO High and PPO Low Plans from \$20 to \$30

Effective January 1, 2004, add a \$200 in-network deductible to the PPO High Plans for hospital inpatient and outpatient services and increase the deductible in the PPO Low and Indemnity Plans from \$300 to \$400

Effective July 1, 2003, allow currently covered retirees and future eligible retirees the opportunity to opt-out of medical coverage and upon request, reenroll for coverage at a later date

Authorize the City Manager or her designee to approve a vendor, negotiate plan terms and execute a contract to implement a voluntary long term care insurance program effective January 1, 2004. This program will be completely funded by employee contributions.

Increased Medical and Dental Premiums

Effective January 1, 2004, increase medical and dental insurance premiums as shown in Attachments F through I of the Pay and Benefits Report.

Effective January 1, 2004, increase retirees' share from 35% to 37% of the total premium if they cover themselves and dependents

Medical Stop-Loss Insurance

Authorize the City Manager or her designee to negotiate terms and premium changes for medical stop-loss insurance.

F. Approve the Arts and Outside Agencies Contracts:**Visit Charlotte (formerly CCVB) \$2,457,418**

Visit Charlotte promotes economic development in the Charlotte-Mecklenburg area by promoting the area as a destination for convention, leisure, and sports-related travel. Funding allocated directly to Visit Charlotte is for general tourism marketing and derived from a portion of the proceeds of a countywide occupancy tax.

Convention Center Marketing \$3,294,150

This funding is used for marketing of the Charlotte Convention Center and provided to the Auditorium-Convention Center-Coliseum Authority (Authority). By agreement, the Authority is then required to contract with Visit Charlotte for at least 70% of this marketing funding. This funding is

part of the Convention Center Tax Fund and derived from the prepared food and beverage tax and a portion of the countywide occupancy tax.

United Family Services (Victim Assistance) \$318,127

Funding for United Family Services increased \$1,271 from FY2003 to FY2003 to reflect changes in the City's recommended pay plan for a City-funded position.

The Victim Assistance Program provides community counseling, education, and individual assistance to adult and child victims of crime and to families of homicide victims.

Arts & Science Council (ASC) \$2,942,000

FY2004 funding for the Arts & Science Council remains at the FY2003 funding level.

The Arts & Science Council oversees community-wide cultural planning, fundraising, grant administration, technical assistance, facility review, and other responsibilities to advance the cultural life of Charlotte and Mecklenburg County.

Charlotte Regional Partnership \$110,539

The Partnership is a regional economic development organization that works with local governments, the Chamber, and others to enhance economic activity in the region. The amount of City funding is derived on a per capita figure based on city population. FY2004 funding is a 3% increase over FY2003 due to the city's population increase.

Advantage Carolina \$200,000

Advantage Carolina is a public/private partnership sponsored by the Charlotte Chamber of Commerce to improve the economic vitality and quality of life through regional planning, corporate headquarters recruitment, technology programs in local schools, and other initiatives. This is the second of five annual installments for a total pledge of \$1 million.

G. Approve the Municipal Service District Contracts with Charlotte Center City Partners, Historic South End, and University City Partners

The city's municipal service districts (MSDs) were created to enhance the economic viability and quality of life in select areas. Three MSDs are located in the Center City, one is located in the South End area, and a new district is located in the University City area. Revenues for these districts are generated through ad valorem taxes paid by property owners in the districts in addition to the City's regular property tax rate.

In FY2004, the City will contract with Charlotte Center City Partners for services in the Center City Municipal Service Districts, with Historic South End for services in the South End Municipal Service District, and with University City Partners in the new University City Municipal Service District. Excluding the new University City district, the FY2004 contract amounts are increased 2% over the FY2003 amounts due to increased development in Center City and South End.

The FY2004 tax rates in the four current MSDs (excluding University City) are reduced from the FY2003 rates due to the countywide property revaluation. These FY2004 rates were calculated using the revenue-neutral guideline similar to the citywide property tax rate.

Municipal Service Districts Summary				
District	FY03 Tax Rate	FY04 Tax Rate	FY03 Amount	FY04 Amount
District 1-Center City	1.93	1.74	\$685,560	\$699,272
District 2-Center City	1.40	1.24	\$184,750	\$188,445
District 3-Center City	2.89	2.71	\$514,078	\$524,361
District 4-South End	9.00	6.68	\$282,288	\$287,935
District 5-University City	-	3.00	-	\$150,000

H. Job Training Contracts

On January 1, 2000 the Workforce Development Board (WDB) assumed the responsibility for the operation of the Job Training Program, funded by federal Welfare Investment Act (WIA) Grants. The City continues to serve as the fiscal agent for the program. The City contracts with the WDB on an annual basis to implement WIA services in the Charlotte Mecklenburg area. The contract allows the WDB to fund its operation and contract with and monitor agencies including the Employment Security Commission, Child Care Resources, Goodwill Industries, and the Charlotte-Mecklenburg Board of Education.

I. Approve the Human Services Contracts

The FY2003 Consolidated Action Plan, approved by Council on May 13, 2002, identifies priorities for federal housing and community development resources including the Community Development Block Grant (CDBG). Human services contracts for After School Enrichment Programs are part of the projected FY2004 CDBG-funded activities.

The contracts provide educational enrichment activities for elementary, middle, and high school students of families with low incomes who reside in the City Within A City (CWAC) boundaries. The contracts are funded by the human/public services component of the CDBG program.

Greater Enrichment Program	\$605,854
Charlotte-Mecklenburg Board of Education	\$185,603
Bethlehem Center	\$199,207
YWCA Scattered Sites Program	\$114,546
St. Paul Enrichment Program	\$57,735
YMCA Strengthening Families Program	\$48,699

J. Approve the FY2004 Housing Development and Support Contracts

The FY2003 Consolidated Action Plan approved by Council May 13, 2002, establishes strategies to provide affordable housing and supportive services for low and moderate- income families and individuals as part of an overall community revitalization strategy.

**Charlotte Mecklenburg Housing Partnership, Inc. (CMHP)
Affordable Housing Contract \$2,000,000**

This contract includes funding to address planning for future multifamily and single-family housing development by:

- Operating a loan program for financing of single-family homeownership; providing 100 units in the form of first, second, third mortgages and down payment grants
- Continuing the development of The Park at Oaklawn.
 - The 178 rental units funded through tax credits will be completed and occupied.
 - Development and construction will continue on the 83 elderly units being funded through HUD’s 202 Program
 - The development of 70+ single-family homes will continue.
 - Plan for the replacement units
- Continue constructing the 63 units of The Gables at Druid Hills, which will be completely constructed and occupied.
- Construct or rehab and sell 8 units in CWAC.
- Work with the YWCA to provide technical and financial assistance to begin renovating 60 women in transition units.

- Continue the development of single family homes at the Arbor Glen Development
- Continue planning for development of transit oriented project
- Beginning construction of Rocky Branch and Tyvola Crossing if tax credits are awarded.
- Continuing to manage financial procedures and “clean opinion”

Sources of funding:

- CDBG: \$1,000,000
- Innovative: \$1,000,000

**Charlotte Mecklenburg Housing Partnership, Inc. (CMHP)
Rosedale II \$500,000**

This contract is for the development of Rosedale II a 32-unit second phase of the Rosedale development on Craighead Road off of Graham Street. CMHP applied for tax credits in May 2002 in a partnership with Hope Haven. Council approved a letter of support and a funding commitment contingent upon the award of tax credits. CMHP was awarded tax credits by the North Carolina Housing Finance Agency. The units will be completed and occupied by December 2004.

- Fourteen units will serve households earning 35% of the area median income and 18 units will serve households earning 50% of AMI income.
- Rents will range from \$351 to \$626 per month.
- The City financing will be in the form of an interest only loan at 3%.
- The source of funds will be local innovative funds.
- The development will consist of 16 - 2BR units (880 sf) and 16 - 3BR units (1,100 sf).
- The overall per unit cost is \$95,633 and the total project cost is \$3,060,259.
- The leverage ratio for the project is 1:6

The Source of Funding is as follows:

City Innovative Funds Loan	\$500,000
CMHP Loan	\$622,980
Federal Tax Credit Equity	\$1,693,084
State Tax Credit Equity	<u>\$244,195</u>
Total	\$3,060,259

**Charlotte Mecklenburg Housing Partnership, Inc. (CMHP)
Statesville Avenue Corridor Contract \$549,000**

This contract continues work specified in the Statesville Avenue Corridor Area Plan. Funding will allow for the acquisition and/or rehabilitation of 19 units in the Statesville Avenue Corridor in strategic areas for future developments.

Source of funds:

- Federal HOME Funds: \$549,000

Regional HIV/AIDS Consortium**\$562,000**

The Consortium manages the City Housing Opportunities for Persons with HIV/AIDS (HOPWA) federal grant. Responsibilities include:

- Awarding restricted-use grants to qualified organizations in the seven-county metropolitan statistical area (MSA) to provide housing and housing-related services for people living with HIV and AIDS.
- Distributing funds available through the HOPWA program in compliance with 24 CFR Part 574 and other applicable HUD regulations.
- Ensuring that all HOPWA funds are expended to provide maximum access to housing for eligible people affected by HIV and AIDS, including family as defined by 24 CFR Part 574.3
- Monitoring distribution and proper expenditure of funds distributed to grantee agencies in the region.

Crisis Assistance Ministry**\$300,000**

The Ministry programs provide critical assistance to low-income families.

- Crisis Assistance Energy Assistance (\$142,105) – These funds are used to directly pay utility companies for bills due from low-income families. This program serves approximately 1,000 families at an average of \$142.
- Crisis Assistance Emergency Rental Assistance (\$157,895) – These funds are targeted for low-income families living in specific areas of the City to address housing problems. This program assists approximately 1,000 families at an average cost of \$158 per family.

UJAMMA, Inc.**\$210,000**

UJAMMA, Inc. provides housing counseling services with an emphasis in creating homeownership in CWAC and specifically the City's targeted neighborhoods. On February 25, 2002 City Council approved awarding a three-year contract to UJAMMA, Inc. This is the second year of a three-year contact commitment. The contract is a performance-based contract therefore funding is up to \$210,000. The goal in FY04 is to create 100 new homeowners.

Consumer Credit Counseling Services**\$120,000**

Consumer Credit Counseling Service (CCCS) provides mortgage default and rental delinquency counseling and life skills counseling. On February 25, 2002 Council approved awarding a three-year contract to CCCS. This is the second year of a three-year commitment. The contract is a performance-

based contract therefore funding is up to \$120,000. The goal is FY04 is to serve 600 clients through the program.

Other Housing Development Related Budgetary Items

Appropriates \$3,500 in additional grant funding from a grant from Lowe's Foundation. Grant will be used to purchase cleaning supplies for distribution to families enrolled in the LeadSafe Charlotte Lead Hazard Reduction Program.

K. Other Budgetary Items

The budget ordinance attached is the City's annual budgetary operating ordinance. Sections 1 through 11 of this Ordinance reflect the items included in the Manager's Recommended Budget that Council is approving with this action.

The remaining sections of the Annual Ordinance serve to adjust the Manager's Recommended Budget for changes approved by Council through the previous actions approved on this agenda, as well as make budgetary corrections to the current fiscal year for technical, accounting, and other "wind-up" tasks necessary prior to the year's end.

Sections 12 through 17 are additional actions to be effective for FY04. Sections 18 through 48 are wind- up actions for FY03.

Following are descriptions of the remaining sections' purposes.

Section 12 appropriates fund balance in Municipal Service District 4 (Historic South End) for \$30,000 to support the Bland Street Historic Trolley Barn project. District 4's fund balance remains above 16% even after this action.

Section 13 appropriates \$77,550 from the regional Mecklenburg Union Metropolitan Planning Organization (MUMPO) jurisdictions to support additional staffing and other operating expenses. The City contributes \$172,450 in the Charlotte Mecklenburg Planning Commission and Department of Transportation existing budgets for its share of the total \$250,000 approved last year to enhance the MUMPO planning initiatives.

Sections 14 and 15 appropriate funds from Mecklenburg County Storm Water and Charlotte Mecklenburg Utilities to support Utility Billing, including \$248,042 for a back-billing recovery project and \$86,263 for technical writer services.

Section 16 transfers the remaining public safety grants, including those used by Emergency Management, to the Public Safety Grants Fund.

Section 17 transfers \$30,000 from Council's Discretionary account to Community Building Initiatives.

Section 18 returns \$6 million to the General Fund's unappropriated fund balance from the Winter Storm 2002 Fund. Unspent savings comprise \$2.3 million of the total; the remainder is due to receiving FEMA and State of North Carolina reimbursements totaling \$3.7 million. The Storm Fund is retaining the \$1.5 million balance of the original \$7.5 million until final reimbursements and closeout inspections are completed.

Section 19 through 26 appropriate public safety- related items, including:

- Grant funds from the State of NC for Urban Search and Rescue (USAR) training (\$108,333.55)
- Additional 911-fee revenues of \$125,000
- \$13,000 from the State of NC for Emergency Management for the Regional Response Team
- \$103,535 from Assets Forfeiture Funds for Police Department expenses including funding one Assistant City Attorney (\$78,535) and vehicles (\$25,000)
- One-time contributions from the private sector to Police (CMPD), including \$55,000 from Mecklenburg Medical Alliance Endowment, Inc. for crime lab equipment and \$7,500 from Purdue Pharma Technologies, Inc. for prescription drug fraud investigations
- \$47,300 from the US DOJ Marshals Service for the Weed and Seed Program; and
- \$10,000 from other jurisdictions or private groups to support CMPD's Carolinas Institute for Community Policing (CICP).

Sections 27 and 28 appropriate additional funds from NCDOT for Transportation's Planning Division for \$35,577 in additional Planning Assistance (\$35,577) and Regional Air Quality Modeling (\$197,442).

Sections 29 and 30 appropriate program income totaling \$349,183 for program income (interest earnings), including \$101,596 collected for the Hope Haven loan, and the HUD Revolving Loan Trust Fund for repayment to HUD.

Section 31 adds \$375,000 from Water Revenue Bonds to the South Water Main Project for various project completion contracts and reimbursements.

Section 32 appropriates additional funding of \$207,989.25 for the Johnston Road Extension project, including \$137,989.25 from a developer contribution and \$70,000 from NCDOT.

Sections 33 through 36 adjust several projects within the Aviation Operating and Capital Project Funds to reflect revised sources of funding and additional appropriations, including \$565,982 in grant funds from the FAA for the Part 150 Noise Compatibility program.

The remaining sections are technical accounting changes necessary to clarify or correct FY2003 and other prior-year budgetary ordinances.

Attachment 7

Budget ordinance
 Operating Plan Resolution
 CIP Resolution
 Pay and Benefits Resolution
 Visit Charlotte Scope of Services
 United Family Services (Victim Assistance) Scope of Services
 Arts & Science Council Scope of Services
 Charlotte Regional Partnership Scope of Services
 Advantage Carolina Scope of Services
 Charlotte Center City Partnership Scope of Services
 Historic South End Scope of Services
 University City Partners Scope of Services
 Neighborhood Development Contracts

13. Annexation Resolution of Consideration for the 2005 Annexation Cycle

Action:

- A. Adopt a Resolution of Consideration for each of five Annexation Study Areas,**
- B. Adopt an official map of each study area to establish formal boundaries (this map is available in the City Clerk's Office), and**
- C. Adopt the involuntary annexation policy.**

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

Policy: City Annexation Policy and State Annexation Statutes

Explanation:

In accordance with State law and City policy, areas being considered for annexation are identified at least one year prior to the beginning of formal annexation procedures. This is accomplished through adoption of a Resolution of Consideration, which delineates the geographical areas under consideration for annexation. City Council must then wait one full year (but not more than two years) before initiating formal annexation proceedings for these areas. In order to maintain the City's schedule of undertaking annexations every two years, the study areas need to be identified at this time.

An individual Resolution of Consideration is to be adopted for each of the five annexation study areas. The five study areas are:

Steele Creek
Brookshire/Lakefront
Mallard Creek Church Road East
Harrisburg Road
Community House Road

Detailed studies will be conducted in the coming year to determine what part or all of each study area is eligible for annexation, and those areas will then be submitted for City Council consideration for annexation. Areas identified would be considered for annexation effective June 30, 2005.

The Planning Commission staff has identified five areas suitable for evaluation to determine eligibility for annexation during the two-year life span of the resolution. The areas were identified by examining current levels of development, development completed during the past year, and the potential for additional development (based upon land development approvals) over the next one to two years.

Additionally, the City has been operating its annexation program under a series of local policies and practices that have developed over the years. These policies and practices have been intended to complement the state annexation statutes by clarifying procedures under which Charlotte operates its annexation process. Since these policies were adopted and enacted incrementally, staff now suggests that City Council adopt them as a single comprehensive package. The proposed annexation policies are attached. The recommended policies are already being observed. Approval of the policy package will serve to validate these policies for the 2005 annexation process and beyond.

The following is a tentative timetable of City Council actions in this annexation process:

- June 23, 2003 – Adopt Resolution of Consideration, outlining general areas which may be eligible for annexation effective June 30, 2005, and adopt a series of Annexation Policies intended to govern the 2005 Annexation process
- July, 2004 – Adopt Resolution of Intent, giving specific boundaries of proposed annexation areas, and approve annexation reports for those areas
- October, 2004 – Hold Annexation Public Hearing
- November, 2004 – Adopt Annexation Ordinances
- June 30, 2005 – Effective Date of Annexation

On June 9th City Council was briefed on the 2005 Annexation.

Attachment 8

Resolutions of Intent
 2003 Annexation Preliminary Study Area Maps
 Proposed Annexation Policies

14. Neighborhood Development FY2004 Consolidated Action Plan



Action: Approve the CWAC Committee's recommendation to approve the FY2004 City of Charlotte and Charlotte-Mecklenburg Neighborhood Development Consolidated Action Plan to receive the proposed grant allocation of approximately \$9.2 million for the next fiscal year.

Committee Chair: Patrick Mumford

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The Neighborhood Development Consolidated Action Plan is the City and Regional Housing Consortium's one-year strategy for providing housing and community development activities to serve primarily low and moderate-income households. It describes the City and Consortium's goals, objectives and strategies for carrying out federal and local programs. Preparation of the Plan is required each year by the U.S. Department of Housing and Urban Development (HUD) in order to receive federal housing and community development funds. The Plan complements the City's Communities Within A City Focus Area.

Explanation:

The Neighborhood Development FY2004 Consolidated Action Plan continues current policies regarding the City's approach to housing and community development. It focuses on Charlotte's efforts in providing economic opportunities, housing and sustainable neighborhoods. The Plan establishes a vision for the Charlotte community and sets forth goals, objectives and benchmarks to achieve the vision. The Plan includes housing objectives for the Regional Housing Consortium, a partnership between the City, Mecklenburg County and the towns Cornelius, Pineville, Matthews, Mint Hill and Huntersville. The Plan also embraces HUD goals of providing housing, suitable living environments and economic opportunities for low and moderate-income households.

The Plan also serves as the City's annual application for federal grant funds, which is due to HUD on June 30, 2003. Submission of the one year Action Plan is required to receive an estimated \$9.2 million in new federal funds. The proposed funds are included in four grant programs:

Community Development Block Grant (CDBG)	\$5,653,000
HOME Investments and Partnerships (HOME)	\$2,849,690
Emergency Shelter Grants (ESG)	\$ 166,000
Housing Opportunity for Persons with AIDS (HOPWA)	\$ 562,000
Total	\$9,230,690

The annual allocation is determined by HUD's entitlement formulas. The formulas use data based on overcrowded housing, population growth/lag and poverty, or data based on the age of housing. A copy of the FY2004 Neighborhood Development Consolidated Action Plan is in the Council Library.

Committee Discussion:

The Plan will be presented to the CWAC Committee on June 19, 2003. Information on the Committee's discussion will be provided in the Council Manager Memorandum on Friday, June 20, 2003.

Community Input:

In February 2003 a citizen's forum was held to inform the community and the City's financial partners about the upcoming Plan process and timeline for completion. Four hundred invitations were mailed to various organizations and individuals to inform of the forum dates. Citizen participation forums were also held with each member of the Charlotte-Mecklenburg Regional Housing Consortium. All members were informed of an opportunity to submit specific projects for consideration in the Plan.

On May 9, 2003 copies of the draft document were distributed to public places for citizen review and comment – including Old City Hall, Mecklenburg County Library Main Branch, Belmont Center, Amay James Center and Greenville Center.

A public hearing before City Council occurred on June 9, 2003. Staff provided an overview of the FY2004 Neighborhood Development Consolidated Plan, which included a chart detailing the total funding amount and examples of the use of funds. A copy of the presentation is included in the attachment. No one spoke at the public hearing.

Funding:

Federal CDBG, HOME, ESG and HOP WA Funds. A budget ordinance for acceptance of these funds was included in the FY2004 budget adoption.

Attachment 9

Public Hearing Presentation – June 9, 2003
Use of Federal Grant Allocations

15. First Ward Developments

The Communities Within A City Committee will review this item on June 19th. The agenda item will be included in the Friday, June 20th Council-Manager Memorandum.

16. Southside Homes Rehabilitation Grant



Action: Approve the Communities Within A City (CWAC) Committee recommendation to grant \$2,000,000 to the Charlotte Housing Authority for the rehabilitation of 114 multi-family units at Southside Homes.

Committee Chair: Pat Mumford

Staff Resources: Stan Wilson, Neighborhood Development
Jeff Meadows, Neighborhood Development

Policy:

The City's FY2003 Consolidated Action Plan identifies the need for affordable, safe and decent housing for low and moderate-income families. The Plan was approved by City Council on May 13, 2002 and reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing and support family self-sufficiency initiatives.

Explanation:

As part of the Housing Trust Fund Multi-Family Rental Housing Request for Proposal process approved by City Council on May 12, 2003, the Charlotte Housing Authority (CHA) requested a grant in the amount of \$2,000,000 to rehabilitate the interiors of 114 multi-family units at Southside Homes. The exteriors of the 382 units and interiors of 94 of the units have already been renovated. The apartments are located at the intersection of 2700 S. Tryon Street and Griffith Street. The project property is located on a 41 +/- acre site consisting of one tax parcel. The parcel is zoned R-22MF (Multi-Family Residential).

The units are affordable to households earning 30% or less than the area median income (AMI), which is less than \$19,230 for a household of four. The average rent is \$205 per month.

The rehabilitation consists of 30 residential buildings containing a total of 114 apartments. There are 16 one-bedroom apartments, 68 two-bedroom apartments, 22 three-bedroom apartments and 8 four-bedroom apartments. The interior renovations consist of: plumbing, electrical, and mechanical upgrades; new kitchen and bathroom cabinets as well as new finishes (flooring, stair covering, painting and window treatments). Each apartment is equipped with a refrigerator, range and hood, dishwasher, washer and dryer connections.

The apartments are owned and managed by CHA. The management team consists of full-time Housing Authority employees including a property manager, assistant property manager, maintenance supervisor, grounds technician and two maintenance technicians. The on site supportive services for the development include; drug abuse treatment, outreach and prevention program, domestic violence counseling, family/youth counseling, grief counseling, HIV/aids prevention and education, truancy reduction, youth services (special activities for youth), CHA scholarship fund, GED program, Resident Opportunity Program (provides special resident services on a site by site request), Transitional Family Public/Section 8 Housing Program (assist residents in moving up and out of Public and Section 8 Housing), which is staffed by 4 full time employees (3 case managers and 1 in-take clerk) and a part time DSS Social Worker.

The units will remain affordable for 50 years and the affordability will be secured by a deed restriction. The total rehabilitation cost per unit is \$39,986. The City investment per unit is \$17,544 for a leverage ratio of 1:2.4. The Charlotte Housing Authority is providing \$2.8 million through its capital fund.

Sources and Uses of Funds:

Sources

City of Charlotte Grant/ Bond Funds	\$ 2,000,000
CHA Capital Fund	<u>2,820,841</u>
Total	\$4,820,841

Uses

A/E Fees	30,000
Relocation	74,100
Construction - Site Work	175,000
Appliances	80,000
6% Construction Contingency	262,457
Construction - Dwelling Units	<u>4,199,284</u>
Total	\$4,820,841

The projected project schedule is shown below:

June 2003	Final Site Plan Approval
June 2003	Building Plan Approval
August 2003	Construction Start
September 2004	Project Substantial Completion
November 2004	Project Lease-Up

Committee Discussion:

Southside Homes was included in the Housing Trust Fund's Multi-Family Rental Housing Request for Proposals. The project was presented to the CWAC Committee at its May 1, 2003 meeting. The Committee unanimously

voted to recommend funding for the project. Council members Mumford, Spencer and Mitchell were present.

At its May 12, 2003 meeting, City Council approved the financial commitment and support for Southside Homes.

The City's Housing Locational Policy does not apply to rehabilitation; therefore, this project is exempt from the policy.

Funding:

City Bond Funds

Attachment 10

CWAC Committee Presentation – May 1, 2003

Project Proforma

Site Plan and Elevation

Location Map

17. Johnston and Mecklenburg Mills Apartments

The Communities Within A City Committee will review this item on June 19th. This item will be included in the Friday, June 20th Council-Manager Memorandum.

18. Interlocal Agreement for the Consolidation of the City/County Radio System

Action: Adopt a resolution approving and ratifying an interlocal agreement between the City of Charlotte and Mecklenburg County for the consolidation of the City and County radio system.

Staff Resource: Susan Johnson, Business Support Services

Explanation:

Council has received status reports on the interlocal negotiation process for the consolidation of the radio system during the past two years. City and County staff have now reached agreement on the interlocal agreement document.

The City of Charlotte and Mecklenburg County currently share an 800 MHz trunked radio system consisting of five primary Simulcast tower sites, three limited use SmartZone sites and related operations. The system primarily supports public safety needs such as the Charlotte Mecklenburg Police Department, the Charlotte Fire Department, the Sheriff, Medic and local volunteer fire departments. However, it also provides critical services to other City and County departments, to the Charlotte/Mecklenburg School System, and to the towns of Cornelius, Huntersville, Davidson and

Matthews. Overall, the system serves approximately 11,000 individual users and processes over 725,000 radio transmissions per week.

Over the years, the City and County have shared in the cost of operations. The County holds the FCC licenses for the system. The City has built the system infrastructure (\$23 million investment) and has assumed responsibility for system administration and user management. To date, no interlocal agreements have been implemented to govern the City's and County's respective rights and obligations regarding the system.

On August 28, 2000, the City Council passed a resolution to move forward with a functional consolidation. The resolution included the following recommendations:

1. The City and County should immediately develop an interlocal agreement to address operation, funding, and future development of the radio system.
2. The interlocal agreement should provide for operation and management of the system to be consolidated under one department. After consideration of mission, staffing, and number of users, consolidation should be under the City of Charlotte.
3. The Radio System Users Group should be formalized and given responsibility and authority to make recommendations regarding system development, growth, and operation.
4. A formal strategic plan should be developed and adopted to keep abreast of current technology and provide for future growth.
5. Radio users should pay a fixed charge per radio that is sufficient to fund both operation and continued upgrade of the system
6. Until revenues from the fixed charge per radio are sufficient to keep the system current with technology, the City and the County should share the cost of upgrading the system.

These recommendations have been incorporated into the attached agreement, except for #6. The City, in order to assure the proper operation of the system for public public safety purposes, has funded a \$23 million capital upgrade project. The repayment of this capital project is part of the fee model, where all system subscribers pay an equal share of the capital debt expenditure based on system usage.

The Mecklenburg Board of County Commissioners will consider the interlocal agreement on their July or August agenda.

The Resolution and Interlocal Agreement will be included in the Friday, June 20th Council-Manager Memorandum.

19. Redistricting Plan for 2003 City Election

Action: A. Approve the proposed factors that may be considered in redistricting, and

B. Adopt a resolution approving proposed Redistricting Plan A or C.

Committee Chair: Patrick Cannon

Staff Resource: Mike Boyd, City Attorney's Office

Explanation:

The Redistricting Committee unanimously recommends that Council adopt the attached factors that may be considered in redistricting. This recommendation is made on the advice of the City Attorney's Office to substantiate that:

- a number of factors of varying degrees of importance are considered in redistricting, including race;
- but that racial considerations do not predominate over considerations of all other factors.

The factors recommended for adoption by the Committee are the same factors approved by the Council as part of redistricting in 2001.

As a result of the voluntary annexations that have been approved since 2001 and the involuntary annexations that will take effect on June 30, 2003, the district boundaries must be revised to include the annexations. That shift in boundaries will also affect the populations of the City and the affected districts. Under applicable law the populations of the districts cannot vary by more than 5% of the average district population. In order to have substantially equal populations among the districts, the district boundaries must be redrawn so that the populations of the districts fall between 91,888 and 83,138. Attached is a March 13, 2003 Briefing Paper on Redistricting from the City Attorney's Office explaining the legal basis for redistricting.

The Board of Elections staff has advised the City that redistricting must be completed by June 23rd to allow the Board adequate time to prepare for the 2003 process for electing the Mayor and Council.

The Redistricting Committee brings forward proposed Redistricting Plans A and C for Council consideration. The Committee did not adopt a recommendation that either plan be adopted. Each plan involves a relatively small number of changes in precincts from one district to another—Plan A moves 6 precincts and Plan C moves 7. The plans are similar in that Districts 2 and 3 are the same in both plans, and the remaining districts generally include the same precincts, with some exceptions. The June 13th memo to the Redistricting Committee from the City Attorney's Office includes

attachments comparing the two plans, along with comparisons to the existing district plan.

The members of the Redistricting Committee are Patrick Cannon (Chair), Lynn Wheeler, Joe White and Pat Mumford. The Committee met on June 12th and unanimously recommends the proposed factors and the proposed Redistricting Plan A or C. Council member White was absent on June 12th.

Attachment 11

Factors that may be considered in Redistricting
Resolution Revising Boundaries of Council Electoral Districts
Proposed Redistricting Plan A and associated statistics
Proposed Redistricting Plan C and associated statistics
Briefing Paper on Redistricting
Memo to Redistricting Committee (June 13, 2003) and attachments (without proposed Redistricting Plans A and C)

BUSINESS

20. Sale of the Old Convention Center



Action: **A. Approve a resolution accepting Arena Holdings, LLC's offer to purchase the Old Convention Center property and improvements for \$14 million, and**

B. Authorize the City Manager to execute documents necessary to convey the property to Arena Holdings, LLC.

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

Explanation:

Pursuant to a Memorandum of Agreement, Contract for Purchase and Sales Agreement between the City, Wachovia and Bank of America (the banks operating as Arena Holdings, LLC), submitted an offer to purchase the 3.25 acres of property and improvements commonly referred to as the Old Convention Center for \$14 million. Arena Holdings, LLC's offer was then subjected to an upset bid process in order to ensure that the City receive the highest market price for the property. The material terms of the sale of the Old Convention Center property to Arena Holdings, LLC were advertised on April 27, 2003. The deadline for upset bids was May 8, 2003. No upset bids were received. City Council is therefore asked to approve the sale of the Old Convention Center property to Arena Holdings, LLC for \$14 million in accordance with the terms of the Contract for Purchase and Sale. Upon payment of the full \$14 million, Arena Holdings, LLC may choose to delay closing for up to 12 months. If not, closing will occur within the next 30 days.

The contract was executed and the deposit made with the parties agreeing to amend the contract later to include applicable environmental remediation standards. These standards are incorporated in the First Amendment to the purchase contract.

Background:

As part of the arena financing plan approved by City Council on November 11, 2002, the business community agreed to purchase up to \$50 million of City assets, with the proceeds dedicated to construction of the new arena. The three properties identified in the January 13, 2003 Memorandum of Understanding, as well as their estimated values, were as follows:

Old Convention Center	\$14 million
Charlotte Coliseum	24 million
Old Bus Garage	8 million
Johnson & Wales	<u>1 million</u>
Total	\$47 million

In addition, Wachovia and Bank of America paid the City a \$3 million advance to reach \$50 million. To the extent that the upset bid process not provide sufficient funds to cover the \$3 million advance, the City shall repay the advance to the banks by December 31, 2005 from a source to be determined by the City, presumably the proceeds from the sale of additional properties.

Attachment 12

Resolution

Advertisement

Contract

First Amendment to Contract

21. Charlotte Mecklenburg Regional Housing Consortium Agreement

Action: Adopt a resolution for the City of Charlotte to renew the joint cooperation agreement for the Charlotte Mecklenburg Regional Housing Consortium.

Staff Resource: Stan Wilson, Neighborhood Development

Policy:

The City's FY2003 Consolidated Action Plan identifies the need for affordable, safe and decent housing for low and moderate-income families. The Plan was approved by City Council on May 13, 2002 and reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing and support family self-sufficiency initiatives.

Explanation:

On June 26, 2000, City Council approved the adoption of a resolution for the City of Charlotte to create the joint cooperation agreement to form the Charlotte Mecklenburg Regional Housing Consortium. The regional consortium consists of the City of Charlotte, Mecklenburg County, and the towns of Cornelius, Huntersville, Matthews, Mint Hill and Pineville. The term of the agreement was three years, June 30, 2000 to June 30, 2003. Approval is required to extend the agreement for an additional three years, (July 1, 2003 to June 30, 2006).

The Consortium Agreement allows the County and surrounding towns to become "entitlement communities" for the receipt of federal HOME funds,

thereby increasing affordable housing opportunities for more individuals and families in Mecklenburg County. Under the Agreement, the City of Charlotte is the lead entity for the Consortium. The previous Consortium funding, \$300,000 in FY02 and \$300,000 in FY03 was allocated to rehabilitate five housing units in Mecklenburg County and the development of a proposed subdivision consisting of 15 single family homes serving households earning 50% or less of the area median income in the town of Cornelius. The FY04 allocation of \$350,000 will be used to continue the Mecklenburg County rehabilitation program.

Background:

The development of the Consortium has increased the City of Charlotte's allocation of HOME funds from HUD by \$300,000 annually. The additional funding has been allocated to the Consortium. Any increases in HOME funding will result in a proportional increase for the City of Charlotte and the Consortium; and any funding decreases will be allocated proportionately as well.

In March 2000, the City of Charlotte received a letter from the then Manager of Mecklenburg County, Jerry Fox requesting the City's assistance in establishing a housing consortium. A meeting was held on May 24, 2000 with representatives from HUD, City and County staff and representatives from the surrounding towns to discuss the feasibility of a Consortium. In September 2000, HUD approved the Consortium and assured the City of Charlotte that the development of the Consortium would add to the current allocation of HOME funds that the City receives. Without participation from the City of Charlotte, the County and the other surrounding towns would not be eligible to receive federal HOME funds.

Funding:

The Consortium (through the City of Charlotte) receives federal grant (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The Consortium funding is allocated to Mecklenburg County and the surrounding towns. In FY04 the City will receive \$2.8 million in HOME Funds, of which \$350,000 will be allocated to the Consortium.

Attachment 13

Resolution
Consortium Agreement

22. Passenger Facility Charge Application Contract

Action: A. Award a contract to Newton & Associates in the amount of \$105,000 to prepare a Passenger Facility Charge (PFC) application for submittal to the Federal Aviation Administration, and

B. Adopt a budget ordinance appropriating \$150,000 from the Discretionary Fund Balance to be repaid from the proceeds of future General Airport Revenue Bonds.

Staff Resource: Jerry Orr, Aviation

Explanation:

The Federal Aviation Administration's (FAA) Passenger Facility Charge Program (PFC) authorizes the collection of PFC fees up to \$4.50 for every enplaned passenger at commercial airports controlled by public agencies. The fees are then used by the airports to fund FAA-approved projects that enhance safety, security, or capacity, reduce noise, or increase air carrier competition. It is the intent of the Airport to utilize the proceeds of the PFC to offset debt service required on existing and future General Airport Revenue Bonds, as well as fund certain capital projects on a Pay-As-You-Go basis.

In order to implement the PFC, a formal application will have to be submitted to the FAA and the airlines will have to be consulted. Newton & Associates will provide services including:

- Documentation of an Airport Development Plan
- Preparation and documentation of financial plans to support the Development Plan
- Consultation with the airlines, FAA and other affected entities

The additional \$45,000 in the appropriation will be available for incidental expenses included in preparation of the application and is eligible for reimbursement from the proceeds of the PFC.

The Airport Advisory Committee recommends this action.

Newton & Associates, Inc. was selected because it served as the Airport's consultant for the issuance of the Series 1999 Revenue Bonds and this is a continuation of that project.

DBE Opportunity:

Established DBE Goal: 17%

DBE Committed Goal: 100%

Funding:

Airport Fund Balance

23. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.

A. AIRPORT ADVISORY COMMITTEE

Two appointments for three years each beginning August 2003. Ronald Frazier, representing an aviation affiliation, is not eligible for reappointment. Frances Harkey, representing the west side of Charlotte, is eligible and would like to be reappointed.

Attachment 14

Applications

B. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION

One appointment beginning July 2003 and serving three years. Citizen must be a volunteer who does community work and works for a non-profit organization. Joey Popp did not want to serve the extra year the Committee added to his term when the terms were amended to match the bylaws.

Attachment 15

Applications

C. HISTORIC DISTRICT COMMISSION

One appointment beginning immediately and serving until July 2004 to represent a resident/owner in Dilworth. Mark Fishero has resigned.

One appointment beginning immediately and serving until July 2004 to represent a resident/owner in Fourth Ward. Graham Tyrell has resigned.

Attachment 16

Applications

D. HISTORIC LANDMARKS COMMISSION

One appointment beginning immediately and ending July 2005 to replace Scott Hirsch, who has resigned.

Two appointments beginning July 2003. Deborah Cox is not eligible for reappointment; Yolanda Johnson-Gess is eligible and would like to be considered for reappointment.

Attachment 17

Applications

E. KEEP CHARLOTTE BEAUTIFUL

Two appointments beginning immediately. One will serve until July 2004 and the other will serve until July 2005. Margaret Martin has resigned and Shane Windmeyer missed three meetings in a row.

Attachment 18

Applications

F. PASSENGER VEHICLE FOR HIRE BOARD

Four appointments beginning July 2003. One will represent a taxicab or limousine company owner; Zebene Mesele is eligible and would like to be reappointed.

One will be a vehicle owner of a passenger vehicle for hire or limousine; Frank Hinson is eligible and would like to be reappointed.

One will represent the Hospitality and Tourism Industry; Stacy Brown is eligible and would like to be reappointed.

One will represent a disabled person who uses passenger vehicles for hire. Robert Kimrey is eligible and would like to be reappointed.

Attachment 19

Applications

G. TRANSIT SERVICES ADVISORY COMMITTEE

One appointment beginning immediately and ending January 2006 to replace Roderick Bass, who missed three meetings in a row. Must be a suburban employer served by CATS.

Attachment 20

Applications

H. TREE ADVISORY COMMITTEE

One appointment beginning immediately, serving until December 2003 and then serving the next full three year term. Nancy Newton has resigned.

Attachment 21

Applications

MAYOR AND COUNCIL TOPICS

At the end of the formal agenda, Council members may share information and raise topics for discussion.

Introduction to CONSENT

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

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

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

The City's Small Business Opportunity Program's (SBO) purpose is to enhance competition and opportunity in City contracting with small businesses in the Charlotte metropolitan statistical area. Participation of small business enterprises (SBE) is noted where applicable. Contracts recommended for award as of March 1, 2003 comply with the provisions of the SBO Program Policy for SBE outreach and utilization. Professional services contracts recommended for award as of August 1, 2003 comply with the provisions of the SBO Program Policy for SBE outreach and utilization.

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

Contractors and Consultants

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

CONSENT I

24. Various Bids

A. Provincetowne Storm Drainage Improvements E&PM

Recommendation:

The City Engineer recommends the low bid of \$4,137,925.00 by Blythe Development, Inc. of Charlotte, North Carolina. This project consists of storm drainage piping and box culvert construction. The work includes drainage structures, curb and gutter, pavement resurfacing, water and sewer line replacement, erosion control and traffic control to remedy flooding in the Provincetowne, Colony Woods, and Williamsburg Neighborhood off Ballantyne Commons Parkway.

Small Business Opportunity:

Established SBE Goal: 12%

Committed SBE Goal: 1%

B. Blumenthal Performing Arts Center Roof Replacement E&PM

Recommendation:

The City Engineer recommends the low bid of \$688,050 by Carolina Roofing of Lincolnton, North Carolina. This project replaces the existing 30,000 square feet roof on the Blumenthal Performing Arts Center.

Small Business Opportunity:

Established SBE Goal: 0%

Committed SBE Goal: 0%

The SBO Program Manager waives the SBE utilization goal for this project. The project is not conducive to SBE participation.

C. CMGC Parking Deck Operation and Management E&PM

Recommendation:

The City Engineer recommends the low bid monthly management fee percentage of 7/16% by AAA Parking, of Atlanta, Georgia. This contract provides for operation and management of the CMGC Parking Deck bounded by Davidson, Caldwell, 3rd, and 4th Streets.

Small Business Opportunity:

SBO goals are not required for service contracts until August 1, 2003.

25. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of the Corner of Selwyn Avenue and Queens Road

Action: A. Adopt the resolution of intent to abandon a portion of the corner of Selwyn Avenue and Queens Road, and

B. Set a public hearing for July 28, 2003.

Attachment 22

Map

26. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Blakeney Heath Road

Action: A. Adopt the resolution of intent to abandon a portion of Blakeney Heath Road; and

B. Set a public hearing for July 28, 2003.

Attachment 23

Map

27. Resolution of Intent to Abandon Street and Set Public Hearing for Portions of N. Brevard Street, E. 5th Street and Four Alleyways Bounded by N. Caldwell Street, E. Trade Street, E. 5th Street and City Rail Corridor

Action: A. Adopt the resolution of intent to abandon portions of N. Brevard Street, E. 5th Street and four alleyways bounded by N. Caldwell Street, E. Trade Street, E. 5th Street and City Rail Corridor, and

B. Set a public hearing for July 28, 2003.

Attachment 24

Map

CONSENT II

28. Washington Heights Neighborhood Improvements

Action: Approve change order #1 to the Washington Heights Neighborhood Improvements contract with United Construction of Charlotte, North Carolina for \$153,134.

Staff Resource: David Meachum, Engineering and Property Management

Explanation:

Council awarded the original contract on April 8, 2002 for \$1,123,605.48.

The Washington Heights neighborhood is one of the 22 neighborhoods identified for improvements under the 2000 Neighborhood Improvement bond referendum. The project consists of infrastructure improvements in the Washington Heights neighborhood. Highway 16, Beatties Ford Road and LaSalle Street border the project.

Due to utility conflicts during construction, plan changes were made to redesign the storm drain system location to be within the roadway. This redesign resulted in overruns of existing contract items and required additional items to complete the project.

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 \$1,276,739.48.

Funding:

Neighborhood Capital Investment Plan

29. Prosperity Church Road Widening-Phase I Change Order

Action: Approve change order #1 to the Prosperity Church Road Widening Phase I contract with Crowder Construction Company of Charlotte, North Carolina for \$950,875.

Staff Resource: Tim Greene, Engineering and Property Management

Explanation:

Council awarded the original contract on April 8, 2002 for \$2,856,873.53.

The Prosperity Church Road Widening Project Phase I was identified for improvements under the 1996 transportation bond referendum. The project

consists of widening Prosperity Church Road from the Mallard Creek Road and Mallard Creek Church Road Intersection to Katelyn Drive.

This change order provides for overruns in material quantities that were not reflected in the original project estimate and for extra work due to large quantities of existing soil material that were found to be unsuitable. These unsuitable materials were removed and replaced with stabilization fabric and suitable materials. In addition, this change order also provides for an overrun of asphalt materials needed to construct the project due to incomplete estimates of asphalt quantities.

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 \$3,807,748.53.

Funding:

Transportation Capital Investment Plan

30. Prosperity Church Road Widening-Phase II Change Order

Action: Approve change order #1 to the Prosperity Church Road Widening Phase II contract with Sealand Contractors of Charlotte, North Carolina for \$2,041,658.75.

Staff Resource: Tim Greene, Engineering and Property Management

Explanation:

Council awarded the original contract on June 24, 2002 for \$2,554,534.77.

The Prosperity Church Road Widening Project Phase II was identified for improvements under the 2000 transportation bond referendum. The project consists of widening Prosperity Church Road from Katelyn Drive to Loganville Lane.

This change order provides for overruns in material quantities that were not reflected in the original project estimate and for extra work due to large quantities of existing soil material that were found to be unsuitable. These unsuitable materials were removed and replaced with stabilization fabric and suitable materials. In addition, this change order also provides for an overrun of asphalt materials needed to construct the project due to inaccurate estimates of asphalt quantities. Further, the existing soils under a portion of the proposed privacy wall were found to be unsuitable; therefore the soil foundation was replaced with a structural foundation.

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 \$4,596,193.52.

Funding:

Transportation Capital Investment Plan

31. South Corridor Project Management Support Services Consultant Agreement

Action: A. Authorize the City Manager or designee to execute an agreement with STV, Inc. to provide professional design and engineering oversight of the final design, engineering and construction management services for the South Corridor Light Rail Transit System for an amount not to exceed \$5,000,000, and

B. Authorize a yearly expenditure of \$1,000,000 per year for five years.

Staff Resource: John Muth, Charlotte Area Transit System (CATS)

Background:

The draft environmental impact statement (EIS) and 30% Design Plans for the South Corridor Light Rail Project (SCLRT) were completed in October 2002. The Final EIS is complete and a Record of Decision (ROD) was received in May 2003. Following receipt of the ROD, CATS has requested approval from the Federal Transit Administration (FTA) to enter Final Design. Once FTA grants this approval, CATS will issue a Notice to Proceed to Parsons Transportation Group (PTG) for Final Design, engineering and construction management services. Council approved an agreement with PTG on April 14, 2003.

STV, Inc. will provide professional engineering assistance to CATS staff in the oversight and monitoring of the design and construction effort. To avoid potential conflicts of interests, particularly in the area of construction claims, FTA Best Practices recommends that grantees engage an independent firm to provide claims and change order analysis, when the designer's contract includes construction management as well as final design services.

The costs and fees for this five year consultant oversight assistance effort are \$5,000,000. The work effort will be managed through the authorization of contract work orders. As the design and engineering of the Light Rail System develops and construction begins, the project will require constructability reviews, change order and claims analysis, quality audits of the design as well as construction, field verifications, systems integration and testing, as well as disputes resolution and partnering. The Project Management Support Services Consultant (PMSSC) will assist staff with these efforts on an as needed basis.

Summary of Proposals:

A competitive, qualifications based request for proposal procurement process was used in the selection of the South Corridor Project Management Support Services Consultant. CATS issued a Request for Qualifications (RFP) on April 3, 2003. A March 14, 2003 notice to proposers was advertised in Passenger Transport, Charlotte Observer, and Dodge Reports. This action generated a proposal holder's list of over 50 firms. A pre-proposal conference was held on April 28, 2003, to provide interested parties with information about the project. CATS Procurement received six (6) proposals by the May 16, 2003, due date on behalf the City. The attachment lists the teams who submitted Statements of Qualification (SOQ) and proposals for consideration.

Pursuant to federal, state, and local procurement regulations for the selection of Architectural, Engineering and Design services, a qualifications only evaluation was conducted. A selection panel that included representatives from CATS, the Department of Transportation (CDOT) and Engineering & Property Management (E&PM) reviewed and scored the proposals against the following criteria:

- Firm/Team Capabilities
- Project Personnel
- Project Approach
- Schedule and Cost Control

As a result of this evaluation, the selection panel requested interviews and presentations from the STV and DMJM/Harris teams. The two presented their approach and methodology for advancing the project to construction, and presented their proposed key project staff (i.e. Project, Deputy Project and Task Managers) for personal interviews with the selection panel.

The evaluation process was completed on June 6, 2003. The selection panel identified the STV Team as the most qualified proposer.

DBE Compliance:

This procurement had a DBE goal of 11% and attained an actual DBE participation Level of 11%. STV has proposed utilizing GNA Design Associates, Inc., Zapata Engineering and Altura Environmental to meet the DBE goal requirements.

Funding:

CATS Rapid Transit Capital Funds

Attachment 25

Consultant Selection

32. Storm Water/Charlotte Mecklenburg Utilities Funding Agreements with Mecklenburg County

Action: A. Approve a Storm Water Funding Agreement with Mecklenburg County for the construction of storm water improvements in an amount not to exceed \$504,000, and

B. Approve a Charlotte-Mecklenburg Utilities Funding Agreement with Mecklenburg County for the design and construction of a sanitary sewer line in an amount not to exceed \$193,016.

Staff Resource: Tim Richards, Engineering and Property Management
Doug Bean, Charlotte-Mecklenburg Utilities

Explanation:

Since 1999, Mecklenburg County has acquired over 100 flood-prone properties using federal, state and local funding in seven neighborhoods. The properties were located in the "floodway," the most dangerous part of the floodplain. The structures on those properties were demolished and the properties are being maintained in a temporary condition using Mecklenburg County Storm Water Services operating budget. Where possible, county staff are developing environmental restoration projects at these locations to both reduce maintenance and provide permanent open space. Various outside funding sources are solicited when possible.

In the Hidden Valley neighborhood, two separate grants, totaling \$2,240,000, from the North Carolina Clean Water Management Trust Fund, which annually receives its appropriation from the state legislature, has been awarded to Mecklenburg County for the implementation of the project. The project includes approximately 13 acres of wetlands and 3,400 feet of stream restoration, which is anticipated to remove 80% of excess sediment. The City of Charlotte and Mecklenburg County have an inter-local agreement specifying that County Storm Water Services, when working within the City limits, can only provide storm water services within the regulated floodway and City Storm Water Services can only provide services outside the floodway. A funding agreement with the County is necessary in order to plan, design and construct the project in the most practicable manner. The agreement allows funding for the portions of work outside the regulated floodway.

To further improve water quality, the project relocates a sanitary sewer line both on and beyond the County-owned property. The above grants provide for construction of a portion of the new sanitary sewer on the County-owned property. The agreement also allows Charlotte-Mecklenburg Utilities to fund the portion of the sanitary sewer line that is outside the County owned property in an amount not to exceed \$193,016.

On May 13, 2003 bids were received for the construction of the project. County staff has recommended awarding the construction contract to the lowest bidder, Blythe Development Company, in the amount of \$1,808,100.

The County has had several public meetings to receive community input.

Funding:

Storm Water and Water and Sewer Capital Investment Plans

33. Shillington Storm Drainage Improvements

Action: Approve the Shillington Storm Drainage Improvements agreement for engineering services with Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) for \$395,000.

Staff Resource: Tim Richards, Engineering and Property Management

Explanation:

The Shillington Storm Drainage Improvement Project is a high priority capital project bounded by Park Road to the east, Sharon Road to the north, Sharon Acres Road to the west and Smithfield Church Road to the south. The project area includes the Olde Georgetown, Gleneagles/Quail Hollow, and Seven Eagles neighborhoods. There is a history of road and house flooding as well as channel erosion. This agreement will provide funding for planning services to select the best solution to alleviate the flooding. It is anticipated that this contract will be amended in the future for design services.

Small Business Opportunity:

Professional service contracts do not require SBO participation until August 1, 2003.

Funding:

Storm Water Capital Investment Plan

34. Storm Water Channel Maintenance Renewal FY00-B

Action: Approve renewal #3 for \$772,075 with Blythe Development Company for continued construction of FY00-B Storm Water Channel Maintenance Package.

Staff Resource: Bill Pruitt, Engineering and Property Management

Explanation:

This renewal will enable Storm Water Services to continue regular maintenance activities under this contract, recognizing good contractor

performance and good existing unit prices. Where the contractor's work has been of good quality, renewals are recommended to extend the contracts.

The contract document provides for renewals of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. This is the third renewal and brings the total contract amount for Channel Maintenance FY00-B to \$3,088,300.

Small Business Opportunity:

This project was bid prior to the SBO Program being initiated; however Contractor has agreed to utilize SBE firms as the opportunity arises.

Funding:

Storm Water Capital Investment Plan

35. North Mecklenburg Rocky River Outfall Phase II

Action: A. Reject the bid of \$1,909,829.67 from B.R.S., Incorporated of Richfield, North Carolina pursuant to the Small Business Opportunity Program, and

B. Award contract for North Mecklenburg Rocky River Outfall Phase II to the next low bidder, Thalle Construction Company, Incorporated of Hillsborough, North Carolina in the amount of \$2,180,816.40.

Staff Resource:

Doug Bean, Utilities

Explanation:

This project was approved in the FY 1997-2001 Capital Investment Plan for construction of a sanitary sewer outfall to serve the northeast portion of the county (east of Davidson, Cornelius, and Huntersville). Delay in construction of this project would prevent reduction of the sewer treatment flow at the McDowell Creek Wastewater Treatment Plant and elimination of the River Run Pump Station.

The recommendation to reject B.R.S.'s bid is based on its non-compliance with the Small Business Opportunity (SBO) Program. B.R.S. failed to meet the SBE subcontract goal for this project and also failed to meet the good faith effort requirements. As part of the good faith efforts, B.R.S. was required to contact the minimum percentage of SBEs listed in the then most current SBE Certification directory maintained by the SBO Office for each category of goods or services in which they intended to subcontract. The SBO requirements state that if the SBE directory list ten or fewer firms for a service, the bidder must contact 100% of those firms. B.R.S. solicited bids for landscaping services, there were less than 10 certified SBEs in the directory, 100% solicitation of the certified firms was required. At the time of their request, the SBO directory had five landscape SBEs certified. Due to

oversight, B.R.S. contacted only four of the vendors leaving one SBE without notification of the subcontract opportunity. Failure to notify the minimum percentage of certified SBEs at least ten days prior to the bid opening is a mandatory requirement of the good faith effort rules and regulations. In compliance and support of the SBO Program, recommendation is made to award to the low responsive bidder, Thalle Construction Company.

Small Business Opportunity::

Established SBE Goal: 1%

SBE Committed Goal: 5%

Thalle Construction has committed 5% of the total contract amount to SBE firms. They will subcontract \$75,330 with Next Level Services and \$35,000 with Stinson Trucking.

Funding:

Sewer Capital Investment Plan

36. WaterSmart Education Campaign Public Relations Contract Renewal

Action: Approve renewal #2 with Luquire George Andrews for advertising, public relations and creative services related to Charlotte-Mecklenburg Utilities WaterSmart Marketing Campaign. Renewal #2 will be in the amount of \$275,000.

Staff Resource:

Doug Bean, Utilities

Explanation:

This one-year renewal will enable Luquire George Andrews (LGA) to continue providing marketing, public relations, and advertising services to the Charlotte-Mecklenburg Utilities WaterSmart Marketing Campaign. The original comprehensive WaterSmart contract, approved by City Council on July 23, 2001, was for a period of one year with three one-year renewal options. On September 23, 2002, Renewal #1 in the amount of \$275,000 was approved by City Council.

LGA's key goal is to change the public's year-round water use habits to minimize water waste and reduce overall per-capita water usage. During warm weather months, an extra seasonal focus of the campaign will be to combat excessive lawn watering, further minimizing waste and reducing peak hour demands that can potentially lead to water distribution challenges. LGA will assist the City with a public relations/media campaign using a variety of community outreach tactics. PR and media relations will be augmented with a paid advertising campaign in newspaper, on radio and billboards to convey the conservation message. Generally advertising will be more predominant during warm-weather months. The scope of this contract includes:

- 108 ads in The Charlotte Observer, The Charlotte Post and La Noticia
- 790 radio ads on 13 local stations
- 16 billboard ads posted at numerous locations during the months of July through September 2003 and June 2004
- 10 WaterSmart monthly water bill printing inserts (more than 2 million inserts) and delivered to City bill mailing service each month
- Working with churches, civic organizations, major employers, and home and garden centers to participate in supporting and participating in WaterSmart programs
- Developing key message and theme, logos, art, etc. as needed

This is the second renewal for the WaterSmart contract and will increase the contract amount from \$550,000 to \$825,000. One more renewal year is provided for in this contract. However, Charlotte-Mecklenburg Utilities intends to perform an agency selection process in early 2004 for a new multi-year contract that would take effect on July 1, 2004. This is in no way a reflection on LGA's performance. It is part of the department's ongoing effort to offer private companies a chance to periodically compete for participation in this important community campaign.

Small Business Opportunity:

Qualifications were solicited before the SBO implementation date for professional services. However, LGA was made aware of the SBO Program and our request for involvement in this endeavor. LGA's SBE participation for this contract will be \$2,500 or 0.9% of their contract amount.

Funding:

Utilities Operating Budget

37. Agreements with the Town of Harrisburg for Water and Sewer Services

Action: A. Approve an Agreement with the Town of Harrisburg for the joint provision of water and sewer services by either municipality to the Farmington Ridge Subdivision, and

B. Approve an Agreement with the Town of Harrisburg for Charlotte-Mecklenburg Utilities to provide water service to the Brookdale Subdivision.

Staff Resource:

Doug Bean, Utilities

Explanation:

On occasion a development is proposed on either side of the Mecklenburg-Cabarrus county line that cannot be served with water and/or sewer by the service provider in that county due to the lack of utility lines in the vicinity.

However, in some cases, the service provider in the adjoining county does have utility lines that could provide service to the development area. Both the Farmington Ridge and the Brookdale Subdivisions straddle the Mecklenburg/Cabarrus county line with customers in each county.

For the Farmington Ridge Subdivision, Charlotte would be providing wholesale water service to the entire subdivision and Harrisburg will provide wholesale wastewater service to the entire subdivision. Each municipality will provide the retail customer service and system maintenance for both water and sewer in their respective counties.

For the Brookdale Subdivision, Charlotte will provide water service through a large meter at the county line to the Harrisburg portion of the subdivision. Harrisburg will maintain the water system and provide the retail customer service to their portion of the system. Charlotte will service the Mecklenburg portion of the system. Since no public sewer service is available near this site, sewer service will be provided by an existing private sewer system.

Each of these agreements provide that either municipality may give notice to the other that they no longer desire to provide service across the county line and the other municipality is required to construct the necessary water and/or sewer facilities to begin providing that service to its own customers. This action authorizes the Charlotte-Mecklenburg Utility Key Business Executive to authorize these on behalf of the City of Charlotte.

38. McDowell Creek Wastewater Treatment Plant-Change Order

Action: Approve change order #2 for \$126,578.44 with State Utility Contractors for electrical work at the McDowell Creek Wastewater Treatment Plant.

Staff Resource: Doug Bean, Utilities

Explanation:

On February 12, 2001, City Council approved a contract with State Utility Contractors in the amount of \$1,193,945. This contract provides for electrical upgrades for dewatering facilities, improvements to anaerobic digesters, modifications to the influent pump station and power for a new boiler facility at the McDowell Creek Wastewater Treatment Plant. Change Order #1 for \$125,829.05 was approved by City Council on October 14, 2002.

Change Order #2 is for additional work at the plant to improve existing processes and to prepare for the next expansion of the plant scheduled to begin next year. This work includes:

- Replacing the plant's fuel detection conduit and cabling to the Administration Building

- Adding a gas detection system to the new boiler building
- Relocating electrical panels and conduits in the digester and dewatering facility
- Relocating the gas flare control panel and conduit
- Providing for a power logic circuit for influent pump #1
- Adding conduits and cabling for the new gas foam separators and a fiber optic control system for the new rear entrance gate

With this change order, the contract with State Utility will increase from \$1,319,774.05 to \$1,446,352.49.

Small Business Opportunity:

Construction of this project was approved in February 2001 before implementation of the SBO Program. State Utility will perform this work with their own staff.

Funding:

Sewer Capital Investment Plan

39. 2001 Annexation Water and Sewer Professional Service Contract Amendment

Action: Approve amendment #1 for \$457,895.50 with W.K. Dickson & Company, Inc. for design and construction administration services of 2001 Annexation sewer and water main projects.

Staff Resource:

Doug Bean, Utilities

Explanation:

On February 26, 2001, City Council approved a \$1,812,600 contract with W.K. Dickson for design and construction administration services for five of the 2001 annexation areas (Prosperity Church Road, Mt. Holly-Huntersville Road, Steele Creek Road, U.S. Highway 29, and Reames Road).

Amendment #1 will cover costs associated with design and construction administration for:

- Survey and design costs incurred for additional pipelines not included in the original contract
- Design revisions made at the request of developers and property owners during right-of-way negotiations. These revisions were made in the attempt to avoid condemnations
- Additional construction contracts that were required to facilitate delays in right-of-way acquisition and highway encroachment approvals
- Construction inspection services that exceeded the contract amount due to faulty pipe manufacturing. The Contractor is being charged

- liquidated damages for the time associated with replacement of this pipe
- Design and construction administration for sanitary sewer and water mains to serve the Henderson Road Area. This work was added and is beyond the scope of the original contract

With this amendment the contract with W.K. Dickson will increase from \$1,812,600 to \$2,270,495.50.

Small Business Opportunity:

Qualifications were solicited before the SBO implementation date for professional services. However, W.K. Dickson was made aware of the SBO Program and staff requested SBO involvement in this endeavor. W.K. Dickson's SBE participation for this contract will be \$500 or 0.1% of their contract amount.

Funding:

Water and Sewer Capital Investment Plan

40. Police Department Investigative System Contracts

Action: Authorize the City Manager to execute a contract with OnSphere Corporation for development and integration of a police investigative system at a cost not to exceed \$224,000

Staff Resource: Ron Horton, Charlotte-Mecklenburg Police

Explanation:

The Police Department has identified three key processes that require enhancement and integration in order to improve the operational efficiency of the department's investigative units: DA Papering, Investigative Data Collection and the Open Homicide Alert. The DA Papering is the collection of paperwork required to present a case for prosecution. Investigative Data Collection involves the mechanization of forms used during criminal investigations including entering the information in a database for later search and retrieval. The Open Homicide Alert automation effort will compare new investigative data such as suspects being interviewed, property or vehicles involved in a crime and the way a crime was committed against data from existing open homicide cases. The homicide alert module will link existing and incoming data to see if there is a match. If so, the detective handling the homicide case will be notified that a suspect or piece of evidence has been found that may relate to an open case.

OnSphere's tasks will include reviewing the business requirements for each process, producing the functional specifications for each application, designing the system, producing detailed documentation, and performing the quality assurance testing of each application. OnSphere will also review the

current infrastructure and recommend any needed changes that must be made to support the investigative system.

Funding for this project was included in the COPS MORE '98 funding awarded to the Police Department by the U.S. Department of Justice. The funds for these computer modules must be spent by February 2004. In order to meet that deadline, CMPD's Technology Solutions Division needs to hire temporary personnel with specialized expertise. Cost of the project is not to exceed \$224,000.

Small Business Opportunity:

Professional service contracts do not require SBO participation goals until August 1, 2003.

Funding:

COPS MORE '98 Grant

Attachment 26

Consultant Selection

41. Information Technology Contract Professional Services Agreement One-Year Renewal

Action: Approve the second one-year extension of the Information Technology Contract Professional Services Agreement. The total funding cap set in the original contract approval at \$3 million will not change.

Staff Resource:

Al Alonso, Business Support Services
Philip Borneman, Business Support Services

Explanation:

The City of Charlotte has an ongoing need for skilled contract information technology staff to fill a variety of positions and assignments. Technology projects frequently have peak staffing requirements during implementation and major upgrade phases. These peak staffing needs are best served by using temporary contract labor. The concept of having an "umbrella agreement" in place with multiple service providers ensures efficient, cost effective access to qualified technology contract staff.

On March 26, 2001, City Council approved a one-year umbrella contract with two, one-year extensions with a total spending cap of \$3 million, providing the City access to quality information technology contractors under standard terms and conditions. Due to an administrative error, the original request for Council action asked for approval of only one extension year. Staff recommends the extension of this contract for the additional one year without any increase to the spending cap.

The total spent under the contract is currently \$450,000 and is well below the original estimated not-to-exceed amount of \$3 million. The contract has not been used to its fullest potential due to budgetary constraints and BSS/IT and CMPD do not anticipate exceeding the payment cap if the additional year is approved.

Small Business Opportunity:

This project was subject to the MWBD Program and does not require SBO participation goals at this time. The following companies met the MWBD participation project goal of 10% Minority-owned business and 5% Women-owned business:

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

Funding:

Various KBU operating budgets on a task order basis

42. **Neighborhood Development Code Enforcement Information Management System**

Action: Authorize the City Manager to negotiate a Software License, Support and Maintenance Agreement with Municipal Software Corporation for a Code Enforcement Information Management System. The initial implementation will not exceed \$400,000 with on-going annual maintenance fees of \$22,100.

Staff Resource: Richard Woodcock, Neighborhood Development

Explanation:

The City's Neighborhood Development Key Business Unit performs housing and health and sanitation inspections and enforcement for a population of approximately 590,000. Approximately 2,200 housing inspections and 30,000 health and sanitation inspections are performed annually. Current processes include a combination of paper master files, paper receipts, paper and verbal approvals, and computer applications including the Inspector system (housing inspections) and Emerald (a City designed customer information system).

Neighborhood Development's Code Enforcement Division implements the Housing and Health, Sanitation and Appearance codes for the City. Code Enforcement has recently formed from two groups that administered the City's Housing code and the City's Health and Sanitation codes. Currently, each group operates similarly but uses different methods for Code Enforcement tracking and reporting, which include a combination of

automated and manual processes. In order to facilitate process improvements and operational efficiency, a single code enforcement information management system is required to initiate correspondence, track cases and produce progress and status reports.

The purpose of the system is to produce timely, accurate and reliable information for strategizing, identifying objectives, improving productivity and facilitating service delivery.

The City received six proposals on April 4, 2003 from the following companies:

- Accela
- CAVU
- Municipal Software
- Hansen
- Pomeroy IT Solutions
- Ghost Dancer

Three vendors, Accela, Hansen and Municipal Software were chosen to demonstrate their products to the Evaluation Committee. Based on functionality and flexibility of their products, Hansen and Municipal Software were asked to submit a best and final offer to the City.

The City has chosen Municipal Software Corporation to provide the Code Enforcement Information Management System. Municipal Software Corporation submitted the most responsive proposal in detail and format, and the most responsive cost solution out of the field of proposing service providers. This selection was based upon the functionality and flexibility of the product as well as the cost of the implementation services and ongoing maintenance.

The total funding cap available for the Code Enforcement Information Management System pursuant to this award is estimated at a not-to-exceed amount of \$400,000 with on-going annual maintenance fees of \$22,100.

Small Business Opportunity:

This project does not require SBO participation goals at this time.

Funding:

Neighborhood Development Operating Budget

Attachment 27

Consultant Selection

43. Information Technology Division Lease Agreement

Action: Approve a ten year lease agreement with two additional five year extensions with Pinnacle Telecom Holdings, LLC for office and computer space located at 125 N. Myers Street having a base rent of \$11,486.80/month with a 3% annual adjustment.

Staff Resources: Tim O'Brien, Engineering and Property Management
Al Alonso, Business Support Services

Explanation:

The Information Technology Division of Business Support Services has the responsibility to provide ongoing and continuous computer and telecom support for the City of Charlotte's government operations. The new facility will become a key component in building the City's disaster recovery and business continuity capability.

In addition, the electrical, cooling, and generator equipment at CMGC that supports the City's computer systems are at or over capacity, requiring costly upgrade or replacement if these systems are to remain at CMGC. These costs can be avoided by relocating the majority of these systems to a facility that is designed specifically for this purpose and that has the expansion capacity to accommodate future growth.

The new facility was built specifically for a telecom company that went into bankruptcy before moving in. The City is in a fortunate situation to lease a portion of the facility that contains new equipment and infrastructure valued at \$1.5 million. The following is a description of the improvements that are included in the lease that would normally be a tenant expense:

- Backup power generator with compartmentalized fuel storage tank for weeks of continuous operation
- High capacity power feeds to the building with expansion opportunities
- Fiber-ready conduit in place which feeds two separate fiber vaults
- Close proximity to numerous fiber routes and communications vendors
- Security card access to building

Terms of the Lease are as follows:

- Rentable area: 6,627 sq. ft. at \$20.80/sq.ft.
- Annual rent increase at 3%/year
- Owner contributing \$38,700 toward tenant allowance
- City will be responsible for utility expenses
- City will pay its proportionate share of the landlord's maintenance and operations of the building

Funding:
Information Technology Operating Budget

44. Charlotte Vintage Trolley Landscape Maintenance

Action: A. Reject non-responsive bid of \$154,416.24 with Byrd's Lawn & Landscaping of Charlotte, North Carolina, and

B. Award second low bid of \$155,628 with Barringer & Barringer, Inc. of Charlotte, North Carolina.

Staff Resource: David Garner, Engineering and Property Management

Explanation:
Byrd's Lawn & Landscaping bid is non-responsive because the company did not seal the bid and did not sign the contract. Staff recommends that the low bid be rejected as non-responsive. Staff recommends award to the second low bidder, Barringer & Barringer, Inc.

This is a service contract that maintains the installed plantings along the 1.96-mile Vintage Trolley Track. Items included in this contract are turf and landscape maintenance, and irrigation systems operation, maintenance, and repair.

Small Business Opportunity:
The implementation date for setting goals for service contracts is July 1, 2003; therefore, goals were not yet set for this project.

Funding:
Engineering and Property Management Operating Budget

45. FY03 Annual Financial Audit Services Contract

Action: Approve a contract with Deloitte & Touche LLP for \$116,224 to provide audit services for the fiscal year ending June 30, 2003.

Staff Resource: Greg Gaskins, Finance

Explanation:
State law requires that the City engage a certified public accountant at the end of each fiscal year to audit the accounting records, evaluate internal controls and audit the annual financial report.

In FY2000 Council approved an audit contract with Deloitte & Touche for four years. The first year fee was \$106,000. Increases in subsequent year's fees were to be limited to the increase in the Consumer Price Index (CPI). FY2003 is the fourth year and the fee of \$116,224 reflects the CPI increase of 2.4% over the FY2002 contract amount.

Funding:

Various funds (General, Water and Sewer, Aviation, CATS, Neighborhood Development, Employment and Training, Risk Management and Storm Water).

46. Grant Application for Police District Office Emergency Generators

Action: Adopt a resolution designating an official representative to act on behalf of the City of Charlotte in its application for the Hazard Mitigation Grant Program for police district office emergency generators.

Staff Resource: Greg Crystal, Charlotte-Mecklenburg Police

Explanation:

The Police Department wishes to purchase generators for nine of its district offices. The emergency generators would enable these facilities to remain functional during power outages.

The Police Department is submitting a grant application to the Federal Emergency Management Agency (FEMA) to request funding for the generators under its Hazard Mitigation Grant Program. The total cost of the generators will be \$130,500. The application to FEMA will be for \$97,875. If the application is approved, the department will cover the required 25% match of \$32,625 from its assets forfeiture funds.

FEMA requires that the City Council approve a resolution designating a representative to deal with FEMA on all matters regarding the application. The resolution designates Greg Crystal, the Police Department's Business Manager, as the City's representative on this application.

Attachment 28

Resolution

47. **Municipal Agreement for Installation of New Traffic Signals along Rocky River Road and I-485**

Action: Approve a resolution to authorize the Transportation Key Business Executive to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the installation of traffic signals along Rocky River Road and I-485 in Charlotte.

Staff Resource: Gus Jordi, Transportation

Explanation:

NCDOT plans to install new traffic signals at the intersection of Rocky River Road and the I-485 Northbound Ramp; Rocky River Road and the I-485 Southbound Ramp; and University City Boulevard and the I-485 Northbound Ramp. A Municipal Agreement between the City and NCDOT is necessary.

The Municipal Agreement provides for the City to perform all work for the project with costs reimbursed by the NCDOT not to exceed \$162,925.

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

48. **Municipal Agreement for Installation of New Traffic Signals, Metal Strain Poles and Underground Fiber Optic Signal Communication Cable along Mount Holly Road**

Action: Approve a resolution to authorize the Transportation Key Business Executive to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the installation of traffic signals, metal strain poles, and underground fiber optic communication cable along Mount Holly Road in Charlotte.

Staff Resource: Gus Jordi, Transportation

Explanation:

NCDOT plans to install new traffic signals and metal strain poles at Mount Holly Road and I-485; and Mount Holly Road and Rhyne Road. The agreement also covers the installation of fiber optic communications cable along Mount Holly Road from the new traffic signal at Rhyne Road, southward to the project limit near the relocated intersection with Tom Sadler Road. A Municipal Agreement between the City and NCDOT is necessary.

The Municipal Agreement provides for the City to perform all work for the project with costs reimbursed by the NCDOT not to exceed \$444,746.

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

49. Declaration of Withdrawal for a Portion of Hungerford Place

Action: Adopt a resolution stating that a portion of Hungerford Place is not part of the adopted street plan (thoroughfare plan).

Staff Resource: Scott Putnam, Transportation

Policy:

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

Explanation:

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

Petitioner:

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

Right-of-Way to be abandoned:

A portion of Hungerford Place

Location:

Located within the Eastover Community beginning from the cul-de-sac bulb of Eastover Woods Circle continuing approximately 80 feet north to its terminus

Reason:

To incorporate the right-of-way into adjacent property owned by the petitioner for the development of four new parcels

Attachment 29

Resolution

Map

50. Declaration of Withdrawal for a 15-foot Alleyway off Litaker Avenue

Action: Adopt a resolution stating that the 15-foot alleyway running off Litaker Avenue is not part of the adopted street plan (thoroughfare plan).

Staff Resource: Scott Putnam, Transportation

Policy:

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

Explanation:

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

Petitioner:

Wesley Heights Community Association/Nevada Graham

Right-of-Way to be abandoned:

A 15-foot alleyway running off Litaker Avenue

Location:

Located within the Wesley Heights Community beginning from Litaker Avenue continuing approximately 226 feet eastwardly to its terminus at the property line of E.C. Griffith Company

Reason:

To incorporate the right-of-way into adjacent property owned by the petitioner for the construction of a proposed multi-family development

Attachment 30

Resolution

Map

51. Thrifty Car Rental Facility Agreement

Action: Approve a lease agreement with Thrifty Rent-A-Car System, Inc. for use of a rental car service facility at the Airport.

Staff Resource: Jerry Orr, Aviation

Explanation:

In September 2000, the City awarded a rental car concession to Affordable Transportation d/b/a/ Thrifty Car Rental. Affordable was the lowest of nine bidders to submit successful bids. In its bid, the company elected not to operate from an on-Airport service facility.

In October 2002, Affordable lost its franchise with Thrifty Rent-A-Car System, Inc. (Thrifty System) and ceased operations. Concurrently, Thrifty System and Affordable agreed for Thrifty System to assume the concession effective October 16, 2002. After a hiatus of several months in which it mobilized its fleet, Thrifty commenced operation under the concession agreement.

On January 31, 2003, Alamo Rent-A-Car vacated its service facility leased from the City and moved in with its sister organization, National Car Rental. Upon Thrifty's request, it was permitted to occupy the Alamo facility as of March 31 on the condition that it would sign a license agreement for its use and pay rent of \$9,543 through May 2007. This agreement formalizes the assignment of the former Alamo service facility to DTG Operations, Inc. d/b/a/ Thrifty Car Rental. DTG is an affiliate of Thrifty and provides operational support for both Thrifty and Dollar Car Rental, which are subsidiaries of a common corporate owner.

The Airport Advisory Committee recommends this action.

52. Sale of City Owned Property Located at 1554 West Trade Street

Action: Declare as surplus and authorize the final sale of City owned property located at 1554 West Trade Street (Tax Parcel 078-181-01) through the upset bid process with a minimum bid of \$300.

Staff Resource: Tim O'Brien, Engineering and Property Management

Explanation:

Council is asked to declare as surplus and authorize the sale of a small (.121 Acre), triangular City-owned tract at the intersection of West Trade Street and Montgomery Street at a minimum price of \$300, subject to the upset bid process. The appraised value of the property is \$500, but approximately 1/3 of the site will be retained by the City as needed right-of-way for Trade Street.

The property is zoned B-2. This vacant site was acquired in prior widening and re-alignment of West Trade Street. This sale has successfully been through the Departmental Polling and Mandatory Referral processes.

Attachment 31

Map

53. Sale of City Owned Property Located at 127 Frazier Street

Action: Declare as surplus and authorize the sale of City owned property located at 127 Frazier Street (Tax Parcel 078-182-03) through the upset bid process with a minimum bid of \$8,000.

Staff Resource: Tim O'Brien, Engineering and Property Management

Explanation:

Council is asked to authorize the sale of a small (.123 Acre), City-owned vacant tract in Frazier Avenue, between Montgomery Street and West Trade Street at a minimum price of \$8,000, subject to the upset bid process.

The appraised value of the property is \$8,000.

The property is zoned R-22MF. This site is vacant. This sale has successfully been through the Departmental Polling and Mandatory Referral processes.

Attachment 32

Map

54. Property Transactions

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

For property transaction A & B, 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 for Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

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

Acquisitions:

- A. Project:** FAR Part 150 Land Acquisition
Owner(s): Larry and Laura Johnson
Property Address: 8019 Steele Creek Road
Property to be acquired: 5.22 acres
Improvements: Vacant Land
Purchase Price: \$78,300
Zoned: R3
Use: Vacant Land
Tax Value: \$52,500
Tax Code: 141-101-45
- B. Project:** FAR Part 150 Land Acquisition
Owner(s): Torrence B Wilkinson
Property Address: 2801 Horseshoe Lane
Property to be acquired: 9.32 acres
Improvements: Single Family Residence
Purchase Price: \$580,000
Zoned: I1
Use: Single Family Residence
Tax Value: \$347,300
Tax Code: 143-111-10
- C. Project:** Hickory Grove Road Widening, Parcel # 39
Owner(s): Susie Williams Litaker
Property Address: 6121 Hickory Grove Road
Property to be acquired: 5,032 sq.ft. (0.115 ac.) of Area Acquired, plus 5,843 sq.ft. (0.134 ac.) of Fee Simple in Existing

Right-of-Way, plus 2,673 sq.ft. (0.061 ac.) of Temporary Construction Easement

Improvements: Trees/Shrubs

Purchase Price: \$11,600

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

Zoned: R-17MF

Use: Single Family Residential

Tax Code: 107-312-06

Total Parcel Tax Value: \$98,060

- D. Project:** Nevin Road at Sugar Creek Road, Parcel # 1 and 2
Owner(s): Derita Baptist Church of Charlotte, Inc.
Property Address: 2835 and 2929 West Sugar Creek Road
Property to be acquired: 31,583 sq.ft. (0.725 ac.) of Fee Simple plus 8,086 sq.ft. (0.186 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$56,825
Remarks: This acquisition is required for the Nevin Road at Sugar Creek Road Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: 0-2
Use: Churches
Tax Code: 045-134-05 and 045-134-06
Total Parcel Tax Value: \$3,376,660
- E. Project:** Southwest Water Transmission Main, Parcel # 35
Owner(s): Duke Energy Corporation
Property Address: 700 Toddville Road
Property to be acquired: 25,348 sq.ft. (0.582 ac.) of Permanent Easement plus 14,972 sq.ft. (0.344 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$19,625
Remarks: This acquisition is required for the Southwest Transmission Main Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: I-2
Use: Warehouse/Industrial
Tax Code: 057-141-05
Total Parcel Tax Value: \$781,610
- F. Project:** Hickory Grove Road Widening, Parcel # 68B
Owner(s): Hesham Abdul Rahman
Property Address: 5626 Hickory Grove Road
Property to be acquired: 3,249 sq.ft. (0.075 ac.) of Fee Simple plus 528 sq.ft. (0.012 ac.) of Temporary Construction Easement

Improvements: Mature Landscaping/Brick Columns

Purchase Price: \$10,425

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

Zoned: R-3

Use: Residential

Tax Code: 103-155-01

Total Parcel Tax Value: \$36,230

- G. Project:** Hickory Grove Road Widening, Parcel # 84B
Owner(s): William L. Thornburg and Wife, Myrtle L. Thornburg
Property Address: 4800 Dogwood Drive
Property to be acquired: 6,266 sq.ft. (0.144 ac.) of Fee Simple plus 1,774 sq.ft. (0.041 ac.) of Temporary Construction Easement
Improvements: Mature Landscaping
Purchase Price: \$11,825
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: R-3
Use: Residential
Tax Code: 103-213-13
Total Parcel Tax Value: \$168,930
- H. Project:** Hickory Grove Road Widening, Parcel # 40
Owner(s): Susie Williams Litaker
Property Address: 6129 Hickory Grove Road
Property to be acquired: 2,673 sq.f.t (0.061 ac.) of Area Acquired, plus 43 sq.ft. (0.0009 ac.) of Permanent Utility Easement, plus 3,069 sq.ft. (0.070 ac.) of Fee Simple in Existing Right-of-Way, plus 903 sq.ft. (0.020 ac.) of Temporary Construction Easement
Improvements: Tree
Purchase Price: \$24,325
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: R-17MF
Use: Single Family Residential
Tax Code: 107-312-07
Total Parcel Tax Value: \$48,288
- I. Project:** 2001 Annexation Back Creek Church Road Area Trunk "D&E", Parcel # 11
Owner(s): Duke Energy Corporation
Property Address: 2530 East W.T. Harris Boulevard

Property to be acquired: 23,691 sq.ft. (0.544 ac.) of Permanent Easement plus 30,996 sq.ft. (0.712 ac.) of Temporary Construction Easement

Improvements: None

Purchase Price: \$30,500

Remarks: This acquisition is required for the 2001 Annexation BackCreek Church Road Area Trunk "D&E" Project.

Compensation was established by an independent, certified appraisal and an appraisal review.

Zoned: I-2CD

Use: Vacant

Tax Code: 105-021-19

Total Parcel Tax Value: \$3,383,840

- J. Project:** Hickory Grove Road Widening, Parcel # 97
Owner(s): Brenda F. Furr
Property Address: 6210 Hickory Grove Road
Property to be acquired: 465 sq.ft. (.010 ac.) of Fee Simple, plus 215 sq.ft. (.004 ac.) of Permanent Drainage Easement, plus 673 sq.ft. (0.020 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$13,600
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: R-3
Use: Single Family Residential
Tax Code: 109-011-05
Total Parcel Tax Value: \$66,900
- K. Project:** Hickory Grove Road Widening, Parcel # 33
Owner(s): No Nguyen and Robert Nguyen
Property Address: (Vacant Lot) Hickory Grove Road
Property to be acquired: 3,086 sq.ft. (.071 ac.) of Fee Simple, Right-of-Way, plus 295 sq.ft. (.007 ac.) of Permanent Utility Easement, plus 2,743 sq.ft. (.063 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$43,500
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: B-1SCD
Use: Vacant
Tax Code: 099-311-19
Total Parcel Tax Value: \$417,130
- L. Project:** Hickory Grove Road Widening, Parcel # 87
Owner(s): DKS Properties, LLC

Property Address: 7115 East W.T. Harris Boulevard
Property to be acquired: 3,669 sq.ft. (.084 ac.) of Area Acquired, plus 260 sq.ft. (.006 ac.) of Permanent Utility Easement, plus 3,764 sq.ft. (.086 ac.) of Temporary Construction Easement

Improvements: Trees, Shrubs, Entrance Signs and Light Poles

Purchase Price: \$99,825

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

Zoned: R-3

Use: Single Family Residential

Tax Code: 109-011-13

Total Parcel Tax Value: \$1,544,590.00

Condemnations:

- M. Project:** Hickory Grove Road Widening, Parcel # 8
Owner(s): Grady Butler and any other Parties of Interest
Property Address: 2423 Valleyview Drive
Property to be acquired: 1,974 sq.ft. (0.453 ac.) of Fee Simple, Permanent Utility Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,150
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential
Tax Code: 099-271-37
Total Parcel Tax Value: \$122,050
- N. Project:** Hickory Grove Road Widening, Parcel # 50 and 51
Owner(s): United Methodist Agency for the Retarded (UMAR) and any other Parties of Interest
Property Address: 5060 and 5114 Hickory Grove Road
Property to be acquired: 21,864 sq.ft. (.502 ac.) of Fee Simple, Permanent Drainage Easement, Permanent Utility Easement, plus Temporary Construction Easement
Improvements: Trees/Shrub
Purchase Price: \$40,250
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-17MF

Use: Single Family Residential
Tax Code: 103-141-07 and 103-141-08
Total Parcel Tax Value: \$269,530

- O. Project:** Hickory Grove Road Widening, Parcel # 52
Owner(s): J. Delores Rubi and any other Parties of Interest
Property Address: 5130 Hickory Grove Road
Property to be acquired: 2,692 sq.ft. (0.618 ac.) of Fee Simple, Permanent Drainage Easement, Permanent Utility Easement plus Temporary Construction Easement
Improvements: Trees/Bushes
Purchase Price: \$1,300
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential
Tax Code: 103-141-06
Total Parcel Tax Value: \$61,450
- P. Project:** Foxcroft/Ferncliff Storm Drainage Improvements, Parcel # 6
Owner(s): Orrin W. Edwards Jr. and Helen R. Edwards and any other Parties of Interest
Property Address: 2101 Sharon Avenue
Property to be acquired: 1,105 sq.ft. (.025 ac.) of Permanent Storm Drainage Easement
Improvements: None
Purchase Price: \$3,650
Remarks: This acquisition is required for the Foxcroft/Ferncliff Storm Drainage Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 181-133-12
Total Parcel Tax Value: \$358,660
- Q. Project:** Foxcroft/Ferncliff Storm Drainage Improvements, Parcel # 35
Owner(s): David Boyle and Lisa Boyle and any other Parties of Interest
Property Address: 2611 Forest Drive
Property to be acquired: 360 sq.ft. (.008 ac.) of Permanent Storm Drainage Easement
Improvements: None

Purchase Price: \$1,150

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

Zoned: R-3

Use: Residential

Tax Code: 181-132-51

Total Parcel Tax Value: \$295,240

R. Project: Foxcroft/Ferncliff Storm Drainage Improvements, Parcel # 4

Owner(s): Sarah Love Carder and any other Parties of Interest

Property Address: 2324 Ferncliff Road

Property to be acquired: 7,507 sq.ft. (.172 ac.) of Permanent Storm Drainage Easement

Improvements: Landscaping

Purchase Price: \$41,703

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

Zoned: R-3

Use: Residential

Tax Code: 181-133-06

Total Parcel Tax Value: \$289,870

S. Project: Foxcroft/Ferncliff Storm Drainage Improvements, Parcel # 37

Owner(s): Richard E. Rowland and Marilyn W. Rowland and any other Parties of Interest

Property Address: 2601 Forest Drive

Property to be acquired: 254 sq.ft. (.005 ac.) of Permanent Storm Drainage Easement

Improvements: None

Purchase Price: \$825

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

Zoned: R-3

Use: Residential

Tax Code: 181-132-43

Total Parcel Tax Value: \$257,100

- T. Project:** Foxcroft/Ferncliff Storm Drainage Improvements, Parcel # 51
Owner(s): Catherine A. Little and any other Parties of Interest
Property Address: 2011 Sharon Avenue
Property to be acquired: 50 sq.ft. (.001 ac.) of Permanent Storm Drainage Easement
Improvements: None
Purchase Price: \$450
Remarks: This acquisition is required for the Foxcroft/Ferncliff Storm Drainage Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 181-133-11
Total Parcel Tax Value: \$178,810
- U. Project:** Hickory Grove Road Widening, Parcel # 7
Owner(s): Bank One National Association Trustee c/o Homecoming Financial Network and any other Parties of Interest
Property Address: 2428 Valleyview Drive
Property to be acquired: 2,705 sq.ft. (.062 ac.) of Fee Simple, Permanent Utility Easement, Permanent Drainage Easement, plus Temporary Construction Easement
Improvements: Trees/Bushes
Purchase Price: \$4,650
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential
Tax Code: 099-271-13
Total Parcel Tax Value: \$108,170
- V. Project:** Central Avenue Streetscape-Phase III, Parcel # 341
Owner(s): Kenn G. Firman and Steve T. Jacobs and any other Parties of Interest
Property Address: 3622 Central Avenue
Property to be acquired: 1,030 sq.ft. (0.024 ac.) of Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$3,414
Remarks: This acquisition is required for the Hickory Grove Road Widening 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: Office

Tax Code: 129-091-29

Total Parcel Tax Value: \$101,590

- W. Project:** Southwest Water Transmission Main, Parcel # 40
Owner(s): Westview Christian Church and any other Parties of Interest
Property Address: 5414 Freedom Drive
Property to be acquired: 39,905 sq.ft. (0.916 ac.) of Fee Simple, Permanent Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$25,275
Remarks: This acquisition is required for the Southwest Water Transmission Water Main Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4 and R-17MF
Use: Church/Vacant
Tax Code: 057-131-19
Total Parcel Tax Value: \$882,450
- X. Project:** Studman Branch Outfall & Force Main, Parcel # 6
Owner(s): Steven F. Long and Wife, Lorraine R. Long and any other Parties of Interest
Property Address: 16413 Shallow Pond Road
Property to be acquired: 49,026 sq.ft. (1.126 ac.) of Permanent Easement plus Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$6,200
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential
Tax Code: 217-241-30
Total Parcel Tax Value: \$268,000
- Y. Project:** Hickory Grove Road Widening, Parcel # 83
Owner(s): Johnathan B. Lane and any other Parties of Interest
Property Address: 5912 Hickory Grove Road
Property to be acquired: 3,690 sq.ft. (0.085 ac.) of Fee Simple plus Temporary Construction Easement

Improvements: Mature Landscaping

Purchase Price: \$9,775

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

Zoned: R-3

Use: Residential

Tax Code: 103-201-12

Total Parcel Tax Value: \$90,810

Z. Project: Enfield/Windsor Park Drainage Improvements, Parcel # 4

Owner(s): Diane L. Baucom and any other Parties of Interest

Property Address: 3400 Sudbury Road

Property to be acquired: 6,169 sq.ft. (.142 ac.) of Permanent Storm Drainage Easement, plus 945 sq.ft. (.022 ac.) of Temporary Construction Easement

Improvements: Landscape Materials

Purchase Price: \$4,475

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

Zoned: R-4

Use: Single Family Residential

Tax Code: 101-073-06

Total Parcel Tax Value: \$5,000

AA. Project: Hickory Grove Road Widening, Parcel # 12

Owner(s): John T. Bunn and Wife, Brenda T. Bunn and any other Parties of Interest

Property Address: 5317 Hickory Grove Road

Property to be acquired: 3,174 sq. ft. (.0728 ac.) of Fee Simple, Drainage Easement, Utility Easement, plus Temporary Construction Easement.

Improvements: None

Purchase Price: \$5,550

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

Zoned: R-3

Use: Residential

Tax Code: 099-271-04

Total Parcel Tax Value: \$90,830

- BB. Project:** Hickory Grove Road Widening, Parcel # 23
Owner(s): Keith Button and Wife, Ana Victoria Button and any other Parties of Interest
Property Address: 4539 Martha's Ridge Drive
Property to be acquired: 2,369 sq.ft. (0.054 ac.) of Fee Simple, Permanent Utility Easement plus Temporary Construction Easement
Improvements: Landscaping, Patio and Partial Bar
Purchase Price: \$5,000
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 099-301-43
Total Parcel Tax Value: \$88,650
- CC. Project:** Hickory Grove Road Widening, Parcel # 58
Owner(s): John Van Quach and Wife, Lien Mychau Quach and any other Parties of Interest
Property Address: 4800 Craigwood Drive
Property to be acquired: 4,108 sq.ft. (0.094 ac.) of Fee Simple, Permanent Drainage, Utility, Sidewalk Easements, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,000
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 103-152-12
Total Parcel Tax Value: \$130,860
- DD. Project:** Hickory Grove Road Widening, Parcel # 59
Owner(s): Thomas M. Love and Wife, Karen S. Love and any other Parties of Interest
Property Address: 4801 Craigwood Drive
Property to be acquired: 5,784 sq.ft. (0.133 ac.) of Fee Simple, Permanent Sidewalk/Utility Easements, plus Temporary Construction Easement
Improvements: Mature Landscaping
Purchase Price: \$10,325
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an

independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3

Use: Residential

Tax Code: 103-151-10

Total Parcel Tax Value: \$120,980

- EE. Project:** Hickory Grove Road Widening, Parcel # 60
Owner(s): Amerus Home Equity and any other Parties of Interest
Property Address: 5400 Hickory Grove Road
Property to be acquired: 18,382 sq.ft. (0.422 ac.) of Fee Simple, Utility Easement, plus Temporary Construction Easement.
Improvements: Wooded Buffer
Purchase Price: \$8,800
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 103-151-07
Total Parcel Tax Value: \$157,120
- FF. Project:** Hickory Grove Road Widening, Parcel # 61
Owner(s): A. Bruce Gettys and Wife, Betty Gettys and any other Parties of Interest
Property Address: Hickory Grove Road-Vacant(1.890 ac.)
Property to be acquired: 19,218 sq.ft. (0.441 ac.) of Fee Simple, Permanent Utility Easement, Permanent Drainage Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$9,500
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 103-151-09
Total Parcel Tax Value: \$41,620

- GG. Project:** Hickory Grove Road Widening, Parcel # 73
Owner(s): Jomo A. Heron and Heirs of Gwendolyn B. Williams, Deceased and any other Parties of Interest
Property Address: 5726 Hickory Grove Road
Property to be acquired: 2,213 sq.ft. (0.051 ac.) of Fee Simple, plus Temporary Construction Easement
Improvements: Mature Landscaping
Purchase Price: \$425
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 103-203-12
Total Parcel Tax Value: \$68,800
- HH. Project:** Outer Loop Mount Holly-Huntersville Road To Oakdale Road, Parcel # 15A
Owner(s): Calvary Baptist Church of Charlotte, Inc. and any other Parties of Interest
Property Address: 2101 and 2125 Fallsdale Drive
Property to be acquired: 40,734 sq.ft. (0.936 ac.) of Permanent Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$4,500
Remarks: This acquisition is required for the Outer Loop Mount-Holly Huntersville Road to Oakdale Road Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Gov't/Institution/School
Tax Code: 031-421-43
Total Parcel Tax Value: \$475,000
- II. Project:** Hickory Grove Road Widening, Parcel #67
Owner(s): Hossam H. Alberbini and other Parties of Interest
Property Address: 5618 Hickory Grove Road
Property to be acquired: 3,960 sq.ft. (0.091 ac.) of Fee Simple and Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$8,450
Remarks: This acquisition is required for the Hickory Grove Road Widening Project. Compensation was established by an independent, certified appraisal and appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3
Use: Residential
Tax Code: 103-155-02
Total Parcel Tax Value: \$88,800

55. Meeting Minutes

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

- **May 5, 2003 Workshop**
- **May 12, 2003 Business Meeting**
- **May 27, 2003 Business Meeting**
- **June 2, 2003 Workshop/Forum**