

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 9, 2003

5:00 p.m.

Conference Center

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

7:00 p.m.

Meeting Chamber

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

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

Policy

9.	City Manager's Report	10	
10.	Hospitality and Tourism Marketing Advisory Committee Report	10	3
11.	Bland Street Trolley Barn Property Sale Proceeds	14	
12.	Transit Corridor, Business District and Infill Land Development Policy Framework	15	

Business

13.	Drug Threat Assessment Report	16	4
14.	Privatization and Competition Advisory Committee Annual Report	17	5
15.	Date for General Development Policies Workshop	18	
16.	Appointments to Boards and Commissions	19	6

Consent I

17.	Various Bids		
	A. North Tryon Street Widening and Business Corridor Improvements	20	
18.	Refund of Taxes	21	7
19.	Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Perrin Place	21	8

Consent II

20.	Owner's Representative for Charlotte Arena	22	9
21.	Sale of City Property/Portion of Tax Parcel # 077-081-01	23	10
22.	Sale of Old Convention Center	23	

<u>Item No.</u>	<u>Page No.</u>	<u>Attachment No.</u>
23. Transit Management Services Agreement	24	
24. Archdale Drive Widening Project	25	
25. Eastburn Storm Drainage Improvements	26	
26. Nightingale Storm Drainage Improvements	27	
27. Animal Control Ordinance Amendments	27	11
28. General Obligation Refunding Bonds	29	12
29. Purchase of TASERS for Charlotte-Mecklenburg Police Department	30	
30. Mecklenburg County 10-Year Solid Waste Management Plan	32	13
31. KBA Computer Services, Inc. Contract	34	
32. Corporate Hangar Construction Contract	35	14
33. Insurance Proceeds from Air Midwest Incident	36	15
34. Property Transactions	37	
35. Meeting Minutes	38	

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. 2005 Annexation: Proposed Study Areas and Policy Guidelines

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

Time: 30 minutes

Synopsis of Presentation:

As part of the preliminary planning leading up to the 2005 annexation process, staff has prepared two items for presentation to City Council.

First, staff has reviewed the various City procedures and policies relating to involuntary annexations that have been adopted over the years, with a goal of organizing them into a single source. A number of these procedures and policies remain relevant, while several others have been superseded by state law and therefore are no longer applicable. Staff will review this material with Council prior to commencement of the 2005 annexation process.

Second, staff has examined recent development trends and patterns in the City's extraterritorial jurisdiction, immediately adjacent to the City boundaries, and has identified five areas that preliminarily indicate the greatest potential for qualifying for annexation in 2005. Staff will describe these areas.

Finally, staff will briefly describe the preliminary 2005 annexation schedule.

Future Action:

City Council will be asked to approve a Resolution of Consideration (which designates the 2005 annexation study areas) and a series of annexation policy statements at the June 23, 2003 meeting.

2. Third Ward Vision Plan Update

Resource: Mark Johnston, Civitas Park/Urban Designer

Time: 30 minutes

Synopsis of Presentation:

City Council and the County Commission are jointly funding the services of Civitas to undertake a vision plan for the Third Ward. The

plan is intended to provide a framework for future decision-making on the Multi-Modal Station, the Trade Street Transit Corridor, Johnson and Wales campus integration into Third Ward, and the old Federal Courthouse. The public participation process and plan development is expected to extend to the end of June 2003.

This presentation is to update Council on the status of public meetings and planning work done to date. Specific recommendations will be presented on the framework issues. In addition, Mr. Johnson will discuss needed pedestrian improvements for surrounding streets, address issues of phasing and give economic assessments for three design options.

Future Action:

The plan adoption is targeted for August 2003. Council referred this plan to the Economic Development and Planning Committee for review.

3. Airport Expansion Financing Plan

Resource: Jerry Orr, Aviation

Time: 15 minutes

Synopsis of Presentation:

Staff will present the Airport expansion projects for the next three years, the financing plan and the implementation of the Passenger Facility Charge (PFC).

Future Action:

- Contract with Newton Associates to prepare PFC application on June 23
- PFC Resolution on July 28
- \$225 million+ Bond Issue in fall 2003
- Airline Lease Amendments in fall 2003
- Construction Contracts (\$270 million+) starting in fall 2003

4. Community Safety Committee Report on False Fire Alarms

Committee Chair: Patrick Cannon

Resource: Jeff Dulin, Deputy Fire Chief

Time: 10 minutes

Synopsis of Presentation:

The issue of false fire alarms was referred to the Community Safety Committee as a result of a media report about the number of false fire alarms. The number of false alarms, both malicious and good intent, is small, consisting of 425 or 0.6% of the 71,799 alarms to which the Fire Department responded between August 2001 and August 2002. The category of false calls with a significant number of incidents was alarm activations, which accounted for 8,001, or 11%, of the alarms during this time period.

The Fire Department responds and investigates all incidents where a fire alarm system activates but there is no fire. In most cases, the alarm system reacted properly to a change in the environment around a detector, a change in the detector's system, or a change to the support system, such as electrical power or water supply, that supplies a fire alarm system. Fire officials do not consider such activations to be a problem, because alarm systems are required and installed to protect lives and property. Anything that causes activation could potentially result in life or property loss.

Future Action:

The Fire Department has just implemented a new records management system that will capture more detailed information about alarm activations. At their April 10th meeting, the Community Safety Committee voted unanimously to accept Chief Fincher's recommendation to allow the Fire Department to build a year of experience with the new system and report back to Council next summer. All members of the Committee were present (Cannon, Wheeler, Mumford, Tabor and Cogdell).

5. Committee Reports by Exception

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

CONSENT

- 6. Consent agenda items 17 through 35 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 on FY2004 Consolidated Regional Housing Action Plan



Action: Conduct a public hearing to receive comments on the proposed FY2004 City of Charlotte and Charlotte-Mecklenburg Regional Housing Consortium Consolidated Action Plan.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The 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. The Plan describes the City's and Consortium's goals, objectives and strategies for carrying out federal and local programs. Preparation of the *Consolidated Action Plan* is required each year by the U.S. Department of Housing and Urban Development in order to receive federal housing and community development funds. The *Consolidated Action Plan* complements the City's Communities Within A City Focus Area goals by primarily revitalizing older urban neighborhoods.

Explanation:

The 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 also includes housing objectives for the Regional Housing Consortium, a partnership between the City, Mecklenburg County and the towns. This Plan embraces U.S. Department of Housing and Urban Development (HUD) goals of providing safe and decent housing, suitable living environments and economic opportunities for low and moderate-income households.

The Consolidated 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.

Following the public hearing, the Plan will go before the CWAC Committee to consider the public hearing comments. City Council is scheduled to make final approval of the FY04 Consolidated Plan at its meeting on June 23, 2003.

Community Input:

A citizen's forum was held in February 2003 to inform citizens and agencies of the Plan preparation process and timeline for completing the planning document. Private and public agency representatives that are instrumental in achieving HUD's housing and community development goals attended. Citizen's forums were also conducted with each member of the Charlotte-Mecklenburg Regional Housing Consortium (Mecklenburg County and the towns of Cornelius, Pineville, Matthews, Mint Hill and Huntersville). Neighborhood Development sent 400 invitations for the June 9th Public Hearing to neighborhood leaders, city financial partners and interested individuals.

A copy of the draft FY2004 Consolidated Regional Housing Action Plan is available in the Council library.

Attachment 1

Use of Federal Grant Allocations

8. Public Hearing on Draft Eastland Area Plan



Action: Conduct a public hearing to receive public comments on the draft Eastland Area Plan, Concept Plan Volume I.

Committee Chair: Lynn Wheeler

Staff Resource: Laura Harmon, Planning Commission

Explanation:

The draft 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 draft 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 insuring 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 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.

Committee Discussion:

The Planning Committee of Charlotte-Mecklenburg 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 property proposed within the town center
- Need for proactive outreach to smaller businesses in area
- Concern of 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.

City Council's Economic Development and Planning Committee discussed the draft Plan at its 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 draft Plan to full Council for public comment. The Economic Development & Planning Committee is tentatively scheduled to take action on the Plan on June 18, 2003 and Council action is tentatively scheduled for June 23, 2003.

Community Input:

In January 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.

Notices of this public input opportunity have been sent to property owners in the study area, to the stakeholder group and to those who have attended past community meetings on the Plan.

Attachment 2

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

POLICY

9. City Manager's Report

10. Hospitality and Tourism Marketing Advisory Committee Report



Action: Adopt the Hospitality and Tourism Marketing Advisory Committee Report with associated recommendations in the areas of Sales and Marketing, Economic Impact, Asset Development and Utilization, Customer Satisfaction, and Positioning and Reputation.

Staff Resource: Ron Kimble, City Manager's Office

Explanation:

City Council took two related actions in December 2001 and March 2002 that impacted the hospitality and tourism industry. The first action in December 2001 resulted in a realignment of the flow of marketing funds for the Convention Center. This realignment shifted the original 70/30 split in Convention Center marketing between the Charlotte Convention and Visitors Bureau (CCVB) and Auditorium, Convention Center, Coliseum Authority (ACCCA) to provide 100% of funds to the ACCCA. However, this action mandated that the ACCCA in turn contract with the CCVB for at least 70% of the marketing funds, resulting in no net reduction in Convention Center marketing funding for CCVB. This Council action also created the Marketing Advisory Committee (MAC), which was initially charged with reviewing the budget, performance goals, and measures for both Convention Center and tourism marketing.

The hospitality and tourism industry is one of the most important industries in the Charlotte area, employing 50,000 people and contributing \$2.6 billion annually to the local economy. However, this industry is extremely cyclical and prone to dramatic economic swings as the experience from 1990 to 2002 indicates. Collaboration among different organizations and interests is important under any circumstances, but essential in difficult economic times in order to best utilize scarce resources.

The Marketing Advisory Committee (MAC) was developed to bring the appropriate industry representatives to the table, to discuss and resolve key issues and concerns, and to develop consensus on collaboration within the hospitality and tourism industry. The Committee's purpose was to help achieve the vision for Charlotte to be a successful destination for travel and tourism that appeals to a diverse market segment.

The MAC covered a wide range of topics in its first year. In general, the Committee:

- Focused attention from June 2002 until September 2002 on receiving information on current tourism and Convention Center marketing activities
- Commissioned a customer research study in November 2002 and discussed key results and recommendations from this study from February 2003 to April 2003
- Began developing a vision, mission, strategies, and tactics in October 2002 to guide tourism and Convention Center promotion in the areas of sales and marketing, economic impact, asset utilization, customer satisfaction, and positioning and reputation

Each focus area noted above received considerable time and attention, and the executive summary listing of the commonly embraced MAC recommendations is as follows:

Sales and Marketing

1. Implement a new Visit Charlotte website so that it is inclusive of all venues available in the City and contains an easy to use online planning function for meeting planners
2. Build a sufficiently sized "Business Development Fund" to help attract conventions and leisure tourists to Charlotte in a highly competitive environment
3. Use some of the remaining monies from the Mayor's Travel and Tourism Task Force Phase I program in a short-term focused manner for leisure tourism
4. Use some of the remaining monies from the Mayor's Travel and Tourism Task Force Phase I program in a "biggest bang for the buck" manner with meeting planners
5. Use Phase II City commitment to the Mayor's Travel and Tourism Task Force program in a short-term focused manner for leisure tourism
6. Increase Charlotte's repeat business with leisure tourism and convention groups
7. Increase the amount of advertising both in the Airport and upon leaving the Airport to target visitors, convention attendees, and meeting planners
8. Use better tools and methods to attract visitors and convention goers, and once attracted here, how to better guide them to Charlotte's assets/entertainment venues.
9. Promote Charlotte as a sports loving city – capitalize on Lowe's Motor Speedway, NFL, NBA, Charlotte Knights, PGA, etc. to expand sports opportunities
10. Use trolley, new Arena, light rail and bus rapid transit to attract new business as well as repeat business

11. Link with Johnson & Wales University to find proper relationships benefiting and leveraging each other
12. Link with other partners such as Bank of America, Wachovia, Duke Energy, the Chamber, Center City Partners, Arts and Science Council, South End and Mecklenburg County to discuss strategies for boosting the hospitality and tourism industry
13. Advocate legislation that is supportive of the health of the Hospitality and Tourism Industry

Economic Impact

1. Create an index of measures that industry and city leaders will endorse and use
2. Identify who and where the database will be maintained and updated on a continuous basis
3. Interpret data, analyze trends, and summarize key findings
4. Contact organizations that already have economic models, review the models and select one for use, or contract to create a model
5. Develop criteria for selecting, rejecting or targeting specific business opportunities for publicly owned facilities based on overall economic impact to the industry and City and maximizing asset utilization.
6. Identify who and where the model will be maintained and updated on a continuous basis

Asset Development and Utilization

1. Improve utilization measurements and sharing of information among all hospitality and tourism organizations
2. Improve transportation to/from destination assets and to/from the Airport
3. Market Charlotte's current strengths in a complementary manner
4. Partner with the region to expand our asset base
5. Evaluate Charlotte's asset strengths and weaknesses against our competition/competitive set
6. Prioritize and promote the list of needed assets to the appropriate leadership organizations, such as the City Council, Center City Partners, the Chamber of Commerce and others
7. Develop a "hub" Center City destination as a huge magnet for both entertainment and purchasing of pottery, furniture, and other unique North Carolina-based wares
8. Promote expanded shopping opportunities in and around the Center City as well as increased promotion of and access to other suburban shopping locations
9. Create greater hours of operation for dining and entertainment in Charlotte
10. Create greater opportunities for public parking to accommodate evening and weekend ease of accessing dining and entertainment
11. Determine 2004 and 2005 best uses for the coliseum on Tyvola Road

Customer Satisfaction

1. Conduct evaluations with meeting planners and attendees after meetings and conventions
2. Continuously communicate the results of the evaluations to the entire hospitality industry in a manner that encourages continuous improvement
3. Encourage and assist with post-convention meetings between meeting planners, Visit Charlotte, the Authority and other venues (this is different than the evaluations above)
4. Establish partnerships with the media to educate citizens and local leaders on the importance of the hospitality industry to Charlotte and why it is important to make visitors feel welcome
5. Expand the definition of whom the hospitality industry encompasses and educate them on what it means to have a positive "tourism mentality"
6. Make meeting planners and attendees feel important and appreciated when in Charlotte

Positioning and Reputation

1. Quantitatively measure what meeting planners and tourists think of Charlotte as a destination now, in a manner that can be used as a benchmark
2. Develop continuous measurements and track and report the results to the industry
3. Collaborate with all MAC organizations as to where Charlotte should position itself for the next five years
4. Develop clear, consistent, and coordinated messages. Organize the messages around a limited number of themes or offerings that utilize our current strengths and assets

Action Requested:

The City Council received a briefing on the Marketing Advisory Committee Report recommendations at its June 2, 2003 Workshop meeting, and agreed to place the full Report on its June 9, 2003 agenda for adoption consideration.

A copy of the MAC report is enclosed in the Wednesday, June 4th Council-Manager Memorandum.

Attachment 3

June 2 Council Workshop PowerPoint Presentation

11. Bland Street Trolley Barn Property Sale Proceeds



Action: Direct that proceeds received from any future sale of City-owned property interests now occupied by the Atherton Mill trolley facility be allocated to the Transit Program.

Staff Resource: Ron Tober, Charlotte Area Transit System
Jim Schumacher, Engineering and Property Management

Explanation:

On May 20, 2003, the Board of Mecklenburg County Commissioners voted to appropriate up to \$1.5 million for purchase of the Bland Street site from Crescent Land Resources, subject to the City committing to lease the site from the County for the construction, maintenance and operation by CATS of a replica trolley barn on that site. Charlotte Trolley Inc. has agreed to contribute \$100,000 toward shared development costs with the owner and developer, Crescent Land Resources and Pappas Properties.

Following the County Commission action, the Metropolitan Transit Commission (MTC) considered the options of building a replica trolley barn facility on the Bland Street site (former Duke Power trolley barn) or expanding the facility at the existing Atherton Mill trolley barn. At its May 28, 2003 regular meeting, the MTC voted to adopt the corner of Bland Street and South Boulevard as its preferred alternative for the trolley barn facility. The MTC decision is subject to Council action specifying that whenever the City-owned property interest now occupied by a portion of the Atherton Mill trolley facility is sold, any proceeds of that sale be allocated to the Transit Program.

The reason for this request is that the replica trolley barn on Bland Street is expected to cost \$1.8 million more to build than expanding the Atherton Mill trolley barn and the MTC questioned whether the Transit Program should cover all of this additional cost given the economic development and historic preservation aspects of the Bland Street site. A major portion of the Atherton Mill trolley barn lies within the southern portion of the City-owned rail corridor right-of-way and could possibly be determined at some point in the future to be excess right-of-way appropriate for sale.

This action will allow CATS staff to move forward with finalizing agreements with the Charlotte Trolley, Inc.; Mecklenburg County; and the owners of the Bland Street site that will permit development of a new trolley barn. If this action is not approved, the MTC will reconsider its selection of the Bland Street site for the permanent trolley barn.

12. Transit Corridor, Business District and Infill Land Development Policy Framework



This item will be sent to City Council in the Friday, June 6th Council-Manager Memorandum.

BUSINESS

13. Drug Threat Assessment Report



Action: Receive a report from the Community Safety Committee on the Charlotte-Mecklenburg Police Department's Drug Threat Assessment Report.

Committee Chair: Patrick Cannon

Staff Resource: Deputy Chief Bob Schurmeier, Charlotte-Mecklenburg Police
Major Ken Williams, Charlotte-Mecklenburg Police

Explanation:

At its May 22, 2003 meeting, the Community Safety Committee received a presentation from the Police Department regarding a Drug Threat Assessment prepared by the department's Vice and Narcotics Bureau. The report discusses the availability of drugs including cocaine and crack, heroin, marijuana, club drugs such as ecstasy, LSD, methamphetamines, and prescription drugs in Charlotte-Mecklenburg. The report includes information on how the drugs are getting to the Charlotte area, the price of the drugs and the areas of the city and county where the drugs are being seized. The presentation also includes a discussion of the linkages between drugs and other criminal activity.

The Community Safety Committee felt that the information provided an insight into the issue of drugs in the community and the efforts that the Police are making to reduce the availability of drugs. The Committee recommended the presentation be given to the Council.

A copy of the Drug Assessment Report enclosed in the Wednesday, June 4th Council-Manager Memorandum.

Attachment 4

Power Point Presentation on Drug Threat Assessment Report

14. Privatization and Competition Advisory Committee Annual Report



Action: Receive report from Restructuring Government Committee pertaining to the annual report for the Privatization and Competition Advisory Committee.

Committee Chair: Joe White

Staff Resource: David Elmore, Business Support Services

Explanation:

The eleven member Privatization and Competition Advisory Committee (PCAC) prepares an annual report to City Council each year. The Restructuring Government Committee requested on May 27, 2003 that the annual report and year end presentation be presented to the full City Council and the general public at a regular televised meeting. Council members White, Cogdell, Spencer and Lochman were present at the meeting; Graham was absent.

City Council Charge to the PCAC Committee:

The Committee shall monitor the progress of the City in implementing services contracting and asset management, will recommend services and assets to be considered for competition and privatization, and will advise on ways to improve current contracted services with service delivery problems.

The Committee shall assist and advise the City on issues in implementing the goals and processes adopted by City Council of services contracting and asset management. This may include review of requests for proposal, cost comparison methodologies, bid processes, etc.

The Committee shall be an advisor to both the City Council and the City Manager on matters regarding privatization and competition, in general. They will review the existing legal system for contracting and may develop and recommend local legislation to modify such systems.

The Committee shall be a resource regarding concerns about the fairness of any bidding processes. As a result, they may be asked to review bid proceedings and hear grievances from parties involved.

The Committee will prepare an annual report to City Council.

Some highlights of the annual report and presentation are:

- History of the program
- Synopsis of the PCAC planning retreat
- Future challenges faced by the committee
- Examples of outsourcing, benchmarking, optimization, and managed competition

Recent accomplishments of the Committee:

- Solid Waste Service – West Zone
- PCAC planning retreat
- Revision of the PCAC sub-committee structure
- Revision of the new member orientation program

Committee Discussion:

On May 27, 2003, the Restructuring Government Committee requested that the annual report and year end presentation be presented to the City Council and the general public at a regular televised meeting. Council members Joe White, Harold Cogdell, Sara Spencer, and Don Lochman were present at the May 27th Restructuring Government Meeting; Malcolm Graham was absent.

Attachment 5

PCAC Annual Report
 Gainsharing Report for Fiscal Year 2002
 List of Current PCAC members

15. Date for General Development Policies Workshop

Action: Select date and time for special City Council workshop on draft General Development Policies.

Staff Resource: Debra Campbell, Planning Commission

Explanation:

On May 12, 2003 Council approved a schedule and process for review and adoption of the General Development Policies. At that time, Council requested that staff schedule a special workshop for Council to review the draft policies in detail. Staff has polled the Mayor and Council members has identified the following options for scheduling the workshop:

Monday, August 11: 4:00 pm to 7:00 pm

OR

Tuesday, August 12: 4:00 pm to 7:00 pm

After Council selects the date and time, staff will add it to the calendar.

16. Appointments to Boards and Commissions

Action: Vote on blue ballots and give to City Clerk at dinner.

A. **PRIVATIZATION/COMPETITION COMMITTEE**

One appointment beginning immediately and serving until March 2005.

Edward Pickett by Council member Carter

Rick Ward by Council member Wheeler

Gregory West by Council member Mitchell

Attachment 6

Applications

Introduction to CONSENT

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

Consent I consists of routine items that have been approved in the budget, are low bid and comply with 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 advertised as of March 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

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.

CONSENT I

17. Various Bids

A. North Tryon Street Widening and Business Corridor Improvements E&PM

Recommendation:

The City Engineer recommends the low bid of \$1,377,468.59 by Sealand Contractors of Charlotte, North Carolina. This project will add a third north bound lane on Tryon Street from Craighead Road to Sugar Creek Road. It includes new sidewalks, planting strips, curbs and installation of a 16-inch water line. The project is part of the three-year vote-to-drive initiative.

Small Business Opportunity:

Established SBE Goal: 6%

Committed SBE Goal: 4.3%

Sealand Contractors met the good faith efforts requirements.

18. Refund of Taxes

Action: A. Adopt a resolution authorizing the refund of property taxes assessed through clerical error in the amount of \$1,005.04, and

B. Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$2,380.40.

Attachment 7

Resolutions

List of Refunds

19. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Perrin Place

Action: A. Adopt the Resolution of Intent to abandon a portion of Perrin Place, and

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

Attachment 8

Map

CONSENT II

20. Owner's Representative for Charlotte Arena

Action: Approve the agreement with Suffolk/E. A. Fish and Associates, Joint Venture (Fish Associates) for \$502,570 for owner's representation services for the Charlotte Arena project.

Staff Resource: Jim Schumacher, Engineering and Property Management
David Garner, Engineering and Property Management

Explanation:

The planning, design and construction of any major project requires that the owner proactively oversee the work of the designers and contractors hired for the project. This role is routinely provided for City building projects by the project management team in Engineering & Property Management. Due to the scope, complexity, and specialized features of a \$200 million sports and entertainment arena, the City selected Fish Associates to assist the City's staff with "owner's rep" services including assistance in decision making, tracking the budget and schedule, contract review, construction manager-at-risk experience and specialty systems. This agreement with Fish Associates will provide those services, with cost allowances estimated for the remaining two and a half years of the project.

Since being selected, the Owner's Rep has assisted staff in the development and negotiation of the construction manager's contract, advising staff of their previous experience and recommending appropriate contract language to clarify potential points of contention. Their overall knowledge on these type projects has and will offer added value in the successful completion of this project.

SBE:

Qualifications were solicited before the SBE implementation date for professional services.

Funding:

Economic Development Capital Investment Plan, Charlotte Arena Account

Attachment 9

Scope of Services
Selection Process

21. Sale of City Property/Portion of Tax Parcel# 077-081-01

Action: Approve a resolution authorizing the private sale of City owned real property located at 3200 Northerly Road to RealEstate Investment Corp., LLC (Ferebee) for \$50,000 in furtherance of the Optimist Park Plan.

Staff Resource: Bob Hagemann, City Attorney's Office

Explanation:

On May 27th, 2003, City Council approved an agreement between the City and Ferebee that included the sale of 10+ acres of City owned land for the relocation of a proposed asphalt plant from property in the Optimist Park neighborhood. In accordance with the City's private sale provisions, the terms of the sale of the City property were advertised and Council is now being asked to formally approve a resolution authorizing the conveyance of the City land to RealEstate Investment Corporation, LLC.

Attachment 10

Resolution

22. Sale of the Old Convention Center

Action: Continue consideration of sale of the Old Convention Center from the advertised date of May 27, 2003 to June 9, 2003.

Staff Resources: Susanne Todd, City Attorney's Office

Explanation:

Arena Holdings, LLC made an offer to purchase the Old Convention Center property for \$14 million. The offer was advertised on April 27, 2003 stating, in part, that Council would consider accepting the offer at its May 27, 2003 meeting unless the offer was upset before May 8, 2003. No upset bids were received. Final documents are still being prepared. Therefore, staff requests that this matter be continued from the June 9th agenda and placed on the agenda for June 23, 2003.

23. Transit Management Services Agreement

Action: A. Approve a three-year operating agreement with McDonald Transit Associates, Inc. to provide transit management services for the Bus Operations Division, at an annual cost not to exceed \$600,000, and

B. Authorize the City Manager or her designee to negotiate and execute contract renewals not to exceed \$650,000 per year for up to two additional years.

Staff Resource: Keith Parker, Charlotte Area Transit System

Explanation:

In 1999, the City negotiated a three-year agreement with Ryder/ATE (currently known as First Transit, Inc.) to manage the operation and maintenance of Charlotte Area Transit System's (CATS) Bus Operations Division (BOD). First Transit, through Transit Management of Charlotte and its employees, oversees the administration and the management of the day-to-day BOD bus operations and maintenance at CATS' North Davidson Street facility. Currently, First Transit assigns four managers to supervise and manage the 600+ employees, including bus drivers, mechanics, and administrative personnel.

The current management agreement expires on August 31, 2003.

Summary of Proposals:

CATS issued a Request for Proposal (RFP), that was advertised locally and nationally earlier this year. While the transit management field is relatively small with only a limited number of management firms competing for each contract, Charlotte represents one of the largest contracting opportunities in the industry. On April 28, 2003, proposals were received from four of the largest transit management firms:

First Transit, Inc. - Cincinnati, Ohio
 ATC Transportation - Oakbrook Terrace, Illinois
 McDonald Transit Associates Inc. - Fort Worth, Texas
 Professional Transit Management - Loveland, Ohio

An evaluation committee representing the City Human Resources Department, City Budget and Evaluation Office, CATS' Operations Division, and an independent consultant reviewed and evaluated written proposals and interviews with each firm against the following criteria:

- Qualifications of proposed local staff
- Qualifications of the firm
- The operation methodology

- Cost effectiveness

The proposal submitted by McDonald Transit Associates, Inc. received the highest rating from the evaluation committee based on the RFP criteria. McDonald Transit Associates is a national employee-owned firm with over 30 years of well-respected service in the transit management field. McDonald has 25 transit management contracts in 13 states including Fort Worth, Texas; Nashville, Tennessee; and Greenville, South Carolina.

McDonald has proposed an experienced local transit management team for Charlotte to oversee CATS' Bus Operations Division. Each of their three proposed local management staff (General Manager, Assistant General Manager for Operations, and a Maintenance Manager) demonstrated strong transit management qualifications for the CATS' project. The firm will also provide corporate resources for labor negotiations and quality assurance activities as needed.

McDonald has proposed an annual price not to exceed \$600,000 for the three-year agreement, consistent with the amount CATS has included in its adopted FY2004-FY2005 budget. Option-years four and five prices will be subject to negotiation between the parties, but will not exceed \$650,000 annually.

Small Business Opportunity:

McDonald Transit Associates is a sole source vendor. McDonald will oversee many significant opportunities for small business contracting within the Bus Operation Division's ongoing operation. CATS will ensure that their local management team is fully trained on the City's SBE program requirements prior to the start of their contract.

Funding:

CATS Operating Funds

24. Archdale Drive Widening Project

Action: A. Reject the bid of \$374,679.59 from United Construction of Charlotte, North Carolina, pursuant to the Small Business Opportunity Program, and

B. Award contract for Archdale Drive Widening Project to next low bidder, Sealand Contractors Corporation of Charlotte, North Carolina in the amount of \$416,452.79.

Staff Resource: Mark Hance, Engineering and Property Management

Explanation:

This project is funded from the 2000 Transportation Bonds and is part of the three-year vote-to-drive projects. The project will widen Archdale Drive to three lanes from Hoechst Celanese to Old Reid Road, construct approach slabs at the Archdale Drive bridge crossing over Little Sugar Creek and grade an embankment to improve the sight distance at the Old Reid Road intersection. This project will be completed in November 2003.

The recommendation to reject United Construction’s bid is based on its non-compliance with the Small Business Opportunity (SBO) Program. United Construction failed to meet the SBO subcontract goals for this project and also failed to meet the good faith efforts in obtaining the goals. The SBO Program states that failure of bidder to comply with the SBO Program requirements during the bid phase will result in its bid being declared non-responsive.

Summary of Bids:

United Construction	\$374,679.59
Sealand Contractors	\$416,452.79
Blythe Development	\$560,166.92

Small Business Opportunity:

Established SBE Goal: 15%

Committed SBE Goal: 9%

Sealand Contractors met the good faith efforts requirements.

Funding:

Transportation Capital Investment Plan

25. Eastburn Storm Drainage Improvements

Action: Approve the Eastburn Storm Drainage Improvements agreement for engineering services with Camp Dresser & McKee (CDM) for \$477,000.

Staff Resource: Tim Richards, Engineering and Property Management

Explanation:

The Eastburn/Sunnybrook Storm Drainage Improvement Project is a high priority capital project bounded by Sharon Road, Park Road, Fairview Road and Stokes Avenue. The project area includes the South Park, Fairmeadows/Beverly Woods and Spring Valley/Brandon neighborhoods. There is a history of road and house flooding as well as channel erosion in these areas. 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.

SBE:

Qualifications were solicited before the SBE implementation date for professional services.

Funding:

Storm Water Capital Investment Plan

26. Nightingale Storm Drainage Improvements

Action: Approve the Nightingale Storm Drainage Improvements agreement for engineering services with Jordan Jones & Goulding, Inc (JJ&G) for \$260,000.

Staff Resource:

Tim Richards, Engineering and Property Management

Explanation:

The Nightingale Storm Drainage Improvement Project is a high priority capital project bounded by Highway 51 to the north, Interstate 485 to the west, and Blue Heron Drive to the south and east. The project area includes the Park Ridge and Falconbridge neighborhoods. There is a history of road and house flooding as well as channel erosion in these areas. 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.

SBE:

Qualifications were solicited before the SBE implementation date for professional services.

Funding:

Storm Water Capital Investment Plan

27. Animal Control Ordinance Amendments

Action: Adopt an ordinance amending Chapter 3 of the City Code entitled "Animals".

Staff Resource:

Captain Tammy Williams, CMPD

Explanation:

The Police Department recommends amendments to the section of the City Code dealing with animals. The amendments are requested to better organize the ordinance and to allow for fee changes to be effective at the beginning of FY2004 on July 1, 2003. The changes are as follows:

- Subsection b of Section 3-31 of Article III entitled Ferrets is deleted because its key provisions have been incorporated into other parts of the ordinance.
- New license fees are established for dogs, cats, and ferrets. Fees for fertile dogs, cats, and ferrets will increase from \$25 to \$30 for one year. Fees for sterile dogs, cats, and ferrets will be increased from 7.50 to \$10 for one year or \$25 for three years. The three-year licensing option for sterile dogs, cats, and ferrets is in response to citizen requests for alternatives to annual license renewal and is another way to promote spay-neuter programs. The ordinance change also exempts governmental agencies from license fees for animals used for official purposes.
- Section 3-35 of Article IV entitled “Exemptions from differential licensing” is deleted so that all information on animal licensing is now located in one section of the ordinance.
- Section 3-44 of Article 5 entitled “Impoundment” is amended to allow the Animal Control Bureau to collect the fines from any outstanding animal control violations before an impounded animal is released to its owner. The owner will have 10 days to comply and will be subject to paying the boarding fee for the animal during the time it is held by Animal Control.
- Section 3-45 of Article V entitled “Fees” is amended to allow Animal Control to implement electronic tagging of impounded or adopted animals prior to their release from the facility. Council was briefed on the electronic tagging option at a November 25, 2002 presentation in which Animal Control presented its new focus on increasing the number of animals that are returned to their owners or placed for adoption. The cost of the electronic tagging will be \$8 and will be paid by the animal’s owner.

The ordinance changes and the new fee schedule will go into effect on July 1, 2003.

Attachment 11
Ordinance

28. General Obligation Refunding Bonds

- Action:**
- A. Approve a resolution making certain statements of fact concerning the proposed bond issue,**
 - B. Introduce a bond order for up to \$65,000,000 of General Obligation Refunding Bonds, and**
 - C. Approve a resolution calling a public hearing on the bond order and direct publication of notice of the public hearing and filing of a debt statement.**

Staff Resource: Greg Gaskins, Finance

Explanation:

The General Obligation Refunding Bonds may total up to \$65,000,000. The actual amount of bonds to be refunded is \$58,250,000. A preliminary analysis indicates that the City would save in excess of \$4 million. 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.

Notice of the public hearing will be published on June 16, 2003 and the public hearing will be June 23, 2003.

A sworn statement of debt will be filed with the City Clerk June 10, 2003.

Background:

The primary criterion when refunding debt is savings. The Local Government Commission policy is for net present value savings that will equal 3% of bond principal being refunded. The proposed refunding exceeds net present value savings of 3%. If the market moves against the City before the proposed refunding bonds are sold, the transaction won't take place. Debt is continuously reviewed for refunding opportunities. Since September of 1992, the City has refunded 20 debt issues resulting in net present value savings of \$87 million.

In the proposed refunding approximately 62% of the savings (estimated to be in excess of \$4,000,000) will be realized in the Water and Sewer Debt Service Fund and 38% in the Municipal Debt Service Fund over the life of the refunding bonds. Refunding savings from general government debt will stay in the Municipal Debt Service Fund. The Water and Sewer Debt Service Fund savings will reduce required annual contributions from the water and sewer operating fund.

Funding:

Municipal Debt Service Fund
Water and Sewer Debt Service Fund

Attachment 12

Bond order
Resolutions

29. Purchase of TASERS for Charlotte-Mecklenburg Police Department

Action: **A. Approve the purchase of TASERS without competitive bidding as authorized by G.S. 143-129 (f), and**

B. Approve a contract with TASER International, Inc. for the purchase of 364 TASER X26 devices in the amount of \$310,057.50.

Staff Resource: Capt. Mike Campagna, Charlotte-Mecklenburg Police
Officer Brian Tillman, Charlotte-Mecklenburg Police

Explanation:

The Charlotte-Mecklenburg Police Department recommends the purchase of TASERS as another weapon option for its officers. The TASER is a conducted energy device. TASER is an acronym for Tom A. Swift's Electronic Rifle. Two darts strike a subject with a current of 50,000 volts and 5 watts between the two dart points. This current interferes with and overrides the body's neuromuscular system, causing the subject to lose voluntary muscle control between the two dart points. As a result of the current being delivered into the subject, the individual will usually fall to the ground or freeze in place.

The Police Department has spent over two years researching and field testing TASERS. The department felt that TASERS met all of the desired criteria for less lethal weapons:

- The effects are temporary, giving an officer the opportunity to gain control of the subject, but wear off within a reasonable amount of time
- Allows the officer to use the least amount of force reasonably necessary
- Is effective on all subjects
- Affects only the targeted individual, not any officers or observers
- Is easily deployable

Police field-tested TASER units with the SWAT (Special Weapons and Tactics) Team and in the Baker One District. There were approximately 25 successful deployments of the TASER during the field testing period. A successful deployment is defined as pointing the TASER at a subject, not necessarily actually disabling the subject. In many cases letting the subject know that the TASER would be used was enough to gain compliance with the

officer's commands. In those instances where the TASER was actually deployed, officers were able to take the subject into custody with no injury to either the suspect or the officers.

The TASER will be an option for officers to use under the appropriate circumstances with subjects who are displaying aggressive or threatening behavior and the officer determines that it is not safe to directly engage the subject. The officer will, if possible, warn the subject that the TASER will be used prior to actually firing the device. In those instances where the TASER is used on a subject, MEDIC will be called to the scene and will transport the subject to a hospital emergency room for removal of the darts.

An increasing number of police departments are using TASERS; virtually all of them report decreases in injuries to officers and suspects. Orange County, Florida reports that such injuries have decreased by 80% since TASERS have been available to their officers.

All officers will receive an eight hour block of training on the TASER including how the device works, its deployment, departmental policies regarding its use, the use of force continuum, use of force decision making, suspect recovery, and documentation of use.

Prior to the deployment of TASERS, the department will also conduct a media campaign to inform the citizens of Charlotte-Mecklenburg about the use of TASERS and why the department has decided to deploy them.

There are only two manufacturers of TASER devices for law enforcement, Tasertron and TASER International. The TASER X26, manufactured and patented by TASER International, Inc., proved to be the best for CMPD to use since its higher energy output results in a higher success rate in subduing suspects. This model is also lighter and officers can carry it on their belts. Tasertron does not have a comparable device.

TASER International does not have authorized distributors with more than a \$120,000 credit limit with the company so the TASERS must be purchased directly from TASER International. The estimated cost of the 364 TASERS and related equipment is \$310,057.50. The TASERS will be assigned to police vehicles.

Funding:

2002 Local Law Enforcement Block Grant

30. Mecklenburg County 10-Year Solid Waste Management Plan

Action: Adopt a resolution approving the Mecklenburg County 10-Year Solid Waste Management Plan dated July 1, 2003.

Staff Resource: Wayman Pearson, Solid Waste Services
Bruce Gledhill, Mecklenburg County Solid Waste Services

Explanation:

The passage of the North Carolina Solid Waste Management Act of 1989 (Act) by the North Carolina General Assembly required all units of local government to prepare and approve a ten-year solid waste management plan. The subsequent passage of House Bill 859 in 1996 required the Solid Waste Management Plan (Plan) be updated every three years. Mecklenburg County, the City of Charlotte, and the Towns of Cornelius, Davidson, Huntersville, Mint Hill and Pineville have joined in a solid waste management plan that meets all state requirements. This represents the second triennial update to the original 1997 Plan.

When enacted in 1989, the Act set a statewide goal of reducing solid waste disposed by 40 percent per capita by June 30, 2001. Under state guidelines for revisions, plans must include specific goals for the reduction of municipal solid waste by June 30, 2006 and June 30, 2013. The base year FY 1998/99 per capita disposal rate was 1.96 tons/person/year. The most recent North Carolina Department of Environment and Natural Resources (NCDENR) records available were for FY2001/02 and the records showed a per capita disposal rate of 1.79 tons/person/year.

In the Plan, Mecklenburg County establishes the following local goals:

A. By June 30, 2006

- Reduce the current rate of disposal to 1.69 tons/person/year, which represents a 14% per capita reduction from the base year FY1998-99 rate.
- Evaluate and determine the composition of the Commercial Special Waste stream in order to form a solid basis for additional waste reduction planning.
- Reduce the Litter Index to a rating not to exceed 2.2. (While not a specific NCDENR planning requirement, the County views litter prevention as closely linked to sound solid waste management practices.)

B. By June 30, 2013

- Reduce the current rate of disposal to 1.39 tons/person/year, which represents a 29% per capita reduction from the base year FY1998/99 rate.

- Reduce the current rate of disposal of Commercial Special waste based on established goals for recoverable materials.
- Reduce the Litter Index to a rating not to exceed 2.0.

The goals outlined in the revised Plan are supported by on-going Solid Waste Services Key Business initiatives and require no additional budgetary resources. An attachment is included that lists some of the City's accomplishments since the Plan was implemented.

The revised Plan includes key program elements for residential waste reduction that account for 23% of the County's solid waste that:

- increased participation in an existing yard waste reduction program
- increased material recovery in existing curbside recycling programs
- increased multifamily recycling
- increased collection of cardboard and
- the addition of mixed paper from curbsides

The Plan also includes key program elements that target commercial waste that accounts for 37% of the County's solid waste. These elements include

- technical assistance to aid businesses with separating and recycling designated materials
- continual promotional public relations and educational campaigns
- increased small business recycling and enforcement

The remaining 40% of the County's solid waste is comprised of industrial and construction debris. These sources are not currently targeted by the Plan.

Communities are not penalized for failing to achieve stated Plan goals. However, the NCDENR will issue a notice of violation of state law to any community that does not submit a solid waste management plan by June 30, 2003. The violation carries no monetary penalty, but will affect a community's ability to receive grants from the state's solid waste fund (such as Keep America Beautiful programs).

The County's Board of Commissioners approved the Plan on May 6, 2003. Also, excluding the City of Charlotte, the other communities listed in the County's Planning Area, the Towns of Cornelius, Davidson, Huntersville, Mint Hill and Pineville have already approved resolutions to adopt the Plan. The Town of Matthews submits its own plan.

Community Input:

The Waste Management Advisory Board (WMAB) will provide oversight of the Plan with input from citizens, business organizations, haulers, recycling companies and other appropriate agencies. The WMAB is appointed by the Board of County Commissioners and has sixteen members. As with the prior Plans (2000, 1997), WMAB provided guidance and direction for Plan development.

Based on the input and comments received from the public, County staff, research on other programs throughout the country and analysis of the waste streams and programs in Mecklenburg County, the WMAB has approved and recommends the adoption of the Plan by the participating units of local government.

As with the previous Plans, this revision reflects lessons learned and actual progress towards the Plan's goals and continues the County's strong commitment to waste reduction, recycling, and environmentally sound and fiscally responsible waste disposal practices.

Attachment 13

- Resolution Approving the Mecklenburg County 10-Year Solid Waste Management Plan Dated July 1, 2003
- Mecklenburg County 10-Year Solid Waste Management Plan Dated July 1, 2003
- PowerPoint summary of the Mecklenburg County Planning Area Solid Waste Management Plan Triennial Update-Year 2003
- List of City Accomplishments Related to the Mecklenburg County 10-Year Solid Waste Management Plan

31. KBA Computer Services, Inc. Contract

Action: Approve a two-year contract with KBA Computer Services, Inc. for \$187,000 to provide project management training to the staff, technical support services and manage citywide deployment of several software applications.

Staff Resource: Al Alonso, Business Support Services
Susan Johnson, Business Support Services

Explanation:

KBA Computer Services Inc. has a history of providing successful services to the City since 1999. Council approved the previous contract for KBA on July 23, 2001 for a total of \$374,600. The services have included project management of software rollout and asset management.

KBA will provide technical support including managing all software upgrades. KBA will manage the following planned IT projects: Asset Center upgrade, Password Courier, Microsoft Office, Terminal Server upgrade and Active Directory.

KBA will also participate in projects identified by the City as they develop. Participation will include planning, communication, documentation, reporting and technical training.

BSS/IT conducted a market analysis with qualified vendors for the skill set that is required for the scope of work that KBA is to perform and found the following results:

Dell Consulting Services - \$180/hr X 24 hours/week = \$4,320

CDI - \$85/hr X 24 hours/week = \$2,040

KBA-\$75/hr X 24 hours/week = \$1,800

The decision was made to retain KBA after a market analysis was completed and based on a strong previous relationship the company has had with the City of Charlotte.

Funding:

BSS/IT Operating Budget

32. Corporate Hangar Construction Contract

- Action:**
- A. Award a contract to American Eastern Builders of Charlotte, NC in the amount of \$3,136,000 for the construction of a corporate hangar,**
 - B. Approve a lease agreement with Coca-Cola Bottling Company Consolidated for a Corporate Aviation Facility at the airport,**
 - C. Award a contract to Turner Construction Co. of Charlotte in the amount of \$100,000 for project management services, and**
 - D. Adopt a budget ordinance appropriating \$3,380,000 from the Airport Excluded Centers Fund Balance to be repaid from the future proceeds of the lease with Coca-Cola Bottling Company Consolidated.**

Staff Resource: Jerry Orr, Aviation

Explanation:

On July 22, 2002, Council awarded a contract to design a new corporate hangar for Coca Cola Bottling Co. Consolidated. This contract will provide for the construction of a 30,000 square foot hangar to be leased to The Coca-Coca Company. The hangar will accommodate the storage and general maintenance of four aircraft and support space.

The contract with Turner Construction Company will provide project management services during construction.

The lease agreement will be for a term of five years with an option to renew for an additional five years.

Summary of Bids:

American Eastern Builders	\$3,136,000
Randolph & Sons Builders	\$3,187,000
Edison Foard Construction Company	\$3,288,000
The Bowers Group, LLC	\$3,290,000
RJ Fisher Construction	\$3,323,000
Southside Constructors	\$3,350,000
Laxton Construction	\$3,460,000
Stredvey Construction Company	\$3,615,000

Small Business Opportunity:

Established SBE Goal: 1%

SBE Committed Goal: 0%

American Eastern Builders complied with and achieved the good faith effort points necessary to be recommended for award of the contract.

The Airport Advisory Committee recommends this action.

Funding

Aviation Fund Balance (repaid from future lease proceeds)

Attachment 14

Budget ordinance

33. Insurance Proceeds from Air Midwest Incident

Action: A. Approve a settlement with Mesa AirGroup and Air Midwest’s insurer, which settlement pays damage to a maintenance hangar owned by the City of Charlotte, and

B. Adopt a budget ordinance appropriating the funds to the Airport’s capital projects fund.

Staff Resource: Jerry Orr, Aviation

Explanation:

On January 8, 2003, a flight operated by Air Midwest, a division of Mesa AirGroup, damaged a City-owned hangar leased to US Airways. The insurer for Mesa and Air Midwest has offered \$180,000 in full settlement of the City’s property damage claim.

On May 27, Council awarded a contract with C.A. Scism Construction Co. in the amount of \$149,200 to accomplish the repairs.

Attachment 15
Budget ordinance

34. Property Transactions

Action: Approve the following property acquisitions (A-C) and adopt the condemnation resolution (D).

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

Acquisitions:

- A. Project:** Magnolia/Kirkwood Storm Water CIP, Parcel # 74,
Owner(s): Mary E. Lacaze
Property Address: 509 Poindexter
Property to be acquired: 13,687 sq.ft. (.314 ac.) of Permanent Conservation Easement
Improvements: Landscaping
Purchase Price: \$20,725
Remarks: This acquisition is required for the Magnolia/Kirkwood Storm Water CIP Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: R-5
Use: Residential
Tax Code: 147-081-45
Total Parcel Tax Value: \$198,800
- B. Project:** Hickory Grove Road Widening, Parcel # 62,
Owner(s): Delmas Lee Hammons
Property Address: 5512 Hickory Grove Road
Property to be acquired: 4,010 sq.ft. (0.092 ac.) of Fee Simple, plus 44 sq.ft. (0.001 ac.) of Permanent Utility Easement, plus 1,141 sq.ft. (0.026 ac.) of Permanent Drainage Easement, plus 3,386 sq.ft. (0.078 ac.) of Temporary Construction Easement, plus 3,515 sq.ft. (0.081 ac.) of existing Right-of-Way
Improvements: Landscaping
Purchase Price: \$10,900
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: 103-155-82
Total Parcel Tax Value: \$66,100

- C. Project:** Hickory Grove Road Widening, Parcel # 81,
Owner(s): Mohammed M. Sherriff
Property Address: 5900 Hickory Grove Road
Property to be acquired: 370 sq.ft. (0.008 ac.) of Fee Simple plus 902 sq.ft. (0.020 ac.) of Temporary Construction Easement
Improvements: Brick Fence, Landscaping
Purchase Price: \$12,600
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: Residential
Tax Code: 103-201-14
Total Parcel Tax Value: \$109,100

Condemnations:

- D. Project:** Hickory Grove Road Widening, Parcel # 67,
Owner(s): Hossam H. Alerbini and any 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

35. Meeting Minutes

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

- April 28, 2003 Business Meeting