

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, November 25, 2002

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**

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

Policy

- | | | | |
|----|---|---|---|
| 8. | City Manager's Report | 8 | |
| 9. | Statewide Record Checks for Council Nominees to Designated Boards and Commissions | 8 | 4 |

Business

- | | | | |
|-----|--|----|---|
| 10. | 800 MHz Public Safety Radio System Upgrade | 10 | 5 |
| 11. | State Development Zone Redesignation | 11 | 6 |
| 12. | 2002 Bond Referendum Results | 14 | 7 |
| 13. | 2003 Council Meeting Schedule | 15 | 8 |

Consent I

- | | | | |
|-----|--|----|-------|
| 14. | Various Bids | | |
| | A. Phase III Grounds Maintenance FY03 | 16 | |
| | B. Phase IV Grounds Maintenance FY03 | 17 | |
| 15. | Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Cliffwood Place | 17 | 9 |
| 16. | In Rems | 18 | 10-18 |

Consent II

- | | | | |
|-----|---|----|----|
| 17. | Refunding of Previously Issued Certificates of Participation (COPS) | 21 | 19 |
| 18. | Human Resources Management and Payroll System Upgrade Contract | 21 | |
| 19. | Contract for Fire Pumper Trucks | 23 | |
| 20. | Fair Housing Grant | 24 | 20 |

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
21.	False Alarm Ordinance Amendments	24	21
22.	Purchase of Memory Storage Devices for Police Computers	26	
23.	Contract Amendment for System Additions to KBCOPS Information Systems	26	
24.	Extension to Time Warner Network Support Contract	27	
25.	South Boulevard/Woodlawn Road Intersection Improvement	28	22
26.	Environmental Permitting Services	29	
27.	Storm Water Maintenance Renewals FY00E	30	
28.	Central Avenue Streetscape Phase II	30	
29.	Municipal Agreement-Revision of Two Traffic Signals and Installation of Fiber Optic Communications Cable at the Intersections of I-485 Eastbound Ramp and Providence Road and I-485 Westbound Ramp and Providence Road	31	23
30.	Municipal Agreement-Construction of Sidewalks Along Both Sides of Mallard Creek Church Road from US 29 to NC49	32	24
31.	North Mecklenburg Water Treatment Plant Upgrades-Electrical Construction Contract	32	
32.	West Water Main-Professional Services Contract	34	
33.	Phosphorus Reduction at McAlpine WWMF-Amendment #1	34	
34.	McAlpine Creek Wastewater Management Facility Generators-Professional Services Contract	35	

<u>Item No.</u>	<u>Page No.</u>	<u>Attachment No.</u>
35. Property Transactions	36	
36. Meeting Minute	38	

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Community Animal Management Program

Resource: Ron Simons, Animal Control Bureau

Time: 30 minutes

Synopsis of Presentation:

The purpose of this presentation is to introduce the Community Animal Management Program (CAMP) that emphasizes better management of the unwanted animal population and results in decreased euthanasia rates. The program has five components:

Spay/Neuter Services: As a part of its problem-solving focus, Animal Control will identify neighborhoods where there is a need for spay/neuter services and offer those services through well publicized free neighborhood clinics with mobile units that bring the services to the community. This will help to reduce the unwanted animal population.

Feral Cat Program: A monitored feral cat program is one means of reducing the number of animals brought into the shelter. Animal Control will use a method known as TNVR (Trap, Neuter, Vaccinate, and Release) to prevent the birth of thousands of kittens and prevent the spread of disease.

Micro Chipping: Lack of identification is the number one reason that animals are euthanized in shelters. Animal control proposes micro chipping all animals adopted or reclaimed from the shelter. Micro chipping will result in more pets being reunited with their owners. With the capability to quickly identify owners, Animal Control will reduce the cost of care and maintenance of animals that would otherwise be held at the shelter.

Adoption Program: Animal Control will implement an aggressive adoption program that will include the use of volunteer adoption counselors, partnerships with breed placement/animal welfare groups and a fostering program. The goal is to increase the number of adoptions and reduce the euthanasia rate.

Pet Retention and Behavior Modification: The goal of this program is to reduce the number of pets who are relinquished because of behavioral problems. An animal behavior help and hot line will assist owners in managing their pets. The program will have an education component on responsible pet ownership. The Animal

Control Bureau will develop closer ties with the local veterinary community as a part of this program.

Future Action:

In Spring 2003, staff will recommend ordinance changes that permit micro chipping of all adopted and reclaimed animals; allow the City Manager to establish the schedule for user fees; and establish escalating fines for all animal control violations. The ordinance changes are a part of the City Code recodification.

2. Public Safety Committee Report on Expanding Background Checks for Nominees to Designated Boards and Commissions

Committee Chair: Mayor Pro Tem Patrick Cannon

Resource: Vi Lyles, City Manager's Office

Time: 30 minutes

Synopsis of Presentation:

At its November 13 meeting, the Public Safety Committee discussed the issue of expanding the background checks for nominees to boards and commissions to a statewide check.

The Committee unanimously recommends conducting statewide background checks on Council nominees to designated boards and commissions. This is an action on this agenda, page 8.

In the course of their discussion, the Committee identified several other issues. The purpose of this report is to determine if there is sufficient interest in referring these issues to the Public Safety Committee. The three issues identified are:

- Should the question on the application form for boards and commissions, which currently asks if the nominee has ever been charged with professional misconduct or arrested for a felony or misdemeanor, be changed to ask if a charge of professional misconduct has been sustained or whether the applicant has been convicted of a felony or misdemeanor?
- Should the question on professional misconduct charges be removed from the form since it is verified by the applicant or should the City Clerk's office be asked to take on the additional workload associated with verification?
- Should additional questions be asked of nominees to try to determine whether there is a bias or conflict of interest that would keep them from serving effectively on the board for which they are nominated?

Attachment 1
Application Form

3. Arena Related Item: Report from November 21st Citizen's Input Meeting on Arena Design

Resource: Jim Schumacher, Engineering and Property Management

Time: 15 minutes

Synopsis of Presentation:

A public meeting is scheduled to be held on November 21, 2002 to receive public input into the project scope and urban design issues associated with the arena and its site. The agenda includes an opportunity to review existing graphics, have one-on-one discussions with the architect and to work through a small group exercise on the goals for the building. Subsequent meetings are scheduled for December 10th and January 7th.

The purpose of the dinner briefing is to update the Council relative to the results of the November 21 meeting.

4. Public Safety Radio System Update

Resource: Susan Johnson, Business Support Services

Time: 15 minutes

Synopsis of Presentation:

Staff will provide an update on the status of negotiations with the County.

Future Action:

This is an action on this agenda, page 10.

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

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

CONSENT

5. **Consent agenda items 14 through 36 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

6. Public Hearing to Close Slater Road Between Cindy Lane and Juniper Drive

Action: A. Conduct a public hearing to Close Slater Road between Cindy Lane and Juniper Drive, 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:

On October 28, 2002, the public hearing to close a portion of Slater Road was opened and continued to November 25, 2002 at the request of the petitioner, Terry Predzimirski. The hearing was continued in order to complete the transfer of ownership of adjacent property owned by the City of Charlotte to the petitioner. City staff has completed this transfer and the petitioner now owns the property on both sides of the proposed abandonment.

Petitioner:

Meadow Hill of Nevin, LLC/Terry Predzimirski

Right-of-Way to be abandoned:

Slater Road between Cindy Lane and Juniper Drive

Location:

Located within the Derita-Statesville Road Community beginning at Cindy Lane continuing westwardly approximately 692 feet to its terminus at Juniper Drive

Reason:

To incorporate the right-of-way into adjacent property owned by the petitioner for the development of the Meadow Hill Subdivision. This property was rezoned by the City Council (rezoning petition 00-162) and approved on January 16, 2001.

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

City of Charlotte/Kent Winslow – No objections
Saint Luke Missionary Baptist Church – No objections
Mr. Everette B. Curlee – No objections

Neighborhood/Business Associations

Mallard Creek Community – No objections
Derita/Statesville Road Community Organization – No objections
Nevin Community Organization – No objections
Lincoln Heights Neighborhood Association – No objections
Northwood Estates Community Organization – No objections
Derita/Tanglewood 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 2

Map

7. Public Hearing to Close a Portion of Kilborne Drive

Action: A. Conduct a public hearing to Close a portion of Kilborne Drive, 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:

City of Charlotte/Real Estate Department/Kent Winslow

Right-of-Way to be abandoned:

A portion of Kilborne Drive

Location:

Located within the Kilborne Acres Neighborhood beginning approximately 140 feet from the intersection of Elkin Lane and Kilborne Drive continuing south approximately 131 feet to its terminus at Central Avenue

Reason:

To incorporate right-of-way into adjacent property owned by the City of Charlotte and Growth Equities Corporation. A portion of the right-of-way will be retained by the City of Charlotte to preserve green space as requested by surrounding neighborhood organizations.

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

Growth Equities Corporation – No objections
PEL Partners – No objections

Neighborhood/Business Associations

Briar Creek-Woodland Neighborhood Association – No objections
Eastway/Sheffield Neighborhood Association- No objections
Evergreen Neighbors of Charlotte – No objections
Kilborne Acres Neighborhood Association- No objections
Eastside Neighborhood Council – No objections

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

City Departments –

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

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

Attachment 3

Map

POLICY

8. City Manager's Report

9. Statewide Record Checks for Council Nominees to Designated Boards and Commissions



Action: A. Approve the Public Safety Committee recommendation to conduct statewide background checks on Council nominees to designated boards and commissions, and

B. Adopt an ordinance authorizing the Charlotte-Mecklenburg Police Department to access the state SBI/DCI criminal history record information to conduct statewide background checks.

Committee Chair: Patrick Cannon

Staff Resources: Vi Lyles, City Manager's Office
Bruce McDonald, City Attorney's Office

Policy:

Council policy to conduct background checks on nominees to designated boards and commissions

Explanation:

The City Manager referred this matter to the Public Safety Committee. The City Council currently requests background checks on its nominees to the following boards and commissions:

- Auditorium-Coliseum-Convention Center
- Citizens Review Board
- Civil Service Board
- Domestic Violence Advisory Board
- Housing Appeals Board
- Housing Authority
- Parole Accountability Committee
- Passenger Vehicle for Hire Board
- Zoning Board of Adjustment

Currently those records checks consist only of a local arrest check.

On November 13, 2002, the Public Safety Committee voted unanimously to recommend expanding the records checks to the statewide level for those designated above. The state database would provide information on whether the applicant has felony or misdemeanor convictions in any North Carolina county.

The Police Department conducts the records checks. Council must give the Police Department the authority, through an ordinance, to access the SBI/DCI database to obtain the criminal history information. This is necessary when the database is used for non-criminal investigations. Council has taken similar action to authorize the Police Department to conduct background checks on applicants for ABC permits, dance hall permits, and licenses for sexually oriented businesses.

There is no additional cost associated with the statewide records checks.

Committee Discussion:

The Public Safety Committee discussed this issue at its November 13, 2002 meeting. Council members Cannon, Mitchell, Cogdell, Tabor, and Wheeler were present. The Committee felt that expanding the records checks to a statewide search would be another tool for determining whether an applicant would have a conflict of interest or bias that would keep him from serving effectively on the board for which he is nominated. The Committee voted unanimously to recommend expanding the records checks to a statewide basis.

Attachment 4
Ordinance

BUSINESS

10. 800 MHz Public Safety Radio System Upgrade

Action: A. Approve a budget ordinance to appropriate \$2.1 million in Certificates of Participation for completion of the current phase of 800 MHz Public Safety Radio Network upgrades, and

B. Exercise the option with the Motorola Contract for the North Mecklenburg Site equipment upgrade in the amount of \$3,385,556.

Staff Resource: Susan Johnson, Business Support Services

Explanation:

City Council approved a Capital Investment Plan (CIP) request for \$27.5 million for the FY02 through FY06 budget years. The debt service for these upgrades is to be charged back to all users of the radio system.

System Upgrade Schedule Change:

Implementation of the upgrades has been completed faster than originally planned. This request recommends a one year advance from the FY04 Certificates of Participation included in the Capital Investment Plan. This will allow the City to take advantage of a recent pricing change of approximately \$1 million, as well as accelerate the repair of the current system deficiencies. Radio coverage inside the buildings of the center city will be increased, thereby resolving a major issue for Fire and Police. Coverage in the northern area of the county will also be improved.

The Radio System Upgrade contract signed with Motorola in October 2001 contained two option phases for completing the upgrade of the existing radio system. Phase II of this contract provided for the replacement of the existing CMGC Radio Site with simulcast technology and the replacement of radio simulcast control equipment that is no longer in production. The capital cost of the simulcast upgrade projects is incorporated in the original fee model and is to be charged to all City and County departments and towns that use this radio system. Costs are calculated on a per radio per month basis. Phase II is scheduled for completion December 2002.

The Change Order to the Motorola Contract will cover Phase III, the final portion of upgrades to the current radio system. Phase III of this contract allows for the replacement of the older SmartZone site owned by the County (located in northern Mecklenburg County), the movement of the radio system to the current operating platform, and the replacement of the SmartZone Controller computer. The current Controller computer is no longer in production and some repair parts are no longer available. Phase III is scheduled for completion in July 2003. Approval and completion of this

project will increase the City ownership of the radio system to 96% of all assets. The remaining 4% asset ownership by the County would be replaced during Phase IV with the implementation of the proposed Digital Upgrade.

It is estimated that a delay in approval of this contract will increase the cost of this upgrade as much as \$1,000,000 and will have a negative impact on the reliability and operation of the 800 MHz Public Safety Radio Network.

This is a Sole Source Contract. The current radio equipment is manufactured by Motorola Inc. and is proprietary.

Background:

The proposed consolidation of the radio system is still in review by city and county staff. The proposed system upgrade would be paid for through radio user fees. Financing of the upgrade is consistent with that proposal.

Funding:

Funding is included in the FY02-06 Facilities Capital Investment Plan. Repayment of debt service will be accomplished through a fee charged to each agency utilizing the radio system. The City has the ability to negotiate agreements with each of the towns and non-county agencies to address the payment of these fees.

Attachment 5

Budget Ordinance

11. State Development Zone Redesignation



Action: Approve Option 3 for submission to the North Carolina Department of Commerce for redesignation of the State Development Zone by November 30, 2002.

Staff Resources: Tom Warshauer, Neighborhood Development
Pamela Wideman, Neighborhood Development

Policy:

City Council's Economic Development and Communities Within A City Focus Areas seek to encourage the location, retention and expansion of businesses in Charlotte's distressed business districts.

Explanation:

State Development Zones (SDZ) provide economic incentives funded by the State of North Carolina to stimulate new investment and job creation in economically distressed urban areas. The State funded incentives for SDZs include the following:

- \$4,500 credit for creation of new jobs
- Up to \$1,000 for worker training for 5 or more workers

- 5% credit for research and development
- 7% credit for investments in machinery, equipment or used as central administrative offices
- 25% of a contribution of cash or property to a nonprofit agency for community improvement projects within the zone (a community improvement project must construct, improve or acquire property for community development purposes.)

To ensure continuation of the benefits of the SDZ, the State has requested that all cities redesignate zones by November 30, 2002 to be effective January 1, 2003. Current SDZ boundaries include areas between I-77 and I-85.

The State has identified the following criteria in determining State Development Zone Designation:

- More than 20% of the zone must be below the poverty level
- Each census tract and/or block group with less than 10% of its population below poverty level shall be contiguous to a census tract and/or block group with greater than 20% of its population below poverty level.
- No census tract and/or block group may be located in another SDZ; the SDZ must have 1,000 residents and must be in a municipality with at least a population of 5,000.

Staff identified three options for changes in the SDZ designation based on the 2000 census data.

Option 1 – Retain Current Zone Boundaries

- Zone 1 can be redesignated because more than 20% of the population is below the poverty level.
- Zone 2 cannot be redesignated because less than 20% of the population is below the poverty level.

This option maintains the current zone boundaries, but Zone 2 is no longer eligible because of the low poverty rate. This option does not permit the City to take advantage of expansion opportunities under the redesignation.

Option 2 – Expand Zone Boundaries A (Poverty level of 21.3%)

- Addition of census tracts 53.03, 53.04, 15.05, and 56.04 due to increased poverty levels. This includes areas in the northeastern portion of North Tryon Street and a portion of I-85. The 2000 census data shows increased poverty levels in each of these census tracts.
- Addition of census tracts 12.00, 13.00, 16.02, 17.01, and 17.02 due to increased poverty levels. This includes areas in east Charlotte. The 2000 census data shows increased poverty levels in each of these census tracts.

- Elimination of census tracts 43.01, 54.01, and 59.01 due to the lack of inquiries and use of the credits. This area includes the northwestern portion of I-85 and areas west of Little Rock on Wilkinson. I-485 has created a stronger market so that incentives in this area may not be needed. (Option 3 includes these census tracts.)
- Elimination of census tract 25. This area includes Elizabeth Avenue. New developments in this area make incentives less needed.

This option provides flexibility for the future. This option adds areas in the east and northeast, but reduces some areas in the north and west. The areas proposed for elimination have had little participation in the program over the past two years. Zones may be expanded by amendment, but cannot be reduced. In 1999 a zone amendment was made to assist particular expanding businesses. This option provides the flexibility to add areas if such a situation were to arise again.

Option 3 – Expand Zone Boundaries B (Poverty Level 20.03%)

- Addition of census tracts 53.03, 53.04, 15.05, and 56.04 due to increased poverty levels. This includes areas in the northeastern portion of North Tryon Street and a portion of I-85. The 2000 census data shows increased poverty levels in each of these census tracts.
- Addition of census tracts 12.00, 13.00, 16.02, 17.01, and 17.02 due to increased poverty levels. This includes areas in east Charlotte. The 2000 census data shows increased poverty levels in each of these census tracts.
- Includes the northwestern portion of I-85 and areas west of Little Rock on Wilkinson. Maintains census tracts 43.01, 54.01 and 59.01.
- Elimination of census tract 25. This area includes Elizabeth Avenue. If this area were included, this zone would not meet the 20% poverty level requirement.

This option keeps all the existing zone areas except for Elizabeth Avenue and adds expansion areas in the northeast and the east. This option makes the largest available area eligible for State Development Zone participation. This option addresses the comments expressed by Council members at the October 11th Dinner Briefing.

Option 3 meets the state guidelines. Staff recommends that City Council support Option 3.

This request for SDZ redesignation must be submitted to the North Carolina Department of Commerce for approval by November 30, 2000.

The Department of Commerce administers the SDZ certifying process by determining business eligibility for state tax incentives. The basis for

identifying and qualifying an area for a SDZ is the poverty level in contiguous census tracts and census block groups as defined by the 2000 United States Census. A local government or a taxpayer may request the designation of any number of non-overlapping development zones and propose zones to the Department of Commerce.

Community Input:

The North Carolina Department of Commerce, Division of Community Assistance worked with a committee of businesses and citizens from across the state to develop the incentives.

An interdepartmental team of Neighborhood Development, Planning and the City Manager's Economic Development Office worked with Chamber of Commerce representatives to determine eligibility and develop the proposed SDZ based on the new census data.

Funding:

The incentives offered to businesses in SDZ are State funds.

Attachment 6

SDZ – Incentives and Criteria
Proposed SDZ Census Information
Proposed SDZ Map

12. 2002 Bond Referendum Results

Action: Recognize the City Clerk for the purpose of reading the results of the November 5, 2002 Bond Referendum, and

Approve a resolution declaring the results of the special bond referendum held on November 5, 2002 on the question of approving \$80,000,000 of Street Bonds and \$20,000,000 of Housing Bonds and to authorize publication of the results.

Staff Resource: Mac McCarley, City Attorney

Explanation:

After the City receives a certified copy of the results of a bond referendum from the County Board of Elections, state law requires that the City Council approve a resolution declaring the results of that referendum.

Attachment 7

Resolution

13. 2003 Council Meeting Schedule

Action: Approve the 2003 Council Meeting Schedule.

Staff Resource: Brenda Freeze, City Clerk

Explanation:

North Carolina General Statute 43-318.12 requires that the City Clerk keep on file a schedule of Council's regular meetings. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.

Attachment 8

2003 Meeting Schedule

Introduction to CONSENT

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

Consent I consists of routine items that have been approved in the budget and are low bid.

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

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

ABE – Asian American

BBE – African American

HBE – Hispanic

NBE – Native American

WBE – Non-Minority Women

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

Contractors and Consultants

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

CONSENT I

14. Various Bids

A. Phase III Grounds Maintenance FY03

E&PM

Recommendation:

The City Engineer recommends the low bid of \$161,191.80 by Whitecaps Lawn Service of Charlotte, North Carolina. This project provides for three years of turf and landscape maintenance of various City owned properties including: 12th Street Median, Alexander Center, Belmont Center, Transit Maintenance Operations Center, Orr Road Street Maintenance Yard, Central Yard, Louise Avenue Shop, Seigle Avenue Shop, Central Avenue Parking Lot, Central Avenue Right-of-Way, Fire Equipment Warehouse, Fire Prevention Bureau, Pecan-Gordon Right-of-Way and Solid Waste Facilities.

B. Phase IV Grounds Maintenance FY03

E&PM

Recommendation:

The City Engineer recommends the low bid of \$210,672 Caddell Turf Maintenance of Charlotte, North Carolina. This project provides for three years of turf and landscape maintenance of various City owned properties including Amay James Center, Animal Control Facility, Sweden Road Maintenance Facility, Police and Fire Training Academy, Vehicle Operations Center and Sirius Lane Median.

15. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Cliffwood Place

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

B. Set a public hearing for January 13, 2003.

Attachment 9
Map

16. In Rems

For In Rem Remedy #A-I, the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence in a Communities Within A City neighborhood.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.

Policy:

- Communities Within A City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety – Police and/or Fire Department
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

Public Safety

- A. 1242 Allen St. (Belmont Neighborhood)
- B. 3908 McKee Rd. (Neighborhood Statistical Area 170)
- C. 1621/23 Allen St. (Belmont Neighborhood)
- D. 2201 Vanderbilt Rd. (Druid Hills Neighborhood)
- E. 1100 E. Woodlawn Rd. (Neighborhood Statistical Area 187)
- F. 435 Edgegreen Dr. (Neighborhood Statistical Area 199)

Complaint

- G. 700 Matheson Ave. (North Charlotte Neighborhood)

Field Observation

- H. 3423 West Blvd. (Neighborhood Statistical Area 100)
- I. 1605 Pegram St. (Belmont Neighborhood)

Public Safety:

- A. 1242 Allen St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1242 Allen St. (Belmont Neighborhood).

Attachment 10

B. 3908 McKee Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3908 McKee Rd. (Neighborhood Statistical Area 170).

Attachment 11

C. 1621/23 Allen St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1621/23 Allen St. (Belmont Neighborhood).

Attachment 12

D. 2201 Vanderbilt Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2201 Vanderbilt Rd. (Druid Hills Neighborhood).

Attachment 13

E. 1100 E. Woodlawn Rd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1100 E. Woodlawn Rd. (Neighborhood Statistical Area 197).

Attachment 14

F. 435 Edgegreen Dr.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 435 Edgegreen Dr. (Neighborhood Statistical Area 199).]

Attachment 15

Complaint:

G. 700 Matheson Ave.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 700 Matheson (North Charlotte Neighborhood).

Attachment 16

Field Observation

H. 3423 West Blvd.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3423 West Blvd. (Neighborhood Statistical Area 100).

Attachment 17

I. 1605 Pegram St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1605 Pegram St. (Belmont Neighborhood).

Attachment 18

CONSENT II

17. Refunding of Previously Issued Certificates of Participation (COPS)

Action: Adopt a resolution approving amendment of a prior Installment Purchase Contract for the purpose of refunding up to \$139,785,000 of existing debt.

Staff Resource: Greg Gaskins, Finance

Explanation:

This resolution authorizes the City Manager and the Finance Director to negotiate the documents necessary to secure the refunding of up to \$139,785,000 of 1993 Convention Center COPS. Under current conditions the refunding will result in approximately \$3.3 million of net present value savings. The savings will be realized over the remaining life of the debt as reduced interest expense.

Refunding COPS are issued at a lower interest rate than the existing COPS so that the City realizes a savings. Market conditions determine the savings amount. Refunding is similar to refinancing a mortgage.

The Finance Department constantly reviews the debt portfolio to determine if there are issues that could be refunding candidates. There are multiple factors in determining whether an issue is refundable; in this case the major factor is savings.

Funding:

Convention Center Debt Service Fund

Attachment 19

Resolution

18. Human Resources Management and Payroll System Upgrade Contract

Action: Authorize the City Manager to negotiate and execute a contract with PeopleSoft USA, Inc. for upgrade services not to exceed \$500,000.

Staff Resources: Bill Wilder, Human Resources
Susan Johnson, Business Support Services

Explanation:

This contract is to provide resources to assist internal staff with the implementation of an upgrade from PeopleSoft 7.5 to PeopleSoft 8.3.

On October 25, 2000, through a joint effort between the HR, BSS/IT staff and PeopleSoft Consulting, PeopleSoft 7.5 HR/Payroll system was successfully implemented. Since that time, HR and IT staff have worked together to bring additional functionality to the Key Business Units. The HR/Payroll system houses over 85 custom reports, many specifically for the KBUs participating in competition. In addition, KBUs have the ability to run simple on-line queries to retrieve employee data for reporting, trends analysis, and planning. More than fifteen interfaces have been developed to assist in information transfer from the HR/Payroll system into other databases, such as the Police CAD, Fire RMS, and benefit vendor systems. Each of these interfaces have increased the City's efficiency in sharing data, reducing paper flow, eliminating redundant data entry, and increasing data accuracy.

Software vendors continue to update and enhance products both functionally and technically. As newer versions are released, older versions are retired. In November 2001, PeopleSoft 8.3 was released. It is important that the City upgrade to PeopleSoft 8.3 for two reasons.

First, the City's current release will be retired on July 9, 2003 and maintenance and support by PeopleSoft for the product will expire. Operating a non-maintained HR/Payroll system poses serious risks for the City, ranging from a missed payroll to the levy of fines and penalties against the City for non-conformance with federal and state regulations. In FY02, seven major updates, consisting of over 250 changes, and a minimum of ten individual fixes from PeopleSoft were applied to ensure continued operation of the payroll system and conformance with federal and state requirements.

Second, PeopleSoft 8.3 provides functional enhancements, especially in the Time and Labor module, which help track employee time and deliver competitive services by simplifying business processes.

The additional costs posed by the upgrade are for functional and technical assistance in the implementation, not licensing fees. The City will get a license to use the upgrade at no cost under our existing contract.

Staff worked closely with PeopleSoft to negotiate the lowest cost available and yet obtain high quality services to assist in the implementation.

The actual breakdown of the cost of the functional and technical consulting services, project management, and capped travel and expenses is still to be negotiated. The estimated cost of the upgrade assistance is estimated not to exceed \$500,000.

PeopleSoft Professional Services was selected to assist in the completion of the implementation for several reasons:

- Their knowledge of the system, which was developed by their firm
- Experience in providing the needed scope of work, especially with the time and labor module
- Knowledge of the City’s needs and business processes gained through the original implementation
- Working relationship with City team members has already been established with the Director of Implementation Over Site from the previous implementation

Funding:

General Fund and Various Enterprise Funds

19. Contract for Fire Pumper Trucks

Action: Approve the award of a unit price contract for the provision of Fire Pumper Trucks from Metrolina Fire & Rescue, Lincolnton, North Carolina. This contract will cover the four following pumper truck categories at both Option 1 and Option II prices:

	Option I	Option II
A. 500 Gallon Tank Pumper	\$326,136	\$315,935
B. 750 Gallon Tank Pumper	\$326,806	\$316,590
C. 500 Gallon Pumper (w/2000 GPM Pump Option)	\$329,126	\$318,810
D. Light Tower Option (Per Truck)	\$9,175	\$9,000

Staff Resource: Buddy Caldwell, Charlotte Fire Department

Explanation:

Laverne Fire Apparatus, the vendor with the lowest quotes in all categories, did not meet specifications for eighteen different requirements and was deemed non responsive. Metrolina Fire & Rescue of Lincolnton, North Carolina was the next lowest vendor meeting specifications.

This is a one-year contract with four, one-year consecutive renewals. The Fire Department intends to immediately purchase one unit of category A above in contract year one for the price of \$315,935 and anticipates the purchase of two additional units from any of the categories listed above for annexation at a later date in FY03 at either Option I or Option II prices.

On September 23, 2002 the City notified 25 vendors of the opportunity to respond to the invitation to bid (ITB) for fire pumper trucks (#2003-036) and posted this ITB on the NC State Interactive Purchasing System (IPS) web site. Bids were received on October 24, 2002 with seven vendors responding.

Vendors provided two different pricing options for all categories of fire pumper trucks. Option #1 is 100% payment upon truck being put into service. Option #2 requires 80% advance payment upon issue of the purchase order with the 20% balance due upon truck being placed into service.

Funding:

Capital Equipment Fund

20. Fair Housing Grant

Action: Adopt a budget ordinance appropriating \$106,359 from a U.S. Department of Housing and Urban Development grant for fair housing enforcement.

Staff Resource: Willie Ratchford, Community Relations Committee

Background:

The Community Relations Committee (CRC) administers the City's Fair Housing and Public Accommodation ordinances, investigates allegations of Police misconduct, administers the dispute settlement program and provides staff support to CRC, which promotes and monitors community harmony.

Explanation:

Each year, the U.S. Department of Housing and Urban Development (HUD) provides a grant to fund administration of the fair housing program. CRC initially estimated the amount of the grant as \$64,883. The actual FY03 grant amount was \$171,242, therefore, Council is asked to appropriate the remaining \$106,359.

CRC will use the HUD grant revenue to cover the salary and benefits of a temporary Community Relations Specialist position and other HUD approved costs associated with administration of the fair housing program, including training for fair housing testers in Charlotte and Mecklenburg County.

Attachment 20

Budget Ordinance

21. False Alarm Ordinance Amendments

Action: Approve an Ordinance Amending the False Alarm Ordinance.

Staff Resource: Deputy Chief Glen Mowrey, Police
Bob Hagemann, City Attorney's Office

Explanation:

In 1995 the City Council adopted the current False Alarm Ordinance. The ordinance was developed in response to a rapidly increasing number of false alarm calls resulting in a large waste of law enforcement resources. The ordinance encouraged the proper maintenance and use of alarm systems by requiring the registration of covered alarms systems and by establishing a schedule of civil penalties for false alarms in excess of three a year. The schedule ranges from \$50 for the first excessive false alarm up to \$500 for the tenth. The person in whose name the alarm is registered is responsible for any penalties. The ordinance also allows the Police Department to put an alarm system into “non-response” status if penalties are not paid.

During the last year, the Police Department and the City Attorney’s Office identified sections of the ordinance that do not match with current practice (e.g., the ordinance requires an alarm user to post a permit decal at the front entrance even though the Department no longer issues decals). In working through these minor changes, staff recommends other improvements including:

- deletion of definitions that are not used in the ordinance and addition of definitions for “alarm company”, “permit year”, and “runaway alarm”
- exempting domestic violence and medical alarms
- elimination of the permit decal provisions
- addition of provision authorizing the Police Department to place a runaway alarm in non-response status
- clarification of appeal rights including the right to further review in State court
- requiring alarm companies to provide the alarm system permit number when calling in an alarm

The amendments do change the civil penalty schedule or impose any additional costs on alarm system users.

The False Alarm Ordinance Amendments was a dinner topic at the November 11th Council meeting.

Attachment 21
Ordinance

22. Purchase of Memory Storage Devices for Police Computers

Action: Approve the purchase of removable Universal Serial Bus (USB) memory storage devices for the Charlotte-Mecklenburg Police Department's computers. The estimated cost is not to exceed \$180,000.

Staff Resource: Major Kevin Wittman, Police

Explanation:

The Police Department recently purchased 560 new laptop computers to provide mobile access to local, state, and federal records as well as connectivity to the computer aided dispatch system for police officers, crime scene search technicians, and animal control officers. These computers will be assigned to police vehicles equipped for mobile computing. The USB memory key ensures that police employees have the ability to store, maintain and retrieve data and reports.

Funding:

2001 Local Law Enforcement Block Grant

23. Contract Amendment for System Additions to KBCOPS Information Systems

Action: Approve an amendment, not to exceed \$350,000, to a contract with the Oracle Corporation to develop the Arrest Information Module and to continue development of the investigative functions in the Knowledge-Based Community Oriented Policing System (KBCOPS) Records Management System (RMS).

Staff Resource: Major Kevin Wittman, Police

Explanation:

The Police Department continues its planned development of the arrest portions of the KBCOPS Information Systems and is incorporating new features for case investigations and tracking. This work requires the use of additional Oracle resources over the next eighteen months to accomplish the following tasks:

- Automation of the adult and juvenile officers' arrest paperwork required by the Mecklenburg County Arrest Processing System
- Creation of the links and data interfaces required by the new magistrate and court systems (Integrated Criminal Justice Information System under development by Mecklenburg County and the state Administrative Office of the Courts)
- Continued development of specialized queries in KBCOPS to allow detectives to search the databases for case leads, similar case patterns, related suspects, etc.

- Further development of features for efficient management of case investigations
- Integration of RMS with other police databases (Property, CAD, etc.).

The original contract with Oracle, Inc. approved by the City Council for work on the KBCOPS Records Management System, was signed on April 21, 1998 and included a change order process to allow for continued development within the system. The Police Department is seeking to amend the contract by an amount not to exceed \$350,000. The amendment is for a period of eighteen months.

Funding:

U.S. Department of Justice

24. Extension to Time Warner Network Support Contract

Action: Approve an amendment of the contract between the Police Department and Time Warner Telecommunications to allow for a two-year extension of the contract period, at a cost not to exceed \$340,000 per year, for wide area network (WAN) communication services, maintenance, and support.

Staff Resource: Ron Horton, Police

Explanation:

This amendment extends an existing contract with Time Warner Telecommunications for its wide area network, which links all Police Department facilities.

This contract extension will continue the connectivity and maintenance support for all Police Department facilities. The Police Department anticipates relocating at least five of its units or divisions over the next two years due to lease expirations and departure from the Mint Hill site. Time Warner amortizes the cost of providing network services over the life of the contract. If the contract is extended for two years, the relocation of each site would cost only \$3,000 to \$5,000 to run the fiber optic cable. If the contract were extended for only one year, the capital costs of the equipment for each new site would be factored in, making the cost of each relocation \$15,000 to \$25,000. Consequently, extending the contract for two years will save the Police Department between \$84,000-\$140,000 on the relocations of five to seven sites.

Continuing the existing services with Time Warner will also minimize any impact to public safety that would occur if the department switched to another vendor, resulting in system downtime as well as the expense of the initial installation and training on new equipment.

Council approved the original contract with Time Warner on August 25, 1997. The contract was for three years at a total cost of \$1,022,386. On November 12, 2001, Council approved a one-year contract extension for \$330,576.

The extended contract will be effective from December 1, 2002 to November 30, 2004.

Funding:

CMPD FY03 Operating Budget and 911 Surcharge Budget

25. South Boulevard/Woodlawn Road Intersection Improvement

Action: A. Adopt a budget ordinance appropriating \$1,500,000 in state funding and \$1,500,000 in City funding (2002 Street Bonds), and

B. Approve the agreement with Kimley-Horn and Associates, Inc. for \$468,409 to provide engineering services for the South Boulevard/Woodlawn Road Intersection.

Staff Resource: Sonji Mosley, Engineering and Property Management

Explanation:

The City and the State have entered into a municipal agreement whereby the City will make roadway improvements to the South Boulevard/Woodlawn Road intersection. This project will include, but is not limited to, the construction of an additional northbound left turn lane from South Boulevard onto Woodlawn Road as well as a separate right turn lane from eastbound Woodlawn Road onto South Boulevard.

The project will improve the operational efficiency of the intersection. The South Boulevard/Woodlawn Road intersection consistently ranks among the City's most congested intersections. It currently ranks as the 27th most congested intersection. This intersection is also a high accident location due in large part to congested conditions.

Funding:

NCDOT has agreed to reimburse the City 50% of the project cost up to \$1,500,000 for planning, design, and construction inspection. The City is responsible for the remaining project costs including ROW/Easement, environmental issues and utility relocation. The total project cost is estimated at \$3.0 million.

Attachment 22
Budget Ordinance

26. Environmental Permitting Services

Action: Approve Amendment #1 for \$125,000 with Kimley-Horn & Associates, Inc. (KHA) for Storm Water Environmental Permitting services.

Staff Resource: Steve Sands, Engineering and Property

Explanation:

The Clean Water Act requires the City to obtain permits to construct infrastructure improvements (roadway, neighborhood improvement, storm water, etc.) that impact streams, ponds, and wetlands. Compensatory mitigation (stream or wetland restoration) is often required as part of these permits to ensure that possible negative environmental effects have been avoided, minimized or offset. The U.S. Army Corps of Engineers (USACE) administers the permitting program and typically requires the wetland or stream restoration project to be constructed prior to approving the permit for the infrastructure project.

Charlotte Storm Water Services is developing a mitigation banking program to improve the efficiency of providing compensatory mitigation. Debits to the bank balance are created by infrastructure projects that impact wetlands or streams. Credits to the bank balance are created by restoring wetlands and streams. The program will reduce potential delays for the City infrastructure projects by not having to wait for construction of stream or wetland restoration projects to receive USACE permits.

On April 12, 2000, the City entered into a written agreement with Kimley-Horn Associates for \$35,000 for environmental permitting related services. KHA is providing professional consulting services at or above the level of expectation in accordance with the terms and conditions of the contract. This amendment will provide funding for their assistance on establishing a mitigation bank.

Funding:

Storm Water Capital Investment Plan

27. Storm Water Maintenance Renewals FY00E

Action: Approve Renewal #2 for \$960,830 with Blythe Development Company for continued construction of FY00E Storm Water Maintenance Package.

Staff Resource: Steve Sands, Engineering and Property Management

Explanation:

These renewals will enable Storm Water Services to continue regular maintenance activities under these contracts, 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 documents provide for renewals of the contracts up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. This is the second renewal and will increase the contract amount for FY00E from \$1,920,060 to \$2,880,890.

Funding:

Storm Water Capital Investment Plan

28. Central Avenue Streetscape Phase II

Action: Approve Change Order #1 to the Central Avenue Streetscape Phase II contract with Sealand Contractors of Charlotte, North Carolina for \$602,380.38.

Staff Resource: David Meachum, Engineering and Property Management

Explanation:

Council awarded the original contract on April 22, 2002 for \$2,068,565.95.

The Central Avenue Phase II project (Kilborne to Sharon Amity Road) was bid with 60% complete plans in an effort to finish construction in January 2003, prior to NCDOT beginning construction of Independence Boulevard at Albemarle Road. The change order is due to quantity adjustments and field adjustments required to complete the project. No other change orders are anticipated and the project is still on schedule to be completed in January.

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 \$2,670,946.33.

Funding:

Transportation Capital Investment Plan

29. Municipal Agreement – Revision of Two Traffic Signals and Installation of Fiber Optic Communications Cable at the Intersections of I-485 Eastbound Ramp and Providence Road and I-485 Westbound Ramp and Providence Road.

Action: Approve a resolution to authorize the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the revision of two traffic signals, and fiber optic signal communication cable at the intersections of I-485 Eastbound Ramp and Providence Road and I-485 Westbound Ramp and Providence Road.

Staff Resource: Gus Jordi, Transportation

Explanation:

NCDOT plans to revise two traffic signals and install fiber optic communications cable at the I-485 interchange at NC 16 (Providence Road) in Mecklenburg County. The traffic signals are located at the intersections of the I-485 Eastbound Ramp at Providence Road, and the I-485 Westbound Ramp at Providence 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 \$195,500. The format and cost sharing philosophy is consistent with past municipal agreements.

Funding:

Transportation Capital Investment Plan

Attachment 23

Resolution

30. Municipal Agreement – Construction of Sidewalks Along Both Sides of Mallard Creek Church Road from US 29 to NC 49

Action: Approve a resolution to authorize the Key Business Executive for Transportation to execute a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for construction of sidewalks along both sides of Mallard Creek Church Road (SR 2833) from US 29 to NC 49 in Charlotte.

Staff Resource: David McDonald, Transportation

Explanation:

NCDOT plans to make improvements to Mallard Creek Church Road, between US 29 and NC 49. NCDOT will include sidewalks on both sides of Mallard Creek Church Road. A Municipal Agreement between the City and NCDOT is necessary.

The Municipal Agreement provides for the City to pay for fifty percent of the actual cost of the work, which is equal to \$141,615.50. NCDOT will pay the remaining fifty percent. The format and cost sharing philosophy is consistent with past municipal agreements.

Funding:

Transportation Capital Investment Plan

Attachment

Resolution

31. North Mecklenburg Water Treatment Plant Upgrades- Electrical Construction Contract

Action: A. Approve an agreement with the American Casualty Company of Reading, PA to complete the electrical construction at the North Mecklenburg Water Treatment Plant, and

B. Award a contract to Energy Erectors, Inc. as the replacement electrical contractor for completion of the North Mecklenburg Water Treatment Plan Upgrades in the amount of \$373,633.60.

Staff Resources: Doug Bean, Utilities
Mike Boyd, City Attorney's Office

Explanation:

The original electrical contractor for the North Mecklenburg Water Treatment Plant upgrades, Southern Industrial Services, Inc. (SIS), defaulted, and was, therefore, terminated for abandoning the project. In coordination with the Surety for SIS, American Casualty Company of Reading, PA, the City has secured a contract with Energy Erectors to replace SIS. The original contract amount with SIS of \$721,287 was increased by change order to a total of \$805,252. \$382,793.44 is the encumbered unpaid amount remaining to pay for the electrical work on this project.

This agreement with the surety company defines the City's and the surety's respective responsibilities in paying for the completion of the work that SIS was required to perform. The major terms of this agreement provide:

- American Casualty approves the City's contract with Energy Erectors, Inc., the contractor replacing SIS on the project.
- The City will use the unpaid amount on the original contract with SIS to pay Energy Erectors for its work.
- If such unpaid amount is not sufficient to compensate Energy Erectors for completing the electrical work on the project, American Casualty will pay Energy Erectors to complete the work.
- If such unpaid amount exceeds the amount owed to Energy Erectors, the balance will be paid to American Casualty.
- American Casualty will pay SIS's unpaid subcontractors for their work to date and secure their continued cooperation and participation in the project.
- American Casualty will pay the additional costs incurred by the City (additional engineering and legal fees) and the general contractor on the project as a result of SIS's default and the delay in completing the electrical work on the project. The parties agree that those costs will not exceed \$131,000. This payment is made in lieu of any liability under the original contract with SIS for liquidated damages.
- The parties acknowledge that Energy Erectors will be responsible for providing performance and payment bonds so that the surety on those bonds will be responsible for Energy Erectors performance, not American Casualty.

Because this project was competitively bid, the City is not required to rebid the contract to replace SIS.

The amount of the contract with Energy Erectors is \$373,633.60.

Funding:

Water Capital Investment Plan

32. West Water Main – Professional Services Contract

Action: Approve a contract with McKim and Creed, PA for \$678,000 to provide design and bid phase services for the West Water Main Project.

Staff Resource: Doug Bean, Utilities

Explanation:

This contract will provide for design and bid phase services for the West Water Main Project. This water line will be sixty-four inches in diameter and is part of the network needed to provide drinking water from the Franklin Water Treatment Plant in Northwest Charlotte to the south and west portions of the City. Project limits are from the airport to Remount Road. Funding for this project was approved in the FY 2003-2007 Capital Investment Plan.

The Engineering firm of McKim and Creed PA was selected to perform the design of a portion of the large water main network in accordance with City Council's approved selection process.

Funding:

Water Capital Investment Plan

33. Phosphorus Reduction at McAlpine WWMF – Amendment #1

Action: Approve Amendment #1 with CH2MHill for \$335,000 to provide final design services for the Phosphorus Reduction Improvements at McAlpine Wastewater Management Facility.

Staff Resource: Doug Bean, Utilities

Explanation:

The original \$1,800,000 contract with CH2M Hill was approved by City Council on June 24, 2002. This contract will provide design, contractor pre-qualification and bidding services for the phosphorus reduction improvements at the McAlpine Creek Wastewater Management Facility. This design is required as part of the agreement reached between North and South Carolina regulatory officials, and approved by City Council on January 14, 2002.

Amendment #1 will provide for additional design services of new facilities, or design of rehabilitation of various structures that were not included in the scope of the original contract. The additional design services are for two new primary sludge gravity thickeners and associated facilities, the rehabilitation

of sludge pumping stations, rapid removal pumping facilities, and all the associated piping and site work.

With this amendment, the contract with CH2M Hill will increase from \$1,800,000 to \$2,135,000.

A future contract for construction administration services will be presented to Council for approval in Summer 2003.

Funding:

Sewer Capital Investment Plan

34. McAlpine Creek Wastewater Management Facility Generators – Professional Services Contract

Action: Approve a contract with Southeastern Consulting Engineers, Inc. for \$699,140 to provide design and construction administration for the McAlpine Creek Wastewater Management Facility Generators.

Staff Resource: Doug Bean, Utilities

Explanation:

The contract with Southeastern will provide design and construction administration of a new generator facility at the McAlpine Creek Wastewater Management Facility (WWMF). The facility would be centrally located at the electrical service delivery point and would be fully automated to switch to back up power upon interruption of electric service and back to normal service once power is restored. Several new active projects at the plant will require back up generator power and this generator facility would be built to accommodate these projects. The facility would also have the capability to be expanded to meet any future needs at the plant.

McAlpine Creek WWMF is the largest wastewater treatment plant in the state of North Carolina and treats approximately 60% of the wastewater in Mecklenburg County. The facility has 14 stand-alone generators scattered through out the plant for the purpose of supplying power in the event of a power outage. Four of these generators do not function due to the age of the units and parts availability. Three major unit processes at the plant do not have generator power and the plant can only pump 40% of the total pumping capacity of the plant on generator power. The majority of the existing generators require that an operator visit each site during a power outage to start the generator, transfer the power, then go to each unit process powered by that generator and start each piece of equipment.

Funding:
Sewer Capital Investment Plan

35. Property Transactions

Action: Approve the following property acquisitions (A-D) and adopt the condemnation resolutions (E-F).

For property transactions A, B & E, 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 cost are eligible for Federal Aviation Administration reimbursement.

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

Acquisitions:

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Holman & Moody Inc.
Property Address: 4933 Wallace Neel Road
Property to be acquired: 6.43 acres
Improvements: Warehouses
Purchase Price: \$1,750,000
Zoned: I2CD
Use: Light whse
Tax Value: \$1,286,660
Tax Codes: 115-181-01
- B. Project:** Airport Master Plan Land Acquisition
Owner(s): Christ Prentzas
Property Address: 7723, 7731, & 7739 Frosch Road
Property to be acquired: 1.61 acres
Improvements: two warehouses
Purchase Price: \$470,000
Zoned: I1
Use: Industrial
Tax Value: \$298,520
Tax Codes: 113-143-13, 113-143-14, 113-143-15
- C. Project:** West Craighead/Frew Road Improvements, Parcel # 39 and # 40
Owner(s): Hope Haven Foundation, Inc.

Property Address: 3815 North Tryon Street
Property to be acquired: 392 sq.ft. (0.009 ac.) of Permanent Sidewalk/Utility Easement plus 13,939 sq.ft. (0.32 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$28,700
Remarks: This acquisition is required for the West Craighead/Frew Road Improvements Project. Compensation was established by independent, certified appraisals.
Zoned: B-2
Use: Hotel/Motel
Tax Code: 087-011-08
Total Parcel Tax Value: \$6,635,320

- D. Project:** Pence Road Streetscape, Parcel #29
Owner(s): Pamela A. Goldsboro
Property Address: 6727 Farrington Lane
Property to be acquired: N/A
Improvements: Mature Trees
Purchase Price: \$3,200
Remarks: This Right of Entry is required for the Pence Road Streetscape Project. Compensation was established by independent, certified appraisals in the area.
Zoned: R-3
Use: Residential
Tax Code: 109-041-16
Total Parcel Tax Value: \$69,720

Condemnations:

- E. Project:** Airport Master Plan Land Condemnation
Owner(s): John and Linda Hurlahe
Property Address: 3129, 3139, 3145, & 3209 Little Rock Road
Property to be acquired: 3.3401 acres
Improvements: Three commercial buildings
Purchase Price: \$842,500
Zoned: I2
Use: Auto Rental & Parking
Tax Value: \$505,320
Tax Codes: 115-172-18, 115-172-20, 115-172-21, and 115-172-22
- F. Project:** North Tryon Street Improvements, Parcel # 13
Owner(s): Khalid M. Al-Asfar, Dean M. Al-Asfar, Mustfa M. Al-Asfar, Abdul-Quaddous M. Al-Asfar
Property Address: 3904 North Tryon Street
Property to be acquired: 317 sq.ft. (0.007 ac.) of Temporary Construction Easement
Improvements: None

Purchase Price: \$500

Remarks: This acquisition is required for the North Tryon Street 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: B-2

Use: Used Car Lot

Tax Code: 091-081-19

Total Parcel Tax Value: \$264,990

36. Meeting Minutes

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

- **October 28, 2002 Business Meeting**
- **November 4, 2002 Workshop/Forum**