AGENDA

Meeting Type:	B
Date:	02-27-1989
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda February 27, 1989

FILE COPY

Meetings in February '89

FEBRUARY 1 - FEBRUARY 4

1	Wednesday, 7 45 a.m	PRIVATE INDUSTRY COUNCIL - CMGC, Conference Center, Room 267
2	Thursday, 7 30 a m.	ADVISORY COMMITTEE ON PERFORMANCE APPRAISAL AND PERFORMANCE INCENTIVE PROGRAM - CMGC, Lobby Conference Room
	Thursday, 4 00 p.m	CITY COUNCIL COMMUNITY DEVELOPMENT & HOUSING COMMITTEE - CMGC, Room 270

THE WEEK OF FEBRUARY 5 - FEBRUARY 11

6	Monday, 12 Noon	CHARLOTTE-MECKLENBURG PLANNING COMMISSION - CMGC, Conference Center, Room 267
	Monday, 2 00 p.m.	PLANNING COMMISSION/Zoning Committee - CMGC, Conference Center, Rm. 267
	Monday, 5 00 p.m	CITY COUNCIL/Workshop - CMGC, Conference Center
7	Tuesday, 4 00 p.m	PLANNING COMMISSION/Planning Committee - CMGC, Lobby Conference Room
	Tuesday, 5 00 p.m.	CITY INFORMATION FAIR - CMGC, 600 E. 4th Street, Lobby
	Tuesday, 6·00 p.m.	CHARLOTTE ADVISORY PARKS COMMITTEE - CMGC, Conference Center, Room 267
8	Wednesday, 8 30 a.m.	CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room
	Wednesday, 9 30 a.m.	CIVIL SERVICE BOARD (Hearing) - CMGC, Lobby Conference Room
	Wednesday, 1 00 p m.	CHARLOTTE-MECKLENBURG ART COMMISSION/Spirit Square Ad Hoc Committee - Spirit Square, 110 East 7th Street
	Wednesday, 4 00 p.m.	HISTORIC DISTRICT COMMISSION - CMGC, Conference Center, Room 267
	Wednesday, 6 30 p.m.	YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center, Room 267
9	Thursday, 7 30 a.m.	ORGANIZATION REVIEW ADVISORY COMMITTEE - CMGC, Lobby Conference Room
	Thursday, 4 00 p.m	CITY COUNCIL PLANNING & PUBLIC WORKS COMMITTEE - CMGC, Room 270
	Thursday, 4 30 p m.	CITY COUNCIL (Special Use Permit Hearing) - CMGC, Meeting Chamber
	Thursday, 5 00 p.m.	CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee CMGC, 8th Floor Conference Room

THE WEEK OF FEBRUARY 12 - FEBRUARY 18

13	Monday, 9·00 a.m.	STORMWATER MANAGEMENT ADVISORY COMMITTEE - Hal Marshall County Service Center, 700 N Tryon Street
	Monday, 10 30 a.m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Charlotte Coliseum, 100 Paul Buck Blvd Administrative Conference Room
	Monday, 5 30 p.m.	COUNCIL/MANAGER DINNER - CMGC, Meeting Chamber Conference Room
	Monday, 7 00 p m	CITIZENS HEARING - CMGC, Meeting Chamber
	Monday, 7 30 p.m.	CITY COUNCIL MEETING - CMGC, Meeting Chamber
	Monday, 7 30 p.m.	HISTORIC PROPERTIES COMMISSION - 1221 S Caldwell Street
14	Tuesday, 4 00 p m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
	Tuesday, 4 00 p m	PLANNING COMMISSION/Planning Committee - CMGC, Lobby Conference Room

(CONTINUED ON BACK)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF FEBRUARY 12 - FEBRUARY 18 (Continued)

15	Wednesday, 1 00 p.m.	CHARLOTTE-MECKLENBURG ART COMMISSION/Coliseum Hoc Committee - Charlotte Coliseum, 100 Paul Buck Blvd
16	Thursday, 7 30 a.m	ADVISORY COMMITTEE ON PERFORMANCE APPRAISAL & PERFORMANCE INCENTIVE PROGRAMS - CMGC, Lobby Conference Room
	Thursday, 8 00 a.m	CLEAN CITY COMMITTEE - CMGC, 10th Floor Conference Room
	Thursday, 4 00 p m	CITY COUNCIL OPERATIONS COMMITTEE - CMGC, Room 270
	Thursday, 7 30 p.m	CHARLOTTE TREE ADVISORY COMMISSION - 701 Tuckaseegee Road, Park Operations
17	Friday, 7 30 a m	PLANNING COMMISSION/Planning Liaison Committee, CMGC, 8th Floor Conference Room

THE WEEK OF FEBRUARY 19 - FEBRUARY 25

20	Monday, 5 00 p m.	COUNCIL/MANAGER DINNER - CMGC, Meeting Chamber Conference Room
	Monday, 6 00 p m	CITY COUNCIL/Zoning Hearing CMGC, Meeting Chamber
21	Tuesday, 7 30 a m	ORGANIZATION REVIEW ADVISORY COMMITTEE CMGC, Lobby Conference Room
	Tuesday, 12 Noon	COUNTY COMMISSION, CITY COUNCIL & SCHOOL BOARD (Discussion of Planning Workplan for FY 90 - FY91) - CMGC, Conference Center
	Tuesday, 2 00 p.m.	HOUSING AUTHORITY - 1301 South Blvd., Administrative Offices
	Tuesday, 4 00 p.m.	CHARLOTTE-MECKLENBURG ART COMMISSION/WTVI Ad Hoc Committee - CMGC, Lobby Conference Room
	Tuesday, 4·00 p m	PLANNING COMMISSION/Planning Committee - CMGC, Lobby Conference Room
22	Wednesday, 4 00 p m.	CITIZENS CABLE OVERSIGHT COMMITTEE - CMGC, Lobby Conference Room
	Wednesday, 6 30 p m.	YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center, Room 267
23	Thursday, 2 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Ad Hoc Committee for CMUD - CMGC, 8th Floor Conference Room
	Thursday, 4 00 p m	CITY COUNCIL TRANSPORTATION COMMITTEE - CMGC, Room 270
	Thursday, 4 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room
	Thursday, 5·00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION - CMGC, Lobby Conference Room

FEBRUARY 26 - FEBRUARY 28

27	Monday, 1 00 p m.	COUNCIL/MANAGER LUNCHEON - CMGC, Meeting Chamber Conference Room
	Monday, 2 00 p m	CITIZENS HEARING - CMGC, Meeting Chamber
	Monday, 2 30 p.m.	CITY COUNCIL MEETING - CMGC, Meeting Chamber
	Monday, 4 00 p m	PLANNING COMMISSION/Executive Committee - CMGC, 8th Floor Conference Rm
	Monday, 4 30 p m	PLANNING COMMISSION/Zoning Committee - CMGC, Lobby Conference Room
28	Tuesday, 2 00 p m	CITY ZONING BOARD OF ADJUSTMENT - Hal Marshal Building, 700 North Tryon Street
	Tuesday, 3 00 p.m.	COMMUNITY FACILITIES COMMITTEEE - Utility Dept , 5100 Brookshire Blvd
	Tuesday, 4 00 p.m.	PLANNING COMMISSION/Planning Committee - CMGC, Lobby Conference Room

These organizations will <u>not</u> meet in February:

Advisory Energy Commission
Community Facilities Committee
Division of Insurance & Risk Management
Housing Appeals Board
Municipal Information Advisory Board
Specialized Transportation Advisory Committee

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CHARLOTTE

Mayor Sue Myrick | Mayor Pro Tem Al Brusso

John A (Gus) Campbell | Roy Matthews
Stanley M Campbell | Cyndee Patterson
Dan Clodfelter | Ella Butler Scarborough
Charlie S Dannelly | Richard Vinroot
Gloria Fenning | Velia W Woollen

Council Agenda

Monday, February 27, 1989

11 00 AM	Executive Session, Rm 270
1 00 PM	Council-Manager luncheon
2 00 PM	Citizens Hearing
2 30 PM	Council Meeting

ITEM NO

1 Invocation by Rabbi Marc Wilson of Temple Israel

2 Consider approval of minutes of the February 6 Council workshop and regular meeting of February 13, 1989

POLICY

3 The following actions relate to the annexation of five areas I-77 Corridor North, Rea Road/Elm Lane West, Hemphill, Arrowood I, and Arrowood II An explanation will follow each action, but in summary, Council is asked to (1) amend certain annexation reports to reflect changes, (2) adopt the five annexation ordinances and set the effective date of annexation as June 30, 1989, (3) adopt the annexation budget and ordinance to finance City services in the annexation areas, (4) approve fire protection contracts with applicable volunteer fire departments; and (5) state the City's intent to compensate the qualified refuse collection haulers for their "economic loss" rather than executing contracts with them to provide services

These steps have already been taken by City Council as required by State Statute

December 19, 1988 - adopted resolutions of intent to consider annexation of the five areas on this agenda

November 14, 1988 - approved the annexation plan for each area

February 13, 1988 - held public hearings on each proposed area

A Recommend adoption of resolutions amending annexation reports as a result of paying the economic loss of qualified refuse haulers, fire protection contracts with volunteer fire departments, and elimination of 10 tracts in the I-77 Corridor North area

The annexation reports are amended to reflect the changes arising from paying the economic loss of qualified refuse haulers and the approval of fire protection contracts and the elimination of 10 tracts from the I-77 Corridor North area

B Recommend adoption of the annexation ordinances extending the corporate limits to five areas with effective date for each area as June 30, 1989

State annexation statutes require City Council to adopt an ordinance extending the corporate limits to include all, or such part, of the area described in the notice of the public hearing and which City Council has concluded should be annexed The annexation areas are I-77 Corridor North, Rea Road/Elm Lane West; Hemphill, Arrowood I, and Arrowood II The recommended effective date of June 30, 1989 satisfies statutory requirements

C Recommend adoption of the annexation budget ordinance estimating revenues and providing appropriations and positions for governmental operations in the annexation areas

The annexation budget for first year operating costs totals $5,559,462 for general government operations and $61,229 for Specialized Transportation Ninety-five new positions in the General Fund and one position in the Public Transportation Fund will be funded, in addition to the payment of economic loss to private refuse haulers and contractual costs for volunteer fire departments First year Powell Bill eligible expenses for street maintenance work is estimated to cost $2,034,704

City staff recommends that funding for the capital outlay needed to support the annexation areas be provided during FY89 The capital outlay to be acquired totals $1,805,961 and is recommended for funding from the unappropriated Powell Bill fund balance ($887,500) and from an estimated overcollection in sales tax revenues for FY89 ($918,461) The revised FY89 sales tax estimate was provided to City Council at the Council retreat in January, 1989 Powell Bill financing can be used only to purchase the Street Maintenance capital outlay totalling $887,500

\# 3,728,766 The remaining general government operating expenditures (~~$3,743,~~501) are required during FY90 and will be funded by revenues generated from the annexation areas ($2,990,567) and from an appropriation from the unappropriated General Fund fund balance (~~$752,934~~). Specialized Transportation will be funded by revenues generated from the annexation areas and dedicated to Public Transportation ($43,158) and by an appropriation from the unappropriated Public Transportation Fund fund balance ($18,071). Powell Bill expenses for street improvements will be funded by revenues generated from the annexation areas ($209,146) and an appropriation from the unappropriated Powell Bill Fund fund balance ($1,825,558).

\# 738,199

The second year costs of annexation are estimated at $3,432,595 for general government operations, while generating $3,511,322 in general revenues. Specialized Transportation is estimated to require $27,672 while generating $128,052 in revenues dedicated to the Public Transportation Fund.

Appropriations for the construction of water and sewer lines, the annexation fire station, Municipal Debt Service revenues, and pay-as-you-go revenues for the General Capital Improvement Fund will be included in the FY90-94 Capital Improvement Program

D <u>Recommend adoption of a resolution stating the intent of the City to compensate the qualified refuse collection haulers for their "economic loss" as opposed to executing contracts with them to provide the service</u>

State annexation law provides two options for annexing cities to compensate qualified refuse haulers for reductions in their service areas - two-year contracts, or a sum equal to the economic loss We recommend the City compensate each of the qualifying firms its "economic loss" because the qualified haulers serve only pockets of residences in the annexation areas and the City would need to add three refuse collection crews to service the remaining 78% of the service locations (Information on this subject sent in the December 16, 1988 Council-Manager memorandum is <u>attached,</u> the complete report is available in the Council library)

Adoption of the annexation budget in C includes the payment of economic loss to qualified refuse haulers as a cost of providing refuse collection services to the proposed annexation areas

E Recommend approval of fire protection contracts with volunteer fire departments which have properly requested a contract to serve certain annexation area

State statutes require that the City offer a contract to provide fire protection services to any volunteer fire department serving an annexation area which requests a contract in accordance with G S 160A-49.1 The following volunteer fire departments have requested contracts for the annexation areas indicated Long Creek Volunteer Fire Department for I-77 Corridor North, and Derita Volunteer Fire Department for the Hemphill area

Under these contracts, the Fire Department will dispatch Long Creek and Derita along with the normally assigned Charlotte companies to fires in their respective areas As required by statute, each contract has a five year term Annual payments under the contracts are· Long Creek, $4500, Derita, $1140 The Fire Department will provide any training that may be necessary to bring the volunteers up to the Department's standards The volunteers will maintain a pumper that meets the Fire Department's standards, and the Fire Department will provide radios so that necessary communication can occur.

Attachment No 1

4 Consider unanimous recommendation of the Council Transportation Committee to amend the Neighborhood Through Traffic Study (NTTS) program

Committee Recommendation

On January 26, 1989, the Council Transportation Committee met to discuss the Neighborhood Through Traffic Study (NTTS) program The primary change in policy is to standardize the procedure, which was developed over a number of years, as well as to formalize the decision-making part of the process

The committee recommends the following changes to the program

1 Adopt a nine-step procedure to be followed with all formal neighborhood studies which includes.

a Neighborhood request submitted

b Preliminary data collection

c. Meetings with neighborhood leaders

d Resident notification; steering committee formed.

e CDOT study

f Steering committee recommendation

g. Two neighborhood meetings.

h. 75% petition(s) received from impact areas.

i. Six-month evaluation by CDOT.

2. Define responsibilities for decision-making The steering committee develops, based on CDOT evaluation of neighborhood traffic data, remedies to control through traffic, as well as to define the areas of impact of each remedy After the two neighborhood-wide meetings, residents of each impact area will be required to submit a 75% petition At end of six-month trial, CDOT will evaluate remedy effectiveness and public acceptance in order to determine if remedies are to remain

3 Approve a list of remedies available The committee recommends the list shown on page six of the NTTS report, with the exception of "speed bumps" and "rumble strips" Also, street closings would only be used in special circumstances

4 Expand the NTTS program to include evaluation of speeding as an element of neighborhood traffic The new program name would be the Neighborhood Traffic Study (NTS) program

5. The program will be re-evaluated in two years to determine effectiveness of changes adopted

This procedure will be used for unusual or controversial requests, many are routine and will be handled routinely.

A copy of the Neighborhood Through Traffic Study and the Transportation Committee minutes are attached.

Funds: None required

Clearances: Recommendations were developed by the Charlotte Department of Transportation, reviewed and approved by the Council Transportation Committee 1/26/89

Attachment No 2

5 Recommend approval of a request from the Corporate Champions Task Force of Child Care Resources for the City of Charlotte to seek specific legislative authority for the City to provide surplus City land for day care facilities

The City Council is being asked to recommend an act to amend GS 160A-279 to allow the leasing of land to a for-profit corporation, partnership, or individual to provide day care facilities

This would allow the City to work with Child Care Resources and the provider they select to provide a day care facility on land owned or leased by the City This is enabling legislation, the actual lease would have to be approved by Council The County Commission approved this request at their meeting on February 13

6 Recomend approval of the development of a Cultural Action Plan and a charge to the committee.

Development of Cultural Action Plan: At the February 6 workshop, the Council informally approved the development of a Cultural Action Plan This includes the appointment of a study committee, the development of a review process for public contributions to cultural agencies and the development of an overall cultural action plan

Charge: To develop a method to review cultural requests for public funding by December, 1989 and to develop a cultural plan for Charlotte-Mecklenburg which will insure the most effective and equitable use of dollars for the advancement of arts and

culture in Charlotte The plan is to be developed by December, 1990.

Attached is the Cultural Action Plan proposal which outlines the suggested steps for development of a plan.

Funds To be determined.

Clearances Budget and Evaluation.

Attachment No. 3

7 Approve process for examining development fee options and adopt budget ordinance for expenditure of up to $30,000 to hire consultant services.

Process for Development Fees The Planning Liaison Committee requests that the City Council along with the County Commissioners approve a process for examining development fees and authorize hiring of consultant services to undertake a technical examination of development fees as applied to Charlotte-Mecklenburg Total cost of consultant services is expected to be approximately $60,000 shared 50/50 between the City and County The City's share is $30,000 A process model and scope of services are attached

It is estimated an additional $15,000 would be required if an interview process were to be carried out. This would involve conducting extensive interviews with public officials, developers and neighborhood groups The Committee felt this was beyond the project's technical needs

Background At a joint meeting held on December 20, 1988 between the City Council and Board of County Commissioners with the Planning Commission in attendance, a decision was reached to proceed further with consideration of development fees as an option to finance capital facility needs. The City Council and Board of County Commissioners requested that the Planning Liaison Committee develop a process through which development fees and their implementation could be examined and report back to the respective bodies within 90 days.

The Planning Liaison Committee met on January 20, 1989 to review the charge The Committee at that meeting adopted a model of a process to use as a goal; decided to give Will Latham, Planning Commissioner, an opportunity to review the model and comment; and instructed staff to seek requests for qualifications from firms to undertake a technical evaluation of development fees Mr Latham recommended a broader finance study be undertaken, but the Committee felt the charge was to focus on development fees The Committee felt its task was to provide more information to the elected officials on development fees

At a February 17, 1989 meeting, the Planning Liaison Committee resolved to request that the City Council and Board of County Commission hire a consultant to do a technical examination of development fees relative to Charlotte-Mecklenburg The study process will last approximately six months

Funds General Fund Contingency.

Clearances Planning Liaison Committee

Attachment No 4

8 Recommend supporting the Sister Cities Program by approving a policy that contingent on availability of funds the City reimburse the official cost of up to one elected official and two staff members for trips recommended by the Charlotte Sister Cities program

An approved Council policy would assist the City in planning for and assigning responsibilities as it works with the Charlotte Sister Cities organization

9 Workshop agenda for the March 6, 1989 Council workshop

Council is requested to review and decide if any of the proposed workshop topics should be referred to a Council Committee

- Airport productivity organizational study presentation
- Report on the cost/benefit analysis - Convention Center study

BUSINESS

10. Franklin Water Treatment Plant Expansion - Electrical Work — Charlotte-Mecklenburg Utility Dept

A. Conduct a hearing on a request to withdraw the low bid submitted by John Bisanar, Inc.

B. Recommend (1) denial of a request to withdraw the low bid of $285,273.00 submitted by John Bisanar, Inc. and (2) that John Bisanar, Inc. be required to forfeit their bid security (5% - $14,263.65) in accordance with N. C. General Statute 143-129.1.

C. Recommend the second low, responsive bid submitted by Port City Electric Company, Inc., of Mooresville, North Carolina in the amount of $386,000.00 be accepted for award of contract on a lump sum basis.

Source of Funding. Water and Sewer Capital Improvement Fund - (Franklin Water Treatment Plant Addition).

Bids were received for electrical work of the proposed Franklin Water Treatment Plant Expansion on January 24, 1989 On January 27, 1989, the apparent low bidder, John Bisanar, Inc , delivered a letter to the Utility Department requesting that they be allowed to withdraw their bid due to a major mathematical error that was committed in preparing their bid They also requested that their bid security be returned in accordance with N C General Statute 143-129 1

According to General Statutes, a bid may be withdrawn and the bid security returned if·

(1) there is a substantial error in the bid which had been submitted in good faith - our review is that this occurred, and

(2) the request to withdraw the bid must be made in writing within 72 hours - our review is this request was received several hours after the stipulated time requirement

We must apply the rules consistently and therefore recommend Council deny the request to withdraw the low bid and that the 5% bid security be forfeited Council has the option of determining whether this is a technicality and could, if it chooses, decide to return the bid security to John Bisanar, Inc

10 B York Rd Renaissance Park/
Soccer Field Complex
Electrical Contract

#10B

10B. York Road Renaissance Park/ Soccer Field Complex Electrical Contract — Parks & Rec

A. Conduct a hearing to consider the request of the apparent low bidder, Bryant Electric Repair Company, Inc. to withdraw their bid and have their bid security returned,

B. Recommend denial of the request by Bryant Electric, and require them to forfeit their bid security (15% of base bid - $11,510.00);

C. Recommend award of the contract to the second low bidder, Floyd S. Pike Electric Co., for their base bid of $300,029.94.

Source of Funding. General Capital Improvement Fund - (York Road Park).

After receipt of the bids and the apparent discrepancy between the first and second bids, the architect contacted the low bidder on February 1, 1989, to verify their bid, and assure that no mistake had occurred. The architect was assured that the low bidder would honor the bid as submitted. February 21, 1989, the City Engineering Department received a request from Bryant Electric Company to withdraw their bid due to an omission of work in the amount of $68,830.00. Bryant Electric Company further requested that their bid security be returned.

North Carolina General Statute 143.129.1 requires a bidder to make a request to withdraw their bid within 72 hours of the bid opening The statute further requires that the bidder provide evidence of the mistake in the form of the original work papers. The bidder neither made the request within the 72 hour period, nor have they provided for an inspection of the original work papers to verify that the omission of work did in fact occur.

11 Recomend award of a contract to Ryder Corporation for $692,580 to maintain Special Transportation Service vehicles over a three-year period.

STS Vehicles

Special Transportation Services (STS) has a varied fleet of specialized vehicles. These vehicles are used to transport the handicapped, and their reliability and availability are critical Wheelchair lifts and ramps create maintenance complications Downtime puts a burden on STS that cannot be lightened using any other vehicles

Proposed Contract

The proposed three-year contract with Ryder Corporation guarantees that 75% of the fleet will be available each day (and includes a penalty clause). It includes all cleaning, repair and maintenance of the vehicles, except repairs of damage due to negligence or accident

Privatization of equipment maintenance for STS will result in a net gain of one man-year of mechanic availability in the General Services Department, Equipment Services Division This one man-year will be redirected toward responding to a portion of the enhanced preventive maintenance program recommended by the Murphy & Associates productivity study Equipment Services will monitor the contractor's performance

Cost is based on unit costs (combination of per vehicle and per mile) and is an upper limit Payment will be based on actual number of vehicles and mileages The contract also includes standard provisions for termination by agreement, with notice, or for cause

Funds

A total of $215,678 was budgeted in FY89 for Equipment Services' maintenance of STS vehicles and for vehicle cleaning To date, much of that appropriation has already been expended since equipment replacements were delayed and older equipment had to be maintained Replacement equipment has now been received With this new equipment and continued use of Equipment Services maintenance and contract vehicle cleaning, annual costs for the coming budget year could be estimated at approximately $175,000 The first year cost of the Ryder contract is $213,900 The difference is attributable to the required 75% daily vehicle availability

The $80,000 needed for the balance of this fiscal year will be available proportionately from both the Transportation Fund and from the anticipated General Fund.

Clearances The City Attorney has approved as to form. Purchasing, Transportation, and General Services Departments concur in this recommendation

12 A. Recommend the award of contracts to two private contractors to perform public transportation surveys· George Hoyt and Associates for $47,988, and Barton Aschman & Associates for $40,000

B. Recommend adoption of a budget ordinance to extend the original UMTA project appropriation beyond FY88

Use of UMTA Funds Annually, the City uses planning funds allocated by the Urban Mass Transportation Administration under Section 8 to perform a variety of short and long range planning tasks

This year's project was to complete a two-fold analysis & assessment of public transportation; one phase focused on the needs of the handicapped community and the other phase focused on current transit ridership

Recommendation A Because of the experience of George Hoyt & Associates in handicapped assessments in Mecklenburg County, the Charlotte Department of Transportation recommends that this phase of the public transportation assessment be done by them. Total cost of this contract is $52,819. Eighty percent of the funding will come from UMTA, 10% from the North Carolina Department of Transportation ($5,281) and the remaining 10% will be provided by the City through an in-kind match, with staff salaries paid from the Public Transportation Fund The contract with George Hoyt will not exceed $47,988

B Because of Barton Aschman's prior experience in the development of the 1987 on-board survey, CDOT recommends that this phase of the public transportation survey be done by them Total cost of this phase is $44,444 $4,444 will be the City's in-kind match from Public Transportation fund salaries The remaining $40,000 will be the total of the Barton Aschman contract, $35,556 will come from UMTA and $4,444 from the NCDOT.

The Surveys One of CDOT's responsibilities is to provide responsive public transportation for the City's residents The Department maintains computer models and data bases which 1) describe demographic and socio-economic characteristics of the population, 2) identify current users, 3) forecast needs This project - the two related surveys - will generate data describing a complete profile of current transit ridership as well as identify the transportation needs of the mobility impaired, and assess the extent to which current transit service meets those needs

Procedure: For the onboard survey, the previous survey instrument will be expanded, training manuals will be updated, and editing and coding procedures revised The survey-takers will have to be hired and trained Statistically sound, scientifically-designed assignments to sample each route, each time period and each direction, will be developed The actual field work will involve surveyors boarding specific buses at specific times, passing out forms and pencils, answering questions andassisting riders in completing the form Surveyors will note number of surveys distributed, number of passengers, time of day, weather, etc At the end of approximately two weeks of intense field work, surveys will be checked for logic, and then coded for data entry This coding and entering will require approximately four weeks to complete

The handicapped survey will require the contractor to interface with the numerous agencies serving the handicapped community A questionnaire will be designed to provide information on number, type of impairment, functional ability, current & desired transportation practices, etc

Reason for The Department wishes to contract out these two

Contracting projects, because while the priority for these is high, it is not greater than the Department's current workload.

Since these surveys are done infrequently, it is not a productive use of staff time The consultants are more experienced in hiring and supervising a temporary, short-lived workforce The datagathering phase of the work is labor-intensive, requiring 10-15 people to be hired for six relatively short periods of time.

Planners in CDOT will undertake the analysis of assessments, and will propose implementing strategies

Transportation Planners in CDOT (currently one Transportation Planner I and two Transportation Planner II's) are involved in the 2005 Transportation Plan, the five-year Financial Management Plan for Charlotte Transit, planning for STS; modeling for light rail, transit corridor studies, etc If they were used to do the surveys, a significant number of temporary people would have to be hired in order to gather the data in a timely manner Also, the surveys need to be completed before the current school term ends, and this simply could not be done using a combination of staff and temporary help

Staff in the Public Service & Information Department are not available to assist in that they are heavily involved in the public information process for the transportation bond projects

Budget Ordinance The budget ordinance is necessary because the UMTA grant was appropriated in FY88 without the provision that funding would be carried forward to FY89

Clearances Charlotte Department of Transportation, the City Attorney approved both contracts as to form

* * * * * * * * *

The City Attorney advises that agenda items no. 13 through 31 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

* * * * * * * * *

BUDGET ORDINANCE

13 A Recommend adoption of an ordinance amending Ordinance No 2428-X, the 1988-89 Budget Ordinance, appropriating estimated grant funds for the Emergency Shelter Grant Program, and amending Ordinance Nos 2413-X and 2310-X to extend their project length beyond FY88

Ordinance — This is a bookkeeping ordinance to amend the 1988-89 budget ordinance appropriating the estimated Emergency Shelter Grant Program funds of $55,000 and to amend Ordinance Nos. 2413-X and 2310-X, appropriating $9,000 and $59,000 respectively, to extend their project length beyond FY88 in order for Mecklenburg County to complete its programs that were not completed in FY88.

Funds — Emergency Shelter Grant Program

Clearances — Community Development and Budget and Evaluation

B Recommend adoption of a budget ordinance to transfer $21,000 from the Water/Sewer Operating Fund Balance to Account No. 635.26 - (Water Main Construction Along U S 521, Phase I)

U S 521 — The FY89 CIP includes $240,000 for the construction of a 24-inch water main along U.S 521. A recommended low bid for the project, submitted by Gilbert Engineering Company for $241,478, follows in the Bid section

Funds — Project funding should be at least bid price plus approximately eight percent for contingency and engineering Adoption of the $21,000 budget ordinance will provide the needed $261,000

The budget ordinance will transfer $21,000 from the Water/Sewer Operating Fund Balance to Account 2071-635.26 (Water Main Along U S Highway 521, Phase I)

Clearances The Utility Director approves this request

C. Recommend adoption of a budget ordinance to advance funds from the Municipal Debt Service Fund Balance to the York Road Renaissance Park Capital Account

Ordinance General and electrical bids for the York Road Renaissance Park soccer fields follow in the Bid section. This is a bookkeeping ordinance to advance funds from the Municipal Debt Service Fund Balance to General Capital Improvement Fund account 2010; 284 00 (York Road Renaissance Park) These funds will be repaid to the Municipal Debt Service Fund Balance upon issuance of the 1987 Park Bonds

BID LIST

14 Recommend adoption of the bid list as shown. The following contract awards are all low bid and within budget estimate unless otherwise noted. Each project or purchase was authorized in the annual budget.

A Water Distribution Project 24-Inch And 16-Inch Water Mains Along U S Highway 521, Phase I — Charlotte-Mecklenburg Utility Department

Recommendation. Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Gilbert Engineering Company of Statesville, North Carolina in the amount of $241,544 79 be accepted for award of contract on a unit price basis

Project Description. Construction of this project would extend water service to the U S Highway 521 area from Little Sugar Creek to the McAlpine Creek Wastewater Treatment Plant

Source of Funding: Water and Sewer Capital Improvement Fund - (Water Main Along U S 521 - Phase I) Requires approval of budget ordinance

B Water Distribution Project 16-Inch Water Main Along Central Avenue from Pecan Avenue To Eastway Drive — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Wright Lopez, Incorporated of Atlanta, Georgia in the amount of $754,871.40 be accepted for award of contract on a unit price basis

Project Description. Construction of this project would reinforce water service to the east side of Charlotte

Source of Funding. Water and Sewer Capital Improvement Fund - (Water Main Along Central Avenue)

C York Road Renaissance Park/ Soccer Field Complex General Contract — Parks & Rec

Recommendation: By the City Engineer, based upon the recommendation of the architect, Woolpert Consultants, that the low bid plus alternate totalling $722,447 00, as submitted by T. K. Browne Const. Co., Inc. be accepted for award on a lump sum basis

Project Description This is the final construction phase of the York Road Renaissance Park project which began in February 1985 when Woolpert Consultants was selected to design the park Over the past three years, an 18-hole golf course and tennis complex have been completed The soccer complex is the final facility to be built over the existing landfill The complex consists of four lighted soccer fields, scoreboards, with concession/restroom and shelter areas The bids are 10% less than orginally estimated

Because the complex is located on a landfill, special design features are required which are not needed on a typical site gas venting of building foundations, undercutting of soil and garbage where adequate compaction cannot be attained, special foundations which use driven poles for adequate structural support of the light poles; all earthwork must be trucked to the project since the site cannot be cut to create fill material required to build the fields

Source of Funding. General Capital Improvement Fund - (York Road Park)

moved to Business Agenda Item #10B

D York Road Renaissance Park/ Soccer Field Complex Electrical Contract — Parks & Rec

Recommendation: By the City Engineer, based upon the recommendation of the architect, Woolpert Consultants, that the low bid plus alternate totalling $260,169.00, as submitted by Bryant Electric Co be accepted for award on a lump sum basis

Source of Funding: General Capital Improvement Fund - (York Road Park) Requires adoption of budget ordinance in 12 C

E Eighth Street Drainage Improvements — Engineering

Recommendation. By the City Engineer that the low bid of $177,937.24, as submitted by B. R. S., Inc., be accepted for award on a unit price basis

Project Description: This project will address flooding at the intersection of North College Street and East Eighth Street. It is funded through the CIP's Storm Drainage Improvement Program which provides for the reconstruction of major storm drainage problem areas in the public right of way The upgrading of the existing system will accommodate the ten-year flood criteria

Source of Funding. General Capital Improvement Fund - (Storm Drainage Improvements).

F Hoskins Road Park Playground Improvements — Parks & Rec

Recommendation: By the City Engineer, based upon the recommendation of the architect, the FWA Group, that the low bid of $32,363.10, as submitted by Quality Const. Co. be accepted for award on a unit price basis

Project Description Hoskins Park is one of twelve parks on the priority list identified by the Engineering Department's park design team for receipt of improvements and rehabiliation under funding for the current budget year

This project consists of renovations to the existing park including playground equipment relocation, removal of old paving slabs, removal of a gravel parking lot, landscaping, and converting an existing tennis court into a basketball court

Source of Funding. General Capital Improvement Fund - (Improvements to Existing Parks)

AGREEMENT/BUDGET ORDINANCE

15 Recommend (A) approval of an agreement with Southern Railway Company for construction of Westinghouse Boulevard Overhead Bridge and (B) adoption of a budget ordinance of $1,700,000

Bridge Replacement	The City is constructing Westinghouse Boulevard Extension from US 521 to Old Nations Ford Road which will begin June, 1989 As part of the roadway construction, an existing bridge that crosses Southern Railway Company's railroad on the west side of US 521 will be replaced with a new, wider, and longer bridge
$51,593 Agreement	The requested agreement provides for reimbursement of funds from the City to Southern Railway Company for an estimated $51,593 00 These funds will provide for railroad construction engineering and protection of railway operations
$1.7 Million Budget Ordinance	As a part of the Council action, a budget ordinance of $1 7 million dollars is also requested for all project right-of-way which includes funds for the above agreement as well as City administrative fees and other related project costs
Funds	1987 Street Improvement Bonds
Clearances	Department of Transportation, Insurance and Risk Management Agency, and Engineering/Real Estate

Attached is information on this project that was sent to Council in the February 17 Council-Manager memorandum.

Attachment No 5

BUDGET ORDINANCE/CONTRACT

16. Recommend (A) adoption of a budget ordinance for $1 million and (B)approval of a contract for engineering services with Ralph Whitehead and Associates of Charlotte, North Carolina for $853,250.00, to provide for planning, design, and bidding services for the Sardis Road widening project (Rama Road to Sardis Road North).

Recommendation: Using the Council-approved consultant selection procedure, a selection committee comprised of representatives of the Engineering, CMUD, Planning, and CDOT Departments recommends that Ralph Whitehead and Associates provide engineering services for the Sardis Road widening project

Sardis Project: Approximately $14 million of the $100 8 million in transportation bonds approved in November 1988 will be used to provide funding for the engineering and construction of the Sardis Road widening project Construction is scheduled to begin in May, 1992 and to end in November, 1993

Contract Fees: The budget ordinance will cover the cost of the contract, City administration fees, public input process, and other related costs.

Funds: 1988 Street Improvement Bonds

Clearances: Engineering Department and Charlotte Department of Transportation

CONTRACTS

17 Recommend award of a contractual agreement between the City of Charlotte and Otis Elevator for maintenance on the six elevators at the Charlotte-Mecklenburg Government Center

CMGC Elevators: Since the opening of the Charlotte-Mecklenburg Government Center on December 7, 1987, the Otis elevators in the facility have been under warranty and serviced by the manufacturer and installer, Otis Elevator Company There are five passenger elevators and one service elevator

Contract: full maintenance service agreement on six elevators with Otis Elevator Company

. Agreement is for five years.

Annual cost first year is 54,601 80

Annual price adjustments limited by consumer price index.

Funds General Services Account 505 05 199

Clearances General Services Department, Purchasing Department

CONTRACT AMENDMENT

18 Recommend approval of an amendment to water construction contract and sewer construction contract with Shannon Properties, Inc

Amendment Approval of these amendments is needed to release Shannon Properties, Inc from the extension contracts and to substitute Perimeter Woods as the responsible party Shannon and Perimeter Woods have scheduled a closing for Monday, February 27, 1989 and require Shannon's release as part of the closing

Contracts With Shannon The City has two contracts with Shannon Properties, Inc under which the City agreed to contract for the construction of water and sewer lines to serve Shannon's property Shannon is financing the utility extensions with letters of credit The water line has been completed and all money drawn from the associated letter of credit but all payments have not been made The sewer line is under construction but is not near completion

Sale to Perimeter Woods Shannon has agreed to sell the property to be served by these utility extensions and to assign its benefits and obligations under the extension contracts to Perimeter Woods Limited Partnership Perimeter Woods is required to assume all obligations under these contracts, and to provide a replacement letter of credit for the incomplete sewer line Perimeter Woods will be entitled to receive all reimbursements under these contracts

Funds No funding is required

Clearances Charlotte-Mecklenburg Utility Department, Legal and Finance

CHANGE ORDER

19. A. Recommend approval of Change Order No. 5 to general construction contract to construct Concourse "B" extension and renovation.

Contract· General Construction Contract for Concourse "B" Extension and Renovation
Contractor The Carlson Corporation South East
Date of Contract Award. June 8, 1987
Contract Amount to Date $3,531,621 31
Change Order No. 5 62,000 00
Final Contract Amount. $3,593,621 31

Change Order: This change order allows additional compensation based on claims submitted by the contractor for owner-induced delays The extension of the concourse is located in an extremely active aircraft operations area and numerous elements of the phasing plan had to be adjusted during the construction process to accommodate Eastern and Piedmont operational needs The phasing of work also had to be extended in order to keep food and beverage service available in the concourse during construction

The contractor's claims totaled $120,166 A lengthy review of the claims and assessment of applicable liquidated damages decreased the amount of the claims to $62,000

Funds: Funds are available in project contingency to cover this change order All costs are repaid to the City through rates and charges paid by Piedmont Airlines

Clearances: Odell Associates, Inc , architect, and Day & Zimmermann, Inc , project manager, concur in this change order

B. Recommend approval of Change Order No IV-5 for $148,238 88 to the contract with IND-COM Electric Company for the expansion and upgrading of the McAlpine Creek Wastewater Treatment Plant

Contract Electrical work for expansion and upgrading of McAlpine Creek Wastewater Treatment Plant
Contractor IND-COM Electric Company
Date of Award· March 28, 1988
Amount of Contract. $2,122,240.00
Change Order· 148,238 88

Change Order — During construction, it was discovered that the site conditions were considerably different from those shown on the record drawings and extensive adjustment of the work was necessary, primarily ductbank relocations.

Funds — McAlpine Creek Wastewater Treatment Plant Capital Account

Clearances — The Utility Director recommends approval of this contract

C Recommend approval of Change Order No 7, for $63,225 39 with Moretti Construction, Inc , of Charlotte, North Carolina, to the CMGC Millwork Contract

Contract· CMGC millwork contract
Contractor Moretti Construction, Inc
Contract amount $530,000 00
Date of award July 27, 1987
Change Order Amount $63,225 39

Change Order — This change order will provide for the fabrication and installation of benches, tables, planters, TV monitor stands and brochure racks for the lobby of the CMGC The furnishings were designed by the building architect, J N Pease Assoc to complete the interior furnishings of the Government Center lobby The architect recommended that a change order be negotiated with the millwork contractor so the materials and workmanship will be consistent with the furnishings such as the Action Line desk which are already installed in the lobby The price negotiated for the work is well under the architect's estimate of $75,000 00 The furnishings will be completed and installed in time for the official building grand opening this spring

Funds — Funding for this project is available within the Charlotte-Mecklenburg Government Center Building Account

Clearances — The change order has been reviewed by the City Attorney and approved by the General Services and Engineering Departments

LEASE - PUBLIC NOTICE

20 Recommend Council authorize public notice of proposed leases on Fireman's Hall Property.

Five-Year Lease: Legal Notice — The City proposes to lease space in the Fireman's Hall on East Seventh Street to two organizations The Metrolina Native American Association and the Charlotte Outdoor Adventure Center. Both groups are in agreement to operate cooperatively, and their respective programs are compatible. Since the proposed lease for five years, the City is required to publish a legal notice to outline the specific term of the lease prior to Council's consideration of the leases.

This action will authorize publishing the legal notice that Council will consider leasing of the Firemen's Hall at its March 27 meeting Specific details of the lease will be provided to Council and will be available for public review prior to the March 27 meeting.

Background information on Fireman's Hall and the proposed lessees is attached.

Funds — There will be no cost to the City

Clearances — Parks and Recreation Department, Parks Advisory Committee and the Engineering Department concur in this request

Attachment No 6

APPROVAL TO APPLY FOR GRANT

21 Recommend (1) approval to submit a grant request to the N C Department of Natural Resources and Community Development for funds to assist in the rehabilitation of Devonshire Park and (2) adoption of an ordinance appropriating the funds.

Devonshire Park — Devonshire Park, 6300 Barrington Drive, is adjacent to Devonshire Elementary School In 1981 the Harland Bartholomew & Associates consulting firm included Devonshire Park in their listing of parks to be improved during the next 10 years Council adopted the 10-year master plan in late 1981 and the Parks and Recreation Department has been working toward completion of the major

portions of that plan during the past eight years

Grant Funds Available- 50/50 Match

The N C Department of Natural Resources and Community Development has limited funds would be made available to local governmental agencies to assist in the rehabilitation of recreation areas These funds are to be made available on a 50/50 match basis to selected agencies on certain projects and require the recipients of such funds to hold the project areas for recreation use in perpetuity

Funds

Matching funds of $45,500 will be transferred from the Improvement to Existing Parks account to the Devonshire Park Rehabilitation account

Clearances

The Parks and Recreation Department, the Budget & Evaluation Department and the Grants Review Committee recommend approval

MEMORANDUM OF AGREEMENT

22 Recommend approval of memorandum of agreement between the Federal Aviation Administration and the City of Charlotte for relocation of underground communications cables at the Airport

$6,605,476 FAA Grant

On September 26, 1988, City Council accepted a grant of $6,605,476 to provide Federal funding for 75% of project costs for several high priority airfield improvements, including the construction of a high speed exit taxiway for Runway 18R In a companion action City Council awarded construction contracts for this work amounting to $5,111,325 25

Agreement

A memorandum of agreement between the Federal Aviation Administration and the City of Charlotte is necessary for installation of FAA-specified communications cables to accommodate the construction of the high speed exit taxiway for Runway 18R This agreement outlines each party's responsibilities and covers FAA reimbursable costs associated with the project, estimated at $30,800 Seventy-five percent of these project costs will be reimbursed to the City through the FAA grant agreement The remainder of project costs will be reimbursed to the City through landing fees and charges to the airlines

Funds — Funds are available in the 1987 Airport Revenue Bonds Funds to cover this work

MUNICIPAL AGREEMENT

23. A. Recommend adoption of two resolutions authorizing municipal agreements with the North Carolina Department of Transportation (NCDOT) for two traffic signal installations.

Two Traffic Signals-Reimbursement — The Charlotte Department of Transportation (CDOT) installed traffic signals at two intersections on the State highway system· one at the I-77 northbound ramp with Tyvola Road (reimbursement amount ~~$16,000~~ $17,000); the other, at Monroe Road (SR 1009) and Village Lake Drive (reimbursement amount ~~$17,000~~ $16,000) The NCDOT has agreed to reimburse the City for the installations

B. Recommend adoption of a resolution authorizing municipal agreement with the North Carolina Department of Transportation (NCDOT) for construction of Independence Freeway between Brookshire Freeway and Briar Creek.

Need for Municipal Agreement — The NCDOT is preparing roadway construction and right-of-way plans for Independence Freeway between Brookshire Freeway and Briar Creek City Council previously agreed to reimburse the NCDOT to purchase additional right-of-way on the north side of Independence Boulevard between Pecan Avenue and Morningside Drive The NCDOT asks the City to enter into a municipal agreement to formalize how such reimbursement will occur

Details of Agreement — The City would reimburse the NCDOT the entire cost of the additional right-of-way which is located on the north side of Independence Boulevard between Pecan Avenue and Morningside Drive The additional costs would include relocation assistance, relocation payments, and removal of obstructions on the property, all in accordance with approved plans and property acquisition policies Consistent with City Council's Housing Policy, the Community Development Department (and other City staff) will work with the NCDOT to determine if any residential structures acquired for the project can be relocated and rehabilitated

Payments — The extra right-of-way is currently estimated to

to NCDOT

cost $8 0 million Per the agreement, the City would reimburse the NCDOT through three equal payments, the first being due when acquisition of the extra right-of-way parcels is authorized and the other two, each successive year Reimbursement payments are expected to be due in FY93, 94, and 95 Some advanced acquisition of right-of-way could occur following execution of the municipal agreement and authorization by the Federal Highway Administration

Funds

The Capital Improvement Program includes $2,000,000 per year beginning FY90 to fund reimbursements to the NCDOT

Clearances

The municipal agreement has been reviewed by the City Engineering Department, Charlotte/Mecklenburg Utility Department, and the Charlotte Department of Transportation

C Recommend adoption of a resolution authorizing a municipal agreement with the North Carolina Department of Transportation (NCDOT) for construction of the Charlotte Outer Loop from east of I-77 to the US 521 (South Boulevard) Interchange

Charlotte Outer Loop

The NCDOT plans to construct the Charlotte Outer Loop from east of I-77 to the US 521 (South Boulevard) interchange beginning in Federal fiscal year 1990 The NCDOT will include in its construction contract provisions to relocate and adjust certain municipally owned water and sewer lines along the project The Charlotte-Mecklenburg Utility Department has agreed for the NCDOT to pay the cost of relocating and adjusting the sewer lines; the City, the cost of relocating, adjusting, and installing the water lines Per the agreement, the City will reimburse the NCDOT upon completion of the water line work

Funds

The estimated cost of the water line work is $102,500 Funds are in the CIP

Clearances

Plans for the water and sewer line work have been reviewed and approved by the Charlotte/Mecklenburg Utility Department

ENCROACHMENT

24. Recommend approval of a one-time fee of $1,500.00 for an encroachment with CSX Transportation, Inc., for installation of a 12-inch sanitary sewer crossing the tracks in the Crestdale Community

$1,500 Fee — As part of the Community Development improvements in the Crestdale Community, sanitary sewer lines are being improved and extended The CSX encroachment agreement calls for a one-time fee of $1,500 00

Funds — Funds are provided by the Capital Improvement Program

Clearances — Charlotte Mecklenburg Utility Department, Insurance and Risk Management Agency, Engineering/Real Estate Division, and Legal Department concur in this request

REHABILITATION LOAN

25 Recommend approval of a 3% loan of $55,655 to enable Cheryle Y. Reich to purchase a condominium located at 1001 Greenleaf Avenue, Unit #1, in the Third Ward Area

1001 Greenleaf Avenue — On December 8, 1986, Council approved the sale and rehabilitation of two condominium units located at 1001 Greenleaf Avenue to D Charles Associates Special financing was provided, i e , it was agreed that if the developer acquired, rehabilitated and sold the units, the City would provide financing to the buyer as long as the buyer's income was 80% or less of the median income

The City loaned D Charles & Associates $54,900 for the acquisition and rehabilitation of each condominium unit The entire principal and all secured interest is due upon the sale of a respective unit

Loan to Cheryle Y. Reich — One unit has been sold, and a loan application has been processed for the purchase of Unit 1, 1001 Greenleaf Avenue for Cheryle Y Reich. Approval of a loan to Ms Reich will enable D Charles & Associates to consummate repayment of the principal and accrued interest owed the City The

rehabilitation of this unit has been completed and is in compliance with the City Housing Code The unit is being sold for $56,500 The appraised value of the unit is $70,000

Information on Ms. Reich's application is attached as well as a summary of the Rehabilitation Assistance Program

Summary of Rehabilitation Assistance

Borrower	Property Address	Loan Amount	Interest Rate	Type of Asst
Cheryle Y. Reich	1001 Greenleaf Ave , Unit #1	$55,655	3%	Loan

Funds Community Development Block Grant Funds

Clearances The loan application has been reviewed by the City Loan Officer, Community Development Department, and all criteria to qualify for financial assistance have been met by the applicant in accordance with the requirements outlined in the Community Development Standard Rehabilitation Loan and Grant program.

Attachment No 7

HOUSING CODE

26 Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 509 State Street in the Seversville community

Date of Inspection 6/27/88
A title search was ordered
Date of Reinspection 10/19/88
Owner(s) Ordered To Demolish Dwelling By· 1/8/89
Estimated Value of Dwelling $11,280
Estimated Repair (Which Exceeds 65% of Estimated Value) $18,175

Repairs The repairs include repairing burned walls & ceilings throughout dwelling, replacing flooring & carpet throughout dwelling, repairing electrical wiring in rear bedroom and kitchen; replacing interior doors, replacing windows, repairing rear steps, replacing roof rafters, installing attic insulation, repairing roof, installing heating

system, replacing foundation vents; replacing siding, painting exterior woodwork; repairing front porch, replacing window & door screens, repairing cornice; removing car shed & outbuilding and replacing window sills

This structure is extensively fire damaged and would have to be reconstructed

Civil Penalty — The owner was notified of a civil penalty on February 6, 1989 The total penalty as of February 6, 1989 amounts to $380 00. The owner has also been notified of this Council action.

Funds — Funds for this action are a lien will be placed against the property for cost incurred

Clearances — Community Development Department

SET EXECUTIVE SESSIONS

27 Recommend adoption of a motion to hold an executive session on Monday, March 6, at 3:30 p.m. in Room 270, CMGC, for the purpose of conducting the annual performance evaluation of the City Attorney and an executive session on Monday, March 20, 3.30 p m. in Room 270, CMGC, for the purpose of conducting the annual performance evaluation of the City Clerk, in accordance with G.S 143-318 11

SET PUBLIC HEARING

28 Recommend City Council (1) set a public hearing on April 10, 1989 to obtain the views of citizens on community development and housing needs associated with the expenditure of $3,466,000 in FY90 Community Development Block Grant funds in addition to the expenditure of applicable program income and (2) authorize the Community Development Department to conduct a second public hearing on April 26, 1989 to review program performance and proposed activities for the FY90 Block Grant application

Background information on the Community Development Block Grant application process is attached.

Attachment No 8

TAX REFUND

29 Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $11,936 56 which were assessed through clerical error or illegal levy against 109 tax accounts.

UTILITY CONTRACTS

30 Recommend approval of contracts between the City of Charlotte and the applicants listed below·

These are extension contracts for new development in accordance with the Water/Sewer Extension Policy Item 3 is a 5-year reimbursable contract (construction by Public Bids) The applicant has deposited 10% of the estimated construction cost The remaining 90% will be deposited prior to construction Item 4 is an amendment to a 15-year reimbursable contract (construction by Public Bids) The applicant deposited 10% of the estimated construction cost The remaining 90% will be deposited prior to construction There is no cost to the City and no funds are needed All other items, the applicants are to construct the entire systems at their own property cost and expense The City is to retain all revenue There is no cost to the City and no funds are needed Utility and Planning Directors recommend approval

1 Hill Land Corporation, to construct 248 linear feet of 8-inch water main, 936 linear feet of 6-inch water main and 1,484 linear feet of 2-inch water main to serve Brynmoor Subdivision, located east of Clark's Creek, west of Prosperity Church Road and south of Dearmon Road, outside the Charlotte City Limits Estimated Cost - $100,000 00 Water Contract No. 100-88-218

2 The Lake Norman Company, to construct 2,465 linear feet of 12-inch water main and 590 linear feet of 8-inch water main to serve Davidson Landing, located east of I-77, west of N C Highway 115 and north of N C Highway 73, outside the Charlotte City Limits Estimated Cost - $90,000.00 Water Contract No. 100-88-239

3 Firstmark Development Corporation, to construct 2,050 linear feet of 16-inch water main to serve McKee Road (Beaumaris Subdivision), located east of Elm Lane West and south of Pineville-Matthews Road, outside the Charlotte City Limits Estimated Cost - $97,000.00 Water Contract No. 300-88-276.

4 Leonard W Coppala, to amend an existing reimbursable contract for a sanitary sewer trunk to serve the Camfield Project, located west of Elm Lane West, south of Endhaven Lane and north of Providence Road West, outside the Charlotte City Limits. Revised Estimated Cost - $116,820.00. Sanitary Sewer Job No. 400-88-638

5. UDC Homes Limited Partnership/Leonard W. Coppala, to construct 1,177 linear feet of 12-inch sanitary sewer main and 573 linear feet of 8-inch sanitary sewer main to serve Thornhill Subdivision, located west of Elm Lane West, north of Providence Road West and south of Four Mile Creek, outside the Charlotte City Limits Estimated Cost - $61,250.00. Sanitary Sewer Job No. 100-88-691

6 Caroleen Henderson Enterprises, Inc., to construct 4,184 linear feet of 8-inch sanitary sewer main to serve Cedarfield Plantation, Phase 5B, located north of McIlwaine Road and west of McCoy Road, outside the Charlotte City Limits Estimated Cost - $146,440.00. Sanitary Sewer Job No. 100-88-690.

7 The Lake Norman Company, to construct 2,156 linear feet of 8-inch sanitary sewer main to serve Davidson Landing, located east of I-77, west of N.C. Highway 115 and north of N C Highway 73, outside the Charlotte City Limits Estimated Cost - $75,460.00. Sanitary Sewer Job No. 100-88-700.

8 Frazier Investments, Inc., to construct 2,305 linear feet of 8-inch sanitary sewer trunk to serve N.C. Highway 49 At U.S. Highway 29, located north of N C Highway 49, east of U S Highway 29 and west of W T Harris Boulevard, outside the Charlotte City Limits Estimated Cost -$80,675 00. Sanitary Sewer Job No. 100-88-645.

9 Robert C. Rhein Interests, Inc., to construct 11,552 linear feet of 8-inch sanitary sewer main to serve McDowell Meadows Subdivision, located east of York Road, west of Sugar Creek and north of Arrowood Road, outside the Charlotte City Limits Estimated Cost - $404,320.00 Sanitary Sewer Job No. 100-88-722.

PROPERTY TRANSACTIONS

31. Recommend approval of the following property transactions and adoptions of the condemnation resolutions

1 Project. Park Road Alignment
Owner(s): Will Delaine Sachsenmaier
Property address. 6901 Park Road
Property to be acquired: 13,354 sq ft. (0 3066 acre) of fee acquisition, 390 sq. ft (0 0090 acre) of permanent drainage easement, 20,217 sq ft (0 4641 acre) of temporary construction easement, 16 sq ft (0 0004 acre) of permanent utility easement, and loss of hardwoods and screening
Improvements. N/A
Price. $21,200 00

CONDEMNATIONS

2 Project: 60" Raw Water Main/Catawba Station to Reservoirs
Owner(s) Rodney McCall Bradham and wife, Shelley Miller Bradham and any other parties of interest
Property address. 11601 Abernethy Road
Property to be condemned 11,798 sq ft (27 acre) plus temporary construction easement
Price: $800 00
Reason for Condemnation Property owner refused to accept City's offer based on appraisal They made counteroffer that we purchase entire property. Condemnation is recommended

3 Project: Caldwell Street Widening
Owner(s): Davidson College Trustees and any other parties of interest
Property address. 426 East Trade Street corner and 116 South Caldwell Street
Property to be condemned. 14,195 7 sq ft (0 33 acre) plus temporary construction easment
Improvements: Paved parking lot spaces
Price· $215,000 00
Reason for condemnation To acquire right of way for Caldwell Street widening The owners have counteroffered at $268,678 or $53,678 over city appraisal Condemnation is recommended

4 Project. Park Road Alignment
Owner(s): Tony F Hinson and any other parties of interest
Property address. 3258 Northhampton Drive
Property to be condemned. 604 sq ft temporary construction easement
Improvements. One small dogwood tree

Price: $100 00
Reason for condemnation: Property owner refused to accept City's offer of $250 00 and declined to make counteroffer This is for temporary construction easement only

SCHEDULE OF MEETINGS
February 27 - March 3, 1989

Monday, February 27	EXECUTIVE SESSION Room 270	11:00 a.m.
	COUNCIL/MANAGER LUNCHEON Meeting Chamber Conference Room	1:00 p.m.
	CITIZENS HEARING	2:00 p.m.
	COUNCIL MEETING	2:30 p.m.

#1

The Comprehensive Annual Financial Report, completed in October, provided detailed financial information on all funds of the City. We are pleased to present this report for your review and are available to discuss any comments or suggestions which you desire to share with us.

Afro-American Cultural Center

The Afro-American Cultural Center has requested $70,000 for operating support from the City. Currently, the Center receives indirect support of $4,080 for grounds maintenance under the existing lease agreement. The additional funds are requested for utilities, maintenance, janitorial and security.

Since this is a mid-year request, the Center's Board has been advised to present this request to you for your consideration.

12/16/88

Refuse Collection in Proposed Annexation Areas

During the N.C. General Assembly's 1985 session, legislation was approved which significantly affected the obligation of a municipality to provide refuse collection services to newly annexed areas. Namely, qualified businesses collecting garbage within areas that the City annexes may require that the City either contract with them for a minimum of two years or pay each firm its "economic loss" as a result of losing its business to the City.

As in the 1986 annexation, a staff committee has been created to ensure compliance with the State law and evaluate the options available to the City. The staff committee evaluated two options: (1) Pay each of the qualifying firms its "economic loss" and add 3 City refuse collection crews to provide the services, or (2) Contract with the qualifying firms and add 3 City refuse collection crews for those locations not serviced under contract. The costs associated with Option 1 total $807,621 for the first year and $431,470 for the second year. Only operating costs would be required after the first year. Further, of the three known private haulers which qualify for "economic loss," only two requested such contracts from the City by the required cut-off date, December 5, 1988. Option 2 totals $811,285 for the first year and $586,563 for the second year. Because the qualifying haulers serve only pockets of residences in the annexation areas, the City would need to add 3 refuse collection crews to service the remaining 78% of the service locations.

In addition, Option 2 presented the following operational concerns:

1. Private refuse collection firms are providing a varying level of service and the City would have to compensate those firms for increasing the level of service to that of the City's.
2. The City would incur additional administrative problems of contract management, contract cancellation and complaint resolution.

We are preparing to pursue the payment of "economic loss" to the private firms, as this option would insure that the same service level be extended to all areas of the City.

If you feel this requires further discussion, we could use some of the time prior to the Council meeting December 19th, otherwise we will proceed with staff's recommendation.

A copy of the report prepared by the Finance and Operations Departments complete with attachments is available in your library.

TRANSPORTATION COMMITTEE
January 26, 1989
Executive Summary

The City Council Transportation Committee met at 3 00 p.m in the Conference Center of the Charlotte-Mecklenburg Government Center on Thursday, January 26, 1989, with Chairman Richard Vinroot presiding Vice-chairman Velva Woollen and committee members Stan Campbell and Roy Matthews were in attendance. Committee member Cyndee Patterson was absent. Council member Dan Clodfelter was also in attendance.

Staff members in attendance were Bob Pressley, Randy Jones and Scott Putnam-Department of Transportation, Tom Finnie and Darlene Shrum-City Manager's Office. News media representatives present were Foon Rhee, Charlotte Observer, and Laurie Arrington, Channel 36.

Neighborhood association representatives were present.

Neighborhood Speed Control Report

Discussion Report was provided to the committee for information

Action Taken· The committee requested that the report be provided to all Council members along with information on national experience in neighborhood speed control and Charlotte's measures to date.

Policy on Multi-Way Stop Signs

Discussion The committee asked why Council must approve a set of warrants for multi-way stop sign installations. Explanation was provided that when installing traffic control devices, CDOT is legally required by City Code and State law to conform to the National Manual of Uniform Traffic Control Devices (MUTCD) or specifications approved by NCDOT City Code also permits CDOT to install traffic control devices by resolution adopted by Council If Council believes the MUTCD standards are too restrictive for neighborhood streets, then they must adopt less stringent standards.

Because accidents are likely to occur at random whether or not there are multi-way stops, CDOT is looking at only those accidents which suggest a pattern and are also likely to be reduced by a multi-way stop.

There was discussion of the impact area and at what distance from the multi-way stop intersection should households be able to vote. 75% approval of households in the study area might prove to be too

restrictive and possibly prevent many installations from being implemented CDOT indicated that they will continue to exercise professional judgement on installations that relate to safety

Action Taken The committee approved a motion to adopt the policy Decision was made to limit petition area to three blocks (not to exceed 1800') on each approach to intersection

Neighborhood Through Traffic Study

Discussion The primary change in policy is to standardize the procedure, which was developed over a number of years as well as to formalize the decision-making part of the process

Concern was expressed that CDOT would only receive requests from recognized neighborhood groups, which would be unfair to those neighborhoods that do not have formal organization CDOT explained that they will continue to receive individual requests through the normal process, and that often the process requiring a concensus tends to create neighborhood groups

The neighborhood leaders present expressed concern that the requirement of a petition with signatures of 75% of the households is difficult to achieve and will keep many remedies from being implemented Explanation was offered that in order for remedies to be implemented, it is important to reach a consensus and be consistent from neighborhood to neighborhood

Action Taken Motion was approved to adopt the policy as is, provided that (1) a step 9 be added to evaluate implemented remedies, recommend changes, and then re-evaluate, (2) that CDOT staff may still, in their judgement, implement remedies that relate to safety even if approval of 75% of the households cannot be achieved, and (3) that the Council review the policy in two years

Meeting adjourned at 4 35 p.m.

2B

Neighborhood Through Traffic

Study

Charlotte Department of Transportation
January 22, 1989
Revised: February 6, 1989

Neighborhood Through Traffic Study
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Neighborhood Through Traffic Study
Executive Summary

Toward the end of the Myers Park Through Traffic Study, residents of that neighborhood raised a number of issues, many of which can only be addressed by City Council in its role as the primary policy-maker.

Concerns have been raised about:

- Procedure
- Process for approving proposed remedies
- Remedies used

In addition, there is increased public interest, related to the neighborhood through traffic study program, to include:

- Treatment of speeding

This report attempts to address each of these issues for Council consideration.

On January 26, 1989, the City Council Transportation Committee reviewed the program, and adopted the recommendations provided in Chapter V on this report for Council consideration.

I. Study Procedure

The current program consists of two procedures - one called the "informal" study and the other the "formal" study.

Informal Study

As part of the 1980 revision to the program, Council indicated that, while standards should be tightened, staff should still continue to work with smaller neighborhoods to address their traffic problems. The informal process is used where:

- Neighborhood support is virtually unanimous.
- The problem is readily identifiable and overwhelming.
- The remedies are easily implementable and largely non-controversial.

An example of an informal study was Glendora Drive. In 1987, approximately 1,000 vehicles per day were using Glendora Drive, a short, narrow street connecting Monroe Road with Independence Boulevard. At least 90% of the vehicles using the street were "cutting through." The volume of traffic, as well as the speed of the traffic was jeopardizing the strength of this small neighborhood of eighteen homes to commercial property. CDOT recommended installing "No Left-Turn" signs from Monroe Road onto Glendora, and from Glendora onto Monroe. The neighborhood unanimously endorsed the recommendations. The signs were installed in late 1987 with little opposition, except from motorists who have since received a citation after making a prohibited movement. The program has helped restore Glendora to a neighborhood street.

Formal Study

Although the procedure for a formal study was not approved as partof the Council policy, a fairly complex process has developed over the years. Unfortunately, in order to maintain maximum flexibility to adjust for differences between neighborhoods, the process was never standardized. Consequently, staff at times may have seemed to have been developing the procedure "on the run." Part of the problem in dealing with the recent Myers Park study, which as a neighborhood had a wide variety of problems, was the study procedure had to be developed as the study progressed. This made staff seem arbitrary, and made the study seem biased from any viewpoint, when in fact staff was merely attempting to incorporate the concerns of all sides.

Neighborhood Through Traffic Study
January 22, 1989

Shown below is a description of the procedure, as it currently works, along with a recommendation for a more formalized process:

Existing Procedure	Recommended Procedure
STEP 1: CDOT receives complaint from citizen, neighborhood group, council member.	STEP 1: CDOT would only receive requests from recognized neighborhood groups; individuals still could request relief through the informal process.
STEP 2: CDOT does preliminary data collection to see if neighborhood qualifies for study. Includes traffic count (must be > 4000 vpd) and a license tag match, if necessary.	STEP 2: No change.
STEP 3: Meetings held with neighborhood leaders to determine commitment of neighborhood, and types of remedies acceptable.	STEP 3: No change.
STEP 4: Steering committee formed of anyone interested in process, with emphasis on having representatives from "problem" streets.	STEP 4: Residents of neighborhood advised by CDOT of pending study, requesting volunteers for steering committee. No more than one person per street selected, provided at least 5 members are available. Residents against study not excluded. Council notified of study underway, and anticipated schedule.
STEP 5: CDOT makes study, identifies problems, causes, possible remedies. Steering committee reviews.	STEP 5: No Change.
STEP 6: Steering committee adopts remedies.	STEP 6: No change, except opposition report provided. Impact areas defined.
STEP 7: Neighborhood-wide meeting held. Problems and	STEP 7: Two neighborhood-wide meetings to be held. No decision to be made at

adopted remedies presented. If consensus reached, remedies implemented; if not, additional meetings necessary, until consensus obtained, remedies rejected, or study terminated.

STEP 8: Remedies adopted implemented on 6-month trial basis.

STEP 9: At end of trial, CDOT meets with neighborhood to determine continuance of controls.

meeting. Petition required from impact areas. For more detailed explanation, see II. Approvals Process.

STEP 8: Remedies implemented upon receipt of 75% petition.

STEP 9: CDOT determines continuance based on analysis of effectiveness and public acceptance.

The primary change is to standardize the procedure, which was developed over a number of years, as well as to formalize the decision-making end of the process.

II. Approvals Process

As a result of the Myers Park Study, some residents of the neighborhood raised questions about the fairness of:

- The steering committee
- The recommended remedies
- The neighborhood meeting
- The approval of the remedies

Steering Committee

Continued use of a neighborhood steering committee to assist staff is important to ensure that the neighborhood traffic problems are adequately identified and analyzed, and that appropriate remedies are recommended. In order to ensure greater fairness, a more formalized structure for the committee is recommended:

- Residents of the neighborhood will be notified of the pending study, and volunteers for the steering committee requested.

- The neighborhood contact, as designated by the "List of Neighborhood Contacts" published by the Charlotte-Mecklenburg Planning Commission, will select the committee from the volunteers, with the contact serving as, or selecting the chairperson.

- The committee will have no more than one member per street, provided that at least five members are available.

- As many streets will be represented as practicable.

- No volunteer will be disqualified from serving on the committee on the basis of anticipated opposition to the study or possible remedies.

Recommended Remedies

The remedies to be recommended to the neighborhood as a whole are the remedies selected by the steering committee, based on alternatives provided by staff as a result of analysis of traffic patterns. No recommended remedy is permitted to be in conflict with current engineering practice of City policy. This is current practice; no change needed, except the committee will

provide the neighborhood with a minority report that represents any opposing viewpoint.

Neighborhood Meeting

Two neighborhood-wide meetings will be held. Unlike the present process, the recommended procedure would not make the meetings part of the approvals process. The meetings will provide a forum for the full neighborhood to discuss the issues. The first meeting is intended to discuss problem areas, prior to selection of remedies. The second meeting is intended to discuss the recommended remedies and present the impact areas.

Approval of Remedies

The current process provides that the remedies are approved for implementation based on neighborhood consensus. Program policy gives no guidance on the methodology to obtain consensus, or what even constitutes a consensus. With regard to the latter, consensus in a wide range of policies uses an entirely arbitrary figure of 75% of the subject group. For the sake of consistency, staff recommends continued use of such a high level of neighborhood acceptance, so that neighborhood endorsement cannot be questioned.

The methodology of approval in the past has been flexible. In some cases a petition from the neighborhood endorsing the remedies was accepted. In larger neighborhoods, residents were permitted to "vote" at the meeting. Since complaints have developed as a result of failure of some residents to attend the meetings but find out after the fact that decisions were made, staff recommends that neighborhood approval be constituted only by petition. As a matter of practicality, however, the 75% petition will only be required from the "impact area" of any particular remedy. The impact areas will be defined by the steering committee, between the first and second meetings, and presented to the neighborhood at the second meeting.

Implementation of remedies will takes place only upon submittal of the petitions to CDOT, along with subsequent certification. After a six-month trial, CDOT will review all implemented remedies for effectiveness and public acceptance to determine continuance of the remedy. Additional neighborhood meetings may be required.

III. Remedies

Council is requested to approve a list of remedies to be used, to identify those that are appropriate for use.

In the past twelve years, a number of through traffic control remedies have been used. A comprehensive description of controls used is provided in Appendix H, "Through Traffic Remedies." The remedies used locally include:

- Turn Restriction
- Signal removal
- Signal timing
- Channelization
- "No Right Turn On Red"
- Multi-way stop
- Street closure*
- Median closure or installation
- Parking restriction
- One-way street
- Truck restriction
- Thoroughfare improvement

Other remedies not yet implemented, some of which may not have been tested locally, but which have been used in other cities:

- Speed bumps**
- Speed humps
- Rumble Strips**
- Street narrowing
- Traffic circles
- Diverters
- Woonerfs

(*) denotes those remedies to be used only under special circumstances.
(**) denotes those remedies not recommended for local use.

A description of each remedy follows:

Turn Restriction - A very inexpensive, but effective way to control through traffic. This is the most widely used remedy, because it directly attacks the most common aspect of through traffic - turns off a thoroughfare into a neighborhood. This remedy takes many forms, including peak period-only or full-day restrictions, "No Left Turn" or "No Right-turn", or into or out of a neighborhood. The disadvantage of this remedy is that there

is nothing to physically prevent through traffic from making the restricted movement. Heavy enforcement, especially initially, is required for effectiveness.

Signal Removal - A traffic signal makes it easier for through traffic to get into/out of a neighborhood. Removal may not be feasible where standard warrants are met. Generally, neighborhoods are willing to forego reduction in through traffic to protect the convenience provided by a signal.

Signal Timing - The phasing and timing of a signal can be set to provide minimum green time for primary through traffic movements. This remedy tends to be unpopular with neighborhood residents, and is of limited effectiveness, since motorists seem to be willing to wait, or may not even notice the disadvantageous timing.

Channelization - This remedy uses concrete islands to force traffic to turn, or not to turn, in certain directions. This remedy is highly effective, especially when used in conjunction with turn restrictions. Cost is more than signing, but is still relatively small.

"No Right Turn On Red" - Easy to install, and low-cost, but of questionable effectiveness.

Multi-way Stop - Easy to install, and low-cost, but of questionable effectiveness when used in an isolated situation. May be effective when used in multiple installations, but must be implemented as part of a coordinated package. Also, staff is concerned about use of multi-way stops at unwarranted or unnatural locations, and the impact on public compliance with stop signs at locations where motorists must stop.

Street Closure - The most effective through traffic control remedy, when used to choke off traffic at key constraining points. May be expensive, due to reconstruction needed, such as providing a cul-de-sac for large vehicle turn around. This remedy is also one of the most controversial. Requires Council approval, and will be recommended only under special circumstances.

Median Closure or Installation - A very effective remedy, with the provision of a physical barrier. Good public acceptance and of medium cost. May cause traffic impacts at other locations.

Parking Restriction - By discouraging non-resident parking, such as in school areas, neighborhood traffic may be decreased. Conversely, by encouraging on-street parking, through traffic flow may be hindered, although possibly at the expense of safety. This remedy is low-cost, but minimally effective.

One-way Street - Implementation disrupts traffic flow through a neighborhood. By forcing a motorist to chose a different travel route for at least one leg of their trip, they may decide the new way is better. This remedy is very effective, but with limited opportunities for implementation. It also may make trips of the residents themselves more circuituous as well as add trips to adjacent streets.
Truck Restriction - Easy to implement with signing, but hard to enforce, if it is an actual problem. This is an infrequent issue in NTTS.

Thoroughfare Improvement - The primary cause of through traffic is often inadequate on non-existing thoroughfares. Hopefully, upcoming major improvements will provide relief to some neighborhoods.

Speed Bumps - Effective for slowing vehicles in shopping centers but not on a public street, since the effect may be avoided by going fast over the bump. May have no effect on through traffic. Liability issues are a question. This remedy is not recommended for use.

Speed Humps - Similar to speed bumps, but do not present same level of hazard, since the rise in the pavement is much wider. Impact is not predictable.

Rumble Strips - This is either a series of cuts in the pavement, or strips placed on the pavement, to create vehicle noise and vibration. This remedy is of questionable effectiveness, and may be objectionable to nearby residents. This remedy is not recommended for use.

Street Narrowing - This remedy involves reclaiming part of the parking or travel area to make it difficult for through traffic to negotiate a neighborhood. May be effective if part of an overall neighborhood traffic management strategy, but can also create safety problems.

Traffic Circles - This remedy involves placing a circular island in the center of an intersection. This remedy is only partially effective in controlling speed, and has much less effectiveness on through traffic.

Diverters - This remedy involves placing a barrier diagonally across an intersection, in order to re-route traffic. This remedy is effective, but expensive. It is difficult to attain neighborhood support due to the inconvenience it may cause to residents.

Woonerfs - This remedy is a pedestrian-oriented residential district. Fourth Ward would be the nearest example, except that a woonerf has greater design interface between vehicle and pedestrian. It usually is applied in "brownstone" type neighborhoods and probably is not appropriate for Charlotte at this time.

IV. Speeding

With every neighborhood through traffic study, speeding has been a major issue with the residents. In fact, in many neighborhoods, speeding is a more important issue than the number of vehicles that "cut through." At most neighborhood meetings, a frequent comment is, "I wouldn't mind the through traffic so much if they didn't drive so fast."

Since the charge provided by Council to staff provides no guidance about treatment of speeding problems as part of the through traffic study process, the study does not incorporate those remedies aimed at speeding. If a remedy provides a speed reduction benefit as well as a through traffic reduction, so much the better.

Since many of the remedies for treatment of speeding are the same as those to attack through traffic, staff recommends that speeding concerns be part of the neighborhood study process, and that a neighborhood study can be initiated based on speeding. A full discussion of speed control in neighborhoods is provided in Appendix C.

If this recommendation is adopted, the Neighborhood Through Traffic Study (NTTS) program would be renamed to Neighborhood Traffic Study (NTS) program.

V. Recommendations

On January 26, 1989, the City Council Transportation Committee adopted the below listed recommendations for Council consideration:

- Adopt step-by-step procedures for the formal program. The informal procedure would remain unchanged.
- Define responsibilities in the decision-making process of the formal procedure.
- Approve a list of remedies available to the neighborhoods, and any conditions upon which they may be approved.
- Expand Neighborhood Through Traffic Study (NTTS) program to address issue of speeding in neighborhoods. The program would be renamed to the Neighborhood Traffic (NTS) program.
- The program should be re-evaluated in approximately two years to determine effectiveness of adopted changes.

APPENDIX A

II 6

Request for Council Action

Charlotte

JUN 20 1988

Attach 3

To the City Council

From the City Manager

PUBLIC SERVICE

Action Requested That Council Reconsider the Neighborhood Through Traffic Study (NTTS) Program.

Responsible Department Department of Transportation

This request should be organized according to the following categories Background, Explanation of Request, Source of Funding, Clearances, Bibliography

BACKGROUND

At its workshop on June 1, 1988, City Council indicated a desire to review the Neighborhood Through Traffic Study (NTTS) program.

As a result of public interest in protecting neighborhoods from the impact of through traffic, on October 24, 1977 City Council adopted a resolution authorizing staff to study and implement traffic controls to decrease through traffic in neighborhoods. The Traffic Engineering Department (now the Department of Transportation) immediately received approximately 20 petitions, each of which were evaluated. Due to the need, however, to give priority to the major through traffic problems, on April 2, 1980, Council amended the NTTS process to limit treatment to major problem areas. Previously, petitions were received to control traffic on streets carrying only a few hundred vehicles per day. Changes to the program included requirements that a study cannot be initiated unless a neighborhood street carries at least 4,000 vehicles per day, with 40% of the vehicles being through traffic. Copies of both Council resolutions are attached.

JUN 13 1988

Referred to Transportation Committee

Marita C. Detmeler
Deputy City Clerk

Since the beginning of the program, twenty-three neighborhoods have been studied (portions of some more than once), with traffic controls implemented in twelve of the neighborhoods. A list of the neighborhoods, along with any controls tested, is attached.

Over the past two years, staff has been working with the residents of Myers Park neighborhood. The study was initiated by petitions submitted separately by the residents of Chilton Place, off Sharon Road, and Westfield Road, off Queens Road West. Both petitions represented 75%* of the households of each street. Both streets had 4,000 vehicles per day, and at least 40% of the vehicles using the street was through traffic. Subsequent study indicated that although no other thoroughfare met the 4,000 vehicle criteria, many of the streets in the neighborhood had through traffic which exceeded 40%, and as high as 80%. In coordination with the Myers Park Homeowners Association, a steering committee worked with staff to develop remedies to address the problems identified in data collection. The remedies, composed of turn restrictions and median changes, were presented to the neighborhood at the May 10, 1988 neighborhood meeting, attended by approximately 500 persons representing 251 households. The neighborhood voted to implement only those controls involving turn restrictions. Staff is preparing to install the necessary signing, but will not order installation until Council's review is complete.

EXPLANATION

The NTTS program presents a number of issues which Council may wish to discuss:

1. Should traffic controls be used to decrease through traffic?

2. If displacing through traffic adds additional burden on the thoroughfare system (it is presumed by design not to impact other neighborhood streets), should the controls be implemented?

3. Who should initiate requests for through traffic studies - individuals, streets, or neighborhoods?

4. Who should decide where controls are to be installed - an individual street, a whole neighborhood, the impact area, CDOT, or Council?

5. Is the 75% neighborhood confirmation too stringent?

6. If a neighborhood (or impact area) makes the decision, should it be by ballot, or petition? What percentage of the neighborhood should make the final decision?

7. If the procedure continues, what role does Council wish to play?

*Petition process originally required 2/3 petitoin, but was changed administratively, and with advisement from Council, in 1985 to 75% petition in order to define a stronger consensus and make the program consistent with other departmental procedures.

There are a number of alternatives Council may wish to consider:

1. Rescind the Council resolutions of 1977 and 1980, to discontinue the program.

   a. Remove all restrictions previously implemented including Colony and Reddman Roads.

   b. Leave current restrictions

      (1) "Grandfather" Myers Park proposals

      (2) Do not "grandfather" Myers Park proposals

2. Alter the program procedure in one of the areas listed:

   a. Council review

   b. Percentage consensus required

   c. Type of controls available

   d. Decision-making process

3. Leave as is.

SOURCE OF FUNDING

Efforts in this program area, with the exception of street closures, are assumed within the Department of Transportation budget.

CLEARANCES

None required.

BIBLIOGRAPHY

Council resolutions, list of pending studies, and list of past studies are attached.

RESOLUTION TO LIMIT THROUGH TRAFFIC IN
RESIDENTIAL NEIGHBORHOODS

WHEREAS, through traffic often is a major cause in the deterioration of residential neighborhoods in Charlotte; and

WHEREAS, the protection and encouragement of inner-city and other neighborhoods is a principal objective of the Charlotte-Mecklenburg Comprehensive Plan as adopted by this Council; and

WHEREAS, this City has long been concerned with providing for the efficient flow of vehicular traffic; and

WHEREAS, this Council desires to take an active interest in protecting residential neighborhoods from the damaging effects of through traffic;

NOW, THEREFORE, be it resolved by the Council of the City of Charlotte that the policy of this City shall be to reduce through vehicular traffic in residential neighborhoods throughout the City, and, wherever prohibition or reduction of through traffic is not appropriate, to reduce the detrimental effects of such traffic; and

BE IT FURTHER RESOLVED, that the Transportation Planning Coordinator, Traffic Engineering Department, Charlotte-Mecklenburg Planning Commission, Transit Planning Office, and other concerned departments be directed:

1. To study and implement appropriate methods to control through traffic in residential neighborhoods adversely affected by such traffic, with due consideration for the impact of such methods on other streets in the vicinity, according to the following procedures:

a. Two-thirds of the residents on a street would be required to petition City Council requesting a traffic diversion plan.

b. Following receipt of the petition by City Council, the proponents of the plan would meet with the Traffic Engineering Department to discuss their problems and objectives.

c. A study would be made of the effects of traffic diversion on adjacent streets, emergency service access to the area, feasible means of traffic diversion and other relevant considerations, and recommendations would be made to City Council for its consideration.

d. Following City Council approval, temporary diversion devices would be installed and observed for six months.

e. A final report would be made to City Council and with its approval, actions would be initiated to make temporary diversions permanent;

and

2. To study and implement methods of improving the traffic capacity of existing arterial streets and highways, with particular emphasis on methods such as reversible lanes or express lanes which will reduce the need to widen streets; and

3. To continue to develop and recommend methods of promoting the use of public transit; and

4. To consult neighborhood organizations and residents in connection with proposed major programs to deter through traffic in various neighborhoods; and

5. To report to this Council not less than semi-annually or more frequently, if required, on their activities and experience related to the implementation of the policy and directions contained herein.

This the 24th day of October, 1977

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of October, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 13, at page 59-60.

Ruth Armstrong, City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING ITS ADMINISTRATIVE PROCEDURES RELATIVE TO THE NEIGHBORHOOD THROUGH TRAFFIC STUDY PROCESS.

WHEREAS, the City Council has adopted a procedure to relieve through traffic in neighborhoods, and

WHEREAS, the Transportation Committee of City Council has identified various changes needed in the procedure;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that the City Council make the following changes in the neighborhood through traffic process:

1. That the Traffic Engineering Department, upon receipt of a counter-petition, which indicates insufficient signers to the original petition, may terminate the study, but will call attention of this termination to Council at the next regular public meeting.

2. That, where standard or routine traffic engineering applications are indicated in the resolution of the through traffic study, and where the Traffic Enginering Department and neighborhood are in agreement, such applications may proceed without prior approval of Council.

3. That Traffic Engineering not accept any more neighborhood through traffic petitions until the Mayor's Transportation Committee completes its review of the procedures and makes its recommendations.

4. Except where Council directs otherwise, the following minimum criteria must be satisfied in order to initiate or continue a neighborhood through traffic study:

   a. The street concerned must have a minimum of 4000 vehicles per day (ADT).

   b. Through traffic on the street must exceed 40%.

   c. The street network in the neighborhood concerned must be able to accommodate neighborhood traffic control measures.

   d. In constructing any permanent barricades or diverters, a public hearing on the issue must be held.

5. That, when neighborhood traffic control studies are initially presented to Council, the date be set as near as possible to six (6) months after that time for Council consideration for final resolution of any neighborhood through traffic application.

RESOLVED, this the 31st day of March, 1980.

Approved as to form.

Henry H. Underhill, Jr.

Henry H. Underhill, Jr.

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 31st day of March, 1980, the reference having been made in the minutes of the meeting in Minute Book 73, and recorded in full in Resolutions Book 15 Pages 453-454.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of April, 1980.

Ruth Armstrong

Ruth Armstrong, City Clerk

APPENDIX C

MEMORANDUM

DATE: January 4, 1989

TO: Julie Burch
Assistant City Manager

FROM: R. N. Pressley, Jr., Director
Department of Transportation

SUBJECT: Speed Control in Residential Neighborhoods

Recently, members of the City Council and other individuals have expressed interest in innovative solutions to the problem of speed control in residential neighborhoods. To make sure there were not techniques being used elsewhere that we were unaware of, we have conducted research among technical literature on the topic. The results of this review are synthesized in the enclosed report. It represents the most up-to-date thinking by American transportation engineering professionals and elected representatives, with none of the resource material being dated prior to 1980.

I think you will find that our approach to the problem -- i.e., comprehensive neighborhood-wide studies -- is still the best remedy for this all-too-common complaint. Of course a more desirable solution would be for neighborhoods to be designed in such a manner that cut-through traffic is not possible, for our thoroughfare network to be adequate to meet the demands of traffic at all times, and for our motorists to respect posted speed limits everywhere.

RNPjr/KC/mdp

cc: R. Jones
D. Gillis
M. Cramton

SPEED CONTROL IN RESIDENTIAL NEIGHBORHOODS:

WHAT WORKS AND WHAT DOESN'T

A Special Report

by

The Planning Division

Department of Transportation

City of Charlotte

January 04, 1989

SPEED CONTROL IN RESIDENTIAL NEIGHBORHOODS:

WHAT WORKS AND WHAT DOESN'T

There are two basic steps that are most effective in keeping speeding traffic out of residential neighborhoods. First, there should be an adequate thoroughfare network. Since the primary function of thoroughfares is to move traffic, that is where high volumes and moderate speeds (as opposed to freeway speeds, which are highest) rightfully belong. The primary function of most residential streets is to provide access to homes. Therefore, the second step in preserving the integrity of neighborhood streets is to design each neighborhood street network so that cut-through traffic cannot be accommodated.

While these two steps appear rather simple and straightforward, executing these steps often is far easier said than done. Many residential areas were built before modern subdivision practices came into use. In the past, for example, grid-like street networks were used virtually everywhere they were feasible. While a grid system tends to balance volumes among all streets, it can also make it difficult to protect areas where through traffic is undesirable. Many neighborhoods, built piecemeal, are so massive that what is thought to be cut-through traffic actually originates or terminates somewhere within the same residential area.

Although preventive measures described in the first paragraph are most effective, economical, and acceptable, protection of residential areas from heavy traffic and excessive speeds often must be achieved (or attempted) by artificial, retrofitted measures. These measures include the following:

- Stop signs
- Warning signs (e.g., "CHILDREN AT PLAY")
- Police enforcement
- Centerlines, edge lines, marked crosswalks
- Speed limit signs
- Speed bumps, speed humps
- On-street parking
- One-way operations
- Rumble strips
- Special devices (e.g., flashing signs)
- Improved traffic signal timing
- Truck restrictions

- Street narrowing, necked intersections
- Neighborhood traffic management plans
- Turn restrictions
- Traffic circles
- Street closings
- Cul-de-sacs
- Channelization, islands (medians), diverters
- "Woonerfs"

There may be a few other measures but these are the ones most requested, considered, and/or implemented. You can find proponents for each of the measures listed above; however, those generally recognized by traffic engineers as being <u>in-effective</u> include <u>stop signs</u> that are not warranted, <u>warning signs</u> such as "SLOW, CHILDREN AT PLAY," <u>police enforcement, pavement markings, speed limit signs.</u>

Some of the other measures may be somewhat effective but present other problems. <u>Traffic bumps</u> are almost universally rejected as unsafe for use on public streets because they are effective only at extremely low speeds (5-10 mph) and pose a real hazard to faster vehicles as well as to emergency vehicles, bicyclists and pedestrians; they are not uncommon on private streets and parking lots. <u>Traffic humps</u> are being cautiously tried in a few places. Generally the experience has been that the humps do not have the safety problems of bumps but often merely relocate the speeding problem to another, nearby street. There are other concerns about humps, including: they are expensive, especially if they would have to be installed wherever residents requested them; emergency response times could be increased; and maintenance, service, and transit vehicles might be slowed so that schedules would be affected. Many professionals still have concerns regarding liability of speed humps. If used, strict guidelines for their applications must be adopted. Except in a few isolated cases, other measures could achieve (or exceed) the effect of humps and be more desirable as a permanent treatment.

Restoring <u>on-street parking</u> may be effective by causing motorists to divert to other routes; however, on-street parking may result in more pedestrian accidents especially involving children darting out between parked cars. <u>One-way operations</u> are feasible only where parallel or loop streets are involved. They increase travel time, distance, and fuel consumption and may increase vehicle volumes. They can cause pedestrian problems during initial implementation periods. They may also affect routing for maintenance, service, transit, and emergency vehicles. Transit riders would have to walk farther at one end of their trip. <u>Rumble strips</u> are usually avoided for residential use because of the noise they produce. They also may attract certain drivers who enjoy the effect, particularly at night.

Special devices such as signs that flash "YOU ARE SPEEDING" or similar messages may experience a novelty effect when first installed or where unfamiliar motorists are a significant component of the traffic. Generally such signs are ignored after the novelty wears off and they, too, may attract "joy riders" who deliberately speed to actuate the device.

By improving traffic signal timing at intersections on thoroughfares, traffic is more inclined to stay on thoroughfares than to cut through residential areas. Improvements that add turning lanes at major intersections that would otherwise be congested also help keep traffic from diverting off of the thoroughfare system. On the other hand, signal installations where a residential street intersects with a thoroughfare may encourage traffic to cut through a neighborhood if the network of streets within the neighborhood also makes cut-through routes attractive.

Truck restrictions are a special application appropriate only where trucks regularly travel through a residential area and where alternative routes on thoroughfares are available. To be effective, such restrictions must be enforced.

In some cases, there are wide streets that attract through traffic or encourage higher speeds even though they were not intended to (or, perhaps, are no longer intended to). Streets can be narrowed by reclaiming pavement for planting strips or sidewalks. This measure should be considered cautiously, however, because it is expensive and may not be effective unless other measures are implemented at the same time. When short blocks are involved, the narrowing may be done only near intersections. This technique is called by various nicknames, including "nubs," "chokers," and "neckdowns." This method permits the extra pavement still to be used for parking or bus stops and yet takes away the vista of a broad boulevard from motorists at the intersection(s) where they would be most likely to enter the street. Adequate corner radii and curb-to-curb width still would be provided to handle two-way traffic (unless the street is to operate in a one-way model). In some cases, the pavement may be narrowed only on one side near the corner to prevent traffic from entering the street, but still allow traffic to exit the street. Such narrowings shorten pedestrian crossings, which is a safety benefit.

The remaining measures can be effective when used as part of a comprehensive neighborhood traffic management plan. The least expensive measure--in terms of direct cost of implementation--is turn restrictions. Such restrictions typically prohibit the movement that would occur most often during peak hours--for example, "NO LEFT TURN, 7:00 A.M. TO 9:00 A.M., MONDAY THRU FRIDAY." In somes cases the prohibition is for 24 hours a day. The advantages of such restrictions include the following:

- No construction costs;
- Street still available for use at all times;
- Least negative impact on residents within the area.

The disadvantages are the obvious:

- Area residents inconvenienced by restrictions as well as cut-through motorists;
- Long-term effectiveness may depend on enforcement.

Traffic circles have been used in a few jurisdictions to control speed and reduce accidents and traffic volumes. Seattle appears to have the most widespread and effective program using traffic circles. They are not recommended for intersections experiencing high volumes of left-turn movements. Seattle's experience overall has been favorable but most circles there are installed as part of neighborhood traffic management plans involving other types of diverters. Montgomery County, Maryland is experimenting with mini traffic circles similar to Seattle's but, so far, has not had much success in getting residents to accept them as permanent installations.

Street closings, cul-de-sacs, and channelization treatments are used most often to restore the integrity of neighborhood streets. Of course these are the most extreme measures available and are controversial. However, the Supreme Court has upheld similar measures that strive to protect neighborhoods. The Court found--in a case concerning an Arlington County, Virginia residential permit parking ordinance--that

> a community may...decide that restrictions on the flow of outside traffic into---residential areas would enhance the quality of life, thereby reducing noise, traffic hazards, and litter. By definition, discrimination against nonresidents would inhere in such restriction.... The Constitution does not outlaw these social and environmental objectives, nor does it presume distinctions between residents and nonresidents of local neighborhoods to be invidious.... [County Board of Arlington County, Virginia v. Rudolph A. Richards et al., October 11, 1977]

A "woonerf" is a Dutch word for a "residential precinct." Woonerven were developed in the '60's and '70's and have been successfully applied primarily in The Netherlands and Germany. Basically, the technique is implemented in a high-density type of environment (e.g., "brownstone" or "row-house" areas) where yards and off-street parking spaces are limited if they exist at all. Streets in a woonerf area provide no routes for through traffic; pavement textures, parking spaces, planters, and other street furniture are used to break up the continuity of a street. Pedestrians have equal right-of-way with vehicles. Because vehicles must travel so slowly to traverse such streets, a woonerf is rarely more than two or three blocks long and one-way operation is not desirable. There have been a few attempts at creating woonerf areas in the United States but no notable successes to report. They are more likely to be promoted for high-density neighborhoods in areas that have aggressive pedestrian safety programs, such as in Boulder, Colorado.

It is worth noting again that each of these measures can be avoided if the neighborhood is designed properly in the first place. If a residential area has access to more than one thoroughfare, there should be only very circuitous routes between the access points; better yet would be no routes between them. Collector streets should not be too long; the longer ones

ideally should not have single-family frontage if possible. And more effort should be made to install sidewalks when subdivisions are built, at least on the collector streets. They should be mandatory on all thoroughfares, of course.

The measures selected for implementation under a neighborhood traffic management plan will be controversial no matter how successful they are or are not. Non-residents will complain that all streets are for all people, their taxes paid for the street, etc. Not only is this not always true, it is moot because, as stated above, the Supreme Court has already supported the concept of protecting neighborhood streets.

However, there are steps that can be taken to diminish some of the opposition that such protection measures usually engender. First and foremost is for the traffic engineers and residents of an area to work together to develop a plan. Compromises will need to be made by both sides. For example, there is some evidence that certain actions produce no <u>real</u> results (i.e., no reduction in 85th percentile speed) but residents <u>perceive</u> an improvement. As long as such devices do no harm and are not overly expensive to install and maintain, engineers most likely can accept such "placebo" countermeasures. On the other hand, citizens have to be prepared to accept the fact that police cannot be on the scene permanently to catch every violator. Frequently speeders who are ticketed in residential areas are residents of the same area.

For more detailed information about this topic, a reading list is attached (Appendix A). These materials are available in the Planning Division of the Department of Transportation. We especially recommend the first item on the list--not because we endorse necessarily the recommendations of the report but because the article fairly describes the issues involved in terms a lay person can easily understand. A copy of this article is attached (Appendix B).

APPENDIX A

SPEED CONTROL IN RESIDENTIAL NEIGHBORHOODS: A READING LIST

Meier, Diane, "The Policy Adopted in Arlington County, Virginia, for Solving Real and Perceived Speeding Problems on Residential Streets," 1985 ITE Compendium of Technical Papers, pp. 97-101.

"Neighborhood Traffic Controls," Information Bulletin by Public Technology, Inc., for Transportation Task Force, Urban Consortium for Technology Initiatives; Revised Edition, January 1980.

Smith, Daniel T. Jr., Donald Appleyard et al., State of the Art: Residential Traffic Management, FHWA Report No. FHWA/RD-80/92, Federal Highway Administration, December 1980.

Smith, Daniel T. Jr., and Donald Appleyard, Improving the Residential Street Environment - Final Report, FHWA Report No. FHWA/RD-81/031, Federal Highway Administration, May 1981.

"Road Bumps--Appropriate for use on Public Streets?" by ITE Technical Council Committee 5B-15, ITE Journal, November 1986, pp. 18-21.

Clement J.P., "Speed Humps and the Thousand Oaks Experience," ITE Journal, January 1983, pp. 35-39.

Stephens, Burton W., "Road Humps for the Control of Vehicular Speeds and Traffic Flow," Public Roads, December 1986, pp. 82-90.

Wiersig, Douglas, and John W. Van Winkle, "Neighborhood Traffic Management in the Dallas/Fort Worth Area," 1985 ITE Compendium, pp. 82-86.

Frangos, George E., "Howard County's Speed Control in Residential Areas Utilizing Psycho-Perceptive Traffic Controls," 1985 ITE Compendium, pp. 87-92.

Jepsen, Steven R., "The American Woonerf, Boulder's Experience," 1985 ITE Compendium, pp. 102-107.

Kanely, Brian D. and Bruce E. Ferris, "Traffic Diverters for Residential Traffic Control - The Gainesville Experience," 1985 ITE Compendium, pp. 72-76.

Clark, Jeffrey E., "High Speeds and Volumes on Residential Streets: An Analysis of Physical Street Characteristics as Causes in Sacramento, California," 1985 ITE Compendium, pp. 93-96.

APPENDIX A (Continued)

von Borstel, Edwin W., "Traffic Circles: Seattle's Experience," 1985 ITE Compendium, pp. 71-81.

Dare, James W. and Noel F. Schoneman, "Seattle's Neighborhood Traffic Control Program," ITE Journal, February 1982, pp. 22-25.

Kupferberg-Ben David, Naomi and Ronald G. Rice, "The Effect of Road Design and Traffic Control Factors in Child Pedestrian Safety," 1988 ITE Compendium, pp. 55-59.

Nitzel, John J., Frederick G. Schattner, and John P. Mick, Jr., "Residental Traffic Control Policies and Measures," 1988 ITE Compendium, pp. 217-223.

Allington, Roger W., "Practical Applications of Traffic Engineering Principles," 1988 ITE Compendium, pp. 90-91.

Welke, Ronald C. and Sarah R. Navid, "Residential Traffic Control Initiatives," 1988 ITE Compendium, pp. 92-95.

McGarry, Robert S., "Pilot Speed Enforcement Program," Memorandum from Director, Department of Transportation, Montgomery County, Maryland, to Chief of Police, August 19, 1988 (with attachments).

APPENDIX B

THE POLICY ADOPTED IN ARLINGTON COUNTY, VIRGINIA, FOR SOLVING REAL AND PERCEIVED SPEEDING PROBLEMS ON RESIDENTIAL STREETS

Diane Meier

What is excessive speeding on a residential steet? What traffic control devices are effective in solving speeding problems? What should be done when citizens perceive speeding on a street that does not really have a speeding problem? The lack of commonly-accepted standards to address these questions is the cause of the battles between citizens and transportation engineers.

Citizens who perceive excessive speeding on their street become angry when their requests for solutions are resisted by the engineers. If the engineers say that the accident data does not indicate a problem, the citizens ask in outrage whether someone has to be killed before the engineers will act. The citizens often demand a four-way stop, or perhaps a series of stop signs, as an inexpensive, "easy" solution. The engineers respond that the purpose of stop signs is to assign right of way, not to control speed, and that the warrents are not met in this particular location. The debate often becomes explosive and has to be resolved by the elected officials. Politicians tend to respond to their constituents' emotional appeals for solutions to speeding problems by installing the stop signs requested despite the advice of their engineers. Each new "political" stop sign makes the next request for an unwarranted stop sign harder to resist. The political stop signs are generally disregarded, and therefore, they can actually decrease safety on the street.

I was caught in the middle of these battles when I was the planner responsible for coordinating the Neighborhood Conservation Program in Arlington Country, Virginia. For the past 20 years, Arlington citizens have developed their own plans for conserving their neighborhoods. The plans include recommendations for the neighborhoods' land use, zoning, parks, community facilities and street system. After the County Board approves a conservation plan, the neighborhood is eligible for funds to implement the capital improvements recommended in their plan.

I worked as the liaison between the citizens who develop the plans, and the County staff who review the plans. My objective was to negotiate compromises between the citizens and the staff before the public hearings. This was to spare the County Board from the unpleasant task of choosing between the staff and the citizens in a public meeting, especially now that those meetings are broadcast on cable television. I found that the hardest type of issue to resolve in advance of the public hearing was a speeding issue because citizens tend to be so emotional on the subject.

My experience was that the leading citizen activists on a speeding issue were usually parents of young children. Some of these activists admitted to me that they had purchased their homes before they had children, and they became concerned about traffic on the street only after their children were born. These parents are emotional about speeding because they fear that their children will be killed by running into the street in front of a car. One obvious solution would be to move to a street that doesn't scare them, such as a cul-de-sac. When moving is not an option for these worried parents, they are relentless in their pursuit of solutions that they think will protect their children.

I became convinced that the only way to counter the emotional nature of the speeding issue would be to establish standards that were accepted by all parties: citizens, engineers, planners and elected officials. The standards would ensure that decisonmaking would be rational rather than emotional. The question was how to develop standards that would be acceptable to all parties. I knew the engineers would accept standards that were reasonable, especially if the standards banned the use of stop signs for speed control. The problem was convincing the engineers that it would be possible to develop standards in a process involving citizens. And I knew that the standard-setting process would have to include citizens in order to gain citizen support. It was clear that the engineers would not open this Pandora's box unless directed to do a study of the issue by the County Board.

An opportunity to initiate this study occurred during the battle over a request for four-way stops to control speeding in the Lyon Village neighborhood. A series

Urban and Environmental Planner,
ICF Incorporated, Washington, D.C.

of four-way stops were recommended in 1983 by the civic association to control speeding perceived by residents on Key Boulevard. The County engineers were frustrated by this recommendation because a traffic management plan for Lyon Village had been successfully implemented in 1980 and had significantly reduced the problem of traffic shortcutting through the neighborhood.

Key Boulevard, a 36-foot, 12-block collecter street, was a popular alternative route for drivers who wanted to avoid the congestion of the two parallel arterials. The residents of side streets connecting Key Boulevard to the arterials were as anxious as the residents of Key Boulevard to reduce the shortcutting. After literally years of battles betwen the citizens and the engineers, a comprehensive traffic management plan was approved by the County Board. Turn restrictions, traffic diverters, "nubs", and one four-way stop were installed in the neighborhood. The four-way stop on Key Boulevard had been opposed by the engineers, but not strenuously, because the intersection just barely missed meeting the warrents.

"Nubs" are devices used in Arlington to extend the curb at intersections in a nub-like shape up to the edge of the parking lane. Nubs are considered by Arlington's engineers and citizens to have three beneficial effects: improving pedestrian safety by reducing the width of pavement to be crossed and improving the view of oncoming traffic; protecting parked cars by defining the parking lane, and; reducing the speed of vehicles by reducing the street's capacity. The nubs reduce capacity by eliminating the parking lane as an additional lane at intersections for vehicles turning right or going around vehicles stopped for a left turn.

A series of nubs were installed along Key Boulevard. The nubs and other devices reduced traffic volumes on Key Boulevard from approximately 4,000 to 2,000 vehicles per day. The residents of Lyon Village, the engineers, and the elected officials were all very pleased with the success of the traffic management plan. No wonder the engineers were so discouraged when a group of newcomers to Lyon Village decided a few years later that Key Boulevard needed a series of four-way stops to control excessive speeding!

The engineers argued that there was no speeding problem on Key Boulevard. They pointed out that with its speed limit of 25 mph, the average speed on Key Boulevard was 25.6 mph and the 85th percentile was 29 mph. The engineers once again pointed out the dangers of installing stop signs that do not meet the warrants.

In the face of this speed study data and the vehement arguments of the engineers against stop signs, the citizens decided upon their compromise position; the citizens urged that if stops signs were not considered feasible by the County Board, then the engineers should be directed to study alternatives, including speed humps. Speed humps, as distinguished from speed bumps, were familiar to many Arlington residents because of the Washington, D.C. demonstration speed humps project on 46th Street. This speed hump "compromise" was so unreasonable that the County Board felt completely comfortable ignoring it. To ease the citizen's pain from this rejection, the Board ordered additional police enforcement on Key Boulevard. And, in addition, the Board directed the County staff to to prepare a report on the speeding issue in general. The Board specified that the Neighborhood Conservation Advisory Committee (NCAC) should participate in the study on the speeding issue.

NCAC is the council of citizen representatives from the 28 neighborhoods that participate in the Neighborhood Conservation Program. Five NCAC members, including the Lyon Village representative, volunteered to particiate in the study. The study group included the Public Works Department Director, H.S. Hulme, and the Public Works Traffic Engineering Division Chief, William Scruggs. Two traffic engineers, Joe Durkee and John Allen, also participated in the study group. In addition, there were two police officers participating. I was selected to write the report to the County Board partially because no one else had the time, and partially because both the citizens and the engineers trusted me. The engineers trusted me because I had worked in the Public Works Department for three years. The citizens had learned to trust me (despite my past association with engineers) in the year I had been working as the staff liaison to NCAC.

Mr. Hulme decided that the study process would start with a series of seminars to educate the NCAC members on some basic traffic engineering principles. The seminars were skillfully orchestrated by Mr. Scruggs. This education effort was a very important factor in the success of the study. Excerpts of traffic engineering text books and studies were distributed to the citizens and explained at these seminars.

From the seminars, I had a sense of what was required in a policy to satisfy the citizens, the engineers, the planners and the elected officials. The policy I developed was approved by the study group. The citizen members of the study group presented the policy to the NCAC, the Transportation Commission, the Civic Federation, the Planning Commission and the County Board. The support of these citizens from the study group was definitely a factor in the favorable response to the policy from the community. But even more important was the fact that the policy has something for everyone in it.

The policy's central feature is a definition of what constitutes excessive

speeding, moderate speeding and no speeding problem. The definition uses the 85th percentile as a standard for the evaluation of radar data to determine the level of speeding. If the 85th percentile is more than 10 miles above the speed limit, there is an excessive speeding problem. If the 85th percentile is between 5 and 10 miles above the speed limit, there is a moderate speeding problem. If the 85th percentile is at the speed limit, there is no speeding problem.

The list of alternative speed control devices allowed in Arlington is another feature of the policy, in addition to the definition of speeding. As shown in the table below, the first category of traffic control devices are not effective at controlling speed, but are allowed because of their potential placebo effect on streets where there is no speeding problem. Speed limit signs will be installed on any block where requested by citizens, because they satisfy many citizens' concerns, especially when accompanied by police enforcement. Pavement markings are included in Category 1 because they are so frequently requested by citizens who want to control what they perceive as speeding. There are criteria for pavement markings that are entirely unrelated to speed, as shown in the table below. Even if studies show that the speed limit signs and pavement markings do not reduce speeding, people will often perceive an improvement, especially where the speeding problem was not really a problem. This placebo approach is only appropriate as long as the traffic control device serving as the placebo is not being misused. For this reason, Category 1 does not include stop signs.

Category 2 consists of the following traffic control devices which are effective at controlling speed on streets with moderate or excessive speeding problems: special roadway condition signs; school zone signs; "you are speeding" flashing signs; one way streets; turn prohibitions; cul-de-sacs; diagonal diverters; semidiverters; nubs; and traffic circles. While many of these traffic controls are not specifically designed for speed control, they may reduce speeding by reducing traffic volumes. Cul-de-sacs, diagonal diverters and semi-diverters may be installed on any street which is designated as "local" on the Master Thoroughfare Plan, unless an excessive disruption of neighborhood traffic would occur as a result. Criteria for the other traffic controls are described in the table.

The process for determining which of the traffic control devices is appropriate for a particular street is initiated by the neighborhood civic organization. When the neighborhood requests a solution to a speeding problem, the Traffic Engineering Division examines speeding ticket records to determine the priority for a speed study on the street. As a result of the new speeding policy, this speeding ticket data will be available for the first time in the police computer on a street-by-street basis, so that the data can be used for planning purposes. If there is no speeding ticket data for a street, then the street is likely to have a low priority for a speed study. Citizens and the traffic engineers may request at any time that the police radar unit go out to check the street.

The speed study determines the 85th percentile speed which defines the level of the street's speeding problem. If the street has no speeding problem, the neighborhood and/or individual citizens may request police radar enforcement whenever they choose, and/or request speed limit signs or pavement markings. If a moderate or excessive speeding problem is identified, the neighborhood has to decide whether police enforcement or traffic control devices are the best solution. For a moderate speeding problem, the police enforcement would be periodic with radar units sent out to the street once a month without a specific reuest for it. For an excessive speeding problem, the police enforcement would be more intensive with the radar unit sent out to the street once a week.

The neighborhood which decides to do a traffic management plan must decide whether to do its own planning or to have the County assist in the planning. If the neighborhood develops its own plan, the policy provides the County staff the opportunity to review the plan and comment on it. When a neighborhood persists in a plan which staff considers inappropriate, staff will advise the County Board of the problems with the plan during the approval phase of the process. If the neighborhood has staff do the planning, the neighborhood selects the plan that they prefer from the alternatives developed by staff and submits it for approval by the County Board.

Traffic management plans for streets with excessive speeding may resort to experimental speed control devices in Category 3 if none of the devices in Category 2 are feasible, and if intensive police enforcement has not solved the problem. Speed humps (as distinguished from speed bumps) are the last resort of the experimental devices and can only be used if traffic circles and woonerf[4] are not feasible.

The fourth category of devices, the environmental strategy, is based on the concept that street trees may reduce speeding

[4] Woonerf is a Dutch word to describe the concept started in Holland of converting residential streets into spaces where self-enforcing design features such as humps, special paving and sharp turns discourage vehicles from traveling at a speed higher than a pedestrian's pace.

by reducing the apparent width of streets, especially where drivers perceive the streets as wide due to the effect of wide building setbacks. The environmental strategy is included in the policy for streets where neither the experimental nor the nonexperimental devices are feasible on a street that does have a speeding problem. Of course, even if the street trees fail to reduce speeding, they do have an aesthetic benefit.

The fifth category is the traffic control devices which are not effective or appropriate for installation in Arlington as speed control devices, including the following: perpendicular pavement marking in advance of intersections; "slow" signs and "children playing" signs; stop signs; and rumble strips.

The new policy's potential impact on Arlington's streets is evident in the results of 13 speed studies undertaken over the past year because of citizen complaints about speeding. Only 2 of the 13 speed studies showed excessive speeding, and so these 2 streets would be eligible for the experimental traffic control devices (Category 3) if none of the nonexperimental devices (Category 2) devices are feasible. Seven of the 13 streets have a moderate speeding problem and would be eligible for the nonexperimental devices. Four of the 13 streets have no speeding problem and are only eligible for speed limit signs and possibly for pavement markings (Category 1). Police enforcement can be applied to any of the streets as an alternative to engineering solutions.

STANDARDS FOR THE USE OF DEVICES TO CONTROL SPEEDING

1. Traffic control devices not effective at controlling speed but appropriate for streets where citizens perceive speeding and radar data doesn't confirm perceptions.

a. Speed Limit Signs
Install on any street when requested.

b. Centerlines
Install on streets with 2,500 vehicles and/or streets with potential hazards such as sharp curves.

c. Parking Edge Lines
Install on collector streets or arterials with parked car accident problem.

d. Crosswalks
Install at school crossings, at signalized intersections, and at unsignalized intersections in densely developed areas and/or other areas with high volumes of pedestrian crossings.

2. Traffic control devices effective at controlling speed on streets with moderate or excessive speeding problems.

a. Special Roadway Condition Signs
Install for following conditions: a sharp road curve; a hill with a sight distance problem so that the driver can't see very far over the crest of the hill, and; a narrow street where there is only one lane open.

b. School Zone Signs
Install on streets adjacent to schools.

c. "You are Speeding" Flashing Signs
Install only where there is a sharp curve with an accident problem.

d. One Way Streets
May reduce speeding if used to create street discontinuities. Strong neighborhood support required.

e. Turn Prohibitions
May reduce speeding by reducing traffic volumes. Strong neighborhood support required.

f. Cul-de-Sac
Install on streets designated "local" on the Master Thoroughfare Plan unless an excessive disruption of neighborhood traffic would result. Strong neighborhood support required.

g. Diagonal Diverter
Install on streets designated "local" on the Master Thoroughfare Plan unless an excessive disruption of neighborhood traffic would result. Strong neighborhood support required.

h. Semidiverters
Install on streets designated "local" on the Master Thoroughfare Plan unless an excessive disruption of neighborhood traffic would result. Strong neighborhood support required.

i. Nubs
Install where street is wide enough for one or more parking lanes and where sufficient right-of-way exists to provide an appropriate turning radius.

j. Traffic Circles
Install in intersections which are excessively wide or which already have a large island in the center and which do not have a high volume of left turns. Most effective if two or more circles can be installed along the street.

3. Experimental speed control devices appropriate only for streets with excessive speeding.

a. Traffic Circles in intersections which are not excessively wide and which have a high volume of left turns.
Install on streets designated "local" on the Master Thoroughfare Plan if intensive Police enforcement has not solved the problem and if no nonexperimental physical device is feasible. Strong neighborhood support required.

b. Woonerf
Install on streets designated "local" on the Master Thoroughfare Plan if intensive Police enforcement has not solved the problem and if no nonexperimental physical device is feasible. Strong neighborhood support required.

c. Speed Humps
(as distinguished from speed bumps)
Install on streets designated "local" on the Master Thoroughfare Plan as a last resort if intensive Police enforcement has not solved the problem and if no nonexperimental or experimental physical device is feasible. Strong neighborhood support required.

4. Environmental Strategy: Street Trees May reduce excessive or moderate speeding by reducing the apparent width of streets, especially where drivers seem to perceive the street as wide due to the effect of wide building setbacks.
Plant according to County regulations to insure that hardy species are planted in locations where they will not pose problems with public utilities or traffic sight distance.

5. Traffic Control Devices <u>not</u> effective in controlling speed and/or <u>not</u> appropriate for installation in Arlington as speed control devices.

a. Pavement Marking: Perpendicular Striping in Advance of Intersections.
Effective in rural area where due to high speed, drivers may not notice a stop-sign, but not appropriate for non-rural areas.

b. "Slow" signs and "Children Playing" signs
Not recognized as a standard sign in <u>Manual of Uniform Traffic Control Devices,</u> and not effective.

c. Stop Signs
<u>Manual on Uniform Traffic Control Devices</u> dictates that stop signs should not be used as a speed control devices. Misuse of stop signs promotes lack of respect for them which increases violations, and thereby increases potential for accidents.

d. Rumble Strips
Not appropriate because of the noise which they create and the doubt as to their effectiveness.

* * * * * * * *

The new policy satisfies the needs of the citizens, the traffic engineers, and the County Board. For the citizens, the policy provides a definition of speeding which allows them access to the data and the criteria so they do not feel that they are at the mercy of the experts' judgement. Also, the policy provides the citizens with a broad range of alternative speed control devices, including the experimental devices which were previously not allowed in Arlington.

For the traffic engineers, the policy's definition of speeding means that they won't have to refight the battle of what constitutes a real speeding problem with every new group of citizens and every new County Board. The traffic engineers are not worried that the experimental devices will be used improperly because there are standards controlling their use. And they are relieved that stop signs have been outlawed as a speed control device.

The County Board is pleased with the policy because it provides something for everyone and because the policy will minimize the potential for those emotional battles between citizens and traffic engineers. And as the planner who was caught in the middle of those battles, I believe the policy will provide a framework for rational planning to protect neighborhoods from real speeding problems.

RECEIVED
JAN 12 1989
TRANSPORTATION MANAGEMENT

MEMORANDUM

DATE: January 10, 1989

TO: R. N. Pressley, Jr., Director
Department of Transportation

FROM: R. D. Gillis, Manager
Transportation Engineering Division
Department of Transportation

PUBLIC SERVICE

SUBJECT: Speed Control Measures Used in Charlotte

Council Member Stan Campbell asked for an accounting of innovative ideas for controlling speed in residential areas which have been used in Charlotte and elsewhere. The Transportation Planning Division (TPD) has prepared a report on the latter. We have also just received a 152 page book by the Institute of Transportation Engineers, entitled Residential Street Design and Traffic Control , which contains more detail on speed control in neighborhoods.

The following list is my remembrance of speed control techniques used in Charlotte during the past 15 years:

- Rumble Strips - We have used raised reflective pavement markers and special pavement treatments to create rumble strips to slow traffic in one cut-through neighborhood and on the approaches to two different bridge detours. Noise created by the rumble stips were a major complaint, especially where used in a residentially developed area. All rumble strips have been removed.

- Road Humps - The Parks and Recreation Department had road humps (12 feet wide/4 inches high) installed in Park Road Park to replace speed bumps. These are still in place. No road humps have been used on public streets.

- Special Pavement Markings - Special pavement markings were placed on Fairview Road (in the 2WLT lane) prior to construction of the raised median. The markings used a logarithm pattern transverse to the direction of travel to create the illusion that a motorist was speeding up despite traveling at a constant speed. The markings were determined to be ineffective. They were obliterated with construction of the median.

- Your Are Speeding When Flashing Signs - Signs were placed on a number of streets. The signs were ineffective and appeared to encourage some people to speed up to activate them. All such signs were removed by the mid 1970's.

- 25 mph Speed Limits - The 25 mph speed limits have proven to be innefective on streets allowing a higher operating speed unless considerable enforcement is performed by the Charlotte Police Department.

- Stop Signs - The Charter Place stop sign experiment was shown to reduce speeds if signs are placed very close together. Compliance with the stop signs and diversion of traffic to an adjacent, parallel street were two consequences of the experiment.

You indicated you wanted to review TPD's report with the Manager's office before sending it to City Council and others. You may want to send out the additional information in this memorandum when the report is released.

RDG:nsk

cc: W. B. Finger
Randy Jones
Scott Putnam
Kay Colpitts

NEIGHBORHOOD THROUGH TRAFFIC STUDY (NTTS) PROGRAM

FACT SHEET

Program Beginning:	10/24/77 (revised 4/2/80)
Number Neighborhoods Studied:	23
Number Neighborhoods with Controls:	12
Number of Controls:	31
Type of Controls:	
Most Used:	Turn restrictions, median changes
Other Controls:	Right-turn-on red, street closres, diverters, signal removals, parking restrictions, 4-way stops.
Studies Underway:	Myers Park.
Studies Pending:	Seneca, Windsor Park, Olde Providence, Eastway/Sheffield Park, Dilworth, Cameron Square.
Criteria for Study:	
Major Study:	4000 vehicles/day on problem street. 40% through traffic. 75% petition from problem streets. Problem street not a thoroughfare.
Informal Study:	80% through traffic. Remedies evident and non-controversial. High neighborhood consensus easily available.

Page 2

Major Elements:

1. Traffic analysis
2. Neighborhood Steering Committee
3. Identification of significant problems
4. Development of DOT-acceptable remedies
5. Neighborhood consensus (by meeting or by petition)

PAST NEIGHBORHOOD THROUGH TRAFFIC STUDIES COMPLETED

Date	Neighborhood	Remedies
1980	Barclay Downs	1. 4-WAY STOPS on Barclay Downs at Inverness and Scofield.
		2. NO RIGHT TURN ON RED from Morrison to Barclay Downs.
1985	Beverly Woods	- NO LEFT TURN 7-9 AM from Sharon to Brookfield, Sulkirk, Rutherford, Eastburn.
1979	Commonwealth/ Woodland	- None, no neighborhood consensus.
1979	Coronando Drive	- None, percent of through traffic insufficient.
1979	Country Club	- None, no effective remedies.
1979	Cove Creek	- None, percent of through traffic insufficient.
1980	Dilworth	- Close Kingston Avenue
1980	Elizabeth	1. NO LEFT TURN 4-6 PM from Providence to Cherokee.
		2. NO LEFT TURN 4-6 PM from Monroe to Dotger.
		3. NO LEFT TURN all day from Monroe to Laurel.
		4. Removed traffic signal at 5th/Laurel.
		5. Diverters on Greenway (removed after 6 mo. test).
1978	Foxcroft	- Remove signal at Arbor Way. (since reinstalled)
1983	Glendora	1. NO LEFT TURN 4-6 PM from Monroe to Glendora.
		2. NO LEFT TURN from Glendora to Monroe.
1980	Holbrook Drive	- None
1980	Idlewild Farms	1. NO RIGHT/LEFT TURN 7-9 AM from Idlewild to Idlebrook.
		2. NO RIGHT TURN 4-6 PM from Idlebrook to Idlewild.
1980	McClintock Woods	- None, neighborhood could not reach consensus.
1980	Myers Park	1. NO LEFT TURN 7-9 AM from Providence to Beverly
		2. NO LEFT TURN 7-9 AM from Providence to Portland.
		3. NO LEFT TURN from Morehead to Bramley.

		4.	NO RIGHT TURN from Bromley to Morehead.
1988		*5.	Close Queens median at Sherwood.
		**6.	NO LEFT TURN from Sharon to Chilton.
		**7.	NO RIGHT TURN 7-9 AM from Queens to Henley.
		**8.	NO LEFT TURN 7-9 AM from Providence to Oxford.
1979		9.	Barricade on Colony at Myers Park High School. (since modified)
1979	Nassau Boulevard	-	None, insufficient petition.
1979	Pierson Drive	-	None, neighborhood could not reach consensus.
1981	Princeton Avenue	-	None.
1980	Reddman	-	Barricade on Reddman Road.
1980	Sherwood Forest	-	None, neighborhood could not reach consensus.
1979	Southwold	-	Median installed on South Tryon Street.
1981	Spruce Street	-	With channelization, made ONE WAY.
1979	Woodbridge (East Barden/ Crooked Oak)	-	None, no neighborhood consensus.
1980	Yale Place	1.	Parking restrictions.
		2.	NO LEFT TURN 2:30-4:00 PM from Park to Yale.

* SINCE REMOVED

** PENDING

APPENDIX F

NEIGHBORHOOD THROUGH TRAFFIC STUDIES REQUESTED

The below listed studies have been requested by neighborhood leaders. The first step will be to make preliminary data collection to determine if the neighborhoods qualify for the study:

	Through Movements
Seneca	South-Park-Woodlawn
Windsor Park	Central-Eastway-Sharon Amity
Olde Providence	Old Providence-Rea
Eastway/Sheffield Park	Albemarle-Eastway-Central
Dilworth	Morehead-East-Park-Kenilworth
Governor's Square	Fairview-Sharon View

The neighborhoods are listed in the order that the studies are to be undertaken.

NEIGHBORHOOD THROUGH TRAFFIC STUDY (NTTS) PROGRAM
Issues

1. The controls add a burden onto the thoroughfare system.

   Many of the controls, especially left-turn restrictions or median closures, aid thoroughfares and are similar to strategies used in the CONTRATE Program, by removing turning conflicts from thoroughfare streets. Over 50% of the adopted NTTS remedies involve this approach.

   Other controls may divert traffic from neighborhoods to thoroughfare streets. Diverting 1,000 vehicles per day may be significant for the neighborhood street, but it would add less than two vehicles to the peak travel hour -- less than the daily variation. Consequently, such a change would not be evident to the motorist.

2. The controls just move traffic from one neighborhood street to another.

   City staff works with the neighborhood to make sure this is not a problem. Controls may be established on adjacent streets if an impact is anticipated, or these streets will be monitored if the exact impact cannot be predetermined. During the test phase, additional controls may be installed.

3. The 75% consensus is unfairly stringent.

   The 75% is very high, and entirely arbitrary, but it does provide a strong endorsement from the neighborhood that a problem truly exists. The 75% was chosen to maintain consistency with other departmental policies -- such as streetlighting, neighborhood parking controls, and 25 mph speed limit. Council originally chose 2/3 as the margin needed for adoption.

4. The neighborhood selects traffic controls.

   CDOT staff works with the neighborhood through its leaders and through a steering committee of interested residents to develop a plan. Staff will not permit remedies that make poor engineering sense, are unsafe, or impact other streets including thoroughfares.

5. Neighborhood traffic control measures are illegal and unconstitutional. Streets are closed which were designed for the general public, not just neighborhood use, and which were constructed with tax money.

   Under State Statute, Council can open/close a street for any reason. CDOT, based on authority delegated under the City Charter and City Code, can institute a wide range of generally accepted traffic controls. Most of the streets involved, although presently maintained with Powell Bill (gas tax) funds and not property tax funds, were constructed by private developers.

6. Streets presently open and unrestricted should be for everyone's use.

   We find it strange that if a street is already open, no one wants to close it. On the other hand, we found out several years ago with the Discontinuous Streets Program, where we wanted to improve neighborhood connectivity, that no one wanted streets opened if not already opened.

7. Motorists are being inconvenienced by being forced to make a longer trip, if streets are restricted.

   In most situations, alternative travel patterns do not significantly take longer. Most are only preceived as a longer trip. Motorists use neighborhood streets to avoid congestion and traffic signal delay, even though no time savings results.

JRJ/jb

APPENDIX H

THROUGH TRAFFIC REMEDIES

Remedies that provide a benefit to thoroughfares:

Generally, those through traffic remedies that restrict left turns off thoroughfares where no left turn only lanes are present offer a benefit to the thoroughfare system by lessening congestion and improving safety. Of the 31 measures implemented, or about to be implemented, 13 or 54% fit this category:

1. No Left Turn 7 - 9 am from Sharon to Brookfield
2. No Left Turn 7 - 9 am from Sharon to Sulkirk
3. No Left Turn 7 - 9 am from Sharon to Rutherford
4. No Left Turn 7 - 9 am from Sharon to Eastburn
5. No Left Turn 4 - 6 pm from Providence to Cherokee
6. No Left Turn 7 - 9 am from Monroe to Dotger
7. No Left Turn All Day from Monroe to Laurel
8. No Left Turn 4 - 6 pm from Monroe to Glendora
9. No Left Turn 7 - 9 am from Providence to Beverly
10. No Left Turn 7 - 9 am from Providence to Portland
11. *No Left Turn 7 - 9 am from Providence to Oxford
12. No Left Turn Full Day from Morehead to Bromley
13. No Left Turn 2:30-4:00 pm from Park to Yale

* To Be Installed

In addition, other remedies have provided transportation system benefits independent of through traffic concerns: these include remedies that address safety concerns, such as:

1. Removed traffic signal at 5th/Laurel.
2. Removed traffic signal at Arborway/Sharon Ln. (since reinstalled).
3. Channelized Spruce St. to make it One Way.
4. No Right Turn On Red from Morrison to Barclay Downs.

A number of remedies could be removed to benefit the transportation system by expanding system capacity.

1. 4-Way Stops on Barclay Downs Drive at Inverness and Scofield
2. Barricade on Colony
3. Barricade on Reddman Road (Note: If Reddman barricade is removed and Reddman becomes a "thoroughfare", reconstruction of part of Reddman Road would be advisable.

Beyond these concerns, installation or removal of the remainder of the through traffic remedies has no impact on the thoroughfare system. No impact is evident generally due to the low number of vehicles diverted over a full day period. For example, if a remedy diverts 1000 vehicles per day, only about 10% would be present during the peak rush period.

This averages less than 2 vehicles per minute, which is greater than the daily variation on most thoroughfares. Most thoroughfares could assume this increase in traffic. Existing remedies in this category include:

1. Closing Kingston Avenue
2. No Left Turn from Glendora to Monroe
3. No Right Turn from 7 - 9 am Idlewild to Idlebrook
4. No Right/Left Turn from 4 - 6 pm Idlebrook to Idlewild
5. No Right Turn from Bromley to Morehead
6. *No Right Turn 7 - 9 am from Queens to Henley
7. Median at Southwold Street on Tryon Street
8. Parking restrictions on Yale Place

* To Be Installed.

CHARLOTTE-MECKLENBURG
CULTURAL ACTION PLAN PROPOSAL

The following steps are suggested for the development of a Cultural Action Plan:

1) The Cultural Action Plan should be developed as a community-wide plan.

2) A Study Committee should be established to research and develop the plan. The Committee can include 15 to 20 members and should be representative of community interest. The following categories of membership are suggested:

Categories:	Suggested #
o Representatives of the United Way Capital Funds Board	1
o Members of the arts community (artists, arts administrators, volunteers, Board Members)	2
o Representatives of the Arts and Science Council	2
o Community representatives (persons not necessarily active in the Arts, but representatives of community attitudes)	2
o Educational representatives (University arts, local system)	2
o Major contributors to the Arts	3
o Business representatives (financial and strategic planners, corporate representatives, organizational manager, Chamber representatives)	3

3) The City Council will appoint 80% of the Committee membership and the County Commission will appoint 20% of the members (based on the distribution of occupancy tax). A chairperson and executive committee are recommended. All costs associated with the committee will also be shared on this basis.

4) The Study Committee should review present methods of public funding of cultural programs and develop a review process for public contribution to the cultural agencies within six months; and develop an overall cultural action plan within 12 months.

5) The Committee may choose to contract with outside services to develop certain elements of the plan. Approval for these services will be required as necessary.

6) The issue of staffing, if identified as a need, must be addressed by the Committee. Staffing could be drawn from corporate volunteers, Arts and Science Council staff, contract services or a combination of these. Staff liaison will be provided by City Economic Development Director and other City/County staff as needed.

7) The following is recommended as the Committee charge:

Charge

To develop a method to review cultural requests for public funding by December 12, and to develop a cultural plan for Charlotte-Mecklenburg which will insure the most effective and equitable use of dollars for the advancement of Arts and Culture in Charlotte. The plan is to be developed within 12 months.

Role

1. Develop a mission statement

2. Develop goals and objectives

3. Examine existing cultural assets along with funding and support information

4. Develop study groups or subcommittees to investigate specific issues/problems; develop methods to insure public input in the plan development.

5. Hire consultants to assist where necessary

6. Study plans, policies and procedures of other cities/ counties.

7. Provide status reports to Council and Commission at intervals during the 12-month development to set and reset the plan direction.

8. Develop funding criteria/constraints and funding request procedures.

9. Develop funding eligibility requirements for agencies

10. Develop an agency/program review process.

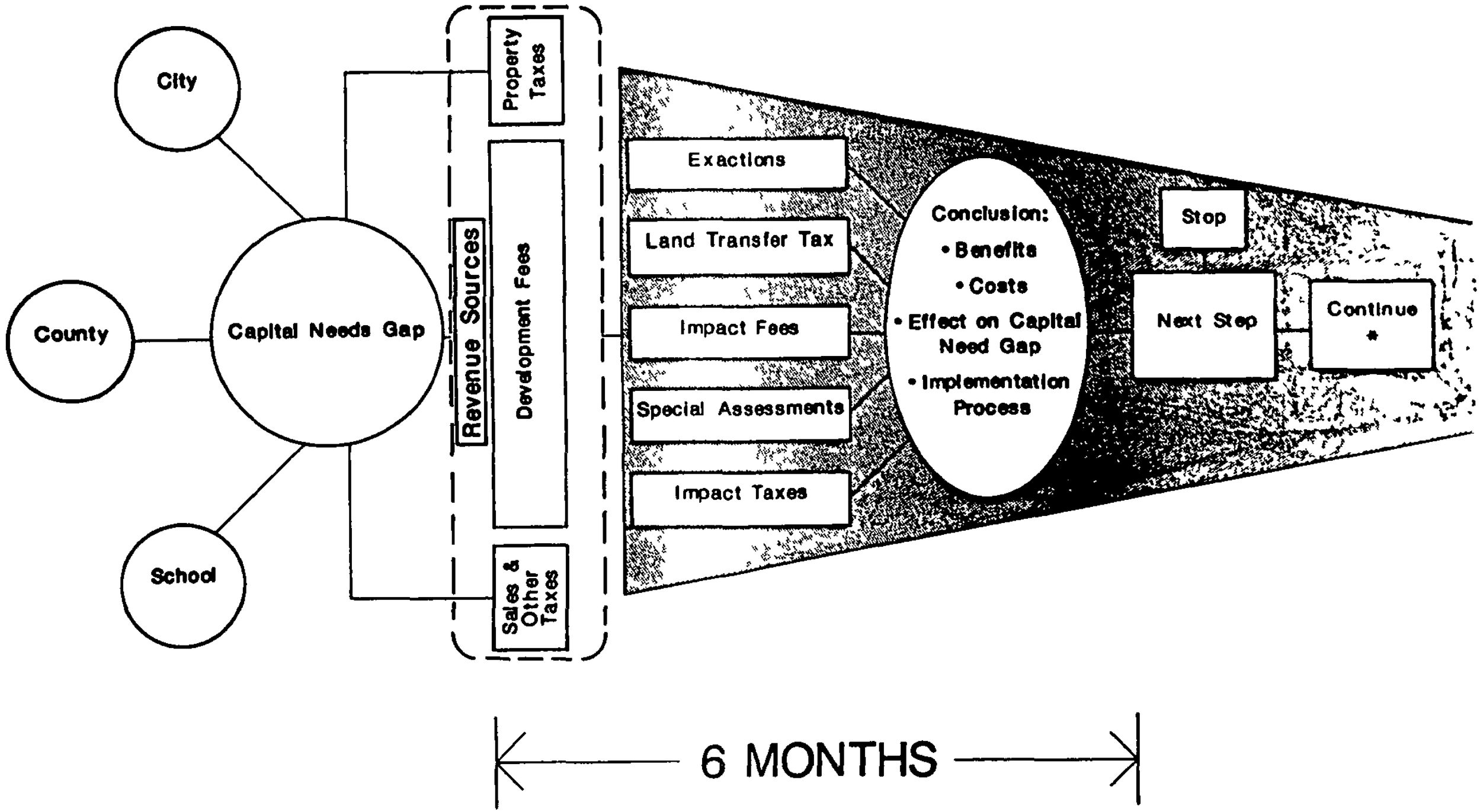
DEVELOPMENT FEE PROCESS MODEL

In response to a request from elected officals to develop a process through which development fees and their implementation in Charlotte-Mecklenburg can be evaluated, a process as diagrammed in the model (see attachment) was developed as a first step. The purpose of the process is to assess the value of different development fee options relative to Charlotte-Mecklenburg.

The briefing paper on development fees prepared by County Budget and Resource Management and City Budget and Evaluation, included several types of development fees. Those listed in the briefing paper include: 1) Exactions, 2) Impact Fees, 3) Impact Taxes, 4) Special Assessments, and 5) Real Estate Transfer Taxes. It is proposed that these five options be examined through the proposed process. It is anticipated that this process would be carried out over a six month period.

The process as diagrammed in the attached model would begin with an examination of City, County and School needs, and the gap between their 5 year needs and the amount of revenue needed to fund those projects. The next step in the process would be to examine how the "gap" could be lessened through the implementation of development fees. Each of the five alternatives referenced above would be applied and evaluated based upon benefits derived, how well that particular option addresses the need gap, and how cost effective the measure would be to implement. Also, an implementation process outlining key decisions would be prepared. The final step involves drawing conclusions based upon the findings. Recommendations will be forwarded to the elected officials for consideration. It will at that time be determined if the concept of development fees will be continued and further refined or terminated.

DEVELOPMENT FEE PROCESS MODEL



* CONSENSUS DEVELOPMENT EXERCISE WILL OCCUR AT THIS STAGE

SCOPE OF SERVICES

Below is a detailed listing of the services which Charlotte-Mecklenburg is seeking to address in an effort to examine the issue of development fees

- o Provide description of the five development fee options. The description shall include the following:

  These issues should be addressed in a national context:
  - the history of each option
  - the advantages and disadvantages of each option
  - the issue of equity as it pertains to each option

  This issue should be addressed in a national and local context:
  - how each option is likely to affect the local real estate market and competitiveness of the business community, and;

  The legalities under North Carolina Law associated with each option.

- o Provide information on other comparable Cities and Counties where development fees have been instituted, in addition to providing a description of respective state enabling authority.

- o Construct models which will demonstrate how each option can be expected to operate in Charlotte-Mecklenburg, and how the option addresses the local capital needs gap. (Note: Information on capital needs gap will be provided by City and County staff).

- o Discuss the costs of implementation and administration of each option. This discussion should also address where fees will be collected, when fees will be collected, and how fees are to be handled, once a development fee ordinance is adopted, etc.

- o Evaluate the technical feasibility of the development fee option(s) and provide a detailed outline of the necessary steps to implement that option(s). Options should be placed in rank order based upon the results of the technical evaluation.

- o Present options and recommendations to elected officials, key local agencies and community groups.

Westinghouse Boulevard Extension

Construction will begin this summer on the portion of Westinghouse Boulevard Extension between South Boulevard (US 521) and Old Nations Ford Road. Work on the project has been expedited in order to meet an opening deadline of July 1, 1991, established by the North Carolina Department of Transportation (NCDOT). This completion date was set by NCDOT to ensure access to property severed from South Boulevard by construction of the Southern Outer Loop.

The planning, design, and right-of-way phases of this project have been shortened by the donation of right-of-way by several major property owners along the alignment. Vulcan Materials relinquished their rights to a railroad spur line in order that the bridges necessary to cross the proposed railroad could instead be used for the Westinghouse Boulevard overpass. Access to the properties severed by the Outer Loop via Westinghouse extension reduces traffic impacts on the Sterling community which would have resulted from an earlier NCDOT plan.

In 1988, Charlotte and Pineville exchanged spheres of influence in order to facilitate construction of Westinghouse Boulevard Extension between Nations Ford Road and Sugar Creek (NCDOT will build the section between Old Nations Ford Road and Sugar Creek as part of the Outer Loop). The City hopes to receive continued cooperation from area property owners along this roadway. Completion of this link would help to relieve traffic congestion along Arrowood and Tyvola Roads.

FIREMAN'S HALL

The Fireman's Hall on East Seventh Street:

- built in 1939 and used as the Fire Department's training facility;
- turned over to the Parks and Recreation Department in 1976 and has been used for public meetings and voting precinct #17;
- Parks and Recreation Department has temporarily declared it surplus but has future plans to develop the property as a neighborhood center as outlined in the Elizabeth Small Area Plan.

Charlotte Outdoor Adventure Center has been leasing the basement of the main building, training tower, and surrounding grounds for its self-confidence and team building training program. The first floor has seen very little use during the last several years and will need some repairs to the heating, plumbing, and electrical systems.

Two organizations, Metrolina Native American Association and Charlotte Outdoor Adventure Center, have indicated interest in leasing the property for a five-year term and making the necessary repairs. Repairs and renovations could be approved in advance by the Director of the Parks and Recreation Department, and all approved improvements would be credited toward lease payments.

These two organizations have made presentations on their respective programs to the Park Advisory Board which has endorsed both programs. The Advisory Board also requested that the main auditorium remain available for the voting precinct and/or a neighborhood meeting area. Reservations to use this space will be through the Parks and Recreation Department.

The Metrolina Native American Association proposes to lease the first floor for office and display area and will function as an Urban Indian Center. This will be recognized as an information center dedicated to increase knowledge and preservation of the native American culture. It is a non-profit organization committed to meeting the social and economic needs of Indian people.

The Charlotte Outdoor Adventure Center will continue operating their present program in the basement, tower, and surrounding grounds. They are proposing to expand the types of programs being offered to include family camping, backpacking, basic rock climbing, campcraft skills, and increased water activities.

CHERYLE Y. REICH LOAN

On October 12, 1987, City Council approved modifications to the Community Development Standard Rehabilitation Loan and Grant Program which, among other things, allowed for financing of home purchase loans for persons whose income is 80% or less of the median income. A public purpose must also be served by making a home purchase loan. Specifically, the applicant must be living in substandard housing, overcrowded conditions or be rent burdened (paying more than 35% of gross income for housing cost) and considered to be non-bankable.

After reviewing Ms. Reich's application, it was determined that Ms. Reich is eligible for consideration for a loan under the Rehabilitation Loan and Grant Program since her income is 80% or less of the median income, and she is rent burdened. Her current monthly housing cost is $440 which is 37% of her monthly income.

Ms. Reich's income is derived from her employment of $960, $125 in child support and $100 contribution from her father for a total monthly income of $1,185. An analysis of her income and projected housing expense is as follows:

Household Income:	$1,185.00
Less Federal Taxes	- 80.00
	$1,105.00
	x 35%
Available for Household Expenses	$ 387.00
Projected Household Expenses	
Insurance	$ 17.00
Real Estate Taxes	38.00
Utilities	91.00
	$ 146.00
Difference	$ 241.00

According to the Rehabilitation Program, Ms. Reich has the ability to pay $241.00 per month toward a loan. The monthly payment on a loan of $55,655 at 3% interest for a term of 30 years is $234.86 for principal and interest. Additionally, Ms. Reich will make a monthly deposit to an escrow account for insurance ($17) and real estate taxes ($38).

Based on staff analysis, it is recommended that Ms. Reich be approved for a 3% interest loan of $55,655. Liens will be placed against the property for the 3% interest loan. This will generate our loan funds for future needs of low income families.

Breakdown of Costs for the Purchase of 1001 Greenleaf Avenue, Unit #1

Sales Price	$56,500.00
Estimated Closing Cost	850.00
TOTAL	$57,350.00
Less Deposit & Downpayment by Ms. Reich	- 1,695.00
TOTAL ASSISTANCE	$55,655.00

REHABILITATION ASSISTANCE PROGRAM

Purpose: To preserve the City's existing housing stock, to improve living conditions of low to moderate income households, and to revitalize neighborhoods.

Primary Objectives:

- Assist property owners in correcting violations of the City's Housing Code with primary focus on owner-occupied structures.
- Provide affordable housing opportunities for low to moderate income families (low to moderate income families defined as families whose gross income is 80% or less of the median income for Charlotte.)
- Provide modification of units occupied by the physically handicapped.

General Policies:

- Assist in financing eligible activities through loans, grants and deferred payment loans or any combination which makes the assistance affordable.
- Owner occupants pay up to 35% of their gross income less federal taxes for housing expense.
- Grants up to $7,500 from owner occupants who are eligible for a City-County tax exemption.
- Interest rates for owner occupants 0 to 3%; for non-profit organizations 3%; for investors 2% below the prime rate; for deferred payment loan zero interest rate.
- Assistance is available City-wide with efforts concentrated in the 21 census tracts having the greatest number of sub-standard housing units.

Eligible Activities:

- Correction of housing code violations
- Energy Conservation
- Acquisition costs
- Water and sewer tap on fees
- Handicapped modifications
- Approved moving costs related to relocating dwelling unit
- Historic preservation of designated properties
- Loan and Grant processing fees

Source of Funds:

- Federal Community Development Block Grant Funds.

Clearances:

- City Council approved modifications to the Standard Rehabilitation Loan and Grant Program on October 12, 1987.
- City Council approval is required for assistance over $30,000.
- City Manager approval is required for assistance of $30,000 and under.

Process of Approval of the Community Development Block Grant (CDBG) Application

For the last 15 years, City Council has gone through the process of approval of the Community Development Block Grant (CDBG) application. This year's application process is essentially the same as last year's. The first public hearing is to obtain the views of citizens regarding community development and housing needs associated with the expenditure of FY90 CDBG funds, and the second public hearing is to review program performance and proposed activities for the FY90 Block Grant Application. Following the required public hearings, Council will be asked to approve the final statement, as may be amended, and authorize filing for FY90 CDBG funds with HUD.

Listed below are HUD requirements for the CDBG Application and our plan of action for each.

1. That citizens be furnished information concerning the amount of funds that are available for proposed community development and housing activities and the range of activities that may be undertaken.

   The informational statements will be published in the Charlotte Observer and the Charlotte Post with the notices of the public hearings.

2. Advertisement of the public hearings and publishing of a proposed statement of community development objectives and projected use of funds in such a manner as to afford affected citizens an opportunity to examine its contents and submit comments to the Department.

   The ad for the first public hearing and the proposed statement is to be published on March 26 and April 2, 1989 in the Charlotte Observer and March 30 and April 6, 1989 in the Charlotte Post.

   The ad for the second public hearing is to be published on April 11 and April 16, 1989 in the Charlotte Observer and April 16 and April 20, 1989 in the Charlotte Post.

3. Hold a public hearing to receive citizens comments on community development and housing needs and hold a public hearing to review program performance and the proposed activities.

   The first public hearing is to be held Monday, April 10, 1989 at 7:30 p.m. as part of Council's regularly scheduled meeting.

   The second public hearing is to be held Wednesday, April 26, 1989 at 7:30 p.m. in the Conference Center, Room 271, at the Charlotte-Mecklenburg Government Center and will be conducted by the Community Development Department.

4. Approval by Council of the final statement, as may be amended, and authorization by Council for the filing for FY90 CDBG funds by submitting the approved statement and certifications to HUD.

   This action is scheduled for the City Council meeting on May 8, 1989.

5. Make the final statement of Community Development objectives and projected use of funds available to the public as soon as Council approves it and advertise its availability to the public.

   Ads will appear in the Charlotte Post and the Charlotte Observer.

6. Submission of final statement and certifications to HUD at least 30 days prior to the end of FY89 or no later than June 1, 1989.

   The planned submission date is May 26, 1989.