

AGENDA

Meeting Type:	BUSINESS
Date:	07/22/1996

City of Charlotte, City Clerk's Office



Mayor Patrick McCrory Mayor Pro Tem Al Rousso

Charles Baker Don Reid
Patrick Cannon Ella Butler Scarborough
Malachi Greene Tim Sellers
Mike Jackson Sara Spencer
Nasif Rashad Majeed Lynn Wheeler

Council Agenda

CITY COUNCIL MEETING **Monday, July 22, 1996**

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

6:30 p.m.

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Hearing**

7:00 p.m.

Formal Business Meeting

CITY COUNCIL AGENDA

Monday, July 22, 1996
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1. Airport Advisory Committee
Annual Report
2. Uptown Parking Management
Program: Parking Code
Revisions
3. Exchange of First Ward Properties

6:30 P.M. CITIZENS HEARING MEETING CHAMBER

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**5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER**

- 1. Airport Advisory Committee Annual Report**
- 2. Uptown Parking Management Program: Parking Code Revisions**
- 3. Exchange of First Ward Properties**

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

ZONING DECISION

4. Zoning Petition #96-47

Decision on Petition No. 96-47 by Terry Predzimirski for a change in zoning for approximately 13 acres located at the end of Hill Road, east of South Boulevard, from R-4 to R-5.

The Zoning Committee recommends this petition be approved.

Council deferred action on this petition for one week at the July 15 meeting.

Attachment 1

CONSENT

- 5. Consent agenda items 20 through 41 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Julie Burch

PUBLIC HEARING

- 6. Public Hearing to Close a Portion of Poinsett Street**

Action:

- A. Conduct a public hearing to abandon a portion of Poinsett Street; and**
- B. Adopt the Resolution to Close.**

Staff Resource: Scott Putnam

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

Explanation of Request: North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon this public right-of-way.

Background:

Petitioner:
Maggie Coleman

Right-of-Way to be abandoned:
A portion of Poinsett Street

Location:
Southwardly from McArthur Avenue 300 feet

Reason:
To eliminate sections which are no longer used as public streets

Notification:

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

Adjoining property owners - No objection

Private Utility Companies - No objection

City Departments' review has not identified a reason this closing would:

1. Be contrary to the public interest; or,
2. Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 2
Vicinity Map

7. Public Hearing to Close a Portion of China Grove Church Road

- Action:**
- A. Conduct a public hearing to abandon a portion of China Grove Church Road; and
 - B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

Explanation of Request: North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon this public right-of-way.

Background: **Petitioner:**
Karen Shaw, Precious Child Academy

Right-of-Way to be abandoned:

A portion of China Grove Church Road

Location:

From approximately 100 feet south of Packard Street southwardly for a distance of approximately 135 feet to its end at I-485

Reason:

To incorporate the right-of-way into the adjoining property to satisfy requirements to expand an existing day care facility.

Notification:

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

Adjoining property owners -

Mrs. Annie Feaster, 9801 Packard Street is concerned about potential storm water problems. The Engineering and Property Management Department has evaluated the site and has required a permanent drainage easement within the petitioned abandonment area.

Neighborhood association(s) - No objection
Sterling Community Organization

Private Utility Companies - No objection

City Departments' review has not identified a reason this closing would:

1. Be contrary to the public interest; or,
2. Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 3
Vicinity Map

8. Public Hearing to Close Beech Street

Action: A. Conduct a public hearing to abandon Beech Street; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

Explanation of Request: North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon this public right-of-way.

Background:
Petitioner:
 Mulberry Associates

Right-of-Way to be abandoned:
 Beech Street

Location:
 Between Sloan Drive and Mulberry Church Road

Reason:
 To eliminate sections which are no longer used as public streets

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

Adjoining property owners - No objection

Neighborhood association(s) - None

Private Utility Companies - No objection

City Departments' review has not identified a reason this closing would:

1. Be contrary to the public interest; or,
2. Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 4
Vicinity Map

POLICY

9. City Manager's Report

10. Political Consolidation

- Action:** Consider a Joint Resolution adopted by the Mecklenburg Board of County Commissioners on July 2, 1996 to approve the Amended Preliminary Charlotte-Mecklenburg Metropolitan Government Charter with specified revisions.
- Staff Resource:** Mike Boyd
- Explanation of**
- On July 2, 1996 the Mecklenburg County Board of
- Request:** Commissioners adopted a joint resolution approving the Amended Preliminary Charlotte-Mecklenburg Metropolitan Government Charter and companion legislation as contained in the report of the Charter Commission, with the following revisions:
1. The Metro-Government Council to consist of thirteen (13) members, eight (8) to be elected by districts and five (5) to be elected at-large and to use District Plan 8-B (dated May 1, 1996) as contained in the report of the Charter Commission, and to make other related changes, e.g. change the number of members of the Metro-Government Council who constitute a quorum to seven (7), the number of affirmative votes needed for favorable Council action to seven (7); and

2. The Metro Council to appoint and remove the Director of Area Mental Health, Developmental Disabilities and Substance Abuse, Health Director and Director of Social Services.

- The Charter Drafting Committee voted to place these appointment powers with the Metro Manager in conformance with the council-manager form of government. The Charter Commission confirmed this decision. The County Commission voted unanimously to have these appointments made by the Metro Council.

- State law requires these appointments to be made by the appropriate boards. These appointments are presently made by the County Commission, which exercises the powers of an area mental health board, a board of health, and a board of social services.

- The Charlotte-Mecklenburg Charter Commission has completed five of the six parts of its charge and presented an amended Preliminary Charter and enabling legislation for approval of the City Council and County Commission.
- On July 2, 1996 the County Commission approved the Charter and enabling legislation after making the revisions specified above.
- If the City Council approves the same Charter and enabling legislation including the revisions, then the Charter Commission will complete its charge on August 22, 1996 by considering placing before the public on November 5, 1996 a referendum on consolidation.

- If the City Council makes additional revisions to the Charter, those revisions must be adopted by the County Commission in order for the Charter Commission to be authorized to consider calling the referendum.
- The City Council and the County Commission must approve the same version of the Charter and enabling legislation before the Charter Commission can consider calling the referendum. The deadline for the referendum to be called by the Charter Commission is September 3, 1996.

Attachment 5

Joint Resolution

Representation Map 8-B

Consolidation Schedule

Revisions made to Amended Preliminary Charter

July 2 County Commission Minutes

Memo from Lloyd Scher

11. Exchange of First Ward Properties

Action: Approve the exchange of real property in First Ward between the City of Charlotte and the Charlotte Housing Authority.

Staff Resource: Del Borgsdorf and Mac McCarley

Policy: City Council approved on November 29, 1994 the concept of the City of Charlotte and the Charlotte Housing Authority exchanging land in order to enhance the plan for Earle Village and First Ward.

Explanation of Request:

- The Charlotte Housing Authority has requested an exchange of property between the City of Charlotte and the Charlotte Housing Authority. This item was addressed at a joint meeting of the City Within a City and Economic Development/Planning Committees on July 16.

The recommendation made by these committees and an explanation of that recommendation will be forwarded to the full City Council in the July 19 Council-Manager Memo.

- The City-owned properties proposed for transfer to the Housing Authority are identified as tax parcels 080-073-01 and 080-062-01. These two tax parcels consists of 5.17 acres and have a land value of \$517,060.
- In return, the Housing Authority would transfer to the City, tax parcel 080-113-01, which is the entire block bounded by Alexander, 9th, Myers, and 10th Streets. This property contains 3.27 acres and the land has a tax value of \$427,320.
- To compensate for the difference in the values of the properties to be exchanged, the Housing Authority will demolish, at its expense, the vacated Clinton Square housing units on the City property. The demolition cost is estimated to be \$94,000. Additionally, the Housing Authority will be responsible for demolition of all structures on the land which it owns.
- It is recommended that the exchange of these properties be subject to an environmental assessment of the property which the City will receive and a Mandatory Referral review by the Planning Commission of the proposed exchange.

Background:

- The Housing Authority and NationsBank Community Development Corporation are planning a mixed-income, multi-family housing development in First Ward. The land the City conveys to the Housing Authority will be used for that development.
- The proposed rental community will be constructed by NationsBank Community Development Corporation and will include a total of 400 housing units. This 400 unit mixed-income

complex will replace the smaller public housing community previously planned for First Ward. It is anticipated that the larger mixed-income community will result in a higher quality development than originally planned for First Ward.

- Of the 400 units proposed, 200 units will be occupied by public housing residents, 68 by elderly residents and 132 by participants of the family self-sufficiency program. Further, 100 units will be subsidized through the federal low income housing tax credit and will be affordable to residents earning 50 to 55% of the area median income. An additional 100 units will be market rate units. The key feature of the proposed development is that it will be mixed-income with those residents participating in Charlotte Housing Authority programs living next door to middle and higher income households.
- The exchange of land between the City and the Housing Authority will be a catalyst for transforming First Ward into a mixed-income neighborhood, as proposed in the draft First Ward Master Plan. If this land exchange is not executed, it is unlikely that the proposed 400-unit mixed income development will be built in First Ward. Instead, a more conventional form of public housing will be constructed by the Charlotte Housing Authority.

BUSINESS

12. Parking Code Revisions

Action: Approve changes to City Code Chapter 14 to update the parking fine section to regulate onstreet parking, and to add new enforcement tools.

Staff Resource: Randy Jones

Explanation of Request:

- The Charlotte Department of Transportation, the Police Department and the Uptown Parking Advisory Committee requests that the current schedule of civil penalties for parking violations be increased. Further, it is recommended that four new provisions be added to provide Police with enforcement tools to handle expanded onstreet parking.
- About 3 years ago, at the request of Uptown organizations, additional nighttime parking was added. Last year, additional daytime onstreet parking was added. This new parking has been a great success, in terms of usage, but some enforcement problems have surfaced.
- In order to expand onstreet parking further, motorists need additional incentives to comply with parking requirements. Parking fines need to be at a level where they deter violations. The current penalty structure has not changed since the 1960's. Fines for a violation are as low as \$5.
- The comparison of current and proposed parking fees is attached. Generally, most proposed fees are twice the current amount. For example, a meter violation is now \$5 and the proposed penalty is \$10. The four new provisions are:

1. **Multi-Ticketing** - Authorize Police to give a citation hourly for continued violation of a parking restriction. Current policy is to give a single ticket per violation. Consequently, it is cheaper to take a single ticket than to pay for parking.
2. **Repeat Offenses** - Permit towing of vehicles for which there are five or more outstanding unpaid parking citations. There are currently a number of individuals who have a large number of outstanding tickets. It is expensive and sometimes very difficult, especially if they are registered out-of-state, to pursue civil action in these cases. This ordinance would be an effective deterrent against continued violations.
3. **Holding For Payment of Penalties** - Vehicles towed will not be released until all outstanding parking citations are paid. Legislative approval will be required to enact this recommendation. If Council approves this provision, staff will include it in the next legislative package.
4. **Fire Department Authority:** Fire Department personnel would be authorized to issue parking citations associated with violations at fire hydrants. With expansion of onstreet parking Uptown, blocking of fire hydrants is becoming more commonplace.

Attachment 6
Parking Ordinances
Comparison of Current and Proposed
Parking Penalties
Uptown Parking Advisory Committee

13. Joint Funding with NCDOT for Wall Along I-77

Action:

- A. Authorize the Director of Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for a brick wall at a cost not to exceed \$500,000, and**
- B. Adopt a Budget Ordinance of \$500,000 to fund the Municipal Agreement.**

Staff Resource:

Jim Humphrey

Explanation of Request:

- The Municipal Agreement will cover the added cost of a brick wall vs. the originally planned metal panel wall and cap the City funding liability at \$500,000.
- With approval, the Director of Transportation will execute the Municipal Agreement on behalf of the City.
- The Budget Ordinance transfers \$500,000 in Street Bond savings from four roadway projects which have been completed or are nearing completion.

Background:

- Council requested the NCDOT consider installation of a wall along I-77 between LaSalle Street and Oaklawn Avenue to improve the visual image of the City in this key entrance corridor and to benefit adjoining residences and other property usage.
- Although not required to construct a wall, the NCDOT reviewed nine different types of screening walls and has agreed to construct a metal panel wall. The estimated cost for a metal wall is \$3.15 million.

- NCDOT indicated that they would be willing to construct a higher cost brick privacy wall, if the City would fund the added cost. NCDOT has no experience bidding the metal panel wall and has experienced a range of costs on brick wall construction. Based on their best available information, they estimate the brick wall could cost as much as \$500,000 more than the panel wall.
- City staff has met with Genesis Park representatives to discuss wall options and reached a consensus that a brick privacy wall was satisfactory.
- NCDOT has requested that Council authorize a Municipal Agreement for sharing the cost of the brick screening wall.
- The Municipal Agreement would limit the City's liability to the cost above \$3.15 million and cap the City's liability to a maximum of \$500,000.
- If approved; the wall is expected to be constructed in the spring of 1997.
- The City participated in the cost of a brick wall along NC74 adjacent to the Chantilly neighborhood under a similar cost sharing agreement although a wall in that location was mandated for environmental (noise) reasons.
- While a noise wall is not mandated at this location, CDOT also inquired about the possible construction of a brick wall of adequate height to be an effective noise wall. NCDOT responded that a detailed noise report would need to be prepared to determine the proper height required to abate noise. They conservatively estimate the height would need to be as much as 20 feet which would at least double the cost of the wall.

Attachment 7
Letter from NCDOT

14. After School Program Contract

Action: Approve a contract with the Charlotte Mecklenburg Schools (CMS) in the amount of \$150,000 to provide an after-school program for 102 children and summer enrichment for 34 children from fragile and threatened City Within A City (CWAC) families.

Staff Resource: Willie Ratchford and Debbie Antshel

Focus Area: CWAC Community Safety Plan

Policy: Expanding after-school programs is a prevention strategy aimed at reducing youth crime identified in the Community Safety Plan.

Providing academic and cultural enrichment support to CWAC children would fulfill a critical need in the self-sufficiency strategy in the CWAC Strategic Plan.

Educational enrichment is a projected activity for Community Development Block Grant funds in the FY97 Consolidated Action Plan.

Explanation of Request:

- For the past seven months, nine after school providers have been actively pursuing ways to improve services to children in CWAC neighborhoods through access to affordable high quality after-school programs.
- Academic, cultural, and recreation enrichment includes tutoring, field trips to Mint Museum, Children's Theater, etc., swimming and other Parks and Recreation or YMCA programs.
- With 1,250 children on the waiting list at Child Care Resources Inc., the need is critical that poor families have adequate access to after-school programs in their neighborhoods.
- This contract establishes a one year pilot program designed to achieve the following:

- Provide after-school enrichment program which supports academic progress for approximately 102 low-income children during the school year and 34 such children during the summer.
- After the first year, the program will be evaluated for:
 - improvements in the end of grade test results
 - school attendance
 - at least 75% retention rate of the students.
- Children will be selected on the following basis:
 - Must be eligible for Free Lunch Program. To qualify, families must have incomes at or below 130% of Federal Poverty Guidelines.
 - Must reside in a targeted neighborhood nearest the following after-school program sites: Bruns Avenue Elementary, First Ward Elementary, Villa Heights Elementary, Reid Park Elementary, Irwin Avenue Elementary, and Ashley Park Elementary and the Double Oaks/Fairview areas served by Nathaniel Alexander Elementary.
 - First-come-first-serve selection basis for those that meet income criteria and live in a targeted neighborhood.
- CMS will provide pre and post test results for all after school programs for math and literacy/reading comprehension using end of grade tests from 1996 and 1997. These scores can be used to benchmark the quality of after-school programs by comparing outcomes.

Performance Measures:

- CMS will provide varied cultural and recreational activities. The goal is one recreational or cultural activity provided each week. Each student is to participate in at least two such activities every month.
- CMS will provide school attendance statistics to the City. Past experience indicates that involvement in an after school program improves school attendance and better school attendance leads to better conduct.
- CMS will conduct programs to assure a retention rate of the youth participating in the program of not less than 75 percent.
- Parents will be required to attend activities with Neighborhood Police, Resource Officers and children.
- Parents will be encouraged to participate in CPCC programs that increase job skills and promote leadership development.
- Through this after school program collaboration, CMS agrees to provide training to other after school program providers as well as testing results of students in all after school programs.

Parental Involvement:

Funding:

The source of funds for the proposed contract is Community Development Block Grants Funds.

15. Lease Amendment with Mecklenburg County

Action:

Approve a lease amendment with Mecklenburg County to extend term and provide additional land for expansion of the County's Yard Waste Processing Facility at the airport.

Staff Resource:

Jerry Orr

Explanation of Request:

- This lease amendment recognizes the County's right to renew it's original lease agreement for the additional term of five years and provides 18.8 acres of additional land for the Yard Waste Processing Facility operation.
- Additionally, the County has requested that their existing lease be modified to allow a sublease agreement with Phoenix Recycling Corporation to set up a Construction and Demolition Debris Material Recovery Facility in cooperation with the County's Yard Waste Recycling Facility.
- The rent paid to the City by Mecklenburg County will increase to \$3500 per acre per year for the property subleased by the County to Phoenix Recycling Corporation. The County will continue to pay a nominal charge of \$1 annually for the remainder of the property under the original lease agreement.
- The City has the right to cancel this agreement with six month's notice and pay unamortized cost of construction based upon a prorata allocation over the first 10 years of the lease.
- The County is restricted from constructing any permanent facilities within the Runway Protection Zone of the Airport. The Airport has approved the County's plans to insure that possible future uses of the property by the Airport are protected. All responsibility and risks associated with the construction belongs to the County.
- Recycling saves expensive landfill space and reduces the need for additional landfills.

Background:

- On March 28, 1988, Council approved the following parameters for a cooperative agreement between the City of Charlotte and Mecklenburg County for a Yard Waste Processing site:

- Lease to County at \$1 per year
 - A lease of property until land is required for another use
 - Cost of improvements to land or transportation systems are the responsibility of Mecklenburg County.
- Subsequently, the City Manager's Yard Waste Processing Facility Task Force report identified and evaluated four potential sites. The airport site was agreed upon as the best site.
 - On August 26, 1991, Council approved a lease agreement with Mecklenburg County for a Yard Waste Processing Facility at the airport.
 - On June 22, 1992, Council approved a lease amendment to provide additional airport land for expansion of the Yard Waste Processing Facility bringing the total site to 33.313 acres.
 - On July 2, 1996 the Airport Advisory Committee voted to support this lease.

16. Interview Process for City Manager

This item will be sent in the Friday, July 19 Council-Manager Memo.

17. Nominations to Boards and Commissions

1. **Airport Advisory Committee**
Two three year appointments beginning August 1996. One must reside on the west side of Charlotte. Frances Harkey and Bill Covington are eligible and would like to be reappointed.

Attachment 8

2. **Domestic Violence Advisory Board**
One three year appointment beginning September 1996. Valerie Woodard is not eligible to be reappointed.

Attachment 9

3. **Historic Landmarks Commission**
One appointment to fill an unexpired term beginning immediately and ending July 1999. Patrick Hamrick has resigned.

Attachment 10

4. **Minority/Women's Business Development Program Advisory Committee**
One appointment beginning immediately and serving the duration of the program, anticipated to be January 1998, to replace Councilmember Malachi Greene.

Attachment 11

5. **Mint Museum Board**
One three year position beginning August 1996. Nancy Williams is eligible and would like to be reappointed.

Attachment 12

6. **Parade Permit Committee**
One appointment to fill an unexpired term beginning immediately and ending March 1998. Todd Duncan has resigned.

Attachment 13

7. **Parole Accountability Committee**
One position beginning immediately to fill an unexpired term ending June 1998. Keith Shannon has resigned.

Attachment 14

8. **Taxicab Review Board**
One appointment beginning immediately and expiring September 1997 to represent the Operating Permit Holder designation. Joyce Bradley has not met attendance requirements.

Attachment 15

18. Date for the City Attorney's Evaluation

Action: Set a closed session for the purpose of conducting an evaluation of the City Attorney. Suggested options are August 26 and September 24.

19. Date for the City Clerk's Evaluation

Action: Set a closed session for the purpose of conducting an evaluation of the City Clerk. Suggested options are August 26 and September 24.

Introduction to CONSENT I and II

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

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

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

Minority and Women Business Development Program (MWBD) Abbreviations:

- BBE - African American
- ABE - Asian American
- NBE - Native American
- HBE - Hispanic
- WBE - Non-Minority Women

CONSENT I

20. Various Bids

- | | | |
|-----------|--|--|
| A. | Sharon Road Sidewalk Improvements | Engineering and Property Management |
|-----------|--|--|

Recommendation: The City Engineer recommends the low bid of \$198,317.44 by Ferebee Corporation of Charlotte, N.C.

MWBD Compliance: Yes, the Contractor intends to use his own forces to complete project.

- | | | |
|-----------|--------------------------------------|--|
| B. | Storm Water Maintenance FY97A | Engineering and Property Management |
|-----------|--------------------------------------|--|

Recommendation: The City Engineer recommends the low bid of \$365,400 by Showalter Construction of Charlotte, N.C.

MWBD Compliance: Yes, contractor plans to complete project with his own labor force.

C. Storm Water Maintenance FY97B **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of \$364,275 by United Construction of Charlotte, N.C.

MWBD Compliance: Yes.

D. Storm Water Maintenance FY97C **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of \$369,825 by Blythe Development of Charlotte, N.C.

MWBD Compliance: Yes, contractor plans to complete project with his own labor force.

E. Residential Sound Insulation **Aviation**
Construction Contract #1

Recommendation: The Aviation Director recommends the low bid of \$109,166 by Rayco Construction of Charlotte, N.C.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$19,200	17.6%	10%

Compliance: Yes.

F. Residential Sound Insulation **Aviation**
Construction Contract #2

Recommendation: The Aviation Director recommends the low bid of \$144,189 by Bass & Jones Construction of Winston-Salem, N.C.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$144,189	100%	10%

Compliance: Yes.

**G. Water Distribution Project - CMUD
24-Inch Water Main Along Westinghouse
Boulevard and Nations Ford Road (From
Texland Boulevard to Carpet Street)**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of \$114,155.23 by Rea General Contractors, Incorporated of Charlotte, N.C.

MWBD Compliance: Yes, the Contractor has met the requirements of the MWBD Program by performing 100% of the work with their current work force. The Utility Department has obtained information from the Contractor regarding their capacity to self-perform this work.

**H. Sanitary Sewer and Water Main CMUD
Construction Project - 1995 Annexation
Area 1 - Contract A**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of \$1,918,507.80 by Propst Construction Company of Concord, N.C.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$13,500	0.7%	3%
WBE	\$40,000	2.1%	3%

Compliance: Yes, the Contractor has met the requirements of the MWBD Program by exhibiting a good faith effort to utilize minority and women owned firms. Propst Construction Company has committed all available subcontract opportunities to minority and women businesses. The remainder of the work will be performed by Propst Construction forces.

**I. Sanitary Sewer and Water Main CMUD
Construction Project - 1995 Annexation
Area 1 - Contract B**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of \$2,133,352.29 by B.R.S., Incorporated of Richfield, N.C.

MWBD Compliance: Yes, the Contractor has met the requirements of the MWBD Program by performing 100% of the work with their current work force. The Utility Department has obtained information from the Contractor regarding their capacity to self-perform this work.

21. Resolution of Intent to Abandon Street and Set Public Hearing - Portion of Weddington Avenue

- Action:**
- A. Adopt the Resolution of Intent to abandon a portion of Weddington Avenue; and**
 - B. Set a Public Hearing for August 26, 1996.**

Attachment 16

22. Refund of Certain Taxes

- Action:** **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of \$61,663.95.**

Attachment 17

23. Speed Limit Change

- Action:** **Adoption of ordinances to lower the speed limit on 17 Charlotte streets.**

Neighborhood 25 MPH Program:

Atherton Street (Dilworth)
Beresford Road (Foxcroft)
Diana Drive (Dilworth)
Dorothy Drive (Dilworth)
Farmfield Lane (Old Concord)
Ideal Way (Dilworth)
Iverson Way (Dilworth)
Magnolia Avenue (Dilworth)
Marshall Place (Dilworth)
McDonald Avenue (Dilworth)
Melbourne Court (Sedgefield)
Oak Leigh Drive (Wexford)
Sandhurst Drive (Country Club Heights)
Springdale Avenue (Dilworth)
Warberon Road (Foxcroft East)
Winthrop Avenue (Dilworth)

CDOT Safety Evaluation:

Murrayhill Road south of Woodlawn Road from
35 MPH to 25 MPH

24. Cancel Sale of City Property - 2409 Danforth Lane

Action: Refund a bid deposit in the amount of \$600 to Kevin Lotharp because he was unsuccessful in obtaining a loan to purchase 2409 Danforth Lane which Council approved for sale to him at the June 10, 1996 Council meeting.

25. In Rem Remedy

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

- Public Purpose:**
- Eliminate a blighting influence in a City Within a City neighborhood.
 - Reduce the proportion of substandard housing from 2.3% to 1% by 1997. (One of the goals of City Within a City is to continue housing preservation efforts.)
 - Increase tax value of property by making land available for potential infill housing development.
- Policy:**
- City Within a City
 - Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety - from Police and/or Fire Dept.
2. Complaint - from petition by citizens or from tenant.
3. Field Observation - from concentrated code enforcement program.

The In Rem Remedy items are listed below by category identifying the street address and neighborhood.

Public Safety

- A. 832 Key Street - Thomasboro/Hoskins
- B. 720 Grass Drive - Oakdale
- C. 5144 Grass Drive - Oakdale
- D. 1034 Waccamaw Street - Third Ward

Complaint

- E. 327 Harrison Street - Lakewood
- F. 2401 Celia Avenue #1-#4 - Biddleville
- G. 2800 Huntingtowne Farms Lane - Huntingtowne Farms

Field Observation

- H. 412 Jones Street - Lakewood
- I. 401 Lakewood Avenue - Lakewood
- J. 526 Pennsylvania Avenue - Oakview Terrace

A. 832 Key Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 832 Key Street (Thomasboro/Hoskins Neighborhood), located in the City Within a City boundaries.

Attachment 18

B. 720 Grass Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 720 Grass Drive (Oakdale Neighborhood), located outside the City Within a City boundaries.

Attachment 19

C. 5144 Grass Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 5144 Grass Drive (Oakdale Neighborhood), located outside the City Within a City boundaries.

Attachment 20

D. 1034 Waccamaw Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1034 Waccamaw Street (Third Ward Neighborhood), located in the City Within a City boundaries.

Attachment 21

E. 327 Harrison Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 327 Harrison Street (Lakewood Neighborhood), located in the City Within a City boundaries.

Attachment 22

F. 2401 Celia Avenue #1-#4

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2401 Celia Avenue #1-#4 (Biddleville Neighborhood), located in the City Within a City boundaries.

Attachment 23

G. 2800 Huntingtowne Farms Lane

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2800 Huntingtowne Farms Lane (Huntingtowne Farms Neighborhood), located outside the City Within a City boundaries.

Attachment 24

H. 412 Jones Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 412 Jones Street (Lakewood Neighborhood), located in the City Within a City boundaries.

Attachment 25

I. 401 Lakewood Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 401 Lakewood Avenue (Lakewood Neighborhood), located in the City Within a City boundaries.

Attachment 26

J. 526 Pennsylvania Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 526 Pennsylvania Avenue (Oakview Terrace Neighborhood), located in the City Within a City boundaries.

Attachment 27

CONSENT II

26. Providence Road Sidewalks - Pineville-Matthews Road to Blueberry Lane

Action: Approve a resolution to authorize the Director of Transportation to execute the Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the construction of sidewalks as part of the Providence Road (NC 16) Widening from Pineville-Matthews Road (NC 51) to Blueberry Lane. The cost is \$255,500.

Policy: The City's goal is to provide sidewalks along both sides of the roadway for all thoroughfares. The City participates in State roadway projects to help achieve this goal.

Explanation of Request:

- This Municipal Agreement is between the City and NCDOT for sidewalk construction along both sides of Providence Road from Pineville-Matthews Road (NC51) to Blueberry Lane.
- All construction will be performed by the NCDOT's contractor as part of the Providence Road Widening Project.
- The City will reimburse the NCDOT 50% of the total sidewalk cost per NCDOT Policy. The City's share is estimated to be \$255,500.

Background:

- The City requested sidewalks along both sides of the proposed roadway improvement project.
- The NCDOT agreed to construct the sidewalks. It's policy requires the City to pay one-half the cost.
- The NCDOT has agreed to install the sidewalk such that a grass strip will exist between the curb and sidewalk in most areas.

27. Traffic Signal Loop Detector Replacement Contract

- Action:**
- A. Adopt a budget ordinance of \$285,000 to fund a contract for the replacement of damaged signal loop detectors; and**
 - B. Authorize the Director of Transportation to execute a Signal Loop Detector Replacement Contract with Watson Electric Company for up to \$285,000, and**

Explanation of Request:

- This budget ordinance creates an account of \$285,000 to pay a contractor for the replacement of damaged signal loop detectors.
- The new account will be funded from other CIP accounts, the Powell Bill, and Municipal Agreements. The City will be reimbursed by the North Carolina Department of Transportation (NCDOT) for this expense.
- This action authorizes the Director of Transportation to execute a contract with Watson Electric Company for the replacement of signal loop detectors. The contract amount may not exceed \$285,000.
- The work included in this contract has traditionally been done with City forces. CDOT forces have been unable to keep up with the demand for this work due to an increase in the amount of work and a reduction in staff levels. CDOT included this work in their competition plan.
- The proposed contract will eliminate the backlog of locations and meet the demand for the next year without increasing staff levels.
- A contract was advertised and bid. Only one bid was received so the contract was rebid a week later. Watson Electric of Wilson, NC, still submitted the only bid. This bid exceeded the

contract estimate by 22%. Other potential bidders indicated that there was a very high demand for this work throughout the state.

28. Long Distance Service for Public Phones at Airport

Action: Approve a one year contract with LDDS-World Com for long distance telephone service in the public areas of the airport.

Explanation of Request:

- The airport has two telephone agreements that provide revenue from local and long distance service. Local service is provided by BellSouth and long distance service is provided by LDDS-World Com.
- The long distance service pays a portion of revenue, based on passenger boardings, to the airport annually. FY96 revenue for long distance service was \$1,099,999. LDDS-World Com is the current provider of long distance service.
- In March 1996, deregulation was implemented that allowed service providers to provide both local and long distance service. However, the local and long distance telephone companies conveyed they were not in a position to competitively bid for the combined service by June 30, 1996, the expiration date of the airport's existing agreements.
- Airport staff and consultants, CDI Communications, believe that providing all telephone service providers an opportunity to bid in a deregulated environment would provide more telephone revenues. Therefore, the existing contract with BellSouth for local service was extended for one year and the airport attempted to renegotiate a one-year extension with the long distance provider. LDDS-World Com proposed a reduction of \$352,000 in revenue to the airport for this one year extension.

- The airport rebid the contract. MCI, AT&T and LDDS-World Com responded. LDDS-World Com was the high bidder, with an approximate annual revenue to the airport of \$997,499. This is approximately \$102,000 less than last year's revenue.
- Next year the Airport will accept bids for local and long distance telephone service.
- In July, 1992 City Council approved a three year contract with LDDS.
- In July, 1995 City Council approved a one year extension to LDDS's contract.

Background:

29. Afro-American Cultural Center Lease Renewal

Action: Approve a ten year lease agreement with the Afro-American Cultural Center for City-owned land and facility located at 401 N. Myers Street at a rate of \$1 per year.

Policy: On April 1, 1991 City Council voted to approve the Cultural Action Plan. The Plan includes a budgetary recommendation to provide cultural facility operations and maintenance support to facilities owned by the City.

Explanation of Request:

- Staff recommends approval of a ten year lease with the Afro-American Cultural Center for the term August 1, 1996, through July 30, 2006, at a rate of \$1 per year. The terms of the lease agreement are the same as with agreements between the City and other cultural facilities (Children's Theater, Performing Arts Center, Mint Museum and Discovery Place).

- The operations and maintenance budget provided by the City to the Afro-American Cultural Center for FY96 is \$28,678 which covers the estimated annual cost of utilities, routine facility maintenance, and contractual services such as custodial, pest control, and HVAC maintenance. Fiscal Year 97's operations and maintenance budget for this cultural facility is \$31,242.
- Any major unforeseen repair costs would be in addition to the operations and maintenance budget and would come from the building maintenance capital account. In FY96, \$8,000 was spent on building repairs caused by lightning strike. This amount came from the building maintenance capital account.
- The City is not responsible for program costs. The Arts and Science Council provides program support. The Afro-American Cultural Center is responsible for "repairs necessitated by the negligence or willful misconduct of Lessee, its employees, agents or servants. Lessee shall at its expense keep in good order and repair all exhibits, displays, signs and other fixtures, equipment, furniture and machinery forming a part of, or associated with, the exhibitry and programs located in or conducted upon the premises."

30. Underground Storage Tanks - Environmental and Engineering Services - Amendment #9

Action:

- **Approve Amendment #9 to the agreement with Professional Service Industries, Inc. (PSI) for \$3,000,000 for the continuation of the Underground Storage Tank Program during FY97. This amendment will bring the total contract amount to \$11,385,000.**

Explanation of Request:

- Amendment #9 in the amount of \$3,000,000 includes an estimated \$2,200,000 for actual cleanup, removal, and replacement of approximately 35 of the remaining 63 tanks, and an estimated \$800,000 for associated testing services and preparation of cleanup plans. Of the \$8,385,000 under contract prior to Amendment #9, approximately \$5,500,000 has been for tank replacement and cleanup. Approximately \$2,500,000 has been for services performed by PSI.
- Competitive bids are taken for the cleanup and tank replacement and charged back to the City at actual costs, while the testing services and plan preparation are charged on an hourly and unit price basis. The rates charged by PSI are comparable to the rates charged by other firms for similar services in this area and are in line with the allowable fees the State will reimburse. Approximately 1/4 of all costs expended will be reimbursable by the state.
- The Engineering and Property Management Department has continued to utilize PSI's services for the management of the City's Underground Storage Tank Program since 1991 based on their performance and working relationships established with the various City facilities. PSI has an average return of 95% on completed reimbursement applications. The average return in North Carolina is 80%.
- As of December 22, 1988, Environmental Protection Agency (EPA) regulations increased the levels of control for underground storage tanks. This required the City to evaluate the 183 City-owned tanks to determine if leakage or contamination had occurred; to determine the extent of contamination, prepare and execute cleanup plans, and upgrade or replace tanks to meet 1998 technical requirements.
- Evaluations have been completed at all City-owned tank sites. To date, 120 tanks have been completed and 63 tanks remain to be completed.

- Amendments have been added to the original agreement as funding has become available to keep the program on track and to comply with the EPA regulations. See Background Attachment for details regarding amendments.

Attachment 28

31. McAlpine Creek Residuals Management Facility Amendment #8

Action: Approve Amendment #8 to the Professional Services Contract with CH2M Hill Southeast, Incorporated (CH2M Hill) for extended construction management services for the McAlpine Creek Residuals Management Facility at \$269,392.

Explanation of Request:

- This amendment will extend the construction management services for the McAlpine Creek Residuals Management Facility due to time extensions granted to the contractors on the project. A portion of this increase will be recovered from the construction contractors through assessment of liquidated damages for contractor time over-runs.
- The contract time for construction of the McAlpine Residuals Facility was extended due to
 - excessive rock and unsuitable foundation materials;
 - weather delays;
 - an addition to the odor control system. This addition eliminated a major source of odor as identified in an odor study completed during construction of the Solids Facility.

Background:

- This amendment will increase the professional services contract for the McAlpine Creek Residuals Management Facility from \$8,581,915 to \$8,851,307. This amendment will close-out the professional services contract with CH2M Hill for the McAlpine Facility.
- CH2M Hill was selected by competitive process to design an expansion to the McAlpine Wastewater Treatment Plant, including a Solids Stabilization Facility. The Solids Facility has been completed. This amendment will allow payment to the consultant for construction services rendered beyond the original construction contract period.
- The total contract ceiling, including Amendment #8, is \$8,851,307. Of this total \$4,180,502 is related to the Residuals Facility.
- The City was awarded a \$9.4 million matching grant from the Environmental Protection Agency (EPA) to build a Solids Stabilization Facility at the McAlpine Creek Wastewater Treatment Facility.
- This facility will produce compost and a lime stabilized product, both marketable, from the solids which are a by-product of wastewater treatment.
- Together with the present land application program, these products will provide a range of beneficial use options for wastewater solids.
- This project provides an innovative approach to solids management that will meet new federal regulations, be environmentally sound, and allow for continued growth in the community.

32. Mallard Creek Elevated Water Storage Tank - Professional Services Contract

Action: Approve a professional services contract with Hazen and Sawyer for design and construction management services of an elevated water storage tank near Mallard Creek Church Road and Interstate 85 for \$273,000.

Explanation of Request:

- This engineering contract will provide design and construction management services for an elevated water storage tank to be built at this location. The need for this tank was identified and documented in CMUD's Water Distribution System Study completed in 1995. Funds were approved in the FY96 Capital Investment Program for design of the tank.

Background:

- Elevated water tanks are required to provide storage in the distribution system and to maintain and stabilize system pressure. This will be the second elevated storage tank in the pressure zone serving Northern Mecklenburg County. When the North Mecklenburg Water Treatment plant is placed in operation this year, the existing tank in Huntersville will no longer be adequate to meet these needs.
- Anticipated construction of the Mallard Creek Church Road Water Tank is scheduled for Spring of 1997.

33. Hickory Grove Elevated Water Storage Tank - Professional Services Contract

Action: Approve a professional services contract with Hazen and Sawyer for design and construction management services for a new elevated water storage tank near W.T. Harris Boulevard and Plaza Road Extension for \$300,000.

Explanation of Request:

- CMUD's Water Distribution System Study identified the need for a new elevated water tank to be located adjacent to the existing Hickory Grove tank on Plaza Road extension.
- The Study also identified an area of low system pressure surrounding the existing North Tryon Street tank and recommended that this area be incorporated in a higher pressure zone. This will render the North Tryon tank obsolete.
- This professional services contract will provide bid documents for two alternatives:
 1. Relocation of the 1 million gallon North Tryon tank to Hickory Grove, or;
 2. Demolition and disposal of the North Tryon tank and construction of a new 1.5 million gallon tank at Hickory Grove.
- The construction bids will be evaluated for the most cost effective solution.

Background:

- CMUD has received numerous complaints of low water pressure in the area surrounding the North Tryon Street tank. The Distribution Study recommended relocating the North Tryon tank to Hickory Grove.

34. Water and Sewer Revenue Bond Sale Resolution

Action:

Adopt a resolution authorizing staff to proceed with the actions necessary to conduct a revenue bond sale for water and sewer capital projects in an amount not to exceed \$50 million. The proceeds from the sale will be used to fund water and sewer capital projects approved in the FY 97-01 Capital Investment Program. The tentative bond sale date is September 18, 1996.

Explanation of Request:

- This resolution includes the following:
 - Authorization to submit an application to the Local Government Commission
 - Authorization for staff to file the application
 - Appointment of the financing team and trustee consisting of First Union Capital Markets, Inc., NationsBanc Capital Markets, Inc., Smith Helms Mulliss & Moore, L.L.P. and Alex. Brown & Sons Inc.
 - Authorization for staff to take necessary steps to complete the bond sale.
- The debt service on the revenue bonds will be paid from water and sewer user fees.

Background:

- The FY 1997-2001 Capital Investment Plan approved by City Council on June 10, 1996 includes \$243,368,000 of water and sewer projects to be funded by revenue bonds. The Finance Department and the Charlotte Mecklenburg Utility Department have reviewed the projected cash flow and contractual needs for FY 1997 and determined that a sale of approximately \$50 million is needed at this time.
- The change to revenue bond financing was approved by Council in the FY 97-01 Capital Investment Program and was implemented for a number of reasons including the following:
 - Revenue bonds pledge only revenues from the enterprise system, not the full faith and credit of the City. Because of this, revenue bonds do not reduce the City's available debt limit.

- Revenue bonds allow flexibility in debt structure and product differentiation. This allows the City to take advantage of proven techniques that allow a closer matching of revenues to debt service and useful life of facilities to debt maturities. The ultimate goal is to minimize the impact of future rate increases.

Attachment 29

35. General Obligation Bond Resolution

- Action:** Approve a resolution related to the proposed November 5, 1996 General Obligation Bond Referendum that introduces the following Bond Orders totaling \$98,375,000:
- Order authorizing \$32,000,000 of Neighborhood Improvements Bonds
 - Order authorizing \$66,375,000 of Street Bonds
- Explanation of Request:**
- This resolution introduces the two bond orders and sets a public hearing for August 26, 1996. After the public hearing on August 26, 1996 Council will consider adopting the bond orders.
- Background:**
- On June 10, 1996 Council authorized staff to proceed with actions necessary to conduct a General Obligation Bond Referendum on November 5, 1996. Council will be requested to take one additional action on August 26, 1996 that will be the final action prior to the referendum on November 5, 1996.

36. Charlotte-Mecklenburg Police Department (CMPD) Freestanding Office Furnishings - Change Order #3

Action: Approve a \$119,264 change order (CO #3) to the contract with Office Interiors for freestanding office furnishings for the Strategic Planning and Crime Analysis section and Data Processing section of the Police Department.

Explanation of Request:

- City Council awarded a contract to Office Interiors, Inc. in December 1995 to supply desks, chairs, tables, and other freestanding furniture for the CMPD. This change order will increase Office Interiors' contract amount by \$119,264 from \$883,555 to \$1,002,819.
- City Council approved the construction of 9,330 square feet of future expansion space in February 1995 in anticipation of the growth of the Police Department. The expansion space, as approved, included exterior finishes only.
- The Strategic Planning and Crime Analysis section and the Data Processing section of the Police Department have grown considerably. The Police Department requested that some expansion space be used to accommodate this growth. Engineering & Property Management directed the architect to perform the necessary design changes. Engineering also initiated change orders with the contractors for the additional work necessary for completion of these areas.
- Furniture for these areas was not included in the original contract since design was ongoing when bids were received. This furniture is necessary to make these areas usable for the Police Department.

Background:

- At the architect's recommendation, the freestanding and workstations contracts were bid separately to encourage more competitive bidding. This change order is an amendment to the freestanding furnishings contract with Office

Interiors awarded by City Council in December 1995. City Council awarded the workstation (office cubicles) contract to Spillars Contract Interiors in December 1995.

- The City Manager has previously awarded two change orders to Spillars for furnishing workstations for these expansion areas. These two change orders, each less than \$100,000, appeared in Council's May contracting report. The July 10 Council-Manager Memo outlines why these earlier change orders for similar purchases appeared on the same report (see attachment)..
- A two-year purchase agreement is included in both the freestanding and workstation furnishings contracts whereby the City can purchase furniture at a set percentage off the current retail price. Both the freestanding and workstation furnishings are being purchased under the terms of that agreement.

Attachment 30

July 10 Council-Manager Memo

37. Charlotte-Mecklenburg Police Department Construction Management Services Amendment #6

Action:

Approve amendment #6 to the Construction Management services contract with F. N. Thompson / Turner for \$115,000.

Explanation of Request:

- Continued growth and reorganization of the Police Department has required that many changes and/or additions be made to the CMPD facility as it was being constructed.

- To accomplish these construction additions within the original project schedule, we have requested that some construction management's personnel remain on the job longer than anticipated. We also requested that the construction management (CM) add personnel to coordinate these changes with the mechanical, plumbing, electrical, and communications contractors.
- In addition, some CMPD contractors failed to perform their work requirements. The CM did the required work with their own staff, and the appropriate contractors will now be charged for the costs. Therefore, the net added cost to the project budget will be less than the \$115,000 amount of this amendment.
- This amendment provides for an increase in the CM's Direct Personnel Expense and Reimbursable Allowances and will increase the contract sum from \$2,175,382 to \$2,290,382. The CM will only be reimbursed for their actual expenses.
- The City entered into an agreement with F. N. Thompson Turner to provide construction management services for the CMPD in May 1993. Changes requested by the Police Department have included:

Background:

1. Increasing the size of the parking deck from 435 to 900 spaces, as approved by City Council in December 1994.
2. Construction of 9,330 square feet of expansion space, as approved by City Council in February 1995.
3. Construction of a DNA lab, as approved by City Council in November 1995.
4. Interior upfit of a portion of the expansion space noted in item two above for the Strategic Planning and Crime Analysis section, and Data Processing section of the Police Department.

5. Various smaller changes which have also increased the scope of the project.

38. Contract Amendment for Police Mail and Copier Services

Action: Approve an amendment to the City's master contract for Copier and Printing Services with ALCO Management Services in the amount of \$137,700 to provide five years of demand copy and mail services for the Police Department.

Explanation of Request:

- The Police Department recommends contracting with ALCO Management Services to establish and manage a Demand Copy and Mail Center for the new Law Enforcement Center. The center will be staffed by an ALCO employee who will meet Police Department standards. The employee will provide demand copy services for the large volume of copies needed by police employees and will be responsible for sorting and delivering mail throughout the new Law Enforcement Center. ALCO will also deliver outgoing mail to the City's Mail Room, handle the department's use of Federal Express overnight mail, and be responsible for supplies and routine maintenance for the smaller convenience copiers that will be located throughout the Law Enforcement Center.
- At present this work is done by employees throughout the department at all levels of the organization. Contracting this work to ALCO Management Services will be a more efficient way to deliver these services and will be a more effective use of the time of those employees who currently do high volume copying, mail sorting and distribution in addition to their regularly assigned duties.

- This contract is an amendment to the City's contract with ALCO Management Services which was entered into on December 20, 1995. All costs, including those for duplicating services, will be the same as those in the City contract. The contract will run for five years, an initial three year period plus two one year extensions, for a total cost of \$137,700 over the five year period.
- The Police Department will fund the cost of the contract by eliminating two Records Clerk positions. After providing funding for temporaries to assist with the non-copying functions of the deleted positions, the net savings is approximately \$9,200 per year.

Five Years	
Contract Cost	\$137,700
2 Position Reductions	(\$243,980)
Temporaries Salary	+\$60,000
5-Year Net Savings	\$46,280
Average Savings Per Year	\$9,256

39. NFL Stadium Bus Parking Lot

Action: Approve a Municipal Agreement with the North Carolina Department of Transportation to allow the City to build and operate a parking lot on a portion of the Cedar Street Yard.

- Explanation of Request:**
- This Municipal Agreement will allow the City to:
 - Construct, operate, and maintain a parking lot on a portion of the Cedar Street Yard for thirty (30) years; and

- Recover the estimated \$350,000 cost for the improvements through parking fees

Background:

- Engineering and Property Management will select an operator for the parking lot.
- As part of the City's contract with Richardson Sports, the City is required to provide 100 charter bus parking spaces. The Cedar Street Yard was chosen because of its close proximity to the stadium. The North Carolina Department of Transportation and the City of Charlotte jointly purchased the property for rail corridor preservation. The NCDOT paid 60% of the cost and the City paid 40%.
- The Agreement will allow the City to recover the cost of all improvements and maintenance to the site through parking fees. These fees will be charged to charter buses (on stadium event days), daily parkers, and special event usage. Engineering & Property Management is in the process of selecting an operator for this lot.
- Once the City has recovered the cost of the improvements, the State and City will share the revenues generated by the site with 60% going to the State and 40% going to the City.
- This expense is within the NFL Stadium Project budget.
- The Third Ward community has agreed to allow the City to construct this parking lot.

40. Property Transactions

Action: Approve the following property acquisitions (A and B) and adopt the condemnation resolution (C)

Acquisition: A. **Project:** Sharon Road Minor Roadway Improvements, Parcel #1
Owner(s): Gary R. Ritter & wf., Janice T. Ritter
Property Address: 6645 Sharon Road
Property to be acquired: 4,350 sq.ft. (0.0998 ac.) Of temporary construction easement.
Improvements: Trees & shrubs, landscaping & brick wall
Purchase Price: \$ 18,500
Remarks: Construction on this project will cause a decorative brick wall to be removed along with some trees and shrubs due to a grade change. Compensation amount based on an appraisal.

Zoned: R-3 **Use:** Residential

1991 Tax Value: \$ 233,400

Tax Code: 209-286-17

B. **Project:** Beards Creek & Crooked Creek Trunk & Pump Station, Parcel #17 & 71A
Owner(s): Neubert Purser & Juanita Purser
Property Address: 3024 Matthews-Mint Hill Road.
Property to be acquired: 36,081 ± sq.ft. (0.828 ac.) plus temporary construction easement 26,120 sq.ft. (0.599 ac.).
Improvements: Landscaping
Purchase Price: \$15,400
Remarks: Required easement needed for the construction and maintenance of an 8-inch sanitary sewer line and/or an 8-inch force main line. Acquisition price includes compensation for loss of landscaping based on appraisal.

Zoned: R-20 **Use:** Residential & Farm land

1991 Tax Value: \$ 855,330

Tax Code: 215-163-01

Condemnation:

- C. **Project:** Beards Creek & Crooked Creek Trunk & Pump Station, Parcel # 40
Owner(s): Robert Guy Powell III & wf., Marilyn Corey Powell & any other parties of interest.
Property Address: 1313 Hartis Lane, Matthews, N. C. 28105
Property to be acquired: 1,275 ±sq.ft. (.029 acres) plus temporary construction easement of 850± sq. ft.
Improvements: Trees
Purchase Price: \$ 400
Remarks: A 15' sanitary sewer easement is needed on this property. Compensation is based on an appraisal made on the property. The property owner contends that the proposed sanitary sewer line will negatively impact his septic system and is requesting \$ 2,700 payment for a tap-on fee and plumbing cost. The proposed sewer line will be located across the creek from the septic system and will have no effect on the septic system.
- Zoned:** R-20 **Use:** Residential
1991 Tax Value: \$48,620
Tax Code: A portion of: 193-322-11

41. Minutes

Action:

Approve minutes as follows:

- **May 28, 1996 Business Meeting**
- **May 30, 1996 Budget Workshop**
- **June 3, 1996 Council Workshop**
- **June 10, 1996 Business Meeting**
- **June 17, 1996 Business Meeting**