

**AGENDA**

Meeting Type:	BUSINESS
Date:	11/11/1996

City of Charlotte, City Clerk's Office



*Mayor Patrick McCrory    Mayor Pro Tem Al Rousso*

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

## ***Council Agenda***

### **CITY COUNCIL MEETING** **Monday, November 11, 1996**

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**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, November 11, 1996

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

- 1. Proposed Grier Heights Land Transfer**
- 2. Enterprise Community Contracts**
- 3. Asset Management: Franchise Agreements and City Street Rights-Of-Way**

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

**CONSENT**

- 4. Consent agenda items 14 through 24 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

**POLICY**

- 5. City Manager's Report**
- 6. Presentation on Uptown Arena**

**Action:** Receive presentation by a consortium interested in building a new uptown arena with additional developmental options.

**Focus Area:** Economic Development

**Explanation of Request:**

- City Council authorized a staff negotiating team to review with the Hornets four options for addressing the Hornets' need for additional revenue. The four options were:
  - Do nothing
  - Restructure the existing lease while altering the Charlotte Coliseum
  - Sell the Charlotte Coliseum to the Hornets
  - Directly or indirectly assist the Hornets with the development of a new arena
- Council's instructions to the staff negotiating team were to:
  - Maximize the City's financial position
  - Serve the long-term needs of the City of Charlotte
  - No property tax increase or adverse impact on the City's existing capital priorities
  - Maintain economic/civic opportunity for the City of Charlotte
- The City Manager appointed a citizens advisory committee chaired by Cliff Cameron to advise the City Manager and the staff negotiating team on various options identified for addressing the Hornets' situation. The citizens advisory group has reviewed "do nothing" and "lease" options and is waiting for a presentation before discussing the "new arena" option. Staff has been waiting on a group of uptown businesses, Cousins Development group, and the Hornets to present Council a proposal for a new arena.
- After Council receives the "new arena" proposal, the City Manager's citizens advisory group will review an economic analysis of this option and compare it to the other options. Before the Citizen's Committee finishes their review, staff will present to City Council a recommended process for Council to receive input and information on the options.



# BUSINESS

## 7. Establish an Ad-Hoc Council Budget Committee

- Action:** Establish a Council Budget Committee to guide the development of the FY98-FY99 Operating Budget and the FY98-02 Capital Investment Plan.
- Staff Resource:** Curt Walton
- Policy:** Restructuring Government
- Explanation of Request:**
- City Council is requested to establish a Council Budget Committee to guide the development of the FY98-FY99 Operating Budget and the FY98-02 Capital Investment Plan.
  - The charge to the Council Budget Committee is to:
    - recommend a schedule and process for review and approval of the 1998-99 Budget;
    - review major budgetary issues and options;
    - provide feedback to the Manager; and
    - make recommendations to the full Council.
  - The goals for the Council Budget Committee are to:
    - Provide earlier and formal communication:
      - between City Council and Staff;
      - among Councilmembers; and
      - between Council and the citizens.
    - Provide more time for policy development.
    - Provide for a more public process.

- The composition of the Council Budget Committee is recommended to be the chairpersons of the six standing Council Committees.

City Within A City  
 Council-Manager Relations  
 Planning and Economic Development  
 Public Safety  
 Restructuring Government  
 Transportation

- The Mayor Pro Tem, representing the Council-Manager Relations Committee would serve as Chairperson for the Council Budget Committee. .. The Mayor would appoint the Vice-chair of the Council Budget Committee.
- The Mayor, City Council and the City Manager may refer items to the Council Budget Committee.
- It is estimated the Council Budget Committee would meet once per month from November through May.

**Background:**

- Councilmembers expressed interest last year in having a longer review time.
- Recent budget development issues have gone through Council Committees along functional areas.
- Following presentation of the Manager's Recommended Budget, final decisions have been made both in Budget Workshops by the full Council and in informal small groups.

**8. Water and Sewer Revenue Bonds**

**Action:**

**Adopt two resolutions related to the issuance of Water & Sewer Revenue Bonds:**

- **The Bond Resolution authorizes the execution of various bond documents and describes the terms and conditions upon which the bonds are to be sold.**

- **The Bond Order authorizes the issuance of Water and Sewer Revenue Bonds, Series 1996 in an amount not to exceed \$50 million for the purpose of improving the water and sewer system.**

**Staff Resource:** Richard Martin

**Policy:** The FY 1997-2001 Capital Investment Program included revenue bond funding of \$243,368,000 for water and sewer projects.

**Explanation of Request:** In order for the City to issue the Water and Sewer Revenue Bonds, Series 1996 Council must approve and authorize the Mayor and City Manager to execute various documents including the following:

- General Indenture
- Series Indenture
- Purchase Contract
- Placement Agreement
- Preliminary Official Statement

In addition Council must adopt a Bond Resolution that authorizes the issuance of Water and Sewer Revenue Bonds in an amount not to exceed \$50 million for the purpose of improving the water and sewer system.

**Funding:** The debt service on the bonds will be paid from charges to the customers of the water and sewer system.

**Background:** On June 10, 1996 Council approved the FY 1997-2001 Capital Investment Program that included \$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.

On July 22, 1996 Council authorized staff to proceed with the actions necessary to issue Water and Sewer Revenue Bonds in an amount not to exceed \$50 million to fund water and sewer capital projects in the FY 1997-2001 Capital Investment Program.

**Attachment 1**

List of projects and description of documents to be approved.

**9. Resolution of Support for Southern Engineering**

- Action:** Approve a resolution supporting Southern Engineering's request to NCDOT for funds for a rail spur.
- Staff Resource:** Tom Flynn
- Focus Area:** Economic Development
- Explanation of Request:**
- Southern Engineering is requesting a grant from NCDOT to repair a rail spur into their property on Wilkinson Boulevard. The rail spur is necessary for Southern Engineering to expand their business, add 20 employees and invest \$1 million in a new building.
  - The NCDOT grant would pay 50% of the repair costs and Southern Engineering and Norfolk Southern would pay the remainder. NCDOT administers the State's Rail Industrial Access Fund that would pay for these repair costs. NCDOT requires a City Council resolution supporting Southern Engineering's request.
- Funding:** No City funds are required.
- Background:**
- Southern Engineering is a steel fabricator founded in Charlotte in 1911. They currently employ 110 people, have sales of over \$14 million a year and pay \$40,000 annually in property taxes. Southern Engineering is located on Wilkinson Boulevard across from the Queensgate Shopping Center.

- The rail spur would connect Southern Engineering to Norfolk Southern's tracks. It is necessary for Southern Engineering to remain competitive long term.
- Southern Engineering has been actively involved in the Wilkinson Boulevard revitalization efforts. The area plan calls for this industrial use to remain.

## **Attachment 2**

Map

Resolution

## **10. Enterprise Community**

- Action:** Authorize the City Manager to enter into contractual agreements between the City and the three Enterprise Community Clusters (Northwest, Northeast and West) to implement the objectives in the Enterprise Community Grant application.
- Staff Resources:** Willie Ratchford and Jean Kanipes
- Policy:** On December 21, 1994, the City of Charlotte was awarded the Enterprise Community Grant by the Department of Human Services and the State of North Carolina.
- Focus Area:** City Within A City
- Explanation of Request:**
- On June 13, 1994, City Council approved the submission of the Enterprise Community Grant application to the State and Federal Government. The grant was awarded by the U. S. Department of Human Services and the State of North Carolina on December 21, 1994 for \$2.95 million. The grant funds will be divided equally among three cluster areas. Each cluster will receive \$982,995 over a period of five years. The funds will be expended each fiscal year as detailed in the proposed budgets (see attachment). The method for disbursement of funds is outlined in the attached Q & A. The Enterprise Community Grant Application is on file in the Council Library.

- The Enterprise Community Grant contracts (see attached proposed sample contract) outline benchmarks for each center, methods for evaluation and accountability. The focus of the three centers will be job creation and economic development. The activities proposed in the Enterprise Grant Application are underway and include the following:
  - The first year benchmark activities involve planning, organizing, training the boards and opening the centers. At present, all boards are activated (as mandated in the regulations), and executive directors have been hired (see attachment for a list of board members and executive directors). All three centers are now open and ready to provide services to the Enterprise Community neighborhoods.
  - The second year benchmark activities will address the chronic unemployed and under employed through the production of jobs and job training opportunities for approximately 225 people. In addition, small businesses located in the clusters will receive training and will use resources available for business development and expansion, thus creating jobs for area residents and economic vitality.
  - The third year benchmark activities will focus on continuing the program expansion on job development within the clusters. Entrepreneurial training and support programs will create an additional 150 jobs for underemployed/unemployed people. The clusters have developed partnerships with the City, local churches, nonprofit housing organizations and banks in an effort to produce affordable housing. During year three, program priorities and plans for years 4-10 will be established.

- The benchmarks/goals for each center are provided in the attachment.
- The centers are located in the northeast, northwest and west sections of City Within A City. These sections of City Within A City are among the most distressed neighborhoods in Charlotte.

**Funding:**

The U. S. Department of Human Services and the State of North Carolina.

**Background:**

- The Enterprise Community Grant is a community partnership between citizens, neighborhood organizations, nonprofit associations and City Government. There are 32 neighborhoods in the Enterprise Communities located in the Northeast, West and Northwest sections of the City. The intent of the grant is to:
  - provide economic opportunity;
  - promote community development; and
  - establish community-based partnerships.
- The goals of Charlotte's Enterprise Community initiative are to:
  - move unemployed people into the workforce;
  - move underemployed people into higher paying careers and occupations;
  - create new business and job opportunities for area residents; and
  - develop a strategic vision for change.
- Each cluster is managed through neighborhood-based nonprofit organizations governed by a Board of Directors.

- Neighborhood Development's Enterprise Community Program staff will monitor the clusters' progress in meeting goals and provide technical assistance as needed in governance, accountability and evaluation. The Enterprise Community Clusters and City staff will produce monitoring reports on a quarterly basis on the benchmark progress.
- During the first year of implementation, planning occurred between Neighborhood Development and the Charlotte-Mecklenburg Planning Commission. In 1995, the boards of directors for each cluster were organized with representation from each area. Each autonomous board is responsible for oversight and administration of the clusters' activities.

**Attachment 3**  
Exhibits A-E

**11. 1997 City Council Meeting Schedule**

**Action:** Approve the Council Meeting Schedule for 1997.

**Staff Resource:** Brenda Freeze

**Explanation of Request:** Attached is the Council regular meeting schedule for 1997. Council Workshops are scheduled for the first Monday. Zoning Meetings are the third Monday. Business Meetings are the second and fourth Monday. Exceptions for holidays or other calendar conflicts are noted.

**Attachment 4**  
Meeting Schedule



## **12. Nominations to Boards and Commissions**

1. **Housing Authority**  
Council deferred action on this appointment at the October 28 meeting in order to receive information from the Housing Authority.

One three year appointment beginning December 18, 1996 to replace Rickey Hall, who is not eligible to be reappointed.

### **Attachment 5**

## **13. Appointments to Boards and Commissions**

1. **Citizens Oversight for Cable Television**  
One position beginning immediately to fill an unexpired term plus a two year term ending March 1999. Jennifer Shook did not meet attendance requirements.

- (a) James L. Blane by Councilmember Rousso
- (b) Rahman Khan by Councilmember Majeed
- (c) Kevin H. Levine by Councilmembers Reid, Rousso & Wheeler

### **Attachment 6**

2. **Civil Service Board**  
Two new positions to serve as alternate members of the Board. Appointments will begin in November 1996 and expire May 1998.

- (a) Charles Carson by Councilmember Jackson
- (b) Patrick Clark by Councilmembers Greene & Rousso
- (c) John Offerdahl by Councilmember Majeed
- (d) Joseph Papa by Councilmembers Jackson, Majeed & Rousso
- (e) Charles Phillip Wells by Councilmember Spencer

### **Attachment 7**

3. **Community Relations Committee**  
One appointment beginning immediately and ending June 1988 to replace Charles Winn, who became a Mayoral appointee.
- (a) John Paul de Bernardo by Councilmember Rousso
  - (b) Amber Leonard by Councilmember Jackson
  - (c) Sharon Ward by Councilmember Wheeler

**Attachment 8**

4. **Competition Advisory Committee**  
One appointment beginning immediately and ending March 1, 1998 to replace Tom Hayes.
- (a) Timothy Mead by Councilmember Rousso
  - (b) Christopher Ritz by Councilmember Jackson
  - (c) Curtis Sims by Councilmember Greene
  - (d) Rebecca Jane Whitener by Councilmember Reid

**Attachment 9**

5. **Sister Cities Committee**  
One appointment beginning immediately and ending April 5, 1998 to replace Norman Manley.
- (a) Nan Baruth by Councilmember Reid
  - (b) Fred Lewis Bowden by Councilmember Spencer
  - (c) Pamela Gibson by Councilmembers Scarborough & Rousso

**Attachment 10**

**6. Tree Advisory Committee**

Two three-year appointments beginning January 1997. Roger Braswell and Vicki Ray do not wish to be reappointed.

- (a) Michael Fleming by Councilmember Wheeler
- (b) Guy Gordon by Councilmember Jackson
- (c) Thomas F. Lannin by Councilmember Spencer
- (d) Amber Leonard by Councilmember Reid
- (e) Richard C. Taylor by Councilmember Spencer
- (f) Sally Wentz by Councilmember Reid

**Attachment 11**

**7. Youth Involvement Council Advisory Board**

One appointment beginning immediately and ending August 15, 1997. Michael Whitehead has resigned.

- (a) Pamela Gibson by Councilmembers Scarborough & Rousso
- (b) William Haggerson by Councilmember Reid

**Attachment 12**

**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**

**14. Various Bids**

Construction contracts A-D will provide sound insulation for homes in the airport neighborhoods of Steelberry Acres, Wandawood, Westerwood and Garrison Road area. The airport has sound insulated 59 homes to date. There are currently 601 people participating in some phase of the federally-approved program. The following projects were bid as four separate contracts in order to give small businesses the opportunity to bid.

**A. Residential Sound Insulation Construction Contract 96-10A Aviation**

**Recommendation:** The Aviation Director recommends the lowest, responsive bid of \$169,321 by Moretti Construction of Charlotte. The Aviation Director recommends the low bid of \$168,098 by Rayco Construction of Charlotte be rejected due to failure to meet bid specifications.

MWBD Status:	Amount	% of Project	Project Goals
MBE	\$18,450	10.9%	N/A

**Compliance: Yes.**

**B. Residential Sound Insulation Aviation  
Insulation Construction Contract 96-10B**

**Recommendation:** The Aviation Director recommends the low bid of \$166,995 by Moretti Construction of Charlotte.

MWBD Status:	Amount	% of Project	Project Goals
MBE	\$5,500	3.3%	N/A

**Compliance:** Yes.

**C. Residential Sound Insulation Aviation  
Construction Contract 96-10C**

**Recommendation:** The Aviation Director recommends the low bid of \$148,004 by Rayco Construction of Charlotte.

MWBD Status:	Amount	% of Project	Project Goals
MBE	\$5,250	3.5%	N/A

**Compliance:** Yes.

**D. Residential Sound Insulation Aviation  
Construction Contract 96-10D**

**Recommendation:** The Aviation Director recommends the low bid of \$150,077 by Rayco Construction of Charlotte.

MWBD Status:	Amount	% of Project	Project Goals
MBE	\$5,250	3.5%	N/A

**Compliance:** Yes.

**E. Above/Underground Fuel Storage Engineering and  
Tank System Upgrade at McAlpine Property Management  
Creek Wastewater Treatment Plant**

**Recommendation:** The City Engineer recommends the low bid of \$347,457.60 by SIMCO (Superior Industrial Maintenance Company) of Mt. Holly, N.C.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$13,500	4%	4%
WBE	\$ 6,700	2%	2%
HBE	\$10,100	3%	0%

**F. Water and Sewer Main Construction  
- FY97 Contract F - Street Main Extensions**

**CMUD**

**Recommendation:** Charlotte-Mecklenburg Utility Director recommends the low bid of \$794,381.20 by Rea Brothers, Incorporated of Pineville, North Carolina.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$5,000	0.6%	2%
WBE	\$24,200	3.1%	3%

**Compliance:** Yes. The Utility Department has reviewed the Contractor's MWBD documentation and determined that he has exceeded the established goal for WBE participation and has made a good faith effort to meet the MBE goal for this project.

**G. Water and Sewer Main Construction  
- FY97 Contract G - Street Main Extensions**

**CMUD**

**Recommendation:** Charlotte-Mecklenburg Utility Director recommends the low bid of \$799,754.70 by McDaniel Construction Contractors, Incorporated of Bostic, North Carolina.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
WBE	\$799,754.70	100%	3%

**Compliance:** Yes. The Utility Department has reviewed the Contractor's MWBD documentation and determined that the Contractor is a WBE firm and will self-perform all work with their current work forces.

## CONSENT II

### **15. Police Adam Service Center Furniture Change Order #4**

- Action:** Approve a \$113,820.62 change order (CO#4) to the contract with Spillars Contract Interiors for open office workstations for the Adam Service Area Center.
- Explanation of Request:**
- City Council awarded a \$456,683.37 competitively bid contract to Spillars Contract Interiors on December 11, 1995 to provide and install open office workstations at the new Police Department headquarters facility. In order to take advantage of the volume discount received on the headquarters facility bid prices, the City included a two year purchase agreement in the bid and contract. This change order is for purchasing workstations for the new Adam Service Area Center and will increase Spillars' contract amount by \$113,820.62 from \$601,624.13 to \$715,444.75.
  - The City Purchasing Department and the Adam Service Area Center architect agree that these furniture prices are competitive and that the City should purchase this furniture out of the existing contract.
- Funding:** Funding is available in the project budget.
- Background:** The following is a history of change order activity on the contract with Spillars:
- Change order #1 was for \$77,021.76 in open office workstations for the Personnel, Planning, and Research sections of the Police Department headquarters facility.
  - Change order #2 was for \$56,570 in open office workstations for the Data Processing section of the Police Department headquarters facility.
  - Change order #3 was for \$11,349 in miscellaneous adds and changes to the workstations at the headquarters facility.

## **16. Police Equipment Budget Ordinance**

**Action:** Approve a budget ordinance appropriating \$49,110 in assets forfeiture funds for the purchase of equipment to be used by Vice and Narcotics and Street Drug Interdiction units.

**Explanation of Request:** This purchase is for additional equipment to be used by the Vice and Narcotics Bureau and the Street Drug Interdiction Units. The equipment includes radios, transmitters, a night vision scope, and cellular phones. Five thousand dollars of the requested funds is for training to use this equipment.

## **17. Charlotte-Mecklenburg Police Department (CMPD) Construction Management Services Amendment #7**

**Action:** Approve amendment #7 as a final amendment to the Construction Management Services contract with F. N. Thompson/Turner on the Charlotte-Mecklenburg Police Headquarters for \$166,250 increasing the contract sum from \$2,290,382 to \$2,456,632.

**Explanation of Request:**

- This final amendment of \$166,250 is for additional expenses incurred by F. N. Thompson/Turner while managing the construction and closeout of the Charlotte-Mecklenburg Police Headquarters. This amendment will cover all outstanding and anticipated future reimbursable, direct, and indirect costs associated with this project.
- The City is contractually obligated to pay for the construction manager's time on the job. The City added over \$5 million to the original construction costs which required additional personnel in order to accomplish construction on schedule. Staff is also pursuing claims and liquidated damages against any party responsible for extending the construction manager's time on the job.

**Funding:** Funding is available in the project budget.



**Background:**

- The City entered into an agreement with F. N. Thompson/Turner to provide construction management services for the Charlotte-Mecklenburg Police Department in May 1993.
- The \$5 million in construction cost increases on the project include increasing the size of the parking deck from 435 to 900 spaces, construction of 9,330 square feet of expansion space and upfit of approximately half of it, construction of a DNA lab, and numerous other smaller changes requested by the Police Department.

**18. Paw Creek Pump Station - Budget Ordinance and Contract Award**

**Action:**

- A. Approve a Budget Ordinance to transfer project savings of \$800,000 from the Neal Branch Lift Station and Trunk Main to the Improvements to Paw Creek Lift Station; and**
- B. Approve the low single-prime bid of \$4,105,678.50 by State Utility Contractors, Inc. of Monroe, NC.**

**Explanation of Request:**

Funding for the Paw Creek Lift Station Project was approved in the FY94 Capital Improvement Program and supplemental funding was approved in FY96. This project provides for total replacement of the existing obsolete lift station as well as providing capacity improvements. Original budget estimates proved inadequate to construct the facility that is required. Funds from the Neal Branch Lift Station and Trunk Main project savings (\$800,000) are requested to cover the additional construction cost.

**MWBD Status:**

	<b>Amount</b>	<b>% of Project</b>	<b>Proj. Goals</b>
<b>BBE</b>	\$ 44,140	1.1%	10.0%
<b>HBE</b>	\$ 67,000	1.6%	1.0%
<b>WBE</b>	\$ 113,639	2.8%	8.0%

**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. The contractor solicited bids from numerous MWBD firms but limited quotes were received. CMUD staff anticipates that State Utility Contractors will use additional MWBD firms as subcontracting opportunities are further defined.

## **19. Municipal Agreement - Mallard Creek Church Road Widening**

**Action:** Authorize the Key Business Executive for Transportation to execute two Municipal Agreements between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the widening of Mallard Creek Church Road from I-85 to North Tryon Street.

**Explanation of Request:** The two municipal agreements are the Construction Municipal Agreement and Utility Municipal Agreement.

The Construction Agreement has no cost associated with it, however it allows the City and NCDOT to enter into additional agreements for utility adjustments, and traffic signal revisions. The Utility Agreement provides for NCDOT's contractor to perform water and sewer line adjustments and relocation work along the length of the project with the costs reimbursed by the City.

**Funding:** The City's cost for the Utility Agreement is estimated to be \$879,270. Funds for the utility relocations/adjustment are located in the Water and Sewer Capital Budget.

**Background:** The Mallard Creek Church Road Project requires certain utility relocation/adjustments, and a Municipal Agreement between the City and NCDOT is necessary. The format and cost sharing philosophy are consistent with prior Municipal Agreements. Because a portion of this project is within the City, a Municipal Agreement is necessary.

## **20. Municipal Agreement - Westinghouse Boulevard Extension**

**Action:** Authorize the Key Business Executive for the Department of Transportation to execute a Construction Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the extension of Westinghouse Boulevard from Carpet Street to Downs Road.

**Explanation of Request:** The Westinghouse Boulevard Extension project will construct the segment of Westinghouse Boulevard between Carpet Street and Downs Road. A Construction Municipal Agreement is required before construction can proceed. This project is outside the current city limits. However, this roadway is within the proposed annexation area, therefore a Municipal Agreement is required. In addition, the Charlotte-Mecklenburg Utility Department has facilities located throughout the project. The Municipal Agreement provides that the City reimburse the NCDOT for costs for relocation/adjustment of these facilities. The estimated cost for utility needs will be specified in a separate agreement presented to Council. The format and cost sharing philosophy are consistent with prior Municipal Agreements.

**Funding:** There is no cost to the City associated with this Construction Municipal Agreement. The City will enter into additional Municipal Agreements with the NCDOT for this project relating to cost sharing for utility adjustments, and traffic signal revisions. Approval of these agreements will be presented to Council under separate requests.

## **21. Utility Agreement - Providence Road (NC16) Widening from Pineville-Matthews Road (NC51) to Blueberry Lane**

**Action:** Approve a resolution to authorize the Key Business Executive for Transportation to execute the Utility Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the widening of Providence Road (NC 16) from Pineville-Matthews Road (NC 51) to Blueberry Lane.

**Explanation of Request:**

The Providence Road widening project requires certain utility relocation/adjustments, and a Municipal Agreement between the City and NCDOT is necessary.

The Municipal Agreement provides for the NCDOT contractor to perform water and sewer line adjustments and relocation work in the project area with the cost being reimbursed by the City.

The format and cost sharing philosophy is consistent with past Municipal Agreements.

**Funding:**

The City's cost is estimated to be \$162,807.51. Funds for the utility relocations/adjustments are located in the Water and Sewer Capital Fund.

**22. Utility Agreement - Charlotte Outer Loop (I-485) from South Tryon Street (NC49) to North of Brown Grier Road Extension**

**Action:**

**Approve a resolution to authorize the Key Business Executive for Transportation to execute the Utility Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the construction of the Charlotte Outer Loop (I-485) from South Tryon Street (NC 49) to north of Brown Grier Road Extension.**

**Explanation of Request:**

The Outer Loop (I-485) construction project requires certain utility relocations/adjustments, and a Municipal Agreement between the City and NCDOT is necessary.

The Municipal Agreement provides for the NCDOT contractor to perform water and sewer line adjustment and relocation work for the project with costs reimbursed by the City.

The format and cost sharing philosophy is consistent with past Municipal Agreements.

**Funding:**

The City's cost is estimated to be \$133,974. Funds for the utility relocations/adjustments are located in the Water and Sewer Capital Account.

## **23. Sale of Property on Buford Avenue**

- Action:** Accept the high bid of \$41,050 for the sale of surplus City-owned property located on Buford Avenue from Miller H. Newton and wife, Jill S. Newton.
- Policy:** Consistent with the Asset Management Policy adopted by City Council on July 13, 1994, the City is to manage and maximize its existing portfolio of assets by packaging and marketing existing properties for sale.
- Explanation of Request:**
- An offer was received for \$41,050 which is \$21,050 above the appraised value for the .34 acre tract of industrial zoned (I-2) property. Staff recommends acceptance of the offer.
- Background:**
- In January 1996 the City contracted with MECA Properties to market surplus commercial properties. The Buford Avenue property has been actively marketed via newspaper, posted signage, and to adjacent property owners.
  - The estimate of market value of the property is \$20,000. The property is encumbered by three Southern Bell utility boxes situated in two permanent easements that total 1,862 square feet on the front of the property.
  - The sale of this property by upset bid was advertised on seven different occasions in The Mecklenburg Times. Mr. and Mrs. Newton's offer is the highest upset bid received.
  - The following issues should be considered in acceptance of this offer:
    - The size of this industrial property (.34 acre) is too small for typical industrial uses;

- The shape of the lot, as a result of the Southern Bell easements and the future road widening reservations along Buford Avenue and St. Mary's Street, limits the useable area and restricts the buildable area. Therefore, the most likely buyer would be the adjoining property owner;
- The adjoining property owners are Mr. and Mrs. Newton. In order for this property to be assembled to their lot, substantial excavation and a retaining wall will be required.

## **24. Property Transactions**

### **Action:**

**Approve the following property acquisition.**

For Acquisitions A-D, the purchase was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific size and condition of the house. The tax value is determined on a more generic basis and will be higher or lower for houses with certain features. Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. The owners are eligible for relocation benefits. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.

### **Acquisitions:**

- A. **Project:** F.A.R. Part 150 Land Acquisition  
**Owner(s):** Ms. Nettie Newton  
**Property Address:** 7913 Tuckaseegee Road  
**Property to be acquired:** 1.056 acres  
**Improvements:** Frame Ranch Residence  
**Tax Value:** \$33,400  
**Purchase Price:** \$30,000
- B. **Project:** Master Plan Acquisition  
**Owner(s):** Joan A. Biggers  
**Property Address:** 6015,6021,6031 Wilkinson Blvd.  
**Property to be acquired:** 1.958 acres  
**Improvements:** Warehouse and two buildings  
**Tax Value:** \$293,320  
**Purchase Price:** \$352,000

- C. **Project:** F.A.R. Part 150 Land Acquisition  
**Owner(s):** Mr. and Mrs. Harold Darnell  
**Property Address:** 8412 Todd Road  
**Property to be acquired:** .459 acres  
**Improvements:** Brick Ranch Residence  
**Tax Value:** \$81,470  
**Purchase Price:** \$93,500
- D. **Project:** F.A.R. Part 150 Land Acquisition  
**Owners):** Mr.Donald E. Johnson  
**Property Address:** 2408 Newberry Street  
**Property to be acquired:** .280 acres  
**Improvements:** Frame Ranch Residence  
**Tax Value:** \$43,010  
**Purchase Price:** \$43,000