AGENDA

Meeting Type:	BUSINESS
Date:	05/12/1997

City of Charlotte, City Clerk's Office

CHARLOTTE

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, May 12, 1997

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

7:00 p.m. — **Meeting Chamber**

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

CITY COUNCIL AGENDA

Monday, May 12, 1997

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. **Crime Stoppers**

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2. **Cankerworms**

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3. **Budget Calendar and Process**

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4. **Transportation Services and Contracts:**
   - **E-Z Rider**
   - **Uni-Park Rider**
   - **Marketing Contract**

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

CONSENT

5. **Consent agenda items 12 through 26 may be considered in one motion except those items removed by a Councilmember. Notifying the City Clerk before the meeting removes items.**

Staff Resource: Vi Alexander Lyles

PUBLIC HEARING

6. **Public Hearing to Close a Portion of Baker Road**

Action:

A. Conduct a public hearing to abandon a portion of Baker 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 public right-of-way and is requesting this action in accordance with the statutes

Background:

Petitioner:
Ivan C Hinrichs

Right-of-Way to be abandoned:
West of the 4700 block of Yorkmont Road

Reason:
To incorporate the right-of-way into adjacent property on both sides of the roadway belonging to Ivan C Hinrichs

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 -
City Departments have identified no apparent 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 5

POLICY

7. City Manager's Report

BUSINESS

8. Police Mobile Data Communications System

Action:

A. Approve a proposal from Bell Atlantic NYNEX Mobile (BANM) for a mobile data communications system for the Police Department; and

B. Authorize the City Manager to sign contracts with BANM in the amount of $1,838,576 for startup costs and multi-year service contracts which will result in a total project cost of $3,455,000.

Staff Resource: Major Piper Charles

Policy Community Safety Plan - Efficient Use of Resources

Explanation of Request:

- The Police Department must lease or purchase a mobile data communications system that will allow the laptop computers in police cars to communicate with the Police Information System and the City LAN The current wireless communications system is approximately ten years old and is based on technology that is no longer available or supported

- The Police Department hired a consultant, TRW and Pallidor Communications, to assist in assessing the department's wireless communications needs, preparing the request for proposals, evaluating the vendors' responses, and negotiating a contract with the successful vendor

The evaluation team for the vendors' proposals included representatives from the City's Information Technology Division, County Data Processing, County Building Standards, the Police Department, and the consultants

- There were two vendor responses to the RFP The two proposals differ in their concept of the system

- Bell Atlantic NYNEX Mobile and Cerulean Technology proposed a publicly used or "shared" system on which the Police Department leases air time

- Motorola proposed a system which would be privately owned and managed by the Police Department

- The Police Department and the evaluation team recommend accepting the proposal from Bell Atlantic NYNEX Mobile and Cerulean Technology because it more effectively meets the Police Department's needs at a lower six-year cost than the Motorola proposal The Police Department does not believe that it needs to own the communications system and feels that this service can be outsourced

- An attachment presents a comparison of the two proposals with the reasons for recommending that the contract be awarded to Bell Atlantic NYNEX Mobile

Funding: Funding is available through federal grants and the police technology budget

Attachment 6
Comparison of Proposals Bell Atlantic NYNEX and Motorola

9. Neighborhood-Based Problem Solving Information System: New Customer Service System

Action: **Approve appropriation of $602,000 for an information system to support the City's Neighborhood-Based Problem Solving Project (NBPS).**

Staff Resource: Stanley Watkins

Explanation of Request:

- The NBPS Information System is designed to improve service to citizens by enabling City departments to better organize their resources to respond to neighborhood requests Through the new computer system, every department within the City of Charlotte could

  - record customer requests,
  - enter and track their responses to those requests, and
  - coordinate their efforts with other City departments to solve neighborhood-based problems more effectively and efficiently

- As a pilot project, an improved Housing Code Enforcement Information System will be developed and linked to the NBPS system to automatically report progress on enforcement activities

- Eventually, the NBPS Information System will replace or link to all the City's 30+ individual customer service tracking systems, unifying all customer service activity under one comprehensive system

- This project will create a baseline customer service system which will store information files on service requests The system will also track information on City activities occurring, or planned to occur, within neighborhoods Finally, the system will have the ability to query the stored data to find patterns and trends in neighborhood problems System users will be able to review service requests and City activities in text form and with visual icons overlaid on neighborhood maps

- The NBPS pilot project is expected to be complete by Summer 1998 Thereafter, NBPS will begin replacing or linking other department's customer service systems

- The benefits of NBPS can best be described with an example The City is currently working with a community advocacy group called HELP (Helping Empower Local People) Rather than manually logging and tracking the more than 470 service requests made of the City by HELP and engaging in duplicative coordination efforts, the NBPS system would permit a faster and more organized response As part of a centralized database, both the requests and the City's responses would be on the system and readily available to all staff, along with information about other activities taking place in the affected neighborhoods For multi-faceted problems, the NBPS Office would be in a position to ensure coordination internally and facilitate problem-solving and communication externally

- Real avoidance and elimination costs are estimated as follows

	FY98	FY99	FY00
Expense Avoidance (Year 2000 Problem)	69,700	768,500	0
Eliminate Software Maintenance	9,000	18,100	18,100
Total	78,900	786,600	18,100

Total savings from this area is $883,600

Funding: $5,000,000 was allocated for Information Technology in the FY97 budget ordinance The NBPS Information System is one of three applications designated to receive funds from this sum in the amount of $602,000

Attachment 7

10. Ordinance Relating to the Setting of User Fees

Action: **Adopt an ordinance rewriting Section 2-4 of the City Code to update the methodology reference for user fees and to provide that the City Manager or designee may establish user fees in accordance with City Council's policies.**

Staff Resource: Mac McCarley

Explanation of Request:

- This action updates a technical reference, authorizes the City Manager to set user fees within City Council's policies, and distinguishes regulatory fees from non-regulatory fees

- The proposed ordinance would rewrite Section 2-4 of the Charlotte City Code Currently, Section 2-4 provides that user fees are to be set using a methodology established by a 1987 Arthur Young study The proposed ordinance would eliminate the reference to a specific study It also authorizes the City Manager, or her designee, to set user fees in accordance with City Council policies as established and revised from time to time, which is the current practice The amendment would eliminate the need to amend the code in the future whenever Council establishes new or amended policies

- In addition, due to legal limitations on "regulatory fees" (*i e* fees incident to a regulatory program), the ordinance defines and distinguishes "regulatory fees" from "non-regulatory" fees and clearly establishes the Manager's authority to set both in accordance with City Council policies Examples of regulatory fees include subdivision review, rezoning, grading permits, and fire inspection permits Non-regulatory fees include taxi-cab permits, hiring an off-duty police officer, rent for City facilities and parking fees

- The current version of Section 2-4 of the Charlotte City Code was adopted in 1988 to provide that user fees for services performed by city departments would be established in accordance with a 1987 Arthur Young user fee study methodology

- Recently, the City implemented an "activity based costing" type methodology for competition and privatization purposes Using activity based costing methodologies (fully allocated), the City has calculated updated regulatory user fees based on a February 1997 study During this year's budget process, Council will choose a regulatory user fee pricing policy

- Section 2-4 must be amended in order to implement the new costing methodology to calculate user fees The proposed amendment would allow the Manager to calculate and set regulatory and non-regulatory user fees in accordance with generally accepted accounting principles and whatever policy the Council chooses now, or in the future

Attachment 8
Ordinance

11. Appointments to Boards and Commissions

Action: **Vote on the blue paper ballots and turn these in to the Clerk at dinner so that she may tabulate the results and be prepared to announce the findings at this point in the meeting.**

1 <u>Auditorium-Coliseum-Convention Center Authority</u>
One, three year appointment beginning May 1997

(a) Darryl Broome by Councilmember Reid
(b) Frank Creft, Jr by Councilmembers Cannon & Greene
(c) John Gresham by Councilmember Spencer
(d) Raymond Groth by Councilmember Baker
(e) Mark Loflin by Councilmember Sellers
(f) Richard Dale Mack by Councilmember Rousso
(g) Charlene Price Patterson by Councilmember Scarborough
(h) Marnique Shuford by Councilmember Scarborough

Attachment 9

2 **Certified Development Corporation**
Two, three year positions beginning in May to represent business organizations

(a) Deborah Clark by Councilmember Greene
(b) Alisa Watson-Delgado by Councilmember Cannon
(c) Martin McCracken by Councilmember Reid
(d) Paul Parker by Councilmember Reid
(e) Stephan Willen by Councilmember Reid
(f) Clarence Williams by Councilmember Greene

Two appointments to represent community organizations

(a) James Alexander by Councilmember Greene
(b) Ron Hare by Councilmember Majeed
(c) Garry McFadden by Councilmembers Scarborough & Spencer
(d) Sally Ann Wood by Councilmember Baker

Attachment 10

3 **Clean City Committee**
Four, three year appointments beginning July 1997

(a) Debrah Board by Councilmember Reid
(b) Carmelita Coleman by Councilmembers Baker & Majeed
(c) Tony Davies by Councilmember Rousso
(d) John Hall by Councilmember Cannon
(e) Sue Ann Mitchell by Councilmember Wheeler
(f) Carol Simon by Councilmembers Sellers & Wheeler
(g) Lawrence Sisko, Jr by Councilmember Scarborough
(h) Cynthia Ann Storelli by Councilmember Wheeler **(declined nomination)**
(I) Willie Gill by Councilmember Greene

Attachment 11

4 **Domestic Violence Advisory Board**
One position beginning immediately and ending September 1998

(a) Edith Powers by Councilmember Wheeler
(b) Sally Ann Wood by Councilmember Rousso

Attachment 12

5 **Historic Landmarks Committee**
One, three year appointment beginning July 1997

(a) Lionel Bass, Jr by Councilmember Majeed
(b) Robert Callahan by Councilmember Baker
(c) Deborah Cox by Councilmember Wheeler
(d) Suzanne Johnson by Councilmember Reid **(declined nomination)**
(e) Andrew King by Councilmember Spencer

Attachment 13

6 **Housing Appeals Board**
One appointment beginning immediately to fill an unexpired term ending December 31,1998 Must represent the housing industry

(a) Rene Amber Humphrey by Councilmember Reid
(b) Wallace Pruitt by Councilmember Greene

Attachment 14

7 **Neighborhood Matching Grants Committee**
Two, two year appointments, both beginning in May, to represent a neighborhood organization leader

(a) Alisa Watson-Delgado by Councilmember Rousso
(b) Joyce Love by Councilmember Spencer
(c) Samuel Love by Councilmember Majeed
(d) Janinea Shelton by Councilmember Cannon
(e) Lois Davis Ware by Councilmember Scarborough
(f) Barbara Washington by Councilmember Reid
(g) Rudolph Worsley by Councilmember Greene

One position to represent a non-profit organization

(a) Robert Burns by Councilmember Baker

(b) Steve Fountain by Councilmember Greene

(c) Reverend Lillie Gilchrist by Councilmember Scarborough

Attachment 15

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

12. Various Bids

A. Residential Sound Insulation Construction Contract A — Aviation

Recommendation: The Aviation Director recommends the low bid of $208,854 by Moretti Construction

MWBD Status:	Amount	% of Project	Project Goals
BBE	$32,850	15 7%	10%

MWBD Compliance: Yes

B. Residential Sound Insulation Construction Contract B — Aviation

Recommendation: The Aviation Director recommends the low bid of $193,477 by Rayco Construction

MWBD Status:	Amount	% of Project	Project Goals
BBE	$19,000	9 9%	10%

MWBD Compliance: Yes

C. Residential Sound Insulation Construction Contract C — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $169,490 by Rayco Construction

MWBD Status:	Amount	% of Project	Project Goals
BBE	$16,000	9 4%	10%

MWBD Compliance: Yes

D. Residential Sound Insulation Construction Contract D — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $291,481 by Moretti Construction

MWBD Status:	Amount	% of Project	Project Goals
BBE	$9,670	3 3%	10%

Compliance: Yes

E. Residential Sound Insulation Construction Contract E — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $229,599 by Bass and Jones Construction

MWBD Status:	Amount	% of Project	Project Goals
BBE	$229,599	100%	10%

MWBD Compliance: Yes

F. High Solids Centrifuge - McAlpine Creek Wastewater Management Facility Expansion **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid, based on life cycle costing evaluation, of $2,775,000 by Alfa Laval Separation, Inc of Warminster, PA

MWBD Compliance: Yes There are no known MWBD vendors

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

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $757,507 80 by Utilityworks, Incorporated of Stanfield, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$15,200	2%	2%
WBE	$22,800	3%	3%

MWBD Compliance: Yes The Utility Department has reviewed the Contractor's MWBD documentation and determined that the Contractor has met all goals set for this project

H. Water Main Construction - FY97 Water Main Rehabilitation Contract #1 **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $1,300,540 45 by McDaniel Construction Contractors, Incorporated of Bostic, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	4%
WBE	$1,300,540 45	100%	5%

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

I. Water Main Construction - Mint Hill - Contract #1 — CMUD

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $496,358 52 by R H Price, Incorporated of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$5,000	1%	4%
WBE	$491,358 52	99 9%	4%

MWBD Compliance: Yes The Utility Department has reviewed the Contractor's MWBD documentation and determined that the Contractor is a WBE firm and has exceeded the WBE goal for the project The Contractor has made and will continue to make a good faith effort to meet the BBE goal

J. Mallard Creek Water Reclamation Facility - Reuse Pumping Station — CMUD

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low combined Multi-Prime bid of $572,591

General
Pizzagalli Construction Company
South Burlington, Vermont $404,291

Electrical
Watson Electrical Construction Company
Charlotte, NC $168,300

MWBD Status: Watson Electrical Construction

	Amount	% of Project	Project Goals
BBE	$0	0%	2%
WBE	$0	0%	1%

MWBD Status: Pizzagalli Construction Co.

	Amount	% of Project	Project Goals
BBE	$23,987	5 9%	5%
NBE	$95,000	23 5%	3%
WBE	$20,809	5 2%	4%

MWBD Compliance: Yes The Utility Department has reviewed the contractors MWBD documentation and determined that the contractors have exceeded all goals set for this project or met the requirements of the MWBD Program by exhibiting a good faith effort to utilize minority and women owned firms

K. Vest Water Treatment Plant Filter Rehabilitation — **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $350,064 by Crowder Construction Company of Charlotte, NC

MWBD Compliance: Yes The Utility Department has reviewed the Contractor's documentation and determined that he will self-perform the work on this project

L. North Tryon Street Business Corridor Phase II — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $738,185 63 from Blythe Development of Charlotte, N C

MWBD Status:	Amount	% of Project	Project Goals
BBE	21,712	3%	3%
WBE	21,729	3%	3%

MWBD Compliance: Yes

13. Resolution of Intent to Abandon Two Alleyways and Set Public Hearing - Two Alleyways Between Jackson and Seigle Avenues

Action:

A. Adopt the resolution of intent to abandon the two alleyways; and

B. Set a public hearing for June 9, 1997.

Attachment 16

14. Resolution of Intent to Abandon Two Alleyways and Set Public Hearing - Two Alleyways off West 5th and 6th Streets

Action:

A. Adopt the resolution of intent to abandon two alleyways off West 5th and 6th Streets; and

B. Set a public hearing for June 9, 1997.

Attachment 17

15. Set Public Hearing for FY98 Budget

Action: Set a public hearing for June 9, 1997 at 7:00 p.m. to receive comments on the FY98 Budget.

16. Speed Limit Change

Action: Adopt ordinances to lower the speed limit on three Charlotte streets from 35 MPH to 25 MPH.

West Eighth Street (Fourth Ward)
Woodfox Drive (Raintree)
Yadkin Avenue (North Charlotte)

17. 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% in 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, from tenant or from a public agency
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 1604 Cummings Avenue, #1 and #2 (Lincoln Heights)
B 3512 Kentucky Avenue (Oakview Terrace)
C 3514 Kentucky Avenue (Oakview Terrace)
D 217-19 Lakewood Avenue (Lakewood)
E 221-23 Lakewood Avenue (Lakewood)
F 2408 Arty Avenue (Ashley Park)
G 1016 Karendale Avenue (Enderly Park)
H 2219 Springdale Avenue (Dilworth)

Field Observation

I 3511 Kentucky Avenue, #1, #2 and #3 (Oakview Terrace)
J 3612 Kentucky Avenue, #1, #2 and #3 (Oakview Terrace)

Public Safety

A. 1604 Cummings Avenue, #1 and #2

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwellings at 1604 Cummings Avenue, #1 and #2 (Lincoln Heights), located in the City Within a City boundaries.

Attachment 18

B. 3512 Kentucky Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3512 Kentucky Avenue (Oakview Terrace), located in the City Within a City boundaries.

Attachment 19

C. 3514 Kentucky Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3514 Kentucky Avenue (Oakview Terrace), located in the City Within a City boundaries.

Attachment 20

D. 217-19 Lakewood Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwellings at 217-19 Lakewood Avenue (Lakewood), located in the City Within a City boundaries.

Attachment 21

E. 221-23 Lakewood Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwellings at 221-23 Lakewood Avenue (Lakewood), located in the City Within a City boundaries.

Attachment 22

F. 2408 Arty Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2408 Arty Avenue (Ashley Park), located in the City Within a City boundaries.

Attachment 23

G. 1016 Karendale Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1016 Karendale Avenue (Enderly Park), located in the City Within a City boundaries.

Attachment 24

H. 2219 Springdale Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2219 Springdale Avenue (Dilworth), located outside the City Within a City boundaries.

Attachment 25

Field Observation

I. 3511 Kentucky Avenue, #1, #2 and #3

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwellings at 3511 Kentucky Avenue, #1, #2 and #3 (Oakview Terrace), located in the City Within a City boundaries.

Attachment 26

J. 3612 Kentucky Avenue, #1, #2 and #3

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwellings at 3612 Kentucky Avenue, #1, #2 and #3 (Oakview Terrace), located in the City Within a City boundaries.

Attachment 27

CONSENT II

18. Set Public Hearing on Storm Water Fee

Action: **Schedule a public hearing on changes to the storm water fee.**

Explanation of Request:

- The proposed FY98 Capital Investment Program budget includes an increase in the monthly storm water fee In accordance with state law and the City/County Interlocal Agreement on storm water services, the Board of County Commissioners must convene a joint public hearing with the City Council prior to the adoption of new storm water fees

- Last year the joint public hearing with the Board of County Commissioners was held during a City Council meeting This year's meeting is proposed to be held on May 20, 1997, during the Board of County Commissioner's meeting

- The Storm Water Citizens Advisory Committee has recommended approval of the proposed fee and the proposed FY98 Storm Water budget

- The next step in the storm water fee process will be City Council's vote on the new storm water fee at the City Council meeting on June 9

Attachment 28
Issues and Answers

19. 16-Inch Water Main Along Steele Creek Road - Budget Ordinance and Construction Contract

Action:

A. Approve a budget ordinance to transfer project savings of $125,000; and

B. Approve the low bid of $869,952.93 by State Utility Contractors, Incorporated of Monroe, North Carolina.

Explanation of Request

- Funding for the water main along Steele Creek Road from Westinghouse Boulevard to Shopton Road project was approved in the FY96 Capital Investment Program Original budget estimates proved inadequate to construct the proposed project Funds from various accounts ($125,000) are requested to cover the additional construction cost

- This project consists of approximately 14,026+ linear feet of 16 inch water pipe, 315 linear feet of 12-inch water pipe, 2,253 linear feet of 8-inch water pipe, and 10 fire hydrants to be installed within the rights-of-way of Westinghouse Boulevard, Steele Creek Road, Ed Brown Road, Westinghouse Commons Drive, Collingham Drive, Steele Oaks Drive, Cecilia Lane, Brown Grier Road, Riverdale Drive, Shopton Road West, Trojan Drive, Dixie River Road, and Shopton Road

- The low bidder is State Utility Contractors, Incorporated of Monroe, North Carolina The bid amount is $869,952 93

MWBD Status:	Amount	% of Project	Project Goals
BBE	$ 1,075	1%	3%
WBE	$74,700	8 7%	4%

MWBD Compliance: Yes The Utility Department has reviewed the Contractor's MWBD documentation and determined that the Contractor has exceeded the WBE goal and has made and will continue to make good faith efforts to meet the BBE goal for this project

20. McAlpine Creek Wastewater Management Facility - Amendment #3

Action: **Approve Amendment #3 to the Professional Services Contract with HDR Engineering for design and construction management services at the McAlpine Creek Wastewater Management Facility for $1,159,900 This amendment will increase the professional services contract with HDR from $5,071,309 to $6,231,209.**

Explanation of Request:

- This amendment will provide for

  Design and construction management of sludge storage facilities, and

  - Additional solids processing equipment at the McAlpine Creek Wastewater Management Facility

- On September 9, 1996, Council approved a contract with HDR to conduct an optimization study of CMUD's wastewater treatment plants

- In February of 1997, CMUD approved an optimization recommendation from HDR that would eliminate solids processing at the Sugar Creek Plant and transfer all solids produced at the Sugar Creek Plant to the McAlpine Plant for processing This change will require an increase in solids processing capacity at McAlpine, but will eliminate a new solids thickening/dewatering building and other proposed improvements at Sugar Creek The net savings in capital cost is estimated at $4 million, and a significant savings in annual operating cost

- These improvements must be made while the current expansion of the McAlpine Plant is in progress and must be fully compatible with the expansion design Several changes to the expansion contract must be negotiated with the general contractor to accommodate the improvements

- HDR Engineering has completed design of many of the facilities at McAlpine WWMF, including the expansion to 64 million gallons per day Because of the cost and time savings benefits that can be realized, it is in the City's best interest to extend HDR's contract for ongoing work at the McAlpine Plant

Funding: McAlpine Creek Wastewater Management Facility Expansion to 64 MGD Capital Account

Background:

- On May 23, 1994, City Council approved an agreement with HDR in the amount of $4,269,100 to provide engineering services to design an expansion at the McAlpine Creek Wastewater Management Facility

- On April 10, 1995, City Council approved Amendment No 1 to the agreement with HDR in the amount of $249,844 to provide engineering services for an odor control study This was an addition to the scope of work

- On January 27, 1997, City Council approved Amendment No 2 to the agreement with HDR in the amount of $552,365 to provide an extension to the construction management services due to an increase in the construction duration for the expansion project

21. Druid Hills Neighborhood Storm Drainage Improvements, Phase I, Change Order #1

Action: **Approve change order #1 for $422,264.45 to the contract with 7 Star Construction Company.**

Explanation of Request:

- The City currently has a storm drain improvement project underway in the Druid Hills Neighborhood This change order will include roadway work which is also planned under the Neighborhood Improvement Program so as to only impact the neighborhood once

- Prices for this change order are from existing contract unit prices except three items that were negotiated The prices are competitive for the work to be performed

- 7 Star Construction Company is certified as an African American owned business, therefore, participation on this change order will be 100% BBE

Funding: Druid Hills Neighborhood Improvement Capital Account

Background:

- On May 28, 1996, City Council awarded this contract to 7 Star Construction Company for $1,983,001 70 Currently, the project is 74% complete and approximately eight weeks ahead of schedule

22. Municipal Service District 1 Additional Appropriation

Action: **Adopt a budget ordinance appropriating $100,000 from Municipal Service District 1 Fund Balance to Charlotte Uptown Development Corporation.**

Explanation of Request:

- Charlotte Uptown Development Corporation (CUDC) requests an appropriation from surplus fund balance in the Municipal Service District 1 tax revenue fund to cover unexpected salary-related expenses and costs associated with the search and hiring of the new CUDC President

Funding: Municipal Service District 1 current fund balance is $244,188

Background:

- Longtime CUDC President Mike Schneiderman resigned effective October 31, 1996

- CUDC engaged in a four month search process for a new President that included non-budgeted expenses for the following

Recruiting Fees	$28,200
Travel & Transportation	7,500
Moving and Relocation	23,300
Temporary Living Quarters	6,500
Temporary Administrative Support	5,800
Severance and Outplacement for Former President	24,800
	$96,100

See attachment for details of these expenses

- CUDC develops its operating budget each year based on projected tax revenues from Municipal Service District 1 Actual tax revenue collections in excess of CUDC's budget and expense each year accrue to District 1's fund balance

- Municipal Service District 1 current fund balance is $244,188

Attachment 29

23. Task Force on Issues of Race and Ethnic Diversity Budget Ordinance

Action: **Approve a budget ordinance appropriating $25,000 for the City's contribution for the Task Force on Issues of Race and Ethnic Diversity.**

Explanation of Request:

- The Foundation for the Carolinas has developed a preliminary budget to underwrite the Task Force on Issues of Race and Ethnic Diversity initiative and fall meeting The estimated expenses are $400,000 to $500,000 The Foundation for the Carolinas has committed $50,000 toward the effort and has received commitments of support from several corporations and foundations

- Attached is a letter from William Spencer, President of the Foundation for the Carolinas, requesting $25,000 from the City The contribution will come from Council's contingency

Funding: Council's contingency balance is $245,750

Attachment 30
William Spencer's Letter

24. FAA Grant Acceptance, Budget Ordinance and Environmental Contract Amendment

Action:

A. Adopt a resolution accepting a Federal Aviation Administration (FAA) grant in the amount of $6,961,350; and

B. Adopt a $7,000,669 budget ordinance to appropriate the FAA grant and $39,319 of Airport funds for reimbursement of Master Plan Land Acquisition costs and Environmental Contract Amendments I and II; and

C. Approve a $157,275 Contract Amendment II with Landrum & Brown to provide additional environmental work associated with the Environmental Impact Statement (EIS) for a proposed new runway and extension of an existing runway.

Explanation of Request

- The 1997 entitlements from the Airport Improvement Program are designated for reimbursement of Master Plan land acquisition costs and additional planning costs associated with the EIS for a proposed new runway and runway extension The funding is as follows

FAA Grant	$6,961,350
Additional Airport Funds	39,319
TOTAL FUNDS AVAILABLE	$7,000,669

<u>Master Plan Land Acquisition (75% Reimbursement of Airport Funds)</u>
(13 parcels totaling 54 7 acres, including two public parking facilities, E-Z Park and Airport Executive Parking) $6,719,929

<u>Environmental Contract Amendment I (75% Reimbursement of Airport Funds)</u>
(Additional work required for comprehensive archeological historic survey, previously approved by Council) $ 123,465

Environmental Contract Amendment II (Additional work for the assessment of a 2,000 ft extension to Runway 36L/18R)	$ 157,275
Total budget ordinance	**$7,000,669**

- Contract Amendment I included a comprehensive archeological historic survey and was previously approved by City Council This action will provide reimbursement of airport funds for this amendment

- Contract Amendment II will provide additional environmental work to assess environmental impacts of a proposed 2,000 ft extension to Runway 36L/18R, a recommendation of the Airport Master Plan Update to allow non-stop service to the Pacific Rim

- The need for the runway extension has been identified through the recent Airport Master Plan Update and was not a part of the original contract work scope for the EIS

Funding: This ordinance appropriates $6,961,350 from this Federal Grant and $39,319 from the Airport Discretionary Fund for a total of $7,000,669

Background:

- On June 26, 1995, City Council approved a Memorandum of Understanding between the City and the Federal Aviation Administration which established responsibility for the forthcoming EIS

- On September 11, 1995, City Council approved a $675,000 contract with Landrum & Brown for the EIS for a proposed new runway

- On May 28, 1996, City Council approved Contract Amendment I with Landrum & Brown for additional environmental work for a comprehensive archeological historic survey

- On March 24, 1997, City Council approved the acquisition of property owned by Queens Property for the purchase price of $8,079,010, which brought the total spending on Airport Master Plan Land Acquisition to $45,000,000 with approximately 150 acres remaining

25. Property Transactions

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

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

Acquisitions:

A. **Project**: F A R Part 150 Land Acquisition
Owner(s): Mr Richard G Schmitt
Property Address: 4226 Beam Road
Property to be acquired: 2 902 acres
Improvements: Split level house
Tax Value: $97,070
Purchase Price: $258,000
The zoning of the three parcels is O1(office), which is how the airport appraised property However, the tax office records indicate zoning of R-3(residential)

B. **Project**: Master Plan Land Acquisition
Owner(s): Ms Linda Anderson
Property Address: 8404 Todd Road
Property to be acquired: 444 acres
Improvements: Ranch
Tax Value: $83,210
Purchase Price: $92,500

C. **Project** Nantz Road Sanitary Sewer Line, Parcel #1
Owner(s) Kenneth A Westmoreland & Elizabeth O Westmoreland
Property Address 18644 N C Highway 73, Cornelius, N C
Property to be Acquired 16,755 sq ft (3846 ac) Sanitary Sewer Line, 29,705 (6819 ac) Temporary Construction Easement
Improvements None
Tax Value: $107,170 (entire parcel)
Purchase Price $10,000
Remarks Area is needed for sanitary sewer line on Nantz Road Compensation is based on an independent appraisal

Zoned: R-2 **Use:** Single Family Residential

Condemnations:

D. **Project**: Four Mile Creek Relief Sewer, Parcel #2
Owner(s): Kelly Gwin, Kelly Gwin, III, & any other parties of interest
Property Address: 9577 Greyson Ridge Drive, Charlotte, NC
Property to be Acquired: 2,413 25 sq ft (0554 ac)
Improvements: Trees
Tax Value: $48,000 (entire parcel)
Purchase Price: $1,400

Remarks: Areas acquired are needed to construct Four Mile Creek Relief Sewer Line The City's offer of $1,400 was based on an independent appraisal Mr Gwin's counter offer of $6,000 was provided with no explanation

Zoned R-3 **Use** Vacant Lot

26. Minutes

Action: **Approve minutes as follows:**

- **March 19, 1997 Airport Public Hearing;**
- **March 24, 1997 Business Meeting;**
- **March 16, 1997 Arena Public Hearing; and**
- **March 31, 1997 Arena Decision**
- **April 7, 1997 Council Workshop**