

Mayor Patrick McCrory

Rod Autrey
Patrick D. Cannon
Nancy G. Carter
Mike Castano
Malcolm Graham

Mayor Pro Tem Susan Burgess

Don Lochman
James Mitchell, Jr.
Sara Spencer
Lynn Wheeler
Joe White

CITY COUNCIL MEETING
Tuesday, October 10, 2000

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**

2000 Council Retreat Priorities

Top Priorities for 2000

Housing Policy and Strategy

Community Safety Strategy: Safest City in America

Road Improvements

Westside Strategy

High Priorities for 2000

Business Corridor Revitalization

Eastside Strategy Plan

Financial Policies

Neighborhood Initiatives

North Tryon Strategy

Business

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Consent I

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Community Relations Committee/KPMG Bi-Annual Audit of Police Discipline Process

Resources: Willie Ratchford, Community Relations
Chuck Lynch, KPMG

Time: 30 minutes

Attachment 1

2. Upcoming Housing Retreat

Resources: Rod Autrey, CWAC Committee Chair
Stanley Watkins, Neighborhood Development

Time: 30 minutes

Attachment 2

3. New RFP Requirements for Towing Contractors

Resource: Darrel Stephens, Police Chief

Time: 15 minutes

Attachment 3

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

CONSENT

- 4. Consent agenda items 16 through 27 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

5. Public Hearing and Resolution to Close a Portion of Bomar Drive

Action: A. Conduct a public hearing to close a portion of Bomar Drive; and
B. Adopt a Resolution to Close.

Staff Resource: Scott Putnam, Transportation

Policy:

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

Explanation:

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this action in accordance with the statute.

Petitioner:

Triven Properties, LLC

Right-of-Way to be abandoned:

A portion of Bomar Drive

Location:

The eastern and western portions of the cul-de-sac; no pavement or street improvements exist at this location.

Reason:

This action eliminates the recorded plat cul-de-sac so that Bomar Drive can be extended to provide access to the proposed Hamilton Oaks subdivision. This development plan for single-family homes has been approved through the subdivision process. The residual right-of-way will be incorporated into adjacent lots to be developed by the petitioner.

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

Triven Properties, LLC owns all adjoining property.

Neighborhood/Business Associations

Derita/Statesville Road Organization – No objection

Sunset Road Area – No objection

Private Utility Companies – No objection

City Departments –

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

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

Attachment 4

Map

6. Public Hearing and Resolution to Close Calvine Street

**Action: A. Conduct a public hearing to close Calvine Street; and
B. Adopt a Resolution to Close.**

Staff Resource: Scott Putnam, Transportation

Policy:

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

Explanation:

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this action in accordance with the statute.

Petitioner:

David M. Bilbro

Right-of-Way to be abandoned:

Calvine Street between East Twelfth Street and North Brevard Street-North Caldwell Street Connector. This existing street is barricaded at the connector.

Location:

From East Twelfth Street northeastwardly approximately 295 feet to its end at the North Brevard Street-North Caldwell Street connector

Reason:

To incorporate the right-of-way into adjacent property owned by the petitioner for future development

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

David M. Bilbro owns all adjoining property

Neighborhood/Business Associations

Lockwood Neighborhood Association – No objection

Friends of Fourth Ward, Inc. – No objection

Edwin Towers – No objection

Hall House Residents Association – No objection

Earl Village/First Ward Place – No objection

Optimist Park – No objection

Private Utility Companies – No objection

City Departments –

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

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

Attachment 5

Map

POLICY

7. **City Manager's Report**

8. **Affordable Housing Strategy - Phase II**

Action: Approve the City Within A City Committee's recommendation on Phase II of the Affordable Housing Strategy by:

- A. **Establishing an Implementation Team;**
- B. **Approving the Implementation Team's charge; and**
- C. **Approving the Implementation Team's work plan.**

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins, Neighborhood Development

Focus Area: City Within A City

Policy:

The City's FY2001 Consolidated Plan identifies a need for affordable, safe and decent housing for low-income families. The Plan was approved by City Council on March 24, 2000 and reaffirmed the three basic goals of the City's Housing Policy: *preserve the existing housing stock, expand the supply of low and moderate-income housing, and support family self-sufficiency initiatives.*

Explanation:

The City Within A City Committee (CWAC), at its meeting on September 18, 2000, voted to recommend that City Council establish a process to implement the Stakeholders' recommendations. City Council is being asked to vote on the Implementation Team's membership, Team charge, and Team work plan (Phase II of the Affordable Housing Strategy).

On this agenda (page 16), Council is asked to appoint a 25 member Implementation Team with a balanced representation of citizens, housing developers, financial institutions, real estate community and nonprofits. The membership for the Implementation Team will be selected in accordance with the policy set forth for Mayor/Council appointments. Council will appoint 16 of the Team's membership with the Mayor appointing the remaining members including the Team's Chair.

The proposed charge for the Implementation Team will be as follows:

- Study the Affordable Housing Strategy Report;
- Identify key action steps and accountabilities to implement the proposed strategy recommendations;
- Estimate the budget for each recommendation; and
- Propose an implementation schedule.

The work plan for the team will encompass the 15 recommendations contained in the Affordable Housing Strategy Report. An implementation approach will be prepared for each recommendation. The Implementation Team will place emphasis on the strategies that would have the greatest impact and result in the production of the most housing units over the next five years.

The Implementation Team will prepare an interim report for the City Council's 2001 Retreat and deliver a final report by April 2001. The Neighborhood Development and Planning staffs will facilitate and provide staff support to the Implementation Team. The *Affordable Housing Strategy Report's* executive summary and an implementation schedule are included as attachments.

Background:

The Charlotte City Council commissioned a review of the City's housing challenges to identify strategies to meet the needs of low and moderate-income households. A 25 member stakeholders group was formed and participated in a year long process that culminated with the development of an *Affordable Housing Strategy* (a report of the City of Charlotte Housing Strategy Stakeholders).

The key recommendations highlighted in the Affordable Housing Strategy Report focus on five strategic issue areas:

Strategy 1: Examine and revise key planning, zoning, and building requirements to promote housing affordability

Strategy 2: Increase the leverage of City subsidy programs by creating new financing sources and techniques in order to encourage public/private partnerships aimed at the production and preservation of affordable housing

Strategy 3: Revisit and revise some of the City's housing and related policies in order to facilitate the development and preservation of affordable housing

Strategy 4: Increase education, outreach, and advocacy efforts in the area of affordable housing

Strategy 5: Housing should be the anchor for the development of strong, economically diverse neighborhoods that help to ensure a broad range of housing choices

Committee Discussion:

During a special CWAC Committee meeting held on September 18, 2000, the Committee considered the input from the public hearing and agreed to explore all of the strategies and recommendations outlined in the housing report. The discussion focused on the importance of exploring all of the strategies, selecting membership for an Implementation Team with a balanced representation of citizens and stakeholders, and developing an Implementation Team charge and timeline for the Team to complete its work. The CWAC Committee agreed unanimously to proceed with Phase II of the Affordable Housing Strategy.

Committee members present were Rod Autrey, James Mitchell, Sara Spencer, and Mike Castano. Committee member Patrick Cannon was absent. Councilmembers Susan Burgess and Lynn Wheeler were also present.

Community Input:

Representatives from housing agencies and organizations, as well as area affordable housing organizations participated in the series of meetings held by the Charlotte Housing Stakeholders group. Also attending were representatives from other municipalities in the County, the Chamber's Affordable Housing Initiative and Representative Sue Myrick's office.

On September 11, 2000, City Council held a public meeting to solicit input on the recommendations contained in the report. Twenty-two citizens shared comments on the strategies with most speakers expressing support for the recommendations. The majority of the comments related to Strategy 3B (*Locational Housing Policy amendments*) of the Report's recommendations.

Attachment 6

- Executive Summary (Work Plan) – Housing Strategy Report
- Public Hearing Highlights - September 11, 2000
- Amended Implementation Schedule and Timeline
- Proposed Implementation Team Membership List
- Summary Minutes of September 18 CWAC Meeting

9. Shame TV Implementation Report

Action: Receive as information the Public Safety Committee's report on Shame TV.

Committee Chair: Patrick Cannon

Staff Resource: Darrel Stephens

Focus Area: Community Safety

Policy:

Decrease crime throughout the City with community-oriented policing and other strategies that target specific crime categories or offenders

Explanation:

Shame TV is a program under which the photographs of individuals convicted of soliciting for prostitution and individuals convicted of possessing drugs will be publicized. The goal of the program is to cut down on the number of individuals soliciting for prostitution and buying drugs in Charlotte neighborhoods by generating fear of negative publicity. The program can be ready to air in approximately six months.

Program Overview

Each segment will air on Government Channel Cable 16 for 10 minutes daily during the first two weeks of each month at 7 a.m. and 10 p.m. Up to 20 photographs will be shown, and they will be used post-conviction to avoid potential liability issues. Text will accompany each photograph with the offender's name, the original charge, and, and if different, the conviction charge. Photographs will appear also on the Police Department's website.

Evaluation

Although the direct impact of the program will be difficult to evaluate, several measures will be used to determine the program's effectiveness, including: measuring the rearrests of individuals whose photographs are used; measuring the total number of arrests for the two crimes pre-and post-Shame TV implementation; and determining the viewership and citizen reaction to the program as part of the City's biennial community survey.

Committee Discussion:

The Public Safety Committee met on July 12 and August 30 to discuss the conceptual implementation plan for Shame TV. At the July 12 meeting Councilmembers Cannon, Castano and Wheeler (Councilmember Lochman and White were absent) approved the concept; asked staff to develop an implementation plan and discussed evaluation measures. On August 30, staff presented the implementation and evaluation plan. The Committee, with attendance by Councilmember Cannon, Castano, Lochman and White, approved the plan. Councilmember Wheeler was absent. Attached are the materials distributed to the Committee.

Funding:

The Police Department and Corporate Communications can produce it with existing resources.

Attachment 7

- July 12 Public Safety Committee Summary Minutes
- August 30 Public Safety Committee Summary Minutes

BUSINESS

10. Hugh McManaway Monument

Action: A. Accept a staff review of the application to install a monument to honor Hugh McManaway; and

B. Approve placement of the monument in the median of Queens Road.

Staff Resource: Doug Gillis, Transportation

Explanation:

Council conducted a public hearing on September 25, 2000 to consider an application to erect and dedicate a public monument to honor Hugh McManaway in the median of Queens Road south of Providence Road. Mr. Hugh McColl, representing the McColl Family Foundation and Kitty Gaston, spoke in favor of the monument. The Board of Directors of the Myers Park Homeowners Association has approved the placement of the monument.

Staff Review:

City staff has reviewed and recommends approval of the application. Staff's report is attached. The McColl Family Foundation has agreed to fund and construct a standard City sidewalk between the nose of the median of Queens Road and the location of the statue to benefit those who want to view the statue up close. A Deed of Gift will be executed by the McColl Family Foundation to transfer and assign title and interest in the monument to the City upon its installation.

Attachment 8

Staff Review

11. Annexation Reports

Action: Approve annexation reports for the seven annexation areas.

Staff Resources: Dick Black, Planning
Mike Boyd, City Attorney's Office

Explanation:

This report is required by state annexation statutes, which specify that certain types of information must be included regarding the extension of municipal services to the proposed area.

This report includes:

- relevant maps
- a statement indicating how the area meets annexation criteria
- a description of services to be provided
- a statement on the method by which the City plans to finance the extension of services
- an impact statement on rural fire departments and fire protection, and
- an impact statement on City finances and services

By statute, the reports must be approved at least 30 days prior to the public information meeting scheduled for November 16. Thus, the reports need Council approval on October 10, 2000.

The Preliminary Annexation Report, a summary of all proposed areas, was submitted to City Council at the September 18, 2000 dinner meeting. This report, called the Annexation Plan, is the next step required by state annexation statutes. Copies of the individual Annexation Plans are available from the Planning Commission.

On September 25, 2000, City Council passed a Resolution of Intent to consider annexing the seven proposed areas.

There will be a public information meeting conducted by staff on November 16 at 7 p.m. in the Council Chambers. The next official step for City Council will be the public hearing held on November 27 at 5:30 p.m. in the Council Chambers.

Attachment 9

- Economic Analysis
- Maps

12. Convention Center Marketing

Action: A. Approve a one time allocation of \$830,000 to the Charlotte Convention and Visitors Bureau (CCVB), and Auditorium, Coliseum and Convention Center Authority (ACCCA) enhanced destination marketing; and

B. Adopt a budget ordinance allocating \$830,000 from the Convention Center Fund to the Charlotte Convention and Visitors Bureau, and Auditorium, Coliseum and Convention Center Authority.

Resources: Melvin Tennant, CCVB
Mike Crum, ACCCA

Focus Area: Economic Development

Policy:

Develop strategies to support the Convention Center parking and hotel development and facility expansion plans

Explanation:

In 1998 the Convention Center Maximization Committee recommended additional money be invested in Convention Center marketing after the City entered into a public/private partnership to build a Convention Center headquarters hotel and additional parking. The purpose of the investment would be to “reintroduce” Charlotte as an improved convention and trade show destination to groups which previously would not consider Charlotte because of the City’s convention hotel and parking inventory.

The money will be used to advertise Charlotte’s “new” destination in trade publications, to promote Charlotte at convention industry trade shows, and to provide incentives for new convention groups to hold events in the City. The goal is to ensure the success of existing hotels during the first two operating years of the new hotel.

Council Discussion:

At the September 5 Workshop, Council received a presentation from the CCVB and ACCCA regarding this request. During that presentation, Council requested additional information regarding the following questions:

1. What is the source of the additional marketing funds?

The Convention Center Fund is supported by the 1% Prepared Food Tax and the second 3% of the occupancy tax dollars. These funds can only be used for Charlotte Convention Center purposes. A recent analysis found that the projected expenses and revenues from this fund will adequately support this request as well as the present and future demands on the fund, including eventual convention center expansion.

2. How does the CCVB calculate estimated economic impact?

The CCVB uses an industry standard formula developed by the International Association of Convention & Visitor Bureaus which captures major spending components like lodging, meals and local transportation. The formula does not utilize a multiplier. Currently the estimated daily spending by convention delegates is \$213.

3. How has the CCVB budget grown over the last five years?

The CCVB budget is based on a declining percentage formula of the first and second 3% of the occupancy tax and prepared food tax outlined in an agreement with the City of Charlotte. The ACCCA receives revenue only from the second 3% and prepared food tax for convention center purposes. Over the last five years the gross tax collections have grown from \$2.8

million to \$5.8 million, including all private revenue and public revenue sources. The gross 6% occupancy tax collections have grown from \$9.2 million to \$18.2 million over the same period. This is illustrated by the attached graph.

During this period, the CCVB has implemented numerous operational efficiencies to ensure the maximum dollars are allocated directly to sales and marketing activities. A 1998 performance review conducted on behalf of the City of Charlotte by Deloitte & Touche determined that:

- The CCVB mission and goals were consistent with those of the City of Charlotte.
 - The CCVB is a professionally managed organization with sound accountability measures in place.
 - The CCVB's funding is less than the funding of many of its major competitors.
4. How did you calculate the additional room nights that this marketing would generate?

Convention center availability, business on the books and the additional capacity the new hotel brings to the market were used to calculate this goal.

Community Input:

The Convention Center Maximization Committee completed its work in 1998 and concluded that there was a need for a public private partnership to create a parking garage/hotel project to support the convention center. In its report to City Council in January 1998, the committee also found that there would be a short-term impact to existing hotels but that within 3-5 years these and other new rooms would be absorbed and larger conventions will begin to be hosted in Charlotte. The committee identified a need for enhanced marketing resources during the start up phase of the new hotel. The boards of directors of the Coliseum Authority and Convention and Visitors Bureau have both passed resolutions to formally support the request. The members of the Convention Maximization Committee, the Hospitality and Tourism Alliance, the Uptown Hotel General Managers, and the Charlotte Chamber also support the request.

Funding:

Convention Center Fund

Attachment 10

- September 5 presentation to City Council
- Budget and Tax Collections Graph

13. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified for the following boards and commissions.

A. AIRPORT ADVISORY COMMITTEE

1. Consider a request from the Carolinas Partnership to change the Partnership's appointment terms from two, one year terms to one, two year term, without the option to be reappointed. This will eliminate coming back to Council after the first year for a reappointment.
2. Nominate two recommendations by the Carolinas Partnership for one, two year term beginning November 2000 (provided Council approves the Partnership's request stated above). James Carpenter and Manning Kimmel are not eligible to be reappointed. These nominations must live outside Mecklenburg County.

Attachment 11

- Applications
- Letter from Carolinas Partnership

B. BICYCLE ADVISORY COMMITTEE

Six appointments to serve staggered terms. Council approved this committee on September 13, 1999 in conjunction with approval of the Charlotte-Mecklenburg Bicycle Transportation Plan.

Attachment 12

Applications

C. CHARLOTTE-MECKLENBURG DEVELOPMENT CORPORATION

Two appointments for three years each beginning November 2000. Alfreda Barringer and John Helms are eligible and would like to be reappointed.

Attachment 13

Applications

D. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION

One appointment beginning immediately and ending June 2002, to represent a person employed in the local television, radio or film production industry, including commercial and public broadcasting. Bill Golden has resigned.

Attachment 14

Applications

E. CLEAN CITY COMMITTEE

One citizen to fill a position beginning immediately and ending June 30, 2002. Amity Shively has resigned.

Attachment 15

Applications

F. COMMUNITY RELATIONS COMMITTEE

Two appointments beginning immediately and ending June 30, 2001. Jeff Bradsher and Olma Echeverri have resigned.

Attachment 16

Applications

G. HOUSING APPEALS BOARD

One position beginning immediately and ending December 31, 2002. Tammy McCollum did not meet Council's attendance policy.

One position beginning January 1, 2001 to serve three years. Deborah Love is eligible and would like to be reappointed.

Attachment 17

Applications

H. HOUSING AUTHORITY

Three appointments to serve three years each beginning December 2000. Raymond Jones and Mary Stitt are eligible and would like to be reappointed. Roy Matthews is not eligible.

Attachment 18

Applications

I. PARADE PERMIT COMMITTEE

One position beginning immediately and ending March 1, 2002. Margaret Weeks has resigned.

Attachment 19

Applications

J. SISTER CITIES COMMITTEE

One appointment beginning immediately and ending April 2002. Ruth Gorman has resigned.

Attachment 20

Applications

K. TREE ADVISORY COMMITTEE

Two appointments for three years beginning December 2000. Kip Wilson is not eligible for reappointment. Richard Roti is eligible and would like to be reappointed.

Attachment 21

Applications

L. WASTE MANAGEMENT ADVISORY COMMITTEE

One recommendation to the County Commission for a citizen to serve a three year term beginning November 2000. Kevin Levin is eligible and would like to be reappointed.

Attachment 22

Applications

14. Appointments to Boards and Commissions

Action: Make appointments as follows:

A. AREA FUND BOARD OF DIRECTORS

Appoint a Councilmember to replace Rod Autrey, who resigned. The Councilmember may either serve or designate a citizen to represent the elected official. The Area Fund was created in 1963 as an anti-poverty agency, funded through the federal government, to prevent poverty and to work with low-income individuals. The term will coincide with the elected official's term on City Council.

Councilmember James Mitchell currently serves. Franklin McCarey is the Mayor's designee.

Attachment 23**B. AFFORDABLE HOUSING STRATEGY IMPLEMENTATION TEAM**

Appoint a 25-member Implementation Team to complete Phase II of the Affordable Housing Strategy. The adhoc team will study the *Affordable Housing Strategy Report* and determine which strategies will have the greatest impact and result in the production of the most housing units over the next five years. Council is being asked to appoint 16 of the team's membership with the Mayor appointing the remaining members including the team's chair. The team's term will expire upon completion of the team's work.

Councilmembers will individually make one suggested appointment by Friday, October 6. A compiled list of these appointments will be included in the October 6 Council-Manager Memo. Council will nominate and appoint the remaining five members of the Team at the October 10 meeting.

Attachment 24

15. Litigation Settlement with Metric Constructors, Inc.

Action: Authorize the Charlotte-Mecklenburg Utilities Key Business Executive to execute an agreement settling Metric Constructors, Inc. vs. City of Charlotte.

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

Explanation:

The City entered into a contract with Metric Constructors, Inc. in the amount of \$22,568,520 to expand the treatment capacity of McAlpine Creek Wastewater Management Facility to 64 million gallons per day on January 27, 1997. Disputes arose during the contract resulting in a law suit filed by Metric seeking substantial additional compensation from the City for Metric's work on this project. The City has filed counter claims against Metric in that litigation.

A confidential memo has been sent to the Mayor and Council outlining the terms of a tentative settlement of this litigation that has been negotiated between Metric and City staff. The Council is asked to approve the terms of the settlement as outlined in that memo.

If there are any questions about the terms of the litigation or the proposed settlement, the Council may go into a closed session for the purposes of consulting with legal counsel on this litigation.

Funding:

Sewer Capital Investment Plan

Introduction to CONSENT

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

Consent I consists of routine items that have been approved in the budget, 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

Contractors and Consultants

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

CONSENT I

16. Various Bids

A. Plaza Midwood Neighborhood Improvement, Phase 1A E&PM

Recommendation: The City Engineer recommends the low bid of \$1,236,763.89 by Propst Construction Company of Concord, North Carolina. The work included in this project consists of the construction of concrete curb and gutter, sidewalks, storm drainage, the repair of existing sidewalks within the Plaza-Midwood Neighborhood, and new water pipe lines.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$60,000	11%	3%
WBE	\$183,000	33%	2%

MWBD Compliance: Yes.

**B. Hidden Valley Neighborhood Improvement, Phases 3 & 4
E&PM**

Recommendation: The City Engineer recommends the low bid of \$967,501.50 by United Construction of Charlotte, North Carolina. The work included in this project consists of the construction of concrete curb and gutter, sidewalks, storm drainage, and the repair of existing sidewalks with in the Hidden Valley Neighborhood.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	5%
WBE	\$0	0%	3%
ABE	\$967,501.50	100%	0%

MWBD Compliance: Yes. United Construction will self-perform.

**C. Wilmore Neighborhood and Scott Avenue Improvements
E&PM**

Recommendation: The City Engineer recommends the low bid of \$264,304.95 by Sealand Contractors of Charlotte, North Carolina. The Scott Avenue work will add a piece of missing sidewalk over an existing culvert on Scott Avenue. Sidewalk and curb and gutter will be installed in the Wilmore Neighborhood.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$5,035	2%	4%
WBE	\$6,635	2%	2%

MWBD Compliance: Yes. Sealand Contractors Corporation met the good-faith efforts.

**D. Sanitary Sewer Rehabilitation - Upper Little Sugar Creek
Phase 1 CMU**

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$3,108,128.24 by Insituform Technologies, Inc. of Bessemer, Alabama. This contract includes cleaning and televising sewers, installing pipe lining, and manhole rehabilitation including raising manhole covers, installing frame-chimney seals, and other miscellaneous work. This work will occur in the areas of Highway 49, Tom Hunter Road, North Pine Street, North Graham Street, West 27 & 28 Streets, North Tryon Street, and Atando Avenue.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	6%
WBE	\$474,666.05	15%	5%

MWBD Compliance: Yes. Insituform met the good faith effort requirement.

E. Air Cargo Sanitary Sewer Line Improvement Aviation

Recommendation: The Aviation Director recommends the low bid of \$101,606 by Trans-State Construction Company of Denver, North Carolina.

This contract will provide 1,554 feet of sanitary sewer line to serve additional cargo buildings in the Charlotte Air Cargo Center.

Summary of Bids:

Trans-State Construction, Co.	\$101,606.00
Pioneer Utilities & Plumbing, Inc.	\$113,263.00
Showalter Construction, Inc.	\$119,505.50
Sanders Construction, Inc.	\$126,288.40
State Utility Contractors, Inc.	\$135,495.00
Dakota Contracting, Inc.	\$147,948.00
Sandmark Construction, Inc.	\$255,007.07

MWBD Compliance: Yes. The bidder will self-perform.

17. Refund of Taxes

Action: A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$12,726.40; and

B. Adopt a resolution authorizing the refund of business privilege license payments made in error in the amount of \$5,870.02.

Attachment 25
List of Refunds

CONSENT II

18. North Corridor Traffic Separation Study

- Action:**
- A. Approve a resolution to authorize the Key Business Executive for Transit to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) to share the cost of the North Transit Corridor Traffic Separation Study;**
 - B. Approve a resolution exempting the North Transit Corridor Traffic Separation Study from the provisions of North Carolina General Statute 143-64.31 for the procurement of architectural and engineering services;**
 - C. Adopt a budget ordinance appropriating \$275,000 in State grant funds (65%) and the City matching funds (35%); and**
 - D. Authorize the City Manager to negotiate and enter into a contract with Gannett Fleming, Inc. for up to \$275,000 to prepare a Traffic Separation Study for the North Transit Corridor ('O' Line).**

Staff Resource: Ron Tober, Transit

Explanation:

In August the Metropolitan Transit Commission approved further study of a demonstration commuter rail service in the North Corridor. Provision of rail service in this corridor by 2003 would provide peak hour commuters an alternative to Interstate 77, which will be under construction to add lanes at that time. The 2003 implementation date requires very quick study of implementation issues.

Action A:

As part of a mandate to improve railway/highway grade crossings and a desire to support regional public transit service in the Charlotte area, the NCDOT will fund approximately 65% of the cost of this study. The study will be part of the State's comprehensive evaluation of traffic patterns and road usage along rail corridors for municipalities and regions.

Action B:

The North Transit Corridor Traffic Separation Study was originally to be performed by the NCDOT Rail Division. NCDOT has already completed the state's consultant qualification process in selecting Gannett Fleming, Inc. for the work. However, due to time constraints, the NCDOT has agreed that the

City of Charlotte be the lead agency and contract directly with the consultant.

Article 3D, Chapter 143 of the North Carolina general statutes requires local governments to select firms to provide engineering and architectural services on the basis of qualifications through a formal selection process. The statutes also provides for the City to exempt specific projects in their sole discretion. This exemption is accomplished by the adoption of a resolution stating the reasons and circumstances associated with the exemption.

Action C:

The budget ordinance estimates State participation in the project totaling \$175,750 (65%) with a City match of \$96,250 (35%). The City match is from the half-cent sales tax for transit.

Action D:

The Traffic Separation Study will evaluate both public and private at-grade crossings of the Norfolk Southern Railroad 'O' Line from Charlotte to Mooresville. The Study will determine the need for improvements and/or elimination of grade crossings as part of a comprehensive evaluation of traffic patterns and road usage along the corridor.

19. South Transit Corridor Preliminary Engineering Phase

Action: A. Adopt a budget ordinance estimating federal and state grants and appropriating \$5,800,000; and

B. Approve agreement for \$5,800,000 with Parsons Transportation Group (PTG) for preliminary engineering services and Environmental Impact Statement for the South Corridor.

Staff Resource: Ron Tober, Transit

Explanation:

The 2025 Transit/Land Use Plan calls for implementation of high-capacity transit in five travel corridors centering on uptown. The five corridors are: South, North, Northeast, Southeast (Independence Boulevard) and West (Airport). These major transit investments are to support the adopted Centers and Corridors land use plan that provides for the concentration of future development in these corridors and in designated centers throughout Mecklenburg County.

The Major Investment Study (MIS) Phase, which identifies the corridor and preferred vehicle, is complete for the South Corridor and is underway for the other four corridors. The following table highlights the activities to date for the South Corridor.

Date:	Activity:
January 1999	Major Investment Study (MIS) Phase Initiated
February 2000	Metropolitan Transit Commission (MTC) selected Light Rail Transit on the railroad alignment as the Locally Preferred Alternative (LPA)
March 2000	Mecklenburg-Union MPO affirms MTC decision
June 2000	CATS submits formal request to Federal Transit Authority (FTA) to enter Preliminary Engineering (PE) Phase
September 2000	CATS receives FTA approval to begin PE Phase
September 2000	MTC approved moving forward with PE Phase

This agreement begins the preliminary engineering phase for the South Corridor Light Rail Transit System. This phase is expected to take approximately 18 months to complete. Tasks include Public Involvement, Operations Planning, Station and Land Use Planning, the preparation of an Environmental Impact Statement (EIS), and preparation of Preliminary (30%) Engineering Plans.

The consultant was selected using the Council-approved process.

The cost of these engineering services is comparable to the cost of projects of a similar nature in other cities.

DBE: 7%

Funding:

The estimated funding for the project is as follows:

<u>Source</u>	<u>Amount</u>
Federal "New Start" Grant	\$2,900,000
North Carolina Department of Transportation	1,450,000
Contribution from CATS Operating Fund fund balance	1,450,000
Total	\$5,800,000

Attachment 26

MTC Action Item: Approval of South Corridor PE Study, 9/20/00

20. USGS FY2001-2002 Cooperative Agreement

Action: Approve the FY2001-2002 Cooperative Program Agreement with the United States Geological Survey (USGS) for storm water data collection activities in the amount of \$270,875.

Staff Resource: Steve Sands, Engineering and Property Management

Explanation:

The FY01 Cooperative Program Agreement with the USGS includes continued maintenance and operation of rainfall and stream flow gage sites, water quality monitoring at four sites, and continued real time hydrologic data collection.

The total cost of the service is \$533,090. The City's share is \$270,875. The USGS will pay the remainder of the cost as part of the cost sharing cooperative agreement between the USGS and the City. This agreement allows for an increase in services from the USGS for a lower cost to the City.

Funding:

Storm Water Services Operating Budget

21. Utility Billing System Professional Services Contract

Action: Approve a one-year agreement with Adaptive Systems Corporation for professional implementation services related to the upgrade of the City's Utility Billing System. The total contract cost is for an amount not to exceed \$350,000.

Staff Resource: Susan Johnson, Business Support Services

Explanation:

In August 1997 Council approved the Utility Billing System project to replace the old mainframe system. The City purchased the Banner utility billing system from SCT Computer Systems, Inc., (SCT) based in Columbia, S.C. SCT successfully implemented it and has been using the new system to serve the City's 215,000 water/sewer and storm water customers for the past year. As a result of the successful implementation of the new system, the City has a billing and utility management system:

- which successfully achieved year 2000 compliance
- fully capable of expansion to meet future billing needs
- with policies, procedures and processes clearly explained in writing for which technical support can be clearly defined

An upgraded version has since been developed by the software provider (SCT). The City's maintenance and support agreements with SCT entitles the City to new versions of Banner software at no additional cost. The newer version incorporates a number of features which will further enhance the City's ability to deliver improved levels of billing and customer service.

The implementation of the new version is complex, short-term in duration, and requires specific technical knowledge. Therefore, consultant assistance is ideally suited to assist with the upgrade process rather than hiring a permanent employee(s). During the initial implementation and post-implementation phases, the City utilized the services of Adaptive Systems Corporation (ASC) to assist with project management and system stabilization. In order to leverage ASC's knowledge of the City's Banner installation to the City's best interest, the services of ASC are required to provide project management during the upgrade to the new version. ASC will perform the following activities:

- Project plan development and management;
- Business process review;
- Gap analysis facilitation and review;
- Coordination with SCT;
- Coordination of functional and technical activities;
- Test plan development and execution; and
- Process configuration management.

Funding:

Water & Sewer Utility Operating Fund

22. Utility Billing System Technical Support Services Contract

Action: Approve a nine month agreement with Ant Info Solutions for \$150,000 for technical support services related to the City's Utility Billing System. Authorize the Business Support Services KBE to extend the contract for up to two additional one-year periods.

Staff Resource: Susan Johnson, Business Support Services

Explanation:

The Utility Billing System requires a technical support team to maintain its operation. The City originally planned to outsource this operational support for an annual cost of \$1,193,000.00. The City did outsource the support for the Utility Billing System for three months on a letter-of-agreement (LOA) as a pilot but found it necessary to terminate the agreement for non-performance.

Staff decided to perform the support function internally with a combination of City staff and contractors. Seven over hire positions were allocated to Business Support Services for this purpose.

The Technical Coordinator position on the support team has been filled by a series of contractors during the past year. The City has now located a contractor who is capable of providing the required level of support and desires to execute a one-year contract with two one-year renewals for this important position. Ant Info Solutions has worked with the City on the Utility Billing System project in various positions since November of 1998 and has demonstrated the necessary skills to perform this important position on the team.

The total annual cost of the internal team, including this contractor, is \$665,000, which is \$528,000 less than the cost identified for outsourcing the entire project earlier this year.

Funding:

- Water & Sewer Utility Operating Funds
- Business support Services Operating Funds

23. McDowell Creek WWTP Dewatering and Transport of Residuals Renewal #1

Action: Approve Renewal #1, for the two year term, with Bio-Nomics Services, Inc. for dewatering and transportation of residuals at the McDowell Wastewater Treatment Plant in the amount of \$470,052.

Staff Resource: Doug Bean, Utilities

Explanation:

This renewal is needed to effectively handle the residuals produced at the plant until the permanent dewatering facilities are constructed. In February 2000, City Council approved a contract for the mobile dewatering and transportation of residuals at the McDowell Wastewater Treatment Plant. The residuals are dewatered at the plant and transported off-site to the BFI landfill. The contract with Bionomics was for a period of one year with two 1-year renewal options. It will take at least two years before permanent dewatering equipment can be in place. All rates remain the same and are very competitive. The contract has a cancellation clause and can be cancelled at anytime by the City if the service is no longer needed.

Funding:

Water and Sewer Operating Fund

24. McAlpine Creek Wastewater Management Facility – Anaerobic Digester and Gas Handling Improvements – Change Order #2

Action: Approve Change Order #2 for \$140,597.21 with State Utility Contractors, Inc. for repair work on the McAlpine Creek Wastewater Management Facility Anaerobic Digester Mixer.

Staff Resource: Doug Bean, Utilities

Explanation:

City Council approved a construction contract with State Utility Construction Company on February 28, 2000 in the amount of \$4,865,720 to rehabilitate Digester #4 at the McAlpine Wastewater Treatment Plant. Since the award of that contract, the mixer within one of the Digesters has failed. Due to the critical nature of the digester process, work cannot proceed on the original contract until this digester is repaired. Utilities staff has negotiated a change order with State Utility to expedite these repairs.

The digesters are the most critical component of the treatment plant's solids processing train. The digesters accept raw sewage sludge and stabilize it over a 30-day period. This process produces a class "A" product that can be recycled through an inexpensive land application program. The disposal methods for raw sludge are difficult and expensive.

City Council approved Change Order #1 on June 12, 2000 in the amount of \$150,000.00 for providing repairs to another mixer.

With this change order the State Utility Contractors, Inc. contract will increase from \$5,015,720.00 to \$5,156,317.21

MWBD:

NBE: 1.4%

Funding:

Sewer Capital Investment Plan

25. Water Main Along Huntersville-Concord Road

Action: A. Approve a budget ordinance appropriating \$300,000; and
B. Award a contract to Castor Plumbing Company, Inc. of Cornelius, North Carolina for the low bid of \$2,116,633.18.

Staff Resource: Doug Bean, Utilities

Explanation:

This project was initially funded in the FY96 Capital Investment Plan based on estimates of preliminary design, professional services needs and construction costs. The funding level was increased due to more detailed project scope, additional engineering and right-of-way acquisition.

This project will provide public water supply facilities to the developing area south and east of Huntersville and the northeast and eastern portions of Charlotte and Mecklenburg County. This water transmission main also provides an essential link in the completion of the large diameter water main loop to the Mallard Creek Road Water Tank that will be used to provide more efficient pressure distributions to the eastside water distribution system.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	8%
NBE	\$0	0%	1%
HBE	\$0	0%	1%
WBE	\$188,500	9%	5%

MWBD Compliance: Yes. Castor Plumbing has met the good faith effort requirement.

Summary of Bids:

Castor Plumbing Co., Inc.	Cornelius, NC	\$2,116,633.18
Propst Construction Co.	Concord, NC	2,265,279.24
R. H. Price, Inc.	Charlotte, NC	2,401,726.68
Buckeye Construction	Canton, NC	2,705,860.13
State Utility Contractors, Inc.,	Monroe, NC	2,709,965.07
Trans-State Construction Co.	Denver, NC	2,735,823.60
Sanders Utility, Inc.	Charlotte, NC	3,325,030.17

Funding:

Water Capital Investment Plan

26. Concourse D Expansion and Renovations and Phase II Concourse E Construction

Action:		
A. Accept the withdrawal of IND-Com Electric Company's bid; and		
B. Award construction contracts totaling \$32,027,100 for the construction of Concourse D expansion, the terminal building expansion and concourse E as follows:		
General	Beers/Davidson & Jones and R.J. Leeper Co.	\$14,200,000
General	Clancy & Theys Construction Co.	\$7,524,000
Mechanical	Cam-ful Industries Inc.	\$5,898,000
Electrical	Aneco Electrical Construction	\$3,797,300
Plumbing	Cam-ful Industries Inc.	\$607,800

Staff Resource: Jerry Orr, Aviation

Explanation:

Within the time prescribed by law, IND-COM requested withdrawal of their bid and requested their bid bond be returned due to a substantial error in preparation of their bid.

These contracts will complete Concourse D expansion, construct Concourse E and expand the terminal building. These projects will add 7 additional international gates, 21 new commuter gates and expand the international arrivals area.

Background:

On August 23, 1999, Council approves issuance of \$51,054,800 in General Airport Revenue Bonds to add new gates on Concourses A and D and construct a new Concourse E.

On January 24, 2000, Council awards contracts to begin construction of Concourse D addition.

On March 27, 2000, Council awards a contract to prepare the site for the new Concourse E.

Phase II - Concourse D-Multi-Prime

General

Beers/Davidson & Jones and R.J. Leeper Co.	\$14,200,000
Edison Foard, Inc.	\$14,315,700
Dawson Building Contractors, Inc.	\$15,750,000

Mechanical

Cam-Ful Industries, Inc.	\$3,825,700
Alpha Mechanical	\$4,212,700
Climate Conditioning	\$5,502,970

Plumbing

Cam-Ful Industries, Inc.	\$607,800
Alpha Mechanical	\$655,000

Electrical

*IND-COM Electric Co.	\$1,883,225
Aneco Electrical	\$2,405,300
Port City Electric	\$2,499,150
Wayne J. Griffin	\$5,090,550
*IND-COM withdrew bid	

Single-Prime**General**

Edison Foard, Inc.	\$23,725,700
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Phase III - Concourse E-Multi-Prime**General**

Clancy & Theys	\$7,524,000
Beers/Davidson & Jones and R.J. Leeper Co.	\$8,076,000
LeChase Construction	\$8,800,000
Dawson Building Contractors, Inc.	\$9,694,000

Mechanical

Cam-Ful Industries, Inc.	\$2,129,500
Tri-Meck Mechanical	\$2,195,000
Alpha Mechanical	\$2,334,000
Climate Conditioning	\$2,650,000

Electrical

*IND-COM Electric Co.	\$1,237,500
Port City Electric	\$1,437,000
Aneco Electrical	\$1,438,000
Wayne J. Griffin	\$1,465,000
Sentry Electric & Controls	\$1,697,010

Combined Bid**General**

Beers/Davidson & Jones and R.J. Leepers	\$21,934,000
Dawson Building Contractors, Inc	\$25,444,000

Mechanical

Cam-Ful Industries, Inc.	\$5,898,000
Alpha Mechanical	\$6,521,700

Electrical

*IND-COM Electric Co.	\$3,120,725
Aneco Electrical	\$3,797,300
Wayne J. Griffin	\$3,954,400

* IND-COM Electric Company requested that its bid be withdrawn due to substantial errors and that their bid bond be returned.

General-Beers/Davidson & Jones and R.J. Leeper Co

MWBD Status	Amount	% of Project	Project Goals
BBE	\$2,272,000	16%	12%
WBE	\$269,800	1.9%	5%
HBE	N/A		3%
Total	\$2,541,800	17.9%	20%

MWBD Compliance: Yes

General-Clancy & Theys Construction Co.

MWBD Status	Amount	% of Project	Project Goals
BBE	\$150,480	2%	9%
WBE\$	353,628	4.7%	4%
HBE	N/A		1%
ABE	\$30,096	4%	1%
Total	\$534,204	7.1%	15%

MWBD Compliance: Yes

Mechanical-Cam-ful Industries Inc.

MWBD Status	Amount	% of Project	Project Goals
BBE	N/A		5%
WBE	\$589,800	10%	3%
HBE	N/A		1%
ABE	N/A		1%
Total	\$589,800	10%	10%

MWBD Compliance: Yes

Plumbing-Cam-ful Industries Inc.

MWBD Status	Amount	% of Project	Project Goals
BBE	N/A		5%
WBE	\$60,780	10%	3%
HBE	N/A		1%
ABE	N/A		1%
Total	\$60,780	10%	10%

MWBD Compliance: Yes

Electrical-Aneco Electrical Construction

MWBD Status	Amount	% of Project	Project Goals
BBE		N/A	5%
WBE	\$45,567.60	1.2%	2%
Total	\$45,567.60	1.2%	7%

MWBD Compliance: Yes

27. Property Transactions

Action: Approve the following property acquisitions (A-F).

For property transactions A-B, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired for Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition cost are eligible for Federal Aviation Administration reimbursement.

Acquisitions:

- A. Project:** FAR Part 150 Land Acquisition
Owner(s): W.E. Osborn
Property Address: 8311 Todd Road
Property to be acquired: .713 acres
Improvements: single family residence
Purchase Price: \$81,000
Zoned: R3
Use: single family residence
Tax Value: \$54,480
Tax Code: 055-381-44

- B. Project:** Airport Master Plan Land Acquisition
Owner(s): Adams, J. H. et al
Property Address: Bell Avenue
Property to be acquired: 1.607 acres
Improvements: vacant land
Purchase Price: \$20,000
Zoned: RMH
Use: vacant land
Tax Value: \$6,000
Tax Code: 113-101-04
- C. Project:** Old Statesville Road Widening, Parcel #51 & 52
Owners(s): J. Lynn Roscoe & Sara M. Roscoe
Property Address: 7300 and 7308 Old Statesville Road
Property to be acquired: All of Lots 10, 11, 12 and 13 of Block C, Trexler Heights, Map Book 4 at Page 641
Improvements: None
Purchase Price: \$60,900
Remarks: This acquisition is needed for the Old Statesville Road widening. The compensation was established by two independent, certified appraisals.
Zoned: B-2
Use: Vacant
Total Parcel Tax Value: \$25,720
Tax Code: 043-241-11 and 10
- D. Project:** Old Statesville Road Widening, Parcel #87
Owners(s): Tony Okwara & Eddit N. Okwara
Property Address: 7908 Old Statesville Road
Property to be acquired: All of Lots 32 and 33, Block 1, Map 3-626 of Holly Vista
Improvements: Single Family Dwelling
Purchase Price: \$37,600
Remarks: This acquisition is needed for the Old Statesville Road widening. The compensation was established by two independent, certified appraisals.
Zoned: B-2
Use: Single Family Dwelling
Total Parcel Tax Value: \$28,810
Tax Code: 043-088-03

- E. Project:** Old Statesville Road Widening, Parcel #84 & 86
Owners(s): Tony Okwara & Eddit N. Okwara
Property Address: 7820 and 7904 Old Statesville Road
Property to be acquired: All of Lots E and Lots 30 and 31, Block 1, Map 3-626
Improvements: Single Family Dwelling on Parcel 84
Purchase Price: \$62,400
Demolition Requested: Yes
Remarks: This acquisition is needed for the Old Statesville Road Widening. The compensation was established by two independent, certified appraisals.
Zoned: B-2
Use: Single Family Dwelling on Parcel 84 and Vacant Lot on Parcel 86
Total Parcel Tax Value: \$34,990
Tax Code: 043-088-05 and 04
- F. Project:** Irwin Creek Relief Sewer, Parcel #14
Owners(s): E. C. Griffith Company
Property Address: 537 Calvert Street
Property to be acquired: 6,204 sq.ft. (0.142 ac.) of permanent easement plus 2,270 sq.ft. (0.052 ac.) of temporary construction easement
Improvements: None
Purchase Price: \$17,000
Remarks: A permanent easement is required to construct a sanitary sewer line on this property for the Irwin Creek Relief Sewer project. Compensation is based on an independent, certified appraisal made on the property.
Zoned: I-2
Use: Prefab/Warehouse/Industrial
Total Parcel Tax Value: \$166,550
Tax Code: 073-244-03