

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
Monday, April 9, 2001

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, April 9, 2001
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7:00 P.M. Awards and Recognitions

Meeting Chamber

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Arena Design Goals

Resource: Martin Cramton

Time: 60 minutes

Attachment 1

2. Memorandums of Agreement

- **Charlotte Hornets**
- **Charlotte Knights**

Resources: Cindy White, City Attorney's Office

Time: 20 minutes

Attachment 1

3. Status of Legislation Relating to 1% Food and Beverage Tax

Resource: Pam Syfert, City Manager
Boyd Cauble, Assistant to the City Manager

Time: 10 minutes

Attachment 1

4. Interim Development Agreement with Hornets

Resources: Cindy White, City Attorney's Office
Jim Schumacher, Engineering & Property Management
Mike Crum, Coliseum & Convention Center Authority

Time: 20 minutes

Attachment 1

5. Sports and Cultural Facilities Referendum

Resources: Mac McCarley, City Attorney
Bob Hagemann, City Attorney's Office

Time: 10 minutes

Attachment 1

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

CONSENT

- 6. Consent agenda items 17 through 42 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

7. Public Hearing on FY2002 Consolidated Action Plan



Action: Conduct a public hearing to receive comments on the proposed FY2002 Consolidated Action Housing and Community Development Plan.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The Consolidated Action Plan is the City's one-year strategy for providing housing and community development activities to serve primarily low and moderate-income households. The plan supports the City's housing policy – preserving the existing housing, expanding the supply of low and moderate-income housing and supporting family self-sufficiency – as well as the City's neighborhood revitalization strategy. The U. S. Department of Housing and Urban Development (HUD) mandates development of this plan in order to receive federal funding for housing and community development activities.

Explanation:

The FY2002 Consolidated Action Plan focuses on Charlotte's efforts to provide economic opportunities, housing and sustainable neighborhoods for low and moderate-income households. The plan describes the City's goals, objectives and strategies for carrying out federal and local programs for housing and community development initiatives in FY2002.

This Plan also serves as the City's annual application for federal grant funds which is due to HUD on May 15, 2001. Submission of the one year Action Plan is required to receive an estimated \$8 million in new federal funds. The proposed funds are included in four grant programs:

• Community Development Block Grant (CDBG)	\$4,914,000
• HOME Investments and Partnerships (HOME)	\$2,451,000
• Emergency Shelter Grants (ESG)	\$ 166,000
• Housing Opportunity for Persons with AIDS (HOPWA)	\$ 477,000
Total	\$8,008,000

The proposed FY2002 federal fund allocation represents an increase of approximately 8.5% over the FY2001 fund amount. The annual allocation is determined by HUD's entitlement formulas – data based on overcrowded housing, population and poverty; or data based on the age of housing, population growth/lag and poverty.

This year's Plan continues to support the City's policies on housing and community development. After Council takes action on the Affordable Housing Implementation Team's Report, this Plan will be amended to reflect

any new policy position. City Council is scheduled to consider final approval of the FY2002 Consolidated Plan at its meeting on May 14, 2001. Copies of the Plan are available in the City Council library.

Committee Discussion:

Staff presented the Consolidated Plan to the City Within A City Committee on April 4, 2001. A summary of that discussion will be included in the Friday, April 6 Council-Manager Memo.

Community Input:

Two citizen and agency forums were held in January 2001 to inform the community about the Consolidated Plan preparation process and the opportunity to submit projects for inclusion in the Plan. On March 13, 2001 copies of the draft document were distributed to public places for citizen review and comments. Citizens were invited to share their feedback regarding the document at four citizen forums held at several locations: Old City Hall, East Trade Street (two forums), Adam Area Service Center, and the Beatties Ford Road Branch Library. Approximately 20 individuals attended the citizen and agency forums. Comments received from these forums will be included in the final Consolidated Action Plan document.

Funding:

Funding comes from federal CDBG, HOME, ESG and HOPWA funds. The budget ordinance for acceptance of these funds will be included in the FY2002 budget adoption.

POLICY

8. City Manager's Report

9. HouseCharlotte Program Revisions



Action: Approve the staff recommendations to modify and expand the HouseCharlotte policies and program. The changes become effective July 1, 2001.

Staff Resources: Stanley Watkins, Neighborhood Development
Stan Wilson, Neighborhood Development

Policy:

CWAC Strategic Plan identifies the following home ownership goals: increase home ownership in CWAC neighborhoods, seek opportunities to create middle-income neighborhoods, and attract residents with various incomes to live in CWAC.

Explanation:

Staff recommends policy changes for the HouseCharlotte Program that will increase the supply of affordable housing and homeownership opportunities. The proposed changes are based on neighborhood data from the 2000 Quality of Life Index Study. The recommended program changes include:

- expanding the geography
- increasing the subsidy amount
- expanding the Police Officer Program to include government employees
- developing a customized down payment assistance program for targeted neighborhoods and
- limiting the maximum home purchase price to \$120,000 which would be adjusted annually based on changes in the local real estate market

The following policy changes are recommended for the HouseCharlotte Program:

Current Program	Recommended Changes
<ul style="list-style-type: none"> ▪ Eligible for fragile, threatened and 10 selected stable neighborhoods (53 NSA) ▪ Subsidy of up to \$7,500 is available for fragile neighborhoods ▪ Subsidy of \$5,000 maximum is available for threatened and selected stable neighborhoods <p>Police Officer Incentive Program Eligible to Police Officers:</p> <ul style="list-style-type: none"> ▪ Subsidy of up to \$15,000 is available for fragile neighborhoods ▪ Subsidy of up to \$10,000 is available for threatened neighborhoods ▪ No price limit on the price of the house purchase 	<ul style="list-style-type: none"> ▪ Expand to threatened neighborhoods contiguous to CWAC (71 NSA - See Map and Neighborhood List) ▪ Increase subsidy to up to \$10,000 for fragile neighborhoods ▪ Increase subsidy to a maximum of \$7,500 for threatened and selected stable neighborhoods <ul style="list-style-type: none"> ▪ Expand the program to include government employees: <ul style="list-style-type: none"> - Firefighters - School system - City and County - Charlotte Housing Authority ▪ Limit the maximum house price to \$120,000. (Adjusted annually based on the real estate market)

In addition to the above policy changes, staff is recommending the following program addition:

- Authorize the development of customized downpayment assistance of up to \$20,000 per individual for Targeted Action Plan Neighborhoods to provide some flexibility to promote homeownership in the most distressed neighborhoods.

City Council received information on these proposed recommendations at the Dinner Briefing on March 26, 2001.

Background:

The HouseCharlotte Program was approved by City Council in January 1996. The program provides downpayment, closing cost and interest rate buydown assistance to low and moderate-income families purchasing homes in one of 53 targeted CWAC neighborhoods. Eligible neighborhoods include CWAC

Fragile and Threatened neighborhoods and selected CWAC Stable neighborhoods west of Trade Street.

The City's current subsidy assistance is a forgivable, deferred payment loan for up to \$5,000 or \$7,500 depending on the program. The loan is deferred for the first five years and then forgiven at the rate of 20% per year for years 6 through 10. No payments are due in any given year unless the property is sold or transferred, a change in owner occupancy status occurs or a cash-out refinance transaction takes place. The median income thresholds are 110% (\$62,810), 80% (\$45,680) and 60% (\$34,260) of the area median income based on a family size of four.

The Police Officer Home Purchase Incentive Program provides up to \$15,000 in a fragile neighborhood and \$10,000 in a threatened neighborhood. The loan is for a 5 year term and no payments are due in any given year unless the property is sold or transferred, a change in owner occupancy or employment status occurs or a cash-out refinance transaction takes place. The program loan is deferred from years 1 through 2 and then forgiven at a rate of 33 1/3% from years 3 through 5.

Since 1997, 324 homeownership opportunities have been created in 40 CWAC neighborhoods. Seven police officers have purchased homes through the program. Thirty-three lenders have participated and provided \$28.3 Million in financing. The City has provided \$2.3 Million in subsidies, while borrowers have contributed \$459,000 in equity.

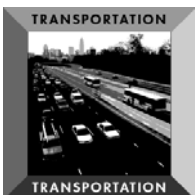
Funding:

Innovative Housing (Government Employee Program) and HOME federal funding

Attachment 2

- HouseCharlotte Program Requirements
- Map and List of Eligible Neighborhoods
- Affordability Income Matrix

10. Charlotte Area Transit System (CATS) Program for FY2002-FY2003



Action: Approve CATS FY2002-FY2003 Transit Programs which were approved by the Metropolitan Transit Commission on March 28, 2001.

Staff Resource: Ron Tober, CATS

Policy:

The February 1999 Transit Governance Interlocal Agreement calls for the Mecklenburg County Board of Commissioners and the Charlotte City Council to each approve the CATS capital and operating programs.

Explanation:

On March 28, 2001, the Metropolitan Transit Commission (MTC) approved the CATS FY2002-FY2003 Transit Programs which were developed in accordance with the following policy directives:

- Continue implementation of the 2025 Integrated Transit/Land Use Plan
- Achieve CATS Mission, Vision and Strategic Goals
- Follow CATS Financial Policies

The \$143,889,585 FY2002 Transit Program includes \$59,472,833 for operating programs, \$82,062,600 for capital improvements and \$2,354,152 for the transit capital reserve fund. In FY2003, the \$176,289,366 Transit Program allocates \$66,321,312 to operating programs, \$105,817,440 to capital improvements and \$4,150,614 to the transit capital reserve fund.

There are several key elements and assumptions in the FY2002-FY2003 Transit Programs:

- Ridership is projected to increase by 5% per year from 13.4 million riders in FY2000 to 15.5 million in FY2003.
- Total revenue hours of services delivered in FY2002 will increase by 45% over FY2000 with a further 12% increase in FY2003 due to program enhancements:
 - increased service on existing regular bus routes
 - new regular bus routes
 - new community/town based circulator service
 - new activity center circulators with 50% private sector funding
 - new regional express bus routes
- Basic customer service will be improved through key initiatives:
 - centralization of customer telephone information and complaint handling services
 - addition of reserve drivers for Special Transportation Services
 - replacement of all bus stop signs with new ones containing route and schedule information
 - start of an on-going program to install passenger shelters and other customer amenities at bus stops
- Human Services Transportation for County DSS is continued at an increased level that is consistent with adopted MTC policy.
- Continued progress on rapid transit improvements in the 2025 Plan Corridors:
 - completion of preliminary engineering and final environmental impact statement in the South Corridor and start of final design

- completion of major investment studies in the other four corridors and selection of locally preferred alternatives and a downtown transit plan
 - begin preliminary engineering in the North Corridor and a third corridor and
 - acquisition of right of way including \$15 million for the Norfolk Southern line parallel to I-77/North.
- Sales tax revenues are projected to grow by 5% in FY2002 and 4% in FY2003.
 - Aggressive assumptions on state and federal grant funding have been made for the capital program.
 - Capital reserves will continue to grow to \$ 81,229,128 in FY2002 and \$ \$85,379,742 in FY2003
 - No fare increase is assumed

Committee Discussion:

The FY2002-2003 Transit Program was presented to Council at the February 14, 2001, budget workshop.

Community Input:

The Citizens Transit Advisory Group and the Transit Services Advisory Committee reviewed the FY2002-2003 Programs and recommended adoption by the MTC.

The Metropolitan Transit Commission unanimously approved the FY2002-FY2003 Transit Program on March 28, 2001.

Funding:

Public Transit Fund

Attachment 3

- FY2002-FY2002 Transit Program Summary
- FY2002-FY2003 Operating & Capital Program Detail
- FY2002-FY2006 Proposed Capital Investment Plan

11. Sports and Cultural Facilities Referendum

This item will be included in the Friday, April 6 Council-Manager Memo.

12. Interim Development Agreement with Charlotte Hornets

This item will be included in the Friday, April 6 Council-Manager Memo.

13. Memorandum of Agreement with Charlotte Hornets

This item will be included in the Friday, April 6 Council-Manager Memo.

14. Memorandum of Agreement with Charlotte Knights

This item will be included in the Friday, April 6 Council-Manager Memo.

BUSINESS

15. Sale of Children's Theater Property

This item will be included in the Friday, April 6 Council-Manager Memo.

16. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified. Incumbent may be reappointed at this meeting.

A. AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY

Two vacancies exist for three year appointments beginning May 2000. Bill Spears is eligible and would like to be reappointed. Stanley Vaughn is not eligible.

Attachment 4 Applications

B. BUSINESS ADVISORY COMMITTEE

Three appointments beginning April 2001. One will be recommended by the Charlotte Chamber. Thomas Winstead is eligible to be reappointed. Ned Fowler and Michael Spinelli are also eligible and would like to be reappointed.

Attachment 5 Applications

C. CERTIFIED DEVELOPMENT CORPORATION

One, three year appointment beginning May 2001 to represent a private lending institution. Steven May is eligible and would like to be reappointed.

One appointment beginning immediately to fill an unexpired term ending April 2003. Nominee must represent a business organization. Alisa D. Watson-Delgado did not fulfill Council's attendance requirements.

One appointment beginning immediately to fill an unexpired term ending April 2003. Nominee must represent a community organization. Eugene Johnson did not fulfill Council's attendance requirements.

Attachment 6 Applications

D. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION

Three appointments beginning July 2001 for two years. One must be an employee of a local financial institution. Doug Johnson does not wish to be reappointed. One must represent a producer or user of public access cable facilities. Joey Popp is eligible and would like to be reappointed. One must represent a user of the public access cable; Doug Bell is eligible and wants to be reappointed.

Attachment 7
Applications

E. CITIZENS TRANSIT ADVISORY COMMITTEE

One vacancy exists for service beginning immediately and ending June 30 and then serving the next full two year terms. Peter Ackling did not meet Council's attendance requirements.

Attachment 8
Applications

F. CIVIL SERVICE BOARD

One regular position beginning May 2001 to serve for three years. Patrick Clark is eligible and would like to be reappointed.

Attachment 9
Applications

G. CLEAN CITY COMMITTEE

Four positions beginning immediately to fill unexpired terms. One will end June 30, 2001 and serve the next full three year term. Two will end June 2002 and the other will end June 2003 respectively. Ronald Dolphus and William Purgason did not meet Council's attendance requirements. John Concelman is unable to attend meetings at lunch and has resigned. Christopher Ham has also resigned.

One appointment beginning July 2001 to serve three years. John Hall is eligible but does not want to be reappointed.

Attachment 10
Applications

H. COMMUNITY RELATIONS COMMITTEE

Fifteen appointments beginning July 2001 to serve three years.

Isis Hannah, Kristen McManus, Evelyn Miller, Angelique Speight, Tuyet Seethaler, Ruth Stevenson and Barbara Waymer are all eligible and want to be reappointed.

Scott Hirsch, James Samuel and Louise Shackelford did not meet Council's attendance requirements.

Stephen Hayes, Leonard Jones and George Wallace are not eligible to be reappointed. John Paul DeBernardo and Eunice Pharr are eligible but do not wish to be reappointed.

Attachment 11

Applications

I. DOMESTIC VIOLENCE ADVISORY BOARD

Two positions would begin immediately. One will serve until September 2001 and then serve the next full three year term. The other will serve until September 2002. Martin McCracken did not meet Council's attendance policy and Ann Noon has resigned.

Attachment 12

Applications

J. HISTORIC DISTRICTS COMMISSION

Four appointments beginning July 2001 for three years. Terri Arrowood, representing a residential property owner in Plaza-Midwood, Mark Fishero, representing a residential property owner in Dilworth, and Lenore Deutsch, open category, are all eligible and would like to be reappointed. Sarah Kennard, representing a residential property owner in Fourth Ward, is not eligible for reappointment.

Attachment 13

Applications

K. NEIGHBORHOOD MATCHING GRANTS COMMITTEE

Two appointments to serve two years beginning April, 2001. Lillie Gilchrist is not eligible for reappointment; Brigette Welton is eligible but does not wish to be reappointed.

Attachment 14

Applications

L. PAROLE ACCOUNTABILITY COMMITTEE

Two appointments for three years beginning July 2001. Betty Lambert wants to be reappointed. Linda Williams does not wish to be reappointed.

Attachment 15

Applications

M. PLANNING COMMISSION

Two, three year appointments beginning July 2001. Warren Cooksey is eligible and would like to be reappointed. Karen Jones has moved out of state.

Attachment 16

Applications

N. SISTER CITIES COMMITTEE

Three appointments beginning immediately and serving until April 2002. Jill Bullard, Keith Cannon and Daniel Saltrick did not meet Council's attendance policy.

Attachment 17

Applications

O. TRANSIT SERVICES ADVISORY COMMITTEE

One position beginning immediately and serving until January 2004. Nominee must be a local service passenger. Kay Dumas has resigned.

Attachment 18

Applications

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

17. Various Bids

A. Parkwood Avenue / The Plaza Intersection E&PM

Recommendation: The City Engineer recommends the low bid of \$725,587.56 by Blythe Construction, Inc. of Charlotte, North Carolina. This project will widen the existing intersection of Parkwood/Plaza and construct a pedestrian refuge median on Parkwood between Davidson Street and The Plaza.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$15,336	2%	4%
WBE	\$14,014	2%	3%

MWBD Compliance: Yes. Blythe Construction, Inc. has met the good-faith efforts requirements.

B. Temporary Fire Station 34

E&PM

Recommendation: The City Engineer recommends the low bid of \$140,765.90 by D. E. Brown Construction, Inc. of Charlotte, North Carolina. This project provides temporary fire protection in the newly annexed area of Grier Road until a permanent station can be constructed. The project provides a City owned trailer for personnel and a metal garage for fire equipment.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$24,377	20%	6%
ABE	\$0	0%	3%
WBE	\$2,525	2%	4%

MWBD Compliance: Yes. D. E. Brown Construction, Inc. met the good-faith efforts requirements.

C. Temporary Fire Station 35

E&PM

Recommendation: The City Engineer recommends the low bid of \$145,510.20 by American Eastern Builders of Charlotte, North Carolina. This project provides temporary fire protection in the newly annexed area of Pavilion Boulevard until a permanent station can be constructed. The project provides a City owned trailer for personnel and a metal garage for fire equipment.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	6%
ABE	\$0	0%	3%
WBE	\$0	0%	4%
HBE	\$0	0%	1%

MWBD Compliance: Yes. American Eastern Builders has met the good-faith efforts requirements.

D. West Boulevard Business Corridor Improvements E&PM

Recommendation: The City Engineer recommends the low bid of \$377,669.34 by Husky Construction Corporation of Charlotte, North Carolina. This project consists of traffic control, grading and demolition of existing roadway, construction of new concrete curb and gutter, concrete paver sidewalks and wheelchair ramps, brick masonry columns, decorative iron railing and landscaping along West Boulevard at the intersections of Remount Road, Clanton Road and Old Steele Creek Road.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	7%
WBE	\$0	0%	4%

MWBD Compliance: Yes. Husky Construction Corporation will subcontract portions of the work to comply with the MWBD program.

E. Oneida Road Sidewalk Replacement E&PM

Recommendation: The City Engineer recommends the low bid of \$100,361.63 by Ferebee Corporation of Charlotte, North Carolina. This project will replace deteriorated sidewalk and related infrastructure along the south side of Oneida Road from Teton Trail to Daybreak Drive.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	3%
WBE	\$0	0%	2%

MWBD Compliance: Yes. Ferebee Corporation will self-perform.

F. Village Lake/Monroe Road Widening E&PM

Recommendation: The City Engineer recommends the low bid of \$194,754.08 by Carolina Site Concepts, Inc. of Charlotte, North Carolina. This project will construct a right turn lane from Monroe Road onto Village Lake Drive and an additional left turn lane from Village Lake Drive onto Monroe Road.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$5,617.31	3%	3%
WBE	\$3,744.87	2%	2%

MWBD Compliance: Yes.

G. Sedley Road Channel Improvements Phase II E&PM

Recommendation: The City Engineer recommends the low bid of \$697,723.86 by Blythe Construction of Charlotte, North Carolina. This project consists of an 850 foot box culvert and all related construction necessary to enclose an existing open channel in the existing roadway median of Sedley Road. The new culvert will extend from Foxcroft Road to Beresford Road.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$7,500	1%	1%

MWBD Compliance: Yes.

H. Resurfacing, FY2001-A

E&PM

Recommendation: The City Engineer recommends the low bid of \$3,089,660 by Rea Construction of Charlotte, North Carolina. This project is the first of two resurfacing contracts to bid this year. Resurfacing Contract A will provide milling; concrete curb and handicap ramp construction and resurfacing on approximately 69 miles of streets within the city limits.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$75,000	2%	9%
WBE	\$356,485	11%	4%

MWBD Compliance: Yes. Rea Construction met MWBD good-faith efforts requirements.

I. Resurfacing, FY2001-B

E&PM

Recommendation: The City Engineer recommends the low bid of \$5,049,805.00 by Crowder Construction Company of Charlotte, North Carolina. This project is the second of two resurfacing contracts to bid this year. Resurfacing Contract B will provide milling; concrete curb and handicap ramp construction and resurfacing on approximately 88 miles of streets within the city limits.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$354,000	7%	7%
WBE	\$152,000	3%	3%

MWBD Compliance: Yes.

J. Office Supplies

BSS

Recommendation: The BSS/Procurement Services Director recommends acceptance of the low bid, a unit price contract to Forms & Supply, Inc. of Charlotte, North Carolina for office supplies for a term of one year with an option to renew for four, one-year periods. The total estimated FY 02 expenditures are based upon the City's buying history of \$404,573 annually. Since the City purchases hundreds of different office supply items, an evaluation team developed a list of 100 commonly used items as a sample of the City and County's purchases. The list included high volume orders, some low usage items and was weighted to reflect usage volume. The evaluation team used this list to compare prices and determine the low price bidder. Other factors included in the evaluation were the vendor's customer service approach, references, variety and quality of product, and the ability of the bidder's on-line ordering system to meet the City and County's needs.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	38%
WBE	\$404,573.00	100%	30%

MWBD Compliance: Yes. Forms & Supply, Inc. is a certified WBE.

K. Airport International Baggage Handling Conveyor

Aviation

Recommendation: The Aviation Director recommends the low bid of \$165,610 be awarded to FKI Logixtex Integration, Inc. of Louisville, KY for the replacement of a baggage handling conveyor.

MWBD Compliance: Yes, contractor will self-perform.

18. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$1,183.28.

Attachment 19
List of Refunds

CONSENT II

19. Water and Sewer System Revenue Bonds

Action: Approve a resolution authorizing the issuance of up to \$150,000,000 of Water and Sewer System Revenue Bonds to fund projects approved in the City's Capital Investment Plan

Staff Resource: Richard Martin, Finance

Explanation:

This resolution authorizes the City to apply to the Local Government Commission (LGC) for approval of the bonds, the financing team and trustee and the steps necessary to complete the bond sale.

On May 14, 2001 (after LGC approval) Council will consider adopting the bond order and authorizing the preliminary official statement.

Funding:

Water and Sewer Capital Investment Plan

Attachment 20

List of projects

20. McAlpine Creek Wastewater Management Facility Anaerobic Digester and Gas Handling Improvements—Change Order #3

Action: Approve change order #3 in the amount of \$190,327 for the contract with State Utility Contractors for additional construction work at the McAlpine Creek Wastewater Management Facility Anaerobic Digester and Gas Handling Improvement Project.

Staff Resource: Doug Bean, Utilities

Explanation:

On February 28, 2000, City Council approved a contract with State Utility in the amount of \$4,865,720. This contract includes work required to remove and dispose of sludge from Digester #4 and two sludge storage tanks and to improve the gas handling equipment for anaerobic digesters at the McAlpine Creek WWMF.

This change order will provide labor and equipment:

- to repair the mixer in anaerobic digester number one;
- to remove, haul, and dispose of additional sludge from sludge holding tanks five and six; and
- to replace an 8-inch digester gas line

The mixer mixes sludge in a 120-foot diameter anaerobic digester that contains approximately 1.5 million gallons of sludge. The digester tank will be drained and cleaned, then the mixer shaft will be welded at an intermediate splice as a precautionary measure to avoid future shaft failures. Due to excessive sand and debris, it will be more cost effective to replace the gas line than to clean it.

The digesters are the most critical component of the treatment plant’s solids processing. 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.

Change order #1, in the amount of \$150,000, was approved by City Council on June 12, 2000.

Change order #2, in the amount of \$140,597.21, was approved by City Council on October 10, 2000.

With this change order, the contract with Haren will increase from \$5,156,317.21 to \$5,346,644.21.

MWBD:

State Utility has made the good faith effort.

Funding:

Sewer Capital Investment Plan

21. South Transmission Main – Contract #3 (Section 1) and Park Road Sidewalk Improvement (Section 2)

Action: A. Approve a budget ordinance appropriating \$9,500,000; and

B. Award a contract to Ruby-Collins, Incorporated of Smyrna, Georgia for their low bid of \$9,368,200.94.

Staff Resource: Doug Bean, Utilities

Explanation:

Charlotte-Mecklenburg Utilities will be constructing five major water transmission mains throughout the southern part of Mecklenburg County. These water lines are on a expedited schedule to enhance water delivery and

pressure to the furthest points of the distribution system and to reinforce the existing water distribution network.

This project was approved in the FY2001-2005 Capital Investment Plan. On September 11, 2000, City Council was briefed on design and construction of the proposed south transmission water mains. This is one of the largest transmission mains installed in Mecklenburg County and the location, size, and impact to citizens will be of primary concern. Approval of the budget ordinance will allow for construction costs, in-house engineering charges and right-of-way acquisition.

This project includes construction of approximately 18,930 feet of 48-inch water transmission main, 570 feet of 10-inch sewer main replacement and sidewalk improvements within Park Road between Woodlawn Road and Sharon Road.

MWBD:

BBE: 8%

WBE: .08%

MWBD Compliance: Yes. Ruby-Collins has made a good faith effort.

Funding:

Water Capital Investment Plan

22. Sugar Creek Wastewater Treatment Plant Standby Generator System–Change Order #1

Action: Approve change order #1 in the amount of \$162,216 for the contract with Haren Construction Company for additional construction work at the Sugar Creek Wastewater Treatment Plant Standby Generator System Project.

Staff Resource: Doug Bean, Utilities

Explanation:

On May 22, 2000, City Council approved a contract with Haren in the amount of \$816,700. This contract will provide all work required to construct a generator facility to run the Sugar Creek WWTP during power outages.

The contractor encountered unsuitable soil during excavation for the building footings and floor slab. The Utility Department's design consultant recommended removing the unsuitable material to a depth of approximately three feet and replacing the material with crushed stone backfill. This would require the contractor to remove approximately 3,000 cubic yards of material. The contractor must also remove a portion of the plant road and temporarily reroute some small diameter pipelines to facilitate the removal and

backfilling operations. Change Order #1 will provide labor and equipment to remove unsuitable material found beneath the proposed generator building and backfill with structural fill material.

With this change order, the contract with Haren will increase from \$816,700 to \$978,916.

MWBD:

WBE: 4.6%

BBE: 3%

Funding:

Sewer Capital Investment Plan

23. Airport Parking Deck & Surface Lots Cleaning Service Contract

Action: Approve a service agreement contract with Carolina Pavement Cleaning Services, Inc. of Charlotte for pavement cleaning of parking facilities at the Airport in the amount of \$328,890. The service agreement is for three years with an option to renew for two additional one-year terms.

Staff Resource: Jerry Orr, Aviation

Explanation:

Pavement cleaning in the Airport's parking decks and lots is currently performed during the hours of 10:00 p.m. to 6:00 a.m. by a contractor and a third shift Airport crew staffed with temporary labor. This contract will provide equipment, labor and supervision to accomplish all parking lot cleaning.

Requests for Proposals were advertised on February 18, 2001 and sent to six potential vendors. Three companies attended a pre-proposal meeting on February 23, 2001. Proposals were received on March 13, 2001 from three local companies. All three vendors are qualified to perform the contract services. Carolina Pavement Services submitted the lowest cost proposal. The Airport Advisory Committee recommends this action.

MWBD: Carolina Pavement Services will self-perform.

Funding:

Airport Operating Budget

24. Airport Daily Parking Deck Design

Action: A. Adopt a budget ordinance to appropriate \$2,720,000 to fund the architectural design contract for the Daily Parking Deck; and

B. Award an architectural design contract to LS3P Associates, LTD. Of Charlotte in the amount of \$2,655,000 including reimbursable expenses for the design of the Daily Parking Deck.

Staff Resource: Jerry Orr, Aviation

Explanation:

As the Airport continues to expand, there is an urgent need for additional parking. On November 13, 2000, Council awarded a contract in the amount of \$150,000 to LS3P Associates of Charlotte, NC for a design study of a parking deck to be located in the Airport's Daily Parking Lot.

Request for Qualifications were sent to firms listed in the city's List of Approved Architects and Engineers. Seven architectural firms submitted qualifications. A selection committee comprised of two Airport Advisory Committee members and Airport staff reviewed qualifications and selected LS3P Associates, LTD of Charlotte. LS3P Associates were selected based on their presentation, qualifications and experience with airport parking decks. This project will provide the design of a new structured parking deck with 6,000 parking spaces.

The budget ordinance is broken down for the following expenses:

Design Contract	\$2,555,000
Reimbursable Expenses	100,000
Geotechnical Testing	50,000
Surveying	<u>15,000</u>
Total	\$2,720,000

The design fee is 3.9% of the estimated construction costs of \$65,000,000, which is within the range of prior airport projects of this type.

The Airport Advisory Committee recommends this action.

MWBD:

WBE: 8.6%

Funding:

The budget ordinance appropriates money to the Airport Capital Projects Fund which will be repaid from the proceeds of future General Airport Revenue Bonds.

25. Airport Passenger Loading Bridge Replacement-Budget Ordinance and Change Order #2

Action: A. Adopt a budget ordinance to appropriate \$323,363 to fund a change order to FMC Jetway Systems of Ogden, Utah; and

B. Approve change order #2 in the amount of \$323,363 to FMC Jetway Systems of Ogden, Utah for a replacement passenger loading bridge.

Staff Resource: Jerry Orr, Aviation

Explanation:

On June 13, 2000, FMC Jetway Systems submitted a low bid of \$6,097,185 to provide 15 passenger loading bridges for the Airport.

On June 26, 2000, City Council approved a contract to FMC Jetway Systems in the amount of \$2,355,521 to provide and install six of these bridges on Concourse "A" on a unit-cost basis. On January 22, 2001, City Council approved change order #1 in the amount of \$1,001,183 which resulted in several additions:

- four 30-ton air conditioning units for Concourse "A"
- two 30-ton air conditioning units for Concourse "C"
- two 400Hz jet power units for Concourse "C"
- two additional passenger loading bridges for US Airways' use on Concourse "C"

Change order #2 will provide for a replacement passenger loading bridge for Concourse "D" and a 400Hz jet power unit. The new, longer bridge will allow second door boarding on larger aircraft (Airbus 330 and Boeing 777).

MWBD:

BBE: 1%

Funding:

The budget ordinance appropriates monies to the Airport Capital Projects Fund which will be repaid from the proceeds of future General Airport Revenue Bonds.

26. Airport Runway 5/23 Safety Area Improvements-Change Order

Action: Approve a change order in the amount of \$234,446.25 to Arvy Construction of Charlotte for grading revisions on the Runway 5/23 Safety Area Improvement project.

Staff Resource: Jerry Orr, Aviation

Focus Area: Economic Development

Explanation:

On September 25, 2000, Council approved a contract with Arvy Construction in the amount of \$1,043,979.43 for improvements to the Runway 5/23 Safety Area. This project will provide an additional 370 feet of graded turf overrun area past the end of the runway and relocate 1,300 feet of Airport Drive.

During the initial design phase, the existing Federal Aviation Administration (FAA) localizer was to remain in its original place inside the safety area. A localizer is a radar device that assists pilots in landing. The FAA wanted to relocate the localizer outside the safety area, which would require placing the localizer on a 35-foot metal structure. However, after further discussion with the FAA, the FAA decided to leave the localizer in its existing location inside the safety area, but on breakaway mounts. In order to maximize the safety area, this will require a revised grading plan which increases the earthwork needed.

The Federal Aviation Administration (FAA) grant funding the project will be amended to provide FAA funds for 75% of the cost of the change order.

The Airport Advisory Committee approves this action.

Funding:

Airport Capital Investment Plan

27. Office Space Lease for Engineering & Property Management

Action: Approve a one-year sublease for 6,647 rentable square feet in the Cameron Brown Building, with a lease value not to exceed \$122,970, to relocate the Real Estate Division of Engineering & Property Management.

Staff Resource: Kent Winslow, Engineering & Property Management

Explanation:

Growth in the City's Capital Improvement Program (CIP), such as road and transit projects, has resulted in the need for additional staff to implement the projects. While actual planning, design and construction is accomplished through consultants and contractors, staff positions are necessary to oversee the work of the consultants. CIP related growth is occurring in CATS, CDOT and Engineering & Property Management.

The Government Center cannot accommodate the additional staff. While the Government Center Joint Facilities Master Plan is intended to provide a long-term solution to office and parking space needs, pending decisions by

Mecklenburg County and the resulting design and construction of additional office space will not provide new space for several years. During the interim period, it will be necessary to lease private space.

This sub-lease of space in the Cameron Brown Building through June 1, 2002 provides a good value for the next year and the flexibility to consolidate additional leased space if necessary next year.

Funding:

Government Center Operating Budget

28. Traffic Calming Road Humps

Action: A. Approve list of streets to receive road humps; and
 B. Award traffic calming road humps contract to Carolina Asphalt Company, of Charlotte, North Carolina for \$177,814.

Explanation:

This contract will construct 115 plain road humps and 10 decorative road humps on 35 streets identified on the attached list.

All road hump locations are requested by neighborhoods and are supported by 75% of residents on the affected streets. All streets have been reviewed and will comply with City Council's recently revised multi-way stop program policy.

City funding of road humps will not exceed the \$225,000 limit per year set by City Council in October 1997. The remainder of the contract will be funded by neighborhoods for the decorative option or for additional road humps beyond the number recommended by CDOT.

MWBD:

No MWBD goals are identified for this work.

Funding:

Neighborhood Improvement Capital Investment Plan

Attachment 21

- Streets to Receive Road Humps in 2001
- Revised Multi-way Stop Program Policy

29. Andrill Terrace/Seneca Place/16th Street Sidewalks

Action: Approve the agreement for \$120,400 with Parsons Brinckerhoff Quade & Douglas, Inc. for engineering design services for Andrill Terrace/Seneca Place/16th Street Sidewalk Project.

Staff Resource: Jim Gerton, Engineering & Property Management

Explanation:

Funding for Andrill Terrace/Seneca Place/16th Street Sidewalk Project was included in the 1998 voter-approved bonds.

This agreement will provide engineering design services for a new sidewalk and planting strip for Andrill Terrace, Seneca Place and 16th Street sidewalks and decorative lighting and street trees on Andrill Terrace.

Andrill Terrace was identified in the West Side Strategy Plan.

MWBD:

WBE: 24.5%

Funding:

Neighborhood Improvement CIP

30. Storm Water Maintenance Renewal FY2000-B

Action: Approve Renewal #2 for \$934,405.00 with Blythe Development Company for continued construction of FY2000-B Storm Water Maintenance Package.

Staff Resource: Steve Sands, Engineering & Property Management

Explanation:

This renewal will enable Storm Water Services to continue regular maintenance activities under this contract, recognize good contractor performance and competitive unit prices. Where the contractor's work has been of good quality, renewals are recommended.

The contract provides for up to 3 renewals of the contracts at the City's option, as an incentive to the contractor for productivity and quality workmanship. These renewals will increase the contract amount for FY2000-B from \$1,868,810 to \$2,803,215.

MWBD:
BBE: 6%
WBE: 6%

Funding:
Storm Water Capital Investment Plan

31. Oakhurst Neighborhood Improvement Program Phase II - Construction and Construction Administration

Actions: A. Award construction contract for \$2,249,973.60 to the low bidder, CMI Contracting, Inc. of Monroe, North Carolina; and
B. Approve Amendment #2 for \$123,002 with Woolpert, LLP, for engineering services (construction administration).

Staff Resource: Keith Carpenter, Engineering & Property Management

Explanation:

This project is one of 22 projects identified under the 2000 (\$32 Million) bond referendum for neighborhood infrastructure improvements. This is the final phase of two construction phases in the Oakhurst neighborhood and includes construction of concrete curb and gutter, sidewalk, storm drainage, water and sewer replacement, and related work in the area enclosed by East Independence Boulevard, North Sharon Amity Road, Craig Avenue and North Wendover Road. This agenda item includes contracts for construction and construction administration.

MWBD (Construction):

BBE: 4%
WBE: 5%

Community Input:

Formal and informal meetings were held with the residents of the neighborhood throughout the planning and design of the project. Staff will continue to meet with and update the residents during the construction phase.

Funding:

Neighborhood Improvement Capital Investment Plan

32. Geotechnical and Materials Testing Services

Action: Approve Amendment #1 to the Agreement for geotechnical and materials testing services with S&ME, Inc. for \$150,000.

Staff Resource: Stewart Edwards, Engineering & Property Management

Explanation:

On March 27, 2000, City Council approved the agreement with S&ME, Inc. for geotechnical and materials testing services for various City projects on an as needed basis for \$150,000. This amendment will provide funding to continue testing services for approximately another year.

Funding:

Transportation Capital Investment Plan

33. 2000 Street Bonds Budget Ordinance

Action: Adopt a budget ordinance appropriating \$7,000,000 in Street Bonds.

Staff Resource: Jim Schumacher, Engineering & Property Management

Explanation:

Below is a list of the 1998 and 2000 funded bond projects requiring appropriations before the end of the fiscal year. All projects are in the General Capital Fund 2010. Each project is scheduled to encumber a contract or acquire rights-of-way prior to June 30, 2001.

- Brookshire Boulevard Widening (1998)
- Sharon Road at Lyttleton Intersection (2000)
- Graham Street at Norris Avenue Intersection (2000)
- Asbury Avenue Extension (2000)
- Davidson/Matheson Connector (2000)
- The Plaza Pedestrian Refuge Median (2000)
- Prosperity Church Road Widening, Phase II (2000)
- Tuckaseegee/Mulberry Intersection (2000)
- Archdale Drive Widening (2000)
- Tryon Street Widening (Craighead/Sugar Creek) (2000)
- Arrowood Road Widening (2000)

34. Consent to the Sale of Clanton Park Property to the Charlotte Housing Authority



Action: Consent to the conveyance of 5.72± acres (a portion of Tax Parcel 145-128-01) of Clanton Park property by Mecklenburg County to the Charlotte Housing Authority and relinquish reversionary rights to lift the restriction that the land must be used only for park and recreation purposes.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The CWAC Focus Area provides the general policy framework for supporting the redevelopment of the Dalton Village project (Arbor Glen). Dalton Village is located in a fragile neighborhood and the focus area strategy calls for undertaking comprehensive initiatives to address housing, infrastructure, social and crime conditions.

Explanation:

The 1992 City/County Park and Recreation Consolidation Agreement gave ownership of the City park property to the County. However, the Agreement provides that:

- the City must agree to any sale of the property; and
- in the event the property is no longer used for park and recreation purposes, the City can request the property back.

The Charlotte Housing Authority (CHA) desires to purchase 5.72± acres (undeveloped portion) of formerly City owned property from the County. The Housing Authority and New Dalton LLC will develop the property with approximately 34 single-family residential units as a component of the rehabilitation of Dalton Village funded by a HOPE VI federal grant. The Mecklenburg County Commissioners have approved the sale and now seek the City's consent. The purchase price for the 5.72± acres is the appraised value of \$143,000. The County intends to use the proceeds from the sale for improvements to Clanton Park facility across the street, which serves Dalton Village.

Background:

The Dalton Village community is located on 32.5 acres on the southwest corner of West Boulevard and Clanton Road. The community is adjacent to the Reid Park Neighborhood.

The original 300-unit complex was constructed in 1970 and has been owned and operated by CHA since that time. In December 1997, CHA received a \$24.5 million HOPE VI grant from HUD for the redevelopment of Dalton Village.

On January 25, 1999, City Council approved the Dalton Village Master Plan and made a \$2 million commitment for infrastructure improvements for

Dalton Village. On November 27, 2000, Council approved the infrastructure agreement grant between the Charlotte Housing Authority and City of Charlotte to fund \$2 million in infrastructure improvements for the Arbor Glen at Dalton Village, a HOPE VI Project.

Dalton Village redevelopment activities include replacing the previous 300-unit CHA apartment complex with 412 units of mixed-income housing. Of the 412 housing units, 358 will be rentals and 54 will be available for purchase. The 54 houses will be located on contiguous sites acquired from Mecklenburg County Park and Recreation Department and on land to be acquired in the adjacent Reid Park Neighborhood.

Attachment 22

- Request for Board Action dated 8/15/00
- Request for Board Action dated 10/17/00
- Tax Map
- Letter from County Manager to City Manager dated 01/09/01
- Letter from Charlotte Housing Authority to Assistant City Manager dated 02/27/01

35. Purchase of Trolley Buses

Action: A. Adopt a budget ordinance appropriating \$3,340,068 to CATS capital fund;

B. Approve a contract between the City of Charlotte and Chance Coach, Inc. for the purchase of 12 trolley buses in the amount up to \$3,340,068; and

C. Authorize the City Manager to enter into a contract with Charlotte Center City Partners (CCCP) allowing CCCP to contribute toward the operating and capital cost of CATS operating the Center City Circuit.

Staff Resource: Keith Parker, Charlotte Area Transit System (CATS)

Explanation:

The Center City Circuit is currently funded in part by CATS and managed by the Charlotte Center City Partners (CCCP). CATS staff has been working with CCCP representatives to ensure a smooth transition of CATS assuming management responsibilities for the circulator service effective on or about July 1, 2001. CATS and the CCCP have decided to use trolley buses as the mode of transportation for the Center City Circuit.

On March 22 the Charlotte Center City Partner's governing board formally agreed to partner with CATS and provide funding for the Uptown Circulator

Service. CCCP has agreed to provide 50% of the operating cost of service. In addition, at CATS request CCCP will fund 50% of the capital cost of 10 of the 12 trolleys (two are back-up trolleys for whenever a trolley is out of service for repair or maintenance).

The trolleys are scheduled for delivery during the summer of 2001. This can be achieved if CATS piggybacks with the Central Oklahoma Transportation and Parking Authority (COTPA) to purchase 12 trolley buses.

CATS staff will competitively procure the operator of the service this spring and request City Council approval of the operations contract in June 2001.

The new service will operate Monday through Friday 7:00 a.m. to 7:00 p.m. with headways ranging from 4 to 8 minutes. The circulator will continue to run fare-free and will offer three routes in Charlotte's Central Business District. Other cities have shown that ridership gains can be achieved by replacing regular buses with trolley buses on similar downtown circulator services. More employment trips as well as tourist and lunchtime travel trips are anticipated on all of the routes.

On March 28, 2001 the Metropolitan Transit Commission (MTC) reviewed the procurement process and authorized the CATS Chief Executive Officer to piggyback on a bus contract offered by the Central Oklahoma Transportation and Parking Authority (COTPA).

The use of piggybacking to secure rolling stock in a competitive environment is within the parameters of legitimate process as set forth by the Federal Transit Administration (FTA). North Carolina G.S. 143-129(g) approves the piggyback process if it is in the best interest of the agency involved and is approved by the governing body of the purchasing body. Notice of this purchase has been published in The Charlotte Observer on March 29, 2001.

COTPA awarded a competitively bid contract to Chance Coach, Inc., to purchase 72 American Heritage Streetcars. COTPA is willing to assign up to 12 vehicles of its available option capacity to CATS.

CATS must enter into a contract with Chance Coach, Inc. to purchase 12 trolley buses in the amount of up to \$3,340,068.

Funding:

Charlotte Area Transit System Capital Investment Plan

36. Information Technology Help Desk Support Services Contract

Action: Authorize the City Manager to negotiate and execute a contract with one of three vendors for Information Technology Help Desk support services. The contract will not exceed \$1,408,539. The contract will be a two year contract with a renewal option for two additional years.

Staff Resource: Susan Johnson, Business Support Services

Explanation:

As part of the BSS Competition Plan, the Information Technology Help Desk has been outsourced to Support Technologies since August 1999. The contract with Support Technologies expires June 2001. Outsourcing the IT Help Desk will continue. Requests for proposal were issued on January 26, 2001. Seventy-three companies were sent notices regarding this request for Proposal.

Eight vendors responded: ACS, CDI, CompuCom, DecisionOne, Support Technologies, Inc., Unisys, Xerox, and Xwave.

The proposal evaluation team was comprised of representatives from Business Support Services, CMUD, Engineering, Finance, Fire, Planning, Police and Transportation.

The proposals were evaluated based upon reference checks and the following criteria:

Performance/Past Experience	15%
Support Methodology	75%
Cost	10%

The vendors receiving the highest rating were ACS, DecisionOne and Unisys. Due to the transition period timeframe of 90 days and the complexity of the contract, it is requested that the City Manager be authorized to negotiate a contract with one of the three vendors with the stipulation that the initial annual contract amount does not exceed \$1,408,539.

Funding:

BSS-Information Technology Operating Budget

37. Digex, Inc Contract for Web Hosting Service

Action: Approve two-year contract with Digex, Inc. for an amount not to exceed \$150,000 for the two year period. The contract is for web hosting services.

Staff Resources: Susan Johnson, Business Support Services
Philip Borneman, Business Support Services

Explanation:

The City has identified a need for acquiring an improved internet web hosting service. Web hosting services include:

- Sufficient storage space for the City internet web site
- 24 hour/7 day a week operations, maintenance and technical support of the web site
- Daily system backup
- Computer security for the web site
- Maintaining a clear separation between the City's internet web site and the City's internal local area network for security purposes

The City issued an RFP and three vendors responded. The City selected Digex, Inc. for the following factors:

- cost factors
- recognized experience within the industry
- positive references regarding delivery of service and
- potential commonality that will exist because the County recently selected Digex, Inc. as its Web Hosting service provider

MWBD:

There are no known MWBD providers of this service.

Funding:

BSS-Information Technology Operating Budget

38. Privilege License Tax Ordinance Amendment

Action: Adopt an ordinance amending Chapter 13 of the Code of the City of Charlotte regarding the privilege license tax for pawnbrokers.

Staff Resource: Bob Hagemann, City Attorney's Office

Explanation:

In 1999, the State legislature inadvertently reduced the maximum amount of privilege license tax that cities can levy on pawnbrokers from \$275 to \$100. City Council amended its tax to comply with this restriction in November 1999. Last session the legislature corrected itself by resetting the maximum tax at \$275. The proposed ordinance would reestablish the \$275 tax.

39. Set Public Hearing Date for Public Safety Emergency Telephone Service Surcharge

Action: Set a public hearing for May 14, 2001 at 7 p.m. in the Charlotte Mecklenburg Government Center to receive public comments concerning the proposed public safety emergency telephone service surcharge.

Explanation:

The City proposes to implement the public safety emergency telephone service surcharge (aka 911 landline surcharge) in Charlotte Mecklenburg police service area to support the Fire and Police Departments and Medic communications systems.

40. Home Depot Resolution Concerning NCDOT Rail Access Fund

Action: Adopt a resolution supporting Home Depot's request to the North Carolina Department of Transportation for \$98,358 from the Rail Access Fund to improve rail access to Home Depot's new Charlotte Warehouse.

Staff Resource: Tom Flynn, City Manager's Office

Explanation:

The North Carolina Department of Transportation provides funds to businesses that need to improve their rail access. The monies come from the Rail Access Fund. NCDOT requires a resolution from the local government supporting the business' application.

Home Depot is investing \$1 million and hiring 19 employees at a new warehouse at 501 Back Satchel Road in the Chesapeake Industrial Park. This is located in the City Within A City Area. The site has a rail spur that needs to be improved for Home Depot's warehouse. Home Depot has requested \$98,358 from NCDOT for these improvements.

This resolution does not commit the City to any financial support for Home Depot and Home Depot does not expect any funds from the City.

Community Input:

City staff has been working with the Charlotte Chamber to retain and expand Home Depot's warehouse in Charlotte. The Chamber supports this resolution.

Funding:

No City funds are required.

41. Property Transactions

Action: Approve the following property acquisitions (A-D) and adopt the condemnation resolutions (E-S).

Acquisitions:

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Paul E. Hasting
Property Address: 8205 Cathey Drive
Property to be acquired: 1.240 acres
Improvements: Mobile Home
Purchase Price: \$22,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal considers 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 per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.
Zoned: RMH
Use: Single Family Residence
Tax Value: \$17,920
Tax Code: 113-111-22
- B. Project:** Statesville Avenue Widening, Parcel #3
Owners(s): Trustees of Saint Luke Baptist Church
Property Address: 2642 Statesville Avenue
Property to be acquired: 19,994 sq.ft. (.459 ac.) total acquisition of vacant lot
Improvements: Gravel surfacing and chain link fencing
Purchase Price: \$54,000
Remarks: This area is required for the construction of the Statesville Avenue Widening Project. Acquisition price is based on an independent, certified appraisal.
Zoned: B-1
Use: Vacant Lot/Parking Lot
Total Parcel Tax Value: \$25,000
Tax Code: 079-058-05
- C. Project:** Sharon and Fairview Roads Widening, Parcel #24
Owners(s): Springs Investment Limited Partnership
Property Address: 4611 Sharon Road
Property to be acquired: 2,576 sq.ft. (0.059 ac.) plus 2,707 sq.ft. (0.062 ac.) of temporary construction easement.
Improvements: Landscaping and lighting
Purchase Price: \$203,850

Remarks: The area is needed for roadway widening. The compensation amount was determined by an independent, certified appraiser.

Zoned: O-2

Use: Office

Total Parcel Tax Value: \$1,558,420

Tax Code: 183-132-13

- D. Project:** Statesville Avenue Widening, Parcel #17
Owners(s): Charles Alexander & Doris Alexander
Property Address: 3100 Statesville Avenue
Property to be acquired: 8,743 sq.ft. (0.20 ac.) fee simple, 1,897 sq.ft. (0.044 ac.) permanent easement and 1,949 sq.ft. (0.045 ac.) temporary construction easement
Improvements: None
Purchase Price: \$108,800
Remarks: This acquisition is needed for the widening of Statesville Avenue. Compensation was based on two independent, certified appraisals.
Zoned: B-1
Use: Barber Shop
Total Parcel Tax Value: \$83,640
Tax Code: 512-99-017

Condemnations:

- E. Project:** Sanitary Sewer to Serve North Mecklenburg/Rocky River Outfall-Phase II, Parcel #8
Owner(s): Jack R. Felker and any other parties of interest
Property Address: 19525 East Rocky River Road
Property to be acquired: 33,891 sq.ft. (0.778 ac.)
Improvements: None
Purchase Price: \$2,550
Remarks: The areas are needed for the construction of a sanitary sewer to serve North Mecklenburg/Rocky River Outfall-Phase II. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.
Zoned: R-3
Use: Single Family Residential
Total Parcel Tax Value: \$293,050
Tax Code: 007-251-20
- F. Project:** McAlpine Creek Relief Sewer, Parcel #57
Owner(s): Robert B. Lee and wf. Patricia M. Lee and any other parties of interest
Property Address: Old Bell Road
Property to be acquired: 11,953 sq.ft. (0.275 ac.)
Improvements: None

Purchase Price: \$900

Remarks: The areas are needed for the construction of McAlpine Creek Relief Sewer. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations.

Compensation amount is based on an independent, certified appraisal.

Zoned: R-3

Use: Vacant

Total Parcel Tax Value: \$24,000

Tax Code: 213-091-11, 12 & 13

- G. Project:** McAlpine Creek Relief Sewer, Parcel #104
Owner(s): Callaway Forest LLC c/o Diamond Oak Development, Inc. and any other parties of interest
Property Address: Longspur Drive
Property to be acquired: 27,492 sq.ft. (0.632 ac.)
Improvements: None
Purchase Price: \$4,300
Remarks: The areas are needed for the construction of McAlpine Creek Relief Sewer. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations.
Compensation amount is based on an independent, certified appraisal.
Zoned: R-3
Use: Vacant
Total Parcel Tax Value: \$112,650
Tax Code: 193-024-87
- H. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #2
Owner(s): Bradley Emerson Woodie & Christine Deniston Woodie and any other parties of interest
Property Address: 4221 Sheridan Drive
Property to be acquired: 4,634 sq.ft. (0.106 ac.) of temporary construction easement
Improvements: None
Purchase Price: 4,975
Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.
Zoned: R-4
Use: Single Family Dwelling
Total Parcel Tax Value: \$69,610
Tax Code: 131-021-11
- I. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #3
Owner(s): UDRT of North Carolina LLC and United Dominion Realty and any other parties of interest

Property Address: 4311 Central Avenue

Property to be acquired: 14,341 (0.329 ac.) of fee acquisition, permanent drainage easement, permanent utility easements and temporary construction easement

Improvements: Concrete entrance and driveway

Purchase Price: \$54,975

Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.

Zoned: R-22MF

Use: Apartment complex

Total Parcel Tax Value: \$5,605,370

Tax Code: 101-173-41

- J. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #6
- Owner(s):** Panagiotis I. Haralambous and John P. Elefandis and any other parties of interest
- Property Address:** 4328 Central Avenue
- Property to be acquired:** 6,756 (0.155 ac.) of fee acquisition, permanent utility easement and temporary construction easement
- Improvements:** None
- Purchase Price:** \$50,161
- Remarks:** This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.
- Zoned:** B-1
- Use:** Grocery Store/Market
- Total Parcel Tax Value:** \$376,900
- Tax Code:** 131-023-15
- K. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #7
- Owner(s):** Samos Partnership, a NC General Partnership, C. Morris Newell, general partner, and any other parties of interest.
- Property Address:** 4351 Central Ave.
- Property to be acquired:** 11,148 (0.256 ac.) of fee acquisition, permanent utility easement and temporary construction easement.
- Improvements:** Sign
- Purchase Price:** \$70,275
- Remarks:** This acquisition is needed for the intersection at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.
- Zoned:** B-1

Use: CVS Drug Store
Total Parcel Tax Value: \$1,237,250
Tax Code: 101-173-42

- L. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #10
Owner(s): Growth Equities Corp. and any other parties of interest
Property to be acquired: 4,815 (0.110 ac.) of fee acquisition, permanent drainage easement and temporary construction easement
Improvements: Asphalt paving
Purchase Price: \$29,900
Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.
Zoned: B-1
Use: Strip Shopping Center
Total Parcel Tax Value: \$450,810
Tax Code: 131-183-03
- M. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #11
Owner(s): JLT Properties and any other parties of interest.
Property Address: 4421 Central Avenue
Property to be acquired: 3,971 (0.091 ac.) of fee acquisition and temporary construction easement
Purchase Price: \$11,500
Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.
Zoned: B-1
Use: Strip Shopping Center/Restaurant
Total Parcel Tax Value: \$1,303,940
Tax Code: 101-183-04
- N. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #18
Owner(s): Calvary Christian Church of the Apostolic Faith, Inc. and any other parties of interest
Property Address: 3001 Kilborne Drive
Property to be acquired: 14,120 sq.ft. (0.324 ac.) of fee acquisition, permanent sidewalk easement, permanent utility easement, permanent drainage easement and temporary construction easement.
Improvements: None
Purchase Price: \$17,025

Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.

Zoned: R-1

Use: Church

Total Parcel Tax Value: \$2,391,180

Tax Code: 101-181-18

- O. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #19

Owner(s): IND COM Electric Company, Inc. and any other parties of interest

Property Address: 1808 Norland Road

Property to be acquired: 1,634 sq.ft. (0.038 ac.) of fee acquisition and temporary construction easement

Improvements: Asphalt Paving

Purchase Price: \$3,050

Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.

Zoned: B-2

Use: Warehouse/Industrial Office

Total Parcel Tax Value: \$565,450

Tax Code: 131-025-02

- P. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #21

Owner(s): Raylur, Inc. c/o Frank Rader and any other parties of interest

Property Address: 1811 Norland Road

Property to be acquired: 3,251 sq.ft. (0.075 ac.) of fee acquisition and temporary construction easement

Improvements: None

Purchase Price: \$6,000

Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.

Zoned: B-2

Use: Office

Total Parcel Tax Value: \$163,780

Tax Code: 131-023-17

- Q. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #22
Owner(s): Henry Allen and any other parties of interest
Property Address: 1801 Norland Road
Property to be acquired: 2,883 sq.ft. ((0.066 ac.) of fee acquisition, permanent drainage easement and temporary construction easement
Improvements: None
Purchase Price: \$6,600
Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and review appraisal. City has yet to reach a negotiated agreement with property owners.
Zoned: B-2
Use: Warehouse/Industrial
Total Parcel Tax Value: \$363,800
Tax Code: 131-023-18
- R. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #23
Owner(s): SMS Catering Service Inc. and any other parties of interest
Property Address: 1764 Norland Road
Property to be acquired: 1,055 sq.ft. (0.024 ac.) of fee acquisition, permanent utility easement and temporary construction easement
Improvements: None
Purchase Price: \$6,300
Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owners.
Zoned: B-2CD
Use: Warehouse/Industrial
Total Parcel Tax Value: \$527,940
Tax Code: 131-024-05
- S. Project:** Johnston Road Improvement – Phase II, Parcel #60
Owner(s): Carmel Village Association and any other parties of interest
Property Address: Harrowfield Road
Property to be acquired: 15,085 sq.ft. (0.346 ac.) of fee simple acquisition, permanent drainage easement, temporary construction easement and utility easements
Improvements: Signs
Purchase Price: \$22,600
Remarks: This acquisition is needed for the Johnston Road Improvements Project Phase II. The compensation was established by

an independent, certified appraisal and a review appraisal. City has yet to reach a negotiated agreement with property owner.

Zoned: R-17MF

Use: Condos

Total Parcel Tax Value: None

Tax Code: 221-439-01

42. Meeting Minutes

Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:

- **March 5, 2001 Workshop/Citizens Forum**
- **March 14, 2001 Budget Retreat**
- **March 19, 2001 Zoning Meeting**