

**Mayor Patrick L. McCrory**

Susan Burgess  
Nancy Carter  
Patsy Kinsey  
John W. Lassiter  
Don Lochman

**Mayor Pro Tem Patrick De'Angelo Cannon**

James E. Mitchell, Jr.  
Patrick Mumford  
Greg Phipps  
John H. Tabor, AIA  
Warren Turner

# **CITY COUNCIL MEETING**

**Monday, April 11, 2005**

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# CITY COUNCIL AGENDA

Monday, April 11, 2005

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

### **1. BizHub Presentation**

**Resources:** Ron Kimble, City Manager's Office  
Tom Flynn, Economic Development

**Time:** 30 minutes

#### **Synopsis**

- In April 2004 City Council approved a contract with the Charlotte BizHub, Inc. This action implemented the recommendation of the MWBD Task Force to create an entrepreneurial center to improve the success rate of small business by fostering cooperation and coordination among service providers.
- City staff has been working with the BizHub Board and other partners (Charlotte Chamber, Mecklenburg County, CPCC, Mecklenburg County Library) to improve the BizHub model.
- All partners support the Conceptual Framework that will be presented and is outlined in the attachment.

#### **Attachment 1**

Conceptual Framework for a Revised Charlotte BizHub  
PowerPoint Presentation

### **2. Charlotte Regional Visitors Authority (CRVA) Strategic Plan**

**Resources:** Luther Cochrane, CRVA Chair  
Tim Newman, CRVA CEO  
Ron Kimble, City Manager's Office

**Time:** 30 minutes

#### **Synopsis**

- CRVA (merger result last year with Auditorium-Coliseum-Convention Center Authority (ACCCA) and Visit Charlotte) is presenting its first strategic plan
- Main points of the strategic plan include the following:
  - Financial
  - Communications and PR
  - Sales and Marketing
  - Leadership/People
  - Facilities Management
  - Customer Satisfaction
- The Strategic Plan leads the CRVA to its Budget and Sales & Marketing Plan for fiscal year 2006

### **3. Update on North Corridor Commuter Rail, Charlotte Station Locations**

**Resource:** David Carol, Charlotte Area Transit System (CATS)  
John Muth, Charlotte Area Transit System (CATS)

**Time:** 20 minutes

#### **Synopsis**

- CATS plans to submit the Draft Environmental Impact Statement (DEIS) for the North Corridor Commuter Rail project in the fall of 2005. The DEIS is a federal required document. In order to complete the necessary environmental and engineering work required for the DEIS, a number of key issues must be resolved. One such issue is the location of stations along the rail line.
- CATS, the Charlotte-Mecklenburg Planning Commission, and the Planning departments from Huntersville, Cornelius, Davidson and Mooresville, have worked over the past six months to locate optimal station locations. Of the 11-12 potential stations planned for the North Corridor, four are located within Charlotte. These include: the Charlotte Multimodal Station, Derita, Harris Boulevard and Eastfield Road.
- The presentation discusses the factors used to locate stations and shows the Charlotte locations under consideration. A decision will be made at a later point, following detailed ridership analysis, whether to stop at all or just some of the stations along the line.
- CATS staff is looking for feedback from Council on the Charlotte station locations to incorporate into the analysis.

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

**CONSENT**

- 4. Consent agenda items 8 through 26 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

## PUBLIC HEARING

### 5. Public Comment on Draft South End Pedscape/Transit Station Area Plan

**Action:** Receive citizen comments on the draft South End Pedscape / Transit Station Area Plan, Concept Plan.

**Committee Chair:** Pat Mumford

**Staff Resource:** Kent Main, Planning Commission

#### Explanation

- Plan will be the transit station area plan for three light rail stations.
- South End planning process began in 2001 to promote pedestrian-oriented, mixed-use development.
- Study area includes properties within ½ mile of a transit station, excluding single-family areas of Wilmore and Dilworth neighborhoods.
- Plan eliminates need for individual rezonings for future urban development.
- Beginning June 2004, four public meetings were held. Approximately 150 people attended the meetings.

#### Plan recommendations

- Land Use: Mixed-use, transit-supportive development recommended in most of the district, with more residentially focused transit-supportive development at edges abutting Wilmore and Dilworth neighborhoods.
- Cross Sections and Streetscape Standards:
  - Most local street widths adequate for on-street parking, to be unchanged.
  - Some narrower streets have provision for voluntary developer widening to insure continuing on-street parking availability as densities increase.
  - Special cross section widths for certain major streets with varying parking, bike lane, turn lane and median needs.
  - Building setbacks, measured from the curb, apply to all urban zoning classifications. They allow for high-quality pedestrian environment, with wide sidewalks, street tree plantings and buildings close to the street.
- Streetscape and Pedestrian Improvements: Plan recommends a number of improvements, including additional sidewalks, bulb-outs, pedestrian refuge islands, lighting and signals, to be funded through future capital improvement budgets.

Charlotte-Mecklenburg Planning Committee: Received public comments January 18, 2005. Principal citizen points:

- Rezoning flexibility and process: accommodate property owner needs
- Parking: intensifying demand related to trolley and future light rail; may need more in future
- Existing industrial uses: allow to continue and expand in some areas

- Minimum FAR requirement: may be difficult for smaller property owners
- Overhead Utilities: restrict development near street, expensive to move
- Wide Planting Strips and Sidewalks: reduces developable area

On February 15, 2005 Planning Committee continued discussion of the plan.  
Discussion points:

- Staff to revise rezoning recommendations with more flexibility and phased schedule.
- Historic South End District Parking Study, prepared in 2004, indicated adequate parking at present; provided strategies for monitoring and charging for parking in the future as area achieves a “downtown” level of density.

On March 15, 2005 staff proposed an amendment to the Part II Implementation Plan (provided for information; not a part of plan adoption). The amendment shows four groups for rezoning in separate applications over time; keeps Mixed Use Development District (MUDD), Urban Mixed Use Development (UMUD), and Neighborhood Services (NS) parcels in existing zoning districts; uses Transit Supportive (TS) overlay zoning in peripheral areas where more industrial uses are still in place. Planning Committee voted 5-0 to recommend approval with the amendment.

#### **Committee Discussion**

- Transportation Committee received staff background briefing on February 28, 2005.
- Committee noted support for even greater building height and density along transit corridor.
- On March 28, 2005 Transportation Committee reviewed amended rezoning recommendation; forwarded the plan to Council for citizen comments.
- Committee is scheduled to make its recommendation on April 25, 2005.
- Council action tentatively scheduled for May 9, 2005.

#### **Attachment 2**

Draft South End Pedscape/Transit Station Area Plan

Proposed Amendment to Part II Implementation Plan: text and map

## **POLICY**

### **6. City Manager's Report**

## BUSINESS

### 7. Nominations to Boards and Commissions

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

#### A. BUSINESS ADVISORY COMMITTEE

Five appointments beginning April 2005 and ending April 2008.

- Wanda Craig, Renata Henderson and Leigh Rounds are eligible to be reappointed and all three wish to serve another term.
- Charles Gordon and James Chappell are not eligible for reappointment. A recommendation from the Arrowood Association and the Manufacturer's Council are required for these openings.

#### Attachment 3

Applications

#### B. BUSINESS EXPANSION FUNDING CORPORATION

Four, three-year appointments beginning April 30, 2005.

- Paul DiPirro (Business Organization Category) is eligible and wishes to be reappointed.
- Thomas Davis (Private Lending Category) is eligible and wishes to be reappointed.
- Paul Leamon (Private Lending Category) is eligible but does not wish to serve another term.
- Elton Shoemaker (Business Organization Category) is not eligible for reappointment.

#### Attachment 4

Applications

#### C. CHARLOTTE REGIONAL VISITORS AUTHORITY

Three appointments for three-year terms beginning June 30, 2005.

- Sally Ashworth (Town Representative) is eligible and wishes to be reappointed.
- Bill Spears (At-Large Category) is eligible and wishes to be reappointed.
- Charlene Price Patterson (At-Large Category) is eligible to be reappointed, but does not wish to serve another term.

One appointment for an unexpired term beginning immediately and ending June 30, 2005, and the next three-year term

- Jon Kimball (Hotel/Convention Category) has resigned.

**Attachment 5**

Applications

**D. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION**

Three, three-year appointments beginning June 30, 2005.

- Michael Vance (Arts Category), Claxton Graham (General Public Category) and Ronald Bilek (Industry/Non-Public Category) are eligible for reappointment but do not wish to be reappointed.

**Attachment 6**

Applications

**E. CITIZENS' TRANSIT ADVISORY GROUP**

Two appointments for two-year terms beginning June 30, 2005.

- David A Creech is eligible for reappointment and wishes to serve another term.
- Robert Ett is not eligible for reappointment.

**Attachment 7**

Applications

**F. CIVIL SERVICE BOARD**

One, three-year appointment beginning May 16, 2005.

- Mary Hopper is eligible to be reappointed and wishes to serve another term.

One unexpired term (Alternate Member) beginning immediately and ending June 2006.

- Justin Kuralt has resigned.

**Attachment 8**

Applications

**G. CMUD ADVISORY COMMITTEE**

One, three-year appointment beginning June 30, 2005.

- Franklin Blythe representing the Contractor Water/Sewer category is eligible for reappointment and wishes to serve another term.

**Attachment 9**

Applications

**H. COMMUNITY RELATIONS COMMITTEE**

One, three year appointment beginning June 30, 2005.

- Chandra Green is eligible for reappointment and wishes to serve another term.

**Attachment 10**

Applications

**I. FIREMEN'S RELIEF BOARD OF TRUSTEES**

One appointment beginning immediately and serving until Wendell Fant returns from active military duty.

**Attachment 11**

Applications

**J. HISTORIC DISTRICT COMMITTEE**

One, three-year appointment beginning July 1, 2005 representing the Business/Operator Dilworth category.

- Allen Brooks is not eligible for reappointment.

One unexpired term (Resident/Owner/Fourth Ward) beginning immediately and ending June 2007.

- Eva Nove has resigned.

**Attachment 12**

Applications

**K. HOUSING AUTHORITY**

One appointment beginning May 17<sup>th</sup> and serving until December 2006.

- Raymond Jones has resigned.

**Attachment 13**

Applications

**L. HOUSING TRUST FUND ADVISORY BOARD**

Three, three-year appointments beginning April 30, 2005. All three are eligible and wish to be reappointed.

- Jeffrey Bradsher (Developer/Construction Category)
- Rickey Hall (Neighborhood Category)
- Anthony Lindsey (Real Estate Category)

**Attachment 14**

Applications

**M. KEEP CHARLOTTE BEAUTIFUL**

Three, three-year appointments beginning July 1, 2005.

- Jerry Black, William Scheppegrell and Thomas Uhlir are all eligible and wish to be reappointed.

**Attachment 15**

Applications

**N. MINT MUSEUM BOARD OF TRUSTEES**

One appointment beginning immediately and serving until July 2007.

- Ervin Gourdine has resigned.

**Attachment 16**

Applications

**O. NEIGHBORHOOD MATCHING GRANTS FUND**

Two appointments for two-year terms beginning April 15, 2005. Both are in the open category.

- Tara Beverly is eligible and wishes to be reappointed.
- Diane English is eligible but does not want to serve another term.

One appointment (business category) for a two-year term beginning immediately and ending June 2006.

- Mary Ognovich failed to meet the attendance requirement in 2004.

One appointment (recommended by the School Board). Ruby Houston is eligible and has been recommended for reappointment by Dr. Pughsley.

**Attachment 17**

Applications

**P. PAROLE ACCOUNTABILITY COMMITTEE**

Two appointments for three-year terms beginning June 2, 2005.

- Kenneth Oglesby is eligible for reappointment and wishes to serve another term.
- Charles Spell is not eligible for reappointment.

**Attachment 18**

Applications

**Q. PLANNING COMMISSION**

One, three-year appointment beginning July 1, 2005.

- Wayne Johnson is not eligible for reappointment.

**Attachment 19**

Applications

**R. PRIVATIZATION/COMPETITION ADVISORY**

One appointment beginning immediately and ending March 2006.

- Curtis Ray has resigned.

**Attachment 20**

Applications

**S. STORM WATER SERVICES ADVISORY COMMITTEE**

One position for a three-year term for the environmental category beginning April 2, 2005.

- Bruce Anderson is eligible for reappointment and wishes to serve another term.

**Attachment 21**

Applications

## **MAYOR AND COUNCIL TOPICS**

**At the end of the formal agenda, Council members may share information and raise topics for discussion.**

## 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 comply with Small Business Opportunity Program Policy.

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

The City's Small Business Opportunity (SBO) Program's purpose is to enhance competition and opportunity in City contracting with small businesses in the Charlotte metropolitan statistical area. Participation of small business enterprises (SBE) is noted where applicable. Contracts recommended for award as of March 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization. Professional service contracts recommended for award as of August 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization.

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit.

Contractors and Consultants

All contractor and consultant selections follow the Council approved process unless described otherwise.

## CONSENT I

### 8. Various Bids

#### A. **East Providence Storm Drainage Improvement Project** **EPM**

##### **Action**

Award the low bid of \$2,142,922.95 by Sealand Contractors Corporation of Charlotte, North Carolina. This project will address street and house flooding in the East Providence area located south of McKee Road and east of Interstate 485. The project was initiated based on the severity of drainage problems, citizen service requests and the Charlotte Storm Water Services internal capital project ranking system. Construction completion is scheduled for the second quarter of 2006.

##### **Small Business Opportunity**

SBE Subcontractor Utilization Goal: 8%

SBE Participation: 8%

Sealand Contractors Corp. has committed 8% (\$171,435) of the total contract amount with the following certified SBEs: On Time Construction and H & H Hauling.

**B. Catawba River Raw Water Pump Station, Main Header CMU****Action**

Award the low bid of \$1,890,650 by Hickory Construction Company of Hickory, North Carolina. This project provides for demolition of approximately 400 linear feet of existing 30-inch raw water pipe at the Catawba River pump station, replacing it with 60-inch pipe.

**Small Business Opportunity**

Established SBE Goal: 8.0%

Committed SBE Goal: 3.1%

Hickory Construction complied with the mandatory outreach criteria and exceeded the good faith efforts established for this project. They have committed \$59,480 to the following SBE firms: State Construction Co of the Carolinas, Evans Welding Services, Stinson Trucking Inc., Martin Landscaping Co. and All-Points Waste Service

**9. Refund of Property Taxes**

**Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$27,211.70.**

**Attachment 22**

Resolution

List of property tax refunds

## CONSENT II

### 10. Amend the Regular Council Meeting Schedule

**Action:** Direct the City Clerk to amend the Mayor and Council's Regular meeting schedule to accommodate the Chamber Inter-City Visit, June 27-29, 2005 in Tampa, Florida.

**Staff Resource:** Brenda Freeze, City Clerk

#### Explanation

- The Chamber Inter-City Visit has been scheduled for Monday, June 27<sup>th</sup> through June 29<sup>th</sup> in Tampa, Florida.
- Participating Council members are scheduled to return to Charlotte at approximately noon on June 29<sup>th</sup>.
- The visit had not been scheduled at the time Council adopted the meeting calendar for 2005.
- There is a Business Meeting scheduled for June 27<sup>th</sup>. Due to the conflict with the Chamber visit, the meeting needs to be rescheduled or cancelled.

#### Options

1. Reschedule the meeting of June 27<sup>th</sup> to Wednesday, June 29<sup>th</sup>.
2. Cancel the June 27<sup>th</sup> meeting and place time sensitive policy or business items on the zoning meeting agenda of June 20<sup>th</sup>. Other items planned for June 27<sup>th</sup> would be placed on the July 25<sup>th</sup> business meeting agenda.

#### Factors for consideration

- A decision on Council redistricting needs to be made by June 30 so that district boundaries may be established before the filing period opens for candidates on July 1<sup>st</sup>. A June 29<sup>th</sup> meeting would provide flexibility in case additional time is needed for Council to make the decision.
- The City Manager's performance evaluation is scheduled for 4:00 to 6:30 p.m. on June 27<sup>th</sup>. Postponing the Manager's evaluation would also result in postponing the evaluation for the City Attorney since the evaluations have been scheduled to coincide with regular Council meetings.
- Quarterly Boards and Commissions nominations are scheduled for June 27<sup>th</sup>, with appointments on July 25<sup>th</sup>. If the June 27<sup>th</sup> meeting is cancelled, nominations will need to be on the June 20<sup>th</sup> zoning meeting agenda to stay on the normal schedule.
- There is one zoning meeting, July 18, and two business meetings, July 25<sup>th</sup> and August 22<sup>nd</sup>, scheduled for the remainder of the summer.

## 11. CMPD Bomb Squad Equipment

- Action:**
- A. Approve the purchase of a bomb total containment vessel without competitive bidding, as authorized by the sole source purchasing exemption of G.S. 143-129(e)(3), and**
  - B. Approve a contract with Nabco, Inc. for the purchase of a bomb total containment vessel with all terrain transporter and trailer in the amount of \$169,500.**

**Staff Resource:** Captain Glen Neimeyer, Charlotte-Mecklenburg Police

### Explanation

- The CMPD Bomb Squad may be deployed to remove a terrorist device. To complete this mission, it is imperative to have a containment vessel to safely move the device through an urban environment to a safe location.
- Based on specific federal testing and uses standards for this equipment, the Nabco Model 42-SCS-TCV is recommended by the FBI/Hazardous Device School (HDS), which is the certifying agency for all bomb squads in the United States.
- Nabco has a patent on this equipment and it can only be purchased directly from them.
- This equipment consists of a bomb/chemical/biological/nuclear containment vessel that is transportable to all scenes and will fit most freight elevators for deployment to the interior of most commercial buildings.
- This vessel will be available via the CMPD Bomb Squad to all of the law enforcement agencies in Mecklenburg County.
- This equipment has been deemed critical to the operations of all law enforcement first responders in the City and County.

### Small Business Opportunity

The Small Business Development Program Manager waived the SBE goal for this project. Pursuant to Section 2.21 of the Program Policy, this contract is exempt from the SBO Program.

### Funding

State Homeland Security Grant 2003 Part II

## 12. Assets Forfeiture Appropriation

- Action:** Adopt a budget ordinance appropriating \$45,000 in assets forfeiture funds to establish office space for the Police Department's Violent Crimes Unit.

**Staff Resource:** Greg Crystal, Charlotte-Mecklenburg Police

**Explanation**

- CMPD has dissolved its partnership with ATF in the Violent Crimes Task Force
- Officers previously assigned to the Task Force will continue to work together as CMPD's Violent Crimes Unit
- These 14 officers were previously housed in office space on Carmel Road at Highway 51; they will be moving back into CMPD Headquarters
- Funds will pay to establish office space, including workstations, on the second floor of the CMPD Headquarters

**Funding**

Police Assets Forfeiture funds

**Attachment 23**

Budget Ordinance

### 13. Federal Homeland Security Grant Disposition of Funds and Equipment

**Action:** Approve the disposition of federal Homeland Security grant funds and related equipment to the local government agencies listed on the attached chart and authorize Chief Luther Fincher to execute any documentation required to finalize such disposition.

**Staff Resource:** Luther Fincher, Fire

**Explanation:**

- The Department of Homeland Security (DHS), through the Office of Domestic Preparedness, created the FY2004 Urban Areas Security Initiative Grant (UASI) to reimburse state and local governments for equipment, training and planning activities related to preparing for terrorism.
- Charlotte received a UASI Grant in April 21, 2004 and City Council approved the grant implementation on May 24, 2004.
- As required by grant guidelines, Charlotte applied for the grant based on a regional approach that included the counties of Cabarrus, Iredell, Lincoln, Stanly, Catawba, Gaston, Union, York and Lancaster.
- Approval of the disposition of funds and equipment to the local government entities and Mecklenburg County agencies listed on the attached chart will allow Charlotte to comply with its procurement and disposition responsibilities under the UASI grant. City Council approval of this disposition is required by N.C.G.S. 160A-274.
- This action is a follow up to the actions taken on March 28, 2005 to:
  - Approve an Urban Area Security Memorandum of Understanding
  - Approve a grant agreement totaling \$427,253 with the North Carolina Division of Emergency Management (NCEM), on behalf of the U.S. Department of Homeland Security to assist in the preparation for response to terrorism-related events.

**Funding**

U.S. Department of Homeland Security Grant Funds

**Attachment 24**

Chart Listing Disposition of Funds and Equipment to Local Government Agencies

**14. Seigle Avenue Streetscape Improvements**

**Action: Approve an agreement with USI to provide engineering services in the amount of \$360,785 for streetscape improvements along Seigle Avenue in accordance with the Belmont Area Revitalization Plan.**

**Staff Resource:** David Meachum, Engineering & Property Management

**Agreement with USI**

- Provides funding for planning and design of streetscape improvements along Seigle Avenue. Improvements may include:
  - Infrastructure upgrades – sidewalk, curb & gutter and storm drainage
  - Street trees
  - Pedestrian lighting
  - Landscaping
- Planning and design under this agreement will be completed third quarter 2006
- This work is a part of the City's contribution to infrastructure upgrades within the Belmont neighborhood required by the Piedmont Courts Hope VI Grant. The project is in the Belmont Area Revitalization Plan, approved by the City Council in 2003.
- Significant public input was solicited in the development of the Belmont Area Revitalization Plan. Planning for this project will also involve additional public meetings for specific input to the Seigle Avenue corridor.

**Small Business Opportunity**

SBE Subcontractor Utilization Goal: 4%

SBE Participation: 3.26%

USI complied with the mandatory outreach criteria, met the good faith efforts and committed 3.26% (\$11,776) of the total contract amount with the following certified SBEs: Joel E. Wood Associates, LLC, On Target Utility Locate Services and Torrence Reprographics.

**Funding**

Neighborhood Capital Investment Plan

## 15. Road Humps, FY2005 Phase 2

**Action:** A. Reject the bid from Carolina Cajun Concrete for \$269,800, and  
B. Authorize Engineering and Property Management to re-advertise.

**Staff Resource:** David Meachum, Engineering & Property Management

### Explanation

- This project is part of an on-going program to install traffic calming road humps on various streets within the city limits of Charlotte.
- Estimated cost \$141,000
- Insufficient bids received on March 17, 2005
- Re-bid on March 24, 2005
- Received single bid 91% (\$128,800) over estimate
- City staff has contacted firms that submitted on past projects
- Several firms missed the advertisement
- Two firms indicated that they would bid on the next bid date

## 16. Annual Topography Mapping Services

**Action:** Approve an amendment with Avioimage Mapping Services, Inc. in the amount of \$127,575 for annual topography mapping services.

**Staff Resource:** David Snider, Engineering & Property Management

### Amendment with Avioimage Mapping Services

- Provides additional funding for annual topo mapping services.
- Surveyor shall provide aerial photography, scanning of film, analytical aerial triangulation, and remapping of Digital Terrain Model (DTM) data.
- This amendment is issued to continue the services provided under contract approved on April 22, 2004 bringing the total of the contract to \$226,909.

### Small Business Opportunity

All additional work involved in this amendment will be performed by the current consultant, Avioimage Mapping Services. Therefore, this amendment complies with Section 10.3 of the SBO Program.

### Funding

Engineering and Storm Water Operating Budgets

## 17. Various Storm Drainage Improvement Projects

- Action:**
- A. Approve an amendment with The Rose Group, Inc. for storm water engineering services in the amount of \$910,000,**
  - B. Approve a contract with The Isaacs Group, P.C. for storm water engineering services in the amount of \$1,000,000,**
  - C. Approve a contract with Ralph Whitehead Associates, Inc. for storm water engineering services in the amount of \$1,000,000, and**
  - D. Approve a contract with W.K. Dickson & Co., Inc. for storm water engineering services in the amount of \$1,000,000.**

**Staff Resource:** Tim Richards, Engineering & Property Management

### Explanation

- The contracts with these four engineering firms will provide funding for high priority storm water projects throughout Charlotte. These are professional services contracts so they are not bid. Firms were chosen based on qualifications by a selection committee.
- The contracts provide funding for a combination of planning/design services including hydraulic studies on various individual storm drainage improvement projects.
- The projects will alleviate street and structure flooding and may include stream restoration improvements.
- Projects to be initiated under these contracts include:
  - Beverly CIP- Bounded by Providence Road to the east, Queens Road and Queens Road East to the west and Malvern Road to the south.
  - Brentwood Place CIP – Bounded to the south and west by Remount Road, to the north by Wilkinson Boulevard and to the east by Barringer Road.
  - Riviere CIP – Roughly bounded by Rama Road to the west, Doncaster to the east and Charing to the north.
  - Wiseman CIP – Roughly bounded by W.T. Harris Blvd. to the north, Idlewild Road to the west, Barncliff Road to the east and Braewick Place to the south.

### Small Business Opportunity

#### A. The Rose Group, Inc.

SBE Subcontractor Utilization Goal: 2%

SBE Participation: 2%

The Rose Group Inc. has committed 2% (\$18,200) of the total contract amount on a work order basis with the following certified SBEs: Nova Engineering, Carolina Wetland Services, Joel E. Wood Associates, LLC and Carolina Copy Services, Inc.

#### B. The Isaacs Group, P.C.

SBE Subcontractor Utilization Goal: 2%

SBE Participation: 2%

The Isaacs Group has committed 2% (\$20,000) of the total contract amount on a work order basis with the following certified SBEs: Carolina Wetland Services, On Target Utility Locate Services, Sharpe Images and Boyle Consulting Engineers.

**C. Ralph Whitehead Associates, Inc.**

SBE Subcontractor Utilization Goal: 2%

SBE Participation: 2%

Ralph Whitehead Associates, Inc. has committed 2% (\$20,000) of the total contract amount on a work order basis with the following certified SBEs: Survey & Mapping Control, Inc. and On Target Utility Locate Services, Inc.

**D. W. K. Dickson & Co., Inc**

SBE Subcontractor Utilization Goal: 2%

SBE Participation: 2%

W. K. Dickson & Co., Inc has committed 2% (\$20,000) of the total contract amount on a work order basis with the following certified SBEs: Carolina Wetland Services, On Target Utility Locate Services, Torrence Reprographics, Joel E Wood & Assoc. and Burns Technical Services.

**Funding**

Storm Water Capital Investment Plan

## 18. Southwest Water Transmission Main Phase A-Engineering Services Contract

**Action:** Approve a professional services contract for \$284,445.50 with ATC Associates of North Carolina, P.C. for engineering services for the Southwest Water Transmission Main Project.

**Staff Resource:** Doug Bean, Charlotte-Mecklenburg Utilities

**Explanation**

- This contract provides for engineering soils testing services during the construction phase for backfill and compaction on the Southwest Water Transmission Main-Phase A.
- ATC Associates of North Carolina, P.C. was selected for the Southwest Water Transmission Main-Phase A Project in 2005 using City Council's Approved Selection Process.
- The construction Notice to Proceed for the Southwest Water Transmission Main-Phase A was given March 1, 2005.
- ATC Associates will provide the daily on-site field soils testing and necessary laboratory work including coordination with pipe installation inspection and necessary professional reports required of such testing.
- This project is the first part of the City's three phase Southwest Water Supply projects. This project will reinforce the existing distribution mains in the Charlotte Douglas International Airport vicinity and to supply much needed

water to the fast growing area southwest of the Airport and I-485 and the lower end of the Dixie Berryhill area.

**Small Business Opportunity**

Established SBE Goal: 3.00 %

Committed SBE Goal: 4.02%

ATC Associates has committed \$11,432.48 to the following SBEs: ASAP Advertising, Roots Geotechnical and Environmental Soils Testing and Torrence Reprographics

**Funding**

Water and Sewer Capital Investment Plan

**19. Wastewater Treatment Plant Expansion Study, Engineering Services Contract**

**Action:** Approve a professional services contract for \$431,720 with CH2M Hill for engineering services related to the Wastewater Treatment Plant Expansion Study.

**Staff Resource:** Doug Bean, Charlotte-Mecklenburg Utilities

**Explanation**

- Contract provides for planning and permitting services to evaluate future wastewater treatment expansion(s) for the Sugar, Irwin and McAlpine Creek plants.
- CH2M Hill was selected for the project using a qualifications-based selection process.
- Contract services will include:
  - Development of alternatives for plant expansions related to cost and technical feasibility
  - Review of environmental impacts
  - Evaluation of proposed plant discharge limits

**Small Business Opportunity**

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

**Funding**

Water and Sewer Capital Investment Plan

**20. Change Order #1, Catawba River Raw Water Pump Station**

**Action:** Approve change order #1 with Hickory Construction Co., in the amount of \$131,820.30.

**Staff Resource:** Doug Bean, Charlotte Mecklenburg Utilities

**Explanation**

- Original contract approved by Council on May 24, 2004, in the amount of \$3,027,150 for construction of a one-story masonry building to house new back-up generator.
- Change order #1 will provide for the following changes:
  - Removal and replacement of poor soils, which could not meet compaction requirements
  - Design enhancements:
    - Larger generator foundations
    - Extra bollards for building protection
    - Oil/water separator for improved water quality

**Small Business Opportunity**

All additional work involved in this change order will be performed by the current contractor, Hickory Construction and their subcontractors. Therefore, this change order complies with Section 10.3 of the SBO Program.

**Funding**

Water and Sewer Capital Investment Plan

## 21. Irwin Creek Relief Sewer Phase 2–Agreement with Piedmont Natural Gas

- Action:**
- A. Adopt a budget ordinance appropriating \$750,000 from Water and Sewer Revenue Bonds, and**
  - B. Approve an agreement not to exceed \$750,000 with Piedmont Natural Gas to relocate a major gas supply line.**

**Staff Resource:** Doug Bean, Charlotte-Mecklenburg Utilities

**Budget Ordinance**

- At the time of design, a conflict between the tunnel location and the Piedmont Natural Gas (PNG) 12” main was not anticipated. Therefore, additional funds are needed to cover estimated cost of relocation.

**Explanation**

- Agreement provides for PNG to relocate a 12” steel gas main which is in conflict with a seven foot diameter tunnel under construction as part of the Irwin Creek Relief Sewer Phase 2 Project.
- Extensive coordination with PNG was done during project design. Due to the extreme depth of the gas line, it was believed the line would be below the tunnel.
- Tunnel excavation revealed a conflict which can only be resolved by relocation of the PNG line.

- PNG is requiring the City commit to reimburse the cost of the relocation prior to beginning of work.
- Current cost could be up to \$750,000 depending on the extent of the relocation and potential complications, which cannot be determined until work is underway.
- The sewer line contractor, Rockdale Pipeline, Inc., is stopped until this agreement is approved and PNG work is completed.

**Funding**

Water and Sewer Capital Investment Plan

**Attachment 25**

Budget Ordinance

**22. GIS Database Development**

**Action: Approve a professional services contract with OttieCAD, Inc., in the amount of \$212,600.**

**Staff Resource:** Doug Bean, Charlotte-Mecklenburg Utilities

**Explanation**

- Contract provides for a consultant to manage the following services:
  - Implement an index system that will organize and catalog over 65,000 digital water and wastewater completed construction drawings
  - Electronically link each completed construction drawing to a comprehensive map of the water and wastewater systems
  - Function as interim Records and Information System Manager, which will be dedicated to address records management for the Engineering Division of Utilities
  - Advise the Engineering Division on best practices to incorporate survey and drafting data into Utility business processes
- OttieCAD, Inc. was selected for this work based on prior experience with surveying and data management and a lower projected cost to develop the GIS database, as compared to other available options.

**Small Business Opportunity**

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

**Funding**

Water and Sewer Capital Investment Plan

## 23. Airport Legal Services

**Action:** Extend a contract with Moore & Van Allen, PLLC of Charlotte, North Carolina not to exceed \$ 100,000 for legal services in the US Airways bankruptcy.

**Staff Resource:** Jerry Orr, Aviation  
Mac McCarley, City Attorney

### Explanation

- In August 2002 US Airways entered Chapter 11 bankruptcy.
- The City hired Moore & Van Allen to represent the City's interests in that bankruptcy.
- In September 2004, US Airways entered Chapter 11 bankruptcy again.
- The City signed a contract in the amount of \$50,000 with Moore & Van Allen because of the firm's experience with the earlier bankruptcy.
- Council is asked to extend the current contract with Moore & Van Allen.
- Payments under the contract are based on an hourly rate. The maximum payable to Moore & Van Allen under this extension is \$100,000.

### Funding

Aviation Operating Fund

## 24. Airport Business Center Contracts

**Action:**

- A. Approve a contract amendment with Bank of America for naming rights and other proposed advertising for the Airport Business Center,
- B. Award a contract to The Bowers Groups of Charlotte, North Carolina in the amount of \$313,800 for construction of the Airport Business Center, and
- C. Adopt a budget ordinance appropriating \$640,000 from the Airport Discretionary Fund Balance.

**Staff Resource:** Jerry Orr, Aviation

### Explanation

- On December 13, 2004, City Council approved a two-year contract with Bank of America (BoFA) for sponsorship of an Airport business center. The contract specifies that the City will construct the business center and BoFA will pay the City \$425,000 per year.
- Since the approval of the agreement, BoFA has requested to extend the term to a three-year contract with two, one-year extensions. All other contract terms remain unchanged.

- The Business Center is designed to provide travelers with workstations, computer and peripherals, internet access, copier and fax services. This construction contract will provide demolition and upfitting of approximately 2800 square feet in the Airport Atrium to accommodate these services.

### **Small Business Opportunity**

#### **Sponsorship Agreement**

The SBO Program does not apply to this agreement, which is not a Covered Contract pursuant to Sections 2.14 and 2.16 of the SBO Policy.

#### **Construction Contract**

Established SBE Goal: 4%

Committed SBE Goal: 5.8%

The Bowers Group, the low bidder, exceeded the SBO goal and good faith efforts. They committed 5.8% of the total contract to the following certified SBE firm: Simpson's Floor Fashions, Inc.

#### **Funding**

Aviation Capital Investment Plan

#### **Attachment 26**

Budget Ordinance

## **25. Property Transactions**

**Action: Approve the following property acquisitions (A-B) and adopt the condemnation resolutions (C-H).**

NOTE: Condemnation Resolutions are on file in the City Clerk's Office.

### **Acquisitions**

- A. Project:** North Tryon Street Sidewalk Project, Parcel # 6  
**Owner(s):** CNM Shoppes, LLC  
**Property Address:** 9000 J M Keynes Drive  
**Property to be acquired:** 2,261 sq. ft. (.052 ac.) in Sidewalk and Utility Easement, plus 6,520 sq. ft. (.150 ac.) in Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$24,575  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review.  
**Zoned:** B-1S(CD)  
**Use:** Commercial  
**Tax Code:** 047-272-03

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**Total Parcel Tax Value:** \$2,801,700

- B. Project:** Arrowood-Windsong Minor Capital Improvement Project, Parcel # 5  
**Owner(s):** Marciano Dominguez And Martha Garcia Marcial And Any Other Parties Of Interest  
**Property Address:** 601 Arrowood Road  
**Property to be acquired:** Total Combined Area of 9,891 sq. ft. (.227 ac.) of Sanitary Sewer Easement, plus Storm Drainage Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,350  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 203-181-08  
**Total Parcel Tax Value:** \$66,900

### Condemnations

- C. Project:** North Tryon Street Sidewalk Project, Parcel # 4  
**Owner(s):** McDonalds Corporation (320250) And Any Other Parties Of Interest  
**Property Address:** 8900 J M Keynes Drive  
**Property to be acquired:** Total Combined Area of 4,161 sq. ft. (.096 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$19,125  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-1S(CD)  
**Use:** Commercial  
**Tax Code:** 047-272-01  
**Total Parcel Tax Value:** \$1,129,700
- D. Project:** Oakview Terrace Neighborhood Improvement Project, Parcel # 79  
**Owner(s):** Morris Hill Baptist Church And Any Other Parties Of Interest  
**Property Address:** 724 Pennsylvania Avenue  
**Property to be acquired:** Total Combined Area of 3,139 sq. ft. (.072 ac.) of Storm Drainage Easement, plus Temporary Construction Easement  
**Improvements:** None

**Landscaping:** None  
**Purchase Price:** \$5,250  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 069-101-05  
**Total Parcel Tax Value:** \$299,600

- E. Project:** Oakview Terrace Neighborhood Improvement Project, Parcel # 83  
**Owner(s):** Morris Hill Baptist Church And Any Other Parties Of Interest  
**Property Address:** 700 Pennsylvania Avenue  
**Property to be acquired:** Total Combined Area of 1,639 sq. ft. (.038 ac.) of Fee Simple, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$375  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 069-101-01  
**Total Parcel Tax Value:** \$29,100
- F. Project:** SCIP: Arrowood Sidewalk Package, Parcel # 25  
**Owner(s):** Public Storage, Inc. And Any Other Parties Of Interest  
And Any Other Parties Of Interest  
**Property Address:** 7201 South Boulevard  
**Property to be acquired:** Total Combined Area of 2,834 sq. ft. (.065 ac.) of Sidewalk and Utility Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,575  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-D(CUD)  
**Use:** Commercial  
**Tax Code:** 173-162-91  
**Total Parcel Tax Value:** \$2,480,500

- G. Project:** South Boulevard/Inwood Drive Storm Water Project - Phase II, Parcel # 66  
**Owner(s):** Virginia Ruth Tansill And Any Other Parties Of Interest  
**Property Address:** 5514 Murrayhill Road  
**Property to be acquired:** Total Combined Area of 691 sq. ft. (.016 ac.) of Storm Drainage Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$1,850  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 171-072-31  
**Total Parcel Tax Value:** \$135,500
- H. Project:** South Boulevard/Inwood Drive Storm Water Project - Phase II, Parcel # 72  
**Owner(s):** Duane D. Grove And Wife, Mary E. Grove And Any Other Parties Of Interest  
**Property Address:** 4550 Bradbury Drive  
**Property to be acquired:** Total Combined Area of 3,118 sq. ft. (.072 ac.) of Storm Drainage Easement, plus Utility Easement, plus Guy Wire Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$6,100  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 171-032-35  
**Total Parcel Tax Value:** \$125,900

## 26. Meeting Minutes

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

- February 28, 2005 Business Meeting
- March 2, 2005 Budget Retreat
- March 7, 2005 Workshop Meeting