AGENDA

Meeting Type:	B
Date:	04/26/99

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

Rod Autrey
Charles Baker
Patrick Cannon
Malachi Greene
Mike Jackson
Nasif Rashad Majeed
Don Reid
Al Rousso
Tim Sellers
Sara Spencer

OFFICE COPY

Council Agenda

CITY COUNCIL MEETING
Monday, April 26, 1999

5:00 p.m.	**Conference Center** **Dinner Briefing** **(See Table of Contents)**
6:30 p.m.	**Meeting Chamber** • **Invocation** • **Pledge of Allegiance** • **Citizens Forum**
7:00 p.m.	• **Awards and Recognitions** • **Formal Business Meeting**

1999 Council Retreat Priorities

Top Priorities for 1999

Transportation Plan

Policing Evaluation and Direction

State Roads Action: Increased Funding

Transit Plan and 1/2¢ Sales Tax: Implementation

West Side Strategic Plan Implementation

High Priorities for 1999

Corridor Plan

Planning for the City: The Economic Development and the Center City Plan

Court System: Expansion

Business Retention Strategy and Action Plan

Community Strategic Plan for Housing

Neighborhood/Business Revitalization Strategy

Eastside Strategic Plan

CITY COUNCIL AGENDA

Monday, April 26, 1999

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Impact of 1999 Annexation on Council Districts/Process for Drawing New Districts

Staff: Dick Black
Mike Boyd

Time: 30 Minutes

Attachment 1

2. Restructuring Government Committee: Report on Solid Waste Services East Quadrant Bid and North Quadrant Schedule

Resources: Eric Davis, PCAC Chair
Julie Burch

Time: 15 Minutes

Attachment 2

3. Transportation Committee: 1999 Connectivity Work Plan

Staff: Randy Jones

Time: 20 Minutes

Attachment 3

4. Proposed Sexually Oriented Businesses Ordinance

Staff: Mac McCarley

Time: 15 Minutes

Attachment 4

5. Committee Reports by Exception - City Within A City: Urban League Loan Request

6:30 P.M. CITIZENS FORUM

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

CONSENT

6. **Consent agenda items 18 through 32 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Julie Burch

PUBLIC HEARING

7. **Public Hearing To Close A Portion of Yonkers Street**

Action:

A. **Conduct a public hearing to abandon a portion of Yonkers Street; and**

B. **Adopt the Resolution to Close.**

Staff Resource: Scott Putnam

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

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

Petitioner:
Laurence L. Prince, Jr., Manager
Mint Properties, LLC

Right-Of-Way to be abandoned:
A portion of Yonkers Street

Location:
From Kennedy Street approximately 198 feet to its terminus

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner for any allowable use under the current I-2 zoning

Notification:
In accordance with City Policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City Departments for review.

Adjoining property owners - No objection

Neighborhood Associations - No objection
- Ritch Avenue Homeowner Association
- Dillehay Courts (CHA)
- Druid Hills

Private Utility Companies - No objection

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

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 5
Map

8. Public Hearing To Close A Portion of Reed Boulevard

Action:

A. Conduct a public hearing to abandon a portion of Reed Boulevard; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

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

Petitioner:
Michael A. Matlock

Right-Of-Way to be abandoned:
A portion of Reed Boulevard

Location:
From Stafford Drive eastwardly approximately 329 feet to its terminus

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner to allow for future expansion of his business

Notification:
In accordance with City Policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City Departments for review.

Adjoining property owners - No objection

Neighborhood Associations - No objection
Moore's Park Community Center, Inc.

Private Utility Companies - No objection

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

1. Be contrary to the public interest; or
2. Deprive any individual owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 6
Map

POLICY

9. City Manager's Report

10. Connectivity Work Plan

Action: **Approve Transportation Committee recommendation to accept the Connectivity Work Plan.**

Committee Chairs: Sara Spencer and Al Rousso, Co-Chairs

Staff Resource: Randy Jones

Focus Area: Transportation

Policy: In January 1998, City Council requested staff explore Connectivity and identify the associated issues.

Explanation:

- Staff proposes the following work plan (see attachment for Transportation Committee Meeting Minutes/Connectivity Work Program):
  - Major Collector Plan - Identify all of the existing, planned, and future major collectors.
  - Develop Incentives Package - To encourage developers to create additional connections.
  - Residential Street Standards Review - Initiate a comprehensive review of street standards to promote connectivity.
  - Identification of Connections - Staff will identify several pilot areas to test the evaluation process and determine possible connections of existing neighborhood streets.

- Implementation of Connections - Council will be requested to approve and fund top priority connections in pilot evaluation areas. Additional public input will be undertaken which will include neighborhood groups, developers, and other stakeholders.

- Anticipated costs for the work plan are as follows:

Anticipated Connectivity Costs

Task	Staff Cost	Unbudgeted Costs
Major Collector Plan	$10,000	$ 90,000
Incentives Package	5,000	7,500
Residential Street Standards Review	5,000	15,000
Connections Identification	12,500	530,000
Connections Implementation	TBD	TBD

Note: Unbudgeted costs would be funded by proposed CIP project currently submitted as part of the FY00 budget request, and by future specific project funding.

- Staff will periodically brief the Transportation Committee, and look to Council for guidance as issues develop.

- Joining neighborhoods and commercial areas by connecting streets, sidewalks and bicycle paths is important because it will provide:

  - More vehicular and pedestrian/bicycle connections between neighborhoods

  - Improved access to transit

  - Better emergency response routes

Since January 1998 the following has occurred:

January 1998	City Council identified Connectivity as a top priority for FY 1998.
June 1998	Staff provided Council with an issues paper on Connectivity.
July 1998	Staff made a presentation to Council on Connectivity issues.
September 1998	Initial Transportation Committee review began.
December 1998	Transportation Committee approved Connectivity definitions.
January 1999	City Council discussed the importance of Connectivity at Retreat.
March 1999	Transportation Committee approved staff's submitted work plan.

Committee Discussion:

- The Transportation Committee met on March 15, 1999 with Co-Chairs Al Rousso and Sara Spencer, and Councilmembers Rod Autrey and Mike Jackson in attendance. Councilmember Malachi Greene was absent.

- Committee members wanted to ensure that connectivity is considered during future rezonings. CDOT and Planning are working together to see this happens.

- A motion was made to accept the revised work plan. Motion passed 4-0.

Funding:

Funding for current work is being absorbed within the Transportation and Planning Departments budgets. The additional effort required will be funded by service level change requests and by a Capital Investment Plan (CIP) budget request, submitted as part of the current budget process.

Attachment 7
Transportation Committee minutes from 3/15/99 which includes the Connectivity Work Plan

11. Overhead Utilities Relocation Agreement with Duke Power

Action: **Adopt the Transportation Committee's recommendation to approve the Overhead Utility Relocation Agreement between the City of Charlotte and Duke Power, a Division of Duke Energy Corporation.**

Staff Resource: David Meachum

Focus Area: Transportation

Explanation:

- This agreement provides for the sharing of the cost of relocating Duke-owned poles and overhead electrical wires required to accommodate City of Charlotte street improvements.

- Agreement provisions include:

  - Allocation of costs (60% City /40% Duke);

  - Billing, payment, and audits;

  - Scheduling of work.

- Duke Power is repositioning itself to be competitive in a deregulated industry, in part, by reducing and controling costs. Accordingly, Duke is no longer willing to bear the costs of utility relocation in instances where Duke believes the City is legally responsible for the costs. The agreement will avoid the uncertainty and expense of determining who pays on a project-by-project basis. By sharing costs on each project, each party has an incentive to control the cost of overhead utility relocations.

Committee Discussion: Council's Transportation Committee met February 8, 1999. Members attending were Sara Spencer, Al Rousso, and Rod Autrey. The vote was 3-0 to recommend this agreement for Council approval.

Funding: Each capital project will fund the City's share of the utility relocation expense.

Attachment 8
Overhead Utility Relocation Agreement
Duke Power Cost Estimating

12. Surface Water Improvement and Management (SWIM) Stream Buffer Policy

Action: **Adopt the SWIM Stream Buffer Policy and instruct staff to develop proposed ordinance revisions for future City Council review and approval.**

Staff Resource: Jeb Blackwell

Focus Area: Economic Development

Explanation:

- The SWIM panel was created to develop a policy to protect streams' abilities to handle floodwaters safely and contribute to water quality. Thirteen members representing environmental, business, neighborhood, and government served on the panel. Ten staff members from city and county agencies supported the panel.

- The SWIM panel reached consensus on a Stream Buffer Policy which complements other floodplain management initiatives, such as the Greenway Master Plan and FEMA Floodplain/Floodway Restudy that are currently being studied by staff.

- The Stream Buffer Policy was introduced to the City Council during a dinner presentation on April 12, 1999.

- The goal of the Stream Buffer Policy is to create a stream system that protects water quality by filtering pollutants, allows channels to meander naturally, provides storage for floodwaters, and provides suitable habitats for wildlife. The goal is achieved by preventing development within a natural streamside buffer.

- The implementation and enforcement of the policy will require revisions to existing ordinances such as the zoning and subdivision ordinances. Any revision to existing ordinances will be developed with stakeholder input and then presented to City Council for review and approval.

- The timetable for the ordinance revision process is expected to be between six to twelve months.

Attachment 9
Stream Buffer Policy

BUSINESS

13. Workforce Development Board Resolution

Action: **Adopt a resolution supporting the Charlotte-Mecklenburg Workforce Development Board's efforts to establish a One-Stop Career Center System in Charlotte-Mecklenburg.**

Staff Resource: Stanley Watkins

Focus Areas: City Within A City and Economic Development

Policy: The City Within A City and Economic Development Focus Areas emphasize preparing people for quality employment and meeting the workforce needs of employers. Workforce development activities are part of the City's overall neighborhood revitalization strategy and are coordinated with partner agencies through the Workforce Development Board.

Explanation:

- The proposed resolution from the Workforce Development Board outlines the following:
  - That the Governor of North Carolina require all appropriate state agencies to cooperate with the Charlotte-Mecklenburg Workforce Development Board in the implementation of a one-stop career system in Charlotte-Mecklenburg;
  - That the Governor of North Carolina require the appropriate state agencies to enter into a memorandum of understanding with the Charlotte-Mecklenburg Workforce Development Board outlining the state agencies' contributions of staff and other operating expenses for the one-stop career center system; and

- That the Governor of North Carolina require the appropriate state agencies to provide for the provision, where feasible, of core services required by the Workforce Investment Act of 1998 at all one-stop career centers located in Charlotte-Mecklenburg.

Background:

- In 1995, the City received a $342,000 One-Stop Implementation Grant from the State of North Carolina to begin planning for the one-stop career planning system. The grant funded the start-up cost of the first two centers.

- The Workforce Investment Act of 1998 requires state agencies to participate in the operation of the One-Stop Career System Centers. It is important for all state agencies to participate in staffing and operations of the centers.

- The Workforce Development Board has prepared a plan for five additional centers. The City is currently operating one center at the Employment Security Commission. The second center will open in May 1999 on South Boulevard. Plans are being developed for a third center in the North Tryon Street area.

- The Workforce Development Board approved the resolution on April 16, 1999.

Attachment 10
Workforce Development Board Resolution

14. Welfare-to-Work Contract

Action: **Award a contract to the Urban League of Central Carolinas in partnership with Opportunity America LLC in the amount of $1,500,000 to provide Welfare-to-Work services to eligible Mecklenburg County residents.**

Staff Resource: Stanley Watkins

Focus Area: City Within A City and Economic Development

Policy: The City Within A City and Economic Development Focus Areas emphasize preparing people for quality employment and meeting the workforce needs of employers. Activities under the Welfare-to-Work (WtW) contract are part of the City's overall neighborhood revitalization strategy and are coordinated with those of partner agencies through the Workforce Development Board.

Explanation:

- The WtW program provides the hard-to-employ welfare recipients with skills needed to secure and maintain employment. Hard-to-employ recipients are those who have been receiving cash assistance for at least 30 months and possess multiple employment barriers such as poor work history, lack of work ethic, and substance abuse.

- The fourteen-month contract is designed to serve a minimum of 360 Mecklenburg County public assistance recipients. Using the criteria established by the WtW Planning Committee, Urban League of Central Carolinas/Opportunity America was selected based on the ability to achieve program goals (number of participants to be served, job placement and retention rate), the ability to provide intensive case management and past performance in serving the target population.

- The $1.5 million contract projects a per participant cost of $4,167. This is compared to the City's average training cost of $1,300 per participant for the current job-training program. The increased participant cost is a result of intensive case management and retention services required to help this population remain employed. Participants may meet daily with the case manager to reinforce the importance of getting to work on time, maintaining proper work ethics and intervention for on-the-job conflicts.

- The contractor is committed to placing seventy-five percent (270) of the participants served into unsubsidized employment with a sixty-five percent (176) six-month retention rate and an eighty-percent (141) twelve month retention rate.

- On March 18, 1999, the local Workforce Development Board approved the recommendation of the WtW proposal review committee that Charlotte-Mecklenburg grant the WtW Contract to Urban League of Central Carolinas in partnership with Opportunity America LLC to operate WtW services.

Background:

- In August 1996, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) was signed into law giving states the opportunity to create a new welfare system that provides work and responsibility while strengthening families. In an effort to achieve the goal of moving people from welfare to work, the U.S. Department of Labor was authorized to provide states and local communities Welfare-to-Work grants.

- On July 27, 1998, City Council adopted the FY99 Welfare-to-Work Plan and approved a budget ordinance for program funding. The recommended contract will provide WtW services to eligible Mecklenburg County residents.

- The WtW for North Carolina was submitted to the U.S. Department of Labor in April 1998 and was approved in June 1998.

- The local Workforce Development Board approved the Charlotte-Mecklenburg Service Delivery Area WtW Plan in July 1998.

- The North Carolina General Assembly approved the State plan on September 30, 1998, and the Charlotte-Mecklenburg Service Delivery Area Plan received final approval from the State in November 1998.

In an effort to solicit a service provider, the local WtW planning committee developed a Request for Proposal (RFP), which was advertised in November 1998. Fourteen prospective bidders requested copies of the RFP.

- On February 1, 1999, proposals were received from the following bidders: Olsten Staffing Services ($1,587,380), The Transformation Center of the Carolinas ($1,500,000), and Urban League of Central Carolinas, in partnership with Opportunity America LLC ($1,500,000).

- As local WtW administrative entity, the City is responsible for program coordination and reporting. The City will hire a coordinator to administer day-to-day activities of WtW.

Committee Discussion:

- Due to the April 7, 1999 meeting cancellation, the CWAC Committee was not able to review and provide a recommendation on this request.

Community Input:

- The subcommittee of the local Workforce Development Board reviewed and rated each bid.

Funding: U.S. Department of Labor

Attachment 11
Urban League of Central Carolinas/Opportunity America
Charlotte-Mecklenburg Program Executive Summary
Detailed Budget Estimate
Evaluation Criteria
Urban League Board of Directors
Opportunity America Board of Directors

15. Urban League of the Central Carolinas, Inc. Loan Request

The City Within A City Committee will review this item on Wednesday April 21. This item will be sent in the Friday April 23 Council-Manager Communication packet.

16. Research Agreement with University of North Carolina at Charlotte

Action: **Approve an agreement with the University of North Carolina at Charlotte allowing the Police Department to contract for information technology research services, not to exceed a total of $2,000,000 over three years.**

Staff Resource: Major Piper Charles

Explanation:

- The Charlotte-Mecklenburg Police Department is developing a state of the art information system to facilitate community problem oriented policing. In developing that system, the department must often determine the requirements for a particular system component. This requires research that is traditionally performed by academic institutions.

- This umbrella agreement with the University will allow the department to contract for research services not to exceed $2,000,000 for a period of three years.

- The University of North Carolina at Charlotte has formed an Institute of Information Technology which is uniquely qualified to conduct the necessary research to develop the requirements for police information systems. The research conducted by the University will be for the development of information system specifications, requirements and/or prototypes. Once that phase of the work is completed, the development and implementation of the production version of the information system will be put out for competitive selection.

- The reasons for selecting the University to perform these services are:

  - The University's work is characterized by independence and objectivity because the goal is not to produce an outcome that gives any particular company market advantage.

- The University is uniquely situated to provide a high level of expertise in computer science, public sector information resource management, criminal justice, public administration, and other disciplines.

- The University is permitted to charge the City only its actual and indirect cost for this research and does not factor in a profit for the services provided.

- The first project that the Police Department proposes under this contract is the development of the requirements for its problem solving system. The work for this project is funded primarily by grants from the U.S. Department of Justice.

- This proposed agreement is a continuation and expansion of the strong partnership that exists between the Police Department and the University of North Carolina at Charlotte. For example, the University conducted an information needs analysis for the Police Department at approximately one-tenth of the cost of a private sector vendor. UNCC has also been instrumental in the development of the Police Department's Records Management System and its new computer-aided dispatch system.

- This partnership supports the City and the University's goal of having a major research oriented university with strong community involvement in Charlotte.

- This contract will be evaluated at the end of three years.

Funding: U.S. Department of Justice grants and Police operating budget

17. Appointments to Boards and Commissions

Action: **Vote on blue paper ballots and give to City Clerk at dinner.**

A. **AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY**

One appointment for three years beginning May 1999.

1. Tom Hughes by Councilmember Autrey
2. Anthony Hunt by Councilmember Cannon

Attachment 12

B. **CERTIFIED DEVELOPMENT CORPORATION**

One appointment beginning May 1999 for three years to represent a private lending institution. Jerry McMurray did not meet attendance requirements.

1. Bobby Chesney by Councilmember Jackson

One appointment for three years beginning May 1999 in the community organization category to replace Sally Wood, who did not meet attendance requirements.

1. Glenn Jackson by Councilmember Greene
2. Eugene Johnson by Councilmember Autrey

One appointment in the business organization category for three years beginning May 1999 to replace William McCullogh, who is not eligible to be reappointed.

1. Elton Shoemaker by Councilmember Autrey

Attachment 13

C. **CHARLOTTE MECKLENBURG DEVELOPMENT CORPORATION**

One appointment beginning immediately to fill an unexpired term ending November 2000. Henry Hicks has resigned.

1. Bobby Drakeford by Councilmember Cannon
2. John Parks Helms by Councilmember Wheeler

Attachment 14

D. **CLEAN CITY COMMITTEE**

One position beginning immediately, ending June 30,1999, plus the next three year appointment, to replace Jean Humiski, who has resigned. One position beginning immediately to fill an unexpired term ending June 30, 2000 to replace Alex Holloman, who has resigned. Three appointments beginning July 1, 1999 for three years to replace Jill Bietel, who is not eligible for reappointment, and Minnie Mitchell and Dennis Warfle, who do not wish to be reappointed.

1. Jeff Coulter by Councilmember Spencer
2. Christopher Ham by Councilmember Wheeler
3. Lori Masano by Councilmember Wheeler
4. Perry McCorkle by Councilmember Cannon
5. Tommy Alan Rogers by Councilmember Rousso
6. Amity Shively by Councilmember Wheeler

Attachment 15

E. **COMMUNITY RELATIONS COMMITTEE**

One appointment beginning immediately and ending June 30, 2001. Michael Nguyen did not meet attendance requirements. One appointment for three years beginning July 1999. Leroy Miller does not wish to be reappointed.

1. John Guarnera by Councilmember Spencer
2. Josh Hawn by Councilmember Spencer
3. Scott Hirsch by Councilmember Cannon
4. Martin Lasker by Councilmember Rousso
5. Heather Sides by Councilmember Jackson
6. Barbara Waymer by Councilmember Greene

Attachment 16

F. DOMESTIC VIOLENCE ADVISORY BOARD

One appointment beginning immediately, ending September 1999, and the next full three year term. William Jones has resigned.

1. Thomas Barry by Councilmember Autrey
2. Frank Coley by Councilmember Cannon
3. Gail Danberg by Councilmember Rousso
4. Shirley Fowler by Councilmember Wheeler
5. Marty McCracken by Councilmember Reid
6. Judy Parks by Councilmember Spencer
7. Margaret Van Dyke by Councilmember Wheeler

Attachment 17

G. HOUSING AUTHORITY

One appointment beginning immediately to fill an unexpired term ending December 2000. Mailinda Hedgpeth has resigned.

1. Colletta Bryce by Councilmember Greene
2. Raymond Jones by Councilmember Autrey
3. Joseph Frank Polite by Councilmember Rousso
4. Mary Catherine Stafford by Councilmember Spencer

Attachment 18

H. MAYOR'S INTERNATIONAL CABINET

Ethnic Category:

1. Jesus Hernandez by Councilmember Spencer
2. Pirjo Vihma by Councilmember Wheeler

At Large:

1. Paulette Beatty by Councilmember Spencer
2. Troy Buder by Councilmembers Jackson and Rousso
3. Bryan Ignazzi by Councilmember Cannon
4. Susan Lambert by Councilmember Wheeler
5. Sherry Suttles by Councilmember Greene

Attachment 19

I. MINORITY/WOMEN'S BUSINESS DEVELOPMENT

One appointment to fill an unexpired term beginning immediately and ending August 2000.

1. Charlene Price Patterson by Councilmember Spencer
2. Troy Watson by Councilmember Greene

Attachment 20

J. PAROLE ACCOUNTABILITY COMMITTEE

One appointment to fill an unexpired term beginning immediately and ending June 2001. Ray Kluth has resigned.

1. Elton Shoemaker by Councilmember Reid
2. Heather Sides by Councilmember Jackson
3. Linda Williams by Councilmember Greene

Attachment 21

K. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

One appointment beginning immediately to fill an unexpired term ending March 1, 2000, and the next full two year term. Landon Wyatt did not meet Council's attendance requirements.

1. Linette Pratt Fox by Councilmember Greene
2. Brian Francis by Councilmember Rousso
3. Rick Hood by Councilmember Autrey

4. James Showalter by Councilmembers Reid and Sellers
5. Scott Syfert by Councilmember Wheeler

Attachment 22

L. <u>SISTER CITIES COMMITTEE</u>
Two appointments to serve two years beginning May 1999. Pamela Gibson and Suzanne Johnson have resigned.

1. Jill Marie Bullard by Councilmember Autrey
2. Bob Fudge by Councilmember Cannon

Attachment 23

M. <u>TREE ADVISORY COMMITTEE</u>
One position beginning immediately to fill an unexpired term ending December 2000. Frances Choice has resigned.

1. Robin Faison by Councilmember Spencer
2. Richard Roti by Councilmember Jackson

Attachment 24

N. <u>ZONING BOARD OF ADJUSTMENT</u>
One appointment for three years beginning immediately. Jerry McMurray declined the appointment.

1. Jeff Coulter by Councilmember Jackson
2. Timothy Crawford by Councilmember Sellers
3. Carol Fortenberry by Councilmember Autrey
4. William J. Rakatonsky by Councilmember Rousso
5. Damon Rumsch by Councilmember Spencer
6. Michael Walton by Councilmember Greene

Attachment 25

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

18. Various Bids

A. Resurfacing 99B

Engineering and Property Management

Recommendation: The City Engineer recommends the low bid of $1,145,006.25 by Blythe Construction, Inc. of Charlotte, North Carolina. This contract will provide for traffic control, base failure repair, asphalt milling, resurfacing, structure adjustments, and wheelchair ramp construction along approximately 15 miles of city streets.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$219,147.75	19%	6%
WBE	$0	0%	5%

MWBD Compliance: Yes. Blythe Construction, Inc. met the good faith effort requirements.

B. Sanitary Sewer Construction - Upper Rocky River Interceptor, Section B, Contract 1 — **Utilities**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $2,826,516.88 by Foster Utilities, Inc. of Pineville, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$60,000	2%	6%
WBE	$524,180	18%	8%

MWBD Compliance: Yes. Foster has exceeded the WBE goal and they will continue to solicit MBE participation as subcontracting opportunities arise.

C. Sanitary Sewer Construction - Upper Rocky River Interceptor, Section B, Contract 2 — **Utilities**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $3,399,740.70 by Buckeye Construction Company, Inc. of Canton, North Carolina. This project extends sewer lines into Cabarrus County along Rocky River.

MWBD Status:	Amount	% of Project	Project Goals
ABE	$0	0%	2%
BBE	$13,653	0.4%	6%
NBE	$0	0%	2%
HBE	$0	0%	2%
WBE	$304,535	9%	8%

MWBD Compliance: Yes. Buckeye exceeded the WBE goal and they will continue to solicit MBE participation should other subcontracting opportunities arise.

D. Standard Cab and Chassis Trucks 24,000 GVWR — **Business Support Services**

Recommendation: The Business Support Services Director recommends the low unit price bid of $38,118.37 by Adams International Trucks, Inc. of Charlotte, North Carolina. The contract is for one year with the option to renew for two additional one year terms. Purchases are anticipated subject to appropriations by City Council and identified needs.

MWBD Compliance: Yes. There are no known MWBD vendors.

E. CMGC and Old City Hall Uniformed Security Services — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $803,966.04 by Barton Protective Services of Atlanta, Georgia. The contract provides security services at the Charlotte-Mecklenburg Government Center and Old City Hall for three years.

MWBD Status: Typical subcontracting opportunities do not exist in this contract, therefore, no goals were stated. All certified MWBD firms who perform this scope of work were invited to bid as prime.

CONSENT II

19. Retire Park It Capital Expense

Action: **Approve a budget ordinance in the amount of $709,765.26 to retire Park It capital expense.**

Explanation:

- In February 1997, the City entered into a contract with Street Park, Inc., a subsidiary of Central Parking, Inc., to manage the Park It on-street parking program. Park It installs, maintains, collects from the meters, and enforces the on-street parking.

- This action will pay off outstanding Park It program capital expenditure early saving the City approximately $105,000.

- Under the current agreement with Park It, the contractor pays for equipment expenditures, and the City reimburses those expenses. Because of the contractor's high interest loan, the City will save $105,000 in reimbursable interest payments by paying off the capital expenditures early.

- Capital expenses include:
  - 1500 parking meters
  - Office computers
  - Electronic ticket writers and auditors

- Total capital expense not yet paid off as of May 15, 1999 is $709,765.26. Monthly payments on this expenditure amount to $17,885.

Funding: Park It Program Budget

Attachment 26
Revenue Expenditures To Date

20. Storm Water Maintenance Package Renewals

Action:

A. Approve Renewal #1 for $492,968.97 to the contract with Blythe Development Company for continued construction of FY98 Storm Water Maintenance Package F. The renewal will increase the contract amount from $488,475 to $981,443.97; and

B. Approve Renewal #3 for $117,910 to the contract with Kip Corporation for continued construction of FY98 Storm Water Channel Maintenance Package 98A. The renewal will increase the contract amount from $353,730 to $471,640.

Explanation:

- These renewals will enable Storm Water Services to continue regular maintenance activities under these contracts, recognizing good contractor performance and competitive prices. Storm water maintenance contracts are originally bid in a range that provides bidding opportunities to all licensed contractors. Where the contractor's work has been of good quality, a renewal is recommended to extend the contract.

- Renewals for these contracts allow for adjustments in contract unit prices based on inflation. The contract documents provide for renewal of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship.

MWBD:

A. 6% BBE; 6% WBE
B. Self-performing

Funding: Storm Water Capital Investment Plan

21. Tryon Mall Streetscape Improvement Project - Phase I

Action: **Approve agreement for $189,393 with The FWA Group, Inc. of Charlotte for architectural services for Phase I of the Tryon Mall Streetscape Improvement Project.**

Explanation:

- The original Mall construction was completed in 1985. The irrigation and electrical systems have become worn through use and damage from construction activities. The systems are in frequent need of repair.

  - This agreement with The FWA Group (FWA) of Charlotte will provide architectural services to perform the planning and design for improvements to the Tryon Mall (Tryon Street from Stonewall to 8th Street). The project will provide more streetscaping, energy efficient lighting, larger and more durable irrigation, and electrical systems that can support larger special events.

  - The project will be constructed in several phases. Phase I will provide planning and conceptual design services for the entire mall, and final design of Phase I (Stonewall to 2nd Street and 6th to 8th Street). Future phases will provide for final design services for the remainder of the mall.

- This agreement will provide for coordination with affected project stakeholders, including the Charlotte-Mecklenburg Planning Commission and Charlotte Center City Partners.

- FWA was selected using the Council-approved qualifications-based process for professional services.

- The fees are comparable to fees paid by Charlotte for similar streetscape design work.

MWBD: 4% WBE

Funding: Tryon Mall Renovations Capital Account

22. Land Development Computer System

Action: **Approve the contract for $779,885 with KIVA for the KIVA land development computer system.**

Explanation:

- To provide more seamless customer service on land development permitting, the City has spent a significant amount of time investigating computer systems. After extensive testing of several systems, we have chosen the Kiva system as that which most closely fits our criteria.

- This system will provide seamless and timely links between various departments within the City and with Mecklenburg County. It will also provide the customer information from any location and more detailed reporting for staff. For example, the customer could access the Kiva system to find out the status on plan review, inspections, or certificate of occupancy.

- The $779,885 contract with KIVA will include software licensing, installation, and professional services.

- Additional Council action for hardware, third party software, Oracle licensing, and remote communication hardware and software will follow. The total cost of this project is $1.4 million.

- The cost of this project will be recouped through user fees, which will increase by 10% in July 1999.

Committee Discussion: In 1995 the Economic Development and Planning Committee endorsed the consultant's recommendation for a consolidated computer system.

Funding: Land Regulation Fees and Engineering & Property Management operating budget

23. Resolution Authorizing Sale of General Obligation Bonds

Action:

- **Adopt a resolution that provides for the sale of previously authorized general obligation bonds (Water and Sewer and Environmental Clean-Up bonds).**

Explanation:

- The bond resolution is a legal document that Council is required to approve before the City can sell bonds. The adoption of the resolution accomplishes the following:

  - Authorizes the sale of the bonds and establishes the amount, date and purpose of each issue.
  - Establishes the form of the bonds and directs the manner of execution of the bonds.
  - Ratifies actions taken by the Local Government Commission on behalf of the City relative to the sale of the bonds.
  - Ratifies the Official Statement relative to the sale of the bonds.
  - The bond amounts are:

Water and Sewer	$37,000,000
Environmental Clean-Up	2,680,000
Total	$39,680,000

- The current (1999-03) and prior Capital Investment Plan includes funding from general obligation bonds.

Funding: Revenues previously dedicated to the payment of debt service

24. FY 99 Annual Financial Audit Services Contract

Action: **Approve a contract with Deloitte & Touche LLP for $81,600 to provide audit services for the fiscal year ending June 30, 1999.**

Policy: Audit services are to be provided by an independent auditing firm on a rotating basis for periods not to exceed four years pursuant to receiving and evaluating audit proposals.

Explanation: State law requires that the City engage a certified public accountant at the end of each fiscal year to audit the accounting records, evaluate internal controls and audit the annual financial report. Deloitte & Touche LLP was selected as the City's auditing firm in 1996. This will be the firm's fourth year to provide audit services.

Funding: Various funds (General, Water and Sewer, Airport, Public Transportation, Community Development, Employment and Training, Risk Management and Storm Water).

25. Utility Billing System Implementation Contracts

Action: **Approve amendments to three contracts totaling $693,000 for contract labor to install the new Utility Billing System.**

Explanation:

- The scheduled "Go Live" date is August 1, 1999. These estimated expenditures are through August 31, 1999.
- These contract amendments will keep the project on schedule and ensure that the system is Y2K compliant.
- It was originally planned for in-house resources to play a more prominent role in this project. Due to the severe shortage of information technology professionals, the City has been unable to fill critical positions. It has been necessary to proceed with contract labor.

- The three contract amendments are as follows:

  1. On August 24, 1998, Council approved a $330,000 contract with Piedmont Technology Group (PTG) for system administration and integration services and technical project management services. This amendment is for $350,000. On April 14, 1999, the City Manager approved an amendment for $99,000. These amendments increase the total contract to $779,000.

  2. On November 9, 1998, Council approved a $200,000 contract with Team Technology Inc. for designing custom reports, system administration documentation, training manual development and for data conversion and testing. This amendment is for $213,000. On April 14, 1999, the City Manager approved an amendment for $99,000. These amendments increase the total contract to $512,000.

  3. On February 4, 1999, the City Manager approved a $99,999 contract with ORAssist, Inc. for database administration and training. This amendment is for $130,000 and increases the total contract to $229,999.

Funding: Water and Sewer Operating Fund

26. McAlpine Creek Wastewater Management Facility - Electrical/ Instrumentation Improvements - Change Order #3

Action: **Approve Change Order #3 to the construction contract for $1,023,159.46 with Energy Erectors, Inc. for electrical/instrumentation work on the McAlpine Creek Wastewater Management Facility Expansion.**

Explanation:

- Change Order #3 will provide labor and equipment to upgrade the digester complex to meet the National Fire Protection Association 820 Standards for Fire Protection in Wastewater Treatment and Collection Facilities (fire and explosion prevention standards). During the design phase of this project, Mecklenburg County Building Standards reviewed and approved the plans, interpreting that NFPA 820 did not apply to this work. However, after the bid, Building Standards enforced NFPA 820 on the new construction and existing facilities modified by the new construction, thus necessitating this change order.

- With this change order the Energy Erectors contract will increase from $4,720,385.54 to $5,743,545.

MWBD:

The Contractor is continuing to make the good faith effort. The addition involves speciality work with limited availability of subcontractors. Energy Erectors' effort concerning MWBD involvement has increased with approval of this change order. The HBE participation will increase by $102,315, or 10%, and WBE by $10,231, or 1%, of the contract amount.

Funding:

Sewer Capital Investment Funds

Background:

- The contract with Energy Erectors for electrical/instrumentation work at McAlpine Creek WWMF was approved by City Council on January 27, 1997 in the amount of $4,314,851.

- Change Order Number 1 was approved by City Council on October 26, 1998 in the amount of $200,667.54.

- Change Order Number 2 was approved by City Council on February 9, 1999 in the amount of $204,867.

27. Mallard Creek Water Reclamation Facility Expansion To 12 Million Gallons Per Day

Action: **Award the low single-prime bid of $25,411,000 to Danis Environmental Industries, Incorporated of Orlando, Florida.**

Explanation:

- This project was funded in the FY 1998 Capital Investment Program based on expansion of the facility from 8 to 12 million gallons per day. Construction will include:

  - Modifications to the existing influent pumping station, vortex grit removal facilities, day tank and intermediate pumping station, equalization basin, primary clarifier and sludge pump station, an aeration basin, lime feed facility, final clarifier and sludge pump station, effluent filters, ultraviolet disinfection, anaerobic digester; and

  - Modifications to existing digesters, sludge heater building, installation of centrifuges in existing biosolids handling building, installation of plant-wide instrumentation for monitoring and control, back up power generators, associated electrical, sitework, and all appurtenant work.

- Bids were received on April 1, 1999. (See summary of bids below.) The bidders were required to complete an equipment and materials questionnaire on which they indicated the supplier of major pieces of equipment. If the owner or engineer has a reasonable objection to any supplier, the specifications allow the owner or engineer to request the low bidder to submit an acceptable substitute without an increase in their bid amount.

- The low bid price for Section II - Electrical Construction was submitted by Energy Erectors, Inc. However, Energy Erector's bid listed an unacceptable supplier for an engine-generator on the equipment and materials questionnaire. Information regarding the named unacceptable supplier was submitted for pre-qualification in accordance with the specifications requirements. The engine-generator was not acceptable because the installation list provided did not satisfy the experience requirement of the specifications. Also, the published power rating and engine displacement did not meet the specifications.

- Energy Erectors, Inc. was not able to substitute an acceptable supplier for the unacceptable supplier without increasing their bid price. Therefore, their bid was deemed non-responsive, and the next lowest bid was evaluated. The next lowest bid, after deeming Energy Erectors, Inc. bid non-responsive, was Danis Environmental Industries single prime bid.

MWBD Status:	**Amount**	**% of Project**	**Project Goals**
WBE	$795,000	3%	5%
BBE	$470,000	2%	5%
ABE	$0	0%	1%
HBE	$0	0%	1%
NBE	$0	0%	1%

MWBD Compliance: Yes. The Utility Department has reviewed the Contractor's documentation and determined that Danis has made and will continue to make good faith efforts to meet the MWBE goals.

FUNDING: Sewer Capital Investment Plan

Summary of Bids:

Single Prime:

Danis Environmental Industries Inc.	**Orlando, FL**	**$25,411,000**
Pizzagalli Construction Co.	South Burlington, VT	26,536,750

Multiple Prime:

Section I – General Construction

Danis Environmental Industries	Orlando, FL	$17,116,000
Pizzagalli Construction	South Burlington, VT	18,653,450
Cajun Constructors, Inc.	Charlotte, NC	21,960,150

Section II – Electrical Construction

Energy Erectors Inc.	Leesburg, FL	$7,303,141
National Electric Co., Inc.	Johnson City, TN	8,612,000

Section III – HVAC Construction

L.T. Mechanical, Inc.	Charlotte, NC	$282,038
Acorn Industrial, Inc.	Raleigh, NC	378,000

Section IV – Plumbing Construction

Cam-Ful Industries Inc.	Pineville, NC	$283,395
Acorn Industrial, Inc.	Raleigh, NC	441,000

28. Assets Forfeiture Appropriation

Action: **Approve a budget ordinance appropriating $29,840 in assets forfeiture funds for the purchase of radios.**

Explanation:

- The $29,840 in assets forfeiture funds will be used to purchase radios for local FBI agents to use in joint operations with the Police Department.
- The assets forfeiture funds were generated through a multi-state drug investigation in which both the Police Department and FBI participated.

29. Corporate Aviation Fueling Facility

Action: **Approve an agreement with NationsBank N.A. for use of the City's Corporate Aviation Fueling Facility.**

Explanation:

- Council approved a 20-year lease agreement for Corporate Aviation Facilities at the Airport with NationsBank on January 17, 1995. Under the terms of this agreement, NationsBank was given the right to store fuel in the City's Corporate Aviation Fueling Facility, and to have that fuel delivered through the City's lines to their fueling station located on their leased premises for fees and on conditions determined by the City.

- Subsequently, Council awarded a contract on June 26, 1995, to construct a joint-use, state-of-the-art fueling facility to serve corporate operators in the south corporate aviation area.

- NationsBank will reimburse the City for the cost of the facilities that it will use exclusively ($419,724) and will pay rent under the same terms and conditions as all other corporate operators at the Airport for this facility.

- The new agreement spans 1999-2015 with two, ten year renewal options.

- The Airport Advisory Committee recommends this agreement.

30. Sale of Right-of-Way for I-485

Action: **Approve the sale of .3405 acres to NCDOT for right-of-way for I-485 for $2,725.**

Explanation:

- North Carolina Department of Transportation (NCDOT) has requested, in accordance with North Carolina General Statute 160A-274 (Sale, lease, exchange and joint use of governmental property), that the Airport sell them a portion of a parcel that the Airport owns in the right-of-way of I-485.

- The parcel located at 8900 Old Dowd Road was acquired recently as a part of the Master Plan Land Acquisition program.

- The selling price was determined by the appraisals. NCDOT will be responsible for preparation of deed and the legal cost associated with the acquisition of the parcel. The Airport will advertise this sale in the local paper in accordance with North Carolina General Statute 160A-267 (private sale).

- The Airport Advisory Committee recommends the sale of this property.

31. Property Transactions

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

For property transactions A through E, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired 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.

Acquisitions:

A. **Project:** Master Plan Land Acquisition
Owner(s): James M Beaty
Property Address: 3601 Marshall Avenue
Property to be acquired: .207 acres
Improvements: single family residential house
Purchase Price: $45,000
Zoned: I2
Use: single family
Tax Value: $47,390
Tax Code: 115-161-07

B. **Project:** Master Plan Land Acquisition
Owner(s): James M Beaty
Property Address: 3605 Marshall Avenue
Property to be acquired: .207 acres
Improvements: single family residential house

Purchase Price: $30,000
Zoned: I2
Use: single family
Tax Value: $26,290
Tax Code: 115-161-08

C. **Project**: FAR Part 150 Land Acquisition
Owner(s): William R. Carpenter
Property Address: 4739 Byrum Drive
Property to be acquired: .652 acres
Improvements: single family residential house
Purchase Price: $94,000
Zoned: R3
Use: single family
Tax Value: $78,990
Tax Code: 141-055-54

D. **Project**: FAR Part 150 Land Acquisition
Owner(s): William R. Carpenter
Property Address: 4709 Timberly Place
Property to be acquired: .540 acres
Improvements: vacant land
Purchase Price: $24,000
Zoned: R3
Use: vacant land
Tax Value: $12,150
Tax Code: 141-055-53

E. **Project**: FAR Part 150 Land Acquisition
Owner(s): William R. Carpenter
Property Address: 4701 Timberly Place
Property to be acquired: .542 acres
Improvements: vacant land
Purchase Price: $23,600
Zoned: R3
Use: vacant land
Tax Value: $12,150
Tax Code: 141-055-52

F. **Project**: Northwest Circumferential Grade Separation, Parcel #49
Owner(s): HTRANS Holdings, Inc.
Property Address: 31.500 ac. Old Mount Holly Road

Property to be Acquired: 767,962.8 sq.ft. (17.63 ac.)
Improvements: None
Purchase Price: $278,255.05
Remarks: Land area is needed to preserve a corridor for the future Fred D. Alexander Boulevard. Purchase price is based on an independent, certified appraisal.
Zoned: I-2
Use: Industrial/Vacant
Total Parcel Tax Value: $410,500
Tax Code: 057-212-02

G. **Project:** Matthews Sewer Trunks, Phase II, Trunk 8, Northfield Court, Parcel #36
Owner(s): Charles Wester & wf., Pamela R. Wester
Property Address: 1300 Matthews Mills Road
Property to be Acquired: Permanent 4,350 sq.ft. (0.10 ac.) temporary construction easement 5,265 sq.ft. (0.121 ac.)
Improvements: Trees, driveway
Purchase Price: $13,300
Remarks: The areas are needed for construction of sanitary sewer line for Northfield Court. Acquisition price is based on an independent, certified appraisal.
Zoned: R-15
Use: Single Family Residential
Total Parcel Tax Value: $159,810
Tax Code: 227-042-18

Condemnations:

H. **Project:** Matthews Sewer Trunks, Phase 2, Trunk 6, Gladewater Drive, Parcel #4
Owner(s): Sherri R. Lowrie and Husband, Robert J. Lowrie and All Parties of Interest
Property Address: 3006 Sam Newell Road
Property to be Acquired: Areas = 4,417.35 sq.ft. (0.102 ac.)
Improvements: Tree
Purchase Price: $600
Remarks: The areas are needed for the construction of sanitary sewer line for Gladewater Drive. City Staff has yet to reach an agreement after numerous contacts and negotiations.

Compensation is based on an independent, certified appraisal.
Zoned: R15
Use: Single Family Residential
Total Parcel Tax Value: $189,800
Tax Code: 193-151-28

I. **Project**: Wilkinson Boulevard Improvements, Parcel #2
Owner(s): Janet Weir Shaw and Any Other Parties of Interest
Property Address: 2479 Wilkinson Boulevard
Property to be Acquired: 1,851 sq.ft. (.0425 ac.)
Improvements: Business Sign
Purchase Price: $18,500
Remarks: The areas are needed for a street widening. The owner has refused the City's offer which was based upon an independent, certified appraisal. The owner has not provided a counter offer or justification for an increase.
Zoned: I-2
Use: Service Station/Commercial
Total Parcel Tax Value: $114,910
Tax Code: 119-012-01

J. **Project**: Wingate Redevelopment, Parcel #54A
Owner(s): Billie Hunter & Mary Hunter & any other parties of interest
Property Address: 2713 Mayfair Avenue
Property to be Acquired: 9,017 sq.ft. (.207 ac.)
Improvements: House and all improvements
Purchase Price: $31,000
Remarks: The area is needed to complete the Wingate Redevelopment project. Staff has yet to reach an agreement after numerous contacts and negotiations. Compensation is based on independent appraisal.
Zoned: R-22 MF
Use: Single Family Residential
Total Parcel Tax Value: $27,210
Tax Code: 115-015-16

K. **Project**: Wingate Redevelopment, Parcel #57A
Owner(s): Ernest Jirard Sifford, Jr. & all parties of interest

Property Address: 2729 Mayfair Avenue
Property to be Acquired: 9,017 sq.ft. (.207 ac.)
Improvements: House and all improvements
Purchase Price: $27,000
Remarks: The area is needed for the Wingate Redevelopment project. Staff has yet to reach an agreement after numerous contacts and negotiations. Compensation is based on an independent, certified appraisal.
Zoned: R-8
Use: Single Family Residential
Total Parcel Tax Value: $25,320
Tax Code: 115-015-15

32. Minutes

Action: **Approve the titles, motions and votes reflected in the Clerk's record as the minutes of the April 5, 1999 Council Workshop and Citizens' Forum and the April 12, 1999 Business Meeting.**