AGENDA

Meeting Type:	BUSINESS
Date:	12/11/1995

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Al Rousso*

Charles Baker *Don Reid*
Patrick Cannon *Ella Scarborough*
Malachi Greene *Tim Sellers*
Mike Jackson *Sara Spencer*
Nasif Rashad Majeed *Lynn Wheeler*

Council Agenda

CITY COUNCIL MEETING

Monday, December 11, 1995

5:00 p.m. — **Conference Center**

- **Airport 21st Century Development Plan**
- **Sign Ordinance Enforcement**
- **Council Retreat Committee Report**

6:30 p.m. — **Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Hearing**

7:00 p.m. — **Formal Business Meeting**

Charlotte City Council

Business Meeting

Order of the Meeting

- Call to order at 6 30 p m
- Invocation
- Pledge of Allegiance
- Proclamations & Recognitions
- Citizens Hearing
- Minutes & Consent Items
- Public Hearings
- City Manager's Report
- Policy
- Business

Agenda

The Business Meeting begins with a Citizens Hearing from 6 30 till 7 00 p m At 7 00 p m City Council takes up their formal business agenda The agenda consists of the consent agenda, public hearings, City Manager s report, policy agenda, and business agenda

Consent agenda items are first because they may be considered in one motion except those items removed by a Councilmember Consent items are routine items that have been approved in the budget

Occasionally, the City Council will announce it will go into Closed Session, if necessary, pursuant to North Carolina General Statutes 143-318 11 to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation or personnel matters as specifically listed on the agenda Council will take any subsequent action in the open meeting as listed on the agenda

Assistance for the Disabled

Agendas, reports, and records are available in alternative formats upon request To order information in braille, oversized print or voice cassette tape or to arrange for a sign language or oral interpreter for the meeting please call the Clerk s office at least five days prior to the meeting at 336-2248

Speaking to City Council

Citizens who wish to speak to City Council are encouraged to sign up with the City Clerk The City Clerk may be reached by calling **336-2248.** The City Clerk records names and addresses of citizens who address Council Please call the City Clerk by 3 00 p m on the meeting date or you may sign up at the meeting

The Mayor will recognize speakers The time limit is three minutes per person or ten minutes per subject Groups are encouraged to have designated speakers

Televised Meetings

Council business meetings are televised live on the Government Channel, Channel 16 on Cable Vision and Vision Cable, on the second and fourth Monday evenings at 6 30 p m Meetings are replayed on Wednesdays at 9 00 a m and 9 00 p m and on Sundays at 1 00 p m

City Council Members

Mayor Pat McCrory	336-2241
Mayor Pro Tem Al Rousso	375-1142
At Large Don Reid	554-6572
At Large - Ella Scarborough	366-4790
At Large - Lynn Wheeler	338-5814
District 1 - Sara Spencer	375-3042
District 2 - Malachi Greene	375-3883
District 3 - Patrick Cannon	553-8760
District 4 - Nasif Majeed	536-1153
District 5 - Tim Sellers	366-3440
District 6 - Charles Baker	364-2523
District 7 - Michael J Jackson	542-2421

For Meeting Information,
contact the City Clerk, 336-2248

Form of Government

Charlotte has operated as a Council Manager form of government since 1929 Under this form of government, the Mayor serves as the Chief Executive Officer, the City Council as the legislative body, and the City Manager as the Chief Administrative Officer

The City Council includes 11 representatives, seven elected from districts and four elected at-large Elections are held every two years, with the next election scheduled for 1997

Charlotte at a Glance

- Largest city between Atlanta & Washington, D C with a population of approximately 455,000 The Charlotte metropolitan area population is 1,144,419
- Square Miles 213
- Center of the Country s fifth largest urban region with approximately 5 6 million people living within a 100 mile radius
- 14th busiest airport in the country
- Second largest banking/financial center
- Charlotte-Mecklenburg property taxes rank in the lowest quarter of 100 metro areas nationwide
- The City of Charlotte holds a AAA credit rating, the highest possible Only 14 cities have been designated as AAA by both major rating agencies
- Charlotte s tax rate is 42 8 cents per hundred dollar evaluation The tax rate has been the same for eight years
- The City of Charlotte s total budget is $724 million (operating and capital)
- There are approximately 4,884 city employees In the last four years, 683 positions have been eliminated
- There are 1,657 police employees and 800 fire employees

Quotes about Charlotte

' Charlotte has a reputation of being one of the better-run big cities in America The city is stressing continuous improvement and cost-cutting in city operations by introducing competition "

Reason Foundation 1995

"Charlotte's economic development has benefitted from the development of close relationships with its outlying areas, instead of battling with them for new business "

Financial World, April 2, 1994

"Not only is local government generally supportive of business, it is by all accounts efficient and effective The tax rate is low Businesses are not offered tax incentives to relocate here, but services appear to be good The streets are immaculate and a study by Southport Magazine declared Charlotte's police force the best of a dozen large Southern cities '

Financial World, June 26, 1994

Charlotte won first place in the 1995 City Livability Awards sponsored by The United States Conference of Mayors and Waste Management, Inc In particular, Charlotte was noted for programs designed to foster collaboration and encourage all citizens to work together on solving problems The panel of judges praised Charlotte's history of good government, saying

"Charlotte has set the standard by which to measure good local government."

For additional information or if you have questions concerning the City of Charlotte and its organization, **contact the Customer Service Center at 336-7600.**

CITY COUNCIL AGENDA

Monday, December 11, 1995

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Consent Items

1. Consent agenda items 12 through 27 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.

Staff Resource: Julie Burch

PUBLIC HEARING

2. Public Hearing and Resolution to Close a Portion of West Eighth Street

Action:

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

Background:

Petitioner:
Church Street Associates

Right-of-Way to be abandoned:
A portion of West Eighth Street This section of West Eighth Street is closed to traffic and includes pedestrian lighting, brick sidewalk, and landscaping The portion of West Eighth Street included in this request is 13 feet in width and does not include the lighting or brick sidewalk

Location:
From North Church Street approximately 105 feet

Reason:
To make improvements (accessible ramp) to the property

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
Davidson Square Condominiums

Neighborhood association(s) - No objection
Friends of Fourth Ward

Private Utility Companies - No objection

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

1 Be contrary to the public interest, or,
2 Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to this property as outlined in the statutes

Attachment 1
Vicinity Map

3. Public Hearing and Resolution to Close a Portion of Olmstead Drive

Action:

A. Conduct a public hearing to abandon a portion of Olmstead Drive; and

B. Adopt the resolution to close.

Staff Resource: Scott Putnam

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

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

Background:

Petitioner:
Ron Withrow, Withrow Capital, Inc

Right-of-Way to be abandoned:
An unimproved portion of Olmstead Drive

Location:
From Olmstead Way northwardly approximately 65 feet

Reason
To eliminate a section which is not intended to be extended as a public street through the Mallard Pointe shopping center development

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

Adjoining property owners - No objection

Neighborhood association(s) - No objection
University Place Owners Association, Inc and Audobon Park

Private Utility Companies - No objection

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

1 Be contrary to the public interest, or,
2 Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to this property as outlined in the statutes

Attachment 2
Vicinity Map

POLICY

4. Public Services Committee Recommendation Concerning Parade Permit Process

Action: **Approve recommendation of Public Services Committee to change parade permit processing, including indigency provisions.**

Committee Chair: Don Reid

Staff Resource: Doreen Szymanski, Chair
Parade Permit Committee

Policy Parade Ordinance, City Code Section 19-116

Explanation of Request After review of the options, the Public Services Committee recommends the following "housekeeping" changes to the ordinance

- Change the City Manager's appointee from Economic Development to Special Events Coordinator, no term limit With the City reorganization in 1993, the Special Events Coordinator became part of the Manager's staff

- Parade applications are now submitted to the City Clerk Change this requirement to Parade Permit Chairman This will expedite the process and provide a more efficient use of committee and staff time

- Full or majority Parade Permit Committee approval is currently required for all parades, no matter how large or small Change so that full or majority committee approval is not required for neighborhood parades except when the event requires more resources than the basic level of service provided by the City, i e two on-duty officers with vehicles and/or community coordinators This will provide a more efficient use of committee and staff time

- The Public Services Committee recommends handling parades in the following manner

  - Continue to provide police resources for traditional parades (i e Martin Luther King Parade, The Carrousel Parade, Shrine Bowl Parade, and Veteran's Day Parade)

  - In addition, earmark $10,000 in existing budget for indigent parades Funds will be dispersed on a first-come, first-served basis Once funds are expended for the year, further parade permit applications with indigency affidavits will be denied The Parade Permit Committee will stipulate final route, date, and time to conserve police resources, and so that more indigent parades can occur for the dollars allocated

Background:

- At the request of Mayor Vinroot, the Public Services Committee has reviewed how parade permits are processed, and in particular, how indigent parades are handled For more detailed information, see the attachment

- Parade Permit applications and issuance is a standard, routine, administrative process Indigent parades are granted once an applicant has submitted a notarized Affidavit of Indigency No further information on indigency is required The Committee accepts the word of the applicant, and an unlimited number of such parades can occur each year

Attachment 3
Parade Permit Information

BUSINESS

5. Public Opinion Survey - Charlotte-Mecklenburg Police

Action: **Accept a report of the results of a public opinion survey regarding citizen perceptions of crime and police service in Charlotte.**

Staff Resource: Chief Dennis Nowicki

Policy Community Safety

Explanation of Request:

- One of the initiatives in the Community Safety Plan was to conduct a survey of citizen perceptions of crime and the police service that they receive in Charlotte
- The Office of Justice Research, a component of the Criminal Justice Department at the University of North Carolina at Charlotte, was commissioned to conduct a random telephone survey of citizens served by the Charlotte-Mecklenburg Police Department
- The survey was conducted in April and May of 1995
- A presentation will be made on the survey results during the Council meeting

Attachment 4
Executive Summary of Public Opinion Survey - Charlotte-Mecklenburg Police

5. Cooperative Water and Sewer Agreement with Union County, North Carolina

Action:

A. Approve a cooperative agreement with Union County to acquire water and sewer systems located in Mecklenburg County in exchange for the sale of outfall and treatment plant capacity to Union County; and

B. Adopt a resolution identifying benefits the City will realize and authorize the City Manager to approve and execute an agreement with Union County.

Staff Resource: Doug Bean

Policy Seek cooperative agreements for regional issues

Explanation of Request:

- CMUD has been working with adjacent jurisdictions to develop cooperative arrangements to meet area wide water and sewer needs
- Proposed agreement provides for
  - CMUD purchase of Union County water and sewer systems in Mecklenburg County (estimated cost $4 million)
  - Union County purchase of 1 million gallons per day (mgd) capacity in Six Mile Creek project (outfall, force main and lift station) and McAlpine Creek Treatment Plant (estimated Cost $2 9 million)
  - Reserve additional 2 mgd treatment capacity at McAlpine for Union County with option to purchase or use as retail customer
  - CMUD provides treatment at direct operating cost and Union will pay a portion of the debt service

- Advantages to the City

  - CMUD will gain approximately 1,540 customers through purchase of private water and sewer systems Purchase of these systems will be funded through the Capital Investment Plan Program - Acquisition of Private Water and Sewer Systems Council will have authority to approve purchase of these systems as they become available

  - Eliminates need for Union County treatment plant on Six Mile Creek,

  - Provides positive cash flow,

  - Reduces idle plant capacity in early years

Financing Comparison - Union County

PROJECT	CMUD SHARE	UNION SHARE	ANNUAL DEBT/COSTS
CMUD buys Union Water/Sewer Systems in Mecklenburg Co	$3,999,000		$354,000
Union Buys Capacity From CMUD		$2,900,000	$269,000
CMUD Revenue From New Customers			$270,000

Funding: No funds are required for approval of this agreement Council will have authority to approve purchase of systems as they become available from acquisition of private water system

Background:

- Council was briefed on this item at the November 13 dinner

- CMUD has been working with Cabarrus, Union and South Carolina jurisdictions to develop regional solutions to providing water and sewer infrastructure Union County currently serves subdivisions in southern Mecklenburg The Six Mile Creek sewer project will provide sewer service to these areas Union County has sewer needs on their side of the Six Mile Creek basin The agreement will provide a single outfall along Six Mile Creek and eliminate the need for Union to build a parallel outfall and a new treatment plant CMUD will be able to serve customers in Mecklenburg County and make better use of plant capacity

- Treatment capacity for CMUD customers at the McAlpine Creek Wastewater Treatment Facility will not be impacted by the Union Agreement for the following reasons

  - The actual flows into the McAlpine Creek Plant are not increasing as fast as consultant reports had forecast

  - Current 48 million gallons per day (mgd) capacity could last until 2000

  - In planning for future needs, CMUD is proceeding with expansion of McAlpine to 64 million gallons per day capacity

  South Carolina regional option is continuing with required river study

  - Use of up to 3 mgd capacity by Union County is not projected to occur until 2010 or later

  - Initial use by Union County should not cause any restriction of Mecklenburg requirements

- The Six Mile Creek Projects are scheduled for completion in 1997 Purchase of the Union County water and sewer systems would not occur until completion of this project

Attachment 5
Executive Summary of Proposed Agreement with Union County (full agreement is available in Council Library)

7. Regional Wastewater Agreement with Cabarrus County

Action:

A. Approve an agreement with the Water and Sewer Authority of Cabarrus County for sewer service to northeast Mecklenburg County; and

B. Adopt a resolution identifying benefits the City will realize and authorize City Manager to approve and execute an agreement with Cabarrus County.

Staff Resource: Doug Bean

Policy: Seek cooperative agreements for regional issues

Explanation of Request:

- CMUD has negotiated an agreement with the Water and Sewer Authority of Cabarrus County (WSACC) for wastewater treatment services Key provisions of the agreement include

  - CMUD funds construction of approximately $18 million in sewer outfalls needed to reach the Rocky River Regional Wastewater Treatment Plant

  - CMUD is entitled to 50% of the capacity of the line

- WSACC maintains the outfalls
- CMUD conveys full ownership when debt is retired
- CMUD receives 3 million gallons per day (mgd) treatment capacity, with expansion capacity to at least 6 mgd

- This agreement also establishes the areas and conditions whereby water and sewer facilities from one county could be constructed in the other county
- Advantages to the City
  - Approval of this agreement would eliminate the need for CMUD to construct a treatment plant and pump station
  - This agreement provides for a regional solution to wastewater service
- The cost to provide service to this area without this agreement is projected to be approximately $25 million (100% financed by City of Charlotte)

Financing Comparison - Cabarrus County Regional Agreement

PROJECT/TOTAL COST	CMUD SHARE	WSAAC SHARE
$18,000,000 - Sewer Outfall Lines A & B (Construct 1996)	$18,000,000	$0
$10,000,000 - Parallel Lower Outfall (Construct 2001)	$4,000,000	$6,000,000
Rocky River WWTP Expansion - (Construct 2005)	$0	$9,000,000

All costs are based on preliminary engineering estimates Estimated cost of a new CMUD treatment plant is $25 million

Funding: No funding is required for approval of this agreement Funding for the sewer outfalls that CMUD would construct will be made available from future revenue bonds Council will have award authority of the sewer outfall contracts, contingent upon WSACC approval

Background:

- Council was briefed on this item at their November 13 dinner

- Northeast Mecklenburg does not have public sewer service available The traditional method for providing this service would be to build a new sewer plant and pumping station This area, however, is in a drainage basin that could be served by the existing Rocky River Regional Wastewater Treatment Plant that is owned by the Water and Sewer Authority of Cabarrus County

Attachment 6
Executive Summary of Proposed Agreement with WSACC (full agreement is available in Council Library)

8. Ordinance Regarding the Towing of Wrecked, Disabled, or Illegally Parked Motor Vehicles

Action: **Adopt an ordinance regarding the towing of motor vehicles.**

Staff Resource: Mac McCarley

Explanation of Request:

- The proposed ordinance will do three things

  - Establish new Section 14-47 as a stand-alone section in the Motor Vehicle Chapter of the City Code providing for the towing of wrecked, disabled or illegally parked motor vehicles,

- Amend Section 4-3(e) in the Aviation Section of the Code to reference new Section 14-47 for the towing of vehicles at the airport, and

- Ratify all tows since the repeal of the zone wrecker ordinance in 1991

- While the Aviation Department was implementing an immediate tow policy mandated as part of a recent FAA heightened security directive, it was discovered that Section 4-3(e) of the City Code, which authorizes the towing of unattended or illegally parked vehicles at the airport, contains a reference to the zone wrecker ordinance that was repealed in 1991

- The City Attorney is proposing this ordinance to clearly set out a towing remedy in the Motor Vehicle Chapter of the City Code, to change the reference from the repealed ordinance to the new stand-alone provision, and to make it clear that these changes have no effect on tows that occurred since the repeal of the zone wrecker ordinance

9. Municipal Agreement with NCDOT for Roadway and Intersection Improvements in Vicinity of the City of Charlotte/Duke Power Parking Deck

Action: **Approve actions to provide for State Funding with City participation of street improvements around the City of Charlotte/Duke Power Parking Deck.**

A. Approve a resolution to authorize the Director of the Department of Transportation to execute the Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for NCDOT funding of roadway and intersection improvements on Graham, Mint, and Second Streets (construction cost $392,500).

B. **Approve Budget Ordinance appropriating $392,500 from NCDOT.**

C. **Amend September 10, 1991, agreement to release NCDOT/Blythe Industries from their obligation to pay $150,000 for soil utilized as part of the I-77/I-485 construction project.**

Staff Resource: Scott Putnam

Policy: Economic Development/Public-Private Partnership

Explanation of Request:

- The parking deck agreement between the City and Duke Power Company anticipated that NCDOT would contribute to the cost of roadway and intersection improvements on Graham, Mint, and Second Streets that are necessary to provide satisfactory access to the parking deck and to meet NFL departure time period criteria The total cost of these improvements is $680,680, which are currently under construction

- Duke has requested NCDOT to contribute to the remaining construction costs Duke has agreed to be responsible for all right-of-way and utility relocation costs as well as costs for administering construction

- NCDOT has agreed to be responsible for the remaining construction costs ($392,500) They are providing these additional funds for street improvements in Charlotte without taking funds from other Charlotte projects However, they have asked the City to release the NCDOT from costs associated with the 1991 agreement between the City and Blythe Industries, Inc related to soil utilized as part of the I-77/I-485 project To date, the City has received $453,000 of the $650,000 total maximum payment NCDOT is asking to use $150,000 of the remaining payment for the Second Street/Graham Street project

- The City will turn over maintenance of portions of Second and Mint Streets to the NCDOT for a period of one year to facilitate the NCDOT contribution to construction costs Following construction, the NCDOT will return these street sections to the City for maintenance

- These actions will permit Duke's contractor to remain on the project and complete the work in February/March 1996 to coincide with the completion/opening of the parking deck

- The budget ordinance is required because NCDOT cannot directly reimburse Duke

Attachment 7

PRIVATIZATION AND COMPETITION INITIATIVE
The following item is part of the City's privatization and competition efforts This item was included in the Key Business' privatization and competition plans. Routine privatization efforts (professional services contracts and construction contracts) are included in Consent I and II

10. Copier and Printing Services

Action: **Approve a contract with ALCO Management Services for Copier and Printing Services.**

Staff Resource: David Cooke

Focus Area: Restructuring Government Privatization and Competition

Explanation of Request:

- Council is requested to approve a contract for outsourcing copier and offset printing services ALCO Management Services will supply all staff, equipment, supplies, maintenance, billing and related services for all key businesses

- The contract start date is projected to be February 1996 The term of the contract is three years with two optional, one year extensions

Background:

In FY95, Business Support Services, as part of its Privatization and Competition Plan, decided to privatize in-house copier and printing services National firms provide these services on a competitive basis and also offer technology which can make the City more productive (without the City purchasing this technology) Therefore, the City did not bid on this service

Process:

- The City's process included a partnership with the City of Rock Hill
- Eight national firms attended our pre-proposal conference and four firms submitted proposals ALCO Management Services was selected as the firm which could best meet our needs in the following areas
  - Lowest cost
  - Access to emerging technology
  - Excellent customer service
  - Experience in printing and copier services
- Both the City of Rock Hill and the City of Charlotte selected ALCO Management Services

Cost Savings:

The annual cost savings for copier services are projected to be $91,800 Printing costs are also projected to be lower based on sample printing jobs submitted in ALCO's proposal response

Terms:

The terms of the contract include
- ALCO will operate from the existing space in the basement of CMGC
- ALCO will provide all new equipment
- ALCO is committed to 15% BBE participation
- The City can renegotiate contract prices if Mecklenburg County and/or the School Board joins the City in the contract

11. Workshop Agenda for January 8

Action: **Approving the following topics for the January 8 Workshop agenda:**

- **Status of Teen Curfew**
- **Plans for Implementation of False Alarm Ordinance**
- **Retreat Briefing**
- **2015 Plan Update**

Due to the New Year's Day Holiday, the January Workshop is scheduled for the second Monday of the month, January 8.

Introduction to CONSENT I and II

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

Consent I consists of routine items that have been approved in the budget, are low bid, and have met MWBD criteria.

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

Minority and Women Business Development Program (MWBD) Abbreviations:

BBE -	African American
ABE -	Asian American
NBE -	Native American
HBE -	Hispanic
WBE -	Non-Minority Women

CONSENT I

12. Various Bids

A. Police Cars and Light Trucks **Purchasing**

Recommendation: Director recommends the low bids of $1,439,209 28 from Town & Country Ford (Charlotte, North Carolina) and $216,023 36 from City Chevrolet (Charlotte, North Carolina) These bids are for the purchase of 81 cars for Police and 14 trucks for CMUD and Transportation

The bids establish unit prices for Police cars and trucks and allow the city to purchase additional vehicles at these bid prices

MWBD Compliance: Yes, one MWBD vendor placed a bid, but was not successful

B. Hazardous Materials Trucks — **Fire**

Recommendation: Fire Chief and Purchasing Director recommend the lowest responsive bid by Saulsbury Fire Apparatus, Tully, N Y , in the amount of $598,978

MWBD Compliance: Yes, there are no known MWBD vendors

C. Transit Bus Storage Lot — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $980,965 62 from Ferebee Corporation of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$692	1%	4%
WBE	$53,234	5%	4%

Compliance: Yes

D. Curb Replacement FY96 — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $576,253 65 by Jones Grading and Fencing of Charlotte, NC

MWBD Status:	Amount	% of Project	Projects Goal
BBE	$576,253 65	100%	2%
WBE	$0	0%	2%

Compliance Yes

E. Storm Water Maintenance FY96-C - 5624 Glenkirk Road — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $519,605 by Blythe Development Company of Charlotte, N C

MWBD Status:	Amount	% of Project	Project Goals
BBE	$31,200	6%	6%
WBE	$32,650	6 3%	6%

Compliance: Yes

F. Storm Water Maintenance FY96-D — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $338,750 by Propst Construction Company of Concord, N C

MWBD Status:	Amount	% of Project	Project Goals
BBE	$18,000	5%	6%
WBE	$40,000	11%	6%

Compliance: Yes

G. Cherry Neighborhood Reinvestment, Phase 3 — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $437,134 06 by Jones Grading & Fencing, Inc of Charlotte, N C This work includes new and replacement curb and gutter, sidewalk, and water and sewer line replacement

MWBD Status:	Amount	% of Project	Project Goals
BBE	$437,134 06	100%	10%
ABE	$0	0%	4%

Compliance: Yes

H. Villa Heights Neighborhood Reinvestment, Phase 1 — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $563,200 by Showalter Construction Company of Charlotte, N C This work includes new and replacement curb and gutter and sidewalk

MWBD Compliance: Yes, low bidder will perform work with their own forces

I. **Wingate Neighborhood Reinvestment, Phase 2** — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $567,571 20 by Blythe Development Company of Charlotte, N C This work includes new and replacement curb and gutter and sidewalk

MWBD Status:	Amount	% of Project	Project Goals
BBE	$37,839	7%	7%
WBE	$37,839	7%	7%

Compliance: Yes

J. **Water and Sewer Main Construction - FY96 Contract #9 - Street Main Extensions** — **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $774,202 50 by Trans-State Construction Company, Incorporated of Denver, North Carolina

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

Compliance: Yes, the Contractor has met the requirements of the MWBD Program by performing 100% of the work with his current work forces

K. **Sanitary Sewer Construction - 24-Inch Sanitary Sewer Trunk From Irwin Creek Outfall to South Cedar Street** — **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends that the low bid of $312,281 86 by Sanders Brothers, Incorporated of Charlotte, North Carolina be accepted

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	10%
WBE	$2,000	0 6%	10%

Compliance: Yes, the Utility Department has reviewed the Contractor's good

Compliance: Yes, the Utility Department has reviewed the Contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the MWBD Program

L. Franklin Water Treatment Plan Expansion - Construction Contract — CMUD

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low combined Multi-Prime bid of $29,609,732 be accepted as follows

General	
Pizzagalli Construction Company, South Burlington, Vermont	$22,211,086
Electrical	
Energy Erectors, Inc , Leesburg, Florida	$ 6,498,806
HVAC	
Climate Conditioning of Charlotte, Inc , Charlotte, North Carolina	$ 683,600
Plumbing	
Gastonia Plumbing & Heating Company, Inc , Gastonia, North Carolina	$ 216,240

MWBD Status: **Pizzagalli Construction Company**

	Amount	% of Project	Project Goals
MBE	$ 867,160	3 9%	11%
WBE	$2,046,115	9 2%	6%

Compliance: Yes, the Utility Department has reviewed the Contractor's MWBD documentation and determined that he has exceeded the established goal for WBE participation and has made a good faith effort to meet the MBE goal for this project

MWBD Status: **Energy Erectors, Inc.**

	Amount	% of Project	Project Goals
MBE	$1,757,000	27%	1%
WBE	$ 57,000	9%	1%

Compliance: Yes, the Utility Department has reviewed the Contractor's MWBD documentation and determined that he has made a good faith effort to meet the goals established for WBE participation for this project, and has exceeded the goal for MBE participation

MWBD Status:		Climate Conditioning of Charlotte	
	Amount	% of Project	Project Goals
MBE	$ 850	0 1%	1%
WBE	$7,840	1 2%	0%

Compliance: Yes, the Utility Department has reviewed the Contractor's MWBD documentation and determined that he has exceeded the established goal for WBE participation and has made a good faith effort to meet the MBE goal for this project

MWBD Status:	Gastonia Plumbing & Heating Company Inc.		
	Amount	% of Project	Project Goals
MBE	$0	0%	0%
WBE	$0	0%	1%

Compliance: Yes, the Utility Department has reviewed the Contractor's MWBD documentation and determined that he has made a good faith effort to meet the established goals for MBE and WBE participation for this project

M. Furniture, Furnishing, and Equipment for New Police Headquarters — **Police**

Recommendation: Chief of Police and the Purchasing Director recommend the lowest responsive bid of $860,932 by Office Interiors, Inc of Charlotte, North Carolina

MWBD Compliance: Yes, an MBE vendor placed a bid, but it was not responsive

N. Work Stations for New Police Headquarters — **Police**

Recommendation: Chief of Police and the Purchasing Director recommend the low bid of $456,683 37 by Spillars Office Interiors, Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$456,683	100%	50%

MWBD Status:	Amount	% of Project	Project Goals
MBE	$456,683	100%	50%

Compliance: Yes

13. Refund of Certain Taxes

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $2,082.50.**

Attachment 8

14. Speed Limit Change

Action: **Adopt an ordinance to lower the speed limit on 34 Charlotte streets.**

Policy: On May 14, 1984, Council approved a policy to permit lowered speed limits on residential streets There are two methods of lowering residential speed limits an engineering evaluation and a petition The petition requires 75% agreement of the residents along the street and an engineering evaluation is subsequently conducted State law requires Council approval to lower speed limits

Park Crossing Neighborhood	
Park Crossing Drive	30 MPH
Avondale Avenue	25 MPH
Balmoral Circle	25 MPH
Braemar Terrace	25 MPH
Brandemere Court	25 MPH
Chatham Oaks Trail	25 MPH
Fox Hall Drive	25 MPH
Foxx Oak Place	25 MPH
Hadleigh Place	25 MPH
Hanover Glen Road	25 MPH
Hanover Hollow Drive	25 MPH
Hanover South Trail	25 MPH

Hanover Woods Place	25 MPH
Kenlauren Terrace	25 MPH
Logan Court	25 MPH
Nickelby Court	25 MPH
Pallisters Terrace	25 MPH
Penhurst Trace	25 MPH
Pentreath Lane	25 MPH
Queen Oak Court	25 MPH
Tresanton Drive	25 MPH
Tyne Court	25 MPH
Verdun Drive	25 MPH
Warwick Circle	25 MPH
Welwyn Court	25 MPH
Wildbracken Court	25 MPH

Other Neighborhoods

Davidson Street (North Charlotte)	30 MPH
Myrtle Avenue (Dilworth)	25 MPH
Park Avenue (Dilworth)	25 MPH
Romany Road (Dilworth)	25 MPH
Hickory Stick Place (Williamsburg at Providencetowne)	25 MPH
Mallard Ridge Drive (Mallard Ridge)	25 MPH
Magnolia Bridge Road (Bellingrath)	25 MPH
Yellowood Road (Sharon Hills)	25 MPH

CONSENT II

15. Pumper Fire Truck

Action: Fire Chief and Purchasing Director recommend that one new pumper truck be bought from existing contract with Quality Equipment Company at the contract price of $222,969

MWBD Compliance: Yes, there are no known MWBE vendors

Explanation of Request:

- Purchasing from exiting contracts saves time and money
- Purchasing from existing contracts does not require rebidding
- Purchasing from existing contracts allows the City to purchase the item at a guaranteed unit cost at last year's contract pricing level
- Purchasing from existing contract avoids having to pay an estimated 3% price increase over previous contract pricing
- The original request for quotation was sent to 15 companies, 8 submitted bids, and Quality Equipment was the low bid

16. Municipal Agreement - Morehead Street and Mint Street

Action: **Approve a resolution to authorize the Director of the Department of Transportation to execute a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for repair work on Morehead and Mint Street Sidewalks.**

Explanation of Request:

- The Agreement provides for the City to reimburse the NCDOT $86,000 for sidewalk construction and repairs on Morehead Street and Mint Street

- The NCDOT will add the sidewalk work to a project adding a left-turn lane onto I-277 at Church Street

Funding: The City's cost will be funded from the NFL capital account

Background: This is part of the work necessary to provide adequate sidewalks in the Uptown area before the opening of the NFL Stadium NCDOT will be widening Morehead Street this spring and summer to add a left-turn lane onto I-277 at Church Street We requested that they include other sidewalk work in the vicinity so that there would not be conflicts between two different contractors working in the same area at the same time under a tight deadline The City funded sidewalk is outside their construction area and would not otherwise be replaced

17. Resolution and Ordinance for NCDOT Grant for Taxiway F

Action:

A. Adopt a resolution accepting a North Carolina Department of Transportation (NCDOT) Grant in the amount of $500,000; and

B. Adopt a budget ordinance appropriating the grant monies to provide the State's share for the site preparation and paving for Taxiway F.

Explanation of Request

- The NCDOT has offered a grant in the amount of $500,000 for a new capacity taxiway, Taxiway F, which represents the airport's maximum allocation under the state's FY96 Aviation Program
- The total cost of this project is $6,666,667 The Federal Aviation Administration (FAA) funded 75% and the remaining 25% was funded by airport funds

Background:

- September 9, 1995 - City Council authorized the Aviation Director to accept FAA grant funding

- September 28, 1995 - The FAA offered a grant for $5 million for this project

- October 9, 1995 - City Council awarded $6 1 million construction contract to APAC of Georgia

The following three items (#18 through #20) involve the purchase of three private water systems. CMUD recommends the purchase of private water systems where a CMUD main is planned to parallel the private system and in conjunction with planned extensions of the system. The basis for determining a purchase price is as follows:

- Comparing the cost of the private system with the cost of a new parallel City system.

- Instant revenue base derived from the purchase of the private system.

- Value of the system in providing CMUD standards for quality and quantity of water.

18. Saddlebrook Subdivision Water System Purchase

Action: **Approve contract with Carolina Water Services, Incorporated for the purchase of the water system serving Saddlebrook Subdivision. Purchase price is $106,000.**

Explanation of Request:

- The Charlotte-Mecklenburg Utility Department is currently preparing Phase II construction drawings of the 1990 Matthews Water Bond Program Part of Phase II includes the extension of a new water main along Winding Trail, the residential street in Saddlebrook Subdivision Saddlebrook is located on Phillips Road in Matthews and is currently served by Carolina Water

- As an alternative to installing new water mains that would parallel the existing Carolina system, CMUD recommends the purchase of the Carolina system

- The advantages to the City's purchase of the Carolina system serving Saddlebrook Subdivision are

  - This would avoid disruption to the community by eliminating the need to install a parallel water system

  - CMUD would acquire 56 new customers

  - There would not be any cost to the 56 Carolina customers to become CMUD customers

  - Upon acquisition of the system, CMUD would install fire hydrants in the subdivision

- The N C Utilities Commission traditionally supports the transfer of private utilities to a municipal system Their approval will be requested after City Council approval of this contract

- The Town of Matthews approves this purchase

Background: The August 1, 1984 Charlotte-Matthews merger agreement provides for the extension of the CMUD system utilizing town bond funds

19. Southwood Subdivision Water System Purchase

Action: **Approve contract with Carolina Water Services, Incorporated for the purchase of the water system serving Southwood Subdivision. Purchase price is $330,000.**

Explanation of Request:

- The Charlotte-Mecklenburg Utility Department is currently preparing Phase II construction drawings of the 1990 Matthews Water Bond Program Part of Phase II includes the extension of a new water main along Woodbend Drive, a residential street in the Southwood Subdivision Southwood is located on Rice Road in Matthews and is currently served by Carolina Water

- As an alternative to installing new water mains that would parallel part of the existing Carolina system, CMUD recommends the purchase of the Carolina system

- The advantages to the City's purchase of the Carolina system serving Southwood Subdivision are

  - This would avoid disruption to the community by eliminating the need to install a parallel water system

  - CMUD would acquire 192 new customers

  - There would not be any cost to the 192 Carolina customers to become CMUD customers

  - Upon acquisition of the system, CMUD would install fire hydrants in the subdivision

- The N C Utilities Commission traditionally supports the transfer of private utilities to a municipal system Their approval will be requested after City Council approval of this contract

- The Town of Matthews approves this purchase

Background:

The August 1, 1984 Charlotte-Matthews merger agreement provides for the extension of the CMUD system utilizing town bond funds

20. Suburban Woods Subdivision Water System Purchase

Action: **Approve contract with Carolina Water Services, Incorporated for the purchase of the water system serving Suburban Woods Subdivision. Purchase price is $70,000.**

Explanation of Request

- The Charlotte-Mecklenburg Utility Department is currently preparing Phase II construction drawings of the 1990 Matthews Water Bond Program Part of Phase II includes the extension of a new water main along Plentywood Drive, a residential street in the Suburban Woods Subdivision

- The Carolina mains are too small to provide fire protection and CMUD proposes to parallel 60% of the Carolina system with new mains sized for fire hydrants Suburban Woods is located on Idlewild Road in Matthews as is currently served by Carolina Water

- As an alternate to paralleling the Carolina system, CMUD recommends the purchase of the system in conjunction with the installation of the fire protection system

- The advantages to the City's purchase of the Carolina system serving Suburban Woods Subdivision are

  - This would avoid disruption to 40% of the community

  - CMUD would acquire 95 new customers

  - There would not be any cost to the 95 Carolina customers to become CMUD customers

- The N C Utilities Commission traditionally supports the transfer of private utilities to a municipal system Their approval will be requested after City Council approval of this contract

- The Town of Matthews approves this purchase

Background:

The August 1, 1984 Charlotte-Matthews merger agreement provides for the extension of the CMUD system utilizing town bond funds

21. Sanitary Sewer Construction - Bethel Church Road Peninsula Pump Station #4

Action:

A. Charlotte-Mecklenburg Utility Director recommends the bid of $406,713.30 by Cody's, Incorporated of York, South Carolina be rejected; and

B. Recommends City Council award the low, responsive, responsible bid of $419,239.38 by Trans-State Construction Company of Denver, North Carolina.

Explanation of Request:

- Installation of public utilities (including water and/or sewer lines) in Mecklenburg County requires a general contracting license as issued by the State of North Carolina

- In accordance with North Carolina law and regulations applicable to General Contracting in the State of North Carolina (GS "87-10"), there are three types of license limitations They are unlimited, intermediate, and limited

- The holder of an unlimited license shall be entitled to act as a general contractor without restriction as to value of any single project

- The holder of an intermediate license shall be entitled to act as general contractor for any single project with a value up to five hundred thousand dollars ($500,000)

- The holder of a limited license shall be entitled to act as general contractor for any single project with a value of up to two hundred fifty thousand dollars ($250,000)

- Cody's Incorporated holds a public utilities limited license In accordance with NC state law, he is not allowed to bid on any single contract in excess of $250,000

- Cody's, Incorporated holds an unlimited license in the State of South Carolina It was an oversight by them which lead them to submit a bid in excess of their license limitation

- Coyd's, Incorporated cannot be recognized as a responsible, responsive bidder on this project since they have exceeded the state mandated license limitation

MWBD Compliance: Yes, the Contractor has met the requirements of the MWBD Program by performing 100% of the work with his current work forces

22. McAlpine Creek Parallel Interceptor and Tributary IA Sewer, change Order #1

Action: **Approve Change Order #1 to McAlpine Creek Parallel Interceptor and Tributary 1A Contract with Sanders Brothers, Inc. for $386,987.05**

Explanation of Request:

- This change order will expedite the connection between the proposed Six Mile Creek Force Main and the receiving sewer outfall currently under construction

- Approval of this change order will allow the contractor to install the additional outfall line while currently on-site This will eliminate the mobilization charges required should another contractor be assigned this work In addition, Sanders Brothers will be paid at the set unit prices established in the original contract bid amount

Background:

- This change order increases Sanders Brothers, Inc contract from $4,300,572 96 to $4,687,560 01

- The original contract with Sanders Brothers, Inc was approved by Council on June 26, 1995

- Due to the time frame for construction of the McAlpine Creek Parallel Interceptor and the requirement to have the sewer line crossing Ballantyne and Crescent property completed within a particular timeframe, the footage of pipe requested to be added in this change order was removed from the original contract Right-of-way has been obtained and construction of this work by Sanders will be less costly and time productive

23. Sewer Contract - Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints

Action: **Approve contract between the City and The Church of Jesus Christ of Latter-Day Saints.**

Explanation of Request:

- The Applicant, Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation Sole, has requested a contract for the design and construction of 2,475 linear feet of sanitary sewer trunk main to serve the Church of Jesus Christ of Latter-Day Saints property on Rocky River Road The estimated cost of this project is $156,000

- Under this 15-year reimbursable contract, the applicant has deposited 10% of the estimated project cost with the remaining 90% to be deposited prior to construction

- There is no cost to the City

24. Instrumentation Services at McAlpine Creek WWMF - Professional Services Contract

Action:

Approve contract with Instrumentation Services, Inc. to provide electrical and instrumentation maintenance services at McAlpine Creek Wastewater Management Facility. The contract is for one year at the price of $111,594.

Explanation of Request:

- CMUD recommends the purchase of services for electrical and instrumentation maintenance at McAlpine This service is presently being provided by CMUD employees at all of our plants This will allow us to benchmark our service versus the private sector

- This contract complies with policies on competition and privatization

- The contract is a service contract, therefore, quotes were obtained in lieu of a formal bid process

25. Mutual Release Agreement for Smith Metal and Iron Site

Action: **Adopt a Mutual Release Agreement among the City, Elliott M. Schwartz, Duke Power Company, The Third Ward Neighbors Association, and the Committee to Restore and Preserve Third Ward, Inc.**

Explanation of Request

- In order to clean up the environmental problems at the NFL Site, the parties entered into a Revised Mediation Agreement in August of 1994 The Agreement specified the environmental clean-up response actions to be taken by the various parties, and allocated the costs of those clean-up actions The clean-up is now complete and the site has been released by the parties to Richardson Sports for use as part of the Panthers practice field complex

- This Mutual Release Agreement is required by the Revised Mediation Agreement, and closes out the obligations relating to the clean-up of the NFL Site In this Agreement, the parties release each other for any claims or costs relating to the clean-up which is now complete

26. Compromise Disputed Tax Claim

Action: **Compromise disputed tax claim by waiving 1994 interest in exchange for taxpayer not contesting disputed value for tax years 1994, 1995 and 1996.**

Explanation of Request: The purposes of this action are to avoid litigation expense in Bankruptcy Court, possible loss of 1994 tax revenue, and preserving tax value for 1994, 1995, and 1996

Attachment 9

27. Property Transactions

Action: **Approve property acquisitions A-D.**

Acquisitions:

A. **Project:** Nevin Road Extension Right-of-Way, Parcel #1of 1
Owner(s) Estate of William Glenn Dellinger
Property Address 2840 W Sugar Creek Road
Property to be acquired 300,128 4 sq ft , 6 89 acres
Improvements: Compensation includes severance damages to the remainder of the property
Tax Value: $100,560
Purchase Price $300,000
Remarks The purchase of this property will protect the right-of-way corridor to the missing link of Nevin Road This property was a part of a law suit (Dellinger vs City of Charlotte) where it was determined that the owners have a right to build within the future Nevins Road right-of-way corridor The purchase price includes the value of the right-of-way, damages to the remainder portions of the Dellinger property and any further claims borne by the Dellinger law suit Legal and CDOT concur with the settlement

Zoned R17MF **Use** Garden Apt /Vacant
Tax Code 043-012-08

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

B. **Project** F A R Part 150 Land Acquisition
Owner(s) Mr Barry T Dixon
Property Address 2422 Carrington Ct , Charlotte
Property to be acquired 209 Acres
Improvements Ranch, 3 bedroom,1 bath
Tax Value: $48,720
Purchase Price $51,000

C. **Project:** F A R Part 150 Land Acquisition
Owner(s) Ms Alma P Robinson
Property Address 2520 Carrington Ct ,
Property to be acquired 263 Acres
Improvements Ranch, 3 bedroom, 1 bath
Tax Value $59,440
Purchase Price: $56,000

D. **Project** F A R Part 150 Land Acquisition
Owner(s) M/M Kenneth Rouse
Property Address 3210 Maple Lane, Charlotte
Property to be acquired 25 Acres
Improvements Ranch, 4 bedroom, 3 bath
Tax Value Part of Church of God Property
Purchase Price $60,000

ANNOUNCEMENTS

On January 16, 1996, the City Council will nominate citizens to fill available seats on the following Boards·

1. **Citizens Oversight for Cable Television**
   Four two year appointments beginning April, 1996 John Breeding, Theautry Greene, Grady Sharps and Mike McLaurin are all eligible to be reappointed

2 **Competition Advisory Committee**
   Three two year terms beginning March, 1996 Thomas Hayes, Eugene Kiser and William Spears are all eligible to be reappointed

3 **Firemen's Relief Board of Trustees**
   One appointment beginning February, 1996 Eddie Woodall is eligible to be reappointed.

4. **Historic District Committee**
   Two new three year positions to represent the Elizabeth neighborhood One will represent a business owner-operator and the other will be a resident

5 **Housing Appeals Board**
   One three year appointment beginning January, 1996 to represent the housing industry Appointee should own or by employed by a firm engaged in the construction or management of housing Clark Baldwin is eligible to be reappointed

6. **Parade Permit Committee**
   One appointment beginning March, 1996 for a three year term Louise Sellers is eligible to be reappointed

7 **Parole Accountability Committee**
   One appointment beginning immediately and ending June, 1997 Hilda Griffin has resigned

8. **Transit Advisory Committee**
   Two three year appointments beginning February, 1996 Warren Linde, Jr is not eligible for reappointment William G Martin does not meet the criteria for a local or express service passsenger

9. **Tree Advisory Commission**
   One position beginning immediately and expiring December, 1997 Steve Vermillion has resigned

10. <u>Zoning Board of Adjustment</u>
One three year appointment beginning February, 1996 to replace Cyrus Johnson, who is not eligible to be reappointed

Applications may be obtained from the Office of the City Clerk by calling 336-2248. All applications must be returned by January 8, 1996 at 5.00 p m