AGENDA

Meeting Type.	BUSINESS
Date:	02/24/1997

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Al Rousso*

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

Council Agenda

CITY COUNCIL MEETING

Monday, February 24, 1997

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

CITY COUNCIL AGENDA

Monday, February 24, 1997

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Mayor's International Cabinet

Attachment 1

2. Carolinas Historic Aviation Commission - DC-3 Airplane Purchase

Attachment 2

3. Parole Accountability Committee Annual Report

Attachment 3

6:30 P.M. CITIZENS HEARING
MEETING CHAMBER

CONSENT

5. Consent agenda items 15 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: Vi Alexander Lyles

ZONING DECISIONS

6. Decision on Petition No. 96-77

Decision on Petition No. 96-77 by Westwind of Southpark, LLC for a change in zoning for approximately 5.8 acres on the north side of Fairview Road, west of Wintercrest Drive from R-3 to R-12MF(CD) and R-8MF(CD).

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the November 18 and December 16, 1996 meetings, January 21, and February 17, 1997 meetings.

The Zoning Committee recommends approval of the proposed land use, but finds the earlier site plan preferable to the latest revised site plan.

Attachment 4

7. Decision on Petition 97-10

Decision on Petition No. 97-10 by Charlotte Mecklenburg Planning Commission for a change in zoning for approximately 3.6 acres located on the north side of Albemarle Road between Faulconbridge Road and Hollirose Drive from R-4(CD) and B-2(CD) to R-3.

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Zoning Committee recommends this petition be approved.

This petition was deferred at the February 17, 1997 meeting.

Attachment 5

POLICY

8. City Manager's Report

9. Neighborhood Traffic Program

Action:

A. Approve a Council Transportation Committee recommendation for traffic circles as a traffic control remedy available to neighborhoods through the Council's Neighborhood Traffic Program and the criteria for site selection of traffic circles;

B. Approve funding alternative for the installation of traffic circles; and

C. Approve test recommended by Council Transportation Committee for other traffic calming measures, such as speed humps, speed tables and chicanes as additional remedies for the Neighborhood Traffic Program.

Committee Chair: Sara Spencer

Staff Resource: Randy Jones

Explanation of Request

Traffic Circles

- In September 1996, CDOT installed a test traffic circle in Elizabeth at the intersection of 8th Street and Lamar Avenue The circle was successful in terms of public acceptance and function (see attached report on Residential Traffic Calming Remedies)

- Motorists are driving around the circle correctly and the intersection has not been a problem for larger vehicles The test showed a reduction in average speed

Although there was no reduction in traffic volume, a survey of the neighborhood residents indicated a perceived reduction The evaluation is supported by radar checks and traffic volume counts

- The Council Transportation Committee unanimously recommends that traffic circles be included in the Neighborhood Traffic Program as a traffic control remedy available to neighborhoods

Site Criteria

- The following site criteria is recommended for traffic circles

  1 Intersections cannot include thoroughfare streets
  2 Intersections must be 4-way
  3 A petition of 75% of residents within a 1200-foot radius of the intersection is required

Funding Options

- Council is requested to approve a method of funding for traffic circles CDOT expects the cost to be $4,500 per circle Below are funding options for traffic circles A comparison of the various alternatives is attached as "Funding Options"

  1 Establish a Transportation Matching Grant Program whereby the City would match 50% of the cost to the neighborhood's contribution of 50%

  2 The City is responsible for 100% of the total cost A Capital Investment Program project account would be created and funded annually

  3 The neighborhood is responsible for the total cost (either by assessment or payment upfront)

4 The City allocates a specified amount of funding for neighborhoods to apply to whichever traffic calming device they choose (e g the equivalent cost of speed humps on a street - $1,500) Any remaining costs, over the money provided by the City, will be collected from the neighborhood

- Option #1, establishing a 50/50 Transportation Matching Fund program to cover the costs of traffic circles as well as other traffic calming measures is recommended CDOT has already received many neighborhood requests for traffic circles and speed humps and the requests are expected to increase An annual funding level of $250,000 will be requested in the FY98 capital budget

Testing Other Traffic Calming Remedies

- In response to neighborhood requests for additional traffic calming remedies, the Council Transportation Committee recommends testing other traffic control devices, or "traffic calming" measures

  Traffic calming devices include

  - Speed Hump - smoother speed bump
  - Speed Tables - raised intersection
  - Chicane - protruding, landscaped islands in an alternating pattern that narrow the road to one lane

- The Council Transportation Committee unanimously recommends testing speed humps on ten residential streets and a speed table at one intersection A neighborhood has requested a chicane

- Once data is collected and analyzed at these test sites, the findings will be reported to Council If these tests are successful, Council will be asked to include these measures in the Neighborhood Traffic Program

- Other cities that are now implementing these traffic calming measures were asked about liability issues Attached is a report No cities reported accidents associated with these measures

- The City Attorney believes there is not sufficient case law available to determine what issues may be presented by the installation of such traffic calming measures

Funding:

- If Council approves a funding option requiring city participation, Council will review a request for a traffic control account of $250,000 for the Neighborhood Traffic Program This will be a new program that will compete for funding with other transportation priorities

- Funding for traditional traffic control devices, such as signs, will continue to be funded from the operating budget

Background:

- Since the 1970's, the City Council has had a Neighborhood Traffic Program to help alleviate the impacts of speeding and through traffic in neighborhoods Common remedies used include lowered speed limits, turn restrictions and multi-way stops On occasion, these remedies may have limited benefit, and the neighborhoods have asked for additional remedies for their traffic problems

- Traffic calming measures, such as those discussed above, are used widely throughout Europe and are increasingly being utilized throughout the U S Their objectives are to

  - improve driver behavior and concentration,

- reduce traffic speed to a level best for surroundings,

- enhance the environment and quality of life for residents,

- increase pedestrian and bicycle use of the street

Attachment 6
Residential Traffic Calming Remedies Report
Proposed Criteria for Speed Humps Placement
Proposed Structural Designs for Speed Humps
Traffic Circle Funding Options

10. Revisions to Truck Route Ordinance

Action: **Approve recommendation of Council Transportation Committee to remove Beatties Ford Road, Thirty-Sixth Street, and Cedar Street from the list of designated truck routes in Schedule V of Section 14-21 of the City Code.**

Committee Chair: Sara Spencer

Staff Resource: John Muth

Explanation of Request:

- On January 27, 1997, Council Transportation Committee was presented with three options regarding the City's truck route network The options were

  1 Add several thoroughfares with industrial and residential frontage to the existing network This option provides better coverage of the City and affords the Police a more realistic tool with which to enforce the truck ordinances city-wide

  2 Add only thoroughfares with industrial frontage This option results in a network that can be better enforced in the northern and western sections of the City, but not in the southern and eastern sections

3 Do not add to the existing network This option removes Beatties Ford Road, Cedar Street, and 36th Street from the network These deletions were requested by citizens at the public meetings held on this matter Deletion of these streets does not adversely affect truck travel around the City

- The Committee voted 4 to 1 in favor of Option 3 with Council member Jackson dissenting Mr Jackson favored Option 1

- Under Option 3, trucks will still be able to use all thoroughfares when traveling across the southern and eastern sections of the City CDOT is limited in its ability to work with residents concerned with trucks traveling on residential thoroughfares The Police are limited in their ability to enforce the truck route ordinance on thoroughfares due to the lack of a designated route (see attached memo from Police Attorney)

- The Police do have City Ordinance 14-183 1 which generally prohibits large commercial vehicles from traveling on residential streets (non-thoroughfares) in residentially zoned districts This ordinance does not apply to vehicles which enter a residential street for the purposes of loading or unloading materials, performing work of a temporary nature, or engaging in a governmental or public purpose

Background:

- The City of Charlotte has had ordinances designating routes for trucks (specifically tractor-trailer units) since at least 1951 Although Council has considered minor revisions to the ordinances several times, the City has not adopted any major updates since 1961 As Charlotte and the trucking industry have grown during this period, the truck route network has remained static, without responding to increased demands

- This has resulted in a system difficult to enforce (especially in the eastern and southern sections of Charlotte) where, due to lack of designated routes, truck drivers use almost any street they desire

Attachment 7
Transportation Committee Material

11. Onstreet Parking Program

Action:

A. Approve a budget ordinance appropriating $250,000 to finance the pilot phase for an Onstreet Parking Program for the remainder of the fiscal year;

B. Authorize the Director of Transportation to approve a contract with Central Parking System for a six-month pilot program to manage onstreet parking. If the pilot is successful, the contract will be extended for a five-year period; and

C. Approve an ordinance to amend City Code Chapter 14 to modify the penalties for three parking violations.

Staff Resource: Randy Jones

Explanation of Request:

- At the request of Council and Uptown interests, an Onstreet Parking Management Program has been developed to
  - improve compliance with parking controls,
  - provide enforcement relief to Police, and
  - act as a catalyst for continued growth and development in Uptown and the adjacent commercial areas

Budget Appropriation

- The budget ordinance appropriates $130,000 from the Transportation Fund fund balance and $120,000 from estimated revenues from the program through June 30, 1997 The total appropriation is $250,000 Funding for the Onstreet Parking Program during the FY98-99 budget period will be submitted as part of the budget process

Contract Approval

- The Council Transportation Committee recommends a management contract The contract privatizes all aspects of onstreet parking management, from installation of parking meters to ticket collections

- In October 1996, a request for proposal was issued to 43 local and international companies To assist with the selection of a management firm for this program, a group of Uptown leaders was chosen for a Parking Oversight Committee (see attached member list) The Committee and CDOT evaluated nine proposals for program operation

- The Parking Oversight Committee and CDOT recommend Central Parking System, Inc for the full management of the Onstreet Parking Program Central Parking System, Inc has over 13 years of parking experience and currently manages 11,000 parking spaces in Charlotte The firm has onstreet parking enforcement experience, is financially stable, and has a good background with citation collections and accounting procedures

- During the pilot phase CDOT and Central Parking System will be testing metered vs non-metered parking, the level of enforcement needed, and the types of meters and rates to be charged CDOT is planning for mostly two-hour parking zones, operating between the hours of 8 00 a m to 6 00 p m , except on streets requiring clearance for peak rush hours

- The success of the Onstreet Parking Program pilot phase will be measured by

  - Does the program pay for itself?

  - Does the public accept a managed program?

  - Do Uptown businesses find it helpful?

  - Does it further the continued growth and vitality of Uptown?

A summary of the Onstreet Parking Management Contract's key features is attached

City Code Chapter 14

- To assist with the enforcement of this program, the Council Transportation Committee recommends that the current schedule of civil penalties be increased from $10 to $25 for the following three parking violations

  1 Meter violation (meter time purchased has run out)

  2 Parking overtime (exceeding the two-hour limit)

  3 Improper parking (parking the wrong direction or parking in a no parking zone, etc)

- The ordinances are needed to provide a deterrent to illegal parking, especially to those motorists that repeatedly and purposely violate parking restrictions The three City Code revisions are proposed until multi-ticketing is approved by the Legislature If the Legislature approves "multi-ticketing", which would enable enforcement officials to give a violator a ticket for each hour of violation, then Council could consider rescinding these increases

Operating Budget Impact:

- The program will create operating efficiencies in several City departments If the pilot phase is successful and full expansion of parking takes place, Police intends to eliminate two positions (parking enforcement officers) Finance is holding one position vacant for evaluation CDOT plans a realignment of workload At the end of the pilot, CDOT will evaluate staffing levels

Funding:

- The onstreet parking program is self-supporting in the full expansion phase and no capital outlay is required for that phase

- The pilot phase will cost approximately $500,000 Council is asked to approve $250,000 in start-up funds with this action The program will be included in the FY98 budget and will be self supporting

Background:

- The parking program was designed by staff (Transportation, Police, Finance) and a wide range of Uptown interests Three presentations of the program have been given to Council over the past two years including a recent presentation at the Council workshop of February 3, 1997

Attachment 8
Summary of Key Features of Parking Contract
Parking Oversight Committee Membership List
Responses to Council Inquiries from 2/3/97 Workshop
Ordinance Amending City Code Chapter 14

12. Sprinkler System Legislation for Fraternity and Sorority Houses

Action: **Approve Public Safety Committee recommendation to support local act for authority to adopt a local ordinance requiring the installation of sprinkler systems in fraternity and sorority houses.**

Committee Chair: Don Reid

Staff Resource Luther Fincher and David Carelock

Explanation of Request:

- Data indicate that fires in these structures tend to happen late at night or early in the morning These are the times when the greatest number of students are home and when they are most vulnerable to fire

- Sprinkler protection is needed in these structures because of their transient populations, limited supervision, and the nature of activities that occur in them

- Current sprinkler systems are designed to protect people and property from fire by activating during the early stages of a fire The fire is extinguished or contained to allow people time to get out of the fire area

- Fraternity and sorority houses will have five years to comply from the date of ordinance adoption

- The Public Safety Committee voted unanimously to support this request following discussions on its impact

- This request is supported by local colleges and universities and the local fraternities and sororities

Background:

- Eight fraternity house fires have occurred in Charlotte since the mid-1980s resulting in over $400,000 in fire loss

- Two fraternity house fires in Charlotte resulted in the total destruction of two houses and injuries to civilians and fire fighters

- The number of fraternity and sorority houses in Charlotte is expected to increase due to a projected increase in student populations over the next three years

Attachment 9

BUSINESS

13. City Technology Plan

Action:

A. Approve the information system concept for the Police Department; and

B. Approve the City's technology infrastructure plan

Staff Resource: Chief Dennis Nowicki and Julie Burch

Explanation of Request:

- During the February 3 workshop, Council heard two presentations outlining (A) the master information system designed by the Police Department and (B) the plan for improving the City's current technology infrastructure

- Police System
  This information system will give the officer in the field timely and access to information that can help identify and address crime and quality of life concerns in assigned neighborhoods

- The information system consists of

  - laptop computers for patrol cars
  - a Local and Wide Area computer network linking officers in the field and the 16 Police facilities
  - a computerized records management system
  - a new computer assisted dispatch system

- The Police Department has received federal grants which cover much of the cost of the laptop computers, the records management system, and the dispatch system Council has also appropriated $3 million toward the purchase of the system

- Infrastructure Technology
  The City's current infrastructure is unreliable, hard to maintain, and vendors are dropping support and maintenance Newer technology (replacement parts, newer hardware and/or software, etc) will not work with old hardware, lines and software

Additionally, the new technology will improve customer service turn-around times for all City services because of faster access, shared common data among City agencies, and the ability to transmit large amounts of data over the network

- The City Technology Plan consists of

  - New and upgraded routers, wires and servers for the infrastructure
  - Neighborhood Based Problem Solving System
  - Land Development System
  - Human Resource Management System
  - Year 2000 Impact Analysis
  - Licensing for 1500 users for office software (word processing, spreadsheets, etc)

- Staff had indicated during the workshop that contracts would be presented to Council this spring for the purchase of the network hardware and software components However, if Council approves the resolution authorizing the purchase of computer network hardware and software infrastructure components and equipment through State term contracts (agenda item #27), component purchases would not be presented to Council for approval For this reason, staff is presenting the City's information system network for conceptual approval

Funding:

Council appropriated $3 million for Police and $5 million for the City's infrastructure upgrade in the FY97 budget ordinance Other funding is available for Police through grants and matching assets forfeiture funds

Attachment 10
Police February 3 presentation
Information Technology February 3 presentation

14. March 3 Workshop Agenda

Action: **Approve topics for the March 3 workshop agenda:**

- **Regulatory User Fee Pricing Report**
- **Aviation Master Plan**
- **Economic Development Strategic Plan: Trends and Organization**
- **Utility Billing System**
- **Coliseum/Hornets Update**

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

15. Various Bids

A. Ladder Fire Trucks — Fire Department

Recommendation: The Fire Chief recommends the low bid meeting specifications as submitted by Quality Equipment Company, Talladega, AL be accepted for award as a unit price contract in the amount of $500,102 per truck Purchases are anticipated subject to appropriations by City Council and actual identified needs The total estimated FY97 expenditures for two fire trucks is $1,000,204 The contract awarded is for one year with an option for two, one year extensions

MWBD Compliance: Yes There are no known MWBD vendors selling this product

B. Elmwood & Ninth Street Cemeteries Ground Maintenance — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $252,000 13 from Round Tree Lawn Care of Charlotte, N C This three-year project will provide turf and landscape maintenance at Elmwood and Ninth Street Cemeteries

MWBD Status: Service contracts are typically self-performed by prime contractor, therefore, subcontracting goals were not set on this project

Competition Status: The City did not compete for this work

C. Water Main Construction 24 Inch Water Main to Serve Sam Furr Road - Phase 3 — **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $822,974 78 by R H Price, Incorporated of Charlotte, North Carolina be accepted

MWBD Status:	Amount	% of Project	Project Goals	
BBE		$0	0%	2%
WBE		$822,974 78	100%	3%

Compliance: Yes The Utility Department has reviewed the Contractor's MWB documentation and determined that the Contractor is a WBE firm and will self-perform all work with their current work forces

16. Resolution of Intent to Abandon Street and Set Public Hearing - Portion of Red Oak Lane

Action:

A. Adopt the Resolution Of Intent to abandon a portion of Red Oak Lane; and

B. Set a Public Hearing for March 24, 1997.

Attachment 11

17. Resolution of Intent to Abandon Street and Set Public Hearing - Portion of Mack Street

Action:

A. Adopt the Resolution of Intent to abandon a portion of Mack Street; and

B. Set a Public Hearing for March 24, 1997.

Attachment 12

18. Resolution Setting a Public Hearing for Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for March 24, 1997 for voluntary annexation by Pavilon Partners and Funded Land Investment Partners. The site is a portion of Pavilon Boulevard (formerly Blockbuster Boulevard).

Attachment 13
Map

19. Refund of Certain Taxes

Action:

Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $8,539.45.

Attachment 14

CONSENT II

20. Police & Fire Training Academy and Adam Bureau Station Landscape Maintenance

Action: **Award the low bid of $152,019 from Lan-Scape of Lancaster, SC.**

Explanation of Request: This three-year project will provide turf and landscape maintenance, turf renovation, and snow and ice removal at the Police & Fire Training Academy and Adam Bureau Station

MWBD Status: Service contracts are typically self-performed by prime contractor, therefore, subcontracting goals were not set on this project

Competition Status: The Landscape Management Division has traditionally performed this work Award to the private contractor will result in the elimination of two positions A placement plan was submitted with the City's bid to guide

- selection of the employees who will be displaced,
- evaluation of placement opportunities within the City, and
- an end of City employment, if necessary

All major areas of work in Landscape Management have been subjected to competition Landscape Management has won the bids in some areas, and will continue to compete to ensure the lowest cost service

Summary of Bids:

LAN-SCAPE SERVICES of Lancaster, SC	**$152,019.00**
CJ's Lawn Service of Charlotte, NC	$160,713 00
Dixie Lawn Service of Gastonia, NC	$170,087 40
Merecom Corp of Monroe, NC	$267,951 60
Geoscapes, Inc of Charlotte, NC	$267,969 11
City of Charlotte, Charlotte, NC	$274,440 10
Charlotte Turf & Landscape, of Charlotte, NC	$275,814 00
Creedmore & Gardner, Charlotte, NC	$275,940 76
Todd Landscape of Charlotte, NC	$344,925 00

21. Residential Sound Insulation Construction Contracts

Action:

A. Reject the low bid of Rayco Construction for Contract A and Contract B due to lack of valid state contractor license; and

B. Award Contract A for $291,157, Contract B for $316,762 and Contract C for $258,307 to Moretti Construction of Charlotte, the lowest responsive bidder for sound insulation of airport area homes.

Explanation of Request

- These contracts will provide storm windows, storm doors, additional insulation, storm baffling and minor refurbishing of homes eligible to participate in the sound insulation program

- Rayco Construction submitted the lowest bid for Contract A and Contract B Subsequently, the N C Board of General Contractors advised the Airport that Rayco Construction has not renewed their license for the year 1997 State contracting laws require contractors to have a valid license at the time of bid Therefore, their bids were determined to be non-responsive

- Therefore, it is recommended that Contracts A, B and C be awarded to Moretti Construction, the lowest responsive bidder

Funding: Aviation operating budget

Background:

- In 1987, City Council approved the Part 150 Noise Program that specifies sound insulation of homes, schools and churches

- To date, 86 homes and three schools have been insulated There are currently 697 participants in the sound insulation program

Contract A (20 properties)

Bass & Jones	$315,143
Moretti Construction	$291,157
Rayco Construction	$282,401*

DBE Goal	10%
DBE Participation(BBE)	7%

<u>Contract B (19 properties)</u>

Bass & Jones	$333,510
Moretti Construction	$316,762
Rayco Construction	$268,526*

DBE Goal	10%
DBE Participation(BBE)	5%

<u>Contract C (13 properties)</u>

Bass & Jones	$279,907
Moretti Construction	$258,307
Rayco Construction	$263,386

DBE Goal	10%
DBE Participation(BBE)	5%

*Did not have a valid North Carolina Contractor License at the time of bid

22. Trindel Service Contract

Action: **Extend current service agreement for one year with Trindel-America Corporation for $151,085 for maintenance of the Airport's Automated Parking System.**

Explanation of Request:

- This service agreement provides two full-time service technicians to maintain the Airport's Automated Parking System Due to the proprietary nature of the computer software, only Trindel-America can provide manufacturer computer software support and other services required by this maintenance service agreement These services are

  - Preventive Maintenance (including all parts and labor)
  - Emergency On-Call Repair Service (including normal wear & tear and replacement parts)

- On-site system testing by factory-trained technicians

- This service agreement of $151,085 is a 3% increase over last year's Service Agreement

Funding: Aviation operating budget

Background:

- On January 11, 1982, Council approved a contract for $818,435 with Trindel-America Corporation for the initial installation of a Revenue Control System for the Airport's public parking lots

- On February 22, 1988, Council approved a contract amounting to $1,169,180 for upgrading the parking control system in conjunction with the new parking deck This parking system incorporates an on-line computer which provides management control over all fee collections The system includes centralized control of all entrance gates, ticket dispensers, cashier terminals and inventory equipment The Airport has had a Service Agreement with Trindel-America since 1983

23. Lease Agreement with Truck Air Associates

Action: **Approve a three year lease agreement with Truck Air Associates for office and warehouse space in the Charlotte Air Cargo Center.**

Explanation of Request:

- Truck Air Associates currently leases 9,401 square feet of office and warehouse space in the Charlotte Air Cargo Center Truck Air Associates is a trucking firm that specializes in air cargo

- The term on their current lease has ended and Truck Air has requested a new lease agreement The proposed agreement is for a three year term with the following rental rates

Warehouse space	$4 50/square foot
Office space	$7 80/square foot
Total rental/month	$3,872 98

Background:

- In January 1994, Truck Air Associates signed a lease for the space they currently occupy in the Air Cargo Center

24. AT&T Wireless PSC, Inc. Lease Agreement

Action: **Approve a lease agreement between the City of Charlotte and AT&T Wireless PCS, Inc. for placement of a communications tower at the Police and Fire Training Academy.**

Explanation of Request:

- AT&T Wireless needs an antenna site near Beam Road and Shopton Road to construct a personal communication system (PCS) tower

- Terms of the lease agreement are

  - Five-year base term at $800 per month with three options to renew for five years each The lease rate will increase at 5% per year for every year leased

  - These rates are comparable to current marketplace rates for private operators in the local area

  - The lease will be for a 50 x 50 foot plot of land that is located off the easterly side of the Academic Building parking lot, as shown on the attached map

  - The property will not interfere with the present or future operation of the Police and Fire Training Academy

  - The company will install a 175 foot monopole antenna tower with a 12 x 18 foot equipment shelter The facility will have shrubbery planted around the fence

Funding: The income from the agreement will start at $9,600 for the first year and increase at 5% per year thereafter Revenues generated over the base term of the agreement will be $53,046

Background:

- The proposed antenna site is within the Police and Fire Training Academy property The Steele Creek AME Zion Church is the only neighboring structure near the proposed site The church is approximately 600 feet away and buffered from the Academy by heavy woods The church also has the only other communication tower in this general vicinity

- The communication tower on the church property would have been the preferred site since connecting to an existing structure would reduce AT&T's operating costs Unfortunately, the tower was designed years ago and cannot support the AT&T antennas

- The proposed tower will be a monopole design that will accommodate up to three additional users The design of the tower will reduce the number of towers needed in this area in the future The City will also share in the revenues that AT&T would receive from leasing to other companies

- Also included in the agreement is the City's right to attach to AT&T's tower at no cost, if the need arises for additional 911 coverage

Attachment 15
Map

25. Lease Agreement for Baker Service Area Office

Action: **Approve a ten year lease agreement in the amount of $700,000 between the Charlotte-Mecklenburg Police Department and A.P.C. Station L.L.C. for the Baker Service Area and Baker One District Office.**

Explanation of Request:

- The Police Department wishes to enter into a ten year lease agreement with A P C Station L L C to provide 7,000 square feet of office space for the Baker Service Area and the Baker One District

- The office will be located in the 3500 block of Latrobe Drive off of Wendover Road The office will be centrally located within the Baker Service Area and accessible by public transportation

- The space will house the command staff and support staff for the Baker Service Area and will serve as the district office for Baker One Eighty parking spaces are included with the office space

- The lease is for a ten year period at a cost of $5,833 50 per month or $70,000 per year These costs will not increase during the term of the lease There are no building or grounds maintenance charges associated with the lease The Police Department will pay for utilities and phone service

- The cost of the space is $10 per square foot The Real Estate Division indicates that this rate is comparable to similar properties in this area of the city The site for the office has been reviewed by the Planning Commission

Funding: Police Department operating budget

Background:

- Council originally approved a lease for the Baker Service Area Office on March 25, 1996 In the interim, the developer has restructured his partnership and the Police Department has used its experience in designing service area centers to develop a facility that more fully meets the demands of the Baker Service Area

26. Release of Community Development Property from Use Restriction

Action: **Approve release of community development property located at 1808 Brewton Drive from use restriction to allow construction of a community center.**

Explanation of Request:

- The purpose of this action is to release real property, which the City conveyed to a church, located at 1808 Brewton Drive in Genesis Park, from a City-imposed requirement that it be used for "open spaces "

Background:

- In the early 1970s the City acquired the subject property, through condemnation, for community development purposes and then filed a "Declaration of Restrictions" that provides that the property must be used for "permanent open space purposes, and the open space use or uses of such land shall be for park and recreation purposes, conservation of land and other natural resources, or historic or scenic purposes "

- In 1989, the City conveyed the property to Community Outreach Christian Ministries, Inc Due to an oversight, the use restriction was not removed from the property at that time The church now wishes to construct a community center on the property, but the use restriction technically precludes that The church cannot complete arrangements for construction financing until the restriction is removed

27. Purchase of Computer Network Infrastructure Components and Equipment through State Term Contracts

Action: **Adopt a resolution authorizing the purchase of computer network hardware and software infrastructure components and equipment through state term contracts.**

Explanation of Request:

- This resolution will initially allow the Police Department and the Information Technology (IT) Division of Business Support Services to purchase network hardware and software components functionally necessary for the planned police and City networks through North Carolina state term contracts It is anticipated that other City Key Businesses may also have need to purchase the same items for future network expansion as well

- The purchases from state term contracts will be subject to budget approval and availability of appropriated funds and will be allowed through a convenience clause

- Future Council action on component purchases under state contracts will not be required

Funding:

Funds are available in various Key Business Units' budgets

Background:

- On January 13, 1997, the City Council adopted a resolution authorizing the purchase of microcomputers and related equipment through State of North Carolina contracts under recently adopted rules that allow local governments to purchase from certain state term contracts that have been competitively bid Since then, the State has recently awarded similar contracts and staff understands that the State will soon award contracts for other network hardware and software components

- The ability to purchase network components through competitively bid state contracts would save the administrative time and expense of bidding the components locally Police and IT will be able to decrease the turnaround time for these projects and implement the new infrastructure earlier than originally projected In addition, because of economies of scale pricing, the prices established under the state contracts are better than the City could obtain by bidding alone

28. Sugar Creek Wastewater Treatment Plant Odor Control Improvements - Professional Services Contract

Action:

A. Approve a budget ordinance transferring $400,000 from the Wastewater Treatment Plant Improvements Control Account; and

B. Approve a contract with HDR Engineering for $743,867 to provide design of Odor Control Improvements at the Sugar Creek Wastewater Treatment Plant.

Explanation of Request:

- This contract will provide for design of the improvements required to eliminate odor problems at the Sugar Creek Wastewater Treatment Plant Implementation of the improvements will eliminate odors coming from the wastewater treatment plant and the sewer lines coming into and out of the plant

- The proposed design improvements include

  - a primary sludge pumping station, new waste activated sludge pumps, and two pipe lines to transfer sludge to the McAlpine Creek Wastewater Management Facility,

  - covers for odor discharging process units, fans and odorous air ducts, and,

  - a two stage central odor scrubber facility

Funding: Sewer Capital Accounts

Background:

- Odor control improvements at the Sugar Creek Wastewater Treatment Plant were approved in the FY 97-2001 Capital Investment Program

- The CMUD contracted with Carl V Huber on February 22, 1996 to perform an odor study for the Sugar Creek WWTP This study identified the odor sources within the plant and made recommendations for correcting these issues

29. Supplemental Utility Agreement - Independence Boulevard (US 74) from Brookshire Freeway (I-277) to Briar Creek

Action: **Approve a resolution authorizing the Key Business Executive for Transportation to execute a Supplemental Utility Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the reconstruction of Independence Boulevard.**

Explanation of Request:

- The original Utility Agreement provides for the NCDOT contractor to perform water and sewer line adjustments and relocation work in the project area at a cost of $590,607 68 to the City, based on a preliminary engineering estimate The Supplemental Agreement changes that cost to $850,403 10 based on the contractor's actual bid price and adds, at the City's request, $85,992 for the installation of a fire protection system along the project

Funding: The City's additional cost is $345,787 42 Funds are available in Water and Sewer Capital Accounts

Background:

- The project involves certain utility relocations/adjustments which require a Utility Agreement between the City and NCDOT The City is required by NCDOT policy to pay for relocation of utilities it owns that are encroaching in state rights-of-way and for any betterments or additions to its system

30. Sale of City Property - 4311 McKinley Drive

Action: **Approve the sale of City owned property located at 4311 McKinley Drive**

Explanation of Request

- Council is requested to approve the sale of City owned property subject to compliance with the provisions of the North Carolina Statute 160A-269 and pursuant to the terms of the following offer

Property Address	4311 McKinley Drive
Tax Code	061-081-28
Buyer's Names	Tonya D Rhynes
Offer	$55,000

- In accordance with the Part 150 Plan, the Airport acquired 23 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan

- The Airport provided noise insulation to 4311 McKinley Drive and listed the property in the Multiple Listing Service for sale to the public The sales price was determined by an appraisal

- An offer to purchase was extended to the airport The offer is as follows

Offer	$55,000 00
Less Closing Costs	$ 1,950 00
Realty Fees	$ 1,650 00
Net to City	$51,400 00
Appraised value of house	$53,000 00

The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid No other offers were received

31. Sale of City Property - 4400 Pebblebrook Drive

Action: **Approve the sale of City owned property located at 4400 Pebblebrook Drive**

Explanation of Request

- Council is requested to approve the sale of City owned property subject to compliance with the provisions of the North Carolina Statute 160A-269 and pursuant to the terms of the following offer

Property Address	4400 Pebblebrook Drive
Tax Code	061-121-15
Buyer's Names	Patrick Roseborough
Offer	$55,000

- In accordance with the Part 150 Plan, the Airport acquired 32 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan

- The Airport provided noise insulation to 4400 Pebblebrook Drive and advertised this offer for the required 10 days in the newspaper

- An offer to purchase was extended to the airport The offer is as follows

Offer	$55,000 00
Less Closing Costs	$ 1,650 00
Appliances	$ 1,000 00
Realty Fees	$ 1,650 00
Net to City	$50,700 00
Appraised value of house	$53,000 00

The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid No other offers were received

32. Property Transactions

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

Acquisition:

A. **Project**: - Land Acquisition, Fourth/Kings/Third Intersection Improvement, Parcel # 9, Project # 512-91-022
Owner(s): Trustees of Central Piedmont Community College
Property Address: 1200 Elizabeth Avenue
Property to be acquired: 31 sq ft (012 ac) plus Temporary Construction Easement, 1,541 sq ft (035 ac)
Improvements: Landscaping and trees
Purchase Price: $ 11,500
Remarks: This acquisition is needed to construct the proposed Kings Drive intersection improvements The compensation amount is based upon an independent appraisal

Zoned: B2 **Use**: Community College

B. **Project**: F A R Part 150 Land Acquisition
Owner(s): Mr and Mrs Darryl N Wingate
Property Address: 8524 Todd Road
Property to be acquired: 439 acres
Improvements: split level house
Tax Value: $85,470
Purchase Price: $87,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the specific size and condition of the land and house The tax value is determined on a more generic basis and will be higher or lower for land/house with certain features Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970 Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

C. **Project**: F A R Part 150 Land Acquisition
Owner(s): Deborah S Tamson
Property Address: 8341 Todd Road
Property to be acquired: 606 acres
Improvements: Ranch
Tax Value: $90,900
Purchase Price: $96,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the specific size and condition of the land and house The tax value is determined on a more generic basis and will be higher or lower for land/ house with certain features Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and

Relocation Act of 1970 Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

Condemnations

D. **Project**: Fire Station 31 Land Acquisition, Parcel #1, Project # 512-97-010
Owner(s): Murrell Stubbs, Jr and Mary Stubbs and any other parties of interest
Property Address: Shelly Avenue and Ridge Road
Property to be acquired: 189,486 sq ft (4 35 ac) total area
Improvements: Vacant
Purchase Price: $87,000
Remarks: This site meets all fire department criteria for construction of a two bay fire station to serve the 1997 annexation area near Highland Creek Sellers have accepted city's appraised offer and have agreed to sell, however, due to a questionable title, the City Attorney recommends condemnation to guarantee clear title

Zoned: R-3 **Use** Vacant

E. **Project:** Proposed 8-inch Sanitary Sewer to Gardner Lane, Parcel #1, Project #516-97-510
Owner(s): Donald G Faires and Nancy G Cook and any other parties of interest
Property Address: 6501 Brookfield Place
Property to be acquired: 4,727 sq ft (0 11 ac)
Improvements: Miscellaneous landscaping
Purchase Price: $8,475
Remarks: A permanent easement is needed to provide sanitary sewer to properties along Gardner Lane The property owners refused the City's offer because they feel the project will destroy valuable landscaping unnecessarily Alternate routes studied by City staff were not suitable and involved multiple property owners The City's independent appraisal included compensation for owner's affected landscaping

Zoned: R-3 **Use:** Residential