

**Mayor Patrick L. McCrory**

Nancy G. Carter  
Harold Cogdell, Jr.  
Malcolm Graham  
Don Lochman  
James E. Mitchell, Jr.

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

Patrick Mumford  
Sara S. Spencer  
John Tabor  
Lynn Wheeler  
Joe White

**CITY COUNCIL MEETING**  
**Monday, February 25, 2002**

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**5:00 p.m.**

**Conference Center**

**Dinner Briefing**  
**(See Table of Contents)**

**6:30 p.m.**

**Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Forum**

**7:00 p.m.**

- **Awards and Recognitions**
- **Formal Business Meeting**

# CITY COUNCIL AGENDA

Monday, February 25, 2002

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### **6:30 P.M. Citizens Forum**

#### **Meeting Chamber**

### **7:00 P.M. Awards and Recognitions**

#### **Meeting Chamber**

### **Consent**

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

### **1. Restructuring Government Committee Report**

- Privatization Competition Advisory Committee (PCAC) Annual Report
- Auditorium, Coliseum and Convention Center Authority Board Size

**Committee Chair:** Joe White

**Time:** 25 minutes

#### **Attachment 1 & 2**

### **2. Mayor's Travel and Tourism Task Force Recommendations**

**Resource:** Ron Kimble, City Manager's Office  
Melvin Tennant, Charlotte Convention and Visitors Bureau

**Time:** 10 minutes

#### **Attachment 3**

### **3. General Development Policies (GDP) Update**

**Resource:** Garet Walsh, Planning

**Time:** 15 minutes

#### **Attachment 4**

### **4. MWBD Replacement Program Development**

**Resource:** Vi Lyles, City Manager's Office  
Mac McCarley, City Attorney

**Time:** 20 minutes

#### **Attachment 5**

**6:30 P.M. CITIZENS FORUM  
MEETING CHAMBER**

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

**CONSENT**

- 5. Consent agenda items 21 through 44 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

# PUBLIC HEARING

## 6. Draft Optimist Park Neighborhood Plan



**Action: Receive citizen comments on the draft Optimist Park Neighborhood Plan.**

**Committee Chair:** Lynn Wheeler

**Staff Resource:** Melony McCullough, Planning Commission

### **Explanation:**

The draft Optimist Park Plan was developed in response to growing concerns by residents about the “threatened” status of this neighborhood, as well as, the potential impact of growth and development in the Center City, First Ward, and other nearby areas in this community. This plan will serve as a policy guide for development/redevelopment in the Optimist Park Neighborhood.

Recommendations in the plan address the following key issues:

1. Public Safety and Crime Prevention
2. Land Use and Urban Design
3. Transportation and Infrastructure
4. Community Appearance

The Plan is divided into two parts, Volume 1: *Concept Plan* and Volume 2: *Implementation Plan*.

1. *Volume I: Concept Plan* identifies planning challenges and includes goals and recommendations for improving the overall area. **This is the only document that staff requests be considered for adoption.**
2. *Volume II: Implementation Plan* outlines implementation strategies.

If approved, this plan would update land use recommendations in the *Central District Plan*. Key recommendations in the plan include:

1. Continuing community policing program and increasing police visibility.
2. Protecting and enhancing the existing single family residential core.
3. Improving the physical relationship between residential and nonresidential land uses.
4. Redeveloping scrap yards and other industrial land uses with a mixture of residential, civic, office, and retail land uses.
5. Implementing traffic calming measures to reduce speeding in the neighborhood and improve pedestrian safety.

6. Improving linkages between the neighborhood and employment opportunities.

**Committee Discussion:**

The Economic Development and Planning Committee discussed the draft Plan at their February 6<sup>th</sup> meeting. At that meeting, the committee recommended that the Plan move forward for public comment. Committee members Wheeler, Graham, Cannon, Lochman and Carter were present. Staff provided background information and highlighted key recommendations in the Plan. The committee is scheduled to make a recommendation on the Plan at their March 6<sup>th</sup> meeting. The Plan was adopted by the Planning Committee on February 19<sup>th</sup>.

**Community Input:**

The process for developing the Optimist Park Neighborhood Plan was initiated in the spring of 2000 and began with a public meeting to receive input from interested citizens. At this meeting, volunteers agreed to serve on a study group and work with City and County staff to develop a plan for this neighborhood. Study group members included residents, property owners, elected officials, and representatives from religious institutions and nonprofit organizations. The study group met a total of nine times. The Planning Committee held a public meeting to receive citizen input at their meeting on January 15<sup>th</sup>.

**Attachment 6**

Optimist Park Neighborhood Plan - Draft Executive Summary

**7. Public Hearing and Resolution Authorizing the Sale of Two-Thirds General Obligation Bonds and General Obligation Refunding Bonds**

**Action: A. Hold a public hearing concerning the bond orders for \$40,000,000 of Two-Thirds General Obligation Bonds and up to \$12,500,000 of General Obligation Refunding Bonds; and**

**B. Approve a resolution that adopts the bond orders.**

**Staff Resource:** Greg Gaskins, Finance

**Explanation:**

The current FY2002-2006 Capital Investment Plan includes funding from Two-Thirds General Obligation Bonds.

On January 28, 2002 Council approved resolutions authorizing Two-Thirds Bonds and Refunding Bonds. Council also approved the February 25, 2002 Council meeting as the time and place for a public hearing concerning these bonds.

The bond orders are for the following amounts:

Street	\$24,000,000
Housing	10,000,000
Land Acquisition	4,000,000
Public Improvement	<u>2,000,000</u>
Total	\$40,000,000

North Carolina General Statutes contain provisions for the issuance of bonds under a "two-thirds" rule. This rule provides for the issuance of general obligation debt, without a referendum, for an amount equal to two-thirds of the amount of general obligation net principal reduction in the previous fiscal year. The total two-thirds capacity available in this fiscal year is approximately \$62,000,000, of which \$40,000,000 is being used in the 2002-2006 Capital Investment Plan.

Projects to be funded are as follows:

East Side Strategy Plan	\$8,000,000
West Side Strategy Plan	3,600,000
MidTown Square Development	4,900,000
Stonewall Street Pedestrian Access	2,000,000
Tryon Mall Renovations-Phase II	<u>5,500,000</u>
Total Street Projects	24,000,000
Affordable Housing Program	10,000,000
Smart Growth Land Acquisition	4,000,000
Fire Burn Building Replacement	<u>2,000,000</u>
Total Projects	\$40,000,000

The General Obligation Refunding Bonds may total up to \$12,500,000. The actual amount of bonds to be refunded is \$11,940,000. The refunding bonds will not be issued unless the City realizes net present value savings of approximately \$450,000. Refunding bonds are issued at a lower interest rate than the existing bonds so that the City realizes a savings. Market conditions determine the savings amount. Refunding is similar to refinancing a mortgage.

**Funding:**

Municipal Debt Service Fund

**Attachment 7**

Resolution

# POLICY

## 8. City Manager's Report

## 9. Council Focus Area Plans

**Action: Approve Council Focus Area Plans, including:**

- **Community Safety**
- **Economic Development**
- **Restructuring Government**
- **Transportation**

**Staff Resource:** Julie Burch, City Manager's Office  
 Ron Kimble, City Manager's Office  
 Vi Alexander Lyles, City Manager's Office

**Explanation:**

Over the past decade, Council has annually gone through a process to identify areas of focus for community needs. The process began with a strategic visioning session in February 1990. Council has identified five focus areas: City Within A City, Economic Development, Public Safety, Restructuring Government and Transportation. Council and staff have worked together to create Focus Area Plans that are written as five-year plans with two-year initiatives. Each initiative has a set of measures for evaluation. This is the second year of the two-year initiatives, therefore, the plans have received only minor modifications this year.

**Council Discussion:**

At the Council Retreat in January, Council reviewed the goals, strategic objectives and measures of the proposed Focus Area Plans. All of the focus area plans incorporate Smart Growth principles. Council agreed that the City Within A City Focus Area should be broadened to include measures and initiatives for all neighborhoods. At the March 4<sup>th</sup> Council Workshop, Council will discuss the new Neighborhood Focus Area Plan which will replace the City Within A City Focus Area Plan.

**Attachment 8**

Corporate Scorecard

Focus Area Plans:

- Community Safety
- Economic Development
- Restructuring Government
- Transportation

## 10. Washington Heights Neighborhood Plan



**Action: Approve the Economic Development and Planning Committee recommendation to adopt the Washington Heights Neighborhood Plan.**

**Committee Chair:** Lynn Wheeler

**Staff Resource:** Sandy Kritzingler, Planning Commission

### **Explanation:**

The Washington Heights neighborhood is located just northwest of Charlotte Center City off of Beatties Ford Road. The *Washington Heights Neighborhood Plan* was developed in response to a recommendation in the *Westside Strategic Plan* and growing concerns from neighborhood residents about the appearance of their neighborhood, a high crime rate and the general decline of their community.

The plan recommendations address the following key issue areas:

- Land use and urban design
- Infrastructure
- Economic development
- Public safety
- Human services
- Community organizing
- Community appearance
- Parks, recreation and open space
- Education

The plan is divided into two parts, Volume 1: Concept Plan and Volume 2: Implementation Plan. Volume 1: Concept Plan identifies planning challenges and includes goals and recommendations for improving the neighborhood.

**This is the document City Council is asked to adopt.**

Volume 2: Implementation Plan is intended to provide additional guidelines for implementing the plan recommendations.

If approved, this plan would amend land use recommendations in the **Central District Plan** adopted in 1993. Key recommendations in the plan include:

1. Strengthen and preserve the historic, predominantly single-family character of the neighborhood.
2. Encourage the development/redevelopment of Beatties Ford Road to create a vibrant corridor that focuses neighborhood oriented mixed-use services at key locations to serve the community.
3. Improve mobility and connectivity for pedestrians, cyclists, transit users and motor vehicles within and adjacent to the neighborhood.
4. Improve safety in the neighborhood for area residents and business owners.

5. Strengthen and maintain an active neighborhood association.
6. Improve access and safety and encourage the use of the park and recreational facilities for all residents.
7. Upgrade existing schools in and around the neighborhood to ensure equity in education and facilities and utilize schools as key resources in the community.

**Committee Discussion:**

The Economic Development and Planning Committee received an overview of the draft plan at their January 16, 2002 meeting. At the February 6<sup>th</sup> meeting staff highlighted issues and recommendations discussed in the plan and comments received at the public meeting before Council on January 28, 2002. Councilmembers Lynn Wheeler, Malcolm Graham, Patrick Cannon, Don Lochman and Nancy Carter were present. The Committee expressed their full support for the plan and unanimously recommended that Council adopt the Washington Heights Neighborhood Plan.

**Community Input:**

A 30 member group of residents, business owners and property owners worked with City and County staff to develop the plan. The group met a total of seven times between January and May 2000. The study group met again in September 2001 to review the draft of the plan document. A final community meeting was held in the neighborhood in November 2001. The Planning Committee also held a public meeting on the draft plan at their November 20, 2001 meeting and adopted the plan at their December 18, 2001 meeting. Council held a public comment period on January 28, 2002 to receive additional public input. Four speakers spoke in favor of the plan and no one spoke in opposition to the plan.

**Attachment 9**

Draft Washington Heights Neighborhood Plan

**11. Expansion of Auditorium, Coliseum, and Convention Center Authority Board**

**Action: Approve the Restructuring Government Committee's recommendation to expand the Auditorium, Coliseum, and Convention Center Authority from 7 to 9 members, with the 8<sup>th</sup> member nominated by the Mecklenburg towns and appointed by the City Council, and the 9<sup>th</sup> member appointed by the Mayor as a hotel, motel or restaurant designee.**

**Committee Chair:** Joe White

**Staff Resource:** Ron Kimble, City Manager's Office

**Explanation:**

In August 2001, the North Carolina General Assembly adopted HB 715, which allocated tourism monies from Charlotte to each of the six other Mecklenburg County towns. As a result of that issue, the General Assembly also included language in the bill that allows the Charlotte City Council the local decision to determine the board size and makeup of the Auditorium, Coliseum, and Convention Center Authority (ACCCA). The legislation allows a 7 member, 8 member, or 9 member Authority Board.

**Committee Discussion:**

This issue was referred to the Restructuring Government Committee on January 30, 2002. The Committee was presented three options to consider for the Authority Board Size (all formulated from HB 715). Three specific issues the Committee addressed were:

- Size of Board
- Appointment process of Mecklenburg towns representative
- Appointment process of hospitality industry representative

**Option 1:** ACCCA to remain a 7 member board, with one member designated as a representative from Mecklenburg Towns and confirmed by the City.

5 members appointed by City Council  
2 members appointed by Mayor

**Option 2:** ACCCA expands to an 8 member board, with the additional appointee serving as a representative nominated by Mecklenburg towns and confirmed by the City.

6 members appointed by City Council  
2 members appointed by Mayor

**Option 3:** ACCCA expands to a 9 member board with the 8<sup>th</sup> member serving as a representative nominated by the Mecklenburg towns and confirmed by the City, and the 9<sup>th</sup> member appointed by the City as a hotel, motel, or restaurant designee.

6 members appointed by City Council  
3 members appointed by Mayor

The Restructuring Government Committee met on February 4, 2002 and February 18, 2002 to consider these three options, and unanimously (Joe White, Don Lochman, Malcolm Graham, Sara Spencer and Harold Cogdell) recommended Option 3, which includes:

- An expansion of the Authority Board from the existing 7 members up to 9 members.
- That the 8<sup>th</sup> member be a representative nominated by Mecklenburg towns and confirmed/appointed by the City Council.
- That the 9<sup>th</sup> member be a representative of the hotel, motel or restaurant industry and be appointed by the Mayor.

The rationale expressed by the Restructuring Government Committee for going to a 9 member board was to provide for broader representation from the Mecklenburg towns and from the hospitality industry, without disturbing or disrupting the long-standing 7 member Authority Board.

**Attachment 10**

HB 715

Current Authority Board Members

## BUSINESS

### 12. MWBD Replacement Program Development

**Action: Approve the following actions for the development of a replacement for the Minority and Women's Business Development (MWBD) program:**

- A. Approve the attached process for initiating and conducting a disparity study;**
- B. Adopt a budget ordinance appropriating \$190,930 from the City Council's contingency to fund the stakeholders process and the consultant contract described below; and**
- C. Authorize the City Attorney to enter into a contract with the Minority Business Enterprise Legal Defense and Education Fund, Inc. (MBELDEF) for technical and legal consulting services relating to the disparity study and replacement program.**

**Staff Resource:** Vi Lyles, Assistant City Manager  
Mac McCarley, City Attorney

**Policy:**

The City of Charlotte provides equal opportunity to women and minorities to participate in all aspects of the City's contracting and procurement programs.

**Explanation:**

On January 14, 2002, Council voted to terminate the race and gender-based components of the City's Minority and Women Business Development (MWBD) program in the face of a lawsuit that challenged the constitutionality of the program. The Council then directed the City Manger to plan and initiate a public process to develop a replacement program that will meet the community's needs and withstand legal challenge.

Since that action was taken, Council appointed a Stakeholders Group chaired by Harvey Gantt to advise and recommend program elements for an interim program that is race and gender neutral. Over the next year, the City will conduct a disparity study to determine whether disparities exist between the number of minority-and women-owned firms that are available to perform various types of work for the City, and the number of minority-and women-owned firms actually utilized in City contracts. Based on this study, the performance of the interim program and community input, the Stakeholders Group will evaluate and advise the City as to whether the race neutral interim program should be modified to include race conscious measures.

The staff has implemented several actions that will combat discrimination and support the disparity study, including an anti discrimination clause in city contracts as well as a reporting requirement on sub-contractor utilization for contract award.

The actions requiring Council approval are as follows:

- A. Approval of the attached proposed process for selection of a disparity study consultant. Highlights of the process include use of MBELDEF to assist in development of a request for proposals, having the Chair of the Stakeholders Group serve on the selection committee and allowing other governmental units to participate in the study.
- B. Approval of the attached budget ordinance appropriating \$190,930 to fund the contract with MBELDF (\$150,000) and support implementation of the stakeholders process (\$40,930). The latter includes implementing a communications plan with three major elements – focus groups; public workshops and a newsletter. The communication plan is attached.
- C. Authorize the City Attorney to enter into a contract with MBELDEF. MBELDEF is a national non-profit, public interest law firm with strong expertise in minority and women business enterprise programs. The firm has significant experience in MWBD programs related to legal scrutiny and program development including legal guidance and technical assistance. Their services to the City would include:
  1. technical assistance and legal advice on the disparity study
  2. technical and legal advice to the Stakeholders Group on the interim race and gender neutral program
  3. technical and legal advice to the Stakeholders Group on what modifications to the interim program may be appropriate based the disparity study

**Funding:**

City Council contingency for FY02 was \$275,000. In August 2001 Council approved a contribution of \$3,082 to the Mecklenburg County Elected Officials Summit. After this appropriation of \$190,930 for the disparity study and related expenses, the contingency balance will be \$80,988.

**Attachment 11**

Disparity Study Process  
Communications Plan  
Budget Ordinance

### 13. Child Protection Helmet Ordinance



**Action: Adopt an ordinance amending Chapter 14 of the City Code to require that youth under the age of sixteen wear helmets when on bicycles, skateboards, scooters, or in-line skates.**

**Staff Resource:** Capt. Denise Bridges, Charlotte-Mecklenburg Police Department

**Explanation:**

The Charlotte-Mecklenburg Police Department works closely with a number of groups, including the Human Services Council and Safe Communities, that are advocates for child safety. Those groups have recommended that the city adopt an ordinance that would require youth under the age of sixteen to wear helmets when they are the operators of or passengers on bicycles, skateboards, scooters, or in-line skates. State law requires that, effective October 1, 2001, youth under the age of 16 wear helmets when on bicycles. The state law imposes a civil penalty of \$10 on the parents of a child under 16 who is not wearing a helmet.

The Police Department and the child safety advocacy groups recommend the adoption of an ordinance that goes beyond state law by including skateboards, scooters, and in-line skates in the helmet requirement. Matthews and Cornelius have already adopted the broader ordinances.

Under the proposed ordinance, the parents would be charged with a violation if they knowingly allow their children to use these methods of transportation on a public roadway, bicycle path, or other public right-of-way without a helmet. The penalty is a civil fine of \$25 which may be waived for first time violators if they can present evidence that they have purchased a helmet for their child and intend that it be used as required by law. The ordinance will become effective on June 25, 2002.

The Police Department supports the ordinance as a way of reducing the risk of injury to young people. The ordinance would be used as an educational tool and the Police Department would seek voluntary compliance with its provisions.

The Police Department will work with Corporate Communications and other partners to develop a public information campaign.

**Community Input:**

The issue has been discussed by groups such as the Human Services Council and Safe Communities. The Human Services Council is appointed by the County Commission. Safe Communities is a coalition of local groups which includes the Police Department, CDOT, the Fire Department, the State Highway Patrol, the Department of Social Services, Carolinas Medical Center, Presbyterian Hospital, Medic, and Teen Health Connection.

**Attachment 12**  
Child Helmet Protection Ordinance

**14. Sugar Creek Service Center**



**Action: Approve the Operation and Maintenance Agreement between the City of Charlotte and the Charlotte Mecklenburg Public Library for the Sugar Creek Service Center building to be jointly occupied by the Police Department, the JobLink Career Center and the Public Library.**

**Staff Resource:** David Garner, Engineering & Property Management  
Ken Miller, Charlotte-Mecklenburg Police  
Tom Warshauer, Neighborhood Development

**Explanation:**

In the FY01 budget, Council approved funding for a new police district station in the North Tryon Street/Sugar Creek Road area of the David 3 district. The Charlotte-Mecklenburg Public Library had also planned a new branch in this area, and it was determined that a jointly occupied facility would benefit both the Police and the Library. On July 24, 2000, Council authorized the execution of the development agreement between the City and the Public Library for the design and construction of the facility. The development agreement sets out the conditions for the proportional sharing of costs, the purchase of land, and the administration of the design and construction contracts. It also requires that an operation and maintenance agreement be negotiated to describe the ongoing operational and maintenance responsibilities for each party.

All parties met and developed the Operation and Maintenance Agreement which basically states:

- The Library will be responsible for the operation, maintenance, and management of the public entrance, lobby area, community room, exterior of the building, roof and mechanical systems, and the grounds surrounding the building.
- The Library will invoice the City annually for its proportional share of the cost for the above-mentioned elements.
- The City will be responsible for utility, custodial, and interior maintenance (paint, carpet, etc.) costs for its dedicated space.
- The City and Library will jointly determine the need to incur non-routine operation and maintenance expenses (roof replacement, HVAC system replacement, improvements to the grounds, etc.).

Staff recommends approval of this agreement.

The Library received bids for this project on January 24, 2002 and the project is within budget. The Library Board will award the construction contract and execute the Operation and Maintenance Agreement on February 21, 2002.

Construction will begin in March 2002 and will be completed by March 2003. It is estimated that the City's share of the operation and maintenance costs will be approximately \$54,000 per year.

**Background:**

The Police and JobLink Center will be co-located with the Public Library in a 21,081 square foot building. Along with 1,049 square feet of shared space, it is anticipated that the Police will occupy 7,634 square feet and the JobLink Center will occupy 2,050 square feet which totals 51% of the building. The Library will occupy the remaining 49% of the building. The facility will feature a common meeting room with a capacity of 100 people and will be available to the community for meetings.

The combined joint use facility will improve interaction with the community and enhance each group's ability to engage in positive interactions and promote problem solving with area residents and businesses.

This facility will also provide a unique and substantial civic presence to an area that is the focus of redevelopment. The investment in this facility, coupled with other planned public projects, is expected to produce private investment interest in the area, which is necessary for transformation of this corridor.

**Funding:**

\$2,000,000 Pay-As-You-Go

\$410,000 Economic Development Revolving Loan Fund

**Attachment 13**

Site Map

Operation and Maintenance Agreement

**15. Rail Corridor/Convention Center**

This item will be included in the Friday, February 22<sup>nd</sup> Council-Manager memo.

## 16. Housing Trust Fund Advisory Board Modifications



**Action: Approve staff recommendations to:**

- A. Specify the number of appointees for each board membership category; and**
- B. Stagger the initial appointment terms of new members for future board continuity.**

**Staff Resource:** Stanley Watkins, Neighborhood Development

**Policy:**

On November 26, 2001, Council created a Housing Trust Fund to finance the production of low-income housing in the Charlotte community. The Housing Trust Fund policy calls for the establishment of a Housing Trust Fund Advisory Board to oversee the fund operations. The creation of the Housing Trust Fund supports one of City Council's top priorities – Affordable Housing.

**Explanation:**

The Housing Trust Fund policy established by Council calls for the appointment of a seven-member Advisory Board to oversee the fund operations. The Advisory Board will develop fund guidelines, solicit private funds and provide technical advice to Council and City staff on operating the Housing Trust Fund. The Council's policy specifies a board made up of representatives from the following five categories:

- Banking/Finance
- Developer/Construction
- Legal
- Real Estate
- Neighborhood Representation

The Advisory Board members will serve no more than two consecutive three-year terms.

Staff requests that Council specify the number of appointments for each membership category and stagger the initial appointment terms of the Advisory Board as follows:

<b>Categories of Board Membership</b>	<b>Number of Appointees</b>	<b>Initial Appointment Terms</b>
Banking/Finance	2	2 & 3 years
Development/Construction	1	3 years
Legal	1	2 years
Real Estate	1	3 years
Neighborhood Representative	2	2 & 3 years

By specifying the number of appointments, areas of expertise will be maintained on the Advisory Board over time, while ensuring neighborhood

representation. The staggered appointment schedule is suggested for future board continuity as members rotate off the board.

After Council's initial appointments to the Advisory Board, members will be appointed to full three-year terms. The Housing Trust Fund Advisory Board will be appointed in accordance with Council's Appointments to Boards and Commissions policy. The Mayor will make two appointments (one from banking/finance category and one from neighborhood category) and Council will make five appointments to the HTF Board. The committee will select its chair and vice chair. Council will be asked to make nominations to the HTF Board on March 25 and approve appointments on April 8, 2002.

**Background:**

The Housing Trust Fund is a competitive fund, which solicits proposals from developers to increase the production of low-income housing. The fund provides financing for:

- Multi-family rental housing development\*
- Homeownership housing development\*
- Single Room Occupancy (SRO) housing
- Land-Lease projects

\*Includes land acquisition and infrastructure

Multifamily developments will serve households earning 60% or less than the area median income and homeownership developments between 80% and 50% of the area median income. Priority will be given to projects serving households earning 30% or below the area median income. The new 2002 Area Median Income for the Charlotte area is \$64,100. The Housing Trust Fund is expected to be funded through City bonds and private donations.

**Attachment 14**

Adopted Housing Trust Fund Policy, November 26, 2001

Proposed Rules of Procedures for Housing Trust Fund Advisory Board *(For review and approval by the future Housing Trust Fund Advisory Board)*

**17. Charlotte Firefighters' Retirement System (CFRS) Disability Regulation**

**Action: Adopt a resolution approving amendments to the Charlotte Firefighters' Retirement System (CFRS) Disability Regulation.**

**Staff Resource:** Sara Smith Holderness, Assistant City Attorney

**Explanation:**

The Charlotte Firefighters' Retirement System was created by the North Carolina General Assembly in 1947 to provide retirement and disability benefits to uniformed members of the Charlotte Fire Department. Uniformed members of the Charlotte Fire Department are not members of the Local Government Employees' Retirement System.

Sections 19 and 20 of the Act governing the Charlotte Firefighters' Retirement System (CFRS) authorize City Council to approve and amend the CFRS Disability Regulation. The Board of Trustees of the CFRS has approved and now seeks Council's approval of changes to Sections 6 and 9 of the Disability Regulation.

The amendment to Section 6 places the burden of proof on the firefighter seeking disability benefits. The firefighter must prove the existence of the disability and the degree of disability. The amendment to Section 9 deletes subsection (C). Subsection (C) prohibited a retiree who was receiving disability benefits from earning income in any job that is as physically or mentally demanding as the firefighter classification from which he was retired. The Board recommended to delete this subsection because

- it is difficult to enforce;
- it is viewed as a disincentive to a disabled firefighter to make efforts at rehabilitation; and
- it is viewed as unnecessary in light of the other provisions allowing the Board to re-examine retirees and terminate benefits if they are physically able to return to work.

**Funding:**

CFRS Trust Fund

**Attachment 15**

Blacklined copy of Disability Regulation

**18. Nominations to Boards and Commissions**

**Action: Nominate citizens to serve as specified.**

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

Council asked on February 11 that these nominations remain open. This is deferred from January 14 and January 28.

One appointment beginning immediately and serving until June 2003. Nominee must represent a financial organization. Alfredo Marquetti has resigned.

One appointment beginning immediately, serving until June 2002 and then serving the next full, two-year term to replace Rahman Kahn. In order to broaden the committee representation, the members changed their by-laws to make this category General Public, which means anyone is eligible to serve.

Anja Benbow by Councilmember Cannon  
William Bunting by Councilmember Tabor  
Kelvin Carter by Councilmember Cogdell

### **Attachment 16**

Applications

## **19. Appointments to Boards and Commissions**

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

### **A. CERTIFIED DEVELOPMENT CORPORATION**

Two citizens to represent a community organization; i.e, anyone who does volunteer work would qualify. These appointments would begin immediately and serve until May 2003. Reverend J. R. Covington has resigned, and Peter Awute did not fulfill Council's attendance requirements.

Tiara Able by Councilmember White  
Peter Awute by Councilmember Cannon  
Derrick Knox by Councilmember Spencer  
Melanie Mobley by Councilmember White  
Marshall Williamson by Councilmember Tabor

### **Attachment 17**

Applications

## **20. Closed Session: MWBD Program**

**Action: Adopt a motion pursuant to NCGS 143-318.11a(3) to go into closed session to consult with attorneys employed by the City in order to preserve the attorney-client privilege and to consider and give instructions to our attorneys concerning the handling of a claim by United Construction, Inc. regarding the City's Minority and Women Owned Business Development Program.**

**Staff Resource:** Mac McCarley, City Attorney

## **Introduction to CONSENT**

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

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

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

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

Contractors and Consultants

All contractors and consultants selections follow the Council approved process unless explained otherwise.

## **CONSENT I**

### **21. Various Bids**

#### **A. Laser and Ink Cartridges**

**BSS**

**Recommendation:** The BSS/Procurement Services Director recommends award of a low bid unit price contract to Sun Belt Office & Data Suppliers, Inc. for new and remanufactured computer printer laser and ink cartridges for a term of one year with an option to renew in one-year increments for up to an additional four years. Based on the City's buying history the annual expenditure for this contract is estimated to be \$145,820.

#### **B. Andover Road Storm Drainage Improvements**

**E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$1,035,111.89 by Blythe Construction, Inc. of Charlotte, North Carolina. This Storm Water Services capital project consists of constructing approximately 954 feet of pre-cast box culvert and all ancillary work required to complete drainage system improvements within a neighborhood along Andover Road and Danbury Street between Providence Road and Randolph Road.

**C. Providence Road/Old Providence Road Sidewalk E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$378,050.51 by Marsh Paving of Monroe, North Carolina. These projects are included in the 1998 Transportation Bond Referendum. They were recommended in the Sidewalk Improvement Program and will place sidewalk on the east side of Providence Road from just north of Shelton Street to Folger Drive and on the west side of Old Providence Road from Providence Road to Sharon View Road.

**D. Wilmore Neighborhood and Water Main Improvement Project E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$3,228,943.63 by United Construction Co., Inc. of Charlotte, North Carolina. The Wilmore neighborhood is one of the 18 neighborhoods identified for improvements under the 1996 Neighborhood Improvement bond referendum. This is the second project in the Wilmore neighborhood and will address the remaining infrastructure improvements. This project is being combined with a major water line project to be funded by Charlotte Mecklenburg Utilities. The project area includes Wilmore Drive, Toomey Avenue, Spruce Street, Merriman Avenue, West Kingston Avenue, and Dunkirk Drive.

**E. Trinity Park Neighborhood Improvement Project E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$1,803,333.27 by Sandmarc Construction Company of Matthews, North Carolina. Trinity Park is one of the 18 neighborhoods chosen for infrastructure improvements under the 1996 Neighborhood Improvement Bonds approved by voters in November of 1996. This project consists of infrastructure improvements in the Trinity Park Neighborhood. The project area is bounded by Beatties Ford Road, Lakeview Road and Reams Road.

**F. Sterling Neighborhood Improvement Project E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$337,253.28 by Carolina Site Concepts, Inc. of Charlotte, North Carolina. This project is one of the 18 neighborhoods identified for improvements under the 1996 Neighborhood Improvement Project bond referendum. This project will address infrastructure needs in the Sterling Neighborhood located at the intersection of Highway 485 and Highway 521.

**G. Hidden Valley Neighborhood - Package V E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$1,424,465.91 by 7 Star Construction Company, Inc. of Rock Hill, South Carolina. This project is one of the 18 neighborhoods identified for improvements under the 1996 Neighborhood Improvement Project bond referendum. Four phases of work have been completed in this neighborhood. This project will address infrastructure needs in the remainder of the neighborhood. The project area is located at the Northeast corner of North Tryon Street and West Sugar Creek Road.

**H. Central Yard Parking Lot Expansion E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$563,980.34 by APAC Carolina of Concord, North Carolina. This project will construct a new and expanded parking lot at Charlotte's Central Yard. Solid Waste Service's Central Yard location was selected to receive environmental cleanup improvements to reduce the amount of non-point source pollution entering into adjacent streams.

Additional parking space is needed because of the reduction of existing spaces taken by the new wash building, and due to the additional trucks that have been placed in service as of July 2001.

**I. Vehicle Driving Range E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$2,257,529.95 by Ferebee Corporation of Charlotte, North Carolina. This project will construct a 16-acre vehicle driving range facility to train City employees in defensive driving techniques and skills. The facility will provide a field and classroom controlled training environment for employees. Improved training will result in better driver skills and should reduce the number of vehicular accidents involving Police, Fire, CATS and other City Employees.

The facility will be built on City property located at the Northwest corner lot of the intersection of Beam Road and Shopton Road in Southwest Mecklenburg County.

**J. Chlorine for Water Treatment CMU**

**Recommendation:** The Key Business Executive for the Charlotte/Mecklenburg Utility Department and the BSS/Procurement Services Director recommend award of low bid contract to Jones Chemicals, Inc., Charlotte, North Carolina, in the amount of \$270/ton (est. annual expenditure \$121,500). This will be a unit price contract for furnishing chlorine to the water distribution plants, and the wastewater treatment plants. This contract award is for a one-year

term with an option to extend for two additional periods of one year each.

**K. Water and Sewer Main Construction–FY02 CMU  
Contract E-Street Main Extensions**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$727,136.70 by Testa & Wirth, Inc. of Charlotte, North Carolina. The award is being made on a unit price basis for a period of one year with three, one-year renewal options. This contract provides material and labor.

**L. Water and Sewer Main Construction–FY 02 CMU  
Contract F-Street Main Extensions**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$838,486.70 by Testa and Wirth, Inc. of Charlotte, North Carolina. The award is being made on a unit price basis for a period of one year with three, one-year renewal options. This contract provides material and labor.

**M. McAlpine Creek Wastewater Management Facility CMU  
Biosolids Management Improvements–Digesters**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low combined multi-prime bid of \$15,570,209 as follows:

**General**

Pizzagalli Construction Company of South Burlington, Vermont for the bid amount of \$12,949,650

**Electrical**

Energy Erectors, Inc. of Leesburg, Florida for the bid amount of \$2,398,746

**HVAC**

Climate Systems, Inc. of Charlotte, North Carolina for the bid amount of \$221,813

**Explanation:** This contract will provide for the construction of the McAlpine Creek Wastewater Management Facility (WWMF) Biosolids Management Improvements (Digester) project. The construction of this project will provide adequate detention time and digestion of biosolids as well as reduce odors from the biosolids treatment process.

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**22. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Wendwood Lane**

**Action: A. Adopt the Resolution of Intent to abandon a portion of Wendwood Lane; and**

**B. Set a public hearing for March 25, 2002.**

**Attachment 18**

Map

**23. Refund of Property Taxes**

**Action: Adopt a resolution authorizing the refund of business privilege license payments made in error in the amount of \$12,583.90.**

**Attachment 19**

Resolution

List of Refunds

## CONSENT II

### 24. Housing Counseling Contract-UJAMMA

**Action:** Authorize the City Manager to execute a one-year contract for \$200,000, renewable for two, one-year extensions, with UJAMMA, Inc. to provide home ownership counseling.

**Staff Resource:** Stanley Wilson, Neighborhood Development

**Policy:**

The City's FY2002 Consolidated Plan identifies a need for affordable, safe and decent housing for low-income families. The Plan was approved by City Council on May 15, 2001 and reaffirmed the three basic goals of the City's Housing Policy: *preserve the existing housing stock, expand the supply of low and moderate-income housing, and support family self-sufficiency initiatives.*

**Explanation:**

On July 31, 2001, the City issued a Request for Proposals for Housing Counseling services. Home ownership counseling is designed to improve participants' knowledge of the requirements and process to get mortgage loan approval; assist in locating a home; and assist in negotiating mortgage loan terms, purchase price and mortgage loan closing process. In addition, supplemental credit repair counseling is provided. Credit repair counseling includes understanding debt/income ratios, credit history, down payment and closing cost impact on obtaining mortgage loan approval and how to overcome these barriers. The contract will allow for clients to continue counseling and other services until they are homeowners.

The program is eligible to persons residing within the City of Charlotte and earning less than 110% of the City's median income (\$64,100). Priority will be given to the city's relocation clients. Participants must be willing to relocate into one of the City Within A City neighborhoods.

The City conducted a pre-bid meeting in which representatives from nine agencies attended. Eligible bids were received from UJAMMA, Inc. and Durham Regional Financial Center. UJAMMA, Inc. has provided housing Counseling services to the City since January 1998. The contract specifies producing 100 homeowners in year one. UJAMMA's bid to produce 100 homeowners was for \$200,000 or \$2,000 per client. Durham Regional Financial Center submitted a bid in the amount of \$40,000 to produce 100 homeowners or \$400 per client. Staff questioned Durham Regional Financial Center about performing the housing counseling services at the bid price. The agency responded that they would have to increase the cost to include operating and office set-up costs which resulted in a cost of \$2,000 per client.

Based on the requirements of the Request for Proposal and the experience of the current contractor (UJAMMA, Inc.) staff elected to negotiate a new contract and continue services with UJAMMA, Inc. UJAMMA's program is designed to increase home ownership opportunities to all persons through education, intense counseling and follow-up as a one-stop operation. In addition, UJAMMA addresses the City's housing program objective to convert renters into homeowners. The steps of UJAMMA's home ownership program include:

1. Pre-home ownership education
2. Homeownership counseling
3. Credit update
4. Loan pre-approval
5. Home selection, contract and closing
6. Post-home ownership follow-up

UJAMMA, Inc. was selected based on the following evaluation criteria:

- Program design
- Case management system
- Accounting/reporting system
- Proposed cost of service
- Organizational track record
- Proposal personnel abilities/experience
- Ability to provide proposed scope of services
- Consistency between scope of services and applicants experience

The contract is a performance-based contract in the amount up to \$200,000 or \$2,000 per client. UJAMMA will receive \$400 per client for the homebuyer classes, \$1,200 for individual counseling once the client receives a bank commitment letter and \$400 once the client has closed on their home.

In addition to the housing counseling services, UJAMMA, Inc. will also service the HouseCharlotte Hotline. The hotline is the direct dial telephone number for citizens, real estate and mortgage professionals to request information regarding the HouseCharlotte Program. The HouseCharlotte geography represents fragile, threatened and selected stable neighborhoods.

The housing counseling contract will be evaluated annually prior to renewal of the contract. If the contractor does not meet contractual performance targets, the City can terminate the contract within 30 days. The new negotiated contract represents a savings of \$115,000 in comparison to the previous home ownership-counseling contract of \$315,000. The service delivery performance measurements will not decrease under the new contract amount.

**Background:**

On January 26, 1998, Council approved UJAMMA, Inc. to provide home ownership counseling. The contract was for one-year with two, one-year

extensions. UJAMMA, Inc.'s performance over the past three years is shown below:

### **UJAMMA Homeownership Counseling (FY99 to FY01)**

<b>Performance Measurement</b>	<b>FY99</b>	<b>FY00</b>	<b>FY01</b>
Clients Counseled	389	287	307
Min. Number of Clients to be Served	100	125	150

During the past three years of the contract 296 clients purchased homes through the program. At least 90% of the clients have stayed in their home.

UJAMMA, Inc. is a five year old nonprofit organization with a mission to increase homeownership opportunities for all persons through education, intense counseling and follow-up as a one-stop operation. The principals have over 14 years of experience in real estate and homeownership counseling.

#### **Funding:**

Innovative Housing

#### **Attachment 20**

Bid Proposal Information – UJAMMA, Inc.

## **25. Housing Counseling Contract-Consumer Credit Counseling**

**Action: Authorize the City Manager to execute a one-year contract for \$120,000, renewable for two, one-year extensions, with United Family Services' Consumer Credit Counseling & Housing Services to provide Mortgage Default/Rental Delinquency Counseling.**

**Staff Resource:** Stanley Wilson, Neighborhood Development

#### **Policy:**

The City's FY2002 Consolidated Plan identifies a need for affordable, safe and decent housing for low-income families. The Plan was approved by City Council on May 15, 2001 and reaffirmed the three basic goals of the City's Housing Policy: *preserve the existing housing stock, expand the supply of low and moderate-income housing and support family self-sufficiency initiatives.*

#### **Explanation:**

On July 31, 2001, the City issued a Request for Proposals for Housing Counseling services. Mortgage Default/Rental Delinquency Counseling provides information and intervention on avoiding late payments and/or foreclosures and advise clients on a payment work plan when necessary to overcome temporary financial set backs. The program is eligible to persons residing within the City of Charlotte and earning less than 110% of the City's

median income (\$64,100). Priority will be given to the city's relocation clients.

Eligible bids were received from Consumer Credit Counseling & Housing Services (CCC&HS) and Durham Regional Financial Center. The contract specifies serving 600 clients in year one. CCC&HS has provided mortgage Default/Rental Delinquency Counseling services to the City since January 1998. CCC&HS's bid to counsel 600 clients was for \$205,632 or \$342.72 per client. Durham Regional Financial Center submitted a bid in the amount of \$120,000 to serve 600 clients or \$200 per client.

Based on the requirements of the Request for Proposal and the experience of the current contractor CCC&HS, staff elected to negotiate a new contract and continue services with Consumer Credit Counseling & Housing Services. CCC&HS was selected based on the following evaluation criteria:

- Program design
- Case management system
- Accounting/reporting system
- Proposed cost of service
- Organizational track record
- Proposal personnel abilities/experience
- Ability to provide proposed scope of services
- Consistency between scope of services and applicants experience

Mortgage delinquency is a strong component for CCC&HS. Debt management (negotiating with businesses and developing individual budgets) is a core business for the agency.

The mortgage default/rental delinquency-counseling contract will be evaluated annually prior to renewal of the contract. If the contractor does not meet contractual performance targets, the City can terminate the contract within 30 days. The new negotiated contract represents a savings of \$66,000 in comparison to the previous mortgage default/rental delinquency-counseling contract of \$186,000.

**Background:**

On January 26, 1998, Council approved CCC&HS to provide mortgage default/rental delinquency counseling. The contract was for one-year with two one-year extensions. CCC&HS's performance over the past three years is highlighted below:

Mortgage Default/Rental Delinquency Counseling - (FY99 through FY01)

<b>Performance Measurement</b>	<b>FY99</b>	<b>FY00</b>	<b>FY01</b>
Target - Clients To Be Served	600	600	600
Actual – Clients Served	711	758	725

At least 85% of the clients have stayed in their homes for the time period of FY99 through FY01.

Consumer Credit Counseling and Housing Services has served the Charlotte Metropolitan Statistical Area for over 30 years. In 1971, CCC&HS became a program of United Family Services (UFS) agency. CCC&HS is one of seven UFS programs. During the last three years, CCC&HS has provided housing counseling services to more than 5,300 consumers.

**Funding:**

Innovative Housing

**Attachment 21**

Copies of Bid Proposal – CCC&HS

**26. Property Lease for Auction Site and Surplus Property Storage Facility**

**Action: A. Approve a three-year lease with two, one-year options to renew for the Surplus Property Facility located at 3301 N. I-85 Service Road at a cost of \$110,600 per year with a 2% increase per year for all future years. The lease will begin April 1, 2002 and continue at least through March 31, 2005; and**

**B. Authorize the City Manager to renew the lease for the two additional one-year options.**

**Staff Resource:** Susan Johnson, Business Support Services

**Explanation:**

It is the City's policy to dispose of surplus goods via the auction method according to North Carolina General Statute 160 A-266.

The City's Surplus Property Division of Business Support Services has been operating out of this privately owned site for the past three years. The current one-year lease, which expires on March 31, 2002, has been renewed in the past on a year-to-year basis. Approval of this three-year lease with two, one-year renewals will secure the current site for up to five years and avoid the major cash outlay of purchasing a permanent site.

The 7.6 acre site consists of 15,000 square feet of indoor storage space for housing miscellaneous surplus property (office equipment, unclaimed police property, etc.) and a fenced-in outdoor area for storage of surplus vehicles and heavy equipment (backhoes, sanitation trucks, fire trucks, police cars, etc).

Surplus equipment is collected at the site throughout the year and auctioned off in the spring and fall to the highest bidders. Auctions gross approximately \$1.4 million annually.

The facility also serves as the central location for reallocation of surplus property among departments. The redistribution of resources, in many cases, avoids the cost of purchasing new materials.

**Funding:**

Business Support Services Operating Budget

## 27. Airport Elevator Maintenance Contract

**Action: Approve an amendment to the service contract with Schindler Elevator Corporation of Delaware for the maintenance of certain escalators, elevators and moving sidewalks at the airport. This amendment is for five years with two, one-year renewals at an initial monthly cost of \$14,314.60. The monthly cost is adjusted annually based on changes in labor and material indexes.**

**Staff Resource:**

Jerry Orr, Aviation

**Explanation:**

Schindler Elevator Company and its predecessor, Westinghouse Elevator Company, have provided maintenance for escalators, elevators and moving sidewalks in the Airport since 1982. The existing contracts, which expire in April 2003, and December 2006, cover service for ten elevators, four escalators, and six moving walkways.

This contract amendment combines these contracts and provides for the addition of four moving walkways and two elevators, which were installed by Schindler last year as part of the Concourse A Expansion Project. Additionally, Schindler will assume maintenance responsibility for three elevators which were previously serviced by Southern and Dover Elevator Companies.

The remaining elevators, escalators, and moving sidewalks will continue to be maintained by Otis Elevator Company.

The Airport Advisory Committee recommends this action.

**Funding:**

Airport Operating Budget

## 28. 911 Telephone/Radio Logging Recorder

**Action: Approve the sole source purchase of a replacement 911 Telephone/Radio Logging Recorder in the amount of \$188,087 for the Charlotte-Mecklenburg Police Department.**

**Staff Resource:** Cindy Cesena, Charlotte-Mecklenburg Police  
Department  
John Trunk, Procurement Services Division

**Explanation:**

The logging recorder records all incoming 911 calls and administrative calls in Communications, Records, and Non Emergency Police Services (NEPS). Many of the CMPD administrative phone numbers are published, and often receive emergency police service calls. In addition to telephone calls, the logger also records radio traffic for selected Police radio talk groups and all radio traffic on the 800 MHz simulcast radio system. State law requires that CMPD record this information.

The Eyretel logging recorder was purchased in 1996 and has required a significant amount of service that was previously covered by a service agreement. However, the manufacturer no longer offers a service agreement to CMPD. The Eyretel 911 call logging recorder is in need of repair. While it is recording the calls received, it is not providing call access or retrieval capability. A temporary repair is being made to allow retrieval, but permanent replacement of the recorder is urgently needed to provide call retrieval and improve recorder reliability.

The new logging recorder requested is provided by Plant Equipment, Inc, the firm that is the manufacturer of the current CMPD 911 equipment. Their logging recorder is designed to integrate with the 911 telephone equipment. The new logging recorder will allow searches for 911 information to be made by one entry, with the 911 call data and voice recordings being retrieved in one transaction. Plant Equipment, Inc. will also make the logging recorder a part of the Mission Critical monitoring service they provide to CMPD that monitors the 911 System 24 hours, 7 days a week for system problems and repair.

The North Carolina bid statute allows sole sourcing when performance or price competition is not available, when a needed product is available from only one source of supply or when standardization or compatibility is the overriding consideration. In this case sole sourcing is appropriate because the logging recorder must integrate with the existing Plant Equipment, Inc. system management software used by the Charlotte-Mecklenburg Police Department's 911 System.

**Funding:**

911 Surcharge Fund

## 29. Agreement for Gun Violence Prosecution Grant

**Action: Approve an agreement between the Charlotte-Mecklenburg Police Department, the District Attorney's Office and the Administrative Office of the Courts for the administration of the Gun Violence Prosecution Grant.**

**Staff Resource:** Darrel Stephens, Charlotte-Mecklenburg Police

**Explanation:**

On November 12, 2001, Council accepted a grant from the U.S. Department of Justice to fund a Gun Violence Prosecution Program under which four Assistant District Attorneys will be hired to prosecute cases involving violent crimes committed with guns or other violations of gun statutes involving drug trafficking and gang related crimes in areas where there is a high incidence of firearms related violence. The program will run for a period of three years. The Justice Department has provided \$480,000 and the Police Department is paying the \$120,000 match from its assets forfeiture funds. The budget ordinance appropriating those funds was also approved on November 12, 2001.

This agreement outlines the salary and benefits for the four Assistant District Attorneys and establishes a semi-annual payment schedule for the City to transfer the appropriated funds to the AOC.

**Funding:**

\$480,000 from the Department of Justice and \$120,000 from Police Assets Forfeiture Funds

**Attachment 22**

Agreement

## 30. Randolph Road/Wendover Road Intersection Improvements

**Action: Approve change order #1 to the Randolph Road/Wendover Road Intersection Improvement contract with Ferebee Corporation of Charlotte, North Carolina for \$106,112.44.**

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

**Explanation:**

Council awarded the original contract on January 8, 2001 for \$1,188,310.64

Change order #1 will take advantage of existing contract unit prices for an additional brick masonry retaining wall along Randolph Road (in-bound side) to address right-of-way issues with property owners.

Prices for this change order were based on existing contract unit prices and negotiated prices for new items. The prices are appropriate for the work. The new contract sum is \$1,294,423.08

**Funding:**

Transportation Capital Investment Plan

### **31. Fred D. Alexander Boulevard-Section B-Engineering Services**

**Action: Approve Amendment #1 for engineering services on Fred D. Alexander Boulevard - Section B with Ralph Whitehead Associates, Inc. in the amount of \$131,832.**

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

**Explanation:**

Fred D. Alexander Boulevard is also known as the “northwest circumferential.” It will connect with Little Rock Road to serve the airport and Harris Boulevard near I-77. Section B is between Freedom Drive and Valleydale Road.

This amendment provides for design of a bridge and box culvert to carry the road across a creek east of Freedom Drive and a railroad spur south of Old Mount Holly Road. It is anticipated that construction of this road will be included in the proposed 2002 bond referendum.

**Community Input:**

City staff conducted a second public meeting on October 11, 2001.

**Funding:**

Transportation Capital Investment Plan

### **32. Memorandum of Understanding for Beaverdam Creek Watershed Study**

**Action: Authorize the City Manager to approve a Memorandum of Understanding with Mecklenburg County and Dixie River Land Company, LLC for \$215,380.80 to partner on the Beaverdam Creek Watershed Study.**

**Staff Resource:** Steve Sands, Engineering & Property Management

**Explanation:**

Many different types of pollution sources impact water quality of streams and lakes. Storm water runoff from developed land is one of the pollution sources. The City is involved in several innovative pilot projects to study the effectiveness of addressing storm water quality using watershed-wide approaches. The Beaverdam Creek Watershed study is a project that analyzes a watershed before development to recommend a watershed-wide plan to protect the streams and lakes.

The project watershed is approximately 3000 acres of predominately undeveloped land in the western ETJ area of the City draining to Brown's Cove on Lake Wylie. The project calls for the development of a partnership between the City, County, and Pappas Properties (a developer working in 30% of the watershed) to conduct water quality monitoring and modeling to recommend strategies to protect the watershed's water quality.

The Memorandum of Understanding establishes the roles, responsibilities, and cost share of the project partners; City of Charlotte, Mecklenburg County, and Dixie River Land Company, LLC in performing the Beaverdam Creek Watershed study. Key points of the Memorandum of Understanding are:

- all project partners will fund and benefit from the water quality modeling and monitoring,
- all decisions will be made by the project partners by consensus,
- the water quality modeling and monitoring will be used to develop a watershed management plan to steer future development decisions in the watershed,
- additional memorandums of understanding will be pursued based on the recommendations of the management plan.

The total costs of the initial phase of the project is estimated to be \$450,792 of which, the City of Charlotte's cost share is \$215,380.80, Mecklenburg County's cost share is \$100,531.20, and Dixie River Land Company, LLC cost share is \$134,880.

Council was briefed on this study at the February 11, 2002 dinner meeting.

**Attachment 23**

Memorandum of Understanding

### 33. Rutledge/Kingscross Storm Drainage Improvement Project

**Action: Approve an amendment for \$430,125 with Armstrong Glen P.C. for the engineering design phase of the Rutledge/Kingscross Storm Drainage Improvement Project.**

**Staff Resource:** Steve Sands, Engineering & Property Management

**Explanation:**

The Rutledge/Kingscross Storm Drainage Improvement project will reduce street and house flooding in the neighborhood bounded by Providence Road, Sharon Amity, Randolph Road, and Meadowood Lane. Council approved the original agreement on August 28, 2000 for \$170,074 for the planning phase services. At the time of approval of the original agreement, an amendment was anticipated for design services. Design services include finalizing design and preparing construction drawings for the storm drainage infrastructure improvements.

**Funding:**

Storm Water Capital Investment Plan

### 34. McDowell Creek Wastewater Treatment Plant Dewatering and Transportation of Residuals-Contract Extension

**Action: Approve a contract extension with Bio-Nomic Services, Incorporated for dewatering and transportation of residuals at the McDowell Wastewater Treatment Plant. This one year contract will be in the amount of \$235,026.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

In February 1999, Council approved a contract with Bio-Nomic for the mobile dewatering and transportation of residuals at the McDowell Creek Wastewater Treatment Plant. The residuals are dewatered at the plant and transported off-site to the BFI landfill. The contract with Bio-Nomic was for a period of one year with two, one-year renewal options. The two, one-year renewal options will conclude on February 22, 2002.

It will take one additional year before permanent dewatering equipment can be in place. Since Bio-Nomic is on site and will continue to charge the rates which were quoted in February 1999, Utilities requests a contract extension to extend the renewal option for one additional year. All rates in the original contract will remain the same for the contract extension.

The contract has a cancellation clause and can be cancelled at anytime by the City especially if the permanent dewatering equipment is implemented earlier than the one year contract extension.

**Funding:**

Sewer Capital Investment Plan

**35. Phosphorus Reduction at McAlpine WWMF – Professional Services Contract**

**Action: A. Approve a budget ordinance appropriating \$620,000 from Revenue Bonds to McAlpine WWMF Nutrient Removal (2071-631.31); and**

**B. Approve a contract with CH2M Hill for \$498,000 to provide preliminary design services for the Phosphorous Reduction at McAlpine Wastewater Treatment Plant Project.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

This contract will provide for the preliminary design of phosphorus reduction facilities at McAlpine Wastewater Treatment Plant. This design is required as part of the agreement reached between North and South Carolina regulatory officials, and approved by Council on January 14, 2002.

A future contract for final design and construction administration services will be presented to Council for approval in spring 2002.

The Engineering firm of CH2M Hill was selected to perform this work in accordance with Council's approved selection process. Fifteen firms were contacted with a Request for Qualifications. Of these fifteen, six proposals were received and three were short-listed and subsequently interviewed before CH2M Hill was selected.

**Funding:**

Sewer Capital Investment Plan

**Attachment 24**

Budget Ordinance

### 36. Franklin Water Treatment Plant Upgrade – Change Order #3

**Action: Approve Change Order #3 for \$721,560.01 with Pizzagalli Construction Company, Inc. for additional construction work at the Franklin Water Treatment Plant.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

On June 12, 2000, Council approved a contract with Pizzagalli Construction Company in the amount of \$24,665,000. This contract will renovate many areas of the Franklin Plant and will enable increased production of treated water at an increased rate, from 154 million gallons per day (mgd) to 181 mgd.

Change Order #3 will provide for rehabilitation of underground clearwells one and two, replacement of a collapsed filter in the West 2 treatment module, rehabilitation of three pumps in Raw Water Pump Station One, and installation of a concrete equipment storage pad for maintenance. The original contract required Pizzagalli to drain and inspect the clearwells. Once this occurred, numerous problems were discovered and rehabilitation of the clearwells is required. The raw water pumps and filter have been in constant operation during upgrade of the plant. Replacement and repair is necessary to keep the plant operational. Approving Change Order #3 to Pizzagalli will prevent any conflicts or delays to the upgrade of the Franklin Water Plant.

On January 22, 2001, Change Order #1, in the amount of \$945,610, was approved by Council to handle removal of lead-based paint from areas affected by construction. On October 8, 2001, Change Order #2 was approved by Council in the amount of \$918,424.39 to provide for valving and piping necessary to tie the future Southwest Water Main (SWWM) project into the high service pump station number 1.

With this change order, the Pizzagalli contract will increase from \$26,529,034.39 to 27,250,594.40.

**Funding:**

Water Capital Investment Plan

### 37. Professional Services Contract with Team Technology Inc.

**Action: Approve a contract with Team Technology Inc., in the amount of \$211,800, for professional services related to maintenance and support of Charlotte-Mecklenburg Utility computer applications.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

Charlotte-Mecklenburg Utilities uses a number of specialized computer applications. The functions performed by these existing applications include:

- backflow compliance tracking used to monitor the water distribution system,
- industrial waste compliance tracking and reporting for the Department Of Environmental Services And Natural Resources,
- engineering project management and reporting, and
- water distribution and wastewater collection work order management.

While each of the computer applications are important, the backflow and the industrial waste compliance applications play critical roles in protecting water supply (backflow), and the wastewater collection system (industrial waste). Many of these applications have been in use for some time and were custom written to meet very specific requirements. Staff knowledge of the internal workings of these applications varies, with this knowledge being very limited on the custom backflow compliance and industrial waste applications. To provide for a more consistent level of support of all of these Utilities specific applications, an 18-month professional services contract is required to augment internal staff resources. This contract will serve to ensure business continuance and provide an opportunity to determine a long-term support strategy.

Team Technologies, Inc. was selected to provide these services because of their specific knowledge of Utilities specific applications being supported and the surrounding business processes. This application knowledge is critical to ensure timely and high quality support. Team Technology designed and authored the backflow and industrial waste compliance applications.

**Funding:**

Water and Sewer Operating Budget

### **38. Municipal Agreement-Inspection of City-Maintained Bridges**

**Action: Approve a resolution to authorize the Transportation Key Business Executive to execute a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) to share the cost of inspecting 137 qualifying City-maintained Bridges and Culverts.**

**Staff Resource:**

Gus Jordi, Transportation

**Explanation:**

The federal government requires that all bridge structures on public roads be inspected every two years. This municipal agreement calls for NCDOT to

fund 80% (approximately \$200,000) of the costs for inspecting qualifying bridges, with the City funding 20% (approximately \$50,000) of the total project cost (approximately \$250,000). The inspections are expected to be complete by June 2002.

The format and cost sharing philosophy with NCDOT is consistent with past municipal agreements.

**Funding:**

Transportation Capital Investment Plan

**Attachment 25**

Resolution

**39. Municipal Agreement-Maintenance Provisions Along the John Belk and Brookshire Freeways (I-277) and a Portion of I-77**

**Action: Adopt a Resolution authorizing the Transportation Key Business Executive to execute a Municipal Agreement between the North Carolina Department of Transportation (NCDOT) relating to maintenance provisions along the John Belk and Brookshire Freeways (I-277) and a portion of I-77.**

**Staff Resource:** John Lojko, Engineering & Property Management

**Explanation:**

The City maintains the landscaping along the John Belk and Brookshire Freeways (I-277) and a portion of I-77 from the railroad bridge south of Wilkinson Blvd. to the pedestrian bridge south of I-85 and a municipal agreement with the NCDOT is necessary.

The Municipal Agreement provides for the City to perform all work for the project with the NCDOT reimbursing fifty percent (50%) of actual costs up to \$248,750 annually.

The format and cost sharing philosophy is consistent with past municipal agreements.

**Funding:**

Engineering and Property Management Operating Budget

**Attachment 26**

Resolution

#### 40. **Old Fireman's Hall Property–Relinquish Reversionary Rights to Mecklenburg County**

**Action:** Approve the removal of reversionary rights and Park & Recreation use restrictions on a portion of Old Fireman's Hall property on East 7<sup>th</sup> Street and authorize the City Manager to execute the modifications to the City-County Parks and Recreation Agreement.

**Staff Resource:** Kent Winslow, Engineering & Property Management

**Explanation:**

Mecklenburg County requests the City relinquish its reversionary rights and Park & Recreation use restrictions on a portion of "parkland" known as the Old Fireman's Hall property on East 7<sup>th</sup> Street as shown on the attached map. Approximately 2.3 acres of the 4.1-acre tract would be deeded to the Historic Landmarks Commission (HLC). The remainder will remain open space maintained by County Park & Recreation.

The County intends to work with the Charlotte-Mecklenburg Historic Landmarks Commission to preserve the buildings and property by seeking a viable adaptive reuse for the assembly building, fire tower, and a portion of the property for parking. The Fireman's Hall property is a designated local Historic Landmark and the property is most likely eligible for listing in the National Register of Historic Places. Deed covenants implemented by the Historic Landmarks Commission will assure the preservation of the buildings and property in perpetuity.

The County is working with Dan Morrill and the HLC and other individuals or groups to determine if the HLC has (a) identified a probable buyer for the property or (b) consider using Historic Preservation Bonds revolving funds to rehabilitate the property to eventually sell to a buyer who will be bound to the deed covenants protecting the property.

The possibility of this project making a profit after the extensive renovations are complete is speculative. However, any proceeds from the sale of the property are intended to go to the HLC to preserve other properties within Mecklenburg County.

**Organization and Committee Discussions:**

The proposal mentioned above has been reviewed and approved by the following organizations and committees:

- Mecklenburg County Board of Commissioners (2/05/02)
- Joint Use Task Force (City/County Staff) (1/04/02)
- Mecklenburg County Park and Recreation Department (1/8/02)
- Planning Committee-Mandatory Referral (1/15/02)
- Park and Recreation Commission (Central District) (1/17/02)

- Historic Landmarks Commission (1/29/02)

**Community Input:**

Elizabeth Homeowners Association is very much in favor of preserving the buildings and maintaining the green space areas as part of the County's parkland.

**Background:**

The Old Fireman's Hall property was formerly owned by the City of Charlotte but was transferred to the County as part of the City County Parks and Recreation Consolidation Agreement. The Agreement requires that the parklands deeded to the County be used for park purposes only. Should the parkland be used for purposes other than park use or the desire for the land is to be sold or deeded to others, then the City would have the right to take the land back.

From December 1999 until June 2000, Mecklenburg County sought unsuccessfully to identify either a City or County use for the building. Estimates to restore the facility and modify the structure for governmental uses were cost prohibitive. In August 2000, HLC began negotiations with the County to preserve the site and identify an adaptive reuse of the buildings.

Fireman's Hall and the Fire Tower together were known as the Palmer Fire School, which was designated as historic in June 1990. They were constructed around 1940. The building is a two-story structure containing approximately 9,685 square feet of floor space.

Further details about the history of this property are included in the attachment.

**Attachment 27**

Map of Property

History of Property

**41. Sale of City Owned Property Located at 4800 Carmel Road**

**Action: Authorize the sale of City owned property located at 4800 Carmel Road through the upset bid process, with a minimum bid of \$175,900 (Tax Parcel 209-302-41).**

**Staff Resource:** Mike Quinto, Engineering & Property Management

**Explanation:**

This property, a single-family home, was acquired in 1993 to facilitate the widening of Carmel Road. Staff recommends it be sold and returned to the tax rolls. It is currently rented for \$1,400 per month.

The appraised value of 4800 Carmel Road is \$180,000. The property is zoned R-3. The dwelling is approximately 2,803 sq. ft. and the acreage is .471 acres.

The suggested offering price is less than the appraised value because of maintenance needs such as interior and exterior painting, heat pump replacement, and carpet replacement.

### **Attachment 28**

Tax parcel map

## **42. Sale of City Owned Property at Mallard Creek Church Road**

**Action: Authorize the sale of 11.22 acres of City owned property, located at Mallard Creek Church Road to the University Research Park (Tax Code 047-381-08).**

**Staff Resource:** Kent Winslow, Engineering & Property Management

**Policy:** Asset Management

### **Explanation:**

The City acquired a 22.9-acre parcel of land for the purpose of constructing a water storage facility, or water tank on the site, a number of years ago. The facility has been constructed and put into operation; however, it required only 7.7 acres. The state acquired four acres of the approximately 16 acres remaining as part of a road realignment project. The net 11.22 acres remaining as surplus are now being considered for sale to the University Research Park in the amount of \$925,000.

The property is zoned R-4. An independent appraisal establishes the market value at \$925,000.

After reviewing the proposed offer to purchase, The Joint Use Task Force and The Planning Committee have approved and recommended the sale. This property went through the Upset Bid process. There were no competing bids to upset the University Research Park bid.

Staff recommends authorizing the sale of this property for the purpose of returning revenue to the project fund.

### **Attachment 29**

Tax map

### 43. Property Transactions

**Action: Approve the following property acquisitions (A-I) and adopt the condemnation resolutions (J-AA)\*.**

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

**Acquisitions:**

- A. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Paul Sloan  
**Property Address:** 8616 Walkers Ferry Road  
**Property to be acquired:** .751 acres  
**Improvements:** Vacant Land  
**Purchase Price:** \$21,000  
**Remarks:** The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/ house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement  
**Zoned:** R3  
**Use:** Vacant Land  
**Tax Value:** \$17,710  
**Tax Code:** 113-361-31
- B. Project:** Sharon and Fairview Roads Widening, Parcel #23  
**Owner(s):** Sam's Mart, Inc.  
**Property Address:** 4627 Sharon Road  
**Property to be acquired:** 778 sq.ft. (0.018 ac.) plus 1,152 sq.ft. (0.026 ac.) of Temporary Construction Easement  
**Improvements:** Landscaping, Lighting  
**Purchase Price:** \$110,000.  
**Remarks:** This acquisition is required for the Sharon and Fairview Roads Widening Project. Compensation was established by two independent, certified appraisals and an appraisal review.  
**Zoned:** B-1  
**Use:** Service Station  
**Tax Code:** 183-132-14  
**Total Parcel Tax Value:** \$540,530
- C. Project:** Central Avenue Streetscape, Parcel #40  
**Owner(s):** Michael R. Smith  
**Property Address:** 4537 Central Avenue

**Property to be acquired:** 670 sq.ft. (0.015 ac.) of Fee Simple, plus 108 sq.ft. (0.002 ac.) of Permanent Easement, plus 2,482 sq.ft. (0.05 ac.) of Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$18,600

**Remarks:** This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review.

**Zoned:** O1CD

**Use:** Office

**Tax Code:** 101-183-07

**Total Parcel Tax Value:** \$97,000

- D. Project:** Central Avenue Streetscape, Parcel #30  
**Owner(s):** Doris Baker Gordon  
**Property Address:** 2956 Temple Lane  
**Property to be acquired:** 1,707 sq.ft. (0.039 ac.) of Fee Simple plus 2,145 sq.ft. (0.049 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$16,875.  
**Remarks:** This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review.  
**Zoned:** R22MF  
**Use:** Single Family Residential  
**Tax Code:** 101-162-11  
**Total Parcel Tax Value:** \$57,530
- E. Project:** Runnymede/Woodlawn/Selwyn Intersection Improvements, Parcel #21  
**Owner(s):** Claude W. Brown  
**Property Address:** 3009 Selwyn Avenue  
**Property to be acquired:** 1,913 sq.ft. (.044 ac.) of Fee Simple Acquisition plus 1,604 sq.ft. (.037 ac.) of Permanent Sidewalk Easement, plus 2,504 sq.ft. (.057 ac.) of Temporary Construction Easement  
**Improvements:** Lawn, Brick Walk, Shrubs and Trees  
**Purchase Price:** \$54,500  
**Remarks:** This acquisition is required for the Runnymede/Woodlawn/Selwyn Intersection Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 175-094-39  
**Total Parcel Tax Value:** \$221,010

- F. Project:** Davidson/Matheson Connector, Parcel #7  
**Owner(s):** Greater Myers Pentecostal Fellowship  
**Property Address:** 600 Jordan Place  
**Property to be acquired:** 1,563 sq.ft. (0.04 ac.) of Fee Simple Acquisition and Permanent Utility Easement plus 1,123 sq.ft. (0.03 ac.) of Temporary Construction Easement  
**Improvements:** Wheelchair Ramp and Canopy Over Ramp  
**Purchase Price:** \$20,000  
**Remarks:** This acquisition is needed for the Davidson/Matheson Connector Project. The compensation was determined by two independent, certified appraisals and an appraisal review.  
**Zoned:** I-1  
**Use:** Church  
**Tax Code:** 083-065-11  
**Total Parcel Tax Value:** \$270,000
- G. Project:** Central Avenue Streetscape, Parcel #33  
**Owner(s):** Third Presbyterian Church.  
**Property Address:** 4019 Central Avenue  
**Property to be acquired:** 5,220 sq. Ft. (0.120 ac.) of Permanent Easement and Temporary Construction Easement.  
**Improvements:** None  
**Purchase Price:** \$21,000  
**Remarks:** This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by two independent, certified appraisals and an appraisal review.  
**Zoned:** R-4  
**Use:** Office  
**Tax Code:** 101-171-12  
**Total Parcel Tax Value:** \$1,924,090
- H. Project:** Wilkinson Boulevard Gateway, Parcel #8  
**Owner(s):** Reinehr Enterprises, LP  
**Property Address:** 2101 Wilkinson Boulevard  
**Property to be acquired:** 4,937 sq.ft. (0.113 ac.) of Permanent Easement plus 8,298 sq.ft. (0.2 ac.) of Temporary Construction Easement  
**Improvements:** Landscaping  
**Purchase Price:** \$24,525  
**Remarks:** This acquisition is required for the Wilkinson Boulevard Gateway Project. Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** I-2  
**Use:** Commercial  
**Tax Code:** 119-011-01  
**Total Parcel Tax Value:** \$378,470

- I. Project:** Freedom Drive Widening Parcel # 501  
**Owner(s):** William R. Harris and Wife, Angela Harris  
**Property Address:** 6315 Freedom Drive  
**Property to be acquired:** 43,560 sq. ft (1.0 ac.) fee simple  
**Improvements:** None  
**Purchase Price:** \$108,700  
**Remarks:** This acquisition is required for the Freedom Drive (NC) Widening Project. Compensation was established by an independent, certified appraisal and appraisal review.  
**Zoned:** R-3, CC SPA  
**Use:** Residential  
**Tax Code:** 059-231-11  
**Total Parcel Tax Value:** \$66,600

**Condemnations:**

- J. Project:** 2001 Annexation US Highway 29 Area (Trunk SCR2), Parcel #1  
**Owner(s):** Thomas M. McMillan and Dorothy K. McMillan and Any Other Parties of Interest  
**Property Address:** 11601 North Tryon Street  
**Property to be acquired:** 19,349 sq.ft. (0.444 ac.) of Permanent and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$3,750  
**Remarks:** This acquisition is required for the 2001 Annexation US Highway 29 Area (Trunk SCR2) Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-1  
**Use:** Vacant  
**Tax Code:** 029-371-98  
**Total Parcel Tax Value:** \$696,480
- K. Project:** 2001 Annexation Back Creek Church Road Area Trunk "J", Parcel #32  
**Owner(s):** Sophal Vy and Wife, Silina S. Vy and Any Other Parties of Interest  
**Property Address:** 2804 Back Creek Church Road  
**Property to be acquired:** 8,033 sq.ft. (0.184 ac.) of Permanent Easement and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$800  
**Remarks:** This acquisition is required for the 2001 Annexation Back Creek Church Road Area (Trunk J) Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 051-484-15  
**Total Parcel Tax Value:** \$137,330.

- L. Project:** Prosperity Church Road Widening-Phase II, Parcel #148  
**Owner(s):** Ricka Marie Prentiss and Husband, Jeffrey Dean Asher and Any Other Parties of Interest  
**Property Address:** 12529 Old Timber Road  
**Property to be acquired:** 6,245 sq.ft. (0.144 ac.) of Fee Simple and Temporary Construction Easement  
**Improvements:** Landscaping  
**Purchase Price:** \$14,050.  
**Remarks:** This acquisition is required for the Prosperity Church Road Widening-Phase II Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 027-383-85  
**Total Parcel Tax Value:** \$145,270
- M. Project:** Central Avenue Streetscape, Parcel #43  
**Owner(s):** C.M. Aycoth and Wife, Martha S. Aycoth and Any Other Parties of Interest  
**Property Address:** 4621 Central Avenue  
**Property to be acquired:** 2,297 sq.ft. (0.053 ac.) of Fee Simple and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$3,725.  
**Remarks:** This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 101-191-29  
**Total Parcel Tax Value:** \$177,950
- N. Project:** Central Avenue Streetscape, Parcel #44  
**Owner(s):** Mac I. Family LP and Any Other Parties of Interest  
**Property Address:** 4633 Central Avenue  
**Property to be acquired:** 2,009 sq.ft. (0.046 ac.) of Fee Simple, Permanent Easement and Temporary Construction Easement  
**Improvements:** None

**Purchase Price:** \$10,075

**Remarks:** This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** B1CD

**Use:** Warehouse/Industrial

**Tax Code:** 101-191-30

**Total Parcel Tax Value:** \$464,820

- O. Project:** Central Avenue Streetscape, Parcel #90  
**Owner(s):** David W. Yates and Wife, Joyce M. Yates and Any Other Parties of Interest  
**Property Address:** 1530 Medford Drive  
**Property to be acquired:** 2,451 sq.ft. (0.056 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$2,200  
**Remarks:** This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Single Family Residential  
**Tax Code:** 131-012-01  
**Total Parcel Tax Value:** \$57,770
- P. Project:** Graham Street at Norris Avenue Intersection Improvements, Parcel #4, #6, and #7  
**Owner(s):** Russell Investment Corporation and Any Other Parties of Interest  
**Property Address:** 2631 North Graham Street  
**Property to be acquired:** 10,361 sq.ft. (0.238 ac.) of Fee, Permanent Utility and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$28,300.  
**Remarks:** This acquisition is required for the Graham Street at Norris Avenue Intersection Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-2  
**Use:** Warehouse/Industrial  
**Tax Code:** 079-073-16, 079-073-17, and 077-091-06  
**Total Parcel Tax Value:** \$144,800-079-073-16; \$11,390-079-073-17; \$122,270-077-091-06.

- Q. Project:** North Tryon Sidewalk, Package 14, Parcel #6,  
**Owner(s):** Harvey W. Gouch and Louise G. Gouch and Any Other Parties of Interest  
**Property Address:** 5801 North Tryon Street  
**Property to be acquired:** 4,258 sq.ft. (0.09 ac.) of Permanent Sidewalk and Utility Easement and Temporary Construction Easement  
**Improvements:** Sign  
**Purchase Price:** \$19,200  
**Remarks:** This acquisition is required for the North Tryon Sidewalk, Package 14 Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Auto Service/Car Sales  
**Tax Code:** 089-201-25  
**Total Parcel Tax Value:** \$319,200
- R. Project:** North Tryon Sidewalk, Package 14, Parcel #5,  
**Owner(s):** Harvey W. Gouch and Louise G. Gouch and Any Other Parties of Interest  
**Property Address:** 5753 North Tryon Street  
**Property to be acquired:** 2,394 sq.ft. (0.06 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$2,562  
**Remarks:** This acquisition is required for the North Tryon Sidewalk, Package 14 Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Auto Service  
**Tax Code:** 089-201-22  
**Total Parcel Tax Value:** \$412,470
- S. Project:** 2001 Annexation Mount Holly-Huntersville Road Area (Trunk YR1), Parcel #1  
**Owner(s):** Roy I. Denman and Any Other Parties of Interest  
**Property Address:** 9600 Vance Road  
**Property to be acquired:** 31,190 sq.ft. (0.716 ac.) of Permanent and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$11,325  
**Remarks:** This acquisition is required for the 2001 Annexation Mount Holly-Huntersville Road Area (Trunk YR1) Project. Compensation was established by an independent, certified

appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-3

**Use:** Single Family Residential

**Tax Code:** 025-221-04

**Total Parcel Tax Value:** \$112,410

- T. Project:** Seneca Place Sidewalk, Parcel #27  
**Owner(s):** Malcolm John Shirley and Phyllis G. Shirley and Any Other Parties of Interest  
**Property Address:** 1432 Seneca Place  
**Property to be acquired:** 1,219 sq.ft. (0.28 ac.) of Permanent Sidewalk and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$2,175  
**Remarks:** This acquisition is required for the Seneca Place Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 171-131-01  
**Total Parcel Tax Value:** \$68,700
- U. Project:** North Tryon Sidewalk, Package 14, Parcel #9  
**Owner(s):** David L. Williams and Karen B. Williams and Any Other Parties of Interest  
**Property Address:** 5925 North Tryon Street  
**Property to be acquired:** 2,276 sq.ft. (0.08 ac.) of Permanent Sidewalk, Utility Easement and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$11,450.  
**Remarks:** This acquisition is required for the North Tryon Sidewalk, Package 14 Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Car Rental Agency  
**Tax Code:** 089-203-03  
**Total Parcel Tax Value:** \$354,390
- V. Project:** Johnston-Oehler Road Sanitary Sewer Project, Parcel #4  
**Owner(s):** O.O. Thompson, Jr. and Any Other Parties of Interest  
**Property Address:** 3440 Johnston-Oehler Road

**Property to be acquired:** 2,639 sq.ft. (0.006 ac.) of  
Temporary Construction Easement

**Improvements:** Landscaping

**Purchase Price:** \$100.

**Remarks:** This acquisition is required for the Johnston-Oehler Road Sanitary Sewer Project. Compensation was established by an independent, certified appraisal and appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-3

**Use:** Residential

**Tax Code:** 029-621-01

**Total Parcel Tax Value:** \$116,590

- W. Project:** Wilkinson Boulevard Gateway, Parcel #6  
**Owner(s):** Aladdin Realty, LLC and Any Other Parties of Interest

**Property Address:** 2221 Wilkinson Boulevard

**Property to be acquired:** 6,170 sq.ft. (0.15 ac.) of Fee Simple Acquisition, Permanent Drainage Easement and Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$13,000

**Remarks:** This acquisition is required for the Wilkinson Boulevard Gateway Project. Compensation was established by an independent, certified appraisal and appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** I-2

**Use:** Warehouse

**Tax Code:** 119-011-04

**Total Parcel Tax Value:** \$506,260

- X. Project:** 2001 Annexation Back Creek Church Road Area Trunk "G&H", Parcel #18  
**Owner(s):** Viola P. Faires and Any Other Parties of Interest  
**Property Address:** 1923 McLean Road  
**Property to be acquired:** 3,281 sq.ft. (0.076 ac.) of Permanent and Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$925

**Remarks:** This acquisition is required for the 2001 Annexation Back Creek Church Road Area (Trunk G&H) Project. Compensation was established by an independent, certified appraisal and appraisal review. City staff is recommending condemnation in order to obtain clear title.

**Zoned:** R-3

**Use:** Single Family Residential

**Tax Code:** 051-292-61

**Total Parcel Tax Value:** \$365,090.

- Y. Project:** Asbury Avenue Extension, Parcel #51  
**Owner(s):** Tommie Lee Coleman and Delores C. Marshall and Any Other Parties of Interest  
**Property Address:** 1200 McArthur Avenue  
**Property to be acquired:** 9,575 sq.ft. (.220 ac.) of Fee Simple Acquisition  
**Improvements:** One-Story Residential Frame Dwelling  
**Purchase Price:** \$25,500  
**Demolition Requested:** Yes  
**Remarks:** This acquisition is required for the Asbury Avenue Extension Project. Compensation was established by an independent, certified appraisal and appraisal review. City staff is recommending condemnation in order to obtain clear title.  
**Zoned:** R-8  
**Use:** Single Family Residential  
**Tax Code:** 077-194-05  
**Total Parcel Tax Value:** \$22,270
- Z. Project:** Asbury Avenue Extension, Parcel #53  
**Owner(s):** Tabernacle of Faith Outreach Ministries and Any Other Parties of Interest  
**Property Address:** 1112 McArthur Avenue  
**Property to be acquired:** 8,675 sq.ft. (.220 ac.) of Fee Simple Acquisition  
**Improvements:** One-Story Residential Structure  
**Purchase Price:** \$25,000  
**Demolition Requested:** Yes  
**Remarks:** This acquisition is required for the Asbury Avenue Extension Project. Compensation was established by an independent, certified appraisal and appraisal review. City staff is recommending condemnation in order to obtain clear title.  
**Zoned:** R-8  
**Use:** Church  
**Tax Code:** 077-194-07  
**Total Parcel Tax Value:** \$27,300
- AA. Project:** Mount Holly-Huntersville Road Alignment, Parcel #1  
**Owner(s):** James Russell Thompson and Alice Thompson and Any Other Parties of Interest  
**Property Address:** 3915 Mount Holly-Huntersville Road  
**Property to be acquired:** 14,121 sq.ft. (.324 ac.) of Right-of-Way plus Temporary Construction Easement  
**Improvements:** Landscaping  
**Purchase Price:** \$20,228.  
**Remarks:** This acquisition is required for the Mount Holly-Huntersville Road Alignment Project. Compensation was established by an independent, certified appraisal and appraisal

review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-3

**Use:** Single Family Residential

**Tax Code:** 023-261-04

**Total Parcel Tax Value:** \$405,550 (Land Only)

#### **44. Meeting Minutes**

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

- **January 28, 2002 Business Meeting**
- **January 29-30, 2002 Council Retreat**