AGENDA

Meeting Type:	B
Date:	02/08/99

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

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

OFFICE COPY

Council Agenda

CITY COUNCIL MEETING
Monday, February 8, 1999

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

7:00 p.m. — **Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Awards and Recognitions**
- **Formal Business Meeting**

1999 Council Retreat Priorities

High Priorities for 1999

Transportation Plan

Policing Evaluation and Direction

State Roads Action: Increased Funding

Transit Plan and 1/2¢ Sales Tax: Implementation

West Side Strategic Plan Implementation

Top Priorities for 1999

Corridor Plan

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

Court System: Expansion

Business Retention Strategy and Action Plan

Community Strategic Plan for Housing

Neighborhood/Business Revitalization Strategy

Eastside Strategic Plan

CITY COUNCIL AGENDA

Monday, February 8, 1999

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Transit Governance

Staff: Boyd Cauble

Time: 60 minutes

2. Status Report from Tourism/Hospitality Task Force

Resources: John Tingle, Chairman, Convention and Visitors Bureau, and Mike Crum, Executive Director, Auditorium, Coliseum, and Convention Center Authority

Time: 30 minutes

Attachment 1

3. Mayor/Council Website Demonstration

Staff: Julie Hill

Time: 15 minutes

Attachment 2

4. Committee Reports by Exception

Economic Development and Planning Committee -
Business Investment Plan

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

CONSENT

5. **Consent agenda items 16 through 30 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Vi Alexander Lyles

PUBLIC HEARING

6. Public Hearing To Close Portions of Two Alleyways North of East Independence Boulevard.

Action:

A. Conduct a public hearing to abandon portions of two alleyways north of East Independence Boulevard; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

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

Petitioner:
Todd M. Pfalzgraf

Right-Of-Way to be abandoned:
Portions of two alleyways north of East Independence Boulevard

Location:
From East Independence Boulevard northeastwardly approximately 120 feet between Louise and Oakland Avenues

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner

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

Adjoining property owners - No objections

Neighborhood/Business Associations - No objections
Piedmont Courts (HOA)
Charlotte Council/Garden Clubs
Private Utility Companies - No objections

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

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

Attachment 3
Map

7. Public Hearing To Close Portions of Ocklawana Street, East and West Holly Vista Drives, and all of Cedar Street

Action:

A. Conduct a public hearing to abandon portions of Ocklawana Street, East and West Holly Vista Drives, and all of Cedar Street; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

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

Petitioner:
Hossein Javadikojani

Right-Of-Way to be abandoned:
Portions of Ocklawana Street, East and West Holly Vista Drives, and all of Cedar Street. **Cedar Street in this location is a duplicate street name within the Charlotte City limits and should not be confused with Cedar Street in Third Ward.**

Location:
From Laborde Avenue and Wildwood Street northwestwardly to their end

Reason:
To incorporate the right-of-way into adjacent property owned the petitioner. Connectivity with the remaining public streets will be required through the subdivision process

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

Adjoining property owners - No other adjoining property owners other than the petitioner
Private Utility Companies - No objections
Neighborhood Associations - No known Neighborhood Associations were identified by the Planning Commission in the vicinity of the requested street abandonments.

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

1. Be contrary to the public interest; or

2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 4
Map

POLICY

8. City Manager's Report

This item addresses a 1999 Council Retreat priority:
Transit Plan and 1/2¢ Sales Tax: Implementation

9. Transit Governance Interlocal Agreement and Resolution

Action: **Adopt a resolution approving the Transit Governance Interlocal Agreement.**

Staff Resource: Boyd Cauble

Focus Area: Transportation

Explanation:

- The managers of the six Mecklenburg Towns, the City of Charlotte, and Mecklenburg County have met on numerous occasions throughout the 2025 Integrated Transit/Land-Use Plan process to develop the relationships and mechanisms for guiding the planning, financing, and implementing an effective, efficient, responsive, and accountable integrated regional transit system.

- The managers were guided by the 1994 proposal of the Transportation Study Committee of 100 for a regional cooperative governance system based on interlocal agreements. They also followed the provisions of the 2025 Integrated Transit/Land Use Plan which refined the concept by specifying that a Metropolitan Transit Commission (MTC) would administer the half-cent transit sales tax. The managers concluded that:

  1. the City of Charlotte should be the lead administrative transit agency;

  2. Mecklenburg County should have a major role because of the County's obligation to implement the half-cent transit sales tax and the significant amount of revenue it would generate; and

3. the Towns are critical to the success of the proposed transit alternatives because of their land use roles.

- Based on these conclusions, it was agreed that all units of government in Mecklenburg have significant and diverse roles to play in administering the new regional transit system. The major theme of the Interlocal Agreement provides for equal representation on the MTC for program planning and budgeting recommendations. However, the County and the City are given ultimate program and budgetary approval authority. The Agreement also provides, initially, for regional non-voting representation, and the flexibility to expand the transit system and governance structure beyond Mecklenburg County.

- The governance structures and processes set forth in the Interlocal Agreement become effective upon approval of the Interlocal Agreement by the City Council and the Board of Commissioners, and upon levy of the transit sales tax by the Board of Commissioners. The Mecklenburg Towns become party to the Agreement upon approval by their governing boards.

- The Board of Commissioners is scheduled to vote on the Interlocal Agreement and the levy of the transit sales tax on February 16. Each of the Towns are scheduled to vote on the Agreement on or before February 16. The sales tax is proposed to be effective on April 1, 1999.

Attachment 5
Resolution and Transit Governance Interlocal Agreement

10. Business Investment Plan

Action: **Approve the Economic Development and Planning Committee recommendation to revise the Business Investment Plan and make changes to the Investment Zone boundary.**

Committee Chair: Lynn Wheeler

Staff Resource: Tom Flynn

Focus Area: Economic Development and City Within A City

Explanation:

- The Business Investment Plan is a City/County plan to attract and retain jobs in the City Within A City area. The Plan, adopted by City Council and the County Commission in January 1998, gave grants to a new or expanding business based on the amount of estimated increase in property tax revenue for a five year period.

- In June 1998 the Institute of Government at Chapel Hill issued a paper calling into question the constitutionality of this type of program because of the direct relationship to the property tax. The intent of the proposed revisions is to resolve this question by basing the City/County payment on the amount invested, rather than the property tax paid.

- The recommended revisions would make the following changes to the Business Investment Plan:

  - The City/County payment would be based on the amount invested by the company. The payments would last five years and would be based on the following schedule:

    Year 1: 1% of investment
    Year 2: .95% of investment
    Year 3. .90% of investment
    Year 4: .85% of investment
    Year 5: .80% of investment

  - The minimum investment required would be reduced from $2 million to $1.5 million and the purchase of existing buildings would not count toward the minimum investment.

  - "Air courier services" (i.e. FedEx) would be added to the list of eligible businesses in order to promote the airport's cargo and multi-modal development strategy.

  - The City would pay 45% of the Investment Grant and the County will pay 55% of the Investment Grant.

- The recommended changes in the Investment Zone boundary include:

  - Adding area around the Airport and on Wilkinson Boulevard to align the City's Investment Zone with the State Development Zone.

  - Deleting area along Central Avenue to Eastland Mall since most of this land is residentially zoned. This change would remove possible incentives for manufacturing and warehousing to locate in residential areas. (See attached map)

- The Business Investment Program assists certain businesses (manufacturing, warehousing, distribution) locating within certain areas of City Within A City or adjacent industrial and business zoned areas. The business must create 20 new jobs with an average pay of 110% of the Countywide average weekly pay. (This wage requirement can be reduced to 90% if 25% of the new employees live within the Investment Zone, or participate in economic assistance programs such as WorkFirst.)

- City Council and County Commission would approve all Business Investment Grant requests.

- The Institute of Government has reviewed the recommended changes to the Business Investment Program and agrees that the redesigned Program is constitutional because it is not tied to the property tax.

Committee Discussion:

- The Committee voted 4-0 (Wheeler, Baker, Greene and Sellers; Majeed was absent) to recommend approval to City Council. The Committee discussed the deletion of the Central Avenue/Eastland Mall area, but agreed with the staff recommendation not to provide incentives to manufacturing/warehousing in residential neighborhoods.

- The Committee also wanted to be certain that businesses receiving Investment Grants were current with their taxes. That is a requirement of the Program.

Funding: The City's share of Investment Grants would be budgeted on an annual basis from the General Fund. Staff believes that the Grants will be revenue neutral given the declining payment schedule and the required $1.5 million investment.

Attachment 6
Map of the Investment Zone
Example of Business Investment Grant

11. Roseland Investor-Owner Rehabilitation Loan

The CWAC Committee will meet on February 3 to discuss this loan. This agenda item will be sent in the Friday, February 5, 1999 Council-Manager Memo.

12. 2010 Charlotte Center City Urban Design Plan

Action:

A. Approve the Economic Development and Planning Committee recommendation to fund $175,000 for the 2010 Charlotte Center City Urban Design Plan to hire the design team of Cooper, Carry & Associates; and

B. Adopt a budget ordinance appropriating $175,000 from Council Contingency.

Committee Chair: Lynn Wheeler

Staff Resources: Del Borgsdorf and Martin Cramton

Focus Area: Economic Development

Explanation:

- The City Council was briefed on this plan on September 14, 1998. The briefing was done by Charlotte Observer Publisher Peter Ridder, who chairs the committee of the Charlotte Center City Partners (CCCP) working on this plan.

- The City of Charlotte in collaboration with CCCP, and Mecklenburg County have sought a consultant team. These consultants will be charged with developing an innovative ten-year growth, development and Urban Design Plan for the Center City.

- The City is being asked to fund $175,000 of the $350,000 project which will include a contract with Cooper, Carry & Associates of Alexandria, Virginia, the consulting firm selected to do the plan. The County will pay $75,000 and the CCCP $100,000.

- The comprehensive plan will communicate the community's vision and provide guidelines for developers to understand the kind of place and level of design quality the community expects. In addition, the plan will provide City and County staff and elected officials a blueprint for evaluating proposed projects and making public investment decisions. An overview of the scope of services is attached.

- The 2010 Plan will build on the strategy set forth in the 1990 Center City Charlotte Urban Design Plan to connect the Center City with neighborhoods and business areas that lie beyond the I-277/Brookshire Freeway loop. The consultants are charged with developing an innovative approach in creating a place with character, a distinct identity, and building on the strengths and opportunities that already exist.

- There will be minority participation on the consultant team. African-American owned business participation is 7% and women-owned business participation is 3%. In addition, other minority participation will occur within the context of the larger project team organizations.

Funding: The budget ordinance appropriates $175,000 from the FY99 Council Contingency (balance is $465,395).

Committee Discussion:

- The Economic Development and Planning Committee expressed a strong desire to have an extensive and broad public involvement process. Peter Ridder, Committee Chairman on this CCCP project assured them this would occur.

- Councilmembers Sellers, Baker, Greene and Wheeler were present. The Committee vote was 3 to 1 to recommend funding for this plan. Baker, Greene, and Wheeler voted in favor of the motion. Councilmember Majeed was absent.

- The Economic Development and Planning Committee inquired if the consultants proposals were competitive in price. They were assured the two finalists could complete the plan for $350,000.

  They also understood that approximately 15% or $50,000 specified additional services amount would also be included to cover additional citizen participation needs that may arise.

Attachment 7
Draft Scope of Services Summary
Consultant Selection Process

BUSINESS

13. Nominations for Carolina Theater Task Force

Action: **The Arts and Science Council has requested that City Council appoint two members of the 11-member Carolina Theater Task Force. Nominations will take place on February 22, 1999.**

Attachment 8

14. Nominations for Housing Strategy Stakeholder Group

Action: **Submit 25 nominations for the Strategic Housing Plan Stakeholders Group. Appointments will be made at the February 15 Zoning Meeting.**

Attachment 9

15. Appointments to Boards and Commissions

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

A. CITIZENS OVERSIGHT FOR CABLE TV
One position beginning immediately to fill an unexpired term ending March 31, 2000. Shelia Stewart has resigned.

1. Carlton Crump by Councilmember Cannon
2. Jean Homiski by Councilmember Wheeler

Attachment 10

B. CIVIL SERVICE BOARD
Two positions beginning immediately to fill unexpired terms. One will end on May 15, 2001 and the other on May 15, 2000. Claude Alexander and Patrick Clark did not meet Council's attendance requirements.

1. Claude Alexander by Councilmember Majeed
2. Patrick Clark by Councilmember Majeed
3. Carmen Hilton by Councilmember Wheeler
4. Louise Johnson by Councilmember Baker
5. Tom Moore by Councilmember Autrey
6. John Offerdahl by Councilmember Autrey
7. Dr. James Samuel by Councilmember Greene
8. Wells Van Pelt by Councilmember Jackson

Attachment 11

C. MINORITY/ WOMEN'S BUSINESS DEVELOPMENT

One appointment beginning immediately and ending March 1, 2001. Must represent a majority business owner. Frank McPherson did not meet attendance requirements.

1. Mike Hampton by Councilmember Greene
2. Michael Rogers by Councilmembers Autrey and Wheeler
3. Frank McPherson by Councilmember Reid

Attachment 12

D. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

Three, two-year positions beginning March 1999. Jefferson Brown, Dan Clodfelter, and Mary Stafford are not eligible for reappointment.

1. W.E. (Bill) Bryant, Jr., by Councilmember Sellers
2. Troy Buder by Councilmember Autrey
3. Guy Forcucci by Councilmember Autrey
4. Linette Pratt Fox by Councilmember Greene
5. Stephen Hayes by Councilmember Wheeler
6. Edward Nowokunski by Councilmember Reid

Attachment 13

E. **ZONING BOARD OF ADJUSTMENT**

One, three-year appointment beginning February, 1999. George Wallace does not wish to be reappointed.

1. Jeff Coulter by Councilmember Spencer
2. Jerry McMurray by Councilmember Jackson

Attachment 14

Introduction to CONSENT

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

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

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

Minority and Women Business Development Program (MWBD) Abbreviations:
BBE - African American
ABE - Asian American
NBE - Native American
HBE - Hispanic
WBE - Non-Minority Women

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

CONSENT

16. Various Bids

A. Water and Sewer Main Construction - FY99 Contract K - Street Main Extensions — CMU

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $769,775.90 by Castor Plumbing Company, Inc. of Cornelius, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0.00	0%	2%
WBE	$11,095	1.4%	3%

MWBD Compliance: Yes. The Utility Department has reviewed Castor's documentation and determined that the Contractor will and can self-perform the majority of work on this contract. Castor will make the good faith effort to meet the goals if other subcontracting opportunities arise.

B. Water and Sewer Main Construction - FY99 Contract L - Street Main Extensions **CMU**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $801,879.70 by R. H. Price, Inc. of Charlotte, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$1,000.00	0.1%	2%
NBE	$1,000.00	0.1%	0%
WBE	$799,879.80	98.0%	3%

MWBD Compliance: Yes.

C. State Shoulder Right-of-Way Mowing, West FY99 **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $125,924.40 by Todd Landscaping of Charlotte, N.C. This three-year contract provides for mowing the shoulder right of ways on State designated streets within the Charlotte City limits. The City is reimbursed by the State through a municipal agreement and has been mowing these right of ways since 1976.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	4%
WBE	$0	0%	3%

MWBD Compliance: Yes. Todd Landscaping will self-perform.

D. State Shoulder Right-of-Way Mowing, East FY99 **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $117,306 by Todd Landscaping of Charlotte, N.C. This three-year contract provides for mowing the shoulder right of ways on State designated streets within the Charlotte City limits. The City is reimbursed by the State through a municipal agreement and has been mowing these right of ways since 1976.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	4%
WBE	$0	0%	3%

MWBD Compliance: Yes. Todd Landscaping will self-perform.

E. **Sugar Creek Road Sidewalks** — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $252,350 by Showalter Construction Company, Inc.of Charlotte, N.C. This contract will provide for construction of new sidewalks where none exist along Sugar Creek Road from I-85 to Academy Street as part of the Sidewalk Construction Program as funded in the 1996 bond package.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	4%
WBE	$0	0%	4%

MWBD Compliance: Yes. Showalter Construction will self-perform.

17. Refund of Certain Taxes

Action:

A. Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $32,944.20.

Attachment 15
List of Refunds

18. Approve Resolution Of Intent To Abandon Street And Set Public Hearing - A Portion of Linwood Road

Action:

A. Adopt the Resolution of Intent to abandon a portion of Linwood Road; and

B. Set a Public Hearing for March 22, 1999.

Attachment 16
Map

CONSENT II

19. Contract for Police Applicant Background Investigations

Action: **Approve a three year contract, not to exceed $504,000, with ASET Corporation to conduct police applicant background investigations.**

Explanation:

- The Police Department is taking a number of measures to strengthen and streamline its recruitment efforts. In reengineering the recruitment process, the Department determined that it would be a more efficient use of the recruitment staff's time to outsource police applicant background investigations.

- The Police Department anticipates that it will process approximately 200 applicants per year. The personal reference and employment history checks require an average of 12 interviews per applicant.

- With the assistance of the City Procurement Division, the Police Department sent out a request for proposals to outsource applicant background investigations. The following vendors responded:

  - US Investigative Services at $90 per interview
  - ASET Corporation at $65 per interview
  - AAA Associated Employment Services at $45 per interview

- The Police Department evaluated the three proposals to identify a vendor who had the organizational structure, personnel, and experience in background investigations to work effectively with police recruitment staff.

- AAA Associated Employment Services is a start-up venture where the potential owner planned to form a company if the bid was accepted. The owner had no prospective personnel with experience in background investigations. The bid did not meet the criteria as outlined in the RFP.

- Both ASET Corporation and U.S. Investigative Services met the selection criteria. ASET Corporation was selected because its was the least expensive of the two qualified bids.

- Privatizing this function will enable the existing personnel in the Recruitment Section (1 captain, 1 sergeant, and 8 police officers) to concentrate on actual recruitment efforts and interviewing and testing applicants.

- The contract with ASET Corporation is for three years with an option for two additional years. ASET will conduct an estimated 2400 interviews per year at a per interview cost of $65 for the first year, $70 for the second year, and $75 for the third year.

Funding: Police Department's Operating Budget

20. Change Orders for US Airways Maintenance Facility

Action:

A. Adopt a $428,595 budget ordinance to appropriate interest earnings in the special facility revenue bond fund to the construction control center; and

B. Approve change orders in the amount of $660,041 with Edison Foard, Inc. for construction and renovation of the US Airways Maintenance Facility at 5535 Wilkinson Boulevard.

Explanation:

- The City is modifying and expanding an existing facility at 5535 Wilkinson Boulevard to accommodate the relocation of US Airways' aircraft maintenance facilities. This facility will employ 975 mechanics relocating from Greensboro and Winston-Salem.

- These contracts are funded by Special Facility Revenue Bonds sold on the credit of US Airways. This project was designed as it was built and involved the relocation of much equipment from existing US Airways facilities. The facility was also expanded during construction by US Airways.

- Previously, City Council awarded four construction contracts to Edison Foard, Incorporated of Charlotte in the amount of $4.6 million and three change orders in the amount of $1,408,721.

- US Airways has asked that we amend the existing contracts with the following change orders:

Package 1 - Structure Renovation	$ 74,587
Package 4 - Interior Upfit	$585,454
CHANGE ORDER TOTAL	$660,041

- The Airport Advisory Committee recommends these change orders.

Funding: This ordinance appropriates $428,595 of interest earnings in the Special Facility Revenue Bond.

21. Airport Public Parking Expansion

Action:

A. Approve a $1,850,000 budget ordinance to provide additional funds in the operating budget for additional expenses in Airport public parking; and

B. **Award a construction contract in the amount of $718,356.30 to APAC-Carolina, Inc. of Charlotte, N.C. for an expansion of the Satellite parking lot; and**

C. **Award a $774,532 contract with Ascom-Trindel for the expansion of the automated parking revenue control to the Satellite Parking lots.**

Explanation:

- The Airport's public parking activity has increased over 32% during the last two years as Charlotte's local passenger boardings have grown significantly. While over 2,500 long term spaces have been added in the last two years, local passenger boarding growth has placed extraordinary demands on public parking facilities at the Airport.

- In the current fiscal year, parking revenues will exceed projections by $4 million. The budget ordinance will provide additional funds to cover the increased costs of accommodating customers as follows:

$ 800,000	Construction of a 1,100 space expansion to Satellite Parking
800,000	Expansion of Automated Parking Revenue Control System to Satellite Lots
250,000	Additional contract parking personnel
$1,850,000	Total

Summary of Bids:

APAC - Carolina, Inc.	**$718.356.30**
Dirtworks	$723,410.00
Crowder Construction	$735,477.00
Kip Corporation	$769,442.91
Showalter Construction	$780,760.50
Blythe Development Corp.	$788,665.00
Scurry Construction	$793,617.81
Blythe Construction	$829,973.35
Thomas Construction	$847,620.83
Sealand Construction	$871,600.50
Boggs Paving	$882,422.00
United Construction	$913,729.00
Jones Grading	$979,487.50

MWBD Status:	Amount	% of Project	Project Goals
NBE	$37,238.00	3%	
WBE	$70,662.50	12%	
MWBD Total	$107,900.50	15%	15%

Automated Parking Revenue Control System
The contract for the parking system was negotiated since it is proprietary software and it is an expansion of an existing system.

Funding: Current parking revenues for FY99 will exceed projected revenues by $4 million.

22. Airport Automated Parking System Maintenance Agreement

Action: **Approve a one-year service agreement with Ascom-Trindel for $158,728.80 for maintenance of the Airport's automated parking system.**

Explanation:

- This maintenance agreement is a 2% increase over last year's service agreement. The agreement will be effective March 1, 1999.
- The current automated parking system includes an on-line computer which provides management and revenue control of all entrance gates, ticket dispensers, cashier terminals and inventory equipment. Due to the proprietary nature of the computer software, only Ascom-Trindel can provide software support and other services required.
- The parking revenue control system was installed in 1982 for $818,435 and upgraded in 1988 for $1,169,180 to include the parking decks.
- The maintenance contract will provide the following:
  - two on-site technicians
  - preventative maintenance (including all parts and labor)
  - 24-hour emergency on-call service (including normal wear & tear and replacement parts)

- on-site testing by factory-trained technicians

- The Airport Advisory Committee recommends this Agreement be approved.

Funding: Aviation Operating Budget

23. Group 3 Transportation Projects - Amendment #2

Action: **Approve amendment #2 for $286,254 with TGS Engineers, Inc. for engineering services on the Group 3 Transportation Projects.**

Explanation:

- This amendment is for design phase services for the following major roadway improvement projects which are included in the 1996 transportation bonds:

  - Central Avenue/Briar Creek Road Intersection Improvement
  - Central Avenue/Kilborne/Norland Intersection Improvement
  - Washburn Avenue/Television Lane Roadway Alignment Improvements

- These projects were designated as Group 3 for ease of project tracking.

- The original scope of services for these projects has been increased significantly due to the extension of project limits and the revision of plans to minimize impacts on adjacent properties and communities.

- The cost of these services is comparable to the cost of similar work for other transportation projects.

Background:

- The original agreement for $323,617 was approved by Council June 29, 1995 for planning and design services.

- Amendment #1 for $55,684 was approved by the City Manager April 6, 1998 for additional surveying and design services.

- Amendment #2 for $286,254 brings the total contract amount to $665,555. Future amendments are not anticipated.

MWBD: 2% WBE

Funding: Transportation Capital Investment Plan

Attachment 17
Detailed information on each Roadway Project

24. Americans with Disabilities Act Implementation - Phases II & III

Action:

A. **Adopt a budget ordinance to appropriate $300,000 from Pay-As-You-Go Fund fund balance to the construction account; and**

B. **Approve agreement for $561,823.90 with American Eastern Builders, Inc. of Charlotte, N.C. for site/building demolition, remodeling, and new construction required to bring ten City-owned locations into compliance with the Americans with Disabilities Act (ADA).**

Explanation:

- Additional funds are needed due to changes in the ADA Code requirements resulting from court decisions and an increase in construction costs throughout the region.

- This agreement provides funding to bring Discovery Place, Mint Museum, Belmont Regional Center, Afro-American Cultural Center, Police and Fire Training Academy, Police Athletic League, Baker Two District Office, Charlie One District Office, Fire Station Number One, and Marshall Park into compliance with the mandatory ADA requirements of 1990.

- To date, the ADA program has completed a self evaluation study and prioritized 41 City-owned buildings, and brought 11 buildings into compliance. The current contract will bring ten more buildings into compliance. Two more phases remain to bring the remaining buildings into compliance and will be completed by 2001.

Summary of Bids:

	Single Prime
American Eastern Builders, Inc. of Charlotte, NC	**$561,823.90**
T.K. Brown of Mint Hill, NC	$654,503.30

Funding: Pay-As-You-Go Fund Balance

Attachment 18
Individual costs of each building

25. CMGC Elevator Maintenance Agreement

Action: **Approve agreement for $400,304.40 with Otis Elevator Company, Inc. of Charlotte, NC, for five years of full service elevator maintenance for the Charlotte Mecklenburg Government Center.**

Explanation:

- This agreement provides full service maintenance for five years on the six elevators in the CMGC. The agreement also provides software upgrades to ensure maximum efficiency of the CMGC elevators. The elevator software is Year 2000 complaint.

- Otis Elevator Company, Inc. is the manufacturer and the installer of the elevators and has maintained them since their installation eleven years ago.

- The maintenance fee represents a cost of $.21 per total square feet of building space per year over the next five years. This is the same fee under the current contract which expires March 1, 1999. The average cost per year for uptown buildings is $.27 per total square feet.

- Otis owns and controls the computer software which operates the elevators and is currently installing an extensive upgrade of software and hardware under the current contract. There is no generic software that fits the CMGC elevators.

- The City selected Otis because of their sole proprietorship of the computer software, as well as their excellent service and competitive rates.

- The agreement may be renewed after five years upon mutual consent of the City and Otis.

Funding: Charlotte-Mecklenburg Government Center Operating Budget

26. McAlpine Creek Wastewater Management Facility Electrical Instrumentation Improvements - Change Order #2

Action: **Approve Change Order #2 for $204,867 with Energy Erectors, Inc. for electrical/instrumentation work at the McAlpine Creek Wastewater Management Facility.**

Explanation:

- The McAlpine Creek Wastewater Management Facility is being expanded from 48 million gallons per day (MGD) to 64 MGD.

- Change Order #2 will pay Energy Erectors for providing labor and equipment to:

  - upgrade six primary clarifiers to applicable National Electrical Code and National Fire Protection Association code requirements;

  - relocate the Variable Frequency Drives and provide bypass switch for emergency generator power for the North Plant Raw Sewage Pumping Station; and,

  - perform other miscellaneous work to enhance operations and maintenance.

- The contract for electrical/instrumentation work was approved by City Council on January 27, 1997 in the amount of $4,314,851.

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

- Energy Erectors' contract will increase from $4,515,518.54 to $4,720,385.54.

MWBD: The Contractor's effort concerning MWBD involvement will increase with approval of this change order. The HBE participation will increase by $7,100, or 3.47%, of the contract amount.

Funding: Sewer Capital Investment Plan

27. Removal, Hauling, and Disposal of Residuals - Design Services

Action: **Approve design services for $554,743.06 with Trimax Environmental Services (USA) for the removal, hauling, and disposal of residuals from the Irwin Creek Wastewater Treatment Plant lagoon.**

Explanation:

- The contract with Trimax Environmental Services (USA) to clean, haul and dispose of the material from three lagoons at Irwin Creek, Sugar Creek and McAlpine Creek Wastewater Treatment Plants was approved by City Council on May 26, 1998 in the amount of $1,575,727.88.

- The contents of the lagoon at Irwin Creek WWTP were estimated when the lagoon was full of sludge and water. A new estimate of the residuals in the lagoon was performed once the water had been removed. This material must be removed prior to construction of three final clarifiers that are presently under contract.

- Amendment #1 in the amount of $554.743.06 will provide for cleaning, hauling and disposal of the remaining material in the Irwin Creek WWTP lagoon.

- Trimax Environmental Services (USA) Inc. contract will increase from $1,575,727.88 to $2,130,470.94.

Funding: Sewer Capital Investment Plan

28. Acquisition of Habersham, Windsor Chase, Matthews Commons, and Williams Crossing Subdivisions Sewer System

Action: **Approve contract with Carolina Water Services, Incorporated for the purchase of the sanitary sewer system serving Habersham, Windsor Chase, Matthews Commons and Williams Crossing Subdivisions. The purchase price is $1,200,000.**

Policy: CMUD considers the acquisition of private sewer systems when elimination of a private sewage treatment plant can be achieved.

Explanation:

- The Charlotte-Mecklenburg Utility Department (CMUD) is currently finalizing construction drawings of the 1997 Matthews Sewer Bond Program. This bond program provided for the extension of sewer trunk lines into various town communities that do not have sanitary sewer service.

- As an alternative to installing new sewer trunk lines that would parallel an existing Carolina system, CMUD recommends the purchase of the Carolina system.

- The advantages to the City's purchase of the Carolina system are:

  - It would avoid disruption to the community by eliminating the need to install a parallel trunk line;

  - CMUD would acquire 300 new sewer customers;

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

  - A Carolina sewage treatment plant discharge located on Irvins Creek at Idlewild Road would be eliminated.

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

- The Town of Matthews supports this request.

Funding: Sewer Capital Investment Plan

29. Property Transactions

Action: **Approve the following property acquisition (A-F) and adopt the condemnation resolution (G).**

For items A-C, 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 features. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Acquisitions:

A. **Project:** Airport Master Plan Land Acquisition
Owner(s): John Robert Williams
Property Address: 8423 Trexler Avenue
Property to be acquired: .459 acres
Improvements: ranch
Purchase Price: $28,000
Remarks:
Zoned: RMH **Use:** House
Tax Value: $5,480
Tax Code: 113-106-03

B. **Project:** Airport Master Plan Land Acquisition
Owner(s): Gary B. and Felicia G. Jones
Property Address: 8301 Hillcrest Drive
Property to be acquired: .360 acres
Improvements: ranch
Purchase Price: $61,000
Zoned: RMH **Use:** House
Tax Value: $42,770
Tax Code: 113-103-13

C. **Project:** Airport Master Plan Land Acquisition
Owner(s): Andrea L. Ertel
Property Address: 4400 Wallace Neel Road
Property to be acquired: 6.32 acres
Improvements: vacant land
Purchase Price: $205,000
Zoned: RMH **Use:** Vacant Land
Tax Value: $96,800
Tax Code: 113-133-03

D. **Project**: North Davidson Corridor Corner North Davidson & East 36th Streets, Parcel #1, 1A & 1B
Owner(s): Dow Rentals, Inc.
Property Address: 3232-3238 North Davidson Street
Property to be Acquired: 1,051 ± sq.ft. (0.024 ac.) fee simple plus 3,712 sq.ft. (0.009 ac.)
Improvements: Two-story Commercial Building
Purchase Price: $72,500
Remarks: Street and sidewalk improvements at North Davidson and 36th Streets require the demolition and removal of an existing building on this site. Two individual, certified appraisals established compensation.
Demolition Requested: Yes
Zoned: B-1
Use: Commercial
Total Parcel Tax Value: $92,290
Tax Code: 083-085-09, 10 & 11

E. **Project**: Hoskins Road Widening, Parcel #16
Owner(s): Michael D. Guin & Raymond E. Guin
Property Address: 212 North Hoskins Road
Property to be Acquired: Fee 2,056 sq.ft. (.0472 ac.)
Improvements: House, Garage and Driveway
Purchase Price: $80,000
Remarks: The area is needed for street widening requiring the removal of the house and garage. Acquisition price is based on two independent, certified appraisals.
Demolition Requested: Yes
Zoned: B-1
Use: Single Family Residential
Total Parcel Tax Value: $55,790
Tax Code: 039-015-03

F. **Project**: Hoskins Road Widening, Parcel #12, 14, 15
Owner(s): Fannie Lee Keistler Estate
Property Address: 201 North Hoskins Road
Property to be Acquired: Fee 4,833 sq.ft. (.1109 ac.) plus temporary construction easement 3,304 sq.ft. (.0758 ac.)
Improvements: Asphalt paving, concrete block buildings
Purchase Price: $142,800
Remarks: The area is needed for street widening which will require removal of two permanent buildings. Acquisition price is based on independent, certified appraisals.
Demolition Requested: Yes
Zoned: B-1
Use: Commercial, Warehouse
Total Parcel Tax Value: $300,870
Tax Code: 039-036-13

Condemnation:

G. **Project**: 1997 Annexation-Davis Lake Area, Parcel #31
Owner(s): J. P. Realty Partners, Inc. & any other parties of interest
Property Address: 4968 W. T. Harris Boulevard
Property to be Acquired: 41,892 sq.ft. (.962 ac.)
Improvements: None
Purchase Price: $35,000
Remarks: The permanent sanitary sewer and temporary construction easements are needed to complete this project. City staff has yet to reach an agreement with the property owner after numerous meetings. Condemnation price is based on an independent appraisal.
Zoned: B-15CD
Use: Commercial
Total Parcel Tax Value: $568,300
Tax Code: 043-082-14

30. Minutes

Action: **Approve the titles and votes reflected in the Clerk's record of the January 20, 1999 Zoning Meeting.**