AGENDA

Meeting Type:	BUSINESS
Date:	02/09/1998

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

Council Agenda

CITY COUNCIL MEETING
Monday, February 9, 1998

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**

CITY COUNCIL AGENDA

Monday, February 9, 1998

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Convention Center Maximization Committee Report

Committee Chair: Lynn Wheeler

Citizens Committee Chair: Tom Nelson

Staff Resource: Tom Flynn

Time: 30 minutes

Attachment 1

2. Sale of the Old Convention Center

Staff Resource: Kent Winslow

Time: 90 minutes

Attachment 2

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

CONSENT

3. Consent agenda items 11 through 18 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

4. Public Hearing To Abandon Street - Portion of Hanover Street

Action:

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

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

Explanation of Request:

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

Petitioner:
James B Payseur

Right-of-Way to be abandoned:
A portion of Hanover Street

Location:
Between Bay Street and Laburnum Avenue

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner and abutting property owners The petitioner plans to develop residential in-fill

Community Input:

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

Adjoining property owners - No objection
Neighborhood Associations - Chantilly Neighborhood, No objection
Plaza/Central Development - No objection
Private Utility Companies - No objection

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

1 Be contrary to the public interest, or,

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

Attachment 3
Map

5. Airport Special Facility Revenue Bond Financing

Action:

A. Hold a public hearing concerning Airport Special Facility Revenue Bond Financing; and

B. Adopt a resolution approving the terms and financing documents for up to $110,000,000 of Special Facility Revenue Bonds to refund existing Special Facility Revenue Bonds and to provide funding for additional facilities and improvements that will be leased to US Airways, Inc.

Staff Resource: Richard Martin and Jerry Orr

Focus Area: Economic Development

Explanation of Request:

- Federal tax laws require a public hearing to notify the public before issuing this type of debt Notice of the public hearing was published in the Charlotte Observer on January 24, 1998

- All of the debt service related to these bonds will be paid by US Airways, Inc There is no impact on the City's debt program

- On November 24, 1997 City Council approved, in principle, the issuance of up to $125,000,000 of Special Facility Revenue Bonds to refinance existing bonds and additional improvements (see attachment, Project Description) which will be leased to US Airways, Inc , and authorized the appropriate officials to develop the financing documents to be approved by City Council

- Adoption of the resolution authorizes officials to execute the documents necessary to issue the Special Facility Revenue Bonds Adoption of the resolution approves the following documents (see attachment, Document Definitions)
  - The Series Resolution,
  - Supplemental Lease Agreement II,
  - Conforming amendments to the existing Lease Agreements,
  - The Bond Purchase Contract,
  - Sale of Lease Improvements Agreement,
  - The Escrow Deposit Agreement,
  - The Preliminary Official Statement, and
  - The Financing Team
- The bonds will result in significant savings to US Airways, Inc (estimated present value savings are $16,417,000) These facilities will accommodate 975 new employees with an annual payroll in excess of $50,000,000

Community Input: The Airport Advisory Committee recommends this public hearing and adoption of the resolution

Attachment 4
Project Description
Document Definitions

POLICY

6. City Manager's Report

7. Sale of Old Convention Center

This item will be included in the Council-Manager Memo on Friday, February 6

8. FY99 Budget Process and Calendar

Action: **Approve the Budget Committee's recommended process for development and review of the FY99 Operating Budget and the FY99-03 Capital Investment Plan.**

Committee Chair: Lynn Wheeler

Staff Resource: Curt Walton

Explanation of Request: Council is requested to approve the recommended FY99 Budget process and calendar which includes

- six half-day budget retreats from February through June Retreats are scheduled to begin at 2 00 p m and end at 6 00 p m,
- budget presentation on May 4, 1998 at 4 00 p m ,
- the public hearing on the budget on May 26, 1998 at the Council's regular business meeting,
- televised final decisions on June 9, 1998, and
- televised Budget Adoption on June 15, 1998, 6 00 p m at the Zoning Meeting

Background: At the January 12, 1998 Business Meeting, Council referred the recommended budget calendar back to the Budget Committee to reconsider

- the date of the budget public hearing, and
- starting the budget retreats at 3 00 p m rather than 2 00 p m

Committee Discussion:

- The Budget Committee met on February 2, 1998 and voted unanimously (Wheeler, Autrey, Cannon, Reid and Rousso) to recommend the attached budget calendar for FY99
- The Committee preferred a budget public hearing as part of a regular Council business meeting, rather than on a separate night May 26 is the only regular business meeting between budget

presentation and budget adoption, other than June 8 June 8 was considered to be too late in the budget process for citizen input

- The Committee also preferred starting the Budget Retreats at 2 00 p m rather than 3 00 p m The Committee felt that too much budget discussion time would be lost by taking one hour from each of the Budget Retreats

Attachment 5
Recommended Budget Calendar and Process

BUSINESS

9. Nominations to Boards and Commissions

Action: **Nominate candidates to serve on this committee:**

A. TRANSIT PLANNING ADVISORY COMMITTEE
Four positions beginning as soon as possible on a 21 member committee to advise elected officials on the technical and public involvement issues relative to transit land use planning

Attachment 6

10. Appointments to Boards and Commissions

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

A. CITIZENS OVERSIGHT COMMITTEE FOR CABLE TV
Two positions for two-year terms beginning April 1998

1 Leonard Berger by Councilmember Rousso
2 Victor Guzman by Councilmember Jackson
3 Glenda Manning by Councilmember Majeed
4 Paul Parker by Councilmember Jackson

Attachment 7

B. COMMUNITY RELATIONS COMMITTEE
Two positions beginning immediately to fill unexpired terms ending June 30, 1998 and the next full three-year terms

1 Thomas Haselden by Councilmember Reid
2 Alex Holloman by Councilmember Cannon
3 Michael Nugyen by Councilmembers Jackson, Majeed & Wheeler

4 Reverend James Samuel by Councilmember Cannon
5 Tuyet Seehaler by Councilmember Autrey
6 Kay Strayer by Councilmember Spencer

Attachment 8

C. **CONVENTION & VISITORS BUREAU BOARD OF DIRECTORS**

One position to fill an unexpired term ending September 1998 and the next full three-year term

1 James W "Slug" Claiborne by Councilmembers Autrey & Baker
2 Warren Cooksey by Councilmembers Reid, Rousso & Wheeler
3 Sabrina Jackson by Councilmember Greene
4 Mary Trexler by Councilmember Spencer

Attachment 9

D. **MAYOR'S INTERNATIONAL CABINET**

One new three-year at large position beginning February 1998 and one new three-year position to represent an ethnic group

At Large
1 Tom Bumgardner by Councilmember Reid
2 Robert Fudge by Councilmember Cannon
3 Richard Lebel by Councilmember Jackson
4 James Gregory Pilkington by Councilmember Sellers
5 Jack Sommer by Councilmember Baker
6 Carroll Stephenson by Councilmember Autrey

Ethnic Representative
1 Mary Lougenia Boyd by Councilmember Cannon
2 Phiderika Foust by Councilmember Majeed
3 Julius Goldstein by Councilmember Rousso
4 Sherry Suttles by Councilmember Jackson

Attachment 10

E. **PAROLE ACCOUNTABILITY COMMITTEE**
Two positions beginning immediately to fill unexpired terms ending June 1998 and the next full three-year term

1 Brian Francis by Councilmember Wheeler
2 Ray Kluth by Councilmember Wheeler
3 Ruth Ann Reynolds by Councilmember Cannon
4 Richard Stasczak by Councilmember Reid

Attachment 11

F. **PRIVATIZATION/COMPETITION ADVISORY COMMITTEE**
One, three-year position beginning March 1998

1 Troy Buder by Councilmember Rousso
2 Tony Combs by Councilmember Jackson
3 Dr Lynette Fox by Councilmember Greene
4 Ray Groth by Councilmembers Sellers & Wheeler
5 Don Lochman by Councilmember Reid

Attachment 12

G. **STORM WATER SERVICES COMMITTEE**
One, three-year position beginning immediately, ending April 1998 and the next full three-year term Must represent a school, college or university

1 Frank Barnes by Councilmember Reid
2 Annie Robinson by Councilmember Cannon

Attachment 13

H. **TRANSIT ADVISORY COMMITTEE**
Two, three-year terms beginning immediately to fill unexpired terms ending January 31, 2000 One must be a neighborhood organization leader and the other must represent a suburban employer served by Charlotte Transit One, three-year term beginning February 1998 and must be a local service passenger

Neighborhood Leader

1 James Shannon, Jr by Councilmember Cannon
2 Blue Webber by Councilmember Spencer
3 Theodore Gilchrest White, III by Councilmember Cannon
4 David Williamson by Councilmember Greene

Suburban Employer served by Charlotte Transit

1 Blue Webber by Councilmember Spencer

Local Service Passenger

1 Stephany Dickey by Councilmember Spencer

Attachment 14

I. <u>TREE ADVISORY COMMITTEE</u>

One position beginning immediately to fill an unexpired term ending June 30, 1998

1 James Andrew Basinger by Councilmember Baker
2 Peter Franz by Councilmember Spencer
3 Karen Jones by Councilmember Wheeler
4 Mason Siers by Councilmember Cannon
5 David Van Covern by Councilmembers Jackson & Sellers

Attachment 15

J. <u>WASTE MANAGEMENT ADVISORY BOARD</u>

One recommendation to the County Commission to represent the legal category beginning immediately and serving the next full three-year term John Paul DeBernardo has resigned

1 Bradley Pearce by Councilmembers Autrey, Cannon & Sellers
2 David Pierce by Councilmember Rousso

Attachment 16

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

CONSENT

11. Various Bids

A. Cavendish-Cloister Storm Drain Improvements — Engineering and Property Management

Recommendation: The City Engineer recommends the low bid of $1,818,414 31 by Ferebee Corporation of Charlotte, N C The project is located in the Cloister and Brookridge Neighborhoods off the 3600 block of Providence Road near the intersection of Sharon Road

MWBD Status:	Amount	% of Project	Project Goals
BBE	$19,315	1%	5%
WBE	$180,011	10%	4%

MWBD Compliance: Yes

B. Runway Lighting Replacement Parts **Aviation**

Recommendation: The Aviation Director recommends the low bid of $246,939 20 by ADB-ALNACO Inc of Columbus, OH

MWBD Compliance: Yes There are no known MWBD providers

12. Refund Certain Taxes

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $34,890.22.**

Attachment 17

CONSENT II

13. Police Mobile Data Communications Contract

Action: **Approve a five-year equipment and service contract with Bell Atlantic Mobile for a mobile data communications system for the Police Department for a revised total price of $3,684,861.60**

Staff Resource: Major Piper Charles

Explanation of Request:

- At its May 12, 1997 meeting, Council approved a proposal from Bell Atlantic Mobile (BAM) for the mobile data communications system that will allow the laptop computers in police cars to communicate with the Police Information System (including the state) and the City's Local Area Network (LAN) Council also authorized the City Manager to sign contracts with BAM for a total project cost of $3,455,000

- Contract negotiations with BAM and an accelerated implementation plan have resulted in an increase of $229,861 60 in total project costs These increases are due to

  - an upgrade to faster, more reliable servers compatible with the Police LAN servers

  - the installation of functional laptop computers in police vehicles fifteen months ahead of schedule (by September 1998) and

  - the payment of air time service fees due earlier than originally projected

Funding:

- The increased project costs are offset by a lower unit cost for the laptop computers so no additional funds will be required The mobile data communications project is funded through federal grants

14. Municipal Agreement for the Construction of the Graham Street Connector Between Neal Road and I-85

Action:

A. Authorize the Director of Transportation to sign the Municipal Agreement for the NCDOT to construct the Graham Street Connector between Neal Road and I-85; and

B. Adopt a resolution supporting the project.

Explanation of Request:

- The NCDOT asks that City Council authorize the Director of Transportation to sign the Municipal Agreement for the NCDOT to construct the Graham Street Connector and indicate its support of the project by approving the resolution The project will provide additional thoroughfare system capacity and relieve congestion on other thoroughfares in the area of the project

- The NCDOT plans to proceed with the construction of the Graham Street Connector between Neal Road and I-85 after approval of an air quality conformity plan for Mecklenburg County, which is expected to occur by the end of March 1998

- The Graham Street Connector between relocated Mallard Creek Road and University City Boulevard was initially proposed by Charlotte and Mecklenburg County It was added to the local Thoroughfare Plan on January 21, 1987 This project, identified by the NCDOT as Segment B, provides for construction of a limited access, four lane median divided roadway on new alignment It includes an intersection with Neal Road, a new interchange with I-85, and widening of I-85 to provide necessary, additional lanes to access the interchange

- A future Segment A will extend from Neal Road to relocated Mallard Creek Road at Rumple Road, primarily on new alignment Segment C will extend the project from I-85 eastward with an expected connection with University City Boulevard (NC 49) just east of North Tryon Street (US 29)

Community Input

- The NCDOT conducted a Citizens Informational Workshop on July 30, 1996 for the entire project and a location and design Public Hearing on July 24, 1997 for Segments A and B Concerns were expressed by individuals about impacts on residential property along Segment A which is part of a future project and is currently not funded for construction

- The planning and design for Segment B, located entirely on new alignment, has been completed Property owners abutting Neal Road, which will be widened at its intersection with the project, will be contacted by NCDOT right-of-way agents after the air quality conformance plan for Mecklenburg County is approved

- Due to impacts of a potential alignment for Segment C on Rocky River Road West, the NCDOT limited the environmental assessment to Segments A and B CDOT staff will recommend that the NCDOT finalize the environmental assessment for Segment C and select an alignment for the east end of the project which does not impact Rocky River Road West

- The CDOT transportation staff is in agreement with what the NCDOT proposes for Segment B While the paved shoulder cross section for Segment B is appropriate at this time, CDOT staff will work with the NCDOT and future developers to include amenities such as curb, gutter, sidewalk and street lighting to match the design proposed for Segment A

Funding:

Approval of the Municipal Agreement does not require any City funding Should the Charlotte-Mecklenburg Utility Department (CMUD) desire to upgrade its facilities beyond those adjustments allowed by the NCDOT, a standard Utility Agreement will be prepared and costs funded through a CMUD capital account

Attachment 18
Map showing location and Segments A, B and C

15. Federal Express Cargo Facility Lease Extension

Action: **Approve a three-year extension with two, one-year extensions to the existing lease with Federal Express.**

Explanation of Request:

- Federal Express has leased a 14,000 square foot cargo building since 1979 Their current lease has expired and they have requested a three-year extension with two additional one-year options Rental rates are as follows

  - Warehouse space $4 50/sq ft
  - Office space $7 80/sq ft
  - Total rent $79,077/year

Community Input: The Airport Advisory Committee recommends this lease extension

16. Airport Automated Parking System Service Agreement

Action: **Approve a one-year service agreement with Ascom Trindel Corporation for $155,618.16 for maintenance of the Airport's automated parking system.**

Explanation of Request:

- In 1982, Council approved a $818,435 contract with Trindel-America Corporation for the installation of a revenue control system for the Airport's public parking lots In 1988, Council approved a $1,169,180 contract to upgrade that system in conjunction with the construction of the parking decks

- The current automated parking system includes an on-line computer which provides management control over all fee collections and centralized 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 service agreement provides two full-time service technicians to maintain the parking system

Other services include

- preventive maintenance (including all parts and labor)
- emergency on-call service (including normal wear & tear and replacement parts)
- on-site system testing by factory-trained technicians

- This service agreement will be effective April 1 and is a 3% increase over last year's service agreement

Community Input: The Airport Advisory Committee recommends this agreement

Funding: Aviation operating budget

17. Property Transactions

Action: **Approve the following property acquisition (A-C) and adopt the condemnation resolution (D):**

Acquisitions:

A. Project: F A R Part 150 Land Acquisition
Owner(s) Mr Ira Ray Lowrance
Property Address 4418 Beam Road
Property to be acquired 2 339 acres
Improvements Ranch house
Purchase Price $239,000
Remarks The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the specific size and condition of the land and house The tax value is determined on a more generic basis and will be higher or lower for land or houses with certain features Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970 Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement
Tax Value $122,300 (1991 value)

B. **Project** Northwest Circumferential Grade Separation - ATP 8, Parcel #5
Owner(s) Doris Nell McCall Faber, Trustee
Property Address Old Mt Holly Road
Property to be Acquired 43,560 sq ft (1 09 ac)
Improvements Single family residence & outbuilding
Purchase Price $61,680
Remarks Total acquisition of this property is required for the bridge construction over old Mount Holly Road and the railroad track Compensation is based on two independent appraisals
Zoned R-17 **Use** Residential
Tax Value $56,680

C. **Project** Six Mile Creek Outfall, Parcel #11
Owner(s) Seaborn K Johnson & Burgess A Johnson
Property Address 3816 Tilley Morris Road
Property to be Acquired 14,660 sq ft (34 ac) of Permanent Easement plus Temporary Construction Easement
Improvements Trees
Purchase Price $14,600
Remarks This easement is needed for construction of sanitary sewer line Compensation is based on an independent appraisal
Zoned R-3 **Use** Single family residential
Tax Value $210,980

Condemnations:

D. **Project** 1997 Annexation Six Mile Creek East, Parcel #39
Owner(s) Edward Oliver Hendrix & Diana S Hendrix & any other parties of interest
Property Address 3224 Allenwood Road
Property to be Acquired 12,293 10 sq ft (282 ac)
Improvements Trees
Purchase Price $4,800
Remarks Permanent sanitary sewer easement and temporary construction easement are required for this project Condemnation is requested since property is under foreclosure proceedings and the owner is unable to convey clear title Compensation is based on an independent appraisal

Zoned R-3 Use Residential
Tax Value $152,600

18. Minutes

Action: **Approve minutes as follows:**

- **January 20, 1998 Zoning Meeting**