AGENDA

Meeting Type:	B
Date:	07/19/99

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

Council Agenda

CITY COUNCIL MEETING

Monday, July 19, 1999

5:00 p.m.	**CH-14** **Dinner Briefing** **(See Table of Contents)**
6:00 p.m.	**Meeting Chamber** **Zoning Meeting**

The City Council Business Meeting will begin immediately upon the conclusion of the Zoning Meeting.

1999 Council Retreat Priorities

Top 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

High 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, July 19, 1999

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5:00 P.M. DINNER BRIEFING
CH-14

1. Interstate 485 Interchange Analysis

Staff: Tim Gibbs

Time: 20 minutes

Attachment 1

2. Criteria and Process for Filling an At-Large Councilmember Vacancy

Staff: Mac McCarley

Time: 10 minutes

Attachment 8

3. Committee Reports by Exception

- Economic Development and Planning Committee: West Charlotte Incubator Proposal and Sale of Property at Seventh and McDowell Streets
- City Within A City Committee: Charlotte Neighborhood Fund Request

6:00 P.M. ZONING MEETING

The Zoning Meeting Agenda is contained in a separate document. The City Council Business Meeting will begin at the conclusion of the Zoning Meeting.

CONSENT

4. **Consent agenda items 14 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: Julie Burch

PUBLIC HEARING

5. Public Hearing to Close a Portion of DuBarry Street

Action:

A. Conduct a public hearing to abandon a portion of DuBarry 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.

- The petitioner has met with several adjoining property owners who initially had concerns with the proposed abandonment. The petitioner has resolved all issues and there are no outstanding concerns. Concerns expressed were:

  - The number of units and price range of condos
  - Buffers and trees
  - Access concerns during construction
  - A portion of DuBarry not being abandoned serves as a driveway for one resident.

Petitioner agreed to pave resident's driveway.

Petitioner:
Mr. Ergun Yoruk

Right-Of-Way to be abandoned:
A portion of DuBarry Street

Location:
From 150 feet east of Richland Drive approximately 408 feet to its terminus

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner to facilitate the construction of the 31-unit Richland Townhomes multi-family development.

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

Adjoining property owners - No objection

Neighborhood Associations - No objection
- Hillsborough Acres Neighborhood Association

Private Utility Companies - No objection

Review by City Departments 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 2
Map

POLICY

6. City Manager's Report

7. Interstate 485 Interchange Analysis

Action: **Direct Metropolitan Planning Organization (MPO) Representative on how to vote at the July 21, 1999 MPO meeting regarding the recommendations in the draft Interstate 485 Interchange Analysis Report.**

Staff Resources: Tim Gibbs and Bill Finger

Focus Area: Transportation

Explanation:

- The MPO requested in September 1998 that local transportation staff review interchange design, land use issues, Thoroughfare Plan amendments, and other transportation infrastructure needs related to Interstate 485.

- Highlights of the draft plan recommendations include:

  - Upgrading several interchanges to provide loops (Brookshire Boulevard, North Tryon Street, NC 218, Idlewild Road, South Tryon Street, Arrowood Road)

  - Constructing roundabouts (Moore's Chapel Road, Oakdale Road, Harrisburg Road, Lawyers Road, Weddington Road)

  - Building "urban diamond" type interchanges (Vance Road, Mallard Creek Road)

  - Encouraging internal connectivity between uses near interchanges

  - Completing more detailed land use studies (Wilkinson Boulevard, Brookshire Boulevard, Mallard Creek Road, North Tryon Street, Steele Creek Road, West Boulevard Extension)

- Considering removal of the Westinghouse Boulevard interchange from the Thoroughfare Plan

- Delaying construction of some interchanges (Oakdale Road, Harrisburg Road, Blair Road)

- Providing greater accommodations for bicycle and pedestrian travel, lighting, and consider need for transit-related facilities (i.e., park-and-ride lots) near interchange areas

- Upgrading roads that interchange with Interstate 485 (Mt. Holly Road, Vance Road, NC 115, Mallard Creek Road, Blair Road, Weddington Road)

- Utilizing access management techniques

- Supporting updated land use plans for interchange areas (Prosperity Church Road, Providence Road, all Westside interchanges)

- An Implementation Plan will be developed once the recommendations are adopted. This Plan will assign follow-up tasks to the North Carolina Department of Transportation (NCDOT) and appropriate local agencies and jurisdictions.

Committee Discussion:

- The Transportation Committee received a presentation regarding the study process (11/9/98). Staff presentations were also made at the 11/9/98 Council Workshop, the 4/20/99 Joint City/ County/ School Board Luncheon, and the 6/7/99 Council Workshop.

Community Input:

- Over 600 citizens attended ten public meetings from November 1998 through June 1999. The initial public meeting to identify citizen issues and concerns was held in November 1998. Six additional public meetings were held in various geographic locations countywide in March 1999. Two public forums were held in April 1999 to

present draft recommendations. The MPO hosted a public meeting in June 16, 1999 to hear citizen comments on the draft recommendations. Council hosted a public forum at its June 28 meeting.

Attachment 3
June 9, 1999 Draft Interstate 485 Interchange Analysis Report

8. West Charlotte Business Incubator Proposal

Action: **Approve the Economic Development and Planning Committee recommendations to:**

A. Provide $50,000 in operating funds for the West Charlotte Business Incubator (WCBI);

B. Set aside an additional $50,000 operating funds and $300,000 capital funds for WCBI contingent upon Council approval of the renovation plans and WCBI work program; and

C. Consider the request to make two appointments to the WCBI Board of Directors.

Committee Chair: Lynn Wheeler

Staff Resource: Stanley Watkins

Focus Area: Economic Development and City Within A City (CWAC)

Policy: City Council's Economic Development and CWAC Focus Areas seek to encourage the location, retention and expansion of businesses in Charlotte's distressed urban business districts. The development of a quality and cost effective incubator on the westside is consistent with these goals. Incubators help businesses start and grow by providing strong technical resources, efficient common services and a supportive, networked business environment.

Explanation:

- In 1997, WCBI purchased a 44,459 sq. ft. building located at 2701 Rozzelles Ferry Road for the expansion of their incubator services. In order to begin operations at the new facility, a new WCBI

board must be constituted, professional staff hired and a sustainable operating plan developed.

- Staff recommends that Council appoint two citizens to the WCBI board at this time so Council representatives' input can be included in the hiring of staff and the development of the pro forma, benchmarking goals and renovation plans for the new facility. Council appointees will compose one-third of the total board, a ratio that would be maintained as the board expands over time to a 15 member maximum. Nominations will be taken at the July 19 meeting, while appointments will be made at Council's July 26 meeting (see agenda Item 13-H, Page 18).

- WCBI is requesting $400,000 from this year's City budget. The funds would be disbursed as follows: $100,000 operating funds and $300,000 capital funds for the first phase of renovations to their new facility.

- After a review of WCBI's request, staff is recommending $50,000 of the $100,000 request for operating funds be awarded at this time. The $50,000 will be used by the new board to provide needed staff and technical resources over the next three to six months to develop a sustainable and cost-effective pro forma.

- In addition, staff is recommending that an additional $50,000 operating funds and $300,000 capital funds be set aside for WCBI contingent on Council approval of the renovation plans and WCBI work program. This will allow additional Council input, while assuring the new WCBI board that funds will be available once a sustainable plan is approved.

- The $300,000 will be a forgivable loan. This will fund the first phase of renovations, approximately one-third of the building. The total renovation cost was estimated by City Engineering in 1998 at $829,000. WCBI may ask for additional funds for subsequent phases in future years.

Background:

- WCBI, initially conceived and developed by the West Charlotte Merchants Association (WCMA), was created to develop stable small businesses that create jobs and reinforce economic redevelopment initiatives in Charlotte's northwest corridor. In 1989, the City awarded WCMA a $400,000 forgivable loan to renovate their facility at 617 North Summit Avenue, leased from Johnson C. Smith University. First Union also loaned WCMA $175,000.

- In 1995, WCMA began exploring expansion options as means of increasing revenue, sustaining staff and enhancing programs at the recommendation of incubator expert Dr. Robert Meeder. WCMA was awarded a $250,000 U.S. Small Business Administration grant for professional services (architectural, engineering, environmental, etc.) and staff salaries related to the incubator expansion.

- In 1997, WCBI purchased the Rozzelles Ferry Road site for $375,000, utilizing a $200,000 grant from the North Carolina Technological Development Authority (TDA). The seller, Compass Group, financed $175,000. After renovations, the facility will be used for office suites, light industrial/manufacturing and a fully equipped commercial kitchen.

- In 1998, WCBI Board entered into a partnership with TDA to assist with reorganization. Founded in 1985, TDA has assisted in the establishment of 26 incubators throughout North Carolina. TDA's First Flight Venture Center in Research Triangle Park has graduated 38 businesses with over 221 employees. TDA will be the managing and controlling entity for the incubator program at both properties and facilitate the expansion and renovation of the Rozzelles Ferry site. TDA will contribute an additional $200,000 special appropriation from the state legislature toward this project.

- On May 11, 1999, representatives of WCBI and TDA met with City staff to review a request for $1,000,000 over a three-year period for the

renovation of the Rozzelles Ferry site. At that meeting, a number of issues were raised including benchmarking goals, governance, Council appointments, pro forma structure, management capabilities and a professional review of the proposal.

Committee Discussion:

- On May 17, 1999, WCBI and TDA presented the proposal to the Economic Development and Planning Committee. City staff indicated that more information was needed for a staff recommendation.

- On June 15, 1999, the Economic Development and Planning Committee voted unanimously (Councilmembers Wheeler, Greene, Majeed and Baker) to recommend that the Council:

  - Provide $50,000 in operating funds for WCBI;

  - Set aside an additional $50,000 in operating funds and $300,000 in capital funds contingent upon Council approval of the renovation plans and WCBI work program; and

  - Consider the request to make two appointments to the WCBI Board of Directors.

  - The Committee directed staff to place these recommendations on the June 28, 1999 Council agenda.

- Councilmember Greene requested that staff provide information and photographs demonstrating the economic distress in neighborhoods surrounding the Rozzelles Ferry site. Councilmember Baker asked that WCBI provide information quantifying the return on the City's investment through this loan.

Funding:

Funding will come from the Economic Development Revolving Loan Fund (EDRLF). This fund has a current balance of $861,702.

Attachment 4
WCBI Board Appointees
WCBI Project Budget
NBIA's 1998 State of the Business Incubation Industry Findings
New Study Shows Business Incubation Has Significant Economic Impact
WCBI Neighborhood Profile
Proposed Site of New WCBI
Rozzelles Ferry Road Corridor Photographs

9. Charlotte Neighborhood Fund Request

Action: **Approve the City Within A City Committee recommendation to:**

A. Approve the third year funding of $200,000 to the Charlotte Neighborhood Fund; and

B. Authorize the City Manager to enter into a Memorandum of Understanding with The Enterprise Foundation to administer the Charlotte Neighborhood Fund.

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City and Community Safety Plan

Policy: The City of Charlotte's Consolidated Housing Action Plan for expending federal housing funds identifies strengthening neighborhoods and community organizations as a priority.

Explanation:

- The Charlotte Neighborhood Fund (CNF) is a partnership between the City, The Enterprise Foundation, major banks, Fannie Mae and community development corporations (CDCs). The purpose of CNF is to provide funding to CDCs for operating support and to build capacity for project development.

- As part of the City's three-year funding commitment, City Council is being requested to approve the third year funding in the amount of

$200,000. The Enterprise Foundation, Fannie Mae, the Knight Foundation and local banking partners have raised $761,500. This will leverage the City's contribution.

- Housing production goals from January 1, 1999 - December 31, 1999 are as follows:

Activities	Goal
Lease Purchase (new construction)	1
Rehabilitation	
Single Family	31
New Construction	
Single-Family	47
Rehabilitation	
Multi-Family	6
New Construction	
Multi-Family	116
Acquisition	
Land/Units	4
Total	205

- Non-housing production objectives for the same period include board training for all CDCs, strategic business planning sessions, additional training to CDCs in real estate development and finance, and assessment of CDC technology needs.

- CDCs funded through the Charlotte Neighborhood Fund are: Belmont, Grier Heights, Lakewood, Northwest, Reid Park, and Wilmore.

Background:

- On September 24, 1996 and again on April 13, 1998, City Council approved $200,000 contributions to the Charlotte Neighborhood Fund for the first and second year funding.

- Funding to CDCs for operating support is based on a calendar year and begins January 1, 1999 and ends on December 31, 1999.

- Following on the next page is a composite summary of the CDCs' housing production from January 1, 1998 - December 31, 1998. They achieved 76% of the goal.

Activities	Goal	Achievement
Lease Purchase	1	1
New Construction Multi-Family	22	20
New Construction Single-Family	22	15
Rehabilitation Multi-Family	72	31
Rehabilitation Single-Family	38	6
Acquisition Land/Units	61	91
Total	216	164

Committee Discussion:

- On June 3, 1999, the City Within A City Committee was presented the third year funding request for the Charlotte Neighborhood Fund. The Committee voted 4-0 to recommend approval of the $200,000 request. Councilmembers Autrey, Spencer, Cannon and Sellers voted in the affirmative. Councilmember Jackson was absent.

- The Committee discussed the successes and shortfalls of the 1998 goals and objectives. As a result of the shortfalls, changes have been made in the areas of staffing, administrative, and programming.

- Program changes will consist of four goals:

  1. Building strong durable CDCs;
  2. Expanding activity beyond physical development;
  3. Producing tangible projects; and
  4. Stimulating system change in housing and community development delivery.

- The Enterprise Foundation will provide the CWAC Committee with quarterly status reports of their progress and activities.

Funding:

FY2000 Federal HOME funds of $130,125 and local Innovative Housing Funds of $69,875

Attachment 5
Charlotte Neighborhood Fund Vision
1999 Performance Goals
Past Performance Goals for 1997 and 1998
Charlotte Neighborhood Fund Financial Partners for 1999

10. Wesley Heights Neighborhood Plan

Action: **Approve the City Within A City Committee recommendation to adopt the Wesley Heights Neighborhood Plan Volume I: Concept Plan.**

Committee Chair: Rod Autrey

Staff Resources: Melony McCullough and Debra Campbell

Focus Area: City Within A City

Explanation:

- The Wesley Heights Neighborhood Plan Volume I: Concept Plan was developed at the request of residents/property owners in the area. The plan addresses neighborhood issues such as housing, community appearance, transportation and infrastructure, human services, employment, recreation and open space. Volume II: The Implementation plan outlines activity needed to implement the plan. **Volume II is submitted for information only and no action is being requested at this time.**

- The Wesley Heights Neighborhood Plan Volume I: Concept Plan was developed at the request of residents/property owners in the area. The plan responds to neighborhood issues and concerns.

Committee Discussion: The CWAC Committee reviewed this plan on June 3, 1999 and unanimously recommended approval of the plan. Committee members Rod Autrey, Sara Spencer, Patrick Cannon, and Tim Sellers voted in the affirmative. Committee member Mike Jackson was absent.

Community Input:

- The plan was developed through a series of study group meetings that included representatives from the community, Greater Bethel A.M.E. Church, Charlotte Rotary Club, and City and County elected officials and staff. In addition, the

Planning Committee of the Planning Commission unanimously recommended the plan for approval.

- At the June 14 public hearing, two representatives from the neighborhood and the Charlotte Rotary spoke in support of the plan.

Attachment 6
Wesley Heights Neighborhood Plan
Volume I - Concept Plan
Volume II - Implementation Plan

11. Sale of City Property at Seventh and McDowell Streets

Action: **Approve the Economic Development and Planning Committee recommendation to request proposals and negotiate a private sale for the City property at Seventh and McDowell Streets.**

Committee Chair: Lynn Wheeler

Staff Resources: Kent Winslow and Jim Schumacher

Policy: "Maximize the City's return from its current asset portfolio by pursuing alternative ownership management strategies which meet the City's public policy objectives." - *Guidelines for Service Contracting and Asset Management* (adopted by City Council July 25, 1994)

Explanation:

- The City Council approved the First Ward Plan July 28, 1997, and has aided implementation of the plan by selling City owned property to private interests agreeing to develop in accordance with the First Ward Plan.

- Residential developers have recently expressed interest in the City owned property in the northeast corner of Seventh and McDowell Streets. As a result, Real Estate staff has reviewed with the Economic Development and Planning Committee the options for sale of the property.

  1. **Non-competitive process** (private sale) - The City would identify one buyer and

negotiate a sale based on fair market value of the property.

2. **Request for Proposal process** - The City would solicit proposals from all interested buyers and select the best proposal. Once a proposal is selected, there are two options for completing the sale:

   a. upset bids
   b. private sale

- The Committee recommends Option 2b, basing the selection of the best proposal on compliance with the First Ward Plan and the best overall interests of the community.

Committee Discussion: The Committee reviewed this matter on May 17 and on June 15. The discussion focused on the use of the property as outlined by the First Ward Plan, which calls for residential or non-residential development - multi-family, retail, or office. Design which is consistent with this site's urban location will be important. Lynn Wheeler, Malachi Greene, Nasif Majeed and Charles Baker voted for the recommendation. Tim Sellers was absent.

Attachment 7
Map

12. Criteria and Process for Filling an At-Large Councilmember Vacancy

Action:

A. Adopt criteria and process for filling an at-large Councilmember vacancy; and

B. Adopt Schedule.

Staff Resource: Mac McCarley

Explanation:

- State law provides that a vacancy that occurs in an elective office shall be filled by appointment of the City Council. The appointed successor will serve the remainder of the term.

- Required criteria under State law:

  - Be a registered voter
  - 21 years of age or older
  - Not a disqualified felon
  - Same party as resigning member (registered Democrat to replace Al Rousso)

- Factors considered by previous Councils:

  - Prior service as a Councilmember
  - Prior candidacy for the office to be filled
  - Current candidacy for the office to be filled

- Proposed schedule for filling vacancy:

  - July 19 -- Establish criteria and process
  - June 29-July 26 -- Accept applications
  - July 26 -- Allow candidates to make presentations (3 minutes each)
  - August 23 -- Council vote to fill vacancy

Background:

- March 17, 1999 memorandum from City Clerk Brenda Freeze to Mayor McCrory describing Council processes for filling previous vacancies on Council.

- Minutes from 1989, 1974, and 1972.

- March 15, 1999 memorandum from City Attorney Mac McCarley to the Mayor and City Council describing the State law requirements for filling vacancies on the City Council. (The memorandum was done in anticipation of Councilmember Greene's resignation, but the same issues apply to an at-large seat. The only difference is that the person appointed to fill the at-large vacancy need not live in any particular district.)

Attachment 8
March 17, 1999 memorandum from City Clerk Brenda Freeze to Mayor McCrory (with attached minutes of previous meetings)
March 15, 1999 memorandum from City Attorney Mac McCarley to Mayor and City Council

BUSINESS

13. Nominations to Boards and Commissions

Action: **Council may nominate one citizen for each vacancy.**

A. AIRPORT ADVISORY COMMITTEE
Two three-year terms beginning August 1998. One must be a resident of the west side of Charlotte. Neither Frances Harkey nor Bill Covington is eligible to be reappointed.

Attachment 9

B. CITIZENS OVERSIGHT COMMITTEE FOR CABLE TELEVISION
One appointment beginning immediately to fill an unexpired term ending March 2001. Sandra Staton has resigned.

Attachment 10

C. CLEAN CITY COMMITTEE
One appointment beginning immediately and ending June 2000. Marty Campbell has resigned.

Attachment 11

D. COMMUNITY RELATIONS COMMITTEE
One appointment for three years beginning immediately and ending July 2001. Padam Dhakad has resigned.

Attachment 12

E. DOMESTIC VIOLENCE ADVISORY BOARD
One position beginning immediately and ending September 21, 2000. Sondra Morgan did not meet attendance requirements.

Attachment 13

F. **MINT MUSEUM BOARD OF TRUSTEES**
One appointment beginning August 1999 to serve three years. Nancy Williams would like to be reappointed.

Attachment 14

G. **SISTER CITIES COMMITTEE**
One appointment beginning immediately and ending April 2000. Charles Forrest has resigned.

Attachment 15

H. **WEST CHARLOTTE BUSINESS INCUBATOR BOARD**
Nominate two citizens for the West Charlotte Business Incubator Board (WCBI).

Attachment 16

I. **YOUTH INVOLVEMENT COUNCIL ADVISORY**
Two appointments for two years beginning August 1999. William Haggerson and Rahman Khan are eligible and want to be reappointed.

Attachment 17

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

14. Various Bids

A. Eight-Inch Sanitary Sewer Along Tributary of Caldweek Creek — **CMU**

Recommendation: The Charlotte-Mecklenburg Utilities Department Director recommends the low bid of $157,575.60 by Foster Utilities, Inc. of Pineville, North Carolina. This project was approved as a 15 year reimbursable contract with Eagan and Sons. Construction of this project will provide sanitary sewer service to a portion of the Caldwell Creek basin in northeast Mecklenburg County in the vicinity of Bailey Road and Glenridge Subdivision.

MWBD Compliance: Yes. Foster Utilities can self-perform.

B. Water and Sewer Main Construction - FY00 Contract #1 - Street Main Extensions

CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $886,932.95 by 7 Star Construction Company, Inc. of Rock Hill, South Carolina. This project includes various sewer and water lines within street rights-of-way.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$886,932.95	100%	5%
HBE	$0	0%	2%
ABE	$0	0%	2%
NBE	$0	0%	2%
WBE	$0	0%	3%

MWBD Compliance: Yes. 7 Star is a certified BBE and can self-perform.

C. Water and Sewer Main Construction - FY00 Contract #2 - Street Main Extensions

CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $933,496.20 by McDaniel Construction Contractors, Inc. of Bostic, North Carolina. This project consists of various water and sewer lines within street rights-of-way.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	5%
HBE	$0	0%	2%
ABE	$0	0%	2%
NBE	$0	0%	2%
WBE	$933,496.20	100%	6%

MWBD Compliance: Yes. McDaniel is a certified WBE and can self-perform.

D. School Street Sanitary Sewer Replacement

CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $156,055.20 by Atlantic Coast Contractors of Denver, North Carolina. This project replaces sewer mains along School Street in Cornelius.

MWBD Compliance: Yes, Atlantic Coast Contractors can self-perform.

E. City View Neighborhood Improvements — E&PM

Recommendation: The City Engineer recommends the low bid of $514,048.89 by Kip Corporation of Charlotte, North Carolina. This project is part of the Neighborhood Improvement Program and will replace deteriorated infrastructure and construct new infrastructure where none exists in the City View Neighborhood off Independence Blvd. The work includes traffic control; grading; drainage; concrete curb and gutter; driveways; sidewalks and handicapped ramps; utility relocations and adjustments, and asphalt paving.

MWBD Status:	Amount	% of Project	Project Goals
WBE	$15,500	3%	3%
BBE	$20,500	4%	4%

MWBD Compliance: Yes.

F. Discovery Place Restroom Renovation Phase II — E&PM

Recommendation: The City Engineer recommends the low bid of $142,822.90 by H & N Constructors, Inc. of Louisville, Kentucky. This project will replace fixtures and finishes in the existing first floor restroom. The project also adds a new unisex restroom to become ADA compliant.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	5%
ABE	$0	0%	1%
HBE	$6,550.00	5%	1%
WBE	$570.00	.4%	2%

MWBD Compliance: Yes. H & N Constructors, Inc. met the good faith effort requirements.

G. Airport Security Access Control System — Aviation

Recommendation: The Aviation Director recommends the low bid of $384,110.07 by Charlotte Sound & Visual of Charlotte, North Carolina for the replacement of the airport security access control system.

BBE Status:	Amount	% of Project	Project Goals
	$8,948	3.19%	5%

MWBD Compliance: Yes. Charlotte Sound & Visual met the good faith effort requirements.

H. Wilora Lake Neighborhood Improvements **E&PM**

Recommendation: The City Engineer recommends the low bid of $904,638 to Kip Corporation of Charlotte, North Carolina. This project is part of the Neighborhood Improvement Program and will replace deteriorated infrastructure and construct new infrastructure where none exists in the Wilora Lake Neighborhood off Sharon Amity Road. The work includes traffic control; grading; drainage; concrete curb and gutter; driveways; sidewalks and handicapped ramps; utility relocations and adjustments, and asphalt paving.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$35,500.00	4%	4%
WBE	$35,500.00	4%	4%
HBE	$9,000	1%	1%

MWBD Compliance: Yes.

15. Refund of Certain Taxes

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $7,757.24.**

Attachment 18
Resolution
List of Refunds

16. Resolution of Intent to Abandon Street and Set Public Hearing - A Portion of Bannington Road

Action:

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

B. Set a Public Hearing for August 23, 1999.

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 (CDOT) has received a petition to abandon public right-of-way and is requesting this Council Action in accordance with the statute.

Petitioner:
Fairfield Financial Carmel Valley II, LLC

Right-of-Way to be abandoned:
A portion of Bannington Road

Location:
The northern portion of the cul-de-sac

Reason:
To eliminate the existing cul-de-sac and extend Bannington Road to Carmel Commons Boulevard Subdivision plans have been approved by the City and the residual right-of-way would be incorporated into adjacent property owned by the petitioner.

Notification:
In accordance with City Policy 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 - No objection

- Carmel Chase HOA, Inc.
- Carmel Station Garden Club
- Sturnbridge HOA
- Carmel Forest Association
- Shadowlake Neighborhood Association

Review by City Departments 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 statues.

Attachment 19
Map

CONSENT II

17. Transit Maintenance Operations Center (TMOC) Repair and Environmental Improvements

Action: **Approve agreement for $223,423.17 with Kimley-Horn and Associates, Inc. of Charlotte, North Carolina (KHA), for engineering and environmental services for the reconstruction of the TMOC parking lots.**

Explanation:

- In a study prepared by KHA in a previous agreement, it was determined that the existing concrete pavement at CDOT's Transit Maintenance Operations Center facility is in need of replacement.

- The TMOC bus parking lot was built in 1984. The parking lot has several problems.

  - There is excessive water infiltration. The new lot will include a subdrainage system.

  - The existing concrete slabs are too large and have excessive cracking. The new slabs will be smaller and have a six inch base underneath.

  - Contamination from oil and diesel fuel has occurred. The extent of the contamination will be determined during the design phase.

- This contract is for planning and design phase services for:

  - the excavation and disposal of petroleum impacted soils;

  - oil/water separators for bus wash operations; and

  - the reconstruction of the concrete pavements.

- This contract may be amended in the future to provide for construction administration services.

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

MWBD: 3.0% ABE

Funding: Federal Transit Grant Funds and Environmental Bond Funds

18. Transit Grant Application, Resolution, and Budget Ordinance

Action:

A. Adopt a resolution amending the FY99-2003 Capital Investment Plan;

B. Adopt a resolution authorizing grant resolutions to the Federal Transit Administration (FTA) and to the North Carolina Department of Transportation for FY99 transit assistance; and

C. Adopt a budget ordinance appropriating $6,529,438.

Policy: The City's Five-Year Transportation Plan, approved by Council in 1997, and the 2025 Integrated Transit/Land Use Plan, completed in 1998, recommended the replacement of an aging bus fleet. Both plans anticipated federal and state financing of capital projects.

Explanation:

- This action initiates the City's FY99 grant application for transit capital improvements.

- The City is requesting federal and state funds to replace twenty-five 1987 non-accessible buses which have reached the end of their useful life of twelve years. The estimated cost of these buses will be $6,474,366. These buses have operated over 450,000 miles, and Charlotte Transit must obtain replacement parts from the manufacturer in Germany. Replacement parts are expensive and require a long time for delivery.

- The new buses will be accessible to the disabled bringing the City closer in compliance to the Americans with Disabilities Act. Following delivery of these buses, 152 of the City's fleet of 166 buses will be accessible to the disabled.

- The City also is requesting federal funding to purchase approximately 100 bicycle racks, at a cost of $55,072, for installation on the front of Charlotte Transit buses. The draft Charlotte-Mecklenburg Bicycle Plan recommends rack installation on buses to facilitate bicycling to transit stops and park-and-ride facilities. Under the new Transit Enhancement Program in the Transportation Equity Act of 1998 (TEA-21), the City must request 1 percent of its $5.2 million Federal appropriation for enhancement projects such as bicycle-related improvements. The City will receive 95 percent Federal financing for projects falling in this category.

- A financial summary of the capital grant applications is as follows:

FTA	$5,231,811
NCDOT	647,437
City	650,190
TOTAL	$6,529,438

Community Input:

- FTA regulations require the City to advertise the capital improvements to be financed with federal and state funds so that citizens can request a public hearing on the list if they have questions. This notice was published in the Charlotte Observer on May 5 and The Charlotte Post May 6. No citizens have requested a public hearing.

- The Mecklenburg/Union Metropolitan Planning Organization (MPO) approved the FY99 list of capital projects on May 19.

- The Metropolitan Transit Commission (MTC) reviewed the FY99 project list on June 23.

Funding: The budget ordinance estimates and appropriates federal and state grant funding, and transfers the City's local match previously appropriated in the FY99 budget.

Background:

- The City applies annually for formula grants for the FTA and NCDOT. The City's FY99 formula fund allocation was set in accordance with TEA-21 authorization and the FY99 appropriations process.

- The FY2000 "Interim Year" Capital Program, approved by the MTC on May 26, was based on the purchase by the City of the twenty-five replacement buses and bicycle racks in FY99.

19. Charlotte-Mecklenburg Government Center Painting

Action: **Award contract for Charlotte-Mecklenburg Government Center (CMGC) painting to the low bidder, Mecklenburg Paint Company, Inc. of Charlotte, North Carolina, in the amount of $427,900.**

Explanation:

- This project will paint all 15 floors of the CMGC. The work includes painting, rubber base installation and wall covering. This will be the first repainting of the CMGC since it was built eleven years ago.

- This project was originally bid on May 13, 1999. Only one bid was received. The project was re-advertised and two bids were received and opened on June 1, 1999.

- The bid from Mansion-Hughes did not include a bid deposit and therefore could not be accepted pursuant to NCGS 143-29.

MWBD: Contractor will self-perform.

Summary of Bids:

Mansion-Hughes	$399,180.80
Mecklenburg Paint	**$427,900.00**

Funding: Charlotte-Mecklenburg Government Center Operating Budget

20. Trinity Road Improvements, Change Order #1

Action: **Approve Change Order #1 to the contract with Sealand Contractors of Charlotte, North Carolina for $198,699.38.**

Explanation:

- Council awarded this contract in the amount of $1,056,743.97 to Sealand Contractors on June 22, 1998 to construct sidewalk, curb and driveways; widen portions of the road; and improve the storm drainage system on both sides of Trinity Road from Beatties Ford Road to Lakeview Road.

- This change order will fund additional work due to changes to plans during construction including:

  - Additional placement of asphalt due to unsuitable soil beneath the roadway; and

  - Additional traffic control measures to improve safety and reduce driver delays.

Funding: Transportation Capital Investment Plan

21. Moore's Chapel Neighborhood - Phase II

Action: **Approve Phase II for $219,207 with Presnell Associates, Inc. (Presnell) of Charlotte, North Carolina for engineering services for Moore's Chapel Neighborhood Improvement Project.**

Explanation:

- The Phase I Agreement with Presnell was approved by the City Council October 19, 1998, for $107,403 to provide engineering services for infrastructure improvements in the Moore's Chapel Neighborhood.

- Phase II is a continuation of engineering services provided in Phase I and includes construction administration services for Phases I and II.

- The fees are comparable to fees paid by City of Charlotte for similar work.

Funding: Neighborhood Improvement Capital Investment Plan

22. Storm Water and Water and Sewer Revenue Bonds Financing

Action: **Approve resolutions authorizing the issuance of up to:**

A. $34,000,000 in Storm Water Revenue Bonds; and

B. $77,500,000 in Water and Sewer Revenue Bonds for the purpose of funding projects approved in the FY99-03 Capital Investment Plan.

Explanation: Approval of these resolutions includes the following:

- Authorization to submit an application to the Local Government Commission for approval of Storm Water Revenue Bonds, Series 1999 and certain related matters.
- Authorization for officials of the Finance Key Business Unit to file the application.
- Appointment of the financing team and trustee.
- Authorization for City officials to take necessary steps to complete the bond sale.

Funding: Debt service on the revenue bonds will be paid from storm water fees and water and sewer user fees.

Attachment 20
List of Projects

23. Information Technology Management Services for Police

Action: **Approve an agreement to provide contract professional services, not to exceed $280,807, with Keane, Inc.**

Explanation:

- This contract provides project management services for installation of the new hardware for the computer aided dispatch (CAD) system. This will provide the police with Y2K-ready CAD

hardware. The project manager will work closely with the City's contractor, CACI, Inc., which is responsible for Y2K compliance of the CAD software. Once the CAD software is Y2K ready, the software will be installed on the hardware and placed into production to make the entire dispatch system Year 2000 ready. The department also needs support services for its roll-out of the department's LAN/WAN network.

- Keane, Inc. is already providing project management services to the City's Business Support Services Department. The Police Department is using the remaining amount on Keane's existing contract with BSS and extending the term.

- $129,084 of the contract funds is for the work on the CAD system. The remaining $93,339 is for the LAN project.

Funding: Police Department Operating Budget

24. Amendment to Contract for Human Resources Management/Payroll System

Action: **Approve an amendment to the contract with ARIS Corporation for additional consulting services for the implementation of the PeopleSoft HRM/Payroll System in an amount not to exceed $1,275,560.**

Explanation:

- The PeopleSoft HRM/Payroll system automates and links various systems and processes for tracking vacancies, job applicants, confidential employee files, benefits selections, pay data and position management.

- The PeopleSoft HRM/Payroll system will replace thirteen existing systems, most of which are not Y2K compliant. The present systems are limited functionally, particularly with respect to a lack of integration and are not capable of storing and managing information, such as activity-based costing.

- The PeopleSoft system provides and integrates all of the functions currently used, including payroll, and provides additional capabilities to better manage employee and job data.

- By implementing the HRM system, the City will:

  - improve information management capabilities, such as planning and budgeting the cost of benefits;

  - avoid the cost of remediating existing systems; and

  - eliminate the need for manual record keeping and duplicated systems.

- This amendment is to provide additional resources in four areas to complete the implementation of the PeopleSoft HRM/Payroll System:

  - Technical system support
  - Software upgrade to latest version
  - Additional resources for implementation of the payroll module
  - Development of interfaces to other systems (for instance, pull data electronically and send to retirement system, tax agencies, and insurance administrators)

- Technical system support is necessary to transition from the development and testing phase to the "go-live" or full implementation phase. This responsibility is shared between the consultants and City staff and will be transferred entirely to City staff by the end of the implementation project. The "go-live" date is September 1999.

- Technical services are needed to direct development and implementation of system security. City staff are being trained for this role.

- Additional consulting services are needed to complete the upgrade for the most recent version of PeopleSoft. This software was installed to

provide additional features for time and labor data and improved security features.

- Additional consulting services are required for implementation of the payroll module. Use of consultants equivalent to a full-time staff position is necessary because of vacancies. An experienced PeopleSoft Payroll Manager is required to maintain the implementation schedule while existing City staff continues production of the current payroll system. The contract Payroll manager will train City staff to take over the PeopleSoft payroll system.

- Additional technical resources are required to complete the interfaces to other City systems, primarily for Payroll processing. Although City staff are assisting in this process, sufficient internal resources are not available to perform these activities due to Information Technology vacancies and Year 2000 compliance priority.

- Contingency funds are included for quality assurance activities should any problems occur during the testing phase. If the project remains on schedule, expenditure of these funds will not be necessary.

- The City Manager briefed Council on this project at the June 14 dinner meeting.

- Council approved the original contract with ARIS Corporation on June 22, 1998 in the amount of $2,193,181 and an amendment on November 9, 1998 in the amount of $125,600. At the time the contract was initially approved, it was not known that additional external resources for the functions described above would be needed in order to complete the implementation on schedule.

Funding: Technology Funds

25. Utility Billing System for Application Support

Action: **Authorize the City Manager to negotiate and execute a contract with Systems and Computer Technology (SCT) Corporation, or any related entities or successors, for computer and application support for the Utility Billing System (UBS) for a term of one year at a cost not to exceed $1,193,000.**

Staff Resource: Susan M. Johnson

Focus Area: Restructuring Government

Explanation:

- During the dinner meeting prior to the City Council meeting on June 14, 1999, the City Manager discussed the next phases required for implementation of the Utility Billing System. One of those phases was to obtain the necessary client server operational support.

- Prior to entering into this process, the City had issued an RFP to obtain a contractor for outsourcing all the City's computer mainframe and client server operational support. There were no vendors willing to provide both services. The client server support bids were rejected and the City selected Mecklenburg County to provide the mainframe operations.

- Without a viable bid, the City then selected SCT as a responsible client server service provider for two primary reasons. They are the manufacturer and provider of the UBS software (Banner CIS) and they currently provide this same support to other municipalities in the United States.

- In preparation for the System's scheduled "go live" date of August 30, 1999, the City is presently negotiating a contract with SCT. City Council is asked to authorize the City Manager to finalize those negotiations and execute a contract with SCT prior to the middle of August to prepare for implementation.

- The elements of the contract will be:

- A contract term will be one year with a contract maximum cost of $1,193,000. This term will allow for system acceptance and the definition and development of performance standards.

- City approved scope of services.

- City approved staffing assignments.

- Prior to the end of the one year contract term, the City will issue an RFP and select a vendor for the long-term continuation of this support service.

Funding: Water and Sewer Billing System Account

26. McDowell Creek Wastewater Treatment Plant - Professional Services Contract

Action: **Approve a contract with Black and Veatch to provide engineering services for Phase III improvements at the McDowell Wastewater Treatment Plant. The contract is for a not to exceed amount of $2,587,000.**

Explanation:

- This contract will provide engineering and evaluations for the design and construction management services for items such as:

  - Compliance with NFPA 820 (fire protection in wastewater treatment facilities) for all existing facilities not covered in Phase II;

  - Waste activated sludge improvements;

  - Power generation upgrades and improvements;

  - Dewatering system additions;

  - Potable water for the plant and equipment;

- Anaerobic digester improvements;
- Bar screen additions;
- A flow equalization facility;
- Odor control additions;
- Plant security system, and
- Other miscellaneous facility improvements.

Funding: Water and Sewer Capital Investment Plan

27. Water and Sewer Authority of Cabarrus County Sewer Agreement - Amendment #3

Action: **Approve Amendment #3 to the Cabarrus County Regional Wastewater Agreement to provide for construction of Phase IIIB of the Clarke Creek Outfall.**

Policy: Seek cooperative agreements for regional issues

Explanation:

- Amendment #3 provides for an additional extension of Clarke Creek Outfall, a tributary of Rocky River.
- The developer of Skybrook Subdivision requested an additional 2,452 feet of sewer line be added to Clarke Creek Outfall, Phase III. This additional extension will provide sewer service to the developer's subdivision and is required to connect to a future phase of the Clarke Creek Outfall to be constructed by Charlotte-Mecklenburg Utilities to serve eastern Huntersville.
- An agreement was established with the Water and Sewer Authority of Cabarrus County (WSACC) to provide:
  - The City of Charlotte sewer capacity at the WSACC Wastewater Treatment Plant; and

- The construction of a sewer line interceptor along Rocky River from northern Mecklenburg County to the plant.

- This extension will be funded through the current Capital Investment Plan.

Background:

- On December 11, 1995, City Council approved a regional water and sewer agreement with the WSACC. The agreement became effective June 13, 1996.

- Amendment #1, approved by Council on February 10, 1997, provided for construction of an outfall along Clarke Creek and a tributary to Clarke Creek to the Highland Development (Phase I).

- Amendment #2, approved by Council on July 27, 1998, modified the regional agreement with WSACC to include extension of the Clarke Creek Outfall into Mecklenburg County through reimbursable contracts with a developer.

Funding: Water and Sewer Capital Investment Plan

28. Irwin Creek Waste Water Treatment Plant Improvements - Change Order #1

Action: **Approve Change Order #1 for $110,390 with Pizzagalli Construction Company for general construction work at the Irwin Creek Wastewater Treatment Plant.**

Explanation:

- Change Order #1 will provide for purchase and installation of trickling filter arms on two trickling filters at Irwin Creek WWTP. The original contract did not include this work because plant staff believed that the arms needed only minor repairs, which could be performed in-house. Once the arms were removed, however, the deterioration was much greater than anticipated, requiring replacement or complete rehabilitation.

- With this change order the Pizzagalli Construction contract will increase from $5,770,140 to $5,880,530.

MWBD: All work for this change order requires the use of highly specialized fabrication firms, for which there are no area MWBD firms.

Funding: Water and Sewer Capital Investment Plan

29. Property Transactions

Action: **Approve the following property acquisitions (A-J) and adopt the condemnation resolution (K).**

> For Items **A** through **J**, 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.

Acquisitions:

A. **Project:** Master Plan Land Acquisition
Owner(s): Mr. and Mrs. Henry Parnell
Property Address: 8406 Trexler Avenue
Property to be acquired: .523 acres
Improvements: single family house
Purchase Price: $68,000
Zoned: R3
Use: residential
Tax Value: $39,360
Tax Code: 113-105-07

B. **Project:** Master Plan Land Acquisition
Owner(s): James B. Jordan
Property Address: 8323 Freeman Drive
Property to be acquired: 1.548 acres
Improvements: single family manufactured house

Purchase Price: $72,000
Zoned: RMH
Use: residential
Tax Value: $48,150
Tax Code: 113-105-08

C. **Project:** Master Plan Land Acquisition
Owner(s): James B. Jordan
Property Address: 8402 Freeman Drive
Property to be acquired: .436 acres
Improvements: none
Purchase Price: $9,000
Zoned: RMH
Use: vacant land
Tax Value: $2,280
Tax Code: 113-103-10

D. **Project:** Master Plan Land Acquisition
Owner(s): James B. Jordan
Property Address: 8332 Freeman Drive
Property to be acquired: .983 acres
Improvements: none
Purchase Price: $14,000
Zoned: RMH
Use: vacant land
Tax Value: $5,500
Tax Code: 113-103-11

E. **Project:** Master Plan Land Acquisition
Owner(s): Paul McDowell
Property Address: 8320 McAlpine Drive
Property to be acquired: .664 acres
Improvements: none
Purchase Price: $10,500
Zoned: R3
Use: vacant land
Tax Value: $6,250
Tax Code: 141-043-07

F. **Project:** Master Plan Land Acquisition
Owner(s): Mr. and Mrs. Henry Cox
Property Address: 8721/8729 Midwood Drive
Property to be acquired: .1.214 acres
Improvements: single family house
Purchase Price: $119,000

Zoned: R3
Use: residential
Tax Value: $96,740
Tax Code: 113-125-18 and 113-125-19

G. **Project:** Master Plan Land Acquisition
Owner(s): Debra Gaddy
Property Address: 8943 Walkers Ferry Road
Property to be acquired: .896 acres
Improvements: single family house
Purchase Price: $53,625
Zoned: R3
Use: residential
Tax Value: $42,310
Tax Code: 113-134-09

H. **Project:** FAR Part 150 Plan Land Acquisition
Owner(s): Hubert Wade
Property Address: 8600 Todd Road
Property to be acquired: .923 acres
Improvements: single family house
Purchase Price: $73,000
Zoned: R3
Use: residential
Tax Value: $62,300
Tax Code: 055-381-27

I. **Project**: Providence Road/Sharon Lane/Sharon Amity Intersection
Owner(s): Amity Realty Company
Property Address: 621 South Sharon Amity Road
Property to be Acquired: 1,432 s.f. (0.0329 ac.) of permanent acquisition plus 2,904 s.f. (0.0667 ac.) of temporary construction easement
Improvements: Signs, parking areas
Purchase Price: $68,000
Remarks: The required areas are needed for this intersection improvement project.
Zoned: B-1
Use: commercial
Total Parcel Tax Value: $900,790
Tax Code: 185-013-03

J. **Project**: Neighborhood Development 2650 Englehardt Street, Parcel #1 of 1
Owner(s): Herman Lee Richardson
Property Address: 2650 Englehardt Street
Property to be Acquired: 8,125 s.f. (0.186 ac.)
Improvements: Single Family Residence
Purchase Price: $40,000
Remarks: Total acquisition of this property is requested for low to moderate income housing needs.
Zoned: R-5
Use: residential
Total Parcel Tax Value: $37,970
Tax Code: 069-122-30

Condemnation:

K. **Project**: Raw Water Main Catawba Station to Reservoirs (120" line), Parcel #31
Owner(s): David R. Mozeley & wf., Phyllis S. Mozeley and any other parties of interest.
Property Address: 7132 Pleasant Grove Road
Property to be Acquired: Temporary construction easement 7,299 s.f. (.1676 ac.)
Improvements: Landscaping
Purchase Price: $5,000
Remarks: Temporary construction easement is required for 120" raw water main Catawba Station to reservoirs. Owner refused offer which was based on independent certified appraisal.
Zoned: **R-3**
Use: residential
Total Parcel Tax Value: $291,800
Tax Code: 033-051-08

30. Meeting Minutes

Action: **Approve the titles, motions and votes reflected in the Clerk's record as the minutes of the May 24, 1999 Business Meeting and the June 1, 1999 Budget Retreat.**