AGENDA

Meeting Type:	B
Date:	07/27/98

City of Charlotte, City Clerk's Office

OFFICE COPY

CITY COUNCIL MEETING

Monday, July 27, 1998

5:00 p.m.	<u>Conference Center</u>
	Dinner Briefing (See Table of Contents)
6:30 p.m.	<u>Meeting Chamber</u>
	• ~~Invocation~~ • Pledge of Allegiance • Citizens Forum
7:00 p.m.	• Awards and Recognitions • Formal Business Meeting

1998 Council Retreat Priorities

Top Priorities for 1998

Transportation Plan (20 years plus)

Transit Plan and Tax

Westside Strategy Plan

Community Oriented Policing: Evaluation and Direction

Connectivity: Neighborhoods and Road System: Policy Direction

High Priorities for 1998

Court System Expansion

Parking Garage / Convention Hotel

Trolley

Corridor Plan

State Roads Strategy

Airport Plan: Implementation

Neighborhood Business Revitalization Strategy and Action Plan

Business Retention Strategy and Action Plan

CITY COUNCIL AGENDA

Monday, July 27, 1998

TABLE OF CONTENTS

Item No.		Page No.	Attachment No.
5:00 P.M. DINNER BRIEFING CONFERENCE CENTER			
1.	Referendum for ½ Cent Sales Tax	1	
2.	First Ward and Episcopal School Land Sale	1	1
3.	City Within A City Committee Report	1	
6:30 P.M. CITIZENS FORUM MEETING CHAMBER			
7:00 P.M. AWARDS AND RECOGNITIONS			
CONSENT			
4.	Consent Items	2	

Item No.		Page No.	Attachment No.
	PUBLIC HEARING		
5.	Public Hearing to Close a Portion of an Alleyway	3	2
6.	Public Hearing to Close a Portion of Clarkson Street and Several Alleyways	4	3
	POLICY		
7.	City Manager's Report	6	
8.	Resolution of Intent to Consider an Ordinance Amending the City Charter and Schedule a Public Hearing	6	
9.	Welfare to Work Plan	9	4
10.	Neighborhood Matching Grants Fund Program Modifications	11	5
11.	CWAC Equity Loan Program	14	6
12.	CWAC Equity Loan Program - Frank McPherson, LLC	19	7
13.	Referendum for ½ Cent Sales Tax	21	8
14.	Charlotte Storm Water Services Pond and Dam Policy	24	9
	BUSINESS		
15.	Weed and Seed Grants	27	10
16.	Dalton Village Economic Development Initiative Grant	31	11
17.	Sale of Property at South Cedar and West Fourth Streets	34	12
18.	First Ward - Community Development Plan and Community Development Project Area Designations	36	13

Item No.		Page No.	Attachment No.
	BUSINESS continued		
19.	Nominations to Boards and Commissions	37	14-15
20.	Appointments to Boards and Commissions	38	16-23
21.	Closed Session	41	
	CONSENT I		
22.	**Various Bids**		
	A. Fire Hydrants	42	
	B. Express Drive Relocation and Realignment	43	
	C. Camden Road Corridor Improvements	43	
	D. Installation of a Data Voice Cabling System	43	
	E. Water and Sewer Main Construction - FY99 Contract A - Street Main Extensions	43	
	F. Water and Sewer Main Construction - FY99 Contract B - Street Main Extensions	44	
	G. Torrence Chapel Road Pump Station, Force Main and Gravity Sewer	44	
	H. Beverly Crest and Six Mile Creek West Areas - 1997 Annexation Sewer Mains	44	
	I. 36-Inch Water Main Along NC Highway 115 from Ramah Church Road to Sam Furr Road	45	
	J. 36-Inch Water Main Along Asbury Chapel Road from Huntersville Concord Road to Eastfield Road	45	
23.	In Rem Remedy	46	24-33
24.	Refund Property Taxes	49	34
25.	Refund Business Privilege License	49	35
26.	Set Date for Voluntary Annexation Public Hearing	49	
	CONSENT II		
27.	Authorization of General Obligation Bonds and Set Date for Public Hearing	50	
28.	Independence Boulevard Bus Lanes and Budget Ordinance	51	

Item No.		Page No.	Attachment No.

CONSENT II continued

29.	Southeast Public Safety Communications Equipment	51	
30.	First Responder Contract	52	
31.	Marsh Road Storm Drainage Improvement	53	
32.	Leaking Underground Storage Tank Program - Amendment #1	54	
33.	Parkwood Avenue and the Plaza Major Intersection Improvement	55	
34.	Change Orders for US Airways Maintenance Facility	56	
35.	Corporate Aviation Facility Agreements with First Union	57	
36.	Ramp Information Display System Contract and Budget Ordinance	58	
37.	Residential Sound Insulation Construction Contracts	59	
38.	Family Dollar Corporate Aviation Hangar Lease	60	
39.	Charlotte Center City Partners Board Appointments	61	
40.	UNIX Systems Maintenance Contract	62	
41.	Microsoft Technical Support Contract	63	
42.	Order of Collection for Ad Valorem Taxes	64	36
43.	Mountain Island Lake Watershed Protection	65	
44.	1997 Utilities Annexation Program Management Professional Services Contract	66	
45.	McDowell Wastewater Treatment Plant Phase II Expansion	66	
46.	Acquisition of Providence Ridge, Roxbury and Heartstone	67	

Item No.		Page No.	Attachment No.

CONSENT II continued

47.	Amendment #2 to Water and Sewer Agreement with the Water and Sewer Authority of Cabarrus County (WSACC)	68	
48.	Property Transactions	69	
49.	Meeting Minutes	76	

5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Referendum for ½ Cents Sales Tax

Citizen Committee: Johnsie Beck and Jim Palermo

Staff: Boyd Cauble, Martin Cramton, Jim Humphrey and Jake Jacobsen

Time: 50 minutes

2. First Ward and Episcopal School Land Sale

Staff: Kent Winslow

Time: 20 minutes

Attachment 1

3. City Within A City Committee Report

Committee Chair: Rod Autrey

Staff: Vi Alexander Lyles

Topics: Welfare-to-Work Plan

Neighborhood Matching Grants Fund Program Modifications

CWAC Equity Loan Program

Frank McPherson, LLC Equity Loan

Weed and Seed Grants

Dalton Village Economic Development Initiative Grant

Time: 20 minutes

6:30 P.M. CITIZENS FORUM
MEETING CHAMBER

7:00 P.M. AWARDS AND RECOGNITIONS

CONSENT

4. Consent agenda items 22 through 49 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 an Alleyway

Action:

A. Conduct a public hearing to abandon an alleyway off Pecan Avenue; 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 received a petition to abandon public right-of-way and requests this Council Action in accordance with the statute.

Petitioner:
Louis W. Anderson

Right-Of-Way to be abandoned:
Alleyway off Pecan Avenue

Location:
Lying south of Kensington Drive and east of Pecan Avenue approximately 200 feet

Reason:
To incorporate the right-of-way into adjacent property owned by Thomas W. Armstrong

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 -
Plaza Midwood Neighborhood Association - 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 2
Map

6. Public Hearing To Close A Portion of Clarkson Street and Several Alleyways

Action:

A. Conduct a public hearing to abandon a portion of Clarkson Street and several Alleyways; 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:
NationsBank, N.A.

Right-Of-Way to be abandoned:
A portion of Clarkson Street and Alleyways off of West Trade, West Fifth, Irwin, and Sycamore Streets

Location:
Rights-of-way within the area surrounded by West Fifth Street, Sycamore Street, West Trade Street and the Southern Railway right-of-way

Reason:
To incorporate the right-of-way into adjacent property owned by the NationsBank to facilitate the Gateway Village 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 -
Friends of Fourth Ward, Inc. - No objection
Biddleville/Five Points Association - No objection
Wesley Heights Association - No objection
Tarlton Hills Association - No objection
Third Ward/Community to Preserve - No objection
Charlotte Center City Partners - 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

POLICY

7. City Manager's Report

8. Resolution of Intent to Consider an Ordinance Amending the City Charter and Schedule a Public Hearing

Action: **Adopt a Resolution of Intent to consider an ordinance amending the City Charter and scheduling a public hearing for September 8, 1998.**

Staff Resource: Mac McCarley

Explanation:

- On May 26, 1998, the City Council adopted a Resolution of Intent to consider an ordinance that would amend the Charter of the City of Charlotte.

- Following a June 22 public hearing, Council asked for information regarding the form of government and election methods and survey results from national and North Carolina benchmark cities. The research project is being managed by Carol Jennings, former Assistant City Manager and primary consultant for the Charter Committee to study City-County consolidation.

- State law requires action on a proposed ordinance within 60 days after the public hearing. Due to the complexity of the research and magnitude of the survey of other cities, the research results will not be finalized in time to allow the Council to act within the 60 day period. Council was briefed on the scope of the research at the July 13 workshop.

- A second Resolution of Intent calling for an additional public hearing on Tuesday, September 8 would allow sufficient time to complete the research and would afford the Council and the community more time to study this issue.

- Like the original Resolution, the second Resolution of Intent would propose consideration of an ordinance amending the City Charter to:

- change the term of the mayor to four years;

- change the terms of the city council to four years (concurrent);

- change the mode of election of the council to apportion five members of the council to the city at large and six members of the council to single-member electoral districts, with candidates residing in and representing the districts but nominated and elected by all of the qualified voters of the city; and/or

- change the election of mayor and council members to the nonpartisan primary and election method.

9. Welfare-to-Work Plan

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

A. Adopt the FY99 Charlotte-Mecklenburg Service Delivery Area Welfare-to-Work (WtW) Plan which describes the activities funded by the Personal Responsibility and Work Opportunity Reconciliation Act; and

B. Adopt a budget ordinance in the amount of $1,619,374 for the program funding.

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City

Policy: The City Within A City and Economic Development Focus Areas emphasize preparing people for quality employment and meeting the workforce needs of employers. Activities under the WtW Plan support the City's overall neighborhood revitalization strategy and are coordinated with those of partner agencies through the Workforce Development Board.

Explanation:

- The Welfare-to-Work Program provides the hard to employ welfare recipients with skills necessary for employment to eliminate their dependency on public assistance. Hard to employ recipients are those who have been receiving federal cash assistance for at least 30 months.

- The WtW Plan describes the City's strategy to assist hard to employ welfare recipients obtain and maintain employment. The plan must be submitted to the North Carolina Department of Commerce, Division of Employment & Training by August 17, 1998.

- This allocation will provide training, education, job placement, case management and follow-up to approximately 275 residents of Mecklenburg County who are long term welfare recipients. Program measures can be found in the attachment.

- The WtW Plan is a requirement of the Personal Responsibility and Work Opportunity Reconciliation Act funded by the U.S. Department of Labor.

Background:

- The August 1996, Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) gives states the opportunity to create a new welfare system that provides work and responsibility while strengthening families.

- PRWORA challenges states to remedy the shortcomings of the old welfare system and to provide opportunities that will help needy families.

- Although Mecklenburg County traditionally administers welfare programs, the federal legislation known as PRWORA requires that the grant allocation be distributed by the state to the local Workforce Development Board. The Board is the City's responsibility under local agreement with Mecklenburg County.

- The local Workforce Development Board is responsible for policy guidance and program oversight of WtW activities.

- The City is the fiscal agent and administrative entity for the Welfare-to-Work Plan.

Committee Discussion:

- On July 14, 1998, the City Within A City Committee reviewed the FY99 Welfare-to-Work Plan.

- The Committee voted 4-0 (Rod Autrey, Sarah Spencer, Patrick Cannon and Tim Sellers) to recommend approval of the Welfare-to-Work Plan. Councilmember Mike Jackson was absent.

- The Committee asked:
  - to review the program design and evaluation; and
  - to receive a program report from the Workforce Development Board in its semi-annual report.
- The Committee discussed the program measures and how the percentages will be established. Benchmarks will be set for each measure locally.
- In addition, the Committee discussed the definition of hard-to-employ welfare recipients and how this program is a last stop effort to get individuals into long term self-sustaining employment.

Community Input: The WtW Plan was developed by the WtW Planning Committee of the Workforce Development Board in consultation with local employers, training providers, community-based organizations, and City staff.

On July 16 the Workforce Development Board voted to approve the WtW Plan.

Funding: U.S. Department of Labor grant of $1,619,374

Attachment 4
FY99 Welfare-to-Work Plan Executive Summary
Welfare-to-Work Plan Measures
Workforce Development Board Members
Welfare-to-Work Planning Committee
CWAC Committee Meeting Summary - July 14, 1998

10. Neighborhood Matching Grants Fund Program Modifications

Action: **Approve the recommendation of the City Within A City Committee that provides the following policy changes to the Neighborhood Matching Grants Program:**

A. Expand the number of eligible neighborhoods by increasing the median income guidelines from $36,654 to $46,654; and

B. Expand the size of the Citywide Review Team for large grants from 7 to 11 members.

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City

Policy: The Neighborhood Matching Grants Fund Program Guidelines, adopted by City Council in 1993, builds the capacity of neighborhoods and business organizations by matching community efforts to undertake worthwhile community projects. This program complements the CWAC strategy and the City's overall neighborhood strategy.

Explanation:

- The Neighborhood Matching Grants (NMG) Program currently targets neighborhoods with a 1990 census tract median income of $36,654 or less.
- The proposal would expand the eligible neighborhoods to include census tracts with a median income of $46,654 or less. (See attached map for geographic boundaries.)
- Several neighborhoods outside of the current geographical boundary have made requests to be included in the NMG Program. Some of these neighborhoods are showing signs of distress and can benefit from being eligible to participate in the program.

- The proposed expansion of the City Wide Review Team will allow for broader residential and business representation on the review panel. The current Team consists of three neighborhood representatives, two non-profit representatives, one school system employee and one City staff representative.

- The proposed City Wide Review Team expansion will add two additional neighborhood representatives and two business representatives.

Background:

- The NMG Fund awards small ($3,000 or less) and large ($3,001 to $25,000) grants to neighborhood-based organizations to implement projects that will make their neighborhoods better places to live, work, play, and shop. To be eligible, projects must:

  - provide a public benefit to the neighborhood

  - involve neighborhood residents directly in all phases

  - not be used for the organization's operating budget

  - be achievable in 12 months

- Eligible projects must fall into one of the four categories:

  - neighborhood improvement,

  - neighborhood organizing and organizational development,

  - crime and public safety; and

  - neighborhood education, recreation and cultural initiatives.

- Small grants ($3,000 or less) are approved by City Staff Review Team. Large grants ($25,000 or less) are approved by a City Wide Review Team appointed by City Council. (See attached list of City Wide Review Team members).

- Since the program began in 1993, 185 grants have been awarded to 111 neighborhoods and 5 business corridors. The City has invested over $1.0 million to leverage another $1.0 million in private funds and in-kind services.

Committee Discussion:

- The City Within A City Committee has discussed the proposed changes to the NMG Program at three separate meetings; April 15, June 3, and July 14, 1998.

- The Committee considered three options regarding possible program expansion:

  - Maintain existing boundary ($36,654 census tract median income) which represents 50.4% of the City geography.

  - Expand to $46,654 census tract median income which represents 78.7% of the City geography.

  - Expand to city-wide eligibility.

- Further Committee discussion is included in the attached minutes.

- On June 3, 1998, the Committee voted 3-0 (Rod Autrey, Sarah Spencer, Patrick Cannon) to recommend the expansion to eligible neighborhoods up to $46,654 census tract median income and to increase the size of the City Wide Review Team to have broader community representation. Committee members Mike Jackson and Tim Sellers were absent.

- On July 14, 1998, the Committee voted 4-0 (Rod Autrey, Sarah Spencer, Patrick Cannon and Tim Sellers) to recommend expansion of the City Wide Review Team for large grants from 7 to 11 members. Committee member Mike Jackson was absent.

Community Input: Two public input sessions were held on May 16, 1998 in conjunction with the 5th Annual Neighborhood Matching Grants Partner Fair. Approximately 25 citizens participated in the sessions. Several participants expressed concern that an expansion would include more affluent neighborhoods with sufficient resources and expertise in grant writing to have an advantage over those that are working to build that capacity. The group gave several suggestions for addressing this concern. A summary is attached.

Funding: $500,000 approved in the FY99 Budget.

Attachment 5
Summary of Proposed NMG Program Modifications
Map of Existing and Proposed Neighborhood Matching Grants Boundaries
CWAC Committee Meeting Summary - April 15, 1998
CWAC Committee Meeting Summary - June 3, 1998
CWAC Committee Meeting Summary - July 14, 1998
City Wide Review Team Members

11. CWAC Equity Loan Program

Action: **Approve the recommendation from Council's City Within A City (CWAC) Committee to approve changes to the CWAC Equity Loan Program.**

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City

Policy: On October 28, 1991, Council created an equity fund, currently known as the CWAC Equity Loan Program. The purpose of the program is to create a public/private venture that provides increased lending opportunities for targeted areas of the City and to provide expanded economic development opportunities. The CWAC Loan Program supports the City's Economic Development Strategy and the CWAC Strategy.

Explanation:

- The proposed changes will enable the City to target its revitalization efforts within the CWAC area. The proposed changes occur in the following areas of the program:

  Objectives
  - Stimulate small business investments in targeted areas.
  - Provide low-wealth people access to capital for business start-ups and expansions.
  - Create new service and retail businesses to support targeted neighborhoods.
  - Create jobs for low to moderate income people living in CWAC. (One job created per $10,000 in City loan funds)

  Geographic Restrictions (see attached map)
  - Targeted distressed business districts
  - CWAC threatened and fragile neighborhoods
  - Uptown loop

  Uptown Businesses
  - Total of all loans not to exceed $200,000 in a fiscal year in the Uptown Loop (First Ward is not subject to this limitation)

  Personal Net Worth
  - Tangible net worth not to exceed $250,000.
  - Retirement accounts not to exceed $500,000.
  - All high net worth co-signers may not own more than 30% interest in business.
  - Maximum lifetime loan is $100,000 with $150,000 for manufacturing.

Business Type

- Prohibit adult businesses, bars and hotels.

Comparison between existing requirements and proposed changes are summarized in an attached chart.

- Due to increased interest the program has received several applications that are inconsistent with current policy. Wealthy applicants have requested loans for businesses outside the boundaries of CWAC.

Background:

- The CWAC Loan Program allows banks to determine borrower's eligibility and submit a request for City participation up to 20% of the total loan amount. In addition, the program has a job creation requirement of one job for each $10,000 of City loan funds. Since 1991, the program has made over 95 loans, using 13 banks, with $2.8 million in City Funds leveraging $12 million in bank financing.

- The existing program supports small business as and job creation within CWAC. The current program's geographic, applicant and business type guidelines are not explicit.

Committee Discussion:

- On June 3, 1998, the City Within a City Committee reviewed the proposed changes to the CWAC Equity Loan Program. The Committee voted 3-0 (Rod Autrey, Sarah Spencer, Patrick Cannon) to recommend the proposed changes. Committee members Mike Jackson and Tim Sellers were absent.

- The Committee discussed in detail the City's 5.6% loan delinquency rate of compared to the bank's 3.5% delinquency rate. Based on information provided by the private lending institution representatives, the City should not be alarmed that its delinquency rate is higher than 3%. The City's program is generally of higher risk because it deals with small business loans.

- In addition, the Committee discussed personal net worth and the overall expansion outside the current CWAC boundaries. In particular, the tangible net worth (not to exceed $250,000) includes personal property such as houses.

- On June 8, 1998, City Council referred the CWAC Equity Loan Program back to the CWAC Committee to discuss the inclusion of real estate acquisition as an eligible expense.

- On July 14, 1998, the CWAC Committee discussed in detail the issue of real estate acquisitions relating to the loan program. Councilmembers Autrey, Spencer, Cannon and Sellers were present. Councilmember Jackson was absent. The Committee deferred action on this items until July 20. The Committee asked staff to strengthen the proposed guidelines for real estate acquisitions and job requirements.

- On July 20, 1998, the CWAC Committee reviewed the additional information relating to real estate acquisitions and the creation of jobs. The Committee emphasized the fact that real estate acquisitions as part of a loan must be inextricably connected to the success of the business and the creation of jobs. Real estate acquisitions and the creation of jobs cannot be separated. The Committee voted 3-0 (Autrey, Cannon, Sellers) to recommend the proposed changes to the CWAC Equity Loan Program. Councilmembers Jackson and Spencer arrived after the vote.

Community Input:

- Two meetings were held with the City's 13 CWAC banking partners on April 15, 1998 and April 21, 1998 to solicit their input on the proposed changes.

Attachment 6
CWAC Equity Loan Program Changes
Map of Proposed - CWAC Equity Loan Geography
Map of Existing CWAC Loans
CWAC Committee Meeting Summary - June 3, 1998
CWAC Committee Meeting Summary - July 14, 1998
CWAC Committee Meeting Summary - July 20, 1998
Overview of Existing Loan Programs

12. CWAC Equity Loan Program - (Frank) McPherson, LLC

Action: **Approve a loan in the amount of $100,000 to (Frank) McPherson, LLC, d/b/a Atlantic Beer & Ice as requested by NationsBank under the guidelines of the CWAC Equity Loan Program.**

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within a City

Policy: On October 28, 1991, Council created an equity loan fund currently known as the CWAC Equity Loan Program. The purpose of the program is to create a public/private venture which provides increased lending opportunities for targeted areas of the City. The CWAC Equity Loan Program supports the City's Economic Development and CWAC strategies.

Explanation:

- NationsBank has requested $100,000 in CWAC Equity Loan funds to match the bank's $525,000 loan. The Charlotte Certified Development Corporation (CCDC) is lending $367,500 and the borrower is adding $57,500 in equity for a total project cost of $1,050,000.

- The purpose of the loans and to permit Frank McPherson to acquire property located at 330 North Tryon Street (occupied by Atlantic Beer & Ice). The land and building is currently owned by NationsBank.

- Atlantic Beer & Ice is a 15,000 square foot, casual, fine dining and entertainment establishment that opened in November 1995. The restaurant currently employs 50 people. The loan requires the company to hire an additional 10 employees out of the CWAC area within 2 years of loan closing (1 job per $10,000 of City loan funds).

Background:

- The CWAC Loan Program allows banks to determine borrower's eligibility and submit a request for City participation up to 20% of the total loan amount. In addition, the program has a job creation requirement of one job for each $10,000 of City loan funds. Since 1991, the program has made over 95 loans, using 13 banks, with $2.8 million in City Funds leveraging $12 million in bank financing.

- The program has been on hold since April 8, 1998 when the Neighborhood Development Key Business issued a moratorium on processing loan requests. Increased interest in the program generated several applications that appeared to be outside Council's current focus. Council requested that staff bring back the loans that fall outside of the program's scope.

- Proposed changes to the program were presented to the Council during its April 4 Workshop. These changes would permit the City to focus its revitalization efforts within the CWAC area.

Committee Discussion:

- On July 14, 1998, the City Within A City Committee reviewed the loan request for Frank MacPherson, LLC in the amount of $100,000. Councilmembers Autrey, Spencer, Cannon and Sellers were present. Councilmember Jackson was absent. The Committee deferred the item until July 20th and requested additional information from Frank MacPherson and NationsBank.

- The CWAC Committee asked why NationsBank required the property sale. Five years of projected rental stream expenses demonstrate that the future rental increases would be too much to maintain a viable business and that the acquisition of the real estate is required for the viability of the business and the expansion of jobs.

- On July 20, 1998, the CWAC Committee reviewed the additional information regarding the foreclosure requirement to sell the property and the projected five year rental stream. Federal regulations require banks to dispose of property obtained through foreclosure within a five year period. The projected rental stream clearly identified that higher rental rates would jeopardize the viability and success of the business. The Committee also discussed the need for NationsBank to be clear on the specific five year period for disposal of the property.

- The Committee voted 5-0 (Autrey, Cannon, Sellers, Jackson, Spencer) to recommend approval of the CWAC Equity Loan to Frank McPherson.

Funding: Community Development Block Grant Fund

Attachment 7
Overview of (Frank) MacPherson, LLC
Commitment letter from NationsBank
CWAC Committee Meeting Summary - July 14, 1998
CWAC Committee Meeting Summary - July 20, 1998

13. Referendum for ½ Cent Sales Tax

This item relates to a 1998 Council Retreat Priority: Transit Plan and Tax

Action: **Adopt a Resolution requesting the Mecklenburg County Board of Commissioners to conduct an advisory referendum for a 1/2 cent sales tax for transit in November 1998.**

Citizen Committee: Jim Palermo and Johnsie Beck, Co-Chairs
Transit Planning Advisory Committee (TPAC)

Staff Resources: Boyd Cauble - Manager's Office
Martin Cramton - Planning
Jim Humphrey - Transportation

Focus Area: Transportation

Explanation:

- The recent Transit/Land Use Plan has presented a year 2025 Vision for land use and supportive transit services. Development features supporting transit include strong job and household growth; concentration of existing development within corridors; and excellent development, redevelopment, and infill opportunities within the corroidors. Also, the strong job growth potential of Center City is a great advantage.

- The Plan includes a series of initiatives that should be undertaken immediately to improve the transit system and show the community the commitment to transit in Charlotte-Mecklenburg. The immediate steps include increased local and express bus service, new local service in the towns, new transit hubs and increased cross-town service linking corridors, and added services by the Department of Social Services to transport the elderly for non-medical trips and the disabled to jobs.

- The Plan also includes recommendations for implementing rapid transit in each corridor. The Plan is projected to cost about $1,071,000,000 over 25 years and needs a dedicated funding source - the 1/2 cent sales tax.

- In 1994, The Committee of 100 recommended a sales tax as a funding source for transit. In early 1997, City Council unanimously directed city staff to seek legislative approval for a dedicated local funding source for transit. Later that year, the Legislature gave Mecklenburg County the authority to place an advisory referendum on the ballot to levy an additional 1/2 cent sales tax to fund transit. It is estimated that the tax would generate almost $50,000,000 in the first year.

- Council instructed staff to conduct a concentrated public input process to help determine a long-term vision for transit service. That process is completed and the County Commission has asked for a statement from City Council regarding its position on this matter before they consider conducting an advisory referendum in November 1998. The County Commission considers this item on August 11.

Committee Discussion:

- The Transit Planning Advisory Committee (TPAC) will meet on July 23 to finalize their discussion on the process and make their recommendation to the elected bodies that appointed them. Council will receive their recommendation in the July 24 Council-Manager Memo.

Community Input:

- The transit planning process was a citizen-driven process designed to reach as many of Mecklenburg's citizens as possible. The process provided information and gathered opinions through three primary mechanisms:

  - three community-wide meetings during which citizens asked questions and provided general feedback on the County's transit needs

  - 15 corridor meetings (3 for each corridor) where citizens provided specific input as transit technologies and land-use designs were developed

  - a full-scale public education campaign which aimed to keep citizens throughout the County informed as the plan was developed

- More than 1,000 citizens attended the various public meetings, while roughly 3,000 individuals received bi-weekly fax and e-mail newsletters. Hundreds sent thoughts and comments to a special E-mail address and many individuals visited the City's web site which provided up-to-date information on the plan.

- An insert describing the transit vision process and plan was included in the July 19 Charlotte Observer.

Attachment 8
Resolution

14. Charlotte Storm Water Services Pond and Dam Policy

Action: **Approve the Charlotte Storm Water Services (CSWS) Pond and Dam Policy.**

Staff Resource: Jeb Blackwell

Explanation:

- This policy establishes criteria to determine which ponds and dams qualify for service by the City. The criteria focuses on pollution control, flood control and safety for existing privately owned ponds and dams.

- There are approximately 400 existing ponds/dams in the city limits. Currently, CSWS has 20 requests (involving hundreds of residents) from property owners regarding ponds that might qualify for service under the new policy.

- Potential services that the City could undertake include dredging the pond, repairing or replacing a failing dam, and upgrading an undersized spillway or overflow pipe. Some dams pose a threat to life or property in event of failure. The State holds the owner(s) of the dam responsible for the welfare of the dam.

- The proposed pond policy will allow the City to address unsafe dams if the pond provides benefits to the community. To ensure public benefit, a pond/dam must:

  - Receive drainage from a public street,

  - Have a minimum drainage area of 25 acres,

- Have an average depth of at least 3 feet, and

- Ponds must be a certain size in relation to a given drainage area (see chart in policy)

OR

- Pose a hazard to roads or public property

OR

- Provide substantial flood control benefits

- This policy will not address algae, mosquitoes, fish kills or trash removal.

- CSWS prepared an interim dam policy in 1994 to address the safety of dams that supported a road on their crest or provided flood protection. Funding for storm water pollution control was included in the expanded CSWS program approved by Council, and is currently included in the FY99 business plan.

- Charlotte's National Pollutant Discharge Elimination System (NPDES) Permit requires that the City attempt to improve storm water quality by whatever means practical. Improvements to existing ponds can be a very cost-effective way to improve storm water quality.

- The NPDES permit has been a primary driver for the development of this comprehensive policy, which collectively considers pollution control, flood control and safety. This policy allows CSWS to address servicing of existing privately owned ponds and dams in Charlotte.

- While developing the policy, CSWS solicited public input from pond and dam owners, as well as those involved with land development and real estate, and those concerned with environmental issues. The Storm Water Advisory Committee (SWAC) has reviewed and unanimously approved this policy.

Funding: The approved CSWS CIP includes $500,000 for Storm Water Pollution Control for FY99.

Attachment 9
Executive Summary (Background)
Storm Water Advisory Committee Membership
CSWS Pond and Dam Policy

BUSINESS

15. Weed and Seed Grants

This item relates to a Council Retreat Priority: Westside Strategy Plan

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

A. Accept a United States Justice Department Grant in the amount of $250,000 to fund the program operations of the Weed and Seed Strategy; and

B. Accept a North Carolina Governor's Crime Commission Grant in the amount of $100,000 to assist in a family intervention strategy for the Weed and Seed Initiative.

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City

Policy: The Weed and Seed grants support the City Within A City (CWAC) strategy and the Westside Strategic Plan.

Explanation:

- To help implement the Weed and Seed Strategy for the West Boulevard area, two grants have been requested. The U.S. Justice Grant will fund the program administration and the N.C. Governor's Crime Commission grant will assist in a family improvement initiative.

Weed and Seed Grant

- The United States Justice Department Weed and Seed Grant provides for hiring of a Weed and Seed Coordinator, Safe Haven Director and Nuisance Remedy Program Coordinator and include resources to implement the Weed and Seed Strategy.

- The grant will help implement the Weed and Seed Strategy's four basic elements:
  - Law Enforcement
  - Community Policing
  - Prevention/Intervention/Treatment
  - Neighborhood Restoration
- The Weed and Seed grant will be administered by the Weed and Seed Advisory Committee and the West Enterprise Community, Inc. (See attachment for membership).

Crime Commission Grant

- The North Carolina Governor's Crime Commission grant provides a youth coordinator for the Weed and Seed Strategy and will address the prevention, intervention, and treatment element of the Weed and Seed initiative through the West Boulevard Family Support Project.
- The objectives of the West Boulevard Family Support Project are to:
  - increase number of adults with high school degrees
  - improve school success of children
  - reduce school drop out rates
  - increase neighborhood-based services
  - increase physical readiness of centers to serve the community
  - increase participation in schools and children's services
- The North Carolina Governor's Crime Commission grant will be administered by Childrens Services Network.
- The City is the fiscal agent for both grants.

Background:

- Weed and Seed is a United States Justice Department initiative designed to facilitate law enforcement, neighborhood organization and local government collaboration in order to weed out neighborhood crime, drugs and other undesirable conditions and to seed them with restorative improvement activity.

- Charlotte was designated as a Weed and Seed Site on February 3, 1998.

- The Weed and Seed Site Neighborhoods are:
  1. Dalton Village
  2. Pinecrest
  3. Ponderosa/Wilmont
  4. Reid Park
  5. Revolution Park
  6. Westover Hills
  7. Wilmore
  8. Wingate
  9. West Boulevard

- The goal of the West Boulevard Family Support Project in the North Carolina Governor's Crime Commission grant is to enhance available community resources. It provides holistic services, opportunities, and skills needed to increase neighborhood attachment, reduce academic failure and strengthen families, thereby address juvenile behavior problems.

- The West Boulevard Family Project will partner with Central Piedmont Community College and the YMCA to provide project services.

Committee Discussion:

- On July 14, 1998, the City Within A City Committee was given a presentation on the Weed and Seed Grants. The Committee voted 4-0 (Rod Autrey, Sarah Spencer, Patrick Cannon and Tim Sellers) to recommend acceptance of the United States Justice Department Grant and the North Carolina Governor's Crime Grant.

- The Committee discussed the role of the Weed and Seed Advisory Committee, West Enterprise Community and the Children's Services Network in the grant implementation.

- Previously the Committee was briefed on the Nuisance Abatement program that will be funded by the Weed and Seed Grant.

Community Input:

- The Charlotte Weed and Seed Strategy has broad community support. Introduction of the Weed and Seed concept drew representation from all neighborhoods contiguous to West Boulevard. Monthly updates to Neighborhood and Agency Leaders have been provided during Amay James/West Boulevard Task Force and West Enterprise Community meetings.

- The Weed and Seed Advisory Committee endorsed the West Corridor Family Support project during its May meeting.

Attachment 10
Summary of the Charlotte Weed and Seed Strategy
Members of the Weed and Seed Steering Committee
Budget Summary of the U.S. Justice Department Grant
Budget Summary of the NC Governor's Crime Commission Grant
CWAC Committee Meeting Summary - July 14, 1998
Copies of the Weed and Seed Application for Official Recognition and the Application for Fiscal Year 1998-99 are in the City Council library.

16. Dalton Village Economic Development Initiative Grant

This item relates to a Council Retreat Priority: Westside Strategy Plan

Action: **Approve the City Within A City Committee recommendation to submit an application for a federal Economic Development Initiative (EDI) grant of $950,000 for the development of a shopping center at West Boulevard and Clanton Road.**

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City (CWAC)

Policy: The development of a shopping center at West Boulevard and Clanton Road supports the City's CWAC and Economic Development strategies and also the Westside Strategic Plan.

Explanation:

- The EDI grant provides monies to construct a $4.6 million full service shopping center that will directly benefit the low and moderate income residents of the surrounding community, including the Reid Park neighborhood and Dalton Village. Currently there is no commercial center serving this community.

- The project is being initiated by the Charlotte Housing Authority (CHA), which owns the 6.5 acres jointly with Marsh Realty. The CHA is working with Beacon Residential Properties (BRP), master developer of the adjoining Dalton Village HOPE VI project, to create the proposal for submission.

- The $950,000 EDI grant will provide gap financing, thereby making the project financially feasible. The grant funds will be used for land acquisition and project development.

- The EDI grant will require City Council approval of a $2,558,683 Section 108 Loan Guarantee within the next 60 days.

- Fannie Mae has expressed an interest in providing additional equity, and First Union has expressed an interest in providing a Letter of Credit (LOC) equal to the Section 108 loan. The LOC will help protect City Community Development Block Grant funds.

- The Section 108 Loan Guarantee stipulates that in case of a default on the original loan, the City will use its CDBG funds to pay off the loan. Under HUD regulations, the City can pledge up to five times its annual HUD allocation. (Currently, the City receives $4.5 million which means the City can issue up to $22.5 million in loan guarantees.)

- CHA is proposing that the Section 108 Loan will be fully collateralized with a bank Letter of Credit. This will provide additional protection for the City's CDBG funds in case of default.

Background:

- The new shopping center will consist of a 36,000 sq. ft. grocery store, as well as an additional 22,000 sq. ft. of retail space, located on approximately 6.5 acre site.

- It is estimated that approximately 120 new jobs will be created. The Charlotte Housing Authority, Beacon Residential Properties and other community leaders will work with shopping center tenants to secure a significant portion of the newly created jobs for area residents.

- Norcom Development, Inc. is working with BRP as a consultant on the development proposal. Norcom is also developing the Westover Shopping Center, located at the intersection of West Boulevard and Remount Road. Westover will include a pharmacy and large soft goods store. This will complement the retail at the new proposed center.

- The total project cost is $4,605,261.

- Proposed funding consists of :

EDI grant	$ 950,000
Private Equity	$1,096,578
Section 108 Loan w/ bank LOC	$2,558,683
	$4,605,261

Committee Discussion:

- The City Within A City Committee discussed the Dalton Village Economic Development Initiative Grant at their July 14, 1998 meeting. The Committee voted 4-0 to approve submission of an application for the EDI grant.

- The Committee discussed the issue of pledging future Community Development Block Grant (CDBG) money for this initiative. However, with a Letter of Credit from First Union Corporation, the City's financial interest would be protected if there was a default on the Section 108 Loan. In addition, the Committee expressed concern about the short timetable that the Housing Authority is asking the City to make a financial commitment.

- The Committee has also scheduled a review of the Westside Initiatives including Dalton Village Hope VI project in September.

- The grant application is July 30.

Attachment 11
Letter of Support from Fannie Mae
Letter of Support from First Union Corporation
Dalton Plaza (Village) Information
CWAC Committee Meeting Summary - July 14, 1998

17. Sale of Property at South Cedar and West Fourth Streets

Action: **Approve criteria and process for sale of the City's 3.95 acre tract of surplus property at South Cedar Street and West Fourth Street.**

Staff Resource: Kent Winslow

Focus Area: Economic Development

Policy: "City Council will balance the benefits of the sale of any of its assets with other Council policies and goals "- *Guidelines for Services Contracting and Asset Management, July 25, 1994*, and; City Council-adopted Third Ward Concept Plan which calls for urban, mixed use development on this property.

Explanation:

- The City owns 3.95 acres of land in Third Ward, at the corner of South Cedar Street and West Fourth Street. It was acquired through the assembly of land for the NFL football stadium and practice fields and has been declared surplus.

- The sale price must be established through a competitive bid process, however, the City reserves the right to seek development in accordance with the Third Ward Concept Plan.

- The recommended criteria and process are:

  Criteria:

  1. Highest price resulting from upset bids; and

  2. Compliance with the Third Ward Concept Plan. Key aspects of the Plan for this property are outlined in attachment; and

  3. Relocation of utility lines along Fourth Street to the back of the project at developer's expense. The reason for the relocation of the utility lines are as follows:

     a. Consistent with the Third Ward Development plan; and

b. Consistent with promises made to owners of property in 3rd Ward; and

c. Commitment from the Richardsons pay for their share of relocation expenses to route the line behind the practice fields which adjoin this property to be marketed.

Process:

A. Advertise and distribute a "Request for Proposals" (RFP) by August 7, 1998, outlining the City's intent to sell the land to a company that will develop the property in conformance with the Third Ward Concept Plan.

B. City Council selects the offer that best meets the established criteria outlined above by November 6, 1998.

C. Advertise for upset bids that also meet the established criteria 1, 2, and 3 above. This process will continue until no other upset bids are received.

D. City Council approves the highest, qualifying bid, including approval of a sales contract that obligates the developer to the terms of their proposal, at the next available Council meeting after completion of C, above.

Attachment 12
Third Ward Plan Development Guidelines

18. First Ward - Community Development Plan and Community Development Project Area Designations

Action: **Approve designation of the First Ward Master Plan as a "Community Development Plan" and designation of First Ward as a "Community Development Project Area," pursuant to NCGS §160A-457.**

Staff Resource: Kent Winslow

Focus Area: Economic Development

Policy:

- Maximize the City's return from its current asset portfolio by pursuing alternative ownership/ management strategies which optimize the benefits of private ownership while meeting public policy objectives. (From *Guidelines for Service Contracting and Asset Management* adopted by City Council July 25, 1994)

- Create a vibrant, new mixed income residential neighborhood in Uptown Charlotte and increase property values in First Ward and the tax base of the City of Charlotte and Mecklenburg County. (From *First Ward Master Plan* adopted by City Council July 28, 1997)

Explanation:

- At the June 8, 1998 Council dinner meeting, staff presented Property Conveyance Methods, as permitted under North Carolina General Statutes. Pursuant to NCGS §160A-457, the action of officially designating the First Ward Master Plan as a "Community Development Plan" and First Ward a "Community Development Project Area" provides the City of Charlotte with a mechanism to allow the use of the private sale method.

- The private sale method allows the City to negotiate directly with a buyer and to consider qualitative, as well as financial issues, in order to achieve the goals of the First Ward Master Plan. Such action ensures that a substantial amount of real property owned by the City of Charlotte within First Ward is redeveloped according to the vision of the First Ward Master Plan and the sale of which is subjected to any necessary covenants, conditions, and restrictions.

- The City will also able to receive the benefit of the sale proceeds, which will increase property values in First Ward, and the tax base of the City of Charlotte through the redevelopment of such properties.

Attachment 13
Additional Information & Background
Schedule of Future Actions
Map showing First Ward Boundaries

19. Nominations to Boards and Commissions

Action: **Make nominations to the following:**

A. **COMMUNITY RELATIONS COMMITTEE**
Seven positions to fill appointments beginning immediately and ending June 30, 2001. One will replace Linda Long, who did not meet attendance requirements. The other six are new appointments approved by Council on June 8. This action was deferred by Council at the June 22, 1998 Council meeting.

Attachment 14

B. **WASTE MANAGEMENT ADVISORY BOARD**
One recommendation to the County Commission for a three year term beginning October 1998. Ann Kimbro is eligible for reappointment and Council may reappoint at this meeting.

Attachment 15

20. Appointments to Boards and Commissions

Action: **Vote on the blue paper ballots and give to the City Clerk at dinner so she may announce the results at this point in the meeting.**

A. AIRPORT ADVISORY COMMITTEE

Two, three year terms beginning August 1998. One must be aviation related. Neither Laura McClettie nor Dr. Henry Nicholson are eligible to be reappointed.

Aviation Category:

1. Lawrence Davidson by Councilmember Majeed
2. Frank Gilreath by Councilmember Jackson
3. George McDonald by Councilmember Baker
4. Bill Seymour by Councilmembers Sellers & Wheeler
5. James Sgueglia by Councilmember Reid

At Large:

1. Linda Ashendorf by Councilmember Jackson
2. McKay Belk by Councilmembers Baker & Wheeler
3. Charlene Price-Patterson by Councilmember Spencer
4. Joel Jon Randolph by Councilmember Rousso
5. Don Taft by Councilmember Sellers
6. Frank Whitney by Councilmember Reid

Attachment 16

B. **CONVENTION & VISITORS BUREAU, BOARD OF DIRECTORS**

Two, three year appointments beginning September 1998. Beverly Earle and Keith Haywood are not eligible to be reappointed.

1. James W. "Slug" Claiborne by Councilmember Baker
2. Heidi Campbell-Robinson by Councilmember Reid
3. Warren Cooksey by Councilmembers Rousso, Sellers & Wheeler
4. Sabrina Jackson by Councilmember Jackson
5. Ed McMahon by Councilmember Baker
6. Mary Trexler by Councilmembers Majeed & Spencer

Attachment 17

C. **DOMESTIC VIOLENCE ADVISORY BOARD**

One position beginning immediately and the next full three year term. Edith Powers does not wish to be reappointed.

1. Gail Danberg by Councilmember Rousso
2. Ann Noonan by Councilmembers Reid & Wheeler

Attachment 18

D. **HOUSING APPEALS BOARD**

One position beginning immediately and the next full three year term. Must represent the housing industry. Amber Leonard Humphrey did not meet the attendance policy as established by Council.

1. Richard Bainbridge by Councilmember Jackson
2. Barry Klemons by Councilmember Rousso

Attachment 19

E. **MWBD ADVISORY COMMITTEE**

Seven appointments for 30 or 24 month terms as follows:

One minority business owner, construction trades:

1. Ed Moore by Councilmember Greene
2. Curtis Sims by Councilmember Spencer

One minority business owner, service/procurement trades:

1. Hazel Grier by Councilmember Rousso
2. Bill McCullough by Councilmember Greene
3. George Moore by Councilmember Rousso

One majority business owner or majority business association representative:

1. Frank McPherson by Councilmember Greene
2. Michael Rogers by Councilmember Wheeler
3. Otis Crowder by Councilmember Reid

One woman business owner or woman's business owner representative:

1. Charlene Price-Patterson by Councilmember Greene
2. Barbara Votik by Councilmembers Rousso & Wheeler

Three at large committee members:

1. Patrick Clark by Councilmembers Rousso & Spencer
2. Otis Crowder by Councilmember Reid
3. Curtis Sims by Councilmember Greene
4. Troy Watson by Councilmember Cannon

Attachment 20

F. **PAROLE ACCOUNTABILITY COMMITTEE**

One appointment beginning immediately to fill an unexpired term ending June 1999. Charles Jonas has resigned.

1. Ruth Reynolds by Councilmember Wheeler
2. Charles Spell by Councilmember Reid

Attachment 21

G. **PLANNING COMMISSION**

One appointment beginning immediately to fill an unexpired term ending June 30, 1999. Rene DuBose has resigned.

1. John P. Bleynat by Councilmember Rousso
2. Dorothy Hailey by Councilmember Wheeler
3. Wayne Johnson by Councilmember Jackson
4. Bill Strain by Councilmember Sellers
5. Ken Szymanski by Councilmember Baker

Attachment 22

H. **PRIVATIZATION/COMPETITION ADVISORY COMMITTEE**

One appointment beginning immediately to fill an unexpired term ending March 1, 2000. Rebecca Whitener has resigned.

1. Troy A. Buder by Councilmember Rousso
2. Guy Forcucci by Councilmember Reid
3. Linette Fox by Councilmember Spencer
4. Ben Weinreb by Councilmember Jackson
5. Landon Wyatt by Councilmember Wheeler

Attachment 23

21. Closed Session

Action: **Adopt a motion to go into closed session pursuant to the North Carolina General Statutes 143-318.11(a)(3) to consult with attorneys representing the City in Freidland Vs. Snyder, City of Charlotte, et al.**

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 I

22. Various Bids

A. Fire Hydrants — CMUD

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid per unit by Hughes Supply, Inc., Charlotte, N.C. The bid includes three categories of fire hydrants. The low unit prices range from $637 to $659. The total estimated FY99 expenditures for these fire hydrants is $101,822. The contract award is for one year with an option to renew for one additional year.

MWBD Compliance: Yes. One bid received was from a WBE firm.

B. Express Drive Relocation and Realignment — Aviation

Recommendation: The Aviation Director recommends the low bid of $1,254,528.90 by Sealand Contractors Corp. of Charlotte.

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	
WBE	$209,216	16.7%	
DBE	$209,216	16.7%	25%

MWBD Compliance: Yes.

C. Camden Road Corridor Improvements — Engineering and Property Management

Recommendation: The City Engineer recommends the low bid of $328,889 by Blythe Development Co. of Charlotte, NC

MWBD Status:	Amount	% of Project	Project Goals
BBE	$9,000	3%	3%
WBE	$9,000	3%	3%

MWBD Compliance: Yes.

D. Installation of a Data and Voice Cabling System — BSS

Recommendation: The Business Support Services Key Business Executive recommends the low bid of $726,582.68 by Network Communications Technologies, Inc., of Charlotte, NC.

MWBD Compliance: Yes. There are no known MWBD vendors.

E. Water and Sewer Main Construction - FY 99 Contract A - Street Main Extensions — CMUD

Recommendation: The Charlotte-Mecklenburg Utility Director recommends that the low bid of $949,678.20 by McDaniel Construction Contractors, Incorporated of Bostic, NC.

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	2%
WBE	$949,678.20	100%	3%

MWBD Compliance: Yes, The Utility Department has reviewed the Contractor's documentation and determined that McDaniel is a certified WBE with the City of Charlotte and will self-perform all the work on this contract.

F. Water and Sewer Main Construction - FY 99 Contract B - Street Main Extensions **CMUD**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $967,349.20 by McDaniel Construction Contractors, Incorporated of Bostic, NC.

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	2%
WBE	$967,349.20	100%	3%

MWBD Compliance: Yes. The Utility Department has reviewed the Contractor's documentation and determined that McDaniel is a certified WBE with the City of Charlotte and will self-perform all the work on this contract.

G. Torrence Chapel Road Pump Station, Force Main and Gravity Sewer **CMUD**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $1,427,923.61 by State Utility Contractors, Inc. of Monroe, NC.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$5,725	0.40%	4%
WBE	$60,757.00	4.25%	4%

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

H. Beverly Crest and Six Mile Creek West Areas - 1997 Annexation Sewer Mains **CMUD**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $1,797,360.98 by Foster Utilities, Inc.of Pineville, NC.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$15,875.00	0.88%	2%
WBE	$21,175.00	1.20%	3%

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

I. 36-Inch Water Main Along NC Highway 115 from Ramah Church Road to Sam Furr Road — CMUD

Recommendation: The Charlotte-Mecklenburg Utility Director recommends that the low bid of $1,087,631.61 by McDaniel Construction Contractors, Inc. of Bostic, North Carolina be accepted.

Competition Status: N/A

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0.00	0.00%	2%
WBE	$1,087,631.61	100.00%	4%

MWBD Compliance: Yes. The Utility Department has reviewed the Contractors' documentation and determined that McDaniel Construction Contractors, Inc is a certified WBE with the City of Charlotte and will self-perform all of the work on this contract. The Contractor will continue to make the good faith effort to meet the goals on this contract if other subcontracting opportunities arise.

Program Director Concur: Yes

J. 36-Inch Water Main Along Asbury Chapel Road From Huntersville - Concord Road to Eastfield Road — CMUD

Recommendation: The Charlotte-Mecklenburg Utility Director recommends that the low bid of $2,162,439.78 by R. H. Price, Inc. of Charlotte, NC.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$2,000	0.09%	2%
WBE	$2,140,439.78	98.90%	2%
NAE	$18,000	0.83%	0%

MWBD Compliance: Yes, The Utility Department has reviewed the Contractors' documentation and determined that R. H. Price, Inc is a certified WBE with the City of Charlotte and will self-perform the majority of the work on this contract. The Contractor will continue to make the good faith effort to meet the goals on this contract if other subcontracting opportunities arise.

23. In Rem Remedy

For In Rem Remedy #A - #J, the public purpose and policy is outlined here.

Public Purpose:

- Eliminate a blighting influence in a City Within A City neighborhood.
- Reduce the proportion of substandard housing from 2.3% to 1% in 1997. (One of the goals of City Within a City is to continue housing preservation efforts.)
- Increase tax value of property by making land available for potential infill housing development.

Policy:

- City Within A City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety - from Police and/or Fire Dept.
2. Complaint - from petition by citizens, from tenant or from a public agency
3. Field Observation - from concentrated code enforcement program

The In Rem Remedy items are listed below by category identifying the street address and neighborhood.

Public Safety

A. 3100-02 Columbus Circle (Ashley Park)
B. 2500 Roslyn Avenue (Smallwood)
C. 2511-B Faber Street (Wingate)
D. 2527 Faber Street (Wingate)
E. 2726 Celia Avenue (University Park)

Complaint

F. 1401 Browns Avenue (Thomasboro/Hoskins)
G. 219 S. Crigler Street (Thomasboro/Hoskins)
H. 3607 Beatties Ford Road (Northwood) - commercial structure

Field Observation

I. 1918 Allen Street (Villa Heights)
J. 2200 Pinckney Avenue (Villa Heights)

Public Safety

A. 3100-02 Columbus Circle

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3100-02 Columbus Circle (Ashley Park), located in the City Within A City boundaries.

Attachment 24

B. 2500 Roslyn Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2500 Roslyn Avenue (Smallwood), located in the City Within A City boundaries.

Attachment 25

C. 2511-B Faber Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2511-B Faber Street (Wingate), located in the City Within A City boundaries.

Attachment 26

D. 2527 Faber Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2527 Faber Street (Wingate), located in the City Within A City boundaries.

Attachment 27

E. 2726 Celia Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2726 Celia Avenue (University Park), located outside the City Within A City boundaries.

Attachment 28

Complaint

F. 1401 Browns Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1401 Browns Avenue (Thomasboro/Hoskins), located outside the City Within A City boundaries.

Attachment 29

G. 219 S. Crigler Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 219 S. Crigler Street (Thomasboro/Hoskins), located in the City Within A City boundaries.

Attachment 30

H. 3607 Beatties Ford Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the commercial structure at 3607 Beatties Ford Road (Northwood), located outside the City Within A City boundaries.

Attachment 31

Field Observation

I. 1918 Allen Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1918 Allen Street (Villa Heights), located in the City Within A City boundaries.

Attachment 32

J. 2200 Pinckney Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2200 Pinckney Avenue (Villa Heights), located in the City Within A City boundaries.

Attachment 33

24. Refund Property Taxes

Action: Approve adoption of a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of $51,578.08

Attachment 34

25. Refund Business Privilege License

Action: Approve refunding business privilege license payments made in error by taxpayers in the amount of $2,604.32.

Attachment 35

26. Set Date for Voluntary Annexation Public Hearing

Action:

A. Rescind resolution setting June 22, 1998 as date of public hearing for the voluntary annexation of the Childress/Klein property at West Tyvola Road and Billy Graham Parkway; and

B. Adopt resolution setting a public hearing on August 24, 1998 for the voluntary annexation of this property.

CONSENT II

27. Authorization of General Obligation Bonds and Set Date for Public Hearing

Action:

Approve a resolution to authorize $98,300,000 of Street Bonds for street and sidewalk projects, and $40,000,000 of Storm Water Bonds for storm drainage projects. Approval of the resolution includes:

A. Introduction of a bond order for $98,300,000 of Street Bonds.

B. Introduction of a bond order for $40,000,000 of Storm Water Bonds.

C. Designation of the Finance Department staff to file the Sworn Statement of Debt with the City Clerk.

D. Setting of the City Council meeting on August 24, 1998 as the place and time for a public hearing concerning the bond orders.

Explanation:

- The City's FY 1999-03 CIP includes projects to be funded by these bonds.
- On June 22, 1998 and July 13, 1998 Council approved resolutions authorizing staff to proceed with actions necessary to conduct a general obligation bond referendum for these bonds.

Funding:

Municipal Debt Service Fund Revenues and Storm Water Revenues.

28. Independence Boulevard Bus Lane

Action:

A. Award a contract to Blythe Development Co. for $728,823.66 for construction of Independence Boulevard Bus Lanes; and

B. Approve a budget ordinance in the amount of $750,000.

Explanation:

- This contract will construct a portion of the Independence Boulevard Bus Lanes from west of the Eastway Drive overpass easterly to Westchester Drive. Both outbound and inbound segments will be constructed. This construction will allow use of the existing HOV lane along Independence Boulevard from I-277 to Eastway Drive.

- The budget ordinance appropriates $750,000 from the Transit Fund Balance to the bus lane project.

MWBD: 4% BBE and 4% WBE

Summary of Bids:

Blythe Development Co.	**$728,823.66***
Crowder Construction Co.	$897,517.38

*Negotiated price. Original bid: $790,278.66

29. Southeast Public Safety Communications Equipment

Action: **Award the bid of $2,483,441 by Motorola, Inc, Schaumburg, Ill. for public safety communication equipment.**

Explanation:

- This purchase will provide the complete radio equipment to make the 28 channel public safety communications tower currently under construction in the Matthews area operational.

- The only bid received was from Motorola, Inc., the manufacturer, because they are the only source who can supply the communications equipment required to tie into the City's current radio system infrastructure. They have no dealers authorized to sell this equipment.

- Having a sole provider was a decision made in the early 1990's when the City designed its public safety communications system. Motorola was selected as the provider of the infrastructure equipment because they were the only manufacturer at that time that could meet the public safety standards. This selection meant all future equipment for the infrastructure would have to continue to be provided by Motorola to ensure system compatibility.

- When comparing this bid of $2,483,441 to the cost for the same equipment purchased for the Brookshire tower in 1995 at $2,540,985, Motorola's cost for this same equipment has been reduced by $57,544. Additionally, if Motorola receives a fully executed contract for this purchase prior to July 29, 1999, they have offered the City a discount of $37,000 lowering the total contract to $2,446,441.

MWBD Compliance: Yes. There are no known MWBD suppliers of this communications equipment.

30. First Responder Contract

Action: **Approve an interlocal agreement with Mecklenburg Emergency Medical Services Agency (MEDIC) for the City of Charlotte Fire Department to provide First Responder emergency medical services.**

Explanation:

- First Responder dispatches fire companies to medical emergencies.

- This agreement was negotiated between Chief Fincher and MEDIC Executive Director Josef Penner with advice from each agency's legal staff. The approval of this agreement will allow the City to recover some costs as the Fire Department continues to provide First Responder services to support community safety

- The compensation amounts, $410,000 for FY98 and $421,070 for FY99, are based upon a cost reimbursement model which was used from FY78 through FY97. The compensation for FY99 is 2.7 percent greater than the FY98 amount.

- The Fire Department has developed a new model which uses the principles of activity-based costing (ABC) to calculate fully-allocated costs.

- Using ABC, the target compensation amount was $1,000,000 for expenses directly related to Medic Services. This amount does not inlcude fire personnel salaries or any city overhead. MEDIC has been reluctant to incur a compensation increase of this magnitude. Therefore, a compromise was reached for FY98 and FY99.

- Future contract negotiations with MEDIC will attempt to recover more of the fully-allocated costs.

- Initial term will run through June 30, 1999 and will renew for additional one year terms upon mutual consent of the parties.

31. Marsh Road Storm Drainage Improvement

Action: **Approve agreement for $124,590.00 with Post, Buckley, Schuh, and Jernigan, Inc. (PBSJ) for engineering planning phase services for the Marsh Road Storm Drainage Improvement Project.**

Explanation:

- The Marsh Road Storm Drainage Improvement Project is a high priority capital project.

- This agreement will provide for planning phase services. The project will include surveying, evaluation of the existing drainage area, hydraulic/hydrologic analysis, and the development of design alternatives for storm drainage system improvements. This agreement may be amended in the future to provide additional services such as design, bid phase, and construction administration.

- PBSJ was selected using the Council approved process.

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

Funding: Storm Water Services Capital Investment Plan

32. Leaking Underground Storage Tank Program - Amendment #1

Action: **Approve Amendment #1 for $300,000 with Aware Environmental, Inc., for engineering services for the Leaking Underground Storage Tank Program.**

Explanation:

- This work is a continuation of the Leaking Underground Storage Tank Program. This amendment will provide funds for the upgrade of up to two additional UST systems prior to December 1998, construction administration on three other systems, and the continued compliance of other sites to state requirements for monitoring and/or closeout of these sites.

- This project involves engineering and testing services on an as needed basis for the City's Leaking Underground Storage Tank Program. Aware Environmental, Inc. will provide a full range of environmental consulting and testing services as directed by the City's project manager for the cleanup, removal, and replacement of underground storage tanks. This work will be managed in accordance with all federal, state, and local requirements.

- Aware Environmental, Inc. was selected using the Council approved process.

- The rates charged by Aware Environmental, Inc. are comparable to the rates charged by other firms for similar services in this area.

- The original agreement with Aware Environmental, Inc. was approved by Council June 22, 1997, for $300,000.

Funding: Capital Investment Plan

33. Parkwood Avenue and The Plaza Major Intersection Improvement

Action: **Approve agreement for $198,350 with Kimley-Horn & Associates, Inc., for engineering services for Parkwood Avenue and the Plaza Major Intersection Improvement Project.**

Explanation:

- This agreement is for planning and design services for proposed intersection improvements at the Plaza and Parkwood Avenue. The agreement also includes a pedestrian safety study along Parkwood from the Plaza to Davidson Street. The planning study for the intersection will address safety and capacity issues. Improvements to be considered are the possible addition of a through lane from westbound Plaza to Parkwood and a right turn only lane from eastbound Parkwood to southbound Plaza.

- The pedestrian safety study is in response to discussions between Council and citizens from the Belmont neighborhood. Citizens expressed concerns about volume and speed of traffic along Parkwood and the impact of traffic on pedestrian use of the corridor. The study will address all pedestrian crossings, sidewalk conditions, intersection sight distances and roadway capacity (number of lanes) along Parkwood Avenue. Our public input process will include working directly with a neighborhood committee to complete planning and recommend improvements for enhancing pedestrian safety.

- This agreement may be amended in the future to provide additional services such as the design of recommended pedestrian safety improvements and construction administration.

- This project will allow for the continued implementation of major intersection improvements as prioritized in the City's Traffic Operations Plan.

- Kimley-Horn and Associates, Inc. was selected using the Council-approved process.

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

- Funding for this intersection improvement was included in the November 5, 1996, voter-approved $66.4 million Street Bonds.

MWBD: 10.4% HBE

Funding: Capital Investment Plan

34. Change Orders for US Airways Maintenance Facility

Action: **Approve three change orders in the amount of $1,408,721 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.

- Previously City Council awarded four construction contracts to Edison Foard, Incorporated of Charlotte in the amount of $4.6 million.

- The facility consist of an aircraft wheel and brake shop, aircraft engine shop and an aircraft composite shop. US Airways has asked that we amend the existing contracts with the following change orders:

- **Package 2 - Wheel and Brake Shop**
  Disassemble, transport and reassemble conveyors, cranes and other equipment currently located in Greensboro - $524,965

- **Package 3 - Engine Shop**
  Disassemble, transport and reassemble five large cranes and equipment currently located in Winston-Salem -$541,108

- **Package 4 - Interior Upfit**
  Disassemble, transport and reassemble 30 cranes and equipment currently located in Winston-Salem - $342,648

Funding: 1997 Special Facility Revenue Bonds

35. Corporate Aviation Facility Agreements with First Union

Action: **Approve a modification to extend the lease term to 20 years for Corporate Aviation Facilities with First Union Corporation and approve an agreement for use of the City's Corporate Aviation Fueling Facility.**

Explanation:

- Council approved a 10 year lease agreement for Corporate Aviation Facilities at the Airport with First Union on December 8, 1997. Prior to execution, First Union expanded its plans and asked for a longer lease term.

- First Union wants to extend their lease term to 20 years with two 10 year options. Their plans are to extensively remodel their facilities at a cost in excess of $1 million. Under the 10-year lease approved in 1997, First Union's rent would escalate from $28,350 to $182,936 on February 2000. Under the new extended term, the rent escalation would start upon execution of the new lease.

- Additionally, Council awarded a contract on June 22, 1998, to construct a joint use, state of the art fueling facility to serve corporate operators in the north corporate aviation area. First Union will reimburse the City for the cost of facilities that it will use exclusively and will pay rent under the same terms and conditions as all other corporate operators at the Airport for this facility.

36. Ramp Information Display System Contract and Budget Ordinance

Action:

A. Award a $471,982 contract to Com-Net Software Specialist of Miamisburg, Ohio for the installation of a ramp information display system; and

B. Adopt a $500,000 budget ordinance to appropriate funds to complete the project.

Explanation:

- The contract will provide the installation of an electronic message board on the exterior of the concourses at each gate. It is designed to provide specific operations data such as destination, flight number, departure time, etc. for ramp personnel to facilitate getting the airplane loaded on time

	Amount	% of Project	Goal
MWBD:	**$61,530**	**13.0%**	**5.0%**

The Airport Advisory Committee recommends the award of this contract.

- Bid packages were sent to six prospective bidders. Only one bid was received on the initial bid opening. The bid was returned unopened and the project was rebid. At the second bid opening, only one bid was received, which is acceptable by North Carolina State bid laws.

- Com-Net Software's bid was $597,232. The negotiated contract amount of $471,982 is based upon a modified work scope approved by the users.

Funding: Airport Revenue Bonds

37. Residential Sound Insulation Construction Contracts

Action:

A. Award a $209,905 construction contract (98-5A) to the low bidder, Bana Construction, to provide sound insulation; and

B. Award a $230,925 construction contract (98-5B) to the lowest responsive bidder, Moretti Construction, to provide sound insulation.

Explanation:

- These contracts will provide sound insulation for 57 residences participating in the sound insulation program. This is part of the federally approved FAR Part 150 Noise Compatibility program.
- The low bid for Contract 98-5B submitted by Bana Corporation was rejected due to failure to have a bid bond, as required by state contracting law. Therefore, Moretti Construction is deemed the lowest responsive bidder.
- The Airport Advisory Committee recommends this contract.

Summary of Bids:

Contract 98-5A	
Bana Corporation	$209,905
Moretti Construction	$223,581
Bass & Jones Construction	$306,238
United Construction	$326,057.45
Rayco Construction	$330,898

MWBD:

	Amount	**Project %**	**Goal**
ABE	$205,055	100%	10%

Contract 98-5B	
Bana Corporation.	$191,285.00*
Moretti Construction	$230,925.00
Bass & Jones Construction	$277,812.00
United Construction	$318,252.75
Rayco Construction	$364,799.00

*Bana Corporation submitted a bid bond to cover Contracts A& B, but the amount of the bond was insufficient to cover both contracts.

MWBD:

	Amount	**Project %**	**Project Goal**
DBE	$0	0	15%

Funding: Airport Capital Investment Plan

38. Family Dollar Corporate Aviation Hangar Lease

Action: **Approve a five year lease with Family Dollar Stores for corporate aviation facilities.**

Explanation:

- The City owns and leases two 60' x 60' corporate aviation hangars at the airport. Family Dollar Stores has leased corporate aviation space from the airport since 1984.

- Their lease has expired and Family Dollar has requested a new lease with a five year term. The term would be from August 1, 1998 to July 31, 2003.

- The initial rental rate would be $1620 per month and be adjusted with existing rental adjustment schedule for the hangars. (Rent is adjusted with increases in the Industrial Commodities Index.) Next adjustment will be in October 2000.

- The Airport Advisory Committee recommends this lease agreement.

39. Center City Partners Board Appointments

Action:

A. Reappoint existing Charlotte Center City partners (CCCP) Board members.

B. Appoint five new CCCP Board members.

Policy:

Municipal Services district Act of 1973, North Carolina General Statutes, Article 23, Chapter 160A.

Explanation:

A. CCCP By-Laws require reappointment of existing Board members annually. Members to be reappointed are:

Hugh McColl, Chair	Jim Palermo
Ed Crutchfield	Rick Priory
Sharon Decker	Billie Ray
Mac Everett	Peter Ridder
Parks Helms	Cullie Tarleton
Daniel Levine	Isaiah Tidwell
Frank MacPherson	Lynn Wheeler

B. Article II, section 5 of the CCCP Bylaws provides that any vacancy occurring or the Board of Directors shall be filled by City Council with a person or persons nominated by the Board of Directors. The following individuals, and the membership classification they represent, have been nominated by the CCCP Board:

Allen Tate - Class B, Chamber of Commerce
Ed Shelton - Class C At-Large
Jeff Davis - Class D, Resident
Harvey Gantt - Class D, Resident
Cynthia Schaal - Class F, Ex Officio

City Council must either appoint these nominees or request additional nominees from CCCP.

40. UNIX Systems Maintenance Contract

Action: **Approve a contract with Piedmont Technology, Inc. for contract labor, not to exceed $150,000.**

Explanation:

- As a part of the Business Support Services - Information Technology Division's FY99 Budget, positions were included to administer the City's UNIX network.

- For several years, the City has maintained a contractual arrangement with Piedmont Technology, Inc. to provide supplemental UNIX support. This contract allows for an increased level of work.

- Staff recommends the contract with Piedmont Technology Contract for the following reasons:

  - They are already familiar with the City's existing UNIX network and information systems based upon their 12 year working relationship with the City. Introducing another vendor would result in increased costs to the City and would cause a delay in the Year 2000 project.

  - They have extensive experience in supporting and maintaining complex UNIX based network information systems.

  - They are a Charlotte based company having local resources available immediately to respond to meeting these City needs.

- As a part of the Information Technology Division's FY99 Competition Plan, the services provided under this contract will be competed for by both outside contractors and City staff.

Funding: FY99 Business Support Services - Information Technology Division Operating Budget

41. Microsoft Technical Support Contract

Action: **Approve an amendment to the contract with Microsoft Consulting Services (MCS) for assistance with the City's rebuild of the computer infrastructure, not to exceed $906,080.**

Explanation:

- On February 13, 1997, City Council approved the rebuilding of the City's computer infrastructure. On February 23, 1998, Council approved a contract in the amount of $255,000 with Microsoft Consulting Services (MCS) to support this effort as follows:

  - Provide high level strategic planning services for both present and future Microsoft products and technologies.

  - Establish a technical partnership and a guaranteed level of support to critical high level technical skills. Access to this skill level is currently in a severe shortage nationwide.

- Staff has identified additional services needed to both rebuild the City's network as well as construct the Police Department's new network. This amendment provides additional labor for the following tasks:

  - Assistance with the design, implementation, and administration of a new electronic mail system.

  - Assistance in designing an automatic process for installing and updating software on individual computers at various locations throughout the organization.

  - Assistance in the review and maintenance of various FoxPro applications developed by the City staff with the eventual goal of migration to a specific Microsoft database.

- Assistance to the Police Department in implementing a new network to allow police officers to send and receive electronic mail from their vehicles and to access their Department's databases.

- All of the above tasks can best be accomplished using a new mail system based upon Microsoft Exchange and a new software distribution system based upon Microsoft System Management Services.

- The cost for these additional services is $651,080, bringing the total contract cost not to exceed $906,080. The Police Department will pay $278,540 of this additional cost from their FY99 Budget. Microsoft has agreed in the FoxPro task to provide an additional $14,000 of services at no charge to the City.

42. Order of Collection for Ad Valorem Taxes

Action: **Adopt an order of collection empowering the Office of the Tax Collector to collect the City's ad valorem taxes.**

Explanation: The City-County Tax Attorney and the County Tax Administrator advise that the City Council adopt and that the Mayor sign an annual Order of Collection of taxes. State law requires city and county governments to take this action annually.

Attachment 36
Memo from John C. Petoskey, Tax Administrator
Order of Collection

43. Mountain Island Lake Watershed Protection

Action: **Approve the purchase of approximately 16 acres of vacant land and 34 acres of water rights for $560,000 to preserve the area adjacent to the City's water intake at Mountain Island Lake and permit expansion of the water intake facility.**

Policy: This purchase is in accordance with the Watershed Protection Policy to acquire land within a quarter mile of Mountain Island Lake to protect our primary water source.

Explanation:

- Completing this land purchase, together with the surrounding water rights, will ensure the area adjoining the City's primary water intake will remain undisturbed.
- This vacant property has been owned by the same family for several generations before Mountain Island Lake was created. If the City chooses not to purchase, the owner indicates he will sell to a single-family developer because of the property tax obligation.
- The purchase price was established by an independent, certified appraisal.
- At its regular meeting on May 19, 1998, the Planning Commission's Planning Committee voted unanimously to support the purchase of the land.

Funding: Capital Investment Plan

44. 1997 Utilities Annexation Program Management Professional Services Contract

Action: **Approve Amendment #1 to the 1997 Annexation Program Management Professional Services Contract with Black & Veatch, LLP in the amount of $470,000.**

Explanation:

- This amendment will authorize payment to Black & Veatch for additional design and program management work on the 1997 Utilities Annexation Project. Work added by this amendment includes: design of water and sewer service to additional roads accepted for improvement by the City; redesign of several lines in response to property owner requests; design changes to accommodate developments in the planning stage, or to meet changes in state regulatory requirements, and additional right -of - way acquisition associated with design changes and additions.

- Black & Veatch was chosen by competitive process to perform program management services for the 1997 Annexation Program. A contract for these services was awarded by Council on January 27, 1997.

Funding: Water and Sewer Capital Investment Plan

45. McDowell Wastewater Treatment Plant Phase II Expansion

Action: **Approve Amendment #2 to the Professional Services Contract with Black & Veatch for Phase II Expansion of the McDowell Creek Wastewater Treatment Plant for $143,000.**

Explanation:

- This amendment will authorize the use of Black and Veatch for the construction inspection and engineering services necessary to complete the construction contract, which was extended four months due to additional work involved in the repair of McDowell Plant digesters.

- Black and Veatch will also: assist plant personnel in electronic startup of the plant expansion; perform diagnostic checks of any failed electronic and computer systems, and provide operational training.

Funding: Sewer Capital Investment Plan

46. Acquisition of Providence Ridge, Roxbury, and Hearthstone Subdivision Water Systems

Action: **Approve contract with Carolina Water Service, Inc. of North Carolina for the purchase of the water distribution system serving Providence Ridge, Roxbury, and Hearthstone Subdivisions. The purchase price is $396,320.**

Explanation:

- Providence Ridge and Roxbury subdivisions are part of the City's 1997 Six Mile Creek East Annexation Area. As an alternative to installing new annexation water mains for fire protection, CMUD recommends the purchase of the these systems. The water mains in these systems are sized for fire protection. The Carolina Water system serving Providence Ridge, Roxbury and Hearthstone subdivisions are interconnected, requiring the purchase of all three service areas.

- CMUD considers the acquisition of private water systems when new City mains would parallel the private system. Based on the merits of each case, including economic factors, water quality or quantity, and health risk to the general public, CMUD decides whether to: (a) extend water mains into the privately served area, (b) negotiate a purchase agreement with the private service provider, or (c) not serve the service area of a private utility company.

Funding: Water and Sewer Capital Investment Plan

47. Amendment #2 to Water & Sewer Agreement with the Water & Sewer Authority of Cabarrus County (WSACC)

Action: **Approve deletion of the last sentence of amendment # 2 as approved by Council on February 23, 1998.**

Explanation:

- Amendment #2, approved by Council on February 23, modified the regional agreement with WSACC to include extension of the Clarkes Creek Outfall into Mecklenburg County through reimbursable contracts with a developer. It contained a stipulation that all contracts with the developer be approved and executed by February 27, 1998. That stipulation was not satisfied until after February 27.

- This action will void the last sentence of the amendment which established the February 27 date for execution of the developer contracts. The contracts have been approved and executed subsequent to February 27.

48. Property Transactions

Action: **Approve the following property acquisitions (A-P) and condemnations (Q-R).**

Acquisitions:

A. **Project:** Master Plan Land Acquisition
Owner(s): John R. and Amy J. Roberts
Property Address: part of 8030 Brian Court
Property to be acquired: .779 acres
Improvements: ranch house
Tax Value: $97,500
Purchase Price: $92,125
Remarks: On July 28, 1997 Council approved a municipal agreement for NCDOT and the Airport to work together on those acquisitions that involve I-485 right-of-way and future Airport property. NCDOT is acquiring .221 acres. The Airport is buying .779 acres of land and house. The purchase price of the entire lot is $97,150. The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. The acquisition is eligible for federal funding.

B. **Project:** Master Plan Land Acquisition
Owner(s): John R and Amy J Roberts
Property Address: 8117 Brian Court
Property to be acquired: .777 acres
Improvements: ranch house
Tax Value: $60,020
Purchase Price: $63,525
Remarks: On July 28, 1997 Council approved a municipal agreement for NCDOT and the Airport to work together on those acquisitions that involve I-485 right-of-way and future Airport property. The Airport is buying the entire parcel, land and house. The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. The acquisition is eligible for federal funding.

C. **Project**: Park Road & Woodlawn Road Intersection, Parcel #3
Owner(s): Mary R. Killian, William H. Straughn & Jane Y. Straughn
Property Address: 4320 Park Road
Property to be Acquired: 4,799 sq.ft. (0.11 ac.) plus 1,588 sq.ft. (0.036 ac.) of temporary construction easement
Improvements: Parking
Purchase Price: $25,400
Remarks: The required areas are for an intersection improvement project. Compensation is based on an independent appraisal.
Zoned: B-1 **Use**: Office
Tax Value: $345,290
Tax Code: 149-206-20

D. **Project**: Park Road & Woodlawn Road Intersection, Parcel #2
Owner(s): Mary R. Killian
Property Address: 4316 Park Road
Property to be Acquired: 2,872 sq.ft. (0.066 ac.) plus 1,383 sq.ft. (0.03 ac.) of temporary construction easement
Improvements: Parking
Purchase Price: $14,000
Remarks: The required areas are for an intersection improvement. Compensation is based on an independent appraisal.
Zoned: B-1 **Use**: Office
Tax Value: $139,900
Tax Code: 149-206-21

E. **Project**: Randolph Road/Wendover Road Intersection, Parcel #8
Owner(s): William P. Horne & wf., Gloria M. Horne
Property Address: 3826 Randolph Road
Property to be Acquired: 282.98 sq.ft. (0.006 ac.) plus 1,200 sq.ft. (0.027 ac.) of temporary construction easement
Improvements: Fencing, brick wall
Purchase Price: $16,000
Remarks: The required areas are for an road construction project. Compensation is based on an independent appraisal.
Zoned: R-3 **Use**: Single Family Residential
Tax Value: $423,000
Tax Code: 181-012-14

F. **Project**: Providence Road/Sharon Lane/Sharon Amity Intersection, Parcel #10 & 11
Owner(s): William G. Curlin, Bishop of the Roman Catholic Diocese of Charlotte
Property Address: 1835 Sharon Lane & 3016 Providence Road
Property to be Acquired: 7,815 sq.ft. (0.18 ac.) plus 8,334 sq.ft. (0.19 ac.) of temporary construction easement
Improvements: Trees
Purchase Price: $65,000
Remarks: The required areas are for an intersection construction. Compensation is based on an independent appraisal.
Zoned: R-3 **Use**: Church
Tax Value: $7,361,490
Tax Code: 183-032-22 & 24

G. **Project**: Colony Road Extension-Phase II, Parcel # 8 & 9
Owner(s): Thomas Leon Rea
Property Address: 4330 & 4334 Rea Road
Property to be Acquired: 138,835 sq.ft. (3.19 ac.) plus 71,086 sq.ft. (1.63 ac.) of temporary construction easement
Improvements: Buildings
Purchase Price: $400,000

Remarks: The required areas are needed for a road construction project. Compensation is based on two independent certified appraisals.
Zoned: R-3 **Use**: Single Family Residential
Tax Value: $1,225,730
Tax Code: 211-241-05 & 19

H. **Project**: Colony Road Extension-Phase II, Parcel #7
Owner(s): Anthony Renaud & wf., Susan H. Renaud
Property Address: 4420 Rea Road
Property to be Acquired: 819 sq.ft. (0.19 ac.) plus 2,848 sq.ft. plus (0.065 ac.) of temporary construction easement
Improvements: Fencing & landscaping
Purchase Price: $19,675
Remarks: The required areas are for a road construction project. Compensation is based on two independent appraisals.
Zoned: R-3 **Use**: Single Family Residential
Tax Value: $429,900
Tax Code: 211-241-17

I. **Project**: West Trade Street Improvements, Parcel #2
Owner(s): Christina Kokenes Skiouris, C.S. Kokenes & A. Kokenes
Property Address: 1500 West Trade Street
Property to be Acquired: 1,519 sq.ft. (0.034 ac.) of right-of-way, 426 sq.ft. (0.009 ac.) of permanent sidewalk easement plus temporary construction easement of 660 sq.ft. (0.015 ac.)
Improvements: None
Purchase Price: $10,396
Remarks: The required right-of-way and easements are needed for construction of roadway improvements. Compensation is established by land sales in the area. **Zoned**: B-2 **Use**: Commercial
Tax Value: $44,840
Tax Code: 078-181-08

J. **Project**: Northwest Circumferential Grade Separation-ATP 8, Parcel #47
Owner(s): Betty B. McClure & Sarah E. Pryor
Property Address: 7000 Old Mount Holly Road
Property to be Acquired: Total Take 41,077.08 sq.ft. (.943 ac.)
Improvements: Trailer & outbuilding
Purchase Price: $41,000
Remarks: Total acquisition of this property is required for the Northwest Circumferential Grade Separation project. Compensation is based on two independent appraisals made on this property.
Zoned: I-2 **Use**: Industrial
Tax Value: $21,780
Tax Code: 057-201-07

K. **Project**: Steele Creek Parallel Sewer Trunk, Parcel #5
Owner(s): Arrowood Southern Company
Property Address: 29.59 ac. York Road
Property to be Acquired: 84,732 sq.ft. (1.945 ac.) plus 84,146.05 sq.ft. (1.931 ac.) temporary construction easement
Improvements: None
Purchase Price: $16,945
Remarks: A permanent easement is required to construct a sanitary sewer line on this property. Compensation is based on comparable land sales in the area.
Zoned: I-1 **Use**: Industrial
Tax Value: $522,860
Tax Code: 203-152-03

L. **Project**: Ronda Avenue Storm Drainage, Parcel #44
Owner(s): Helen B. Eggers
Property Address: 6829 Ronda Avenue
Property to be Acquired: 8,095 sq.ft. (0.186 ac.) plus 1,300 sq.ft. (0.029 ac.) of temporary construction easement
Improvements: Trees, fencing & landscaping
Purchase Price: $18,000
Remarks: Permanent easements are needed for culvert replacement and sanitary sewer relocation on this property. Compensation amount was established by an independent certified appraisal.

Zoned: R-3 **Use**: Single Family Residential
Tax Value: $141,640
Tax Code: 189-191-05

M. **Project**: Cliffwood/Wilmore Storm Drainage, Parcel #1
Owner(s): Doey, Inc.
Property Address: 1818 Cliffwood Place
Property to be Acquired: 7,797.24 sq.ft. (.179 ac.)
Improvements: One-story frame duplex
Purchase Price: $18,500
Remarks: Acquisition of total property is needed for storm drainage improvements. Acquisition price is based on an independent certified appraisal.
Zoned: R-22 MF **Use**: Duplex
Tax Value: $32,600
Tax Code: 119-073-13

N. **Project**: Starita Water Booster Pump Station Acquisition, Parcel #1 of 1
Owner(s): J.S. Neal & wf., Judith K. Neal
Property Address: Starita Road
Property to be Acquired: 1.315 ac. Fee Simple
Improvements: None
Purchase Price: $16,500
Remarks: The area is needed for operation of water booster pumping station. Compensation amount based upon an independent certified appraisal. **Zoned**: I-2 **Use**: Vacant
Tax Value: $12,840
Tax Code: 045-011-16

O. **Project**: Carmel Road Widening, Parcel #83 & 125
Owner(s): Thomas J. Crowley & wf., Ann T. Crowley
Property Address: 4936 Carmel Road
Property to be Acquired: 2,191 sq.ft. (0.053 ac.) plus 3,109 sq.ft. (0.071 ac.) of temporary construction easement
Improvements: Fence, trees, landscaping
Purchase Price: $94,000

Remarks: The areas are needed for Carmel Road Widening Project. Purchase price, based upon appraisal, includes damages for proximity, tree loss, landscaping, and fencing.
Zoned: R-3 **Use**: Residential
Tax Value: $290,370
Tax Code: 209-302-34/209-302-35

P. **Project**: Fire Station 34 Land Acquisition, Parcel #1
Owner(s): Helen M. Connell
Property Address: 2001 Mount Holly-Huntersville Road
Property to be Acquired: 172,933.20 sq.ft. (3.970 ac.) total area
Improvements: Vacant
Purchase Price: $115,000
Remarks: This site meets all fire department criteria for construction of a two bay fire station to serve the Northwoods area. The sale price was established by two independent, certified appraisals.
Zoned: R-3 **Use**: Vacant
Tax Value: $111,790
Tax Code: 031-172-07

Condemnations:

Q. **Project**: Hoskins Road Widening, Parcel #22
Owner(s): Clyde M. McGee Heirs, and any other parties of interest.
Property Address: 236 North Hoskins Road
Property to be Acquired: 8,178 sq.ft. (.1878 ac.)
Improvements: Shrubs & trees
Purchase Price: $15,500
Remarks: The area is needed for Hoskins Road widening and improvements. Owner refused City's offer which was based upon an independent certified appraisal.
Zoned: R-5 **Use**: Single Family Dwelling
Tax Value: $54,350
Tax Code: 039-011-02

R. **Project**: Beatties Ford Road Four Lane Widening, Parcel #49 & 50
Owner(s): Paul A. McGill, D.D.S., P.A. a North Carolina Professional Association & any other parties of interest
Property Address: Beatties Ford Road
Property to be Acquired: 4,575 sq.ft. (.105 ac.) fee simple, permanent utility and temporary construction easement
Improvements: Landscape items, sign
Purchase Price: $13,000
Remarks: The area is acquired needed to widen Beatties Ford Road. The City offered Dr. McGill $13,000, based on the approved independent certified appraisal. Several personal meetings brought a counter-offer from him of $25,000 without justification or appraisal support.
Zoned: B-1/02 **Use**: Medical/Office Building
Tax Value: (49) $30,800; (50) $293,750
Tax Code: 075-073-29 & 28

49. Minutes

Action: **Approve minutes as follows:**

- **June 8 Business Meeting**
- **June 9 Straw Votes for Budget**
- **June 15 Zoning Meeting**
- **June 22 Business Meeting**
- **July 13 Workshop & Citizen's Forum**