AGENDA

Meeting Type:	B
Date:	06/14/99

City of Charlotte, City Clerk's Office

CHARLOTTE

OFFICE COPY

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

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

Council Agenda

CITY COUNCIL MEETING
Monday, June 14, 1999

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

7:00 p.m. — **Meeting Chamber**

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

1999 Council Retreat Priorities

Top Priorities for 1999

Transportation Plan

Policing Evaluation and Direction

State Roads Action: Increased Funding

Transit Plan and 1/2¢ Sales Tax: Implementation

West Side Strategic Plan Implementation

High Priorities for 1999

Corridor Plan

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

Court System: Expansion

Business Retention Strategy and Action Plan

Community Strategic Plan for Housing

Neighborhood/Business Revitalization Strategy

Eastside Strategic Plan

CITY COUNCIL AGENDA

Monday, June 14, 1999

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Council's Focus Areas Strategic Plan

Staff: Del Borgsdorf

Time: 5 minutes

Attachment 1

2. City-County Land Exchange Guidelines

Staff: Kent Winslow

Time: 15 minutes

Attachment 2

3. Technology Update

Staff: Pam Syfert

Time: 30 minutes

Attachment 3

4. Transportation Committee Presentation

Staff: Jim Schumacher - Parkwood Avenue Pedestrian Safety Improvement Recommendations

Time: 15 minutes

Attachment 4

Staff: Doreen Szymanski - School Traffic Signal Policy

Time: 10 minutes

Attachment 5

5:00 P.M. DINNER BRIEFING Continued

5. CWAC Committee Presentation

Staff: Melony McCullough - Wesley Heights Neighborhood Plan

Time: 20 minutes

Attachment 6

6. Committee Reports by Exception

- CWAC -- Retail Consumption/Market Patterns Study

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

CONSENT

7. **Consent agenda items 17 through 33 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

8. **SouthPark Small Area Plan**

Action: **Hold a public hearing on the draft SouthPark Small Area Plan.**

Committee Chair: Lynn Wheeler

Staff Resource: Garet Walsh, Planning Commission

Focus Area: Economic Development

Explanation:

- The Economic Development and Planning Committee requested that City Council hold a public hearing on the draft plan prior to the Committee making a recommendation.

- Highlights of the draft plan recommendations include:

  - Ensuring that new development and redevelopment meet specific design criteria including the provision of open space, pedestrian orientation, site design, height limitations, and streetscape improvements

  - Encouraging more residential development within the study area

  - Requiring that a community gathering space be provided as a condition for any expansion of SouthPark Mall

- Retrofitting major roadway intersections to make them safer for pedestrians

- Providing better linkages for pedestrians and bicyclists

- Allowing a limited retail component to be introduced into multi-family developments in specified locations

- Confining any non-residential expansion to the study area, with no expansion into the surrounding residential areas

- Developing a transit hub, expanding existing transit service, and linking the SouthPark area to future mass transit

Committee Discussion: The Economic Development and Planning Committee began reviewing the draft plan on January 19, 1999 and toured the study area on March 16, 1999. At the Committee's request, staff provided Council with a presentation of the draft plan at the May 3, 1999 workshop meeting.

Community Input:

- A study group of neighborhood, business and development representatives worked with staff in developing the draft plan. The study group met 14 times between February and November 1998. All meetings were open to the public.

- In addition, public meetings were held in the community on April 2 and October 12, 1998. Staff also provided area neighborhood leaders with written updates during the plan development process and included similar information, as well as a summary of the draft plan, on the Planning Commission's web site.

Attachment 7
SouthPark Small Area Plan: Executive Summary is attached. Council received a copy of the complete draft plan in the May 3, 1999 agenda packet. Copies of the draft plan are available at the Planning Commission.

9. Wesley Heights Neighborhood Plan

Action: **Hold a public hearing on the draft Wesley Heights Neighborhood Plan.**

Committee Chair: Rod Autrey

Staff Resource: Melony McCullough, Planning Commission

Focus Area: City Within A City

Explanation:

- Hold a public hearing on the draft Wesley Heights Neighborhood Plan to receive citizen input prior to Council's decision. Council will be asked to approve this plan on June 28.

- This plan was developed at the request of residents/property owners in the area. The plan responds to their concerns and makes recommendations for improving the overall appearance and livability of the neighborhood.

- Highlights of the draft plan recommendations include:

  - Developing the greenway along the rail line and Duke Power right-of-way

  - Maintaining and improving the quality of the housing stock

  - Increasing police visibility

  - Strengthening and defining gateways into the community

  - Improving pedestrian and vehicular access

  - Preserving existing land uses and encouraging development that is sensitive to the existing zoning and land use pattern

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

Community Input:

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

This plan has received endorsement from the study group, residents, and property owners in the area. In addition, the Planning Committee unanimously recommended the plan for approval.

Attachment 8
Wesley Heights Neighborhood Plan-
Volume 1: Concept Plan
Volume 2: Implementation Plan.

POLICY

10. City Manager's Report

11. Extraterritorial Jurisdiction (ETJ) Public Input Process

Action: **Approve the Economic Development and Planning Committee's recommendation to proceed with the ETJ public input process.**

Committee Chair: Lynn Wheeler

Staff Resource: Jeb Blackwell

Focus Area: Economic Development

Explanation:

- Exercising ETJ would allow the City to have control over a number of functions in an area up to one mile outside the City limits. These functions include rezoning decisions and land development review. ETJ control allows the City to establish the character of an area that may eventually become part of the City and make decisions based on how land development will impact the City's cost and ability to deliver services.

- The Economic Development and Planning Committee recommends proceeding with this process, so that comprehensive public input can be obtained prior to a later decision on ETJ implementation. Proceeding with the public input process does not obligate the Council to any course of action.

- The ETJ public input process includes mapping and a describing of the ETJ area. A resolution setting a public hearing could be presented in September.

- The schedule provides for a Council vote on implementation in November.

Committee Discussion:

- The Economic Development and Planning Committee met March 30, 1999. Lynn Wheeler, Tim Sellers and Charlie Baker voted to

recommend proceeding with the ETJ process. Nasif Majeed abstained and Malachi Greene was absent.

- The Committee met May 17, 1999, to discuss the proposed schedule. Lynn Wheeler, Malachi Greene, and Charlie Baker voted to recommend the schedule. Tim Sellers and Nasif Majeed were absent.

- Upon City Council approval of the study process, the Economic Development and Planning Committee will review the list of possible services to provide in the ETJ.

Community Input:

- Extensive public notification of a public hearing for affected residents is required. Each landowner in an ETJ area must receive three notices (through a combination of mailings and newspaper notices) in the ETJ process informing them of a public hearing.

- In addition to the extensive mailings, Corporate Communications will be consulted on other opportunities (public information meetings, website survey, etc.) to obtain public input. If ETJ is exercised, the Board of County Commissioners has the right to appoint one person to the Zoning Board of Adjustment. Additionally, the area affected by the ETJ must have proportional representation on the Planning Commission (this criterion is met with existing Commission members).

Funding:

The costs of the mailings are expected to total an estimated $70,000. A portion of the mapping and boundary description work may be contracted. These costs are included in the proposed FY2000 budget.

Attachment 9
ETJ Schedule

12. City Within A City Retail Consumption/Market Patterns Study

Action:

A. Approve the City Within A City Committee recommendation to provide a $50,000 grant to conduct an Inner-City Retail Consumption/Market Patterns Study for the City Within A City area; and

B. Approve an ordinance to transfer $50,000 from the City Council Contingency fund.

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

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

Policy: City Council's Economic Development and CWAC Focus Areas seek to encourage the location, retention, and expansion of business and residential uses in Charlotte's distressed urban business districts.

Explanation:

- The Inner-City Retail Consumption/Market Patterns Study will be conducted by a partnership consisting of the North Carolina Institute of Minority Economic Development, Self-Help Credit Union, University of North Carolina at Charlotte, and Morehouse College. At a total cost of $112,650, the study will identify consumption patterns of inner-city residents and the potential for new retail in the CWAC areas.

- Benefits of the study include:
  - Better understanding of retail and service needs of CWAC neighborhoods
  - Market analysis tool for existing and new businesses
  - Identification of opportunities for new businesses and entrepreneur ventures
  - Better understanding of retail land development needs

- Upon receipt of the study's findings, the City will share the study with developers and lending institutions to guide development within the CWAC business corridors.

- A number of Neighborhood Action Plans and Corridors Plans have identified the development of quality shopping and services as a critical need in the inner-city neighborhoods.

- Traditional marketing approaches often understate the potential of inner-city markets. By understanding the full magnitude of consumer needs, existing retailers and new operators can better position their businesses to serve this underserved market. The Team will utilize new research and data sources to estimate inner-city retail consumption patterns.

- The research team will provide recommendations based on the gaps between inner-city potential and existing retail. The recommendations will provide a basis for making informed decisions on retail service needs of the inner city.

- The $50,000 grant from the City is contingent upon the partnership receiving the balance from the private sector. Grant requests have been submitted to the Knight Foundation and the Duke Energy Foundation for this project. The study will not commence until 100% of funding has been secured.

- Total project costs include:

$66,650	Faculty and graduate students compensation
$25,000	Project administration: North Carolina Institute of Minority Economic Development (NCIMED) will provide overall project coordination and ensure that adequate funds are raised to conduct research and disseminate findings
$6,000	Data purchases

$15,000	Travel, communications, printing, GIS modeling

Committee Discussion:

- On May 19, 1999, the City Within A City Committee reviewed the CWAC Retail Consumption/Market Patterns Study proposal. The Committee voted 3-0 to recommend approval of a $50,000 grant to assist in the funding of the CWAC Consumption Study. Councilmembers Autrey, Spencer and Jackson voted in the affirmative. Councilmembers Sellers and Cannon were absent.

Community Input:

- Input on the proposal was received from the Executive Directors of the local enterprise communities and the Northwest Corridor Community Development Corporation.

Funding: City Council's Contingency Fund

- The FY1999 budget included $465,395 in Council Contingency. A balance of $210,395 remains with two weeks left in the fiscal year. This item and agenda item #15 (Contribution to 2000 NACo Convention) are recommended to be funded from this balance.

Attachment 10
Proposal for the Inner-City Retail Consumption/Market Patterns Study
City Within A City Committee Summary for May 19, 1999

13. School Traffic Signal Policy

Action: **Approve the Transportation Committee's recommendations:**

A. To adopt the proposed School Traffic Signal policy:

1. Traffic signals may be installed at schools where traffic meets DOT standard hourly warrants.

2. The traffic signals will operate from 6 a.m. until 11 p.m. seven days a week.

3. **The signals will be put in flash during the school summer vacation, if there is no summer school or other major activity; and**

B. **To conduct a test to determine if operating the school traffic signal at Arbor Pointe Drive/Park Road (South Mecklenburg High School) during the summer when school is not in session affects the intersection's safe operation.**

Committee Chair: Sara Spencer

Staff Resource: Randy Jones

Explanation:

- In October 1998, City Council directed staff to test the operation of traffic signals at three schools - South Mecklenburg High School, East Mecklenburg High School, and Charlotte Latin School. The signals were placed into full operation daily between 6 a.m. and 11 p.m.

- These are signals that direct vehicular traffic at schools. These signals are <u>not</u> school signals which direct pedestrian traffic with the aid of a crossing guard. These three school traffic signals are the only ones in Charlotte.

- Staff was instructed to report at the end of the school year on how well the signalized intersections have operated.

- A review of accidents (chart attached) at those intersections indicates the signals have not been a safety problem. Accident frequency and severity have not increased with the full operation of the signals. Additional congestion during the morning peak period has occurred, but has been minimal. No citizen complaints about the signals have been received.

- The signal study shows virtually no difference in accident statistics, which is attributed to <u>extending</u> the time of an existing signal rather than adding a new one.

- The survey of East Mecklenburg and South Mecklenburg high schools does not indicate summer school or other major activities will occur over the summer.

Committee Recommendation:

The Transportation Committee voted 3-0 to (1) adopt the proposed policy and (2) conduct a test to determine if operating the school traffic signal at Arbor Pointe Drive/Park Road (South Mecklenburg High School) during the summer when school is not in session affects the intersection's safe operation since it is a six-lane road.

Committee Discussion:

The Committee discussion centered around:

- The difference between a policy on school signals versus traffic signal installation standards. The staff recommends placing the school signals in flash mode during the summer when there is no activity at the school.

  - Input was received from the schools. They supported the policy, but preferred the signals remain operational during the summer.

  - Committee members Sara Spencer, Mike Jackson, and Rod Autrey voted to test leaving the South Mecklenburg High School signal operational during the summer to determine if safety on the six lane road is compromised. Committee member Malachi Greene was absent.

  - When the study is complete, CDOT will include national studies about traffic signal operation and other pertinent information.

Attachment 11
Transportation Committee Minutes including Accident Statistics Chart for School Traffic Signals

14. Parkwood Avenue Pedestrian Safety Improvement Recommendations

Action: **Approve the Transportation Committee's recommendation to accept the consultant's recommendations for pedestrian safety improvements on Parkwood Avenue.**

Committee Chair: Sara Spencer

Staff Resource: Jim Schumacher

Explanation:

- Parkwood Avenue area residents addressed City Council on several occasions asking for assistance with vehicle speeds and accidents along Parkwood Avenue.

- After conducting a traffic study, staff recommended and City Council approved adding the pedestrian/vehicular safety study to the consultant scope of work for intersection improvements at Parkwood/The Plaza.

- The consultant's study recommendations are:

  1. Remove the reversible lanes at Parkwood Avenue and The Plaza by:
     - adding an inbound left-turn lane
     - adding an outbound right-turn lane
     - converting Lola Avenue to a cul-de-sac

  2. Eliminate sight distance problems at Allen, Pegram, McDowell, and Harrill Streets by:
     - modifying buildings at Allen Street and Pegram Street
     - installing a median at Allen Street
     - removing vegetation

  3. Improve pedestrian accident/traffic speeding safety by:
     - reducing lane widths to 9.5 feet
     - installing a median along Parkwood Avenue

  4. Improve safety in the curves at Cordelia Park by:
     - installing a guardrail

- adjusting the curb and gutter
- moving the sidewalk away from the curb
- adding anti-skid treatment to the pavement

- Construction should begin in October 2000, with project completion in the summer of 2001. Installation of the guardrail and demolition of the building sight obstruction at Parkwood/Pegram will proceed immediately.

Committee Recommendation:

Transportation Committee members Sara Spencer, Mike Jackson, and Rod Autrey voted to accept the consultant's recommendations for pedestrian safety improvements along Parkwood Avenue, and commit to funding those improvements in the FY2001 budget. Committee member Malachi Greene was absent.

Committee Discussion:

- Committee discussion centered around the monies needed to implement the recommended treatments.

Community Input:

- The consultant's study included two public meetings and six Steering Committee meetings. The Steering Committee consisted of six members from area communities. The recommendations are those of area residents and the consultant.

- A citizen at the public hearing voiced his desire for a traffic signal at Parkwood/Pegram. The Committee took no action on this request.

Funding:

The Parkwood/The Plaza intersection improvement project is included in the FY2000 CIP budget for $1.525 million. Additional funding of $.575 million will be required in the FY2001 CIP to implement the pedestrian safety recommendations. The total cost to fund the Parkwood/The Plaza intersection improvements and pedestrian safety recommendations would total $2.1 million.

Attachment 11
Transportation Committee Minutes
Map of Area

15. Contribution to 2000 NACo Annual Convention

Action: **Appropriate $100,000 from Council Contingency to Mecklenburg County in support of the 2000 National Association of Counties (NACo) Annual Convention to be held in Charlotte.**

Staff Resource: Curt Walton

Explanation:

- Mecklenburg County has requested a $100,000 contribution to support the 2000 National Association of Counties (NACo) annual convention which is scheduled to be held in Charlotte in July 2000.

- A question was raised during budget straw votes about the additional City support provided to the National Association of Counties (NACo). The Convention Center is providing complimentary space to NACo, a value of $60,000; however, the Convention Center will recover the $60,000 through a hotel room rebate managed by the Charlotte Convention and Visitors Bureau (CCVB). There is a $5 surcharge on each of the 12,000 hotel rooms reserved for NACo, a total of $60,000. CCVB will collect the $60,000 and return it to the Convention Center.

- The FY1999 budget included $465,395 in Council Contingency. A balance of $210,395 remains with two weeks left in the fiscal year. This item and agenda item #11 (CWAC Retail Consumption Market Patterns Study) are recommended to be funded from this balance.

Funding: FY1999 Council Contingency Account

BUSINESS

16. Election Filing Fees

Action: **Set the filing fees for the Office of Mayor and City Council for the 1999 municipal elections. Current fees are $200 for Mayor and $120 for Council.**

Staff Resource: Mac McCarley

Policy:

- State law requires that the filing fee for municipal primaries must be fixed by the City Council no later than the day before candidates are permitted to begin filing notices of candidacy.
- Filing for party nominations for Mayor and City Council will begin on Friday, July 2.
- Pursuant to the North Carolina law governing partisan municipal elections, the City Council has the discretion to set the filing fee at not less than $5 nor more than 1% of the annual salary of the office being sought.
- The filing fees for Mayor and City Council candidates in 1997 were $200 for the Office of Mayor and $120 for the Office of City Council.
- The Board of Election requests that the City Council set the filing fees now to provide adequate time for preparation to open candidate filing on July 2.

Introduction to CONSENT

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

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

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

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

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

CONSENT

17. Various Bids

A. CMGC Relamping — E&PM

Recommendation: The City Engineer recommends the low bid of $215,231.50 by Parke Industries of Norcross, Georgia. This project will upgrade existing lamping in the Charlotte-Mecklenburg Government Center (CMGC) and courtyard with more energy efficient lights. An annual cost savings of $60,000 in utility bills is projected.

MWBD Compliance: Yes. Parke Industries will self-perform.

B. Minor Sidewalk Installation 99-A — E&PM

Recommendation: The City Engineer recommends the low bid of $199,446.50 by United Construction, Inc. of Charlotte, North Carolina. This project will provide sidewalk at various locations within the city limits where

sidewalk does not exist. The proposed sidewalk locations have been identified and prioritized by CDOT and will be built within the existing right-of-way.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	4%
WBE	$0	0%	4%
ABE	$199,446.50	100%	0%

MWBD Compliance: Yes. United Construction, Inc. will self-perform.

C. 16-Inch and 12-Inch Water Main along Eastfield Road into Cabarrus County **CMU**

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $410,131.85 by Foster Utilities, Inc. of Pineville, North Carolina. This project was identified as an Unfunded project in the FY 98-02 Capital Investment Plan. CMU entered into a five year reimbursable contract with Bryan Properties, Inc. on June 8, 1998 to construct approximately 8,750 feet of 16-inch water main along Eastfield Road from Prosperity Church Road to the Mecklenburg and Cabarrus County line. On January 25, 1999, this contract was amended to extend a 12-inch water main into Cabarrus County approximately 1,100 feet to serve the Skybrook Subdivision.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$600	0.15%	5.0%
ABE	$0	0%	1.0%
HBE	$0	0%	1.0%
NBE	$0	0%	1.0%
WBE	$3200	1%	5.0%

MWBD Compliance: Yes. Foster, Inc. met the good faith effort requirements.

D. Sewer Line Cleaning Services **CMU**

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $201,659 by Bio-Nomic Services, Inc. of Charlotte, North Carolina. This contract includes cleaning of sewer lines to remove foreign materials from the line and restore the sewer to a minimum of 95% of the original carrying capacity.

MWBD Compliance: Yes. Bio-Nomics will self-perform.

18. Refund of Certain Taxes

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $17,792.55.**

Attachment 12
Resolution
List of Refunds

CONSENT II

19. Architectural Design Services for Air Cargo Facilities

Action:

A. Adopt a budget ordinance to appropriate $125,000 to fund the design contract and associated expenses for the expansion of the Charlotte Air Cargo Center; and

B. Award an architectural design contract to Little & Associates, Inc. of Charlotte, North Carolina for $106,600 for the design of the two cargo facilities.

Explanation:

- As part of the Airport Master Plan, this project will expand the Charlotte Air Cargo Center to accommodate the growth of cargo.
- Little & Associates was chosen based on their expertise and experience (three years with Charlotte Air Cargo Center) with this type of architectural design.
- The estimated construction cost for this project is $1,600,000 and will construct two buildings totaling approximately 69,500 square feet.

Funding: Airport Unappropriated Fund Balance

20. Engineering Design Services for Relocation of the Airport Employee Parking Lots

Action:

Award an engineering design contract to Talbert & Bright, Inc. of Charlotte, North Carolina in the amount of $120,000 for the design of the employee parking lots.

Explanation:

- As part of the Airport Master Plan, this project will relocate tenant employee parking lots away from the Terminal Complex to the intersection of Old Dowd Road and Harlee Avenue on current airport property.
- The new lots will provide 2,400 parking spaces. The existing parking lots have 2,188 parking

spaces. The new lots will have direct access to Josh Birmingham Parkway.

- These relocated parking lots will make room for the expansion of Concourses A and D which will add air carrier gates.

Funding: Airport Building Operations Budget

21. Utility Agreement - Construction of Rea Road Extension from Charlotte Southern Outer Loop (I-485) to the Union County Line

Action: **Adopt a resolution authorizing the Transportation Key Business Executive to execute a Utility Agreement between the North Carolina Department of Transportation (NCDOT) relating to the construction of the Rea Road Extension from the Charlotte Southern Outer Loop (I-485) to the Union County Line.**

Explanation:

- The Municipal Agreement provides for the NCDOT contractor to perform water line adjustment and relocation work for the construction of the Rea Road Extension. The costs will be reimbursed by the City.
- The estimated cost to the City is $855,937.50.
- The format and cost sharing philosophy is consistent with past Municipal Agreements.

Funding: Water Capital Investment Plan

Attachment 13
Map

22. Traffic Signal Agreement - (for Widening of South Tryon Street [NC 49] from Arrowood Road to Tyvola Road)

Action: **Adopt a resolution authorizing the Transportation Key Business Executive to execute a Traffic Signal Agreement between the North Carolina Department of Transportation (NCDOT) relating to the widening**

of South Tryon Street (NC 49) from Arrowood Road to Tyvola Road.

Explanation:

- The Municipal Agreement provides for the City to perform traffic signal adjustment and relocation work for the project with costs reimbursed for the project by the NCDOT.
- The estimated cost of this project is $137,320.
- The format and cost sharing philosophy is consistent with past Municipal Agreements.

Funding: Transportation Capital Investment Program

Attachment 14
Map

23. Utility Agreement - Replacement of Buster Boyd Bridge over Lake Wylie

Action: **Adopt a Resolution authorizing the Transportation Key Business Executive to execute a Utility Agreement between the North Carolina Department of Transportation (NCDOT) relating to the Replacement of the Buster Boyd Bridge over Lake Wylie.**

Explanation:

- The replacement of the Buster Boyd Bridge requires certain utility relocations/adjustments and a Municipal Agreement between the City and NCDOT.
- The Municipal Agreement provides for the NCDOT contractor to perform water line adjustment and relocation work for the project with costs reimbursed by the City.
- The estimated cost to the City is $150,000.
- This project will replace the existing two lane bridge with a four lane bridge with sidewalks and extra wide curb lanes to provide for possible bike lanes. Construction is to be completed in December 2001.

- The format and cost sharing philosophy is consistent with past Municipal Agreements.

Funding: Water Capital Investment Plan

Attachment 15
Map

24. Right of Way and Easement of City Property - Mallard Creek Church Road to Senator Royall Place

Action:

A. Approve a road right-of-way and construction easement with the North Carolina Department of Transportation (NCDOT) and the City of Charlotte from Mallard Creek Church Road to Senator Royall Place; and

B. Authorize the Charlotte-Mecklenburg Utilities Director to execute the Agreement on behalf of the City of Charlotte.

Explanation:

- NCDOT has requested, in accordance with NCGS 160A-274 (sale, lease, and joint use of governmental property), that the City provide a road right-of-way and construction easement across City-owned property. NCDOT has plans to construct an access road west of Mallard Creek Presbyterian Church cemetery on Mallard Creek Church, to extend from Mallard Creek Church Road to Senator Royall Place.

- This request will:
  - grant NCDOT the right-of-way and easement at no cost
  - allow NCDOT to construct said road at its own cost
  - give the Charlotte-Mecklenburg Utilities Director approval rights as to location and alignment of said right-of-way

- The road right-of-way and construction easement across City property will serve the planned Teachers Insurance and Annuity

Association/College Retirement Equities Fund (TIAA-CREF) facility.

25. Long Creek Pump Station Upgrades - Professional Services Contract

Action: **Approve a contract with Brown and Caldwell to provide design and construction management for the Long Creek Pump Station Upgrade. The contract is for a not-to-exceed amount of $2,587,629.**

Explanation:

- This project will replace and expand the pumping capacity of the Long Creek Pump Station.

- Brown and Caldwell conducted a predesign study which provided the pump station size and location of the force main to serve Long and Gar Creek Basins. The pump station will be expanded from a 3-million gallons per day (MGD) to a 14.5-MGD. Design and construction will be provided to replace and increase the size of the existing pump station and force main. Funding for this project was approved in the FY98 CIP.

- The pump station was built 18 years ago to provide interim sewer capacity for the Long Creek basin. It is electrically and mechanically obsolete and has significant structural deficiencies. Pump and force main failures have caused several sewer spills.

MWBD: Brown and Caldwell will use CITI and F & R as subconsultants. CITI is an MBE and will provide the instrumentation and control systems design for the pump station. Their involvement is approximately $87,920 or 3%.

Froehling & Robertson is a WBE and will provide surveying services. Their involvement is approximately $79,354 or 3%.

Funding: Sewer Capital Investment Plan

26. 120-Inch Raw Water Main-Catawba River Pump Station To Franklin Water Treatment Plant - Budget Ordinance and Contract

Action:

(A) Approve a budget ordinance appropriating $30,500,000; and

(B) Award a contract to John D. Stephens, Inc. of Stone Mountain, Georgia for their low bid of $29,562,503.46.

Explanation:

- This project provides a pipeline through which an additional 150 million gallons per day of raw water can be supplied to two water treatment plants. The additional raw water capacity will provide for the increased potable water demand from the water treatment plants for the next 30 years.

- This project consists of 28,400 linear feet of 120-inch diameter pipeline which is to be placed in an existing 50- foot water right-of-way, and a new surge control structure at Mountain Island Lake, the site of the existing raw water pumping station. This project also consists of retrofit appurtenances for the existing 54-inch and 60-inch raw water lines for compatibility with the new surge control system being installed under this contract. The new line will provide the additional raw water capacity required to serve the Franklin Water Treatment Plant and Vest Water Treatment Plants until the year 2030.

- The budget ordinance provides funding for the project through revenue bonds.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$229,925	1%	5%
ABE	$0	0%	1%
HBE	$0	0%	1%
NBE	$0	0%	1%
WBE	$0	0%	5%

MWBD Compliance: Yes. The Contractor has made the good faith effort to meet the goals for this project.

Community Input: A public meeting was held at Oakdale Elementary School February 16, 1999. Additional public meetings

and information are being planned for the life of the project.

Funding: Revenue Bonds

27. 24-Inch Water Main Along Fullwood Lane & South Trade Street in Matthews

Action:

(A) Approve a budget ordinance appropriating $850,000; and

(B) Award a contract to Propst Construction Company Inc. of Concord, North Carolina for their low bid of $810,103.33.

Explanation:

- The proposed water main along Fullwood Drive and South Trade Street will address low water pressure experienced in areas south of the Town of Matthews during peak water usage times. This water main, along with the pressure zone boundary expansion, will provide for adequate water volume and pressure to the area. This has been confirmed by water system hydraulic modeling conducted by Utilities Water Master Plan consultant, Pitometer Associates. This project has not been previously funded.

- This project consists of approximately 7,970 ± linear feet of 24-inch water main and four fire hydrants. This project begins at an existing water main in Pineville-Matthews Road (N.C. 51) and extends along Fullwood Lane and South Trade Street ending at the intersection of Pleasant Plains Road and Weddington Road.

- The budget ordinance provides funding for the project through revenue bonds as part of the overall strategy to address pressure problems in southeast Charlotte.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$18,000	2%	7%
ABE	$0	0%	2%
HBE	$0	0%	2%
NBE	$0	0%	2%
WBE	$54,000	7%	8%

MWBD Compliance: Yes. The Contractor made the good faith effort to meet the goals for this project.

Funding: Revenue Bonds

28. Storm Water Maintenance

Action:

A. Reject the bid of $916,288 from Shaw Group, Ltd. of Charlotte, North Carolina, pursuant to NCGS 143-129, as a non-responsible bid; and

B. Award a contract for Storm Water Maintenance FY99B to the next lowest bidder, Ferebee Corporation of Charlotte, North Carolina, for $926,565.

Explanation:

- This project is part of an ongoing program to provide maintenance, repairs, and construction for one year on existing storm water systems, or to construct new systems where none exists within the city limits of Charlotte. Individual projects are identified and prioritized by Engineering & Property Management's (E&PM) Storm Water Services Division based on the severity of the situation with regard to flooding of public and private property. Storm Water Services use "retainer" contracts such as this to provide timely response to maintenance problems.

- The low bidder (Shaw Group) currently has two projects with E&PM. Both projects are behind schedule and require a significantly higher level of supervision by E&PM staff than normal. Storm Water has met with the Shaw Group regarding their performance and scheduling issues.

- It is the intent of E&PM to work closely with the Shaw Group to help them successfully complete their current projects. However, based on the Shaw Group's past performance and the scope of this contract, E&PM does not believe it would be in the best interest of the City or the Shaw

Group to award them this project. The Shaw Group does not plan to contest this action.

MWBD: Contractor will self-perform.

Summary of Bids:

Shaw Group, Ltd.	$ 916,288.00
Ferebee Corporation	**$ 926,565.00**
D&D Construction	$ 964,709.00
Blythe Development	$ 986,250.00
United Construction	$ 988,555.00
Foster Utilities	$1,066,327.50
Sealand Contracting	$1,075,120.00
Propst Construction	$1,207,515.00
Jones Grading	$1,279,348.94
Kip Corporation	$1,290,827.50

Funding: Storm Water Capital Investment Plan

29. Contract for Information Technology Services for Police

Action: **Approve an agreement with Orassist, Inc., not to exceed $125,000, to provide contract personnel services to the Police Department's Computer Technology Services Bureau.**

Explanation:

- This contract provides for temporary employees to manage the Oracle database and the Unix hardware associated with the KBCOPS (Knowledge Based Community Oriented Policing System) currently under development.

- Several of the key employees assigned to the project have left the department. Temporary employees are needed until new Oracle database and Unix administrators can be hired and transitioned into the organization. If temporary employees are not hired, the project will fall significantly behind schedule.

- The costs for the contract employees will not exceed $125,000. The work will be performed as an extension of an existing contract with Orassist.

Funding: Police Department Operating Budget

30. Purchase of Refuse Collection Vehicle Bodies

Action: **Approve a unit price contract of $37,115 per body with Amick Equipment Co, Inc., Lexington, South Carolina, for the purchase of rear loader refuse collection bodies for Solid Waste Services.**

Explanation:

- The purchase is for six rear loading refuse collection bodies to be mounted on cabs and chassis previously purchased. All six bodies are replacements.

- Invitations to Bid were sent to 14 vendors on January 27, 1999 for the City to receive unit prices on automated and rear loading refuse collection vehicle bodies. Five vendors responded. Two were nonresponsive for failure to meet critical specifications. The third vendor was not recommended because of equipment productivity and safety issues resulting from the turning radius of the vehicle and failure to meet several specifications. The details are shown in an attachment.

- A unit price contract of $37,115 is recommended with Amick Equipment Co, Inc. The contract is for one year with the option to renew for two additional one year terms.

- FY99 purchases for the six bodies are estimated to be $222,690. Purchases are anticipated subject to appropriations by City Council and identified needs.

MWBD: There are no known MWBD suppliers of this type of equipment.

Summary of Responsive Bids:

Amick Equipment Co, Inc.	**Lexington, SC**	**$37,115**
Lodal South, Inc. (Alternate Bid)	Rockingham, NC	$38,893
Carolina Environmental Systems, Inc	Kernersville, NC	$43,893

Funding: FY99 Solid Waste Services Operating Budget and FY99 Capital Equipment Replacement Fund

Attachment 16

Summary of Bids and Recommendations for Bodies to be Used on Rear Loading Refuse Collection Vehicles

31. Sale of City Property Located at 2644 Mayfair Avenue

Action:

A. Accept an offer to purchase property located at 2644 Mayfair Avenue by use of a sales contract; and

B. Direct the advertisement of said offer and contract for the purpose of informing the public about the pending sale.

Explanation:

- The City has received an offer of $73,900 to purchase property at 2644 Mayfair Avenue. A lease purchase between Darlene and John Boyd established the purchase price.

- The subject property consists of a 1,080 sq. ft. newly constructed house on a .207 acre tract. The property was acquired from Steve Nancy Homes, Inc. in June 1998 and leased to Darlene and John Boyd.

- Terms of the sales contract are as follows:

  - $500 earnest money deposit already paid to Steve Nancy Homes. Inc.

  - Approval of bank financing

  - City subsidy of $16,847 in the form of a second mortgage as recommended by the primary lending institution

  - Property will serve as primary residence for family

  - If property is transferred through a sale, it must be sold to and occupied by persons whose household income does not exceed, according to family size, 110% of the median household income for the Charlotte Metropolitan area, as determined by the most recent statistics published by the United States

Department of Housing and Urban Development (HUD).

- In the event of a property default or obligations being violated with respect to the sales contract, and the default or violation is not cured or remedied within one month after written demand by the City, Buyer forfeits any and all previously deposited earnest money as liquidated damages and the contract will terminate immediately.

- This property was purchased with HOME funds and is subject to HUD-imposed use and redevelopment requirements as determined by the City. If the property is not redeveloped in accordance with these requirements, it reverts back to the City.

32. Property Transactions

Action: **Approve the following property acquisitions.**

A. **Project**: 1997 Annexation-Six Mile Creek East, Parcel #53
Owner(s): Thomas H. Ertel & Candice S. Ertel
Property Address: 3439 Gray Mass Road
Property to be Acquired: 2,295.75 s.f. (0.053 ac.) of permanent easement plus 3,060.00 s.f. (0.070 ac.) of temporary construction easement
Improvements: Trees used as buffer
Purchase Price: $10,600
Remarks: Permanent and temporary construction easements are needed to complete this sanitary sewer project. Compensation is based on an independent, certified appraisal.
Zoned: R-3
Use: Single Family Residential
Total Parcel Tax Value: $321,560
Tax Code: 227-242-38

For Items **B** through **G**, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

B. **Project:** Master Plan Land Acquisition
Owner(s): Eugene Deaton Trust
Property Address: 3613 Marshall Avenue
Property to be acquired: .275 acres
Improvements: single family residential house
Purchase Price: $60,000
Zoned: I2
Use: single family
Tax Value: $58,380
Tax Code: 115-161-10

C. **Project:** Master Plan Land Acquisition
Owner(s): Paul A Sigmon
Property Address: 7824 Old Dowd Road
Property to be acquired: 1.0 acres
Improvements: two single family residential houses
Purchase Price: $86,500
Zoned: RMH
Use: single family
Tax Value: $60,230
Tax Code: 113-091-03

D. **Project:** Master Plan Land Acquisition
Owner(s): Paul A Sigmon
Property Address: 7836 Old Dowd Road
Property to be acquired: 1.017 acres
Improvements: residential mobile home
Purchase Price: $38,000
Zoned: RMH
Use: single family
Tax Value: $9,000

Tax Code: 113-091-02

E. **Project:** Master Plan Land Acquisition
Owner(s): Richard and Dawn Herrin
Property Address: 8315 Hillcrest Drive
Property to be acquired: .545 acres
Improvements: single family residential house
Purchase Price: $58,000
Zoned: RMH
Use: single family
Tax Value: $52,760
Tax Codes 113-103-17

F. **Project:** Master Plan Land Acquisition
Owner(s): Margaret Kelley & Dorthy Williams
Property Address: 7712,7700,7620,& 7612 Old Dowd Road
Property to be acquired: 14.916 acres
Improvements: single family residential house
Purchase Price: $274,092
Zoned: RMH
Use: single family
Tax Value: $164,350
Tax Codes 113-091-05,113-091-06,113-091-07,113-091-08

G. **Project: Master Plan Land Acquisition**
Owner(s): Section of Veterans Affairs (VA)
Property Address: 8130 Old Dowd Road
Property to be acquired: 1.22 acres
Improvements: single family manuf house
Purchase Price: $58,000
Remarks: The purchase price was set by the V.A.
Zoned: RMH **Use:** single family
Tax Value: $71,490
Tax Codes 113-111-23

For Items **H** through **L**, City Council approved the acquisition of the Church of God property (a negotiated settlement of a lawsuit) at the December 14, 1992 meeting. This parcel included 89.5 acres of land, church buildings, and 47 residential improvements. The agreement allowed the 47 homeowners to sell their property at any time up to the deadline of July 1, 1999, the time the City will take possession of the entire property. The acquisition and relocation costs are eligible for 80% Federal participation.

H. **Project:** FAR Part 150 Land Acquisition
Owner(s): J. D. Collins/Church of God
Property Address: 113 East Willow Lane
Property to be acquired: .25 acres
Improvements: Ranch home
Purchase Price: $28,500
Remarks: The acquisition price was established at the time of the settlement, $21,000 for the house plus $7,500 for the land.
Zoned: R3
Use: single family
Tax Value: N/A
Tax Code: 055-372-24(07)

I. **Project:** FAR Part 150 Land Acquisition
Owner(s): Philip Robinson/Church of God
Property Address: 108 East Willow Lane
Property to be acquired: .25 acres
Improvements: Ranch home
Purchase Price: $24,500
Remarks: The acquisition price was established at the time of the settlement, $17,000 for the house plus $7,500 for the land.
Zoned: R3
Use: single family
Tax Value: N/A
Tax Code: 055-372-24(38)

J. **Project:** FAR Part 150 Land Acquisition
Owner(s): W. S. Sprinkle, Sr./Church of God
Property Address: 132 East Willow Lane

Property to be acquired: .25 acres
Improvements: Ranch home
Purchase Price: $30,500
Remarks: The acquisition price was established at the time of the settlement, $23,000 for the house plus $7,500 for the land.
Zoned: R3
Use: single family
Tax Value: N/A
Tax Code: 055-372-24(40)

K. **Project:** FAR Part 150 Land Acquisition
Owner(s): R. L. Tucker/Church of God
Property Address: 119 East Maple Lane
Property to be acquired: .25 acres
Improvements: Ranch home
Purchase Price: $35,500
Remarks: The acquisition price was established at the time of the settlement, $28,000 for the house plus $7,500 for the land.
Zoned: R3
Use: single family
Tax Value: N/A
Tax Code: 055-372-24(45)

L. **Project:** FAR Part 150 Land Acquisition
Owner(s): Phil Newton/Church of God
Property Address: 111 East Maple Lane
Property to be acquired: .25 acres
Improvements: Ranch home
Purchase Price: $32,500
Remarks: The acquisition price was established at the time of the settlement, $25,000 for the house plus $7,500 for the land. The acquisition and relocation costs are eligible for 80% Federal participation.
Zoned: R3
Use: single family
Tax Value: N/A
Tax Code: 055-372-24(33)

33. Minutes

Action: **Approve the titles, motions and votes reflected in the Clerk's record as the minutes of the May 3, 1999 Budget Retreat; the May 3, 1999 Council Workshop and Citizens' Hearing; the May 17, 1999 Zoning Meeting; the May 18, 1999 Budget Retreat; and the May 18, 1999 Storm Water Public Hearing.**