

**Mayor Patrick McCrory**

Rod Autrey  
Patrick Cannon  
Nancy G. Carter  
Mike Castano  
Malcolm Graham

**Mayor Pro Tem Susan Burgess**

Don Lochman  
James Mitchell, Jr.  
Sara Spencer  
Lynn Wheeler  
Joe White

**CITY COUNCIL MEETING**  
**Monday, June 26, 2000**

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**5:00 p.m.**

**Conference Center**

**Dinner Briefing**  
**(See Table of Contents)**

**6:30 p.m.**

**Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Forum**

**7:00 p.m.**

- **Awards and Recognitions**
- **Formal Business Meeting**

# **2000 Council Retreat Priorities**

## **Top Priorities for 2000**

**Housing Policy and Strategy**

**Community Safety Strategy: Safest City in America**

**Road Improvements**

**Westside Strategy**

## **High Priorities for 2000**

**Business Corridor Revitalization**

**Eastside Strategy Plan**

**Financial Policies**

**Neighborhood Initiatives**

**North Tryon Strategy**

# CITY COUNCIL AGENDA

Monday, June 26, 2000

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**Meeting Chamber**

### **7:00 P.M. Awards and Recognitions**

**Meeting Chamber**

### **Consent**

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## **5:00 P.M. DINNER BRIEFING CONFERENCE CENTER**

### **1. New Arena: Report from Economic Development & Planning Committee**

**Resource:** Curt Walton, Budget and Evaluation

**Time:** 60 minutes

#### **Attachment 1**

### **2. Regional Environmental Initiatives: EPA Demonstration Project and Voices and Choices Update**

**Resources:** Boyd Cauble, City Manager's Office  
Matt Bronson, City Manager's Office  
Betty Chafin Rash, Central Carolinas Choice

**Time:** 30 minutes

#### **Attachment 2**

### **3. Committee Reports by Exception**

Transportation Committee: MPO Memorandum of Understanding

**6:30 P.M. CITIZENS FORUM  
MEETING CHAMBER**

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

**CONSENT**

- 4. Consent agenda items 19 through 46 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 and Resolution to Close a Portion of Polk Street

**Action:** A. Conduct a public hearing to close a portion of Polk Street; and

B. Adopt a 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.

**Background:**

This site has been reviewed and recommended for construction of the Greenville Elementary School by staff as part of the mandatory referral process through the Planning Commission and the Joint Use Task Force comprised of City and County staff. The requested abandonment is consistent with the recommendations.

**Petitioner:**

Charlotte-Mecklenburg Schools

**Right-of-Way to be abandoned:**

A portion of Polk Street

**Location:**

From Hamilton Street eastwardly approximately 307 feet. A new cul-de-sac will be constructed at the end of the remaining section of Polk Street that will remain open for public use.

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner to construct a new public elementary school

**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/Business Associations –** The following comments have been obtained by telephone.

- Friends of Fourth Ward – No objection
- Double Oaks Community Organization – No objection
- Druid Hills Association – No objection
- Old Greenville Association – No objection
- Fairview Homes Residents Organization – No objection
- Greenville Home Owners Association – No objection
- Lockwood Neighborhood Association – No objection
- Hall House Residents Association – No objection
- Edwin Towers – No objection
- McCrorey Heights-Oaklawn Community Assoc. – No objection

**Private Utility Companies – No objection**

**City Departments –**

Review by City departments has identified no apparent reason this closing would:

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 3**

- Map
- Status on Design of School

**6. Public Hearing and Resolution to Close a Portion of Stonemark Drive**

**Action: A. Conduct a public hearing to close a portion of Stonemark Drive; and**

**B. Adopt a resolution to close.**

**Staff Resource:** Scott Putnam

**Policy:**

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

**Explanation:**

Council adopted the Resolution to Close a portion of Stonemark Drive on May 8, 2000. Dr. Ned Fox, headmaster of Charlotte Latin School, said that he had not been notified of the public hearing date. On the advice of the City Attorney’s Office, Council rescinded the Stonemark Drive street closing on May 22, 2000 and rescheduled the public hearing. Charlotte Latin School as well as other interested parties have been notified of the public hearing date.

In accordance with the City's policy for street closings, CDOT sends copies of all petitions by certified mail to adjoining property owners, public/private utility companies, and neighborhood/business associations for review/comment. All concerns are provided to the petitioner for resolution prior to scheduling the public hearing. Through this process Charlotte Latin School was sent a petition by certified mail for review and a meeting was scheduled with Dr. Fox, Mr. Charles Bush (petitioner), and CDOT staff in an effort to resolve concerns.

**Background:**

Stonemark Drive is a short stubbed street in the Raintree subdivision that terminates at the rear of the Charlotte Latin School property. Charlotte Latin School would like to keep this section of Stonemark Drive open as a public street to allow the potential for access in the future. They have existing access to both Providence Road (traffic signal) and Raintree Lane and, although they have a locked gate at Stonemark Drive, there is no driveway or current access at this location.

On August 30, 1999 Charlotte Department of Transportation staff met with Mr. Charles E. Bush, petitioner; Mr. Randall Owens, abutting property owner; and, Dr. Ned Fox, Headmaster of Charlotte Latin School, in an attempt to resolve outstanding issues. Several proposals were made to find a solution that would accomplish the objectives for all parties; however, there was no resolution. The petitioner received a letter from Mr. Ned Fox October 20, 1999 informing him that the current board could not enter into a perpetual agreement with the petitioner that would bind all other future administration or boards. As a result, Mr. Bush pursued the abandonment, and Charlotte Latin School remains concerned.

CDOT has determined that Charlotte Latin School has reasonable existing access to their campus via driveways to Providence Road (signalized entrance) and Raintree Lane. Providence Road is a major thoroughfare and Raintree Lane is a collector street. CDOT staff does not recommend a future access to the campus from Stonemark Drive which is a short residential street internal to the Raintree neighborhood. This type of secondary access to Providence Day School is currently a major issue with the Lansdowne neighborhood. Both the Charlotte-Mecklenburg Police Department and the Charlotte Fire Department have indicated that future access to the Charlotte Latin School campus from Stonemark Drive is not necessary for emergency services.

**Petitioner:**

Charles E. Bush III

**Right-of-Way to be abandoned:**

A portion of Stonemark Drive

**Location:**

From the property line of Charlotte Latin School eastwardly approximately 54 feet towards Whitethorn Drive

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner to build a planting berm to enhance the property and the neighborhood. This will eliminate potential future access for Charlotte Latin School onto Stonemark Drive.

**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**

Charlotte Latin School – does not support the closing because they would like to have the ability to develop access to Stonemark Drive in the future.

**Neighborhood/Business Associations**

Southeast Coalition of NA Association – No objection  
Raintree Home Owners Association – No objection  
Raintree Lakes Home Owners Association – No objection  
Raintree South Home Owners Association - No objection  
Williamsburg Home Owners Association – No objection  
Quail Acres Home Owners Association – No objection  
Raintree Greens Home Owners Association, Inc. – No objection  
DeerPark Home Owners Association – No objection  
Berkley Home Owners Association – No objection

**Private Utility Companies** – No objection

**City Departments** –

Review by City departments has identified no apparent reason this closing would:

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 4**

Map

## 7. Public Hearing on Police/Fire Facility Financing

**Action:** A. Hold a public hearing to receive public comment on the proposed contract to acquire the facilities; and

B. Adopt a resolution approving an installment purchase contract and related financing documents to fund projects approved in the FY00-04 Capital Investment Plan. The principal amount of the Certificates of Participation (COPS) will be \$25,000,000.

**Staff Resource:** Richard Martin

**Focus Area:** Facility Investments

**Explanation:**

In the FY00 budget Council approved Certificates of Participation (COPS) financing to build a new police/fire training academy and future fire stations for newly annexed areas.

On May 8, 2000 Council authorized staff to make application to the Local Government Commission and to take the necessary actions to complete the sale.

Adoption of this resolution will authorize the City Manager and the Finance Director to negotiate the documents necessary to secure funding for the following projects.

Fire/Police Training Academy	\$16,000,000
Annexation Fire Stations	<u>5,500,000</u>
	\$21,500,000

The balance of the funding (\$3.5 million) will be for reserve, issuance expense and contingency. This reserve amount is consistent with other City COP financing. The actual amount will be determined at the time of the sales.

**Funding:**

Debt service on the COPS will be paid from the Municipal Debt Service Fund

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## POLICY

### 8. City Manager's Report

### 9. District Meeting Model

**Action: Accept Council-Manager Relations Committee recommendation to continue District Meetings and conduct an evaluation in January 2001.**

**Committee Chair:** Susan Burgess

**Staff Resource:** Guerdon Stuckey

#### **Explanation**

After the November 1999 Council elections, several Council Members were interested in developing a mechanism that would allow them the opportunity to inform and dialogue with their district constituencies. They indicated that this forum would provide them an opportunity to discuss Council priorities, district issues, garner citizen feedback and inform residents about the workings of local government. In addition, the meetings would give Council Members and staff a venue for presenting and discussing topics of citizen interest and concern.

The model or meeting structure focuses on the district leadership as the primary audience. However, all of the meetings are open to the general public. Staff support is used to manage the meeting process which includes scheduling of presenters, mailings, site setup, press releases, event information packets and citizen follow-up.

Since February, there have been meetings held in Districts 2,4,5 and 7. Staff developed and evaluated the model after several District meetings were held. The exit survey used to measure the meeting results indicated a high degree of satisfaction by the participants.

The participant response rate to the exit survey was 30.26% for District 4 and 45.28% for District 2. A scale of 1 to 7 was used for the exit survey. One was identified as strongly disagreed and seven as strongly agreed. The average scores were 5.4 for District 4 and 6.6 for District 2 for participant satisfaction.

The evaluation of the meeting model was referred to Council-Manager Relations Committee, by the City Manager for review and recommendation to Council.

Staff recommends a model of two meetings per Council Member per year, i.e. one meeting to be held in the spring after the Council retreat and one to be held in the fall prior to the budget process.

**Committee Discussion:**

The Council-Manager Relations Committee held a meeting on June 5, 2000 to discuss the District Meeting Model. Committee Members Susan Burgess, James Mitchell, Joe White and Don Lochman attended. Council Member Sara Spencer was also in attendance. At this meeting, staff presented the committee a summary of the meetings and recommendation.

Committee Members Burgess and White were concerned about the notion of limiting the District Representative to any finite number of meetings. Committee Members Mitchell and Lochman stated that the meetings were helpful but recognized the issue of staff time and resources. Council Member Spencer felt that a further review was needed before any final decision was made. Committee Members Mitchell and Lochman felt that the meetings were successful and well managed by staff.

The Committee voted unanimously to continue the meetings as designed and to evaluate them again in January 2001.

**Attachment 5**

- May 4, 2000 memo to City Manager evaluating the District Meetings
- Council-Manager Relations Committee Meeting Summary

## 10. Prescription Drug Out-of-Pocket Maximum

**Action: Approve the Budget Committee recommendation to implement an \$800 calendar year out-of-pocket maximum for the City's prescription drug plan for calendar years 2000 and 2001.**

**Committee Chair:** Lynn Wheeler

**Staff Resource:** Bill Wilder

**Explanation:**

On June 5, 2000 the City Council approved the FY01 Budget. As part of this action, City Council voted to defer implementation of recommended increases to prescription drug co-pays for employees/retirees to August 1, 2000, pending a review of the impact of these changes for catastrophic cases.

The review of the need for coverage in catastrophic cases was referred to the City Council Budget Committee. After reviewing various out-of-pocket options identified by staff and available prescription drugs utilization data, the Budget Committee recommended an \$800 calendar year out-of-pocket

maximum be established for prescription drugs for calendar year 2000 and 2001.

This action will provide employees and retirees who have extreme expenditures for prescription drugs with catastrophic protection. Once a covered individual's prescription drug co-pays reach \$800 in a calendar year, there will be no further prescription drug co-pays for the remainder of the calendar year. City staff will evaluate the impact of the \$800 maximum in the context of developing a longer term strategy for health care cost management, including retiree health care.

**Committee Discussion:**

City staff presented alternatives for the prescription drug out-of-pocket maximum to the Council Budget Committee on June 19, 2000. Committee Members attending were Lynn Wheeler, Rod Autrey and Mike Castano. The alternatives included calendar year out-of-pocket maximums of \$800, \$1,000, and \$1,200. After consideration of the impacts of each alternative, a motion was made to implement an \$800 out-of-pocket maximum and the motion was approved unanimously.

**Funding:**

The estimated additional annual claims cost of \$244,000 will be funded with reserves in the self insurance fund.

## 11. Mecklenburg-Union Metropolitan Planning Organization Memorandum of Understanding



**Action:** Approve Transportation Committee recommendation to direct Council's MPO representative to revise the Memorandum of Understanding for the Mecklenburg-Union Metropolitan Planning Organization (MUMPO).

**Committee Chair:** Sara Spencer

**Staff Resource:** Jim Humphrey

**Policy:**

Federal law requires that any urbanized area with over 50,000 population have a Metropolitan Planning Organization to carry out the transportation planning process.

**Explanation:**

The Metropolitan Planning Organization must be established "by agreement between the governor and the units of general purpose local government that together represent at least 75% of the affected population (including the central city or cities as defined by the Bureau of Census)". This mutual agreement is accomplished through a memorandum of understanding. The MUMPO last revised its Memorandum of Understanding in 1992. Several

structural issues and the lack of bylaws led MPO members to ask that the document be revised to cover some items more clearly and to provide for bylaws. A committee of the MUMPO, along with some members of the Technical Coordinating Committee worked to develop a draft Memorandum of Understanding. This draft document has been reviewed by the MPO and on May 17, 2000 the MPO voted that all members should take the document back to their respective governments to ask that the document be adopted by each member government.

**The proposed agreement does not change the current voting structure of the MPO, but does make the following changes:**

1. Any city or county within the area of the MPO can become a voting member if that unit of local government meets two requirements:
  - has a population of at least 2,500 persons within the area of the MPO (per North Carolina Office State Planning Population Information); and
  - has a land use plan and development ordinances.
2. The document clearly defines situations when staff can make minor adjustments to thoroughfare alignments and when those adjustments must come before the MPO.
3. The document provides for new membership in the Technical Coordinating Committee by adding membership for each of the member towns (in the past Davidson, Cornelius and Huntersville shared one vote, Matthews, Mint Hill and Pineville shared one vote, and Stallings, Indian Trail and Weddington shared one vote). (The MPO works with a Technical Coordinating Committee (TCC) which consists of staff representatives from the various units of local government and agencies involved in the transportation planning process).
4. Also added to the TCC is a member from the Metropolitan Transit Commission and the Charlotte-Mecklenburg Bicycle Coordinator. With these additions it would still be possible for one person to represent more than one town and thereby cast votes for more than one town.
5. The document outlines a process where additional funding for transportation planning activities could be provided by Mecklenburg and Union Counties.
6. The document would require that nominees for chairperson of the MPO or TCC must have served as a member of the body for at least one year and that no person may serve as chairperson for the MPO or the TCC for more than three consecutive one year terms.

**Additional Information:**

Federal law requires that the Metropolitan Planning Organization area include at least all of the contiguous urbanized areas as defined by the Bureau of Census. This determination will probably be made in 2002 or 2003. Following that determination it is highly likely that the Mecklenburg-Union MPO will extend further into Union County, and also will extend into Iredell County. At that time the Memorandum of Understanding will require further revision in order to comply with federal law. A bill is currently under consideration in the legislature that would encourage consolidation of MPOs throughout the State. In our area this would particularly encourage consolidation of the Gaston MPO, the Mecklenburg-Union MPO and the Cabarrus-South Rowan MPO.

**Committee Discussion:**

The MOU was discussed by the Transportation Committee on April 10, 2000. Committee members in attendance were Sara Spencer, Rod Autrey, Nancy Carter, Malcolm Graham, and Joe White. The Committee discussed the draft Memorandum of Understanding and also bylaws that are under consideration by the MPO and the TCC (the bylaws will be considered only if and when the new Memorandum of Understanding is adopted).

There was some discussion about coordination with other MPOs in the region and the potential for future combination of the regional MPOs. The Committee passed a motion (5-0) recommending to full Council endorsement of the bylaws and approval of changes to the Memorandum of Understanding and to direct our Councilmember to vote accordingly.

**Attachment 6**

- Draft Memorandum of Understanding
- Transportation Committee Meeting Minutes for April 10, 2000

## BUSINESS

### 12. Convention Center Hotel & Parking Deck

**Action:** Approve the following Convention Center Hotel items:

1. **Amendments to the Parking Space Management Agreement with StarPort LLC that begins payment of the Parking Space Management Fee at the “Projected Opening Date” of the project, rather than the actual opening date of the project; and**
2. **Resolution to amend an installment purchase contract and related financing documents to fund the City’s portion of a Convention Center Hotel and Parking Facilities. The principal amount of the Certificates of Participation (COPS) will be \$19,000,000.**

**Staff Resource:** Tom Flynn and Richard Martin

**Focus Area:** Economic Development

**Policy:**

Develop strategies to support Convention Center parking, hotel development and facility expansion plans

**Explanation:**

In November 1999 City Council approved a Parking Space Management Agreement with StarPort LLC. Under this agreement the City will pay StarPort LLC \$2.5 million per year to manage the City’s parking spaces in the Convention Center Hotel Parking Deck. StarPort will pay back \$2.5 million per year from the net revenues of the hotel and parking deck. This revenue stream provides \$25 million in debt for the project.

The institutions willing to purchase the \$25 million in debt require some changes in the Parking Space Management Agreement. The significant change is that the City’s \$2.5 million payment would begin six months after the “Projected Opening Date” (August 2002) rather than six months after the “Actual Opening Date” of the hotel and parking garage. This creates a risk that the City would make payments before the source of repayment is producing any income. StarPort will provide a Letter of Credit and a guarantee to protect the City against this risk.

Approval of the financing resolution will authorize staff to make application to the Local Government Commission to approve the sale and authorize the City Manager and the Finance Director to negotiate the documents necessary to secure funding for the \$16 million the City committed to the Convention

Center Hotel in the Development Agreement approved by City Council in April 1999. The COPS pay for the following:

City Portion of Hotel Meeting Rooms	\$13,000,000
City Portion of Parking Deck	<u>3,000,000</u>
	\$16,000,000

The balance of the funding (\$3 million) will be for reserve, issuance expense and contingency. This reserve amount is consistent with other City COP financing. The actual amount will be determined at time of sale.

Council was briefed on this item on June 12.

**Funding:**

All of the City funds for the Convention Center Hotel and Parking Deck, including the City's Parking Space Management payments, will come from the Convention Center Fund. This fund is supported by the 1% Prepared Food Tax and second 3% Hotel/Motel tax and can only be used for Convention Center related purposes.

**Attachment 7**

Parking Space Management Agreement Terms Sheet

**13. Mandatory Water Conservation Restrictions during a Declared Water Distribution Crisis**

**Action: Adopt an ordinance authorizing the City Manager with the recommendation of the Charlotte-Mecklenburg Utilities Director to impose mandatory water conservation restrictions during a declared Water Distribution Crisis, including restrictions on watering lawns and washing cars.**

**Staff Resource:** Doug Bean

**Explanation:**

In 1986, the Council adopted Rules and Regulations of Charlotte-Mecklenburg Utilities (CMU) authorizing the City Manager to impose specific mandatory water conservation measures during a declared Water Conservation Crisis. Since the adoption of those Rules and Regulations, the General Statutes have been revised to require that regulations protecting municipal water distribution systems be adopted by ordinance.

The proposed ordinance would allow the restrictions to be imposed system wide or only in limited areas. The proposed ordinance also incorporates the same conservation restrictions and procedures for imposing those restrictions, with one, minor exception (#5) explained later.

The mandatory water conservation measures that are automatically imposed whenever a Water Distribution Crisis is declared are:

1. Watering any exterior vegetation, including without limitation any grass, shrubbery, trees, flowers, or garden; provided, however, that any person or entity regularly engaged in the business of the sale of plants shall be permitted at any time to water such plants as are being grown for the sole purpose of sale or, pursuant to a license issued by CMU, such plants for which the licensee has issued a guarantee of survival as part of the sale of such plants;
2. Filling, re-filling or otherwise adding water to any swimming pool;
3. Washing, cleaning, rinsing or otherwise applying water to any exterior surface, including without limitation any wall, floor or paved area;
4. Washing, cleaning, rinsing or otherwise applying water to the exterior surface of any motor vehicle or trailer; provided, however, that any person or entity regularly engaged in the business of washing motor vehicles or trailers shall be permitted at any time to use water for such purposes; and
5. Filling, re-filling or otherwise adding water to any container for the purpose of using such water at a later time for a purpose prohibited by this section.

The last restriction (#5) does not appear in the current water conservation Rules and Regulations. This restriction would prohibit filling tanks during mandatory conservation times for the purpose of using water for prohibited purposes.

A Water Distribution Crisis may only be declared by the City Manager after receiving a written recommendation from CMU. In order to implement the conservation restrictions, a written Notice of Declared Water Distribution Crisis must be posted publicly. That notice must contain the times when mandatory conservation restrictions apply and include the affected area(s).

The City Manager may modify the time period when the restrictions apply by publicly posting an Amended Notice of Declared Water Distribution Crisis. Any notice declaring a Water Distribution Crisis or modifying the application of the restrictions as to time or area must be posted publicly for at least 12 hours before taking effect. A Declared Water Distribution Crisis can be terminated by the City Manager by publicly posting a Notice of Termination of Declared Water Distribution Crisis.

Fines for violating mandatory restrictions may be imposed and added to a customer's water bill. Depending upon the size of a customer's service connection, the fines range from \$30 for a ¾ inch connection to \$100 for a 4-inch or larger connection. Each day that a violation occurs is a separate violation. Failure to pay such penalties may result in termination of water service.

The ordinance provides for exemptions for businesses to allow plants being grown solely for sale or plants sold with a guarantee of survival to be watered and motor vehicles and trailers to be washed at commercial car wash operations.

#### 14. Gross Receipts Tax on Rental Vehicles

**Action:** Adopt an ordinance establishing a 1.5% gross receipts tax on rental vehicles to replace property taxes formerly imposed on these vehicles.

**Staff Resource:** Greg Gaskins, Deputy Finance Director  
Sara Smith Holderness, Assistant City Attorney

**Explanation:**

The N.C. General Assembly enacted legislation effective July 1, 2000, exempting short-term rental vehicles from the property tax. To replace this tax, the General Assembly authorized cities and counties to levy a gross receipts tax from the rental of such vehicles at a rate not to exceed 1.5%. To levy this tax, the cities and counties must adopt a resolution or ordinance making the levy and stating the effective date. The attached ordinance levies a gross receipts tax at the maximum rate of 1.5% and contains an effective date of July 1, 2000. Mecklenburg County enacted the same tax on June 20, 2000.

The County Tax Office has estimated that there may be as many as 10,000 rented or leased vehicles that will now be exempt from property tax. Based on the General Assembly's fiscal note, the City's potential, estimated loss is over \$650,000 a year in property taxes as a result of this change in the law. Based on the limited data available, the new gross receipts tax is estimated to generate more than \$700,000 a year.

## 15. Charlotte Mecklenburg Regional Housing Consortium Agreement



**Action:** Adopt a resolution for the City of Charlotte to enter into a joint cooperation agreement to form the Charlotte Mecklenburg Regional Housing Consortium.

**Staff Resource:** Stan Wilson

**Policy:**

The City's housing policy is to provide safe, decent and affordable housing in Charlotte.

**Explanation:**

Mecklenburg County and surrounding towns have requested assistance from the City in developing a housing consortium for Mecklenburg County and the Mecklenburg County towns. The regional consortium would consist of the City of Charlotte, Mecklenburg County, and the towns of Cornelius, Huntersville, Matthews, Mint Hill and Pineville. The town of Davidson belongs to a similar Cabarrus County Consortium.

The HOME funds are federal housing funds for low and moderate-income individuals and families. Eligible activities for HOME funds are: new construction, housing rehabilitation, tenant based rent subsidies, down payment assistance and Community Housing Development Organization funding.

The Consortium Agreement would allow these entities to become "entitlement communities" for the receipt of federal HOME funds, thereby increasing affordable housing opportunities for more individuals and families in Mecklenburg County. Currently, Mecklenburg County and the towns have to apply annually to the State for monies for housing and community development.

Under a consortium agreement, the City of Charlotte would become the lead entity for the Consortium. The City would not receive less than the current \$2.1 million HUD allocation. Without participation from the City of Charlotte, the County and the other surrounding towns would not be eligible to receive federal HOME funds.

HUD has assured the City of Charlotte that the development of the Consortium would add to the current allocation of HOME funds that the City currently receives.

Council was briefed on this agreement on June 12.

**Background:**

On March 21, 2000, the City of Charlotte received a letter from Gerald G. Fox, Manager of Mecklenburg County requesting the City's assistance in establishing a housing consortium. A meeting was held on May 24, 2000

with representatives from HUD, City and County staff and representatives from the surrounding towns to discuss the feasibility of a Consortium. A non-binding letter of intent was submitted to HUD on May 25, 2000. A resolution and agreement by all entities involved in the Consortium must be submitted to HUD by June 30, 2000. HUD will make a decision on granting HOME funds to a Charlotte Mecklenburg Regional Consortium in September 2000.

**Funding:**

The Consortium will be applying for federal grant (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The Consortium allocation will be allocated to Mecklenburg County and the surrounding towns. The City of Charlotte was allocated \$2,081,000 in HOME funds for FY01.

**Attachment 8**

- Resolution
- Consortium Agreement
- Letter from Gerald G. Fox, Manager, Mecklenburg County
- Letter of Intent
- Letters of Interest from Mecklenburg County Towns

**16. Options for Scheduling Conditional Rezoning Petitions**

This item will be included in the Friday, June 23, Council-Manager Memo.

**17. Neighborhood Improvement Construction Contracts with 7 Star Construction**

This item will be included in the Friday, June 23, Council-Manager memo provided staff obtains construction licensing information from the state.

**18. Nominations to Boards and Commissions**

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

**A. AIRPORT ADVISORY COMMITTEE**

Two appointments for three years each beginning August 2000. One must reside on the west side of Charlotte, and Ralph Easterling is not eligible for reappointment. Ronald Frazier, representing an aviation affiliation, is eligible and would like to be reappointed.

**Attachment 9**  
Applications

**B. BUSINESS ADISORY COMMITTEE**

One appointment beginning immediately and ending April 2001. Will Hood has resigned.

**Attachment 10**

Applications

**C. CITIZENS REVIEW BOARD**

Five appointments for three years each beginning August 2000. Maxine Crowder-Wilson has moved out of state and Calvin Jackson does not wish to be reappointed. George Daly, Bobby Miller and Suzanne Varner are eligible and would like to be reappointed.

**Attachment 11**

Applications

**D. DOMESTIC VIOLENCE ADVISORY BOARD**

One appointment for three years beginning August 2000. Judy Parks is eligible and would like to be reappointed.

**Attachment 12**

Applications

**E. MINORITY/WOMEN'S BUSINESS DEVELOPMENT**

Three appointments, all in the open category, for two years each beginning in August. Patrick Clark is not eligible, and Otis Crowder does not want to be reappointed. Linda Lu is eligible and wants to be reappointed.

**Attachment 13**

Applications

**F. PLANNING COMMISSION**

One position beginning immediately and ending June 30, 2001. Mike Hinshaw has resigned.

**Attachment 14**

Applications

**G. TAXICAB REVIEW BOARD**

Two appointments for one year each to serve until the Passenger Vehicle for Hire Board is established. Terms will begin September 2000. Al Wheeler and Judy Williams are eligible and would like to be reappointed.

**Attachment 15**

Applications

**H. WASTE MANAGEMENT ADVISORY COMMITTEE**

One recommendation to the County Commission for a position beginning immediately and ending September 30, 2001. Jonathan Pullin has resigned.

**Attachment 16**  
Applications

## 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 I

### 19. Various Bids

#### A. South Boulevard/Inwood Drive

**E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$822,261 by Blythe Development Co. of Charlotte, North Carolina. This project will reduce flooding on South Boulevard near the Woodlawn Road intersection. The project involves closing South Boulevard to traffic for three days to install dual storm drainage pipes, to relocate an existing 20" water main, and to install new and rebuilt catch basins and storm drainage pipe along the curb lane of South Boulevard.

The three day road closure is scheduled to begin September 21 so that the drinking water pressure reduction due to the water main relocation will be after peak summer water demands. Less disruptive construction such as gas line work and water valve installation will occur during the night prior to the three day road closure. These proposed dates may be changed by the City Engineer due to adverse weather, major citywide events or other unforeseen conditions. A plan has been developed to notify affected citizens through the newspaper,

television, and radio and to notify local businesses through direct contact.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$25,000	3%	3%
WBE	\$37,850	5%	2%
HBE	\$8,000	0%	1%

**MWBD Compliance:** Yes.

**B. Hoskins Road Widening E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$746,937.16 by Ferebee Corporation of Charlotte, North Carolina. This project is part of the 1996 Transportation Bonds, and will widen Hoskins Road from two lanes to five lanes between Rozzelle’s Ferry Road and Brookshire Boulevard.

The work includes erosion control, traffic control, grading, drainage, concrete curb & gutter, drives, sidewalks, wheelchair ramps, asphalt paving, and pavement marking lines and symbols. The work also includes coordinating with CSX Railroad for crossing improvements at the CSX Hoskins Road Crossing (to be constructed by CSX).

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$14,000.00	2%	6%
WBE	\$31,527.40	4%	4%

**MWBD Compliance:** Yes.

**C. Storm Water Maintenance FY00H E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$958,730 by United Construction of Charlotte, North Carolina. This project is part of an ongoing program to provide maintenance, repair, and construction 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 Storm Water Services Division based on the severity of the situation with regard to flooding of public and private property. Storm Water Services uses one-year "retainer" contracts such as this to provide timely response to maintenance problems.

**MWBD Compliance:** Yes. United Construction will self-perform.

**D. Water and Sewer Main Construction-FY00 Contract #12 – Street Main ExtensionsCMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$850,748.90 by Tar Heel Construction Company of Lincolnton, North Carolina. The contract provides pipe, various appurtenances, erosion control, and temporary construction easements.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	5%
WBE	\$50,000	6%	6%

**MWBD Compliance:** Yes. Tar Heel made the good faith effort.

**E. Water and Sanitary Sewer Construction-FY00 Contract #13 - Street Main Extensions CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$761,681.20 by McDaniel Construction Contractors of Bostic, North Carolina. The contract provides pipe, various appurtenances, erosion control, and temporary construction easements.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	5%
WBE	\$761,681.20	100%	6%

**MWBD Compliance:** Yes. The prime is certified by the City as a WBE and they will self-perform.

**F. Fuel Supply Products and Services BSS**

**Recommendation:** The Business Support Services Director recommends the low bid of \$7,192,494 by Fuelman of the Carolinas, Inc., of Gastonia, North Carolina. The recommended contractor will provide restricted fleet fuel access cards to city equipment operators allowing them to purchase fuel at 122 retail locations in Mecklenburg County at a contract price. The contractor also provides card replacement, billing and reporting services in the contract price.

**MWBD Compliance:** Yes. There were no known MWBD vendors.

## 20. Set a Public Hearing for Adoption of Irwin, Sugar, McKee, Back, Six Mile, Clem, Reedy, and Clarke Creek Watershed Floodplain Maps

**Action:** Set a public hearing on July 24, 2000, to hear comments on the adoption of the Irwin, Sugar, McKee, Back, Six Mile, Clem, Reedy, and Clarke Creek Watershed floodplain maps.

## 21. In-Rem Remedy

For In-Rem Remedy #A - #B, 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%. (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. 1017 N. Caldwell (Optimist Park)
- B. 208 Yeoman Road (York)

**Public Safety**

**A. 1017 N. Caldwell Street**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1017 N. Caldwell Street (Optimist Park Neighborhood) located in the City Within A City boundaries.**

**Attachment 17**

**B. 208 Yeoman Road**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 208 Yeoman Road (York Neighborhood) located in the City Within A City boundaries.**

**Attachment 18**

## CONSENT II

### 22. Inspection of Qualifying Bridges

**Action: Approve the agreement for \$196,709.31 with HDR Engineering, Inc. of the Carolinas (HDR) for engineering services for the Inspection of Qualifying Bridges Project.**

**Explanation:**

The Federal Highway Administration mandates that bridges/culverts be inspected every two years. Bridges that are greater than 20 feet in length qualify for federal reimbursement through the North Carolina Department of Transportation (NCDOT).

Council approved a municipal agreement on January 10, 2000, with NCDOT to share the cost of the mandated inspections for bridges that qualify for matching funds. Under the municipal agreement, the City will be reimbursed \$157,365.05 (80%) for the cost of these inspections.

This agreement provides for inspection services for 137 bridges, culverts, and pedestrian walkways maintained by the City.

**Funding:**

Capital Investment Plan

### 23. Providence Road / Old Providence Road Sidewalk

**Action: Approve the agreement for \$125,743 with Titan Atlantic Group, Inc. for engineering design services for Providence Road/Old Providence Road Sidewalk Project.**

**Explanation:**

Funding for Providence Road/Old Providence Road Sidewalk project was included in the 1998 voter-approved bonds.

This agreement will provide engineering design services for new sidewalk on the east side of Providence Road from Shelton Street to Folger Drive, on the west side of Old Providence Road from Providence Road to Sharonview Road, and a retaining wall along Old Providence Road.

**MWBD:**

WBE: 72.4%

**Funding:**

Transportation Capital Investment Plan

## 24. Approve Contract for Storm Water Engineering

**Action:** Approve agreement for \$100,000 with Presnell Associates, Inc. for engineering services for storm water capital improvement projects.

**Explanation:**

Storm Water Services currently has 30 active capital improvement projects and 100 capital improvement projects that have not begun. This agreement will provide “on-call” services for minor projects, including surveying, storm water analysis, development of design alternatives, design, bid phase, and construction administration.

**Funding:**

Storm Water Capital Investment Plan

## 25. Storm Water Maintenance Renewals FY98F & FY00B

**Action:** A. Approve Renewal #3 for \$488,475 with Blythe Development Company for continued construction of FY98F Storm Water Maintenance Package; and

B. Approve Renewal #1 for \$934,405 with Blythe Development Company for continued construction of FY00B Storm Water Maintenance Package.

**Explanation:**

These renewals will enable Storm Water Services to continue regular maintenance activities under these contracts, recognizing good contractor performance and good existing unit prices. Where the contractor's work has been of good quality, renewals are recommended to extend the contracts.

The contract documents provide for renewals of the contracts up to three times, at the City’s option, as an incentive to the contractor for productivity and workmanship. These renewals will increase the contract amount for FY98F from \$1,465,425 to \$1,953,900, and for FY00B from \$934,405 to \$1,868,810.

**MWBD:**

FY98F: 6% BBE, 6% WBE

FY00B: 6% BBE, 6% WBE

**Funding:**

Storm Water Capital Investment Plan

## 26. Antenna Leases on Wilgrove and Pecan Avenue Water Towers

**Action: Approve lease agreements with Crickett Communications for the placement of communication antennas on the Wilgrove and Pecan Avenue water towers for a total of \$108,000 for first five year term.**

### **Explanation:**

Crickett Communications needs to locate antennas at or near these locations. Consistent with Council policy to encourage collocation, additional equipment on these existing towers will eliminate the need to construct another transmission tower in these neighborhoods.

Crickett Communications provides only local phone service. The lease amount is based on market rates.

Terms of the lease agreements are:

- \$108,000 in gross first five year term revenue (\$1,800 monthly)
- Five-year term with four options to renew
- 20% increase in rent each term

## 27. Antenna Lease on City Radio Tower

**Action: Approve lease agreement for the placement of communication antennas on City of Charlotte radio tower at 561 W. Matthews Street, Matthews, N.C. for a total of \$128,000 for the first five year term.**

### **Explanation:**

Nextel Communications has requested placement of transmission equipment at or near this location. Consistent with Council policy to encourage collocation, additional equipment on this existing tower will eliminate the need to construct another tower in this neighborhood.

Nextel is a full service long distance phone service provider. The lease amount is based on market rates.

Terms of the lease agreement are:

- Acquisition fee of \$20,000
- \$108,000 in gross first five year term revenue (\$1,800 monthly)
- Five-year term with four options to renew
- A 20% increase in rent each term

## 28. Office Space Lease for Fire Administration and Emergency Management

**Action: Authorize the City Manager to negotiate and execute a five-year lease agreement for office space, up to \$250,000 per year.**

### **Explanation:**

Space for City offices in the government district is very tight, particularly in the Charlotte-Mecklenburg Government Center. A Facilities Master Plan Study was approved by Council jointly with Mecklenburg County in January 2000 and is expected to be complete by fall 2000.

In the interim, space is not available to add all of the new Transit staff to the building. However, because of Transit's relationship and interaction with other City departments, such as Planning, Engineering and CDOT, it will be more effective to relocate an existing function to another site, allowing Transit to occupy the CMGC.

The Fire Department has agreed to relocate staff from the 9th floor of the CMGC, making available approximately 9,600 square feet for Transit. A permanent location for Fire on East Fifth Street or elsewhere will be a part of the master plan studies to be completed this fall.

Staff has identified at least three property owners with which to negotiate.

### **Funding:**

Transportation Operating Budget

## 29. North Corridor Major Investment Study Extension to Mooresville

- Action:** A. Adopt a budget ordinance appropriating funds from Iredell County and Mooresville, totaling \$30,000; and
- B. Approve engineering and land use planning contract amendments, totaling \$300,000 as follows:
1. Amendment for \$200,000 with Parsons Brinckerhoff Quade and Douglas, Inc. for engineering planning services to extend the North Corridor Major Investment Study (MIS) from the Mecklenburg County line to Mooresville; and
  2. Amendment for \$100,000 with LDR International for land-use planning services to extend the North Corridor MIS from Mecklenburg County line to Mooresville.

**Explanation:**

This amendment is necessary to cover additional consultant work to extend the North Corridor Major Investment Study from its current limit at the Mecklenburg County line to Mooresville in Iredell County. This additional work is being done at the request of Mooresville and Iredell County. Federal appropriations for the South/North Corridor project will be used to pay 80 percent of the cost. The matching funds (20%) will be provided by NCDOT, Mooresville, and Iredell County.

**Funding:**

Federal Earmark	\$240,000	(80%)
State Grant	\$30,000	(10%)
Iredell County	\$10,000	(3.3%)
Mooresville	\$20,000	(6.7%)

## 30. Abandoned Vehicle Ordinance Amendment

**Action:** Adopt an ordinance amending Chapter 10 of the City Code regarding abandoned vehicles.

**Explanation:**

The abandoned vehicle ordinance makes it unlawful for any person to leave a vehicle on any public street or highway longer than seven days. Citizens have been confused as to whether this ordinance also prohibits vehicles from being left in the public right-of-way for longer than seven days. The proposed amendment eliminates this confusion by defining the terms “street” and “highway”, in the abandoned vehicle ordinance, to include the public right-of-way.

### 31. Contract for Comprehensive Data Solutions

**Action: Approve a contract for \$149,760 with Comprehensive Data Solutions to cover 2,000 hours of professional quality assurance services over a two-year period.**

**Explanation:**

Council is requested to approve a contract for quality assurance services. These services will assist the Charlotte-Mecklenburg Police Department with the completion of the Offense Module of the Incident Management System, which allows officers to file offense reports from laptop computers in their vehicles. The services will be applied to several tasks on this project, including:

- Unit testing of web pages and data interfaces currently being developed by the Police Department and Oracle contract personnel.
- Development of test plans.
- Evaluation of system performance during the pilot deployment phase of the project.

Follow-up services will also be provided to assist in Project Management and the creation of a quality assurance program to be used by the Police Department's Computer Technology Services Bureau.

**MWBD:**

WBE: 100%

**Funding:**

FY01 Police Operating Budget

### 32. Contract Amendment with Oracle Corporation

**Action: Approve an amendment, not to exceed \$383,000, to a contract with the Oracle Corporation for additional work on the KBCOPS information system and to provide support services for a nine month period.**

**Explanation:**

The Police Department continues to develop its KBCOPS (Knowledge Based Community Oriented Policing System) and needs an additional one month of support from the Oracle Corporation to debug the incident management module. There is also a need for software support through the pilot and rollout of the project for a period of nine months.

The contract with Oracle will not exceed \$383,000.

**Funding:**

FY01 Police Operating Budget

### 33. Help Desk Services

**Action: Renew the contract with Support Technologies , Inc. for the provision of Information Technology Help Desk Support Services. The renewal is for approximately eleven months and amends the total contract amount not to exceed \$1,780,979 for the 23-month period.**

**Explanation:**

The Information Technology Division of Business Support Services currently contracts with Support Technology, Inc. of Atlanta, Georgia for the provision of Help Desk Services to the City of Charlotte. On July 26, 1999 Council authorized the City Manager to negotiate and execute a contract with Support Technology, Inc. Council authorized a contract with an original term of one year with four one-year renewal options. Council approved spending during the first year of the contract an amount not to exceed \$1,100,000.

This action allows the City to exercise the option to renew the contract with Support Technology, Inc. for an additional term of eleven months at a cost not to exceed \$680,979. The reason for eleven months is to coordinate the contract period with the City's fiscal year, which ends on June 30<sup>th</sup>. The total amount for the initial plus the eleven month renewal equals \$1,780,979.

**Funding:**

Business Support Services FY2001 Operating Budget and City Technology Fund

### 34. Grant for Terrorism Response Program

**Action: A. Approve a grant of \$299,493 from the U.S. Department of Justice for the terrorism response program; and**

**B. Approve a budget ordinance appropriating the estimated grant revenue.**

**Explanation:**

This grant will enable the Office of Emergency Management to continue to purchase equipment and training for the local terrorism response program. No matching funding is expected from the City at this time. The public safety agencies involved in the program have ample storage currently available to house the equipment, and they will absorb the maintenance costs for the equipment in their FY01 budgets. There will most likely be additional grant opportunities for equipment replacement whenever those needs arise.

### 35. Amendments to Water and Sewer Agreements with Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville

- Action:**
- A. Approve amendments to Water and Sewer Agreements with Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville to permit City water and sewer ordinances to apply directly within the towns;**
  - B. Adopt an ordinance expressly providing that City water and sewer ordinances apply to all parts of the City's water and sewer system both within and outside the corporate limits of the City; and**
  - C. Authorize the Charlotte Mecklenburg Utility Director to determine the date when City water and sewer ordinances would take effect within each town and to exclude each town from the application of any future City requirement to connect property within the town to the City's water and sewer systems.**

**Explanation:**

In August 1984 the City entered into a series of agreements with all of the Mecklenburg towns in which each town agreed to transfer its sewer system to the City. Matthews, Mint Hill and Pineville agreed to transfer their water systems to the City as well. Over the next several years, Cornelius, Davidson and Huntersville also approved the transfer of their water systems to the City. Under these agreements, the City agreed to maintain and operate those systems in the same manner as the City operates and maintains the water and sewer system within the City.

These agreements provide that the same rules and regulations governing the water and sewer system within the City also apply within the towns.

However, when these agreements were approved, it was not clear that City water and sewer ordinances could apply directly within the towns. Instead, the agreements require each town to adopt its own ordinances, which must parallel the City's water, and sewer ordinances. Each time that the City amends its water and sewer ordinances, each town must adopt parallel amendments within 60 days after notice of the City amendment.

The General Statutes have been amended to expressly allow City ordinances to apply to the City's water and sewer system located within the towns. These amendments provide that City water and sewer ordinances will apply directly within the towns, without the need for the towns to adopt those ordinances.

The City is authorized to require developed property located adjacent to the City's water system to be connected to that system or pay a fee in lieu of a connection. Currently the City does not exercise that authority. At least one town has expressed concern that any future exercise of that authority by the City not apply within the town.

The ordinance expressly provides that the City's water and sewer ordinances apply to all parts of the City's water and sewer system wherever located, both within and outside the corporate limits of the City.

This action authorizes the Charlotte-Mecklenburg Utilities Director to determine the date for each town that City ordinances will apply and town ordinances will be repealed. It is anticipated that the date will be July 2, 2000 for each town. If not, the date will be as close to the beginning of the new fiscal year as each town can accommodate. The Director would also be authorized to include a provision in each amendment that would exclude the town from the application of any future City requirement that property must be connected to the City's water or sewer system or pay a fee in lieu thereof.

This approach will simplify the application and enforcement of these ordinances by avoiding the need for each town to "rubber stamp" City water and sewer ordinances before those ordinances can apply within each town.

### 36. **NC 51 from Centrum Parkway to Rea Road Water Main – Design Services**

**Action: Approve a contract for \$360,000 with DSAAtlantic Corporation for engineering design services of a water main along NC 51 from Centrum Parkway to Rea Road.**

**Explanation:**

This contract will provide funds for design services of a 36-inch main, which will serve as a major east-west water transmission line. The proposed route is for this water main to follow NC 51 from I-485 to Rea Road.

This water main is one phase of a multi-phase water system improvement plan to improve water delivery and pressures in south Charlotte.

**MWBD:**

WBE: 9%

**Funding:**

Water Capital Investment Plan

### 37. Central Business District (CBD) Sanitary Sewer Capacity Study

**Action:** Approve a contract for \$189,800 with Camp Dresser and McKee (CDM) for the evaluation and development of a Sanitary Sewer System model.

**Explanation:**

The contract is for engineering services to produce a hydraulic model of the uptown sewer system. The model will be a planning tool to determine the present system capacity and show the impacts of proposed development within the Central Business District. The action will allow Utilities to proactively plan for infrastructure needs in the center city area.

**Funding:**

Sewer Capital Investment Plan

### 38. Andover Road, McAlway Road and Craig Avenue Water Main-Engineering Services Contract

**Action:** Approve a contract for \$188,000 with DSAAtlantic Corporation for engineering and construction administration services of a water main along Andover Road, McAlway Road and Craig Avenue.

**Explanation:**

This contract will provide for engineering and contract administration services of a 36-inch transmission main. This project serves as a hydraulic connection between the existing 54-inch water main along Providence Road and the existing Craig Avenue elevated storage tank.

**MWBD:**

WBE: 3%

**Funding:**

Water Capital Investment Plan and Transportation Capital Investment Plan

### 39. McDowell Creek Wastewater Treatment Plant Phase II Improvements–Change Order #1

**Action:** A. Approve a Budget Ordinance appropriating \$131,000, and

B. Approve Change Order #1 for \$130,923 with Watson Electrical Construction for electrical work at the McDowell Creek Wastewater Treatment Plant (WWTP) Improvements project.

**Explanation:**

Change Order #1 will bring McDowell Creek WWTP facilities into electrical code compliance.

During the construction improvements at the McDowell Creek WWTP, Mecklenburg County Building Standards implemented NFPA 820 (Standard for Fire Protection in Wastewater Treatment and Collection Facilities). This required several modifications to the underground conduit, electrical wiring and flow controls in order to comply with the new safety standards.

With this change order the contract with Watson Electrical will increase from \$3,248,527 to \$3,379,450. The original contract was approved by City Council on April 8, 1996.

**Funding:**

Sewer Capital Investment Plan

### 40. McAlpine Creek Wastewater Management Facility – Chlorine Contact Lagoon–Change Order #1

**Action:** A. Approve a budget ordinance appropriating \$1,210,000; and

B. Approve Change Order #1 for \$900,000 with State Utility Contractors, Inc. for work on the McAlpine Creek Wastewater Management Facility Chlorine Contact Lagoon Project.

**Explanation:**

Change Order #1 will provide labor and equipment to remove and dispose of sludge and soil contaminated with sludge from the chlorine contact lagoon.

This project requires the contractor to clean out the lagoon and pour a six inch concrete liner to store excess raw sewage during high flow events associated with periods of heavy precipitation. During the design phase of

this project the lagoon was in service and it was not possible to get an accurate measurement of the material that would need to be removed. The project was bid with the sludge removal as a unit price for an estimated quantity of material to be removed. The project was divided into two phases and the sludge removal has been completed on the first phase. This change order is based on the quantity actually removed in the first phase of the project.

The budget ordinance will pay for this change order and three minor change orders on other construction contracts at the McAlpine Creek WWMF.

With this change order the contract with State Utility Contractors will increase from \$7,445,599.44 to \$8,355,559.44. The original contract was approved by City Council on August 23, 1999.

**Funding:**

Sewer Capital Investment Plan

**41. Airport Special Facility Financing**

**Action: Approve a resolution authorizing the issuance of up to \$40,000,000 in Airport Special Facility Revenue Bonds for the purpose of funding projects for US Airways and to set the date for a public hearing.**

**Explanation:**

Approval of this resolution is necessary to satisfy legal requirements and authorizes staff to submit an application to the Local Government Commission for approval of the Airport Special Facility Revenue Bonds, to take the necessary actions to complete the sale and sets the date for a public hearing on July 24, 2000.

Projects to be funded:

Upgrade Air Conditioning Units for 35 Gates	\$2,450,000
Concourse B Club Renovation	550,000
New Envoy Lounge	1,300,000
Maintenance Hangar Renovations	1,000,000
Modifications to Accommodate New Airbus Aircraft	4,628,000
Line Maintenance Facility	10,000,000
Crew Training Facility	<u>12,884,000</u>
	\$32,812,000

The balance of the funding (\$7,188,000) is for reserve, issuance expense and contingency. This reserve amount is consistent with other bond financing. The actual amount will be determined at the time of sale.

**Funding:**

US Airways will pay debt service on the bonds

**42. General Obligation Bond Referendum**

**Action:** Approve resolutions authorizing staff to proceed with the necessary actions to conduct a general obligation bond referendum on November 7, 2000. The referendum will request voter approval for \$57,500,000 of Street Bonds and \$40,000,000 of Neighborhood Improvement Bonds.

**Explanation:**

The resolutions specifically authorize notice of intent to apply to the Local Government Commission for approval of bonds, application to the Local Government Commission for approval of the bonds and certain statements of fact concerning the proposed bond issue.

**Attachment 19**

Proposed projects

**43. Airport Ramp Drainage Culvert Extension-Change Order**

**Action:** Approve a Change Order with T.P. Smith Construction Company in the amount of \$225,200 for extending a major drainage pipe culvert.

**Explanation:**

On February 7, 2000 City Council awarded a contract in the amount of \$692,920 to T.P. Smith Construction Company to construct a major drainage culvert as part of the construction of Concourse E. This change order will extend the drainage culvert an additional 336 feet to allow additional gates for regional aircraft to be built. The contract was bid on a unit-cost basis and the contractor will honor the contract prices.

This change order will increase the contract amount to \$918,120.

**Funding:**

Aviation Capital Investment Plan

#### 44. Passenger Loading Bridges-Concourse A

**Action:** Award the low bid contract to FMC Jetway Systems for installation of passenger loading bridges on Concourse A in the amount of \$2,355,521.

**Explanation:**

The Airport is currently expanding Concourse A and six new passenger loading bridges are required. In addition, it is necessary to remove and relocate two airline owned loading bridges to new gate areas and remove an existing city owned loading bridge. This contract covers the expenses for acquisition and installation of the new passenger loading bridges and removal and relocation of existing bridges.

**Funding:**

Aviation Capital Investment Plan

#### 45. Property Transactions

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

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

**Acquisitions:**

- A. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Harry A Morrison  
**Property Address:** 8130 Cathey Drive  
**Property to be acquired:** .343 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$12,500  
**Zoned:** RMH  
**Use:** Vacant Land  
**Tax Value:** \$2,400  
**Tax Code:** 113-103-01

- B. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Larry Lowder  
**Property Address:** 7631 Old Dowd Road  
**Property to be acquired:** .872 acres  
**Improvements:** Home and business  
**Purchase Price:** \$78,000  
**Zoned:** R3  
**Use:** Home and Business  
**Tax Value:** \$38,040  
**Tax Code:** 113-361-34
- C. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Worth E. and Yvette R Neel  
**Property Address:** 6336 Steele Creek Road  
**Property to be acquired:** 1.165 acres  
**Improvements:** Single Family Residence  
**Purchase Price:** \$118,000  
**Zoned:** R3  
**Use:** Single Family Residence  
**Tax Value:** \$68,150  
**Tax Code:** 141-121-13
- D. Project:** Governor's Square Storm Drainage Improvements, Parcel #5  
**Owners(s):** Mark E. Timmes & wf., Gail G. Timmes  
**Property Address:** 2536 Ainsdale Road  
**Property to be acquired:** 549 sq.ft. (0.01 ac.) of permanent easement plus 2,490 sq.ft. (0.06 ac.) of temporary construction easement  
**Improvements:** Landscaping, trees, and fence  
**Purchase Price:** \$16,500  
**Remarks:** Required easement needed for the construction and maintenance of storm drainage facilities. Acquisition price was determined by an independent, certified appraiser and based on market values.  
**Zoned:** R-3  
**Use:** Residential  
**Total Parcel Tax Value:** \$158,500  
**Tax Code:** 183-196-28
- E. Project:** 24-inch Water Main along W. T. Harris Boulevard/Albemarle Road, Parcel #33  
**Owners(s):** First Citizens Bank and Trust Company  
**Property Address:** 7010 Albemarle Road  
**Property to be acquired:** 5,290 sq.ft. (0.121 ac.) of permanent easement, plus 1,850 sq.ft. (0.042 ac.) of temporary construction easement  
**Improvements:** Landscaping  
**Purchase Price:** \$50,000

**Remarks:** The areas are needed for construction of a 24-inch water main along W. T. Harris Boulevard/Albemarle Road. Acquisition price is based on an independent, certified appraisal.

**Zoned:** B-2

**Use:** Bank

**Total Parcel Tax Value:** \$393,000

**Tax Code:** 109-181-07

- F. Project:** 24-inch Water Main along W. T. Harris Boulevard/Albemarle Road, Parcel #72

**Owners(s):** Pansy Wylie Germany

**Property Address:** 8900 Albemarle Road

**Property to be acquired:** 3,260 sq.ft. (0.075 ac.) of permanent easement, plus 2,025 sq.ft. (0.046 ac.) of temporary construction easement

**Improvements:** Trees

**Purchase Price:** \$10,800

**Remarks:** The areas are needed for construction of a 24-inch water main along W. T. Harris Boulevard/Albemarle Road. Acquisition price is based on an independent, certified appraisal.

**Zoned:** R-3

**Use:** Single Family Residential

**Total Parcel Tax Value:** \$294,580

**Tax Code:** 109-301-10

#### Condemnations:

- G. Project:** Governor's Square Storm Drainage Improvements, Parcel #2

**Owner(s):** Pravin S. Shah & wf., Versha Shah & any other parties of interest

**Property Address:** 3532 Chavington Road

**Property to be acquired:** 2,998 ± sq.ft. (0.07 ac.)

**Improvements:** Landscaping and storage building

**Purchase Price:** \$2,850

**Remarks:** The areas are needed for storm drainage improvements. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.

**Zoned:** R-3

**Use:** Single Family Residential

**Total Parcel Tax Value:** \$186,960

**Tax Code:** 183-198-42

## 46. Meeting Minutes

**Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:**

- **May 22 Business Meeting**
- **May 25 Joint City/County Zoning Process**
- **May 31 Budget Retreat and Straw Votes**