

**Mayor Patrick L. McCrory**    **Mayor Pro Tem Patrick De'Angelo Cannon**

Susan Burgess  
Nancy Carter  
Malcolm Graham  
Patsy Kinsey  
John W. Lassiter

Don Lochman  
James E. Mitchell, Jr.  
Patrick Mumford  
John H. Tabor, AIA  
Warren Turner

# **CITY COUNCIL MEETING**

**Monday, June 28, 2004**

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# CITY COUNCIL AGENDA

Monday, June 28, 2004

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

### **1. The Salvation Army's Joan Kroc Bequest and the Impact for Charlotte**

**Resource:** Major Ward Matthews, Salvation Army

**Time:** 20 minutes

**Synopsis**

- The Mayor and several Council members requested that time be provided on a dinner agenda for this presentation.
- The Salvation Army has received a bequest of \$1.5 billion, the largest gift of its kind, from the estate of Joan Kroc, widow of the founder of McDonald's, Ray Kroc.
- The money will be divided among the Salvation Army's four U.S. districts. Major Matthews will explain the bequest in greater detail and its potential impact on Charlotte.

**Future Action**

This presentation is for information only.

### **2. New Charlotte Arena Update**

**Resource:** Jim Schumacher, Engineering and Property Management

**Time:** 20 minutes

**Synopsis**

- Construction is progressing well on the new arena toward an opening date of November 1, 2005. Presentation will include:
  - Status of design
  - Status of construction
  - Status of bidding
  - Status of SBE participation
  - Overview of the Construction Manager at Risk contract method and the development of a guaranteed maximum price

**Future Action**

The guaranteed maximum price for Hunt Construction will be on the July 26 business agenda.

### 3. Assessment of City's After School Programs and FY2005 Greater Enrichment Program Contract

**Resources:** Stanley Watkins, Neighborhood Development  
Richard Woodcock, Neighborhood Development

**Time:** 20 minutes

#### Synopsis

- The purpose of this presentation is to brief City Council on staff's recommendations to:
  - Establish a review process for future funding of after school programs
  - Approve the FY2005 contract for the Greater Enrichment After School Program
- A review is proposed of the five City funded after school programs in FY2005 to evaluate quality and develop a consistent methodology for program funding.
- The review will form the basis to evaluate funding requests beginning in FY2006. The process will include:
  - A review of program quality to establish standards in conjunction with Partners in Out of School Time (P.O.S.T.)
  - A review of costing and program comparability to determine the proper cost per child with the Privatization and Competition Advisory Committee
  - Working with City Council to determine the City's level of participation, establish program standards and funding guidelines
- The proposed FY2005 Greater Enrichment Program contract will provide after school services to 342 children in the City Within A City geography at a cost of \$605,854.
- The amount is the same as last year's contract, but the program will serve 342 students instead of 500.
- The GEP lost funding from the County and private funding for the GEP cannot be substantiated at this time.
- GEP's average cost per child per day is \$8.86 while the average for all City funded after school programs is \$7. The highest average cost is \$8.93 (CMS) and the lowest (YWCA) is \$2.82.
- The FY2005 contract clarifies the term "enrollment" and provides for a review of enrollment numbers after 60 days.
- If 90% of the contract enrollment target is not met at that point, the contract amount may be reduced proportionally.

#### Future Action

June 28, 2004 Council Business agenda

#### **4. Committee Reports by Exception**

Restructuring Government: Four Year Terms

Housing and Neighborhood Development: Seventh and McDowell Street Project

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

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

**CONSENT**

- 5. Consent agenda items 21 through 46 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

## PUBLIC HEARING

### 6. Public Hearing and Resolution to Close Portions of Kenilworth Avenue

**Action:**    **A. Conduct a public hearing to close a portion of Kenilworth Avenue, and**  
                   **B. Adopt a Resolution to Close.**

**Staff Resource:**                    Roger Buell, Transportation

#### **Policy**

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

#### **Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

#### **Petitioner**

The Charlotte-Mecklenburg Hospital Authority – John Carmichael

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

Two portions of residual right-of-way on Kenilworth Avenue

#### **Location**

Two residual portions of Kenilworth right-of-way lying between E. Morehead Street and Romany Road, located within the Dilworth Community

#### **Reason**

To incorporate the right-of-way into adjacent property owned by the petitioner for future development plans affiliated with the current Charlotte-Mecklenburg Hospital Authority expansion project

#### **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 – None

Neighborhood/Business Associations –

Eastover Resident’s Association – No objections  
Cherry Community Organization – No objections  
Dilworth Community Development Association – No objections  
Center City Partners – No objections  
Elizabeth Community – No objections  
Myers Park HOA, Inc. – No objections  
Certified letters were sent to these organizations.

Private Utility Companies – No objections.

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 1**

Map  
Resolution

**7. Public Hearing and Resolution to Close a Portion of Westfield Road**

**Action:**   **A. Conduct a public hearing to close a portion of Westfield Road, and**  
**B. Adopt a Resolution to Close.**

**Staff Resource:**                    Roger Buell, Transportation

**Policy**

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

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

**Petitioner**

Mecklenburg County

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

A portion of Westfield Road

**Location**

Located within the Myers Park Community beginning from Brandywine Road continuing approximately 182 feet north to Manor Road

**Reason**

To incorporate the right-of-way into adjacent property owned by the petitioner as part of the Little Sugar Creek Greenway Project

**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 – None

Neighborhood/Business Associations –  
Myers Park HOA, Inc. – No objections  
Madison Park Neighborhood Association – No objections  
Ashbrook –No objections  
Barclay Downs HOA – No objections  
Certified letters were sent to these organizations.

Private Utility Companies – No objections.

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 2**

Map  
Resolution

**8. Public Hearing and Resolution to Close a Portion of Abeline Road**

**Action:**   **A. Conduct a public hearing to close a portion of Abeline Road, and**  
                  **B. Adopt a Resolution to Close.**

**Staff Resource:**                   Roger Buell, Transportation

**Policy**

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

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.

**Petitioner**

Mecklenburg County

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

A portion of Abeline Road

**Location**

Located within the Clanton Park Community beginning from Whitehurst Drive continuing approximately 95 feet northwestwardly to its terminus.

**Reason**

To incorporate the right-of-way into adjacent property owned by the petitioner as part of the Little Sugar Creek Greenway Project.

**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 – None

Neighborhood/Business Associations –  
Clanton Park Community – No objections  
Yorkmont Park Association – No objections  
Certified letters were sent to these organizations.

Private Utility Companies – No objections

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  
Resolution

## ZONING

### 9. Rezoning Petition #2004-09

**Action:** Approve institutional conditional rezoning for a child care center with up to 208 children, Rezoning Petition #2004-09.

**Staff Resource:** Tom Drake, Planning

#### **Explanation**

- This is a protested rezoning petition that was deferred to the June 28th meeting because City Council members were absent from the June 21st rezoning decision meeting.
- There are no policies or locational criteria for large child care centers so there is no plan consistency issue with this petition. The staff believes this is an appropriate location for a large child care center.
- The site plan has been amended to provide a 100-foot buffer to abutting residential properties. One property owner across McKee Road from the site objects to the rezoning, believing access to/from his property will be impacted by the driveway(s) to the child care center.

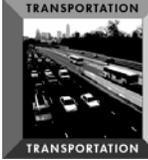
#### **Attachment 4**

Pre-hearing Staff Analysis  
Zoning Committee Recommendation  
Map of area to be rezoned

## POLICY

### 10. City Manager's Report

### 11. School Zone Policy Revision



**Action:** Approve new School Zone Policy.

**Staff Resource:** Doreen Szymanski, Transportation

#### Policy

1981 School Zone Policy

#### Explanation

- This information was presented to Council at the June 14<sup>th</sup> Council Dinner Meeting.
- The current speed zone policy was approved by City Council in 1981.
- Since that time City streets have become more congested and there is more activity around schools.
- Application of the school zone policy in the past has been inconsistent.
- The proposed policy's goal is to heighten awareness of school areas and improve the overall safety around schools.
- Charlotte-Mecklenburg Schools support the new policy.

#### Policy Changes

- The major changes for elementary and middle schools include:
  - All schools fronting or bordering thoroughfares will have speed reductions during arrival and dismissal.
  - Speed reductions in school areas will be 25 mph.
  - Speed limit on local streets with a school will be 25 mph all the time.
  - A school must have five student walkers for a guard or crosswalk treatment.
- Changes around high schools include:
  - Provide reduced speed zones of 25 mph if conditions warrant.
- Changes around all schools include:
  - School vehicular traffic signals will operate from 6 a.m. to 11 p.m. daily.
  - All schools will receive school pavement markings and signs.
  - There will be no maximum zone length stated so that staff can treat each school based upon the conditions around that particular school.

**Other**

- Approval of this policy will upgrade 25 public schools with reduced speed zones (middle and elementary schools).
- Private schools will be covered under this policy.
- Cost to upgrade public and private schools is estimated at \$100,000.
- Implementation schedule is 18-24 months.
- This policy applies only to schools within the Charlotte city limits.
- A copy of the revised policy is available in the Council library.

**Funding**

Transportation Capital Investment Plan

**Attachment 5**

Comparison of Current and Proposed School Zone Policy

**12. Affordable Housing Density Bonus**

**Action:** Approve the Housing and Neighborhood Development Committee recommendation to discontinue discussions and efforts to develop a density bonus for affordable housing.

**Committee Chair:** Susan Burgess

**Staff Resource:** Stanley Watkins, Neighborhood Development  
Debra Campbell, Planning

**Explanation**

- This information was presented to Council at the June 14<sup>th</sup> Council Dinner Meeting.
- City Council's concurrence with the Committee's recommendation on density bonus will complete the Affordable Housing Policy Review that began on February 1, 1999.
- At its May 19, 2004 meeting, following discussions at several meetings, the Housing and Neighborhood Development Committee unanimously recommended that City Council discontinue discussions and efforts to develop a density bonus for affordable housing at this time.
- The primary reasons cited by the Committee for suspending work on the policy are:
  - The City is currently meeting its 4,500 affordable housing unit goal with current financial incentives (i.e., HOME, Trust Fund, etc.) that are in place.
  - There is concern that the density bonus system will not address the areas of greatest housing need – *special needs housing and rental housing* - for households earning below 30% of area median income (\$19,230 for a family of four).

- There is also concern that a density bonus system may increase gentrification in lower-income neighborhoods if higher priced housing is required.
- The City's General Development Policies and area plans provide opportunities for higher density development in appropriate locations.

**Attachment**

Housing and Neighborhood Development Committee Minutes – May 19, 2004  
 Housing and Neighborhood Development Committee Presentation – May 29, 2004

### 13. Seventh and McDowell Street Project



This item will be included in the Friday, June 25<sup>th</sup> Council-Manager Memorandum.

### 14. Four Year Terms for Council



The Restructuring Government Committee meets on June 25<sup>th</sup>. This item will be included in the Friday, June 25<sup>th</sup> Council-Manager Memorandum.

### 15. Assessment of City's After School Enrichment Programs & FY2005 Greater Enrichment Program Contract



- Action:**
- A. Authorize the City Manager to undertake a three-step process for evaluating the City funded After School Programs for future funding decisions, and**
  - B. Approve the FY2005 contract with the Greater Enrichment Program for after schools services in an amount of \$605,854.**

**Staff Resource:** Stanley Watkins, Neighborhood Development  
 Richard Woodcock, Neighborhood Development

**Review Process**

- Establish a review process for future funding of City After School Programs.
- The five after school programs receiving City funding are legacy programs that have been added to the City's budget over the past 25 years.
- Each program is slightly different relative to program size, scope and operations.
- The City proposes to undertake a comprehensive review of the programs in FY2005 to evaluate program quality and develop a consistent methodology for program funding.
- The proposed three-step review process will include:
  1. A review of program quality to establish standards in conjunction with Partners in Out of School Time (P.O.S.T.);
  2. A review of costing and program comparability to determine the proper cost per child with the Privatization and Competition Advisory Committee; and
  3. Working with City Council to determine the City's level of participation, establish program standards and funding guidelines.
- This work will form the basis to evaluate funding requests beginning in FY2006.

**Greater Enrichment Program (GEP) Contract**

- The FY2005 contract requires the GEP to serve 342 children residing in the City Within A City area at a cost of \$605,854.
- After School Enrichment programs provide valuable educational and enrichment services to elementary school children and provide a safe place after normal school hours.
- Although the contract amount is the same as last year's contract, the program will serve 342 students instead of 500. The program has lost funding from the County and private funding cannot be substantiated at this time.
- GEP's average cost per child per day is \$8.86 while the average for all City funded after school programs is \$7. The highest average cost is \$8.93 (CMS) and the lowest (YWCA) is \$2.82.
- The FY2005 contract clarifies the term "enrollment" and provides for a review of enrollment numbers after 60 days. If 90% of the contract enrollment target is not met at that point, the contract amount may be reduced proportionally.
- GEP will submit monthly reports on contract requirements including attendance and the City will conduct a six-month audit of the program.
- The program will be subject to the qualitative and cost evaluations proposed by the City.

**Funding**

Community Development Block Grant

**Attachment 7**

Background Information

## BUSINESS

### 16. Charlotte Housing Authority Relocation Services Proposal



- Action:**
- A. Approve the Charlotte Housing Authority's proposal to provide Relocation Services for a three-year commitment, and**
  - B. Authorize staff to enter into a one-year Memorandum of Understanding for up to \$2,000,000 beginning July 1, 2004.**

**Staff Resource:** Stanley Watkins, Neighborhood Development  
Stan Wilson, Neighborhood Development

#### Policy

- City's FY2005 Consolidated Action Plan – Approved May 10, 2004
  - Identifies the need for affordable, safe and decent housing for low and moderate-income families.
  - Supports the three basic goals of the City's Housing Policy - preserve the existing housing stock, expand the supply of affordable housing and support family self-sufficiency initiatives.

#### Explanation

- The Charlotte Housing Authority (CHA) submitted a proposal to manage part of the City's Relocation Program (households displaced due to fire and code enforcement).
- The City would maintain a limited program to
  - manage the CHA contract
  - meet the federal relocation requirements
  - meet federal compliance requirements
- The program provides benefits (rental assistance, moving and storage costs) to persons earning 60% or less than the area median income that are displaced due to local programs (code enforcement, fire or road projects) and fire.
- Households entering the program would be required to meet the CHA's eligibility requirements.
- CHA will provide temporary and permanent housing, moving and storage, counseling, case management and capacity building.
- The CHA proposal offers the following advantages:
  - Provides long-term housing solution for families through traditional public housing units and Section 8 Vouchers.
  - City would realize a cost savings of approximately \$1 million annually beginning in FY2006.
  - Families will receive counseling, case management and capacity building training.
  - The City will continue to serve households earning 60% or less than the area median income that are displaced through fire or code enforcement.

- The City would pay the CHA \$15,000 per household for the first 100 families, then \$10,000 per family thereafter.
- As a result of the CHA agreement it is anticipated that the City will spend approximately \$3.3 million in FY2005, however the costs will reduce to approximately \$2.3 million in FY2006.
- The City's program staff size will decrease from seven to four by 2007. It is anticipated that three positions will be placed in other vacant positions.

### **Funding**

Federal CDBG and Innovative Housing Funds

### **Attachment 8**

Dinner Briefing Presentation – May 24, 2004

Background – City Relocation Program

CHA Relocation Management Plan

Process Flow Chart

## **17. Consolidation of Utilities and Mecklenburg County Laboratories**

**Action:** Approve a Resolution to amend the City-County Restated Consolidated Shared Programs Joint Undertaking Agreement to consolidate laboratory services under Charlotte-Mecklenburg Utilities.

**Staff Resource:** Doug Bean, Charlotte-Mecklenburg Utilities  
Barry Gullet, Charlotte-Mecklenburg Utilities

### **Explanation**

- This resolution will amend the City-County Restated Consolidated Shared Programs Joint Undertaking Agreement, consolidating water quality laboratories currently operated by CMU and Mecklenburg County Land Use & Environmental Services Agency (LUESA) under Charlotte-Mecklenburg Utilities effective July 1, 2004. Mecklenburg County Commission approved this amendment on June 15, 2004.
- Council received a presentation on this at the June 7<sup>th</sup> Workshop meeting.
- Current Status:
  - CMU and LUESA operate state certified water quality laboratories
  - CMU's two labs perform more than 98,000 water quality tests per year
    - Monitoring of wastewater treatment plants
    - Discharge monitoring from industries
  - LUESA performs about 33,000 water quality tests
    - Storm water, lakes streams, and groundwater
    - Test procedures and equipment are the same or similar for both agencies
    - LUESA anticipates relocating from its current location in the near future

- Results of Consolidation:
  - o Elimination of duplicate equipment and redundant systems
  - o Improved responsiveness
  - o Increased capabilities for both agencies
  - o Five (5) County employees will be transferred to the City
  - o LUESA will pay CMU for services provided by the consolidated laboratory
- Site Location:
  - o Initially operated by CMU at existing locations
  - o 2006/07 operations will be physically consolidated into new lab facility to be constructed at Irwin Creek Wastewater Treatment Plant

### **Attachment 9**

Resolution

Agreement

June 7, 2004 Presentation

## **18. General Obligation Bond Referendum**

**Action: Approve three resolutions authorizing staff to proceed with the necessary actions to conduct a general obligation bond referendum on November 2, 2004. The referendum will request voter approval for \$101,800,000 of Street Bonds, \$15,000,000 of Housing Bonds and \$13,800,000 of Neighborhood Improvement Bonds.**

**Staff Resource:** Greg Gaskins, Finance

### **Explanation**

- On June 14, 2004 Council adopted the FY2005-FY2009 Capital Investment Plan, which included a \$130.6 million bond referendum in 2004.
- The resolutions specifically authorize:
  - Notice of intent to apply to the Local Government Commission
  - Application to the Local Government Commission
  - Certain statements of fact concerning the proposed bonds

### **Next Steps**

- On July 26, 2004 the bond order will be introduced and Council will be asked to set a public hearing on the bond order for August 23, 2004.
- On August 23, 2004 Council will be asked to hold a public hearing, approve the bond order and set a special bond referendum.
- After November 2, 2004 Council will be asked to adopt the Certificate of Canvas by the Mecklenburg Board of Elections and adopt a resolution certifying and declaring results of the special bond referendum.

**Attachment 10**  
Resolutions  
List of Projects

## 19. Nominations to Boards and Commissions

**Action: Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.**

**A. AIRPORT ADVISORY COMMITTEE**

Two appointments for three years each beginning August 2004.

- McKay Belk, open category, and Lawrence Davidson, representing an aviation affiliation, are not eligible to be reappointed.

**Attachment 11**

Applications

**B. BICYCLE ADVISORY COMMITTEE**

One appointment beginning immediately and serving until December 2004, at which time candidate will begin serving a three year term.

- William Klenz has resigned.

**Attachment 12**

Applications

**C. CHARLOTTE HOUSING AUTHORITY**

One appointment beginning immediately and serving until December 2005.

- Kathleen Foster has resigned.

**Attachment 13**

Applications

**D. KEEP CHARLOTTE BEAUTIFUL**

Two appointments beginning immediately and serving until June 2006.

- Deborah Carl has resigned.
- Bianca Bradford has resigned.

**Attachment 14**

Applications

**E. MINT MUSEUM BOARD OF TRUSTEES**

One three year appointment beginning August 2004.

- Ervin Gourdine is eligible to be reappointed.

**Attachment 15**

Applications

**F. NEIGHBORHOOD MATCHING GRANTS FUND**

One appointment beginning immediately and serving until April 2006.

- Roger Coates declined the appointment.

**Attachment 16**

Applications

**G. WASTE MANAGEMENT ADVISORY COMMITTEE**

Two appointments beginning September 2004.

- Walter Bauer is eligible and wants to be reappointed.
- Ann Kimbro is not eligible for reappointment.

**Attachment 17**

Applications

**20. Appointments to Boards and Commissions**

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

**A. CIVIL SERVICE BOARD****Regular Member:**

One regular position with service beginning immediately and ending May 2005 to replace Al Mandell.

- Mickey Cochrane by Council member Kinsey
- Joe Cooper by Council member Mitchell
- Mary Hopper by Council members Burgess & Turner
- Justin Kuralt by Council member Cannon
- David Perzinski by Council member Lassiter
- Pete Sherman by Council member Carter

**B. CIVIL SERVICE BOARD****Alternate Member:**

One alternate position with service beginning immediately and ending May 2006 to replace Mike Todd who was elected as a full board member.

- Jeri Arledge by Council member Carter
- Mickey Cochrane by Council member Kinsey
- Justin Kuralt by Council members Cannon & Burgess
- Melvin Lowery by Council member Mitchell
- Michael Taylor by Council member Mumford
- Wells Van Pelt by Council member Lassiter

**Attachment 18**  
Applications

## **MAYOR AND COUNCIL TOPICS**

**At the end of the formal agenda, Council members may share information and raise topics for discussion.**

## 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 comply with Small Business Opportunity Program Policy.

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

The City's Small Business Opportunity (SBO) Program's purpose is to enhance competition and opportunity in City contracting with small businesses in the Charlotte metropolitan statistical area. Participation of small business enterprises (SBE) is noted where applicable. Contracts recommended for award as of March 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization. Professional service contracts recommended for award as of August 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization.

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit.

Contractors and Consultants

All contractor and consultant selections follow the Council approved process unless described otherwise.

## CONSENT I

### 21. Various Bids

#### A. SuperPave Plant Mix Asphalt

CDOT

##### **Action**

Award a unit price contract for SuperPave Plant Mix Asphalt to Ferebee Corporation of Charlotte, North Carolina for an estimated annual amount of \$1,488,416.01. This will be a one-year contract, with the option to renew for two additional one year terms. The asphalt will be used for potholes, asphalt repair, in-house resurfacing, widening of streets associated with new construction and utility cut repair

##### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 0%

The Small Business Development Program Manager waived the SBE goal for this project. In order to establish a goal for the project, there must be SBE firms certified in the City's Vendor Management System to perform the subcontracting opportunities identified for the project. There were no SBE firms certified to perform on this project.

**B. Andover Storm Drainage Phase II EPM****Action:**

Award the low bid of \$5,162,428.50 by Sealand Contractors of Charlotte, North Carolina. This is the second of a three-phase project. House and street flooding within and upstream of the project area are being addressed by this phase. This project includes installation of large storm drainage pipes and road improvements along Vernon Drive. Construction completion is first quarter 2006.

**Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 4%

Sealand Contractors committed 3.63% (\$187,260) of the total contract amount with the following certified SBEs: Ontime Construction, H&H Hauling

**C. Commonwealth-Morningside Storm Drainage EPM****Action:**

Award the low bid of \$1,411,660.37 by Ferebee Corporation, of Charlotte, North Carolina. This project will provide relief from flooding in the Commonwealth-Morningside neighborhood area. The project is along Commonwealth Avenue, located south of Central Avenue, east of St. Julien Street, and west of Morningside Drive. This project was initiated based on the severity of drainage problems, citizen service requests, and through Charlotte Storm Water Services internal capital project ranking procedures. The planning phase started in the fall of 2000. Construction completion is first quarter 2005.

**Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 6%

Ferebee Corporation committed 6% (\$85,720) of the total contract amount with On Time Construction, a certified SBE.

**D. Shade Valley Pond Rehabilitation EPM****Action:**

Award the low bid of \$489,721.45 by L-J Inc. of Columbia, South Carolina. This project will alleviate existing flooding and erosion problems, and enhance the water quality benefits provided by an existing pond. The Shade Valley pond is located on Shade Valley Road near Monroe Road. Construction completion is third quarter 2004.

**Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 12%

L-J, Inc. committed 12% (\$60,000) of the total contract amount with the following certified SBEs: On Time Construction and Pop's Trucking.

**E. Plaza Midwood Neighborhood Improvement Phase 1-B EPM**

**Action**

Award the low bid of \$2,181,422.25 by Sealand Contractors Corporation of Charlotte, North Carolina. This project will provide curb, sidewalk, drainage improvements, and pavement improvements on selected streets within the Plaza Midwood neighborhood. The Plaza Midwood neighborhood is one of 22 neighborhoods approved in the 2000 Neighborhood Improvements bonds. Construction of Phase I-A was completed in December 2001. Construction completion is first quarter 2006.

**Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 9%

Sealand Contractors Corporation committed 9% (\$205,800) of the total contract amount with the following certified SBEs: H & H Hauling and On Time Construction.

**F. Cisco Firewall & Network Intrusion Detection System Police**

**Action:**

Award the low bid of \$116,322 by GTSI Corp. of Chantilly, Virginia. The Charlotte Mecklenburg Police Department obtained the Catalyst6506 Firewall and Network Intrusion Detection System in April 2004 for demonstration and evaluation purposes. This equipment is currently on-site and installed at Charlotte Mecklenburg Police Department's headquarters. Cisco Systems, the manufacturer, has agreed to transfer ownership and re-sell the equipment to the low bidder of this Invitation To Bid who, in turn, will sell it to the Charlotte Mecklenburg Police Department, all without requiring removal of the equipment from its current location.

**Small Business Opportunity**

The Small Business Development Goals Committee waived the SBE goal for this project. In order to establish a goal for the project, there must be SBE firms certified in the City's Vendor Management System to perform the subcontracting opportunities identified for the project. There were no SBE firms certified to perform the services required for this project.

**G. Airport Terrazzo Maintenance Contract Aviation****Action**

Award the low bid of \$270,000 by Stone Restoration of America, of Charlotte, North Carolina for cleaning and maintenance of terrazzo flooring at the airport.

**Small Business Opportunity**

Established SBE Subcontractor Goal: 0%

Committed SBE Subcontractor Goal: 0%

There are no sub-contracting elements in the scope of work. Single prime bids were solicited which included three SBE firms as potential prime bidders. Of these firms, two indicated that they were not capable of maintaining terrazzo and the third chose not to respond to the Airport's inquiry for qualifications.

**H. FY2003 Annexation, Sunset Road Area Water and Sewer Mains CMU****Action**

Award the low bid of \$1,208,372.34 by Buckeye Construction Co., Inc. of Canton, NC. This project provides newly annexed areas with access to City water and sewer services through public right-of-way via gravity sewer, and water mains.

**Small Business Opportunity**

Established SBE Goal: 5%

Committed SBE Goal: 3.81%

\$46,000 is committed to three SBE firms: Boyle Consulting Engineers, D's Trucking Service, and Ms. Sybil's Seeding

**I. McAlpine Creek Wastewater Management Facility Standby Generator Facilities CMU****Action**

Award the low bid of \$5,293,050 by State Utility Construction, Inc. of Monroe, North Carolina. This project is for construction of two masonry buildings to house new back-up generators for the McAlpine Creek Wastewater Management Facility.

**Small Business Opportunity**

Established SBE Goal: 5%

Committed SBE Goal: 0.7%

State Utility Construction, Inc. has committed \$37,911.80 to three SBE firms: All American Overhead Door, Southern States Rebar, and Terry's Doors & More

## 22. In Rem Remedy

**For In Rem Remedy #A-E, the public purpose and policy are outlined here.**

**Public Purpose**

- Eliminate a blighting influence.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.
- Support public safety initiatives.

**Policy:**

- Housing & Neighborhood Development
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

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

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

**Public Safety**

- A. 2212 Catalina Avenue (Neighborhood Statistical Area 36-Tryon Hills Neighborhood)
- B. 313 A, B, C, D West Boulevard (Neighborhood Statistical Area 15-Wilmore Neighborhood)
- C. 3700 #1-5 Bahama Drive (Neighborhood Statistical Area 18-Enderly Park Neighborhood)

**Field Observation**

- D. 6104 Rockwell Boulevard (Neighborhood Statistical Area 42-Rockwell Park Neighborhood)
- E. 126 Martin Street (Neighborhood Statistical Area 26-Biddleville Neighborhood)

**Public Safety**

**A. 2212 Catalina Avenue**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2212 Catalina Avenue (Neighborhood Statistical Area 36-Tryon Hills Neighborhood).

**Attachment 19**

**B. 313 A, B, C, D West Boulevard**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 313 A, B, C, D West Boulevard (Neighborhood Statistical Area 15-Wilmore Neighborhood).

**Attachment 20**

**C. 3700 #1-5 Bahama Drive**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3700 #1-5 Bahama Drive (Neighborhood Statistical Area 18-Enderly Park Neighborhood).

**Attachment 21**

**Field Observation**

**D. 6104 Rockwell Boulevard**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6104 Rockwell Boulevard (Neighborhood Statistical Area 42-Rockwell Park Neighborhood).

**Attachment 22**

**E. 126 Martin Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 126 Martin Street (Neighborhood Statistical Area 26-Biddleville Neighborhood).

**Attachment 23**

## CONSENT II

### 23. Grant for Gang of One Program

**Action:** Adopt a budget ordinance, appropriating \$58,000 from the Women's Impact Fund, for the CMPD Gang of One Program.

**Staff Resource:** Sergeant Beth Boggess, Charlotte-Mecklenburg Police

**Explanation:**

- The Police Department received a \$58,000 grant from the Women's Impact Fund for the Gang of One Program.
- Women's Impact Fund organized in 2003 to maximize women's leadership in philanthropy. It is an affiliate of the Foundation for the Carolinas.
- Fund has 160 members who want to impact the community with grants to address critical community needs.
- Funds will be used to hire a program director for the Gang of One program for one year.
- Program Director will work directly with officers and detectives in the Eastway Division.
- Duties will include linking youth with appropriate resources, volunteer placement, and creating program documentation.
- CMPD will seek grant funding to maintain the position after the first year.

**Funding**

\$58,000 from Women's Impact Fund; no matching funds required

**Attachment**

Budget Ordinance 24

### 24. Charlotte Enterprise Community Grant Extension

**Action:** Approve the Charlotte Enterprise Community grant extension application to the U. S. Department of Health and Human Services to obligate \$400,000 in unexpended grant funds.

**Staff Resource:** Stanley Watkins, Neighborhood Development

**Explanation**

- In 1994, the City of Charlotte was awarded a \$2.95 million Enterprise Community (EC) grant to support revitalization activities in the local enterprise community.
- EC Grant funds are used to provide enterprise community residents with classes in opening of a small business, and employment and training services.
- EC Grant funds are scheduled to expire on December 21, 2004.

- The Charlotte Enterprise Community is projected to have approximately \$400,000 in unexpended grant funds.
- The Department of Health and Human Services is accepting requests for grant extensions up to five-years.
- The Charlotte Enterprise Community will request a grant extension, up to three years.
- During the extension period, unexpended grant funds will be used to purchase a mobile technology-learning center, develop customized job training classes, and provide staff support for the Sugar Creek JobLink Career Center.
- FY2003 accomplishments of the Charlotte Enterprise Community include:
  - Provided business startup training
  - Provided job readiness workshops
  - Designated operator of the Sugar Creek JobLink Center – served 1,500 customers
  - Created a youth entrepreneurship program
  - Provided tax credit seminars to businesses
- Extension requests must be submitted jointly by the state and local area by September 1, 2004

### **Funding**

U. S. Department of Health and Human Services

### **Attachment 25**

CEC Board of Directors Listing

CEC Neighborhoods

Dinner Meeting Presentation – June 14, 2004

## **25. Neighborhood Development Legal Services**

- Action:**
- A. Award a contract to Douglas K. Simmons and Associates, PLLC of Charlotte, North Carolina in the amount of \$85,000 for legal services (title searches and civil penalty and lien collections), and**
  - B. Award a contract to Horack Talley Pharr & Lowndes, P.A. of Charlotte, North Carolina in the amount of \$164,000 for legal services (housing development programs, escrow and disbursing agent, and miscellaneous).**

**Staff Resource:** Richard Woodcock, Neighborhood Development  
Anna Schleunes, City Attorney's Office

### **Explanation**

- A staff committee with representation from Neighborhood Development and the City Attorney's Office conducted a request for proposal process for legal services.
- Four proposals were submitted.

- Following interviews staff determined that each firm is qualified to do the title search and collections work but that only two of the firms have the experience and capacity to do the housing program work.

#### **Recommendation**

- Staff recommends the firm that submitted the lowest cost proposal for title searches and civil penalty and lien collections, Douglas K. Simmons and Associates.
- Of the firms that the evaluation committee determined had the experience and capacity to do the housing development programs, escrow and disbursing agent, and miscellaneous services work, staff recommends the firm that submitted the lowest cost proposal, Horack Talley.
- These are one-year contracts with the City having the option to renew for two additional one-year terms.
- If the City exercises its renewal rights, the annual contract amount will be adjusted according to a Consumer Price Index.

#### **Small Business Opportunity**

Established SBE Goal: 0 %

Committed SBE Goal: 0%

There were no SBE certified law firms at the time the RFP was issued. The Simmons firm is, however, seeking certification.

## **26. Economic Development Legal Services**

**Action: Award a contract to Douglas K. Simmons and Associates, PLLC of Charlotte, North Carolina for legal services for the Economic Development office at the rate of \$150 per hour for attorneys and \$30 per hour for paralegals.**

**Staff Resource:** Richard Bargoil, Economic Development  
Bob Hagemann, City Attorney's Office

#### **Explanation**

- A staff committee with representation from Economic Development and the City Attorney's Office conducted a request for proposal process for legal services.
- Three proposals were submitted.
- Following interviews, staff determined that each firm is qualified to do the work.

#### **Recommendation**

- Staff recommends the firm that submitted the lowest cost proposal, Douglas K. Simmons and Associates.
- This is a one-year contract with the City having the option to renew for two additional one-year terms.

- If the City exercises its renewal rights, the hourly rates will be adjusted according to a Consumer Price Index.

#### **Small Business Opportunity**

Established SBE Goal: 0 %

Committed SBE Goal: 0%

There were no SBE certified law firms at the time the RFP was issued. The Simmons firm is, however, seeking certification.

## **27. Land Acquisition Services for Transit Development**

**Action: Approve an Exclusive Representation Agreement with MECA Properties to supply real estate services required to purchase land suitable for Transit Oriented Development within the South Corridor.**

**Staff Resource:** Daryl Greenberg, Real Estate Division  
Tom Flynn, Economic Development  
Stan Wilson, Neighborhood Development

#### **Policy**

Transit Station Area Joint Development Principles and Policy Guidelines

#### **Exclusive Representation Agreement with MECA Properties**

- Provides property negotiation services in specific transit station areas along the south corridor.
- MECA Properties will be paid a negotiated fee based on a percentage of the purchase price for land parcels.
  - Purchase price will be determined by certified appraisal.
  - Commissions will be attached to property transactions for approval by Council.
- MECA Properties is recommended as a private sector real estate broker for market insights, brokerage and development expertise.
- Contract to end at completion of services requested or at the discretion of the City. Contract can be terminated with five days notice.

#### **Housing Initiative in Specific Transit Station Areas Along the South Corridor**

- Transit Station Area Joint Development Principles and Guidelines
  - Recommends Transit-oriented development including market and affordable housing in areas within one-half mile of light rail stations
  - Recommends City purchase of land parcels for resale to private developers to stimulate development in the transit station areas
  - Adopted by City Council on April 14, 2003

#### **Criteria for Selecting a Real Estate Services Firm**

- Experience in providing similar services for similar projects
- Qualification of key individuals
- Ability to meet established schedules

- Office in Charlotte metro area
- Proposed utilization of SBO approved firms
- Staff from Neighborhood Development, Economic Development, Planning, CATS and Real Estate, (Stakeholders), solicited proposals from 11 firms, received eight responses, and interviewed four firms

#### **Small Business Opportunity**

The agreement requires Mecca to use an SBE sub-consultant. The sub-consultant has not been selected.

#### **Funding**

Economic Development -Smart Growth Land Acquisition Fund  
Neighborhood Development -Housing Bonds

## **28. Elizabeth Avenue Business Corridor Project**

- Action:**
- A. Adopt a budget ordinance appropriating \$70,597.25 paid by CPCC and Grubb Properties to the Elizabeth Avenue Business Corridor Project, and**
  - B. Approve Amendment #1 with HDR Engineering, Inc. for \$122,395 for engineering services.**

**Staff Resource:** David Meachum, Engineering & Property Management

#### **Budget Ordinance**

- Transfers funds from the general capital investment plan revenue account to the Elizabeth Avenue Business Corridor project account

#### **Amendment #1 with HDR Engineering, Inc.**

- Provides funding for:
  - Streetscape design services for Central Piedmont Community College (CPCC) for streetscape improvements along the south side of Elizabeth Avenue from Kings Drive to Independence Boulevard
  - Waterline design for Charlotte Mecklenburg Utilities (CMU) to upgrade the waterlines along Elizabeth Avenue from Kings Drive to Hawthorne Lane and on Hawthorne Lane from Elizabeth Avenue to 7th Street
  - Corrosion protection design for utilities by CATS
  - Grubb Properties and CPCC will share utility relocation costs for overhead lines to the underground duct bank along Elizabeth Avenue from Kings Drive to Hawthorne Lane
- Collaborative effort to coordinate design services between CPCC, CMU, CATS, Grubb Properties and Engineering and Property Management
- Jointly funded by CPCC, CMU, CATS, and Grubb Properties

#### **Elizabeth Avenue Business Corridor Project**

- Provides roadway and pedestrian improvements
  - Bulb-outs, improvements to signalized crossings, new crosswalks, pedestrian signals, and accommodation for roadway bicyclists
  - Realign curb and lower street to accommodate multi-use transit
- Improvements on Elizabeth Avenue are from Kings Drive to Hawthorne Lane

#### **Contract History**

- Council approved the original agreement for engineering design services on July 28, 2003 for \$305,700

#### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 6%

The selection process for this project took place in 2003 prior to the implementation of the SBO Program for professional services contracts. HDR has committed 6% (\$7,425) of the contract amount to On-Target Utility Locate Services, a certified SBE firm.

#### **Funding**

Private Funds - CPCC \$50,555.62 and Grubb Properties \$20,041.63

City Funds - Utilities – \$31,797.75 and CATS – \$20,000

#### **Attachment 26**

Budget Ordinance

## **29. Vintage Trolley Project Engineering Services**

**Action: Authorize the City Manager to negotiate amendment #7 with Ralph Whitehead Associates, Inc. in an amount not to exceed \$475,000 for engineering services for the Vintage Trolley Project.**

**Staff Resource:** Jim Schumacher, Engineering & Property Management

#### **Amendment with Ralph Whitehead Associates, Inc.**

- Funding will provide engineering design services and extend construction administration services for completion of the Trolley Corridor Improvements
  - Although daily service from South End to Ninth Street begins June 28<sup>th</sup>, the design consultants must continue construction administration activities while the contractor completes punch list and close out items.
  - In addition, the consultant will provide design and construction administration services for additional scope of work requested by the Charlotte Area Transit System (i.e. an additional spur track at the trolley barn.)
- Funds are available in the project account.

#### **Contract History**

- Council approved the original contract for \$3,458,743 on August 24, 1998
- Total contract cost including previous amendments is \$8,837,154

- Amendments 1-6
  - #1-\$1,593,845 to include transit-related items into the trolley corridor
  - #2-\$83,000 for construction and materials testing
  - #3-\$1,662,114 to include transit-related items into the Convention Center
  - #4-\$979,248 to re-design improvements to the Convention Center. This design is for the first of two phases.
  - #5-\$99,689 for additional construction administration requirements required due to International Building Code changes
  - #6-\$485,515 for additional construction requirements required due to North Carolina Building Code changes

#### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 0%

The selection process for this project took place in 1998 prior to the implementation of the SBO Program for professional services contracts.

#### **Funding**

Economic Development Capital Investment Plan

### **30. I-277/Independence Boulevard Intersection Improvements**

**Action: Approve amendment #2 with PBS&J for \$325,000 for engineering services for I-277 / Independence Boulevard intersection improvements.**

**Staff Resource:** David Meachum, Engineering & Property Management

#### **Amendment #2 with PBS&J**

- Provides funds for engineering design services for:
  - Replacement of the Independence Boulevard Bridge over Little Sugar Creek
  - Improvements to the Kings Drive and Independence intersection
  - Additional improvements to South Independence Boulevard from the intersection of the I-277 /Independence project to east of Kings Drive.

#### **Contract History**

- Council approved the original agreement for planning services on May 27, 2003 for \$211,878
- Council approved Amendment #1 (design services on the I-277 ramps) on February 9, 2004 for \$408,500

#### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 1%

The selection process for this project took place in 2001, which preceded the implementation of the SBO Program for professional services contracts. PBS&J

has committed 1% (\$4,600) of the contract amount to certified firms: Torrence Reprographics, and On-Target Utility Locate Services.

**Funding**

Transportation Capital Investment Plan

### 31. Stonewall Street Improvements Project

**Action:** Approve amendment #2 with PBS&J for \$183,000 for engineering services for Stonewall Streetscape Improvements.

**Staff Resource:** David Meachum, Engineering & Property Management

**Amendment #2 with PBS&J**

- Provides funding for planning and design services for Stonewall Street from McDowell Street to the south side of the I-277 off-ramp

**Stonewall Street Improvements Project**

- Provides protective pedestrian barriers under bridges, planting strips, planted medians, large maturing trees, and decorative pedestrian lighting

**Contract History**

- Council approved the original agreement for surveying services in September 2001 for \$83,635
- Council approved Amendment #1 for additional surveying services due to extension of project limits in March 2002 for \$34,582

**Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 1%

The selection process for this project took place in 2001, which preceded the implementation of the SBO Program for professional services contracts. PBS&J has committed 1% (\$2,000) of the contract amount to Torrence Reprographics, a certified SBE firm.

**Funding**

Economic Development Capital Investment Plan

### 32. Archdale Drive Widening

**Action:** Approve change order #1 to the Archdale Drive Widening contract with Sealand Contractors Corporation of Charlotte, North Carolina for \$165,831.75.

**Staff Resource:** Dieter Crago, Engineering & Property Management

**Change Order #1 with Sealand Contractors**

- Provides funds to remove large volumes of rock encountered during construction
- Increases quantities of asphalt and backfill material to complete construction

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**Archdale Drive Widening Project**

- Included in the 2000 transportation bond referendum to address congestion and safety
  - Widens Archdale Drive to three lanes from Hoechst Celanese to Old Reid Road
- Total construction cost, including change order, is \$589,035.30
- Construction completion is third quarter 2004

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**Contract History**

- Council awarded the original contract in August 2003

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**Small Business Opportunity**

Established SBE Goal: 1%

Committed SBE Goal: 6%

Sealand Contractors Corporation committed 6% (\$10,000) of the total change order amount with the following certified SBE: Stinson Trucking

**Funding**

Transportation Capital Investment Plan

**33. Jefferson Storm Water Capital Improvement**

**Action: Approve amendment #2 with W.K. Dickson & Company, Inc. for \$1,468,300 for engineering design services for the Jefferson Storm Drainage Improvement Project.**

**Staff Resource:** Tim Richards, Engineering & Property Management

**Amendment #2 with W.K. Dickson & Company, Inc.**

- Provides funds for engineering design and construction administration services including stream restoration, pond repair, water quality improvements, culvert replacement, pipe system upgrade and channel improvements

**Jefferson Storm Drainage Improvement Project**

- Alleviates existing house and road flooding in neighborhoods bounded by Carmel Road to the west, and Sardis Road to the north and east.
- Largest Storm Water project to date covering approximately 850 acres and over 150 drainage complaints
- Work includes:
  - Over 18,000 linear feet of stream restoration
  - Up to 12 water quality facilities

- Retrofit of 10 ponds
- Replacement of 13,000 linear feet of pipe
- Upgrade to 15 major roadway culverts
- Project costs will be distributed among Flood Control, Stream Restoration and Pollution Control capital programs

#### **Contract History:**

- Council approved the original engineering services agreement for existing conditions analysis on September 23, 2002 for \$398,030
- Council approved engineering services Amendment #1 for city design standard analysis and additional alternative analysis on May 27, 2003 for \$393,210
- Given the large scope of this project, the original contract anticipated amendments for different phases of this project

#### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 2%

The selection process for this project took place in 2001, which preceded the implementation of the SBO Program for professional services contracts. W.K. Dickson has committed 2% (\$25,400) to certified SBES: Torrence Reographics, and On-Target Utility Locate Services.

#### **Funding**

Storm Water Capital Investment Plan

### **34. Water Quality Education Campaign**

**Action: Approve agreement with Turnkey Media Service, LLC for \$320,000 for the Water Quality Education Campaign.**

**Staff Resource:** Daryl Hammock, Engineering & Property Management

#### **Media Buying Services Agreement with Turnkey Media Service, LLC**

- Provides funding for radio, television, print and billboard advertising for a continuing Water Quality Education Campaign
- Utilizing a media buyer is the most efficient way to place advertising:
  - Expertise with purchasing time and space
  - Multiple client base can be combined to achieve bulk rates

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#### **Water Quality Education Campaign**

- Increases public awareness of water quality issues and public action/volunteer efforts to reduce water pollution in Charlotte and Mecklenburg County
- Helps to satisfy federal permit requirements
- Ongoing joint effort between Charlotte Storm Water Services and the Mecklenburg County Water Quality Program

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- Coordinated with Charlotte-Mecklenburg Utilities so education efforts do not overlap, but are complementary.
- The campaign is scheduled to run one year, ending in June 2005.
- An annual survey is conducted to measure the effectiveness of the campaign and awareness of storm water issues.
- The campaign focuses on raising awareness of:
  - Storm water and the storm drainage system
  - The effect of yard/home activities on water quality
  - Opportunities to act (volunteer, reporting pollution, etc.)
  - Water supply watershed protection

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#### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 0%

Turnkey Media Service, LLC is a certified SBE firm. The type of work does not provide any further opportunity for SBE participation.

#### **Funding**

Water Quality Operating Budget

### **35. Environmental Permitting Services**

**Action:**

**A. Approve an agreement with Environmental Services, Inc. for \$105,000 for environmental permitting services; and**

**B. Authorize the City Manager to execute two future renewals of the agreement for \$105,000 each.**

**Staff Resource:** Tim Richards, Engineering & Property Management

#### **Agreement with Environmental Services, Inc.**

- Provides assistance in obtaining State and Federal permits for projects involving streams and wetlands
- Tasks are performed on an as-needed basis for a variety of infrastructure projects
- Environmental Services, Inc. was selected through the formal consultant selection process.

#### **Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 3%

Environmental Services, Inc. has committed 3% (\$3,150) of the contract amount to Sharpe Images, Inc., a certified SBE firm.

#### **Funding**

Storm Water Capital Investment Plan

### 36. Elevator Maintenance Agreement for Charlotte-Mecklenburg Government Center

**Action:** Approve agreement with Otis Elevator Company, Inc. for \$348,264.80 for elevator maintenance in the Charlotte-Mecklenburg Government Center.

#### **Elevator Maintenance Agreement with Otis Elevator Company, Inc.**

- Provides funds for maintenance of the six elevators of the Charlotte Mecklenburg Government Center over the next five years
- Utilized a buying group to obtain better pricing on the maintenance services
  - Multiple consumers purchasing similar services are grouped together which increases the purchasing power of all members of the buying group
  - Saves 13% (or approximately \$52,039.57) over the contract term
- Existing maintenance contract with Otis Elevator expires on June 30, 2004

#### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 0%

No SBO firms for this type of work are present in the Vendor Management System. No opportunities for sub-contracting the work were identified.

#### **Funding**

Engineering & Property Management Operating Budget

### 37. Countdown Pedestrian Signals Municipal Agreement

**Action:** Adopt a resolution to authorize the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the installation of countdown pedestrian signals at 68 intersections in Charlotte.

**Staff Resource:** Liz Babson, Transportation

#### **Explanation:**

- Charlotte Department of Transportation plans to install countdown pedestrian signals at 68 state road intersections in Charlotte.
- The countdown signals are a more popular crossing device than traditional crossing signals due to the actual numerical countdown allowing pedestrians to see the amount of time they have to cross the street.
- A Municipal Agreement with NCDOT is necessary.
- The Municipal Agreement provides for the City to perform all work for the project.
- The total cost of the project will not exceed \$100,000, which will be reimbursed by the NCDOT.

- The format and cost sharing philosophy is consistent with past municipal agreements.

**Funding:**

Transportation Capital Investment Plan

**Attachment 27**

Intersection List  
Resolution

### 38. Environmental Protection Agency Transit Assistance Grant Application

**Action:** Authorize the City Manager to submit a grant application and accept any awarded grants from the Environmental Protection Agency for Charlotte Area Transit System low emission vehicle initiative.

**Staff Resource:** Keith Parker, Charlotte Area Transit System (CATS)

**Explanation**

- The Environmental Protection Agency (EPA) has grant funding available as part of its Voluntary Diesel Retrofit Program.
- In FY2005, CATS will use Ultra Low Sulfur Diesel (ULSD) fuel in 48 vehicles.
- EPA grant funds would be specifically used to purchase and install Diesel Particulate Filters for neighborhood shuttle buses.
- Installation of these filters would allow for lower bus exhaust emissions than the use of ULSD fuel alone.
- A budget ordinance will be necessary if funding is granted to CATS.

**Attachment 28**

Resolution

### 39. Police, Fire, and Animal Control Uniforms

**Action:** Approve a unit price contract with Best Uniforms, Inc. for providing public safety dress and work uniforms for Police, Fire, & Animal Control. This will be a three year contract with two, one-year renewal options with an estimated annual expenditure of \$1,500,000.

**Staff Resource:** Kelly Green, Charlotte Mecklenburg Police Department  
Rich Granger, Charlotte Fire Department  
Tammy Williams, Charlotte Mecklenburg Animal Control Department

**Contract Highlights**

- Best Uniforms will operate a service facility to provide a local warehouse and store exclusively for the Police and Fire Key Businesses.
- Best Uniform's service facility is in a central location easily accessible to the employees.
- Uniforms will be stocked and therefore available for complete same day service including alterations.
- Best Uniforms will deliver uniforms to each Charlotte Mecklenburg Police Department location requested.
- Prices are based on a fixed year unit price contract.
- Best Uniforms proposal included a price deduction the first year of this contract as compared to the current year contract pricing.
- Best Uniforms is the current service provider for uniforms and has demonstrated excellent product knowledge and customer service.

**Procurement Process**

- One proposal was received in response to the Request for Proposals issued.
- At least thirteen companies were notified of the Request for Proposal issued; five companies acknowledged that they planned to submit a proposal, but did not respond because they could not comply with the City's requirements.
- An evaluation of the proposal and uniform samples was conducted. Criteria included providing a service facility, minimum inventory levels, alterations and providing acceptable samples.

**Recommendation**

Best Uniform is recommended as the most cost effective, greatest value and overall best solution for the Police, Fire, and Animal Control's uniform supply requirements.

**Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 0%

The Small Business Development Goals Committee waived the SBE goal for this project. In order to establish a goal for the project, there must be SBE firms certified in the City's Vendor Management System to perform the subcontracting opportunities identified for the project. There were no SBE firms certified to perform the services required for this project.

**Funding**

Police and Fire Operating Budgets

**40. Radio Dispatch Console Purchase**

**Action:** A. Approve the purchase of three radio dispatch consoles without competitive bidding as authorized by the sole source exemption of G.S. 143-129 (f), and

B. Approve a contract with Motorola for the purchase of three radio dispatch consoles in the amount of \$132,683.

**Staff Resource:** Dennis Baucom, Business Support Services

**Project Detail:**

- This purchase is to replace consoles that are in excess of 12 years old, no longer in production and have no repair parts available.
- These consoles support the communications of Charlotte Area Transit in their day-to-day operations.
- Reliable and efficient communications with the transit buses while on route are essential to ensure the safety of City personnel and riders on these buses.
- The replacement of the consoles will allow the integration of the CATS Communication Center into the countywide communications network and allow for interoperability within emergency management
- This a negotiated price off of the State of North Carolina Contract.
- Delay in procurement will increase purchase price by \$50,000.

**Small Business Opportunity**

Motorola is a sole source vendor for this product. The SBO Program Manager waives SBE utilization goals for this contract. This project did not provide any opportunity for SBE subcontractor utilization.

**Funding**

Transit Capital Investment Plan

## 41. Donation of Surplus Computers to North Carolina National Guard

- Action:**
- A. Adopt a resolution declaring laptop computers listed on Exhibit A as surplus, and**
  - B. Approve the donation of 20 surplus laptop computers to the North Carolina National Guard for use by a local unit deploying to Iraq.**

**Staff Resource:** Susan Johnson, Business Support Services

**Explanation**

- The North Carolina National Guard has requested 20 laptops to be donated for use by a local unit deploying to Iraq.
- Pursuant to North Carolina G.S. 160A-274 Business Support Services requests to donate 20 surplus laptops to North Carolina National Guard.
- These laptops are fully depreciated and have been replaced. The fair market value of each laptop is \$25 to \$50 if sold at a City auction.
- The laptops are needed by soldiers deploying to Iraq and will be transported with our North Carolina National Guard troops in August 2004.
- All laptop hard drives will be cleaned in accordance with our surplus computer policy.

- The new operating systems and software needed to allow the unit to send and receive e-mail to their families will be installed and paid for by the U.S. Government.

### **Attachment 29**

Resolution

Exhibit A

## **42. Vehicle Lubrication Agreement for Solid Waste Services**

**Action:** Authorize the City Manager or designee to execute an agreement with No Limits Lockwood, Inc. to provide lubrication of Solid Waste Services collection vehicles for an initial annual contract amount not to exceed \$122,000, with two, one-year contract options to renew with contract amounts not to exceed \$151,500 and \$162,500, respectfully.

**Staff Resource:** Wayman Pearson, Solid Waste Services

### **Explanation**

- Consistent with the industry standard, one of the highest expenses that Solid Waste Services incur under managed competition is associated with fleet maintenance.
- Regular lubrication of collection vehicle body parts decreases metal-to-metal contact and the wear on vehicle arms, cylinders and hinge points. This service reduces fleet maintenance cost through preventive action.
- The previous lubrication service was performed at a flat rate of \$50 for each collection vehicle.
- A competitive procurement process was performed for proposals that produced lower lubrication rates and No Limits Lockwood, Inc. met the qualifying criteria.
- The agreement specifies that vehicles under warranty receive one lubrication each week and trucks without warranties receive one lubrication bi-weekly.
- A regular lubrication schedule is required by the manufacturer to maintain the vehicle body warranties.
- Vehicle lubrication is necessary to extend the life of vehicle parts.

### **Small Business Opportunity**

Established SBE Goal: 0%

Committed SBE Goal: 0%

No Limits Lockwood, Inc. is a certified SBE.

### **Funding**

Solid Waste Services Operating Budget

### 43. Airline Use Agreement with Air Wisconsin Airlines

**Action:** Approve an agreement with Air Wisconsin Airlines Corporation that permits the airline to operate at the Airport as a regional carrier for United Airlines.

**Staff Resource:** Jerry Orr, Aviation

**Explanation**

- Air Wisconsin Airlines Corporation (“Air Wisconsin”) has requested to operate as a regional airline, flying as United Express.
- The terms and conditions for Air Wisconsin are equivalent to the terms and conditions for other commuter or regional carriers at the Airport.

### 44. Airport Parking Deck Change Order

**Action:** Approve a change order with Lanier/Van Sickle Construction Services in the amount of \$209,029.68 for work in the Airport parking deck.

**Staff Resource:** Jerry Orr, Aviation

**Explanation**

- On January 12, 2004, Council awarded a contract to Lanier/Van Sickle Construction Services for general trades work for the Parking Deck.
- This change order will provide for additional expansion joints in the parking deck.

**Small Business Opportunity**

Established SBE Goal: 4%

Committed SBE Goal: 0.2%

This change order complies with Section 10.3 of the SBO policy. All existing subcontractors will perform the additional work scope.

**Funding**

Aviation Capital Investment Plan

## 45. Property Transactions

**Action:** Approve the following property acquisitions (A-C) and adopt the condemnation resolutions (D-J).

For property transactions A, 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 costs are eligible for Federal Aviation Administration reimbursement.

For property transactions J, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/improvements with certain attributes. Property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation and Federal Transit Administration reimbursement.

NOTE: Condemnation Resolutions are on file in the City Clerk's Office.

### Acquisitions:

- A. Project:** FAR Part 150 Acquisition  
**Owner(s):** Gurney Waugh Parsons  
**Property Address:** 8312 Old Dowd Road  
**Property to be acquired:** .4 acres  
**Improvements:** Single Family Residence  
**Purchase Price:** \$67,500  
**Zoned:** I1  
**Use:** single family residence  
**Tax Value:** \$63,900  
**Tax Code:** 113-111-04
- B. Project:** South Boulevard Sidewalk-Phase II, Parcel # 36  
**Owner(s):** G. Marshall Surface, II and Gary L. Taylor  
**Property Address:** 6800 South Boulevard  
**Property to be acquired:** 2,076 sq.ft. (.048 ac.) of Sidewalk and Utility Easement plus 4,928 sq.ft. (.113 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$14,500

**Remarks:** Compensation was established by independent, certified appraisals in the area.

**Zoned:** B-2

**Use:** Business

**Tax Code:** 173-101-01

**Total Parcel Tax Value:** \$1,154,500

- C. **Project:** Chantilly Storm Drainage-Phase IV, Parcel # 23  
**Owner(s):** William W. Henderson, Judith L. Collins, Evelyn R. Fesperman, Margaret L. McNeil, and Vivian Henderson  
**Property Address:** 2030 Shenandoah Avenue  
**Property to be acquired:** 6,096 sq.ft. (.140 ac.) of Permanent Storm Drainage Easement plus 704 sq.ft. (.016 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$47,500  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review.  
**Zoned:** R-5  
**Use:** Vacant Land  
**Tax Code:** 127-027-17  
**Total Parcel Tax Value:** \$66,500

#### Condemnations:

- D. **Project:** 2003 Annexation – Sanitary Sewer to serve the Long Creek Area, Parcel # 12  
**Owner(s):** Huntersville Investment LLC and any other Parties of Interest  
**Property Address:** Riverside Drive  
**Property to be acquired:** 166,814 sq. ft. (3.830 ac.) of Permanent Sanitary Sewer and Temporary Construction Easements  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$22,825  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Residential - Vacant Land  
**Tax Code:** 031-163-03  
**Total Parcel Tax Value:** \$285,600
- E. **Project:** 2003 Annexation – Sanitary Sewer to serve the Long Creek Area, Parcel # 40  
**Owner(s):** C River LLC and any other Parties of Interest  
**Property Address:** Mount Holly-Huntersville Road

**Property to be acquired:** 15,957 sq. ft. (.366 ac.) of Permanent Sanitary Sewer and Temporary Construction Easements  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$2,525  
**Remarks:** Compensation was established by an independent, certified appraisal and appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-4  
**Use:** Residential - Vacant Land  
**Tax Code:** 031-461-02  
**Total Parcel Tax Value:** \$530,600

- F. **Project:** Oaklawn Park Neighborhood Improvements, Parcel # 171  
**Owner(s):** Sarah Elizabeth Grier and any other Parties of Interest  
**Property Address:** 1928 Grier Avenue  
**Property to be acquired:** 9,074 sq.ft. (.209 ac.) of existing Right-of-Way plus Storm Drainage Easement, plus Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$2,850  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-5  
**Use:** Single Family Residential  
**Tax Code:** 075-079-07  
**Total Parcel Tax Value:** \$15,000
- G. **Project:** Park South Sidewalk Design Package 1, Parcel # 11  
**Owner(s):** First Group Properties, Inc. and any other Parties of Interest  
**Property Address:** 6500 Park South Drive  
**Property to be acquired:** Total Combined Area of 50 sq.ft. (.001 ac.) of Permanent Utility Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$125  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 173-091-21  
**Total Parcel Tax Value:** \$341,700
- H. **Project:** Long Creek Pump Station, Parcel # 11, 12, and 13  
**Owner(s):** Clariant Corporation and any other Parties of Interest

**Property Address:** 1450 Belmeade Drive  
**Property to be acquired:** 525,549 sq. ft. (12.065 ac.) of Fee Simple plus Sanitary Sewer Easement, plus Temporary Construction Easement.  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$162,425  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-1  
**Use:** Industrial  
**Tax Code:** 053-061-01, 053-281-03, 053-281-02  
**Total Parcel Tax Value:** \$5,900,450

- I. Project:** Andover Storm Drainage Improvements, Parcel # 4  
**Owner(s):** Richard Irving McHenry and any other Parties of Interest  
**Property Address:** 2313 Vernon Drive  
**Property to be acquired:** Total Combined Area of 868 sq.ft. (.020 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Landscaping:** None  
**Purchase Price:** \$3,350  
**Remarks:** Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Tax Code:** 181-072-09  
**Total Parcel Tax Value:** \$443,000
- J. Project:** South Corridor Light Rail Transit, Parcel # 237  
**Owner(s):** Benjamin S. Horack, Jr. and Any Other Parties of Interest  
**Property Address:** 5412 South Boulevard  
**Property to be acquired:** 44,503 sq. ft. (1.022 ac.) of Fee Simple  
**Improvements:** Commercial Building  
**Purchase Price:** \$1,030,475  
**Zoned:** B-2  
**Use:** Commercial  
**Tax Code:** 169-092-18  
**Total Parcel Tax Value:** \$759,600

## 46. Meeting Minutes

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

- May 18, 2004-Joint Storm Water Hearing
- May 24, 2004-Business Meeting
- May 26, 2004-Recommended Budget Adjustments
- June 2, 2004-Straw Votes
- June 7, 2004-Workshop