AGENDA

Meeting Type:	B
Date:	06/08/98

City of Charlotte, City Clerk's Office

CITY CLERK

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

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

Office Copy

Council Agenda

CITY COUNCIL MEETING

Monday, June 8, 1998

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

7:00 p.m. — **Meeting Chamber**

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

1998 Council Retreat Priorities

Top Priorities for 1998

- Transportation Plan (20 years plus)
- Transit Plan and Tax
- Westside Strategy Plan
- Community Oriented Policing: Evaluation and Direction
- Connectivity: Neighborhoods and Road System: Policy Direction

High Priorities for 1998

- Court System Expansion
- Parking Garage / Convention Hotel
- Trolley
- Corridor Plan
- State Roads Strategy
- Airport Plan: Implementation
- Neighborhood Business Revitalization Strategy and Action Plan
- Business Retention Strategy and Action Plan

CITY COUNCIL AGENDA

Monday, June 8, 1998

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Technology Updates

A. Year 2000

B. Human Resource Management System

Staff Resource: Susan Johnson

Time: 15 minutes

Attachment 1

2. School Site Planning Presentation

Presenters: Martin Cramton, Dr. Eric Smith, and Jack Bullard

Time: 30 minutes

3. Optimization and Competition Plan for Solid Waste

Presenters: Members of Privitazation / Competition Committee

Staff Resource: Doug Bean

Time: 30 minutes

4. Update on Centralina Council of Government Activities

Presenter: Lee Armour

Time: 15 minutes

Attachment 2

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

CONSENT

5. Consent agenda items 23 through 30 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.

Staff Resource: Julie Burch

ZONING DECISION

6. Rezoning Petition # 97-99

Action: **Consider decision on Petition # 97-99 by Trammel Crow Residential for a change in zoning for approximately 18.52 acres located southwest of the Providence Road and Alexa Road intersection, just north of the Providence Commons Shopping Center, from R-3 to 12MF(CD).**

Explanation:

- A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Council, not excused from voting, in order to rezone the property.
- The Zoning Committee voted to recommend approval of this petition, with the following modification:
  - Access south to Providence Road West/Ballantyne Commons Parkway through the abutting Providence Commons Shopping Center will be required.

Attachment 3

POLICY

7. City Manager's Report

On June 1 Council voted to reconsider this item.

8. Optimization and Competition of Solid Waste Collection Services

Action:

Approve recommendation of the Restructuring Government Committee to:

A. Begin an optimization process for solid waste collection services in the north quadrant of the City effective July 1, 1998; and

B. Implement the competition process for solid waste collection services in the east quadrant of the City effective September 1, 1998.

Committee Chair: Charles Baker

Staff Resource: Wayman Pearson

Focus Area: Restructuring Government

Policy: City Council approved the competition/privatization policy on October 25, 1993. The policy encourages providing public services at the lowest cost while maintaining service standards.

Explanation:

- Council's competition/privatization policy has been implemented in solid waste collection services as follows:
  - 1995 - Privatization in the south quadrant; and
  - 1997 - Competition in the west quadrant.

- Browning-Ferris Industries, a private contractor, provides collection services in the south quadrant at a monthly rate of $5.89 per unit. SWS-ConCol, an operating unit within the Solid Waste Services Key Business, provides collection services in the west quadrant at a monthly rate of $4.87 per unit.

- The goals of the recommended competition/ optimization plan are to:

  - provide the best service at the lowest cost;

  - promote a competitive environment; and

  - maintain reliable service.

- The Restructuring Government Council Committee and the Privatization/Competition Advisory Committee recommends:

  - dividing the area currently being serviced by City crews into two quadrants (i.e. north and east) on July 1, 1998,

  - placing the east quadrant of the City up for competition in 1998/99; and

  - optimizing collection services in the north quadrant in 1998/99.

- The competition process will begin in the east quadrant in September 1998. After an RFQ and RFP process, Council will be asked to award a contract to the winning bidder in May 1999. Service would begin in January 2000 to allow six months for contractor start-up and equipment delivery.

- The optimization process in the north quadrant will be implemented on July 1, 1998 and will be completed by June 30, 1999.

- The optimization process includes the implementation of best practices learned from competition:

- Implementation of a 10-hour work day;
- New job class for non-skilled labor;
- Implementation of same collection requirements as in the south and west quadrants;
- Equipment Operator team concepts utilized in the west quadrant; and
- Higher performance standards.

- The optimization process will result in an annual savings of approximately $600,000 in the east and north quadrants. No new equipment is needed for optimization.

Committee Discussion:

- The Restructuring Government Council Committee reviewed this matter on April 27, 1998. Council members present for this discussion were Charles Baker (Chair), Don Reid and Sara Spencer.

- A complete summary of the Committee Discussion is included in the attachment. Key discussion points included. the time required for an effective competition process, ensuring reliable service for the 84,000 customers impacted; vendor input into the process; and six month lead time for the winning contractor, city or private, to get ready to do the work.

- On April 23, 1998, the PCAC discussed the prior privatization/competition processes and the proposed timeline with private vendors. Three of the four vendors agreed that the process and timeline were acceptable. The four vendors included:

  - Browning-Ferris Industries
  - Container Corporation of Carolina
  - Waste Industries
  - Waste Management, Inc.

- The six months from bid award to service implementation is essential to coincide with current equipment delivery schedules from most manufacturers.

- The PCAC approved the recommended plan for optimization and competition.

- Charles Baker requested that the PCAC be present to address the plan at the May 26, 1998 Council meeting.

- The Committee approved a motion by Sara Spencer and seconded by Charles Baker (2-1), to implement an optimization plan for solid waste collection services in the north quadrant of the City on July 1, 1998, and to begin the competition process for the east quadrant in September 1998.

- A substitute motion by Don Reid, to privatize the east quadrant, did not receive a second to the motion.

Funding: Solid Waste Services Operating Budget

Attachment 4
April 27 Restructuring Government Council Committee Meeting Summary

9. Facade Improvement Grant Program

Action: **Approve the Economic Development and Planning Committee's recommendation to create a Facade Improvement Grant Program to remove blight along the City's designated distressed urban business districts.**

Committee Chair: Lynn Wheeler

Staff Resource: Stanley Watkins and Tom Warshauer

Focus Area: Economic Development

Policy: City Council's Economic Development and CWAC Focus Areas encourage the revitalization of distressed urban business districts.

Explanation:

- The objective of the Facade Improvement Grant Program is to remove blight by improving building appearance and bringing buildings, signs and parking into conformance with current codes. The program would expand the tax base and increase the economic vitality of urban business districts.

- Eligible properties must be retail business properties located in the City's designated distressed urban business districts whose property taxes are current and paid. Either owner or tenant is eligible for a one time grant through this program.

- The Facade Improvement Grant Program would provide 1:1 matching grants of up to $10,000 to retail business or property owners for renovations to a building's facade, signage, parking and landscaping. Buildings with multiple businesses (shopping centers) could apply for a maximum of $25,000.

- Additional information on the program can be found in the attachment. The Corridor Connections newsletter and merchant associations will be utilized in marketing the program.

- If approved by City Council, this program will be operational on September 1, 1998.

Committee Discussion:

- On April 8, 1998 the Economic Development and Planning Committee considered the proposed program. The Committee asked that staff expand the geography to include additional distressed business districts, to delete areas where this assistance may no longer be needed and to describe how this program fits with other local, state and federal business assistance programs.

- On May 14, 1998 the Economic Development and Planning Committee reviewed the attached map of proposed eligible business districts and an overview of business assistance programs. Councilmembers Wheeler, Greene, Baker and Sellers were present. Councilmember Majeed was absent.

- The Committee voted unanimously (Wheeler, Greene, Baker, Sellers) to recommend that Council create the Facade Improvement Program. Councilmember Sellers suggested that staff pursue a larger program with Mecklenburg County using a tax rebate approach instead of a grant program. A comparison of grant and tax rebate programs will be included in the Friday, June 5, Council - Manager Memo.

Community Input:

- Retail blight has been a concern of residents and business owners in the corridor planning processes held for CWAC business districts. Staff has examined facade programs in other cities and held a focus group with Charlotte design professionals to solicit their input into the proposed program.

Funding:

The annual funding amount is $200,000 from the Business Corridor Revitalization Fund ($1,000,000). The funding level will be reevaluated after two years. (Note: During Council's May 19, 1998 Budget Retreat, the Facade Improvement Grant Program was added to the delete list.)

Attachment 5
Proposed Geography of Facade and Infrastructure Grant Programs
Facade Improvement Program- *Improvement Guidelines*
Summaries of the April 8, 1998 and May 14, 1998 Economic Development/Planning Committee Meetings

10. Infrastructure Grant Program

Action: **Approve the Economic Development and Planning Committee's recommendation to create an Infrastructure Grant Program to encourage infill development by small business and residential uses in designated distressed urban business districts.**

Committee Chair: Lynn Wheeler

Staff Resource: Stanley Watkins and Tom Warshauer

Focus Area: Economic Development

Policy: City Council's Economic Development and CWAC Focus Areas encourages the location, retention and expansion of business and residential uses in Charlotte's distressed urban business districts. When Council authorized the implementation of the Charlotte-Mecklenburg Business Investment Program to support the location and expansion of major businesses in the Investment Zone, it directed staff to examine the needs of small businesses in the zone. Specific questions were: what were the impediments to locating in urban areas and how could those impediments be overcome?

Explanation:

- The objective of the program is to enable small businesses to locate or expand in distressed business districts by assisting in the construction of infrastructure required for expansion and to encourage the development of infill housing in these areas.

- The Infrastructure Grant Program would provide grants to small, independently owned businesses and multifamily infill developers for meeting land development regulations including:

  - landscaping;
  - curb, gutter, sidewalk; and
  - backflow prevention.

- The grants shall not exceed $10,000 or 10% of the total private investment, whichever is less. For example: a $150,000 investment would be eligible for a grant of $10,000 or a $50,000 investment would be eligible for $5,000.

- Eligible properties must be located within a 1/4 mile of the City's designated distressed urban business districts (see attached map) and be:

  - an independently owned business or commercial investment, or

  - a residential housing investment of 4 or more units, and

  - paid in full on all property taxes.

- Additional information on the program can be found in the attachment. The Corridor Connections newsletter and merchant associations will be utilized in marketing the program.

Committee Discussion:

- On April 8, 1998 the Economic Development and Planning Committee considered the proposed program. The Committee asked that staff expand the geography to include additional distressed business districts, to delete areas where this assistance may no longer be needed and to describe how this program fits with other local, state and federal business assistance programs.

- On May 14, 1998 the Economic Development and Planning Committee reviewed the attached map of proposed eligible business districts and an overview of business assistance programs. Councilmembers Wheeler, Greene, Baker and Sellers were present. Councilmember Majeed was absent.

- The Committee voted unanimously (Wheeler, Greene, Baker, Sellers) to recommend Council create the Infrastructure Grant Program. Councilmember Sellers suggested that staff pursue a program with Mecklenburg County using a tax rebate approach instead of a grant program. A comparison of grant and tax rebate programs will be included in the Friday, June 5, Council - Manager Memo.

Community Input:

- The Manager's Office formed a Land Development Regulation Review Team composed of development and business community representatives and city and county staff to identify barriers to development in urban Charlotte. They found that developing the usually small sites in urban areas is more expensive than developing in suburban areas due to high land costs, land assembly issues, costs associated with fulfilling City infrastructure requirements and environmental costs. With the need to provide infrastructure for new infill development identified as a significant barrier for many urban sites, this program was developed.

Funding:

$200,000 annually using "Pay As You Go." (Note: During Council's May 19, 1998 Council Budget Retreat, the Infrastructure Grant Program was added to the delete list.)

Attachment 6
Proposed Geography of Facade and Infrastructure Grant Programs
Summaries of the April 8, 1998 and May 14, 1998 Economic Development/Planning Committee Meetings

BUSINESS

11. Access to State Records for ABC Permit Applicants

Action: **Adopt an ordinance authorizing the Charlotte-Mecklenburg Police Department to seek access to State Bureau of Investigation Division of Criminal Investigation (SBI/DCI) criminal history record information for use in making recommendations concerning the suitability of applicants for ABC permits.**

Staff Resource: Bruce McDonald

Focus Area: Public Safety

Policy: Council has designated the Police Department to make recommendations on behalf of the City of Charlotte regarding the suitability of a person or location for an ABC permit.

Explanation:

- The Police Department reviews applications for ABC permits and makes recommendations on granting of the permit to the State ABC Commission. In order to make a more thorough assessment, the Police Department wishes to access the SBI/DCI Criminal History Record data base to obtain criminal histories on all ABC applicants. Should the criminal history reveal that the applicant has been convicted of any felony or a misdemeanor involving drugs or alcohol, the Police Department will file a written objection to the permit.

- State law requires that Council pass an ordinance authorizing the Police Department to use the SBI/DCI database for this purpose. The County Commission will take action on a similar ordinance to authorize records checks for ABC applicants in the unincorporated areas of Mecklenburg County.

12. Storm Water Fee Rates

Action: **Approve the Storm Water fee rates, effective July 1, 1998, for the Minor Drainage System in the City of Charlotte as follows:**

A. Detached dwelling units with less than 2,000 square feet of impervious surfaces: $1.92 per month;

B. Detached dwelling units with 2,000 square feet or more of impervious surfaces: $2.82 per month; and

C. Other residential or non-residential land: $47.01 per month for each acre of impervious surface.

Staff Resource: Jeb Blackwell

Explanation:

- In accordance with the interlocal agreement on storm water services, this action will inform the County of the amount to be charged for the City's portion of the fee. The County Commission will adopt their budget on June 16. The City's budget adoption date is June 15.

- The expansion of the storm water program adopted in FY97 provides for an increased pace of repairs and improvement projects, financed through annual increases in the City's storm water fee. The fee change for FY99 is illustrated below:

	FY98 Monthly Fee	FY99 Monthly Fee
Detached homes with less than 2,000 sf impervious area	$1.75	$1.92
Detached homes with 2,000 sf or more impervious area	$2.57	$2 82
Other residential or non-residential development per acre of impervious area	$42.84	$47.01

Community Input:

- In accordance with the interlocal agreement on storm water services, the City Council and Board of County Commissioners conducted a joint public hearing on changes to the City's portion of the storm water fee on May 19. There were no public comments.

- The Charlotte-Mecklenburg Storm Water Advisory Committee has recommended approval of the proposed FY99 Storm Water program.

Background:

- During the FY97 budget process City Council approved a six-year strategy to expand the City's storm water programs. The program included the following elements.

  - Accelerate the pace of drainage system repairs to eliminate the backlog of the most severe problems in six years.

  - Increase funding for neighborhood flood control projects.

  - Work on a fifteen-year goal to improve stream channels that are experiencing erosion.

  - Make drainage improvements in coordination with other neighborhood improvements in targeted neighborhoods.

  - In FY98 begin to make drainage improvements that facilitate City economic development goals.

  - In FY99 begin improvements to dams and ponds as part of the Storm Water Pollution Control program.

- In accordance with the Storm Water Fee Rate Methodology approved by City Council last year, the Storm Water rate must increase to support the program described above.

13. Charlotte-Mecklenburg Express Permit Plan Review Program

Action: **Approve the following actions for the joint Charlotte Mecklenburg Express Permit Plan Review Program:**

A. City participation in the program; and

B. Addition of the joint City/County $950 fee to the City's schedule of user fees.

Staff Resource: Jeb Blackwell

Focus Area: Economic Development

Explanation:

- Express plan review is an opportunity for developers and contractors who need a very quick building permit approval to receive one day service for a premium fee. Mecklenburg County began this service for interior upfits and renovations in May 1997 at the request of the building industry. Interior upfits and renovations involve only building and fire code issues, not land development regulations.

- The program involves evening overtime work by staff plan reviewers who have volunteered to work the extra time. The permit applicants pay a premium fee that covers all costs. In this way, the optional service is provided without adding staff and without impact on the normal workload.

- Due to the success of the pilot program, the industry requested that the service be expanded to include new construction and building additions, which will require the participation of City staff in the Fire Department and the Engineering and Property Management Department administering local land development regulations.

- The County originally structured the program based on the City of Raleigh's Express Review, where the plan reviewers receive a premium overtime salary funded by the user fee for the service. The compensation for the Charlotte Mecklenburg program will consist of double time salary for the review meeting and a semi-annual incentive payment based on fifty percent of the program's net profits resulting from the premium permit fees. In the City's case, the incentive payment requires an overall "good" customer service score from clients.

- The average salary for City employees involved in this work is approximately $18 per hour. Double time pay would be about $36 per hour. The semi-annual incentive payment is estimated to be $500 to $2000, depending on the number of employees in each review discipline who participate.

Community Input: Express Plan Review was requested by the building industry. A task force of industry representatives worked with staff to develop the program. The Building Development Commission, a citizen advisory group to the Board of County Commissioners (BOCC) on Building Standards issues, reviewed the proposed expansion of the program and approved it in February 1998. The BOCC approved the expanded program on May 5. It will be effective July 1, pending City Council approval.

Funding: There are no net costs to the City or County.

Attachment 7
Mecklenburg County Express Plan Review

14. Graffiti Appeals Process

Action: **Approve a resolution authorizing the Solid Waste Services Key Business Executive to hear an appeal from a notice of graffiti violation.**

Staff Resource: Walter Abernethy

Explanation:

- The Graffiti Ordinance and Removal Program was approved by Council on April 13, 1998. The appeals procedure established in the new ordinance allows a property owner, manager or agent for the property to appeal to City Council a decision by the City to remove graffiti.

- The ordinance allows Council to designate who will hear appeals. Staff recommends that Council designate the Solid Waste Services Key Business Executive to hear graffiti appeals. The Solid Waste Services Key Business Executive hears appeals in other code enforcement areas such as abandoned, hazardous and junk vehicles.

- The only issue at the appeals hearing is whether or not probable cause (reasonable grounds) exists for the removal of the graffiti.

- The graffiti appeals process would be as follows:

  - Appeals must be made to the Solid Waste Services Key Business Executive by the person owning the property, acting as manager or agent of the property, or in possession or control of the property within seven days of having received a notice from the City that the graffiti must be removed.

  - The appeal shall be in writing and shall state the reason for the appeal.

- When an individual requests a hearing, Solid Waste Services will send a letter stating the time and place for the hearing. The letter will also advise of the opportunity to present evidence in order to show cause why the graffiti should not be removed and of the right to have Counsel present at the appeals hearing.

- The Key Business Executive of the Solid Waste Services Department will serve as the hearing officer and will prepare a written report within five days of the hearing stating his conclusions, findings of fact, and the reasons and evidence upon which the conclusions were based.

- If on appeal, the hearing officer determines that the graffiti must be removed, the hearing officer may set a new deadline for compliance or authorize the City to proceed to remove or obscure the graffiti. The City shall not remove or obscure any graffiti while an appeal is pending.

- An appeal of the hearing officer's decision would go to district court.

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

15. South Transit Corridor Initiatives

Action:

A. Approve a $545,000 contract with Barton-Aschman for work related to the South Transit Corridor and Land Use Plan, and Major Investment Study; and

B. Adopt a budget ordinance totaling $1,245,958 for project expenses.

Staff Resource: John Muth

Focus Area: Transportation

Policy: Preparation of the South Transit Corridor Major Investment Study is a key element of the Five Year Transportation Plan approved by Council in January 1997. It is also a 1998 Council Retreat priority.

Explanation:

- Two separate but related initiatives are underway related to the South Transit Corridor:

  - development of the County-wide Transit and Land Use Plan, which will be completed in July and

  - preparation of Major Investment Study necessary to receive federal funding.

- It is critical to the County-wide Transit/Land Use Planning Process that Phase 1 work in the South Corridor keep pace with the work in the other four corridors. To facilitate this coordination, the Director of Transportation has already authorized the consultant to begin this work.

- Council authorized staff to pursue federal funding (ISTEA funds) earmarked for project planning, which includes preparation of the Major Investment Study. $996,766 in federal funds have been committed to this project.

Contract:

- This contract will be a three-phase contract. It is for actual costs plus a fixed percentage fee with a maximum amount not to be exceeded.

- Phase 1 - ($105,000) covers the time period from March through July 1998 and provides for Barton-Aschman to coordinate with the current effort underway to develop the Charlotte-Mecklenburg Transit and Land Use Development Plan. Phase 1 will:

  - Identify possible transit alignments which complement the land use and station scenarios prepared by LDR International, the land use consultant.

- Include consultant participation in the citizen meetings which are part of the process.

- Incorporate the findings into documents that are being prepared for the County-wide Transit/Land Use Planning Process. This will give elected officials and the public the same level of information for all five corridors as they consider the possibility of a one half cent sales tax referendum.

- Phase 2 - ($365,000) will be the preparation of the Major Investment Study (MIS). This work will occur between August 1998 and August 1999.

  - The MIS will conduct a detailed analysis of the alternatives. The analysis includes conceptual engineering, operations design, environmental analysis, cost analysis and financial analysis.

  - The result will be the designation of a "Locally Preferred Alternative" with information on cost and ridership characteristics that can be used to request additional federal funding.

  - The Federal Transit Administration will measure the results against several criteria to determine funding eligibility. The criteria includes items such as mobility improvements, environmental benefits, operating efficiencies, cost effectiveness, support of transit oriented land use, and local financial commitment.

- Phase 3 - The contract includes $75,000 for an on-board survey of current Charlotte Transit passengers.

  - Input from current transit system users is important when determining short- and mid-term public transportation service improvements, particularly on local routes.

- The last survey of this type was done in 1991. This updated survey results will provide information on travel behavior and attitudes to base service level improvements.

Funding:

- The budget ordinance appropriates $1,245,958 from the following sources:

Source		Funding
Federal Transportation Administration	(80%)	$ 996,766
NCDOT	(10%)	124,596
City Match	(10%)	124,596
Total		$ 1,245,958

- Last year, the City submitted a request to Congress for a $100,000,000 transit project for the South Corridor. This corridor includes the Norfolk-Southern main line that parallels South Boulevard (US 521) extending from Charlotte to Pineville and on to Rock Hill, South Carolina. The project funding would be split with 50% federal participation, 25% state, and 25% city.

- As a result of that application, the South Corridor was designated as a federal New Start project and given $966,766 to begin preparation of the necessary studies. The preparation of a Major Investment Study is the next step in the federally-mandated process necessary to receive federal funding. Assuming approval as a New Starts Project, preparation of the preliminary engineering and environmental assessment documents will follow.

- The remaining funds will be used for preparation of the Environmental Impact Statement on the selected transit alternative.

MWBD:

- The MWBD participation is 23%.
  - 20% African-American - $50,000 for planning/ engineering work on the Major Investment Study and $60,000 to conduct the on-board survey will be subcontracted to the Planner's Collaborative.
  - 3% Woman-Owned Business - $15,000 for transportation planning will be subcontracted to Kubilins Traffic Consultants.
- There will also an opportunity to contract with a local minority firm/individual to lead the public involvement process in the South Corridor.

Attachment 8
Summary of Consultant Selection Process

City Within a City (CWAC) Equity Loan Program Update

On April 8, 1998, Neighborhood Development Key Business issued a moratorium on the CWAC Equity Loan Program because several applications submitted fell outside of Council's current focus for the program. Among staff's concerns were applications from businesses outside the CWAC and/or applications from persons with higher incomes. At the time of the moratorium, seven loan requests had been submitted, but not all seven loan requests are outside of the program focus.

At the May 4, 1998 Council Workshop, staff was asked to bring back the loans that caused the program to be placed on hold. The following three loans are submitted for consideration.

In addition, the CWAC Committee will consider the proposed changes to the program at their June 3, 1998 meeting. If recommended by this Committee, Council will be asked to approve the changes at an upcoming meeting.

16. City Within a City (CWAC) Equity Loan Program - Karen Shaw

Action: ***Approve a loan in the amount of $65,000 to Karen Shaw, d/b/a Precious Child Academy as requested by Centura Bank under the guidelines of the CWAC Equity Loan Program.***

Staff Resource: Stanley Watkins and Tom Warshauer

Focus Area: City Within a City

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

Explanation:

- Centura Bank requests that the City of Charlotte fund a CWAC Equity Loan of $65,000 to Karen Shaw, President of Cureton Miller Associates, Inc., d/b/a Precious Child Academy. This loan would match Centura's $450,000 loan to assist Ms. Shaw with the expansion of her existing day care center located at 9825 China Grove Church Road (Sterling Community). Centura's loan commitment to Ms. Shaw specifies the need for the additional CWAC equity funds.

- This CWAC Equity Loan request was delayed by staff since it appears to fall outside Council's current focus for the CWAC Equity Loan for the following reasons:

  - the business is located outside the City's targeted City Within A City Area, and

  - the loan amount of $65,000, when combined with an existing deferred CWAC loan of $54,800 approved by Council in 1993, would exceed the proposed lifetime maximum lending cap of $100,000 by $19,800 for non-manufacturing-type businesses.

- On February 8, 1993, City Council approved a $54,800 loan to Ms. Shaw, as requested by NationsBank, to purchase an existing Church building and establish Precious Child Academy which currently serves 60 children from infants to age four in the Sterling Community. Council amended the loan in 1994 to extend the date for repayment to March 30, 2007.

- The requested Centura Bank and City loans will permit Ms. Shaw to construct a 3,700 square feet facility that will serve an additional 70 children. Additionally, Centura Bank will pay-off Ms. Shaw's original loan with NationsBank. If this request is approved, Ms. Shaw will have one note and deed of trust with the City totaling $119,800 that will come due upon repayment of Centura's loan. A detailed explanation of the request is provided in the attachment.

- The original $54,800 loan required the hiring of 5 employees (1 job for each $10,000 of City funds). This hiring requirement has been exceeded with the current staffing of 14 employees. As a result of this loan request, Ms. Shaw will be required to hire 7 additional persons from the CWAC area.

Background:

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

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

- Increased interest in the CWAC Equity Loan Program has generated several applications that appear to fall outside Council's current focus. This situation prompted the Neighborhood Development Key Business to institute a temporary moratorium on processing loan requests. This particular loan request is for a business located outside of the CWAC area and when combined with an existing loan would exceed the proposed lifetime maximum of $100,000.

- Proposed changes to the program were presented to the Council during the May 4, 1998 workshop. These changes would permit the City to more tightly focus its revitalization efforts within the CWAC area. The proposed changes occur in the following areas: objectives, geographic restrictions, uptown businesses, personal net worth and types of businesses.

- Also during the May 4, 1998 workshop, Council requested that staff bring back the loans that were being delayed due to the temporary moratorium in order to allow Council to review.

Funding: Community Development Block Grant Fund

Attachment 9
Overview of Karen Shaw d/b/a Precious Child Care
Commitment letter from Centura Bank

17. City Within a City (CWAC) Equity Loan Program - Florita Nova, Inc.

Action: **Approve a loan in the amount of $150,000 to Rita Rondina, President and owner of Florita Nova, Inc. as requested by Centura Bank under the guidelines of the CWAC Equity Loan Program.**

Staff Resource: Stanley Watkins and Tom Warshauer

Focus Area: City Within a City

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

Explanation:

- Centura Bank requests that the City of Charlotte fund a CWAC Equity Loan of $150,000 to Florita Nova, Inc. This loan would match Centura's $820,000 loan, with the borrower contributing $180,000 in equity.
- This request for a CWAC Equity Loan was delayed by staff because the original loan request of $180,000 exceeded the proposed limit of $150,000 for manufacturing-type businesses.

- The company is currently leasing 26,000 square feet of space on Griffith Street (Southside), located one block away from the proposed new site. The Centura and City loans will permit Florita Nova to acquire and upfit the former Scott Drug Building, a 52,000 square feet warehouse facility located at 2923 South Tryon. Additionally, funds will be used to provide more working capital to support the projected growth. A detailed explanation of the sources and uses of the project are shown in the attachment.

- Florita Nova, Inc. a designer and manufacturer of dried & silk floral arrangements, was founded in 1990 by Rita Rondina and since then has grown into a major producer of high-end floral arrangements. The company experienced 25% growth in sales in 1996 and 1997 and is projecting $8 million in sales for 1998. Using 42 independent sales representatives, Florita Nova sells to companies in the US, Canada, Japan, Saudi Arabia, Puerto Rico, Germany and England. Their main customers are Nieman Marcus, Belk Stores, Great Indoors, and Petals.

- Ms. Rita Rondina, President of Florita Nova hired her first 5 employees using a N.C. Department of Labor workforce development program in 1993 and today all 5 of the original employees remain employed with Florita Nova. Approximately 60% of the company's 82 production employees rely on public transit.

- The company currently employees 97 people, with 80% of its production employees residing in CWAC. As a result of this loan request, the company is required to hire 15 employees out of the CWAC area within 2 years of loan closing (1 job per $10,000 of City loan funds). However, the company plans to exceed that requirement by hiring up to 18 additional employees within the first year of expansion and a total of 32 additional employees over two years.

Background:

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

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

- Increased interest in the CWAC Equity Loan Program has generated several applications that appear to fall outside Council's current focus. This situation prompted the Neighborhood Development Key Business to institute a temporary moratorium on processing loan requests.

- When originally submitted, this loan request exceeded the proposed $150,000 maximum for manufacturing-type businesses. Now the loan amount requested meets the program guidelines.

- Proposed changes to the program were presented to the Council during the May 4, 1998 workshop. These changes would permit the City to more tightly focus its revitalization efforts within the CWAC area. The proposed changes occur in the following areas: objectives, geographic restrictions, uptown businesses, personal net worth and types of businesses.

- Also during the May 4, 1998 workshop, Council requested that staff bring back the loans that fall outside the proposed guidelines in order to allow Council to review.

Funding: Community Development Block Grant Fund

Attachment 10
Overview of Florita Nova, Inc.
Commitment letter from Centura Bank

18. CWAC Equity Loan Program - (Frank) MacPherson, LLC

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

Staff Resource: Stanley Watkins and Tom Warshauer

Focus Area: City Within a City

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

Explanation:

- NationsBank has requested $100,000 in CWAC Equity Loan funds to match the bank's $525,000 loan. Also, the Charlotte Certified Development Corporation (CCDC) is lending $367,500 and the borrower is contributing $57,500 in equity. The purpose of the bank, CCDC and City loans will be to permit Frank MacPherson to acquire property located at 330 North Tryon Street (occupied by Atlantic Beer & Ice).

- Atlantic Beer & Ice is a 15,000 square foot, casual, fine dining and entertainment place which opened in November 1995. The land and building is currently owned by NationsBank.

- The total project cost is $1,050,000 A detailed explanation of the sources and uses of project are shown in the attachment.

- This CWAC Equity Loan request was delayed by staff because the existing loan program contained no guidelines for businesses within the uptown loop. Proposed changes to the program would limit the total amount of loans in the uptown loop to $200,000 in a fiscal year.

- The restaurant currently employs 50 people. As a result of this loan request, the company is required to hire an additional 10 employees out of the CWAC area within 2 years of loan closing (1 job per $10,000 of City loan funds).

Background:

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

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

- Increased interest in the CWAC Equity Loan Program has generated several applications that appear to fall outside Council's current focus. This situation prompted the Neighborhood Development Key Business to institute a temporary moratorium on processing loan requests. This request is for a business located uptown. However, the existing program has no guidelines for businesses within the uptown loop.

- Proposed changes to the program were presented to the Council during its May 4 workshop. These changes would permit the City to more tightly focus its revitalization efforts within the CWAC area. The proposed changes occur in the following areas: objectives, geographic restrictions, uptown businesses, personal net worth and types of businesses.

- Also, during the May 4 workshop, Council requested staff bring back the loans that fall outside the proposed guidelines in order to allow Council to review.

Funding: Community Development Block Grant Fund

Attachment 11
Overview of Atlantic Beer & Ice
Commitment letter from NationsBank

19. Community Relations Committee Membership Change

Action: **Approve a recommendation from the Community Relations Committee (CRC) to amend the Human Relations Ordinance, Chapter 12 of Code of the City of Charlotte, to increase the size of the Committee Membership by fifteen, from 30 to 45 members.**

Staff Resource: Willie Ratchford

Explanation:

- On December 15, 1994, at the request of Mayor Richard Vinroot, a fifteen-member "Action Committee" was formed to review the City of Charlotte's Human Relations Ordinance.

- The "Action Committee" developed a report containing 12 recommendations, two of which were to reduce the size of the Committee from 60 members to 30 members and to review its mission and initiate changes it deemed necessary to accomplish its mission. These recommendations were approved by City Council on April 14, 1995.

- In November of 1996, the Community Relations Committee appointed an "Ad Hoc" Committee to "evaluate the performance of the Community Relations Committee under its new structure."

- The Ad Hoc Committee met for a one-year period, and recommended that CRC appoint an Education Subcommittee and a Discrimination Subcommittee in lieu of the Intergroup Relations Subcommittee.

- CRC has increased authority in the Police Review Process as outlined by the *Memorandum of Understanding* of July 1, 1998 from the City Manager which created the new Police Review Citizen's Subcommittee (see attachment).

- The addition of the new Subcommittees of Police Review, Education, and Discrimination, creates a need for increased CRC membership to fill the Subcommittees and implement their missions (see attachment).

- At its January 20, 1998 meeting, the full Committee approved a recommendation by the Ad Hoc Committee to request that City Council approve an increase in the size of the CRC membership from 30 members to 45 members.

- The fifteen-member increase in the size of CRC's membership will increase the ability of the Committee to effectively achieve and implement CRC's Mission and Vision.

- There will be no CRC staff changes due to the increased size of CRC's membership.

- The administration and operation of the CRC will remain the same.

- Appointments to CRC are made by City Council, the Mayor and County Commissioners. The current and proposed membership appointments are as follows:

	Current (30)	Proposed (45)
County Commission	15	21
City Council	10	16
Mayor	3	6
Mayor & County Comm. chair appoint CRC chair and CRC vice-chair	2	2

Background: CRC presented its 1997 Annual Report to City Council on April 13, 1998. Copies of the report are available in the Council Library.

Attachment 12

20. Nominations to Boards and Commissions

Action: **Nominate seven candidates to serve on the Minority and Women Business Development Program Advisory Committee.**

Explanation:

- On April 13, 1998, Council approved the Restructuring Government Committee recommendation to increase the size of the MWBD Advisory Committee from 7 to 9 members and voted to designate 4 of Council's 7 appointments by categories to ensure a broader range of stakeholder representation. The committee provides review and direction for the general performance of the MWBD Program.

Categories:

- The categories for representation are:
  - Minority business owner or minority business association representative from the construction trade (1)
  - Minority business owner or minority business association representative from the service or procurement trades (1)
  - Majority business owner or majority business association representative (1)
  - Woman business owner or woman's business association representative (1)
  - At-large appointments (3)

Attachment 13

21. July Workshop

Action: **Consider scheduling a July workshop.**

Explanation: Topics for this workshop include Connectivity, Charlotte Mecklenburg Development Corporation, and Citizens Forum. Possible dates are Tuesday, July 7 or Monday, July 13. The workshop would begin at 5:00 p.m. The Citizens Forum would begin at 7:30 p.m.

22. Transit Study Meeting

Action: **Schedule a special transit study meeting at 12 noon on July 14 to receive the consultant's recommendations on the transit study. This will be a joint meeting with the Board of County Commissioners and elected officials from the six towns.**

Introduction to CONSENT

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

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

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

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

CONSENT

23. Various Bids

A. Stoney Creek Outfall Phase III And 8-Inch Sewer to Serve Oak Street — CMUD

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $566,396.09 by Utilityworks, Incorporated of Stanfield, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
MBE	$17,000	3%	3%
WBE	$17,000	3%	3%

MWBD Compliance: Yes.

B. Storm Water Maintenance FY98 F — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $488,475 by Blythe Development of Charlotte, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$29,400	6%	6%
WBE	$29,400	6%	6%

MWBD Compliance: Yes.

C. Storm Water Maintenance FY98 G — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $483,400 by United Construction Company of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$ 0	0%	6%
WBE	$ 0	0%	6%
ABE	$483,400	100%	0%

MWBD Compliance: Yes.

D. Underground Storage Tank Replacement, Fire Stations 1, 7, & 29 — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $211,563 by Jones and Frank of Charlotte, North Carolina.

MWBD Compliance: Yes. There are no known MWBD firms that can perform this work.

E. **Traffic Signal Counter Cabinets** **CDOT**

Recommendation: The Key Business Executive for the Charlotte Department of Transportation recommends the low bid of $5,500 per unit by West Virginia Signal & Light of Kenna, West Virginia. Purchases are subject to appropriations by City Council and identified needs. The total estimated FY98 expenditures for these cabinets is $165,000. The contract award is for one year with an option to renew for one additional year.

MWBD Compliance: Yes. One vendor receiving an Invitation to Bid is an MWBD supplier. They submitted no bid.

24. Refund Certain Taxes

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $19,996.50.**

Attachment 14

CONSENT II

25. Assets Forfeiture Appropriation

Action: **Approve a budget ordinance appropriating $50,000 in assets forfeiture funds to be used to support the annual DARE Camp.**

Explanation:

- These funds will be used in support of the DARE Camp. Each summer a group of students who have excelled in the DARE Program are given the opportunity to attend this camp. The camp provides recreational opportunities and exercises that enhance students' self-esteem and leadership potential.

- These funds were part of the FBI's share of the proceeds from a recent drug forfeiture. They were given to the Police Department with the understanding that the funds would be contributed to the DARE Camp

Funding: Funds are available in the Police Department's assets forfeiture account.

26. Bryan Properties, Inc., Proposed Golf Course/Subdivision Water Contract.

Action: **Approve a reimbursable water contract between the City and Bryan Properties, Incorporated.**

Explanation:

- The Applicant, Bryan Properties, Incorporated, has requested a reimbursable contract for the design and construction of a water main to serve their proposed golf course/subdivision.

- This project will extend approximately 8,750 linear feet along Eastfield Road to the Mecklenburg County/Cabarrus County line. The estimated cost of this project is $630,000. The applicant will pay the full cost of this project up front. The City will reimburse the applicant over a five-year period because it is an approved Capital Investment Plan Project.

Funding: The applicant has deposited 15% of the estimated project cost with the remaining 85% to be deposited by letter of credit prior to construction.

27. Pulte Home Corporation, Willowmere Subdivision Sewer Contract

Action: **Approve a non-reimbursable sewer contract between the City and Pulte Home Corporation.**

Explanation:

- The Applicant, Pulte Home Corporation, has requested a non-reimbursable contract for the design and construction of two sewer mains to serve Willowmere Subdivision.

- The mains will extend approximately 300 linear feet each, from the end of the 1997 Annexation lines serving East Providence Drive to Willowmere Subdivision. The estimated cost of this project is $45,000. The applicant will pay the full cost of this project. This project is non-reimbursable because it is not included in the Capital Investment Plan.

Funding: The applicant has deposited 20% of the estimated project cost with the remaining 80% to be deposited prior to construction.

28. NCDOT Transit Technology Grant Authorizing Resolution

Action: **Adopt a resolution authorizing the Director of Transportation to accept an award from the North Carolina Department of Transportation (NCDOT) for a transit technology grant.**

Explanation:

- On January 26, 1998, Council approved the filing of a grant application and a budget ordinance for Advanced Public Transportation Technology Funds, part of Governor Hunt's Transit 2001 Program.

- This resolution is in response to a NCDOT request. The City was awarded $211,500 in Advanced Public Transportation Technology funds from the North Carolina Board of Transportation on April 3, 1998. NCDOT requires a resolution authorizing the appropriate city official to sign grant agreements and provide any assurances and certifications

- A financial summary of the approved grant is shown below.

NCDOT	(90%)	$211,500
CITY	(10%)	23,500
TOTAL		$235,000

- The Charlotte Department of Transportation (CDOT) will use the funds to:

  - Improve the department's Web pages to include Charlotte Transit route and schedule information, vanpool opportunities, and carpool interest forms. With this technology, citizens can obtain public transportation information at home from personal computers or from kiosks at the Transportation Center, Library, Community Centers, Malls, and other major pedestrian generators.

- Purchase a computerized staff scheduling system. This computer software optimizes the allocation of drivers to Charlotte Transit routes to minimize overtime. We anticipate an estimated savings of 1-2% in driver payroll costs which are currently $9 million a year. The software cost is approximately $150,000.

- An additional feature of the software also will permit Charlotte Transit to replace and upgrade its current automated telephone information service.

29. Property Transactions

Action: **Approve the following property acquisition (A) and adopt the condemnation resolution (B).**

Acquisitions:

A. **Project:** Master Plan Land Acquisition
Owner(s): Milton & June Walker, William & Marjorie Walker, Ruby Potts
Property Address: part of 8900 Old Dowd Road
Property to be acquired: 14.723 acres
Improvements: vacant land
Tax Value: $90,164
Purchase Price: $112,650
Remarks: On July 28, 1997 Council approved a municipal agreement for NCDOT and the Airport to work together on those acquisitions that involve I-485 right-of-way and future Airport property.The NCDOT is acquiring 9.699 acres. The airport is buying 14.723 acres of land. The purchase price of entire lot is $181,875. The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. The aquisition eligible for federal funding.

Condemnations:

B. **Project**: Ronda Avenue Culverts, Parcel #48
Owner(s): Mary Dana Moore & any other parties of interest.
Property Address: 7043 Thermal Road
Property to be Acquired: 11,830 sq.ft. (0.272 ac.) permanent drainage easement.
Improvements: Trees, shrubs, fencing
Purchase Price: $24,000
Remarks: A permanent drainage easement is needed to make culvert improvements. The property owner has refused the City's offer which is based on an independent, certified appraisal.
Zoned: R-3 **Use**: Residential
Tax Value: $160,730
Tax Code: 189-184-10

30. Minutes

Action: **Approve minutes as follows:**

- **May 18, 1998 Zoning Meeting**
- **May 19, 1998 Budget Retreat**
- **May 19, 1998 Joint City and County Storm Water Public Hearing**