

Mayor Patrick McCrory

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

Mayor Pro Tem Susan Burgess

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

CITY COUNCIL MEETING
Monday, March 27, 2000

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

6:30 p.m.

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

7:00 p.m.

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

2000 Council Retreat Priorities

Top Priorities for 2000

Housing Policy and Strategy

Police Strategy: Safest City in America

Road Improvements

West Side Strategy

High Priorities for 2000

Business Corridor Revitalization

Eastside Strategy Plan

Financial Policies

Neighborhood Initiatives

North Tryon Strategy

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Proposed Cable Television Public Access Corporation

Resources: Doris Boris, Cable Television Administration
Bob Hagemann, City Attorney's Office
Kevin Levine, Citizens Cable Oversight Committee
Robert Maund, Citizens Cable Oversight Committee

Time: 20 minutes

Attachment 1

2. Business Investment Grant

Resource: Tom Flynn, City Manager's Office

Time: 15 minutes

Attachment 2

3. 2000 State Legislative Agenda

Resource: Boyd Cauble, City Manager's Office

Time: 30 minutes

Attachment 3

4. Tryon Street Mall Project

Resources: William Haas, Engineering & Property Management
Karen Weston-Chien, The FWA Group

Time: 15 minutes

Attachment 4

5. Committee Reports by Exception

- Council-Manager Relations: City Council Staff Support
- City Within A City: Multifamily Rental Development Tax Credit Applications; Enterprise Community Initiative Contracts Renewal
- Economic Development and Planning: SouthPark Small Area Plan
- Transportation: Multiway Stop Program Policy; City Maintenance of State Roads

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

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

CONSENT

- 6. Consent agenda items 23 through 48 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Julie Burch

PUBLIC HEARING

7. Public Hearing and Adoption of an Ordinance to Change the City Code to Include the McDowell, Long, Mallard, and Four Mile Creek Watershed Floodplain Maps and Amendments to Floodway Regulations

- Action:**
- A. Hold a public hearing concerning McDowell, Long, Mallard, and Four Mile Creek Watershed floodplain maps and amendments to floodway regulations;**
 - B. Adopt an ordinance to amend the City Code to include the McDowell, Long, Mallard, and Four Mile Creek Watershed floodplain maps; and**
 - C. Adopt an ordinance to amend the City Code to include proposed amendments to the Floodway Regulations.**

Staff Resource: Stephen Sands

Focus Area: Economic Development

Explanation:

Floodway regulations are designed to prevent further encroachment of structures into the floodplain and to provide a basis for federally subsidized flood insurance. Local floodplain regulations are based on Federal Emergency Management Agency (FEMA) maps that illustrate the floodplain and provide flood elevations. Most of the current maps were originally developed in the 1970's. The City and County are currently cooperating with FEMA to review and update floodplain maps throughout the City and County.

In October 1999 City Council adopted interim flood protection elevations 5.7 feet higher than the existing maps' elevations. Preliminary studies indicated the new maps would result in significant increases in flood elevations, and the interim restriction provides some level of protection until the new maps can be produced. The City Council also adopted a policy of regulating floodplains based on future land use; and a policy of allowing approximately 25 percent of the floodplain's width to be filled during development and construction, a change from approximately 50 percent allowed by the existing maps.

The McDowell, Long, Mallard, and Four Mile Creek watershed studies are complete. The remaining watershed studies will be considered for adoption as they are completed over the next year.

State law requires the City to conduct a public hearing before adopting floodplain maps and amending an ordinance addressing planning and regulations of development. The purpose of the public hearing is to receive comments on the proposed floodplain maps and ordinance amendments necessary to implement the new standards. Council will conduct the public hearing, consider action to adopt the McDowell, Long, Mallard, and Four Mile Creek floodplain maps, and consider actions to adopt the proposed amendments to the floodway regulations.

Community Input:

Staff organized two community meetings concerning the floodplain maps prior to the City Council public hearing. Staff invited approximately 2,800 citizens through direct mailings to property owners adjacent to the floodplain and newspaper and press releases. The format of the meetings provided opportunities for citizens to interact with staff individually, review the new maps, ask specific questions, and express concerns. The first community meeting occurred February 21, 2000 and discussed the Four Mile Creek watershed study results. Approximately 50 citizens attended. The second community meeting occurred February 24, 2000 and discussed the Mallard, McDowell, and Long Creek watershed study results. Approximately 20 citizens attended.

Citizen Questions and Staff Response

There were three main questions raised at the community meetings:

- Q. What is the reason for increasing flooding depths?
A. The flooding depths are increasing due to more accurate computation methods, more accurate field survey, and more upstream development since the original studies.
- Q. What is the impact of the increased flooding depths on property values?
A. The potential exists for decreased property values if the new floodplain is shown on the property or house. There are no current City programs to offset the decrease in property values.
- Q. What is the impact of increased flooding depths on insurance rates?
A. The flood insurance will increase for homes that are shown to be flooded to a greater depth by the new studies.

The Storm Water Advisory Committee (SWAC) supports the updated floodplain maps and the proposed floodway regulation amendments.

ZONING

8. Rezoning Petition #99-80

Action: Consider decision on Petition #99-80 by Drexel, LLC for a change in zoning for approximately 0.94 acres located on the westside of Park Road, north of Woodlawn Road, across from Park Road Shopping Center from R-43MF and O-2 to MUDD(CD).

Staff Resource: Keith MacVean

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of Mayor and Council, not excused from voting, in order to rezone the property.

This item was deferred from the March 20th Zoning Meeting due to the fact that the full Council was not present.

The Zoning Committee voted to recommend approval of this petition, with the following modifications:

- The existing single-family home has been deleted from the petition.
- The trees between the single-family home and the project have been placed on the single-family home's side of the proposed wall.
- The ground floor level of the Park Road elevation has been increased 3-4 feet and the underground parking area has been reduced in size.

Attachment 5

Zoning Committee recommendation for petition #99-80

9. Rezoning Petition #99-128

Action: Consider decision on Petition #99-128 by Pulte Home Corporation for a change in zoning for approximately 11 acres located on the northwest corridor of Hensey's Way and Beverly Crest Boulevard, north of Highway 51 from B-1(CD) to MX-2.

Staff Resource: Keith MacVean

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of Mayor and Council, not excused from voting, in order to rezone the property.

This item was deferred from the March 20th Zoning Meeting due to the fact that the full Council was not present.

The Zoning Committee voted to recommend denial of this petition.

Attachment 6

Zoning Committee recommendation for petition #99-128

10. Rezoning Petition #2000-03

Action: Consider a decision on Petition 2000-03 by Centex Homes for a change in zoning for approximately 14.2 acres located on the north side of David Cox Road, west of Davis Lake Parkway and east of Old Statesville Road from I-1 to R-8 (CD).

Staff Resource: Keith MacVean

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of the Mayor and Council, not excused from voting, in order to rezone the property.

This item was deferred from March 20th Zoning Meeting due to the fact that the full council was not present.

The Zoning Committee voted to recommend approval of this petition, with the following modifications:

- The number of allowed units is reduced to 58.

- Petitioner /developer must provide a left turn lane at the property's entrance.
- Petition will dedicate up to 50 feet from the centerline of David Cox Road along the common open space at the western end of the project.
- A walking path to allow pedestrian access between the two common open space areas will be installed within the 50-foot class "A" buffer.

Attachment 7

Zoning Committee Recommendation on Petition #2000-03

11. Rezoning Petition #2000-18

Action: Consider decision on Petition #2000-18 by Argus Properties for a change in zoning for approximately 8.72 acres located on the west side of Bellhaven Boulevard, south of Mount Holly-Huntersville Road and east of Lawing Road from R-3 and B-1 to B-1(CD).

Staff Resource: Keith MacVean

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of Mayor and Council, not excused from voting, in order to rezone the property.

This item was deferred from the March 20th Zoning Meeting due to the fact that the full Council was not present.

The Zoning Committee voted to recommend approval of this petition, with the following modifications:

- The petitioner/developer will install a left turn lane to Lawing School Road, including acquisition of necessary additional right-of-way.
- Petitioner will also provide a left turn lane into the site from Bellhaven Boulevard, including additional necessary right-of-way.
- The petitioner/developer will also extend the existing left turn lane from westbound Mount Holly-Huntersville Road to Bellhaven Boulevard, including necessary additional right-of-way. The Charlotte Department of Transportation will assist, if necessary, in the acquisition of additional rights of way.
- Petitioner will dedicate 50 feet of right-of-way measured from the centerline of Mount Holly-Huntersville Road.

- Petitioner will be responsible for installing a median in Mount Holly-Huntersville Road which limits access to the site to right-in/right-out movements.

Attachment 8

Zoning Committee Recommendation on Petition #2000-18

POLICY

12. City Manager's Report

Attachment 9

13. SouthPark Small Area Plan

Action: Approve the Economic Development and Planning Committee recommendation to adopt the *SouthPark Small Area Plan Volume I: Concept Plan* with revisions as recommended by the Economic Development and Planning Committee.

Committee Chair: Lynn Wheeler

Staff Resource: Garet Walsh, Planning Commission

Focus Area: Economic Development

Explanation:

The *SouthPark Small Area Plan* will update and amend the future land use plan for this area – the *South District Plan* that was adopted in 1993. Once adopted, the *SouthPark Small Area Plan* will provide guidance not only to the governing bodies in future decision making, but also to the development community and neighborhood residents. The Plan establishes a new vision for the SouthPark area as a town center, developed with the highest attention to design detail, supportive of alternative modes of transportation and providing a highly livable environment.

Highlights of the draft Plan recommendations include:

- Developing a design overlay district for the SouthPark area to ensure that new development and redevelopment meet specific design criteria including the provision of open space, pedestrian orientation, site design, height limitations, and streetscape improvements
- Encouraging more residential development within the study area
- Requiring that a community gathering space be provided as a condition for any expansion of SouthPark Mall
- Retrofitting major roadway intersections to make them safer for pedestrians
- Providing better linkages for pedestrians and bicyclists
- Allowing a limited retail component to be introduced into multifamily developments in specified locations
- Confining any non-residential expansion to the study area, with no expansion into the surrounding residential areas

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

Committee Discussion:

The Economic Development and Planning Committee began reviewing the draft SouthPark Small Area Plan in January 1999. Since that time, the Committee has toured the study area twice and discussed the draft Plan at several Committee meetings. Public hearings on the draft Plan were held on June 14, 1999 and February 28, 2000 to provide additional citizen input for Committee consideration. The Committee discussion has focused primarily on the following issues:

- The amount of office and retail development currently in the study area and how much more could be built under existing zoning
- Traffic volumes and planned road improvements
- Allowing limited retail development in three specified areas currently developed with multi-family uses

On February 29, 2000 the Economic Development and Planning Committee recommended that City Council adopt the draft SouthPark Small Area Plan with revisions to four of the recommendations. Committee members present were Wheeler, Graham, Carter, Lochman and Cannon. The vote on the specific recommendations are shown in the attached committee meeting summary. The revised recommendations are as follows:

- The recommendation for a community gathering space in Volume 1, page 26, should read: Develop a community gathering space (i.e., green/open space large enough to accommodate community events like the Charlotte Pops concerts) in the SouthPark study area.
- The recommendation regarding the expansion of SouthPark Mall in Volume 1, page 28, should read: Any proposed expansion of SouthPark Mall should further the vision of this area as transitioning into a town center. Any such proposal should continue to require approval of a detailed site plan that addresses the established design standards, supports alternative transportation strategies, and provides for a mixture of land uses including a public green/open space designed to accommodate large community events. Any such proposal would continue to be subject to the standard review and approval process, including traffic impact studies.

In addition, the Economic Development and Planning Committee voted to remove the reference to the City policy on Uptown retail in Volume 2: Implementation Program.

- The recommendation regarding the expansion of non-residential uses in Volume 1, page 28-29, should read: Limit non-residential expansion to the existing study area, with no expansion into surrounding residential areas permitted as indicated on the adopted South District

Plan map. In addition, areas within the study area shown as residential on the adopted South District Plan map should remain residential. However, a limited retail/business component may be appropriate if integrated into multifamily developments in specified locations as suggested in the implementation document and to be determined in the development of the overlay district (and listed below as reference).

- the establishment is located on the ground floor of a building that contains a substantial number (as defined in overlay district) of residential dwelling units; and
 - the establishment has direct access from a major or minor thoroughfare;
 - and the allowed uses are limited to restaurants up to 4,000 sq.ft., dry cleaners, retail sales, sundries/convenience store without gas pumps, bakeries, barber shops, and artist studios; and
 - no drive-through services are permitted.
- The Committee recommends that the existing park in the Live Oak Community be identified on the land use map in Volume 1, page 25.

Community Input:

A study group of neighborhood, business and development representatives worked with staff in developing the draft Plan. The study group met 14 times between February and November 1998. All meetings were open to the public. In addition, public meetings were held in the community on April 2 and October 12, 1998. City Council held public hearings on the Plan on June 14, 1999 and February 28, 2000. Staff also provided area neighborhood leaders with written updates during the plan development process and included similar information, as well as a summary of the draft Plan, on the Planning Commission's web site.

Attachment 10

- Draft SouthPark Small Area Plan
- Summary of the February 29, 2000 Economic Development and Planning Committee meeting in reference to the Committee's discussion and vote on the draft SouthPark Area Plan
- Copy of the three recommendations from the draft SouthPark Small Area Plan that included multiple opinions from either the study group, staff or the Planning Committee.

14. Multiway Stop Program Policy

Action: Approve the Transportation Committee recommendation to adopt a revised Multiway Stop Program Policy.

Committee Chair: Sara Spencer

Staff Resource: Doreen Szymanski

Focus Area: Transportation

Explanation:

In July 1999 the Mayor and City Manager referred this issue to the Council's Transportation Committee. The Committee asked staff to review the placement of multiway stops and speed humps on the same street.

The Multiway Stop Program was initially adopted in 1988 as a tool to assist neighborhoods with their through traffic and speeding concerns. It was last revised in 1997 when speed humps were adopted as an additional treatment for speeding vehicles. At that time, staff noted that multiway stops were more effective in volume reductions, and speed humps more effective in reducing speeds. Staff now recommends to neighborhoods the treatment that best addresses their concerns.

Revised criteria for multiway-signed stops have been developed. Listed below are the current and revised criteria. Option #1, the new criteria, is the Transportation Committee's recommendation.

Current Criteria	Revised Criteria - Committee Recommendation Option #1
1000 vehicles per day	1000 vehicles per day
Side street at least 400' in length	Intersections must be four-way unless pedestrian activity need can be sustained
Must be 800' between stop locations	Speed limits 25 mph or 30 mph depending upon street's classification
	A street can have both multiway stops and speed humps only if a documented volume problem exists (2500 + vehicles per day).

A 75% petition from residents within 1200' radius of the proposed stop location and neighborhood association endorsement are required under both the current and revised criteria.

The following options were offered to the Transportation Committee:

Option #1 - Adopt revised criteria. This criteria will limit the number of multiway stops being installed, and therefore limit the number of streets with both multiway stop locations and speed humps in the future. Streets that already have multiway stop locations and speed humps will remain as is.

Option #2- Adopt revised criteria with higher volume criteria than Option #1. The higher volume criteria would be 1500 vehicles per day instead of 1000. This will be a more restrictive policy and further limit residential use of multiway stop signs overall. Streets that already have multiway stop locations and speed humps will remain as is.

Option #3 - In the future, remove all multiway stops on streets where installing speed humps. Staff does not recommend this option because removing multiway stop signs can be safety hazard. Drivers get used to the stop conditions and may not notice that the signs have been removed.

Option #4 - Continue the current policy, which by default leaves the choice of removing the multiway stops to the neighborhood. The speed hump petition includes whether to remove or keep the multiway stops.

Committee Discussion:

The Committee received two presentations on this subject. The first one was October 11, 1999 when the Committee instructed staff to return with a policy that took into account street traffic volumes, pedestrian activity, and three-way stop sign locations. At the February 29, 2000 meeting, the Committee was satisfied that Option #1 addressed those issues.

The Transportation Committee voted 5-0 in favor of Option #1. CDOT staff recommends this option as well. Committee members are Sara Spencer, Chair; Rod Autrey, Vice-Chair; Nancy Carter, Malcolm Graham, and Joe White.

Funding:

CDOT Operating Budget

Attachment 11

- Transportation Committee Minutes of February 29, 2000 and the Committee's agenda document with attachments.
- List of Streets with both Multi-way Stops and Speed Humps

15. City Maintenance of State Roads

Action: A. Approve the Transportation Committee recommendation to allow the City to resurface state-system streets under specified criteria; and

B. Refer the issue back to the Transportation Committee to develop the criteria for the City's participation.

Committee Chair: Sara Spencer

Staff Resource: Curt Walton

Focus Area: Transportation and Economic Development

Policy:

Current City policy is to resurface only City maintained streets.

This is a new policy proposal to:

- Complement other initiatives addressing economic vitality and revitalization
- Target business corridors and other strategic plans where road resurfacing adds value in a comprehensive approach of City infrastructure investments

Explanation:

The issue of resurfacing West Boulevard, which is a state-system street, was raised last summer by several Councilmembers. The issue was referred to Council's Transportation Committee for a larger discussion on the issue of State road maintenance.

Completion of the street ratings (conducted bi-ennially by ITRE – The Institute for Transportation Research and Education) for both local and state streets was key to the staff developing options for the Committee's consideration. The ratings were completed in November 1999.

Staff prepared the attached issue paper, which includes the following key points:

- The City maintains 1,973 miles of roads with an average condition rating of 89. The City's average resurfacing cycle has been 15.5 years from 1990-1998.
- While the City road condition rating of 89 is considered "good", the trend has been downward from a high of 96 in 1996. In response to

the trend, Council increased the resurfacing budget in 1999 to allow for an average 12-year resurfacing schedule.

- The State maintains 349 miles of road within the City, with an average condition rating of 87 on a scale of 0 to 100. The state's average resurfacing cycle tends to be longer than the City's. This is because state roads are generally arterials with much thicker pavement designs.
- West Boulevard (from Camden Road to Billy Graham Parkway) averaged 85, ranging from a low in one block of 44 and a high of 98 in another.
- West Boulevard is one example of a state-system street that could be eligible for resurfacing under a new policy. Others include Beatties Ford Road, North Tryon, Providence Road and South Boulevard.

The cost per mile to resurface (one-inch overlay) ranges from \$36,000 to \$40,000 (1999 bid results).

Committee Discussion:

The Committee considered three options:

- Option #1 - Do not resurface State roads (current policy)
- Option #2 - Resurface State roads linked to strategic plans
- Option #3 - Resurface both State and City roads based on average street condition rating

Option #1

The Committee felt that Option#1 did not provide enough flexibility in addressing specific needs along business corridors.

Option #2

The Committee voted unanimously (Spencer, Autrey, Carter, Graham and White):

- To recommend Option #2;
- To recommend that the issue be referred back to the Transportation Committee to develop the criteria to select State-system streets that will be considered for resurfacing by the City. Criteria will be developed from existing programs such as the business corridor program, strategic plans like the Eastside and Westside, small area plans, district plans, etc.; and
- To recommend that the criteria be developed in time for consideration in the next two-year budget process.

Option #3

The Committee felt that Option #3 was too costly.

Funding:

State road resurfacing is not eligible for Powell Bill (State gas tax) funding, which is the source of funding for the City's resurfacing program. The project would compete for Pay-As-You-Go funding during the FY2002 budget process.

Attachment 11

- Transportation Committee Summary Minutes
- Options for City Maintenance of State-System Streets

16. City Council Staff Support

Action: A. Approve the Council-Manager Relations Committee recommendation to add a position to provide additional support to the City Council; and

B. Adopt a budget ordinance in the amount of \$17,500 to fund this position for the remainder of FY00.

Committee Chair: Susan Burgess

Staff Resource: Julie Burch

Explanation:

Opportunities for interaction between constituents and Council have increased due to e-mail, Internet and other communication methods. In trying to meet the growing and diverse needs of our citizens, staff has reviewed the level of support for the Mayor and Council.

Staff currently assists Council in the following ways:

- Responds to constituent issues
- Meets with constituents on difficult issues
- Makes travel arrangements
- Prepares correspondence
- Schedules meetings and tours for Council Committees
- Assists with computers and cell phones
- Prepares Council's monthly and weekly calendars
- Distributes important information (i.e. press releases, project updates, etc.)

As a result of this review, staff is implementing several process improvements. For example, the Council packet has been restructured to serve as a better communication tool with Council; and staff has reorganized to provide better "back-up" support to the Council's secretary. This review also suggests that an increase in staffing is necessary to provide Councilmembers with a greater level of research capability.

A new position would primarily assist Council with communicating to citizens, researching issues pertaining to City services, and assisting Council in preparing for meetings and speaking engagements. This would be a professional position, requiring a bachelor's degree, with a strong preference for an advanced degree.

The annual cost of this recommendation would be approximately \$60,000 (includes estimated \$45,000 salary and other operating costs.)

Committee Discussion:

On February 3, 2000 the Council-Manager Relations Committee agreed that a new position in the City Manager's Office was warranted to provide a higher level of responsiveness to Council needs. The Committee voted unanimously (Burgess, Carter, Lochman, Mitchell, and White) to recommend a mid-year budget adjustment to add a position to the City Manager's Office to provide additional support to the City Council.

The Committee requested additional information be provided when this item was presented to the full Council. They requested information regarding population increases, Council survey data, overtime incurred by staff involved in supporting Council, number of service requests by Council and statistical data regarding the usage of e-mail, the Internet and other techniques used by citizens to communicate with Council. This information is attached.

Funding:

\$17,500 from Council Contingency Account (\$7,500 salary for FY2000, \$10,000 start-up, operations and recruitment). The Council Contingency Account balance will be \$45,500 after adoption of this budget ordinance.

Attachment 12

- Council-Manager Relations Committee Meeting Summary
- Additional information requested by Council

BUSINESS

17. Children's Services Center Proposal

Action:

- A. Approve the request from the Children's Services Agencies for a commitment to sell them land in the block bounded by Davidson, Fifth, Alexander and Sixth Streets for a 100,000 square foot Children's Services Center building;**
- B. Sell the Children's Services Agencies the land at 100% of the appraised value of the land;**
- C. Lease the remainder of the City-owned land for parking at 100% of market value; and**
- D. Authorize the City Manager to negotiate with the Charlotte Housing Authority on the sale or joint development of the remainder of this block.**

Explanation:

A group of agencies serving children want to co-locate their offices in order to reduce rental costs, eliminate constant relocations and realize administrative cost savings. The agencies are: A Child's Place; Children's Law Center; Communities in Schools; Community Link; Council for Children; Smart Start; The Relatives, Inc.; United Family Services; and Youth Homes, Inc.

They are requesting the following from the City:

- Sell them approximately 41,000 square feet of land on a block bounded by Davidson, Fifth, Alexander and Sixth Streets, directly behind the Law Enforcement Center
- Contribute 50% of the value of the land to this project (the land is currently valued at \$1,032,000.)
- Lease them the remaining City land for \$1 per year for a parking lot

The City owns approximately one third of this block; which is one of few building sites currently owned by the City in the vicinity of the Government Center.

The City recently joined with Mecklenburg County in a study of space and parking needs in the government plaza area. This study will incorporate growth of the courts complex, County and City office and parking needs, as well as Central Piedmont Community College (CPCC) parking needs and the possibility of expanding or relocating the school administration building. The study is scheduled to be complete in September.

Developing a master plan for these needs coincides with a recommendation in the draft 2010 Center City Plan that government land uses be concentrated in a sixteen block area along East Trade Street. The subject parcel at Fifth and Davidson is in this area.

The agencies would build a 100,000 square foot building on this site, occupying 50,000 square feet themselves and find other tenants for the remaining 50,000 square feet. The City would have a "right of first refusal" on the remaining 50,000 square feet. It is very probable that the City will need leased space at the time this building is complete.

A 100,000 square foot building and associated surface parking would mean that any further development of the property would be limited and would require structured parking. The Housing Authority owns the remainder of the block, and City staff has discussed with the Authority the possibility of acquiring their land, giving the City a full, contiguous block that could be used to meet City and County needs. As part of the recommendation on this matter, the City Manager is requesting City Council authorize the City Manager to negotiate with the Charlotte Housing Authority on the sale or joint development of the remainder of this block.

According to Planning staff, the proposed design of the Children's Service's Center proposal is compatible with both the 2010 Plan recommendation and the potential long term use of the entire block for additional government district office space.

OPTIONS

1. Commit to sell land at 100% appraised value of the land (Manager's Recommendation)
 - Lack of public sector contribution makes fundraising more difficult for the children's agencies
 - Conforms to City Council's Asset Management Policy
 - Allows children's agencies to begin fundraising
 - Gives City option to occupy 50,000 square feet if justified by Space Needs Study

2. Commit to sell the land at 50% of the appraised value of the land
 - Allows children's agencies to begin fundraising
 - Gives City the option to occupy 50,000 square feet if justified by Space Needs Study
 - Support children's agencies work in CWAC (33% of the children served by the agencies are CWAC residents)

3. Wait until the City/County Space Needs Study is complete in September 2000
 - Children's agencies need an answer now because their leases are expiring

- The Space Needs Study may indicate the City needs this property.
4. Deny the request
- Preserve the City's ability to use the land, with or without an agreement with the Housing Authority, to meet future office space needs.

Workshop Discussion:

The children's agencies and Staff presented this proposal to City Council on March 6, 2000. In response to City Council's questions the Children's Agencies have revised their proposal requesting permission only for 100,000 square foot building and only 50% of the value of the land. They have answered City Council's other questions in their proposal, which is attached.

Attachment 13

Proposal from Children's Services Agencies

18. Multifamily Rental Development Tax Credit Applications

The City Within A City Committee will meet on Wednesday, March 22 to review this item. The Friday, March 24 Council-Manager Memo will include the request for Council action.

19. Enterprise Community Initiative Contracts Renewal

Action: Approve the City Within A City Committee recommendation to enter into contractual agreements with the Northeast Charlotte Enterprise Community (\$313,370) and the West Enterprise Community (\$237,972) for the period beginning April 1, 2000 and ending June 30, 2001.

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City

Policy:

The City Within a City and Economic Development Focus Areas emphasize preparing people for quality employment and meeting the workforce needs of employers. Workforce development and economic development activities provided by the Enterprise Community Initiative are part of the City's overall efforts to help disadvantaged residents in the community to find jobs, prepare for jobs and pursue entrepreneur opportunities.

Explanation:

The current Enterprise Community (EC) contracts extension expires on March 31, 2000 with approximately \$1.5 million remaining in the grant allocation. The two EC Clusters involved in this contract, Northeast and West, would like to continue pursuing their benchmark activities. The Northwest cluster, which is not a part of this contract, is currently going through a dissolution process and a federal investigation regarding use of funds.

City staff have been meeting with the EC Clusters since November 1999 to discuss proposed changes to the current contract. The CWAC Committee, City staff, Enterprise Community Board Representatives and Enterprise Community staff developed contracts that addresses the following:

- Higher accountability for performance
- Increased efficiency and effectiveness in carrying out operations
- Service delivery plan for the Northwest geography
- Strategic and Sustainability plans for the EC Initiative's long term future
- Annual approval of balanced scorecard, budget and contract by City Council
- Submission of financial audits within 90 days after fiscal year end

Committee Discussion:

The Committee discussion centered on assuring a higher accountability for performance and increased efficiency and effectiveness in carrying out the day-to-day operations of the EC Initiative. The Committee suggested developing a strategic plan to address the long-term future of the EC Initiative.

On March 1, 2000, the Committee voted (3-0) to recommend to City Council the approval of a 14-month contract with the Northeast Enterprise and the West Enterprise clusters. The Committee members present were Rod Autrey, Sara Spencer and Mike Castano.

Community Input:

City Staff have met with Enterprise Community Board of Directors and Staff numerous times in the past months to discuss the options for the EC Initiative. A citizen's forum was also held in December 1999 to receive community input on the EC Initiative and to provide an update on the accomplishments.

Funding:

Enterprise Community Grant – United States Department of Health and Human Services

Attachment 14

- March 1 City Within A City Committee Meeting Summary
- Northeast Charlotte Enterprise Community Contract
- West Enterprise Community Contract

20. City Code Amendment for Loading Zones

Action: Adopt an ordinance amending the city code to increase the time for Loading Zones from 15 minutes to no more than 30 minutes as determined and posted by the Director of Transportation or his designee.

Staff Resource: Doreen Szymanski

Explanation:

CDOT staff has increasingly received complaints from delivery vehicle drivers in the center city area about the insufficient time allotted in loading zones. City Code Section 14-182 (b) specifically grants only 15 minutes throughout the city.

CDOT staff agrees that 15 minutes is not sufficient in all locations throughout the city. Staff recommends that loading zone times be posted between 15 to 30 minutes by the Director of Transportation or his designee. Anything longer than 30 minutes will encourage abuse of the zone for other activities than delivery services (e.g., delivery service drivers going to lunch or other unrelated appointments.)

The loading zone time restrictions are necessary (1) to provide access for delivery vehicles at locations near their stops, and (2) to ensure turnover in space use so that all delivery services have equal opportunity to make the deliveries. Street curb use is highly competitive whether for bus stops, onstreet parking, or traffic flow. Without designated loading zones, delivery vehicles would find it very difficult to conduct business and serve customers.

21. Pedestrian Bridge Across Interstate 77

Action: Approve a resolution requesting the North Carolina Department of Transportation close and remove the pedestrian bridge across Interstate 77 near LaSalle Street.

Staff Resource: Toni Tupponce

Focus Area: City Within A City and Community Safety

Policy:

The City Within A City and Community Safety Focus Areas emphasize reducing crime and victimization in CWAC neighborhoods. Initiatives include taking proactive approaches to resolve crime and disorder problems; involving police, citizens and other service providers in problem-solving partnerships; and balancing enforcement and prevention initiatives.

Explanation:

The pedestrian bridge across Interstate 77 near LaSalle Street joins the Lincoln Heights and J.T. Williams neighborhoods with the J.T. Williams Middle School. The bridge, according to neighborhood residents and school officials, attracts illegal and drug-related activities to these neighborhoods and to the school.

The bridge falls within the state's jurisdiction. The state has tentatively agreed to remove the bridge at their expense upon receiving a resolution from City Council. Staff anticipates that the bridge will be closed immediately. City staff will work with the state and the neighborhood regarding how the bridge will be closed (e.g., gate, welded bars, etc.) The bridge will eventually be removed when state funding allows.

Background:

This bridge was constructed in the 1970's, during the construction of I-77, to connect neighborhoods and provide access to the school. Children in the Lincoln Heights community no longer use the bridge to walk to school. The bridge is mostly used by transients and criminals to flee from the police. Consequently, the residents in these neighborhoods feel the bridge is no longer needed and should be eliminated.

The Cummings Avenue/Lincoln Heights Neighborhood Action Plan, adopted in 1996, includes a recommendation to close, barricade, and/or tear down the bridge.

Community Input:

The issue of closing the pedestrian bridge has been discussed at several meetings of the Lincoln Heights Neighborhood Association and the J. T.

Williams Neighborhood Association. The concerns have also been raised at Neighborhood Action Plan meetings and the David Three District Neighborhood Meeting.

The neighborhood associations have submitted letters and petitions requesting that the bridge be closed. In addition, the principal of J. T. Williams Middle School has written a letter supporting the request to close the bridge.

The Lincoln Heights Neighborhood Action Plan Implementation Team (comprised of staff and residents) organized a meeting for public input in August 1999. Signs posted throughout the neighborhood notified residents of the recommendation to close the bridge, and invited them to call CDOT and/or attend the neighborhood meeting to give input. Neighborhood leaders in Lincoln Heights and J. T. Williams also circulated petitions for signatures.

Other organizations in support of closing the bridge include the Charlotte Mecklenburg Police Department and Charlotte Mecklenburg Fighting Back.

Funding:

The North Carolina Department of Transportation will provide funds to close and remove the bridge.

Attachment 15

- Lincoln Heights Neighborhood Association Letter
- J. T. Williams Neighborhood Association Letter
- J. T. Williams Middle School Letter
- Neighborhood Petitions

22. Closed Session

Action: Adopt a motion to go into closed session for the purpose of conferring with the City Attorney concerning a lawsuit entitled ARIS Corporation v. City of Charlotte.

Introduction to CONSENT

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

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

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

Minority and Women Business Development Program (MWBD) Abbreviations:

BBE - African American

ABE - Asian American

NBE - Native American

HBE - Hispanic

WBE - Non-Minority Women

Contractors and Consultants

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

CONSENT I

23. Various Bids

A. FAR Part 150 Residential Sound Insulation Program Aviation

Recommendation: The Aviation Director recommends the low bid of \$433,000 by Jones and Jones Construction of Winston-Salem, North Carolina. This project will provide storm windows, storm doors, ceiling insulation, sound baffling and other sound attenuation measures for 59 residences in the Toddville and Tuckassegee Road areas participating in the sound insulation program.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$433,000	100%	10%

MWBD Compliance: Yes.

B. Repairs to City Bridges **CDOT**

Recommendation: The Transportation Director recommends the low bid of \$815,806.20 by Crowder Construction of Charlotte, North Carolina. The City is required by federal law to inspect all bridge structures on public roads every two years. This contract will enable repairs to 56 city bridges identified by the 1998 Bridge Inspection.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$8,000.00	1%	4%
WBE	\$62,621.90	8%	3%

MWBD Compliance: Yes. Crowder Construction met the Good Faith Efforts requirement.

C. Grier Heights Neighborhood Improvements **E&PM**

Recommendation: The City Engineer recommends the low bid of \$1,739,408.60 by 7 Star Construction Company, Incorporated of Rock Hill, South Carolina. This project, part of the Neighborhood Improvement Program, will replace deteriorated infrastructure and construct new infrastructure including curb and gutter, storm drainage and sidewalk in the Grier Heights Neighborhood. The project boundaries are Randolph Rd., Briar Creek, Wendover Rd. and a portion of the CSX Railroad.

MWBD Status:	Amount	% of Project	Project Goals
WBE	\$0	0%	5%
BBE	\$1,739,408.60	100%	8%

MWBD Compliance: Yes.

D. Independence Boulevard Sidewalk **E&PM**

Recommendation: The City Engineer recommends the low bid of \$228,372.90 by United Construction, Inc. of Charlotte, North Carolina. This project is part of the City's ongoing Sidewalk Program. This project will construct concrete sidewalk, drainage, curb and gutter, grading and asphalt pavement at various locations along Independence Boulevard from Idlewild Road to Margaret Wallace Road.

MWBD Status:	Amount	% of Project	Project Goals
WBE	\$0	0%	3%
BBE	\$0	0%	4%
HBE	\$0	0%	1%
ABE	\$228,372.90	100%	0%

MWBD Compliance: Yes.

24. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Farmer Street

Action: A. Adopt the Resolution of Intent to abandon a portion of Farmer Street; and

B. Set a Public hearing for April 24, 2000.

Attachment 16
Map

25. Resolution of Intent to Abandon Street and Set Public Hearing for Everett Drive

Action: A. Adopt the Resolution of Intent to abandon Everett Drive; and

B. Set a Public hearing for April 24, 2000.

Attachment 17
Map

26. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of North Pine Street

Action: A. Adopt the Resolution of Intent to abandon a portion of North Pine Street; and

B. Set a Public hearing for April 24, 2000.

Attachment 18
Map

27. Resolution of Intent to Abandon Street and Set Public Hearing for a 10-foot Alleyway Running West from Hawkins Street Bounded by Hawkins Street, West Worthington Avenue, and Doggett Street

Action: A. Adopt the Resolution of Intent to abandon a 10-foot alleyway ; and

B. Set a Public hearing for April 24, 2000.

Attachment 19
Map

28. Refund of Certain Taxes and Business Privilege License Payments

Action: A. Approve adoption of a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of \$14,938.99; and

B. Adopt a resolution authorizing the refund of business privilege license payments made in error in the amount of \$2,933.77.

Attachment 20
List of Refunds

29. In Rem Remedy

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

Public Purpose:

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

Policy:

- City Within a City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety

- A. 206 Mill Road (Biddleville)
- B. 4516 Willard Street (Thomasboro/Hoskins)
- C. 3627 Jessie Street (Wilson Heights) Commercial Property
- D. 1001 Justice Avenue (Druid Hills North)

Complaint

- E. 3211 Hawkins Place (Rockwell/Hemphill Heights)

Public Safety

A. 206 Mill Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 206 Mill Road (Biddleville Neighborhood), located in the City Within a City boundaries.

Attachment 21

B. 4516 Willard Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 4516 Willard Street (Thomasboro/Hoskins Neighborhood), located in the City Within a City boundaries.

Attachment 22

C. 3627 Jessie Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3627 Jessie Street (Wilson Heights Neighborhood), located in the City Within a City boundaries.

Attachment 23

D. 1001 Justice Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1001 Justice Avenue (Druid Hills North Neighborhood), located in the City Within a City boundaries.

Attachment 24

Complaint

E. 3211 Hawkins Place

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3211 Hawkins Place (Rockwell/Hemphill Heights Neighborhood), located in the City Within a City boundaries.

Attachment 25

CONSENT II

30. Solid Waste Services West Quadrant Residential Solid Waste Collection Service Contract

Action: Approve a 2% unit price increase to Solid Waste Services, West Quadrant Residential Solid Waste Collection Service Contract. The unit price increase is eleven cents per month.

Explanation:

The City of Charlotte contracts with Solid Waste Services to provide residential solid waste collection services in the West quadrant of the City. The five-year contract was effective January 19, 1998. The contract provides that each year, 90 days prior to the contract anniversary date, the contractor may request that the unit price be increased up to a ceiling of 75 percent of any increase during the preceding 12 months in the United States Department of Labor, Bureau of Statistics, Consumer Price Index (CPI).

As contractually required, Solid Waste Services submitted a request for a unit price increase to be effective January 1, 2000. Internal Audit used the CPI increase from December 1998 to December 1999 to determine the CPI increase, which coincides with the contract year. The CPI increase was 2.7%; therefore, the allowable contract increase (75% of the CPI) is 2%, or eleven cents. The new unit price would increase from \$5.56 to \$5.67 per month.

With its request, Solid Waste Services submitted a letter documenting increases in annual maintenance charges for radios, a vehicle repair labor rate increase from \$36 per hour to \$37 per hour, an increase in vehicle liability insurance as well as workers' compensation premiums and a Council approved average 4.5% employee compensation adjustment.

Internal Audit reviewed the above documentation and found that it substantiates the requested increase.

The requested increase would increase billings to the City by about \$43,500 per year. In addition, if actual operating costs are less than the approved contract rate for services, one-half of the savings will be retained by the City Solid Waste Services Key Business Unit with the other half being shared with the employees.

Funding:

No additional funding is required due to savings in the Solid Waste Services Operating Budget.

31. Statesville Avenue Transportation Improvement Project

Action: Approve agreement for \$447,600 with Gannett Fleming Corddry and Carpenter, Inc. (GF) for engineering design services for the Statesville Avenue Transportation Improvement Project.

Explanation:

Funding for the Statesville Avenue Transportation Improvement Project was included in the November 1998 voter-approved \$98.3 million street bonds.

The original agreement was approved on November 23, 1998 for planning services with Gannett Fleming for \$188,465.00.

This agreement will provide funds for surveying and design services for the widening of Statesville Avenue to a minimum of four lanes from Newland Road to Hickory Lane (south of I-85). The improvements are needed due to congestion and safety issues.

Gannett Fleming was selected using the Council-approved process.

The cost of the services is comparable to the cost for similar work.

MWBD:

WBE 3%

Funding:

Transportation Capital Investment Plan

32. Geotechnical and Materials Testing Services

Action: A. Approve the agreement for \$150,000 with S&ME, Inc. for Geotechnical and Materials Testing Services; and

B. Approve the agreement for \$150,000 with Froehling and Robertson, Inc. (F&R) for Geotechnical and Materials Testing Services.

Explanation:

These agreements will provide geotechnical and materials testing services for various City projects on an as-needed basis in order that construction and materials testing is completed in an expeditious and uninterrupted manner.

The consultants were selected using the Council-approved process.

The cost of the services is comparable to the cost for similar work.

MWBD:

- A. None
- B. WBE 100%

Funding:

Transportation Capital Investment Plan

33. Runnymede/Woodlawn/Selwyn Intersection Improvement

Action: Approve Amendment #1 for \$144,572 with The LPA Group of North Carolina, P. A. (LPA) for engineering services for Runnymede/Woodlawn/Selwyn Intersection Improvement Project.

Explanation:

Funding for this intersection improvement project was approved in the November 6, 1996 voter-approved street bonds.

The original agreement was approved on April 27, 1998 with LPA for \$95,162 for Phase I. Phase I services included surveying and planning services.

This amendment will provide funds for design services and construction assistance. The intersection improvements include adding a single northbound through lane on Selwyn Avenue, curb and gutter, three-foot planting strips and five-foot sidewalk. The improvements are needed due to heavy traffic congestion.

The Selwyn Neighborhood Association (SNA) has been very involved in the public input process. SNA does not endorse the planned intersection improvements, but has agreed to continue working with the staff and consultants to identify streetscape improvements for Selwyn Avenue between Runnymede and Park Road. Funding for Selwyn streetscape improvements is not identified at this time.

MWBD:

- HBE 12.6%
- WBE 3.5%

Funding:

Transportation Capital Investment Plan

34. FY98 Storm Water Maintenance Renewal

Action: Approve Renewal #3 for \$846,450 with United Construction Inc. for continued construction of FY98 Storm Water Channel Maintenance Package.

Explanation:

This renewal will enable Storm Water Services to continue regular maintenance activities under this contract, recognizing good contractor performance and competitive prices.

The contract provides for renewal of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. This renewal will increase the contract amount from \$2,539,350 to \$3,385,800.

MWBD:

ABE 100%

Funding:

Storm Water Capital Investment Plan

35. Engineering Services for Stream Restoration

Action: Approve the agreement for \$125,000 with CH2M Hill for engineering services for Stream Restoration Services.

Explanation:

As Charlotte Storm Water Services works to reduce flooding with capital improvement projects, state and federal environmental regulatory agencies require that the City perform stream restoration to offset the possible negative environmental effects of the capital improvement projects.

Stream restoration is the process of converting a stream deteriorated from erosion and urban pollution to a more natural and healthy system. The benefits of stream restoration include beautification, improved water quality, increased green space and improved wildlife habitat.

This agreement is the third such agreement for stream restoration. Two were previously awarded on February 28, 2000.

MWBD:

ABE 10%

Funding:

Storm Water Capital Investment Plan

36. Renovation of Fourth Street Overhead Walkway

Action: Rescind the contract with American Eastern Builders in the amount of \$128,890 for the renovation of the Fourth Street Overhead Walkway.

Explanation:

On February 7, 2000, Council awarded a contract for the renovation of the Fourth Street Overhead Walkway to make it compliant with the Americans with Disabilities Act. However, in mid-February, Mecklenburg County Building Standards ruled that the design did not meet the North Carolina Building Code. In accordance with the contract, City staff has instructed the architect to revise the construction drawings and re-bid the project at no additional cost to the City.

The City Attorney's Office will determine if the City will have to reimburse American Eastern Builders for any expenses they have incurred.

Council will be asked to award the project in mid 2000.

37. McDowell Creek Drainage Basin– Budget Ordinance And Black & Veatch Contract

Action: A. Approve a budget ordinance appropriating \$350,000; and

B. Approve an Agreement with Black & Veatch for the completion of a sewer system hydraulic model and GIS mapping data for the McDowell Creek drainage basin in northern Mecklenburg County for a cost not to exceed \$295,000.

Explanation:

In recent years the wastewater flows to the McDowell Wastewater Treatment Plant have increased rapidly. The plant was just recently expanded to six million gallons per day capacity with projections that it will reach that capacity in two years if the current rate of growth continues.

Since this facility discharges to a tributary to Mountain Island Lake, the watershed rules limit the options for expansion. Staff recommends a detailed hydraulic collection system model utilizing GIS mapping data be completed for the drainage basin in order to provide better projections for wastewater flows into the McDowell Wastewater Treatment Plant.

Black & Veatch has been selected to do this work after considering their current work in the McDowell basin on cost effective water treatment options

for the basin and considering their qualifications compared to other comparable firms. A fee has been negotiated to complete the study for an amount not to exceed \$295,000.

A budget ordinance is necessary since the need for the modeling developed after the Capital Investment Plan was adopted earlier this year.

Funding:

Water Sewer Capital Investment Plan

38. Northcross Business Campus, The Crosland Group, Sewer Contract

Action: Approve a non-reimbursable sewer contract with Northcross Business Campus, The Crosland Group.

Explanation:

The non-reimbursable program allows developers to extend water and sewer mains beyond what is included in the current Capital Investment Plan. The applicant pays the full cost of the project.

Northcross Business Campus, LLC, The Crosland Group, has requested a non-reimbursable contract for the design and construction of a sewer main to serve their developing business park at Northcross Center Court.

This project will extend approximately 120 feet from the existing main along Caldwell Creek Tributary North to the proposed public street, Northcross Center Court. This sanitary sewer extension is required to serve the developing business park, Commerce Center At Northcross, located along Statesville Road near Sam Furr Road. The estimated cost of this project is \$10,000.

Funding:

The applicant has deposited 100% of the estimated project cost.

39. Upper Little Sugar Creek and FY00 Annual Sewer Rehabilitation Projects – Contract Amendment

Action: Approve Amendment #1 on the Upper Little Sugar Creek and FY 00 Annual Sewer Rehabilitation Professional Services Contract with Frazier Engineering, P.A. in the amount of \$395,000. This amendment will increase the contract amount from \$650,000 to \$1,045,000.

Explanation:

This amendment will provide for additional design and construction management services required for two of the projects in this contract.

The Upper Little Sugar Creek Project was budgeted for 50,000 feet of sewer rehabilitation. After the sewer flow monitoring analyses were complete, an additional 36,000 feet was found to be in need of rehabilitation in order to meet the goal of 20% infiltration/inflow reduction in the basin.

The FY 00 Annual Sewer Rehabilitation Project was budgeted for 30,000 feet of sewer rehabilitation. While identifying projects for the construction contract, many more critical areas were discovered than originally anticipated. An additional 45,000 feet has been added, increasing the construction time from 6 months to 15 months.

Additional funding is needed for design, construction management, construction inspection and warranty inspection services.

On March 22, 1999 City Council awarded a contract to Frazier Engineering for \$650,000.

MWBD:

WBE .8%

Funding:

Sewer Capital Investment Plan

40. Fair Housing Law Amendment

Action: Adopt an ordinance to amend the City's Fair Housing Law to include the new federal definition of "housing for older persons".

Policy:

The Charlotte Fair Housing Ordinance (Chapter 12, Article V of the *Code of the City of Charlotte*) prohibits discrimination in real estate transactions because of race, color, religion, sex, national origin, familial status or

disability. The ordinance is enforced by the Charlotte-Mecklenburg Community Relations Committee (CRC).

Explanation:

CRC receives federal money to enforce the City's fair housing law. In order for CRC to continue receiving federal funds, the City's Fair Housing Ordinance must continue to be substantially equivalent (offering essentially the same remedies and protection as the federal law) to the Federal Fair Housing Law.

The proposed ordinance is a technical amendment to make a definitional change for "housing for older persons" to conform to the definition contained in the federal law.

The new definition of "housing for older persons" is housing:

- That the Secretary of Housing and Urban Development designates as elderly housing; or
- That is operated for occupancy only by persons 62 years of age or older; or
- That is operated for occupancy by persons 55 years of age or older and at least 80% of the units are occupied by at least one person who is 55 years of age or older.

Housing that is operated for older persons as defined, has been and will continue to be exempt from familial (family) status discrimination under both laws. Familial status discrimination is a refusal to provide housing to a family because the family includes a person who is less than 18 years old.

41. Contract Renewal for Comprehensive Data Solutions

Action: Approve a contract renewal of \$35,880 for three months for professional Quality Assurance Services with Comprehensive Data Solutions.

Explanation:

This is the second renewal of a current contract for Quality Assurance services. The original contract was effective from February 1, 1999 through June 30, 1999, at a cost of \$48,000. The first renewal extended the contract from July 1, 1999 until April 1, 2000, at a cost of \$91,800. Council is requested to approve a second renewal of the contract for a three month extension at a cost of \$35,880. Total cost of the contract with the two renewals will be \$175,680.

Services under the current contract have been used within the Information Technology Department during calendar year 1999. The new services

provided by the contract renewal will be used to assist the Charlotte-Mecklenburg Police Department with the completion of the Offense Module of the Incident Management System, which allows officers to file offense reports from laptop computers in their vehicles. The services will be applied to several tasks on this project, including:

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

MWBD:

WBE 100%

Funding:

Funding for this project will be provided by a federal block grant to CMPD.

42. Airborne Express Lease Agreement and Expansion

Action: A. Approve a lease amendment to Airborne Express' current lease;

B. Adopt a budget ordinance to appropriate \$285,000 to fund a cargo facility; and

C. Award a construction contract to Welliver McGuire, Inc. of Harrisburg, North Carolina in the amount of \$230,796.

Explanation:

In 1993 the Airport constructed the original 14,100 square foot cargo facility and Airborne Express executed a five-year lease with options to renew the lease.

In 1996 the Airport constructed an additional 4,906-square foot of warehouse space at the request of Airborne Express. Their lease was amended in conjunction with the expansion.

In 1998 the lease was extended through April 2003 at an annual lease rate of \$137,364.99.

This recommended construction contract would add 2,086 square feet of space to the facility. The amended lease will be for a total of 21,092 square feet and an annual lease rate of \$160,103.28.

The budget ordinance is as follows:

Construction contract	\$230,796
Architectural & Engineering	28,774
Project Contingency	25,430
 Budget Ordinance Total	 \$285,000

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$6,215	2.4%	
HBE	\$35,566	13.6%	
MWBD Total	\$41,781	6%	16%

MWBD Compliance: Yes.

The Airport Advisory Committee recommends this action.

Funding:

Airport Capital Investment Plan

43. Ramp E Budget Ordinance and Construction Contract

- Action:**
- A. Adopt a budget ordinance to appropriate \$9,079,868 to fund the Ramp E construction contract;**
 - B. Award a construction contract to Rea Construction, Inc. of Charlotte in the amount of \$10,236,716.65; and**
 - C. Award a Quality Assurance Testing contract to On-Spec Testing, Inc. of Charlotte in the amount of \$250,000.**

Explanation:

This project will expand the commuter ramp for the construction of the new Concourse E (commuter concourse). The work will consist of demolition of the former Employee Parking Lot, site preparation, earthwork, storm drainage, installation of underground fuel lines, and 900,000 square feet of concrete paving. Quality assurance testing will consist of soil analysis for construction purposes.

The Budget Ordinance will appropriate \$9,079,868 from the Airport Discretionary Fund Balance. Funds from the discretionary fund balance will be replaced by future federal and state grants. Proceeds from the 1999 General Airport Revenue Bonds also fund a portion of this project.

MWBD Status:	Amount	% of Project	Project Goals
WBE	\$1,585,100	15.5%	
HBE	\$159,6300	1.6%	
NBE	\$179,558	1.7%	
DBE Total	\$1,924,288		18.8%

MWBD Compliance: Yes.

The Airport Advisory Committee recommends this action.

Funding:

Airport Capital Investment Plan

44. Job Access and Reverse Commute Program Transit Grant Application, Resolution and Budget Ordinance

Action: A. Adopt a resolution authorizing grant application to the Federal Transit Administration for FY1999 Job Access and Reverse Commute Program Grant totaling \$250,000; and

B. Adopt a budget ordinance appropriating \$ 500,000.

Policy:

The 2025 Transit/Land Use Plan calls for increasing transportation services between the City and the major suburban job locations.

Explanation:

This action initiates the City's FY1999 Job Access and Reverse Commute Program grant application.

The federal appropriation for the Job Access and Reverse Commute Program was awarded in May 1999. On May 28, 1999 the Administrator of the U.S. Department of Transportation, Federal Transit Administration granted the City pre-award spending authority prior to grant approval. This authority allowed the City to proceed to incur project costs prior to grant approval. The application process has been delayed as a result of changes in transit program responsibility from the Department of Transportation to the newly formed Public Transit Department.

The grant requires funds to be utilized to operate bus service to large employment centers along Freedom Drive and in the Towns of Cornelius and Huntersville. In addition, the Metropolitan Transit Commission (MTC) must provide daily services to Cornelius and Huntersville with direct access for lower income neighborhoods in north Charlotte.

In February 2000 the MTC expanded bus service to Cornelius and Huntersville including evening and weekend services and added a new service to the Towns from the Beatties Ford Road Hub. The new services operate along routes with direct access to employers with high levels of job vacancies.

Bus service to large employment centers along Freedom Drive is scheduled for implementation in October 2000.

A financial summary of the grant application is as follows:

FTA	\$250,000
City (For MTC)	<u>250,000</u>
TOTAL	\$500,000

Community Input:

The Metropolitan Transit Commission (MTC) approved the "Interim Year" Operating Program on May 26, 1999. The program included Transit Contract costs for the program.

On September 29, 1999 the Mecklenburg/Union Metropolitan Planning Organization (MPO) adopted an amendment to the Transportation Improvement Program for FY2000-2006. The amendment included Job Access/Reverse Commute Grant for services to connect welfare recipients to jobs. On January 20, 2000 the MPO endorsed this grant.

Funding:

The budget ordinance estimates and appropriates federal grant funding and transfers the City's (MTC's) local match appropriated in the FY2000 budget.

45. Transit Assistance Grant Application, Resolution and Budget Ordinance

Action: A. Adopt a resolution authorizing grant applications to the Federal Transit Administration (FTA) and to the North Carolina Department of Transportation for FY1999 and FY2000 transit assistance totaling \$8,766,600; and

B. Adopt a budget ordinance appropriating \$12,233,000.

Policy:

The 2025 Transit/Land Use Plan which calls for changing the area's land use patterns to concentrate development in major corridors and implement high capacity transit services in these corridors.

Explanation:

This action initiates the City's FY1999 and FY2000 grant applications for Rapid Transit. The federal appropriations for the new start programs were awarded in November 1998 and October 1999. The application process has been delayed as a result of changes in the transit program responsibility from the Department of Transportation to the newly formed Public Transit Department.

In May 1999 the Metropolitan Transit Commission (MTC) approved an FY2000 "Interim Year Program". This program defines the Rapid Transit capital projects to be implemented in FY2000.

South-North Corridor Major Investment Studies (MIS) are funded with the earmarked Federal Funds for FY1999 and FY2000. Preliminary MIS for the Independence-University (Northeast)-Airport corridors will be funded using State funds for FY2000.

The MIS in the South Corridor is nearing completion with the selection of Light Rail Transit as the Locally Preferred Alternative (LPA). Preliminary Engineering (PE) on the LPA is expected to start later this year. MIS in the North Corridor will start in March 2000.

A financial summary of the grant applications is as follows:

FTA	\$5,300,000
NCDOT	3,466,600
City (For MTC)	<u>3,466,600</u>
TOTAL	\$12,233,200

Community Input:

FTA regulations require the City to advertise capital projects to be financed with federal and state funds in order that citizens may request a public hearing if they have questions. The notice is scheduled for publication in the Charlotte Observer and the Charlotte Post during the weeks of March 20 and 27, 2000.

The Metropolitan Transit Commission (MTC) approved the "Interim Year" Capital Program on May 26, 1999. The program included studies in all five corridors.

On September 29, 1999, the Mecklenburg/Union Metropolitan Planning Organization (MPO) adopted an amendment to the Transportation Improvement Program For FY2000-2006. The amendment included North-South Corridor Transitway Engineering/Design. The grant application will be submitted to the MPO for endorsement at their next meeting.

Funding:

The budget ordinance estimates and appropriates federal and state grant funding and transfers the City's (MTC's) local match appropriated in the FY2000 budget.

46. Sale of City Property - 4317 McKinley Drive

Action: Approve the sale of City property located at 4317 McKinley Drive.

Explanation:

The offer is \$10,700 with the Airport paying a 3% realty fee. In accordance with the Part 150 Plan, the Airport acquired 30 homes that were located in the highest noise zones in the Wandawood community, near Harding High School. Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan (less than 75DNL).

The house located on this property subsequently burned and the property was listed in the Multiple Listing Service for sale to the public in January 1999 for \$10,000. The airport received the following offers:

12/20/99	Shenova Hill	\$3,000
12/20/99	Larry Davis	\$6,000
12/21/99	Sopher/Ludig	\$7,000
12/23/99	Shenova Hill	\$7,500
12/29/99	Larry Davis	\$8,000
1/4/00	Shenova Hill	\$8,500
1/10/00	Larry Davis	\$10,000
1/22/00	Shenova Hill	\$10,700

The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid. During the upset bid period, the Airport received a bid of \$12,000 from Larry Davis who later withdrew and forfeited the bid deposit (1%).

The Airport Advisory Committee approved this action.

47. Property Transactions

Action: Approve the following property acquisitions (A-M) and adopt the condemnation resolutions (N-O).

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

Acquisitions:

- A. Project:** Master Plan Land Acquisition
Owner(s): J & J Limited Partnership
Property Address: 4210 Wallace Neel Road
Property to be acquired: 8.838 acres
Improvements: single family residence
Purchase Price: \$326,800
Zoned: R3
Use: Single Family Residence
Tax Value: \$105,470
Tax Code: 113-133-07 and 113-133-08
- B. Project:** Master Plan Land Acquisition
Owner(s): Arthur Mae Hood
Property Address: 8410 Hillcrest Drive
Property to be acquired: .134 acres
Improvements: Vacant lot
Purchase Price: \$4,500
Zoned: RMH
Use: vacant lot
Tax Value: \$1,200
Tax Code: 113-101-05
- C. Project:** FAR Part 150 Land Acquisition
Owner(s): Ruth J. Weaver
Property Address: 8108 Tuckaseegee Road
Property to be acquired: .682 acres
Improvements: Single family residence
Purchase Price: \$75,000

Zoned: R3
Use: Single family residence
Tax Value: \$55,680
Tax Code: 055-381-10

- D. Project:** Master Plan Land Acquisition
Owner(s): Morris Field Post # 380 Inc.
Property Address: 8023 Brian Court
Property to be acquired: .714 acres
Improvements: Vacant land
Purchase Price: \$11,000
Zoned: R3
Use: Vacant land
Tax Value: \$4,680
Tax Code: 113-361-58
- E. Project:** Master Plan Land Acquisition
Owner(s): Ruth Rowland
Property Address: 8108 Old Dowd Road
Property to be acquired: .479 acres
Improvements: Single family residence
Purchase Price: \$87,000
Zoned: RMH
Use: Single family residence
Tax Value: \$60,740
Tax Code: 113-111-09
- F. Project:** Master Plan Land Acquisition
Owner(s): Virginia Turner
Property Address: 4912 Wallace Neel Road
Property to be acquired: .553 acres
Improvements: Warehouse
Purchase Price: \$590,000
Zoned: I1
Use: Warehouse/industrial
Tax Value: \$308,690
Tax Code: 113-142-04
- G. Project:** Wingate Redevelopment, Parcel #54A
Owners(s): Billy Hunter & wf. Mary Hunter
Property Address: 2713 Mayfair Avenue
Property to be acquired: 9,016.32 sq.ft. (.207 ac.)
Improvements: All improvements
Purchase Price: \$31,000
Remarks: Total acquisition of this property is needed to complete the Wingate Redevelopment project. The purchase price is based on an independent, certified appraisal.
Zoned: R22 MF
Use: Single family residence

Total Parcel Tax Value: \$27,210

Tax Code: 115-015-16

- H. Project:** Storm Drainage Repair-240 Perrin Place, Parcel #2
Owners(s): David W. Erdman & wf., Lynn K. Erdman
Property Address: 251 Huntley Place
Property to be acquired: 2,426 sq.ft. (0.055 ac.) of Permanent Easement plus 5,929 sq.ft. (0.136 ac.) of Temporary Construction Easement.
Improvements: Trees, shrubs and landscaping
Purchase Price: \$40,725
Remarks: The area is needed for storm drainage repair at 240 Perrin Place. The acquisition price is based on an independent, certified appraisal.
Zoned: R-4
Use: Single family residential
Total Parcel Tax Value: \$452,850
Tax Code: 155-103-55
- I. Project:** Providence Road/Sharon Lane/Sharon Amity Intersection, Parcel #6
Owners(s): Trustees of Providence United Methodist Church
Property Address: 2810 Providence Road
Property to be acquired: 4,167 sq.ft. (0.096 ac.) of Fee Simple acquisition plus 6,288 sq.ft. (0.144 ac.) of Temporary Construction Easement.
Improvements: Trees
Purchase Price: \$36,000
Remarks: The areas are needed for construction of intersection widening. Compensation based on an independent appraisal made on the property.
Zoned: R-3
Use: Church
Total Parcel Tax Value: \$4,726,830
Tax Code: 181-151-31
- J. Project:** Monroe Road/Sharon Amity Road Improvements, Parcel #14 & 15
Owners(s): Thomas R. Simpson & Mary M. Simpson
Property Address: 2131 & 2137 North Sharon Amity Road
Property to be acquired: 4,873.707 sq.ft. (0.112 ac.) of Fee and Permanent Utility Easement plus 1,305.7 sq.ft. (0.030 ac.) of Temporary Construction Easement.
Improvements: Sign relocation
Purchase Price: \$33,850
Remarks: This acquisition is needed for the intersection improvements at Monroe Road and Sharon Amity Road. Compensation was established by two independent, certified appraisals.
-

Zoned: 02
Use: Duplex/Triplex
Total Parcel Tax Value: \$161,890
Tax Code: 161-065-06 & 07

- K. Project:** Monroe Road/Sharon Road Improvements, Parcel #13
Owners(s): Jo Anne H. Lewis & Frank P. Lee
Property Address: 2125 North Sharon Amity Road
Property to be acquired: 2,736 sq.ft. (0.063 ac.) of Fee plus 768.659 sq.ft. (0.018 ac.) of Temporary Construction Easement.
Improvements: Landscaping
Purchase Price: \$15,575
Remarks: This acquisition is needed for the intersection improvements at Monroe Road and Sharon Amity Road. Compensation was established by two independent, certified appraisals.
Zoned: 02
Use: Office
Total Parcel Tax Value: \$81,460
Tax Code: 161-065-05
- L. Project:** Monroe Road/Sharon Amity Road Improvements, Parcel #42
Owners(s): Margaret T. Aldridge
Property Address: 5215 Monroe Road
Property to be acquired: 824.232 sq.ft. (0.019 ac.) of Fee and Permanent Utility Easement plus 1,445.028 sq.ft. (0.033 ac.) of Temporary Construction Easement.
Improvements: Fence relocation
Purchase Price: \$15,400
Remarks: This acquisition is needed for the intersection improvements at Monroe Road and Sharon Amity Road. Compensation was established by two independent, certified appraisals.
Zoned: 02
Use: Single family residence
Total Parcel Tax Value: \$103,690
Tax Code: 161-064-03
- M. Project:** 24-inch Water Main along W. T. Harris Boulevard, Parcel #30
Owners(s): William Marshall Murphey, William Murphey, Jr. & wf., Sidney A. Murphey, Michael Lyman Murphey & wf., Lydia W. Murphey
Property Address: 6936 Albemarle Road
Property to be acquired: 4,303.18 sq.ft. (0.099 ac.) of Permanent Easement plus 2,933 sq.ft. (0.068 ac.) of Temporary Construction Easement.
Improvements: Landscaping
Purchase Price: \$23,400
-

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

Zoned: B2

Use: Service Garage

Total Parcel Tax Value: \$449,110

Tax Code: 109-182-02

Condemnations:

- N. Project:** Monroe Road/Sharon Amity Road Improvements, Parcel #49
Owner(s): Daniel Carl Lawrence and Patty Sue Lawrence & any other parties of interest.

Property Address: 5457 Monroe Road

Property to be Acquired: 977.660 sq.ft. (0.022 ac.) of Fee plus 648.340 sq.ft. (0.015 ac.) of Temporary Construction Easement.

Improvements: Asphalt paving

Purchase Price: \$6,625

Remarks: This acquisition is needed for the intersection improvements at Monroe Road and Sharon Amity Road. City staff has yet to reach a negotiated agreement with property owner. The purchase price was established by two independent, certified appraisals.

Zoned: 02

Use: Office

Total Parcel Tax Value: \$274,230

Tax Code: 163-021-42

- O. Project:** Monroe Road/Sharon Amity Road Improvements, Parcel #45
Owner(s): Neva Smith by Power of Attorney of Sara Thompson & any other parties of interest

Property Address: 5311 Monroe Road

Property to be Acquired: 3,495.426 sq.ft. (0.080 ac.) of Fee plus 1,917.572 sq.ft. (0.044 ac.) of Temporary Construction Easement.

Improvements: Landscaping/buffer

Purchase Price: \$61,400

Remarks: This acquisition is needed for the intersection improvements at Monroe Road and Sharon Amity Road. Compensation was established by two independent, certified appraisals. After numerous meetings, City staff has yet to reach an agreement with the property owner.

Zoned: B-1

Use: Single family residence

Total Parcel Tax Value: \$128,360

Tax Code: 161-065-01

48. Meeting Minutes

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

- February 10-12 Council Retreat
- February 15 Joint City/County School Board Meeting
- February 16 Council Budget Retreat
- February 21 Zoning Meeting
- February 23 Joint City/County 2010 Plan
- February 28 Business Meeting
- March 6 Workshop