

Mayor Patrick McCrory

Rod Autrey  
Patrick D. 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, May 14, 2001**

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**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**



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

### **1. Decade of Progress Committee Briefing**

**Resources:** Judy Allison, Co-chair  
Claude Alexander, Co-chair

**Time:** 5 minutes

#### **Attachment 1**

### **2. New Arena Design**

**Resource:** Martin Cramton

**Time:** 45 minutes

#### **Attachment 2**

### **3. Hal Marshall Site Redevelopment Update**

**Resource:** Tom Flynn

**Time:** 15 minutes

#### **Attachment 3**

### **4. Commercial Recycling Ordinance**

**Resource:** Wayman Pearson, Solid Waste Services  
Cary Saul, Mecklenburg County Solid Waste Services

**Time:** 10 minute

#### **Attachment 4**

### **5. Committee Reports by Exception**

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

### **CONSENT**

- 6. Consent agenda items 20 through 54 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

## PUBLIC HEARING

### 7. Public Hearing to Close an Alleyway off East Seventh Street

**Action:** A. Conduct a public hearing to close an alleyway off East Seventh Street; and

B. Adopt a Resolution to Close.

**Staff Resource:** Scott Putnam, Transportation

**Focus Area:** Economic Development

**Policy:**

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

**Explanation:**

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this action in accordance with the statute.

**Petitioner:** Seventh Street Investors, LLC

**Right-of-Way to be abandoned:** An alleyway off East Seventh Street

**Location:** From East Seventh Street, between North College Street and North Brevard Street, northeastwardly approximately 188 feet to its terminus

**Reason:** To incorporate the right-of-way into adjacent property owned by the petitioner

**Notification:** In accordance with City Policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

**Adjoining property owners:** Seventh Street Investors owns all adjacent property.

**Neighborhood/Business Associations**

Third Ward Community Development Corporation – No objection

Friends of Fourth Ward, Inc. – No objection

Center City Partners – No objection

Dilworth Community Development Association – No objection

Elizabeth Community Association – No objection  
Belmont Neighborhood Strategy Force – No objection  
Double Oaks Community Organization – No objection

**Private Utility Companies** – No objection

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

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

**Attachment 5**

Map

**8. Public Hearing to Close a 60-Foot Street off Wallace Road**

**Action: A. Conduct a public hearing to close a 60-foot street off Wallace Road; and**

**B. Adopt a Resolution to Close.**

**Staff Resource:** Scott Putnam, Transportation

**Focus Area:** Economic Development

**Policy:**

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

**Explanation:**

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this action in accordance with the statute.

**Petitioner:** Hassan Radmanesh

**Right-of-Way to be abandoned:** Unopened 60-foot street off Wallace Road

**Location:**

From Wallace Road, off of Independence Boulevard, southwardly approximately 828 feet to its terminus at the property line of Carolina Evangelistic Association

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner for a proposed multifamily development

**Notification:**

In accordance with City Policy, the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City departments for review.

**Adjoining property owners**

Carolina Evangelistic Association – No objections

**Neighborhood/Business Associations**

Woodburn - No objection

East Forest Neighborhood Association – No objection

Woodberry Forest Neighborhood Association – No objection

Sharon Forest – No objection

Cedars East – No objection

**Private Utility Companies – No objection**

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

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

**Attachment 6**

Map

**9. Public Hearing on Affordable Housing Implementation Team's Final Report**

**Action: Conduct a public hearing to receive comments on affordable housing strategies outlined in the *Affordable Housing Implementation Team's Final Report*.**

**Committee Chair:** Rod Autrey

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

**Focus Area:** City Within A City

**Policy:**

The City's FY2001 Consolidated Plan identifies a need for affordable, safe and decent housing for low-income families. The Plan was approved by City Council on April 24, 2000 and reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of low and moderate-income housing, and support family self-sufficiency initiatives.

**Explanation:**

On October 10, 2000, City Council approved the establishment of a 25-member Affordable Housing Implementation Team to study the original Affordable Housing Stakeholders Report. City Council charged the Implementation Team to:

- study the Affordable Housing Report;
- identify key action steps and accountabilities;
- estimate the cost of each recommendation;
- establish an implementation timeline; and
- determine which strategies will have the greatest impact.

On April 5, 2001, after more than 4 months of review and analysis, the Implementation Team completed its Final Report. This final document outlines implementation steps for developing recommendations identified in the Stakeholders Report.

The Implementation Team consolidated some of the 15 recommendations in the original Stakeholders Report into 11 new recommendations. In addition, the Implementation Team prioritized the new recommendations as high, medium or low based on their impact over the next five years.

The high priority recommendations identified by the Team include the following:

- *Density Bonus/Transit Density*
- *Housing Trust Fund*
- *Housing Locational Policy*
- *Section 8 Incentives*
- *Mixed-Income Development Policy*

For each high priority recommendation, the Team prepared a description that includes the proposed recommendation, timeframe, cost, action steps, accountability and statements on the impact of the recommendations. (See attached matrix)

The high priority recommendations will cost approximately \$125 million and will leverage an estimated 5,000 subsidized housing opportunities over the next five years. A financial overview was presented to City Council at its Budget Retreat on April 11, 2001.

Council will be asked to begin approving recommendations from the Implementation Team's Final Report at its May 29, 2001 meeting.

**Background:**

In 1999 Charlotte City Council commissioned a review of the City's housing challenges to identify strategies to meet the needs of low and moderate-income households. A 25 member stakeholders group was formed and participated in a year-long process that culminated with the development of an Affordable Housing Strategy Report – a Report of the City of Charlotte Housing Strategy Stakeholders. The report outlined strategies and

recommendations to address key issues in providing affordable housing. (See attached report highlights.)

City Council held a Public Hearing on September 11, 2000 to receive citizen input on the strategies outlined in the report. The majority of the comments focused primarily on the Locational Housing Policy amendments.

On September 18, 2000 the City Within A City Committee considered the comments from the public hearing and voted to recommend that City Council establish a process to implement the recommendations of the Stakeholders Report. On October 10, 2000 Council approved the CWAC Committee's recommendations to establish an Implementation Team; approve the Implementation Team's charge; and approve the Implementation Team's workplan.

City Council received a briefing on the Affordable Housing Implementation Team's Final Report at the Council Workshop on May 7, 2001. (See attached)

**Committee Discussion:**

On May 2, 2001 the CWAC Committee received a schedule for review and action by City Council and the Committee. (See attached)

**Community Input:**

Notices regarding the public hearing process and date were published in the Charlotte Observer and Charlotte Post. In addition, written notices were sent to more than 400 community groups and organizations.

**Attachment 7**

- Council Workshop Agenda Item – May 7, 2001
- Implementation Team Final Report – Review Schedule

**10. Public Hearing on Public Safety Emergency Telephone Service Surcharge**

**Action: A. Hold a public hearing to receive comments concerning the proposed public safety emergency telephone service surcharge; and**

**B. Adopt an ordinance to establish a public safety emergency telephone surcharge of 73 cents per month for each landline telephone service with the capability to access 911 emergency systems within the Charlotte-Mecklenburg Police Service Area. The effective date of the ordinance is September 15, 2001.**

**Staff Resource:** Curt Walton, Budget & Evaluation

**Explanation:**

The City proposes a 911 landline surcharge for the Charlotte-Mecklenburg area to support the Fire and Police Departments and Medic emergency telephone systems. The rate proposal is estimated at 73 cents per month on each of the Charlotte-Mecklenburg service area's estimated 517,000 lines. This rate would generate approximately \$4.4 million in revenues each year. Over a five-year period, the revenue would be sufficient to cover the amount needed to replace the Police, Fire and Medic emergency telephone systems, support eligible operating costs and allow the City to continuously upgrade communications systems.

Changes in the communications industry have profoundly affected the emergency telephone system processes. Charlotte-Mecklenburg area 911 calls doubled in the last four years. Costs have risen dramatically. For example, the City's 911 monthly network charges rose from \$39,063 per month in March 1997 to the current cost of \$64,250.

Police, Fire and Medic emergency systems in Charlotte-Mecklenburg need to be replaced. The Police CAD system is 25 years old and is obsolete. The Fire Department's system has been in service 13 years and is also obsolete.

The North Carolina General Assembly approved two legislative bills that recognize the impact of rising emergency communication cost on local jurisdictions. The first, recorded in North Carolina General Statute 62-A, was passed in July 1989 allowing local jurisdictions to levy a surcharge on landline telephone service. The second, also recorded in North Carolina General Statute 62-A, was passed in September 1998 to levy an 80 cents surcharge on wireless telephone service.

While the surcharge for the landline service must be enacted and implemented by local jurisdictions, the State passed and implemented the wireless surcharge. Wireless service providers charge the surcharge on each wireless user's monthly bill and remit the revenue to the State. The State distributes 60 percent of the revenue back to the wireless service providers and 40 percent to the emergency communication agencies or public service answering points (PSAPs), such as Charlotte-Mecklenburg Police Department, throughout the State. These revenues must be used to support emergency communication or 911 systems related to wireless service. The City currently receives approximately \$300,000 annually in wireless revenues.

The landline surcharge, the first bill passed, allows local agencies to impose a monthly charge on each telephone landline with the capability to access 911. Telephone service providers must collect the charges from subscribers as they do for the wireless surcharge. These revenues must be used to support emergency communication or 911 systems related to landline service.

There are three primary (PSAPs) in Mecklenburg County, including Charlotte-Mecklenburg Police, Cornelius Police and Pineville Police, and two

secondary PSAPs including Medic and the Charlotte Fire Department. Pineville is charging the surcharge at a rate of \$1.25 per month. Cornelius is proposing to implement the surcharge in its upcoming budget at a rate of \$1.00 per month.

All but six counties in North Carolina have enacted the surcharge. The six that have not are Forsyth, Alamance, Hyde, Transylvania, Yancey and Mecklenburg. The average surcharge in North Carolina is about 94 cents per month per line.

This proposal was presented to Council at the February 21 budget retreat. Letters from the City Manager to the County Manager and Town Managers of Matthews, Mint Hill and Davidson affected by this surcharge were faxed on May 1 to advise them of this action. BellSouth provided the landline information for the City to base the proposed surcharge.

Notices regarding the public hearing process and date were published in *Charlotte Observer* and *Charlotte Post* on May 3, 2001. Information about this new surcharge was provided to the news media for release along with other budgetary information on May 7, 2001.

**Attachment 8**

List of surcharges imposed by other NC jurisdictions

## ZONING PETITION

### 11. Zoning Petition # 2000-132

**Action:** Consider decision on Petition 2000-132 by Michael J. Fox and Associates, LLC for a change in zoning for approximately 101 acres located at the northwest corner of the intersection of Mallard Creek Road and Ridge Road from R-3 to CC.

**Staff Resource:** Keith MacVean, Planning

**Explanation:**

This petition was on the zoning agenda for a decision on April 17, 2001.

Two Council Members were absent at the decision meeting and the required six votes could not be met for a decision.

**Attachment 9**

Zoning Committee Recommendation, Staff Analysis

## POLICY

### 12. City Manager's Report

### 13. FY2002 Consolidated Plan for Housing and Community Development Activities



**Action:** Approve the *FY2002 Consolidated Plan* in order for the City of Charlotte to receive the proposed grant allocation of approximately \$8 million for next fiscal year.

**Committee Chair:** Rod Autrey

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

**Policy:**

The Consolidated Plan is the City's one-year strategy for providing housing and community development activities to serve low and moderate-income households. The plan describes the City's goals, objectives and strategies for carrying out federal and local programs for FY2002. The planning document is required to receive the City's annual federal grant allocation.

**Explanation:**

The FY2002 Consolidated Plan focuses Charlotte's efforts on providing economic opportunities, housing and sustainable neighborhoods. The plan establishes a vision for the Charlotte community and sets forth goals, objectives and benchmarks to achieve the vision. The Plan also embraces the U.S. Department of Housing and Urban Development (HUD) goals of providing housing, suitable living environments and economic opportunities for low and moderate-income households. Next fiscal year, the City of Charlotte will receive an estimated \$8 million in federal funds for housing and community development initiatives.

The *2002 Action Plan* is the second year of the 5-year Consolidated Plan and continues current policies regarding the City's approach to housing and community development. The housing portion of the *Action Plan* will be re-evaluated and amended after City Council's review and acceptance of the Housing Strategy Implementation Team's report.

The Consolidated Action Plan is due to HUD on May 15, 2001. Submission of the 1-Year Plan is required to receive an estimated \$8 million in new federal dollars. The proposed funds are included in four grant programs:

• Community Development Block Grant (CDBG)	\$4,914,000
• Home Investments and Partnerships (HOME)	\$2,451,000
• Emergency Shelter Grants (ESG)	\$166,000
• Housing Opportunity for Persons with AIDS (HOPWA)	\$477,000
<b>Total</b>	<b>\$8,008,000</b>

It is estimated that the City's Consolidated Plan will leverage over \$143 million in resources over the next five years.

### **Background:**

The City produced its first Consolidated Plan in 1996 under new federal guidelines mandated by HUD. The 1996 Plan represented a coordinated approach to addressing housing and community development needs and planned use of federal and local housing funds.

The key strategies to implementing the City's 2002 Consolidated Plan include focusing and coordinating resources to target neighborhoods and business areas for sustainable change; collaborating and partnering with other agencies, private-sector and neighborhood residents; and leveraging local state and federal resources with the private sector.

The FY2002 federal fund allocation represents an increase of approximately 3% over the FY2001 fund amount. The annual allocation is determined by HUD's entitlement formulas – data based on overcrowded housing, population and poverty; or data based on the age of housing, population growth or lag and poverty.

The *FY2002 Action Plan* outlines how the City proposes to use federal and local dollars to implement housing and community development strategies to serve low and moderate-income persons.

### **Committee Discussion:**

On May 2, 2001, the City Within A City Committee unanimously voted to recommend approval of the FY2002 Consolidated Plan to Council. The Committee's discussion focused on the location of future JobLink Centers and addressing employment needs in the east and midwest areas of Charlotte. Committee members present: James Mitchell, Sara Spencer, Patrick Cannon, and Mike Castano. Committee member absent: Rod Autrey.

### **Community Input:**

Two forums were held in January 2001 to inform citizens and agencies of the Plan preparation process and timeline for completing the planning document. One forum included representatives from private and public agencies that are instrumental in achieving HUD's housing and community development goals. The second forum included community leaders and interested citizens who shared their thoughts on unmet needs in the Charlotte community.

A public hearing before City Council occurred on April 9, 2001. No one spoke at the Public Hearing.

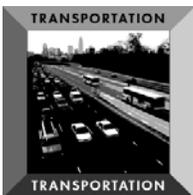
**Funding:**

Federal CDBG, HOME, ESG and HOPWA funds. A budget ordinance for acceptance of these funds will be included in the FY2002 budget adoption.

**Attachment 10**

FY2002 Consolidated Plan Executive Summary

**14. Charlotte Area Transit System (CATS) FY2002-FY2003 Transit Programs**



**Action: Approve CATS FY2002-FY2003 Transit Programs which were approved by the Metropolitan Transit Commission on March 28, 2001.**

**Staff Resource:** Ronald Tober, CATS

**Policy:**

The February 1999 Transit Governance Interlocal Agreement calls for the Mecklenburg County Board of Commissioners and the Charlotte City Council to each approve the capital and operating programs.

**Explanation:**

This item was presented to Council on April 9, 2001. Council deferred action on this item until May 14, 2001. Councilmember Autrey requested information on the one-half cent sales tax and transit expenses for each of the Mecklenburg County Towns. This information was provided to Council on May 4, 2001 in the Council-Manager Memo.

On March 28, 2001, the Metropolitan Transit Commission (MTC) approved CATS FY2002-FY2003 Transit Programs developed in accordance with the following policy directives:

- Continued implementation of the 2025 Integrated Transit/Land Use Plan
- Achievement of CATS Mission, Vision and Strategic Goals
- CATS Financial Policies

The Mecklenburg Board of County Commissioners also approved CATS FY2002-FY2003 Transit Programs on April 18, 2001.

The \$143,889,585 FY2002 Transit Programs includes \$59,472,833 for operating programs, \$82,062,600 for capital improvements and \$2,354,152 for the transit capital reserve fund. In FY2003, the \$176,289,366 Transit

Program allocates \$66,321,312 to operating programs, \$105,817,440 to capital improvements and \$4,150,614 to the transit capital reserve fund. Key elements and assumptions in the FY2002-FY2003 Transit Programs are:

- Ridership is projected to increase by 5% per year from 13.4 million riders in FY2000 to 15.5 million in FY2003.
- Total revenue hours of services delivered in FY2002 will increase by 45% over FY2000 with a further 12% increase in FY2003 through:
  - increased service on existing regular bus routes,
  - new regular bus routes,
  - new community/town based circulator service,
  - new activity center circulators with 50% private sector funding, and
  - new regional express bus routes.
- Basic customer service will be improved through:
  - centralization of customer telephone information and complaint handling services,
  - addition of reserve drivers for Special Transportation Services,
  - replacement of all bus stop signs with new ones containing route and schedule information, and
  - start of an on-going program to install passenger shelters and other customer amenities at bus stops.
- Human Services Transportation for County DSS is continued at a 10% increased level which is consistent with adopted MTC policy.
- Continued progress on rapid transit improvements in the 2025 Plan Corridors including:
  - completion of preliminary engineering and final environmental impact statement in the South Corridor and start of final design,
  - completion of major investment studies in the other four corridors and selection of locally preferred alternatives and a downtown transit plan,
  - start of preliminary engineering in the north corridor and a third corridor, and
  - right of way acquisition including \$ 15 million for the Norfolk Southern line parallel to I-77/North.
- Sales tax revenues are projected to grow by 5% in FY2002 and 4% in FY2003.
- Aggressive assumptions on State and Federal grant funding have been made for the capital program.
- Capital reserves will continue to be built to \$81,229,128 in FY2002 and \$85,379,742 in FY2003.

No fare increase is assumed.

**Committee Discussion:**

The FY2002-2003 Transit Programs were presented to Council at the February 14, 2001 budget workshop.

**Community Input:**

The Citizens Transit Advisory Group and the Transit Services Advisory Committee reviewed the FY2002-2003 Programs and recommended adoption by the MTC.

The Metropolitan Transit Commission unanimously approved the FY2002-FY2003 Transit Programs on March 28, 2001.

**Funding:**

Public Transit Fund

**Attachment 11**

- FY2002-FY2002 Transit Programs Summary
- FY2002-FY2003 Operating & Capital Program Detail
- FY 2002-FY2006 Capital Improvement Program

## BUSINESS

### 15. Commercial Recycling Ordinance

**Action:** Adopt a resolution to permit a Mecklenburg County commercial recycling ordinance to be applicable within the City of Charlotte corporate limits.

**Staff Resources:** Wayman Pearson, Solid Waste Services  
Cary Saul, Mecklenburg County Solid Waste Services

**Policy:** Solid Waste Management 10-Year Plan

**Explanation:**

Mecklenburg County requests that the City Council adopt a resolution permitting the County's source separation ordinance be enforced within the City's corporate limits. This ordinance promotes commercial waste reduction through smart recycling practices that will increase the life of existing landfills, strengthen the recycling infrastructure and extend the life of our natural resources.

The Mecklenburg County Board of County Commissioners (BOCC) approved this ordinance on April 3, 2001. The effective date of the ordinance is January 1, 2002, and will expire four years later. The ordinance currently applies only to unincorporated areas within Mecklenburg County. It requires businesses generating 16 cubic yards or more of solid waste per week to keep office paper and corrugated cardboard separate from their trash for the purpose of recycling.

On November 11, 2000, the City Council approved a resolution that adopted the revised Mecklenburg County Solid Waste Management 10-Year Plan in order to meet a N.C. State Law requirement for municipalities. This ordinance addresses a key element of the Solid Waste Management Plan. The Plan directed Mecklenburg County to convene a task force of business leaders to develop a mandatory commercial source separation ordinance for office paper and corrugated cardboard. Voluntary source separation efforts previously have been unsuccessful.

County staff will be responsible for implementing the ordinance that includes provisions for education, technical assistance and enforcement. County staff will provide businesses with three notices of non-compliance before penalties are assessed. Each notice will include an offer of technical assistance. A \$50 civil penalty per occurrence will be assessed if a business fails to comply with the ordinance within 30 days of receiving the third notice of violation. The maximum penalty that will be assessed to a business within a twelve-month period is \$2500. Since County staff is responsible for fully implementing the ordinance, City Solid Waste Services operations will not be affected.

**Community Input:**

Mecklenburg County appointed a task force of local leaders in August 2000 to develop the details of the ordinance. The task force reviewed information on waste characterization, waste generation, pilot programs, survey data, resources available through County technical assistance programs and guidance from the solid waste plan.

The task force also discussed mandatory programs in other cities, ordinance design, thresholds for compliance, legal issues surrounding an ordinance, compliance and enforcement and the effects of recycling on the collection infrastructure. After several meetings to review and discuss available options, the task force unanimously presented the draft ordinance to the County Commission in February 2001 for approval.

**Attachment 12**

- Resolution requesting implementation of County ordinance
- Copy of letter dated April 4, 2001 from County Manager Harry Jones to City Manager Pam Syfert requesting approval of resolution to enforce ordinance
- Summary of Source Separation Ordinance
- Copy of Source Separation Ordinance
- List of Recycling Ordinance Task Force Members
- Summary report detailing chronology of task force actions

**16. Nominations to the Carolina Theatre Task Force**

**Action: Make nomination to replace one of Council's two appointments to the Carolina Theatre Task Force.**

**Staff Resource:** Curt Walton, Budget & Evaluation

**Explanation:**

As part of the amendments to the Sports and Cultural Facilities package, Council directed that a feasibility study and business plan be completed prior to the Carolina Theatre receiving funding for its restoration. The Arts and Science Council (ASC) is reconvening the task force originally appointed in 1999 that was charged with making a preliminary determination as to the feasibility of reopening the Theatre. The Task Force, which was chaired by Peter Pappas, completed its work and reported back to the City Council in September 1999. The Task Force recommended that the Theatre be renovated and reopened for cultural programming.

City Council had two appointments to the Carolina Theatre Task Force. Council's two appointments were Marcie Kelso and Neysa D. Brown. Marcie Kelso continues to serve; however, Neysa Brown has moved to Atlanta. Therefore, Council needs to make nominations to replace Ms. Brown on the Task Force. Appointment will be considered on May 29.

**Attachment 13**

List of Task Force Members

**17. Nominations to Boards and Commissions**

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

**A. AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY**

Two vacancies exist for three year appointments beginning May 2001. Bill Spears is eligible and would like to be reappointed; Stanley Vaughan is not eligible.

**Attachment 14**

Applications

**B. CITIZENS REVIEW BOARD**

Two vacancies exist to replace Harold Cogdell, Jr. and Bobby Miller who have both resigned. The applicant must be a graduate of the Citizens Academy, and the attached applications meet that requirement. Terms will begin immediately and end July 2003.

**Attachment 15**

Applications

**C. HISTORIC LANDMARKS COMMISSION**

One citizen, no category, to replace David Grier Martin, III, who is moving. This term will begin immediately and expire July 2002. The Board requests that Council nominate and appoint at this meeting tonight because they anticipate a very busy upcoming schedule.

**Attachment 16**

Applications

**D. PASSENGER VEHICLE FOR HIRE BOARD**

Nominate five persons to serve two year terms beginning July 1, 2001.

Category one is a taxicab, limousine or other vehicle for hire company owner.

Category two is a person who actually owns the respective vehicle for hire or a driver/chauffeur as well as a company operating certificate holder. Al Wheeler is serving on the Taxicab Review Board in this capacity, and would like the opportunity to continue serving.

Category three is a regular user of vehicles for hire.

Category four is a representative of the hospitality/tourism industry.

Category five would be a person with a disability, or a representative from an organization that represents persons with disabilities, with knowledge of problems encountered or suggestions for better service with vehicles for hire.

**Attachment 17**  
Applications

**18. Appointments to Boards and Commissions**

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

**A. CERTIFIED DEVELOPMENT CORPORATION**

One citizen to serve beginning immediately until April 2003. Must represent a business organization.

Phillip Lopp by Councilmembers Cannon and White  
Oscar Peterson by Councilmember Autrey

One citizen to serve beginning immediately until April 2003 to represent a community organization.

Peter Awute by Councilmember Cannon

**Attachment 18**  
Applications

**B. CITIZENS TRANSIT ADVISORY COMMITTEE**

One vacancy exists for service beginning immediately, ending June 30 and then serving the next full two year term. Peter Ackling did not meet Council's attendance requirements.

Robert Ett by Councilmembers Cannon and Wheeler  
Mark Loflin by Councilmembers Autrey and Castano

**Attachment 19**  
Applications

**C. CLEAN CITY COMMITTEE**

Vote for two citizens to replace Ronald Dolphus and William Purgason, who did not meet Council's attendance requirements, and two citizens to replace John Concelman and Christopher Ham, who have resigned. John Hall is eligible to be reappointed, but does not wish to be. Appointments are to begin immediately to fill unexpired terms.

Vote for five:

Esmael Fadaee by Councilmember Autrey  
Richard Foster by Councilmember Burgess  
Cille Holland by Councilmember Autrey  
Eric Ritchie by Councilmember Carter  
Cathryn Carpenter Sleva by Councilmember White  
Tina Stavrakas by Councilmember Cannon  
Thomas Uhlir by Councilmember Autrey  
Thelma Wright by Councilmember Cannon

**Attachment 20**

Applications

**D. COMMUNITY RELATIONS COMMITTEE**

Vote for nine citizens to serve three years beginning in July. Scott Hirsch, James Samuel and Louise Shackelford did not meet Council's attendance requirements. Stephen Hayes, Leonard Jones, and George Wallace are not eligible to be reappointed. John Paul deBernardo and Eunice Pharr are eligible but do not wish to be reappointed.

Barbara Waymer has resigned since Council made nominations. Her term will also be for three years.

John Curtis Bradley by Councilmembers Autrey and White  
William Bullock by Councilmember Mitchell  
Cecilia Burks by Councilmember Carter  
Kevin Campbell by Councilmembers Autrey and Spencer  
Shannon Davidson by Councilmember Cannon  
Wendell Fant by Councilmembers Cannon and Mitchell  
Chandra Green by Councilmembers Burgess and Cannon  
Martin Lasker by Councilmember Autrey  
Linda Lindfors by Councilmembers Autrey and Carter  
Melanie Mobley by Councilmembers Burgess and Carter  
Jackie Robinson by Councilmember Mitchell  
Heather Sides by Councilmember Autrey  
John Thompson by Councilmembers Burgess and Carter

**Attachment 21**

Applications

**E. DOMESTIC VIOLENCE ADVISORY BOARD**

Vote for two citizens to replace Martin McCracken and Ann Noonan.

Sherry Barnes by Councilmember Autrey  
Jennifer Morgan Dow by Councilmembers Autrey and Carter  
Randy Fink by Councilmembers Wheeler and White  
Sandy Gripper by Councilmembers Carter and Castano  
Lisa Gail Hall by Councilmember Spencer  
Debra Jackson by Councilmembers Burgess and Carter

Beth Marlin by Councilmember Mitchell

**Attachment 22**

Applications

**F. NEIGHBORHOOD MATCHING GRANTS COMMITTEE**

Two appointment serving for two years beginning April 2001 to replace Lillie Gilchrist, who is not eligible to be reappointed and Brigette Welton who does not wish to be reappointed.

Karen Beach by Councilmember Burgess  
Calvin Lewers by Councilmember Mitchell  
Dr. Jude Mbanuzue by Councilmembers Autrey and Cannon

**Attachment 23**

Applications

**G. PAROLE ACCOUNTABILITY COMMITTEE**

Vote for one citizen to serve three years beginning July 2001 to replace Linda Williams.

Major Norris Anderson by Councilmember Cannon  
Greg Phipps by Councilmember Burgess

**Attachment 24**

Applications

**H. SISTER CITIES COMMITTEE**

Three terms beginning immediately and serving until April 2002. Jill Bullard, Keith Cannon and Daniel Saltrick did not meet Council's attendance policy.

John Barringer by Councilmembers Burgess and White  
Stacey Brown by Councilmember Carter  
Martin Lasker by Councilmembers Cannon and Spencer  
Ruth McCann by Councilmember Cannon  
Veneice Miller by Councilmembers Mitchell and Wheeler  
Dr. Lisa Schwartz by Councilmember Carter

**Attachment 25**

Applications

**I. TRANSIT SERVICES ADVISORY COMMITTEE**

One position beginning immediately and serving until January 2004. Must be a local service passenger. Kay Dumas has resigned.

Sherry Helms Miller by Councilmember Cannon  
Rebecca Potts by Councilmember White

Pat Sherry by Councilmember Carter  
Carolyn Stroud by Councilmember Spencer

**Attachment 26**  
Applications

**19. Closed Session**

**Action: Adopt a motion to hold a closed session pursuant to North Carolina General Statute 143-318.11 (a) (4) for the purpose of discussing matters relating to the location or expansion of industries or other businesses.**

**Staff Resource:** Mac McCarley

## 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

### 20. Various Bids

**A. North Tryon Street Mall Extension – EP&M  
8<sup>th</sup> Street to 11<sup>th</sup> Street**

**Recommendation:** The City Engineer recommends the low bid of \$163,787.25 by Sealand Contractors Corporation of Charlotte, North Carolina. This project will realign the granite curb on the west side of North Tryon Street from 9<sup>th</sup> to 11<sup>th</sup> Street to match the existing granite curb alignment on North Tryon Street between Stonewall and 8<sup>th</sup> Street. The east side North Tryon curb realignment from 8<sup>th</sup> to 11<sup>th</sup> Street will be completed by the North Tryon Phase II city project and the Hal Marshall Center redevelopment. The Planning Commission identified this curb realignment project as a capital need.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$3,945	3%	3%
WBE	\$3,500	2%	2%

**B. Charlotte-Mecklenburg Police Department EP&M  
West Service Area Janitorial Services**

**Recommendation:** The City Engineer recommends the low bid of \$115,671.60 by H & M Cleaning and Maintenance Services of Charlotte, North Carolina. This three-year contract will provide janitorial services at the West Service Area (formerly Adam Service Area).

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$115,671.60	100%	8%

**MWBD Compliance:** Yes. H & M Cleaning and Maintenance Services will self-perform.

**C. Office Supplies All City Departments**

**Recommendation:** The BSS/Procurement Services Director recommends award of a unit price contract to Forms & Supply, Inc. for office supplies for a term of one year with an option to renew annually for four additional years. The total estimated FY02 expenditures are based upon the City's buying history at \$404,573 annually.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	38%
WBE	\$404,573	100%	30%

**MWBD Compliance:** Yes. Forms & Supply, Inc. is a certified WBE.

**D. Water and Sewer Main Construction - CMU  
FY01 Contract #109 – Street Main Extensions**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$848,801.70 by R. H. Price, Inc. of Charlotte, North Carolina. This contract provides materials and labor necessary to install water and sewer street main extensions.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	5%
WBE	\$848,801.70	100%	6%

**MWBD Compliance:** Yes. R. H. Price is a certified WBE and will subcontract to other certified WBEs.

**E. Cedar Street Waste Cell Removal**

**Recommendation:** The City Engineer recommends the low bid of \$985,622.65 by Winter Environmental Services, Inc. of Atlanta, Georgia for the removal of the contents of the City-owned Waste Cell located on Cedar Street.

**MWBD Status:**

<b>MWBD:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	3%
WBE	\$6,600	1%	2%

**MWBD Compliance:** Yes. Winter Environmental Services, Inc. met the good-faith efforts requirements.

**21. Refund of Taxes**

**Action:** A. Adopt a resolution authorizing the refund of property taxes assessed through clerical error in the amount of \$3,784.79; and

B. Adopt a resolution authorizing the refund of business privilege license payments made in made in the amount of \$5,423.93.

**Attachment 27**  
List of Refunds

**22. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Academy Street**

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

B. Set a public hearing for June 11, 2001.

**Attachment 28**  
Map

**23. Resolution of Intent to Abandon Street and Set Public Hearing for a portion of Custer Street and Three 10-foot Alleyways**

**Action: A. Adopt the Resolution of Intent to abandon a portion of Custer Street and three 10-foot alleyways; and**

**B. Set a public hearing for June 11, 2001.**

**Attachment 29**

Map

## CONSENT II

### 24. First Ward Land Exchange



**Action:** A. Adopt a Resolution to exchange land between the City of Charlotte, the Charlotte Housing Authority, and Mecklenburg County in First Ward, and

B. Authorize the City Manager to execute the Memorandum of Understanding (MOU) between the City of Charlotte, The Charlotte Housing, and Mecklenburg County.

**Staff Resources:** Tom Flynn, City Manager's Office  
Kent Winslow, Engineering and Property Management

**Explanation:**

The purposes of this land transaction are:

- Redevelopment of the current First Ward Park into a mixed-use development as recommended in the First Ward Plan.
- Relocation of the existing First Ward Park to a site that is more centrally located with respect to the residential population of First Ward.

The results of the proposed land transaction are:

- Mecklenburg County will own most of the block bound by Brevard, Ninth, Caldwell, and Eighth Streets. This is the site proposed for a park, across Ninth Street from First Ward School.
- The City of Charlotte will own 2.1 acres of the current First Ward Park. The City will redevelop this site with a private developer into a mixed-use project of retail and residential.
- The Charlotte Housing Authority will own .63 acres of the current First Ward Park (along Seventh Street). The Authority plans to redevelop this site, along with adjacent Authority land, with a private developer into residential and office uses.

Due to differences in values and size of the tracts exchanged, the City will make cash payment of \$513,407 to the Housing Authority. The \$613,920 that the City owes the County will be reflected in the ledger system that staff expects to present to City Council in June 2001 for approval. The ledger system will record or credit the value of real estate transactions between the City and County without exchanging cash.

If the City Council and County Commission do not approve the ledger system prior to closing this land transaction (projected date October 2001), staff will bring funding options to City Council before the closing date. If an acceptable funding option cannot be found, the City has the right to extend the closing date for up to one year or terminate the MOU.

The City-County Joint Use Task Force reviewed the proposed exchange at their April 4, 2001 meeting and approved the proposal. The Planning Committee approved the proposed land exchange by a vote of 6-0 at their April 17, 2001 meeting. The Charlotte Housing Authority approved the proposed exchange on April 17, 2001. Mecklenburg County Commissioners will be asked to approve the proposed exchange at their June 5, 2001 meeting.

The land exchange will close 60 days after the Housing Authority receives approval from the US Department of Housing and Urban Development. Staff expects to receive this approval by the end of summer.

The MOU also requires the City to extend Myers Street approximately 120 feet to Seventh Street. This improves connectivity in First Ward and has an estimated cost of \$130,000.

**Funding:**

- Funds for the City payment to the Authority are in the City Manager's proposed FY02 Capital Investment Plan.
- Funds for the extension of Myers Street will come from the First Ward Capital Account.

**Attachment 30**

- Memorandum of Understanding
- Maps of Existing and Proposed Property Ownership

**25. Land Exchange with Seventh Street Investors**

**Action: A. Adopt a resolution to exchange property between City of Charlotte and Seventh Street Investors; and**

**B. Approve purchase of property from Ninth Street Investors LLC for \$437,650.**

**Staff Resource:** Kent Winslow, Engineering and Property Management

**Explanation:**

The City Council approved an exchange of land with Seventh Street Investors in January. In this exchange, the City gives 1.478 acres of land on the block surrounded by Eighth, Brevard, Seventh and Caldwell to Seventh Street

Investors LLC in exchange for 17,304 square feet of land and 8,842 square feet of building on the block surrounded by Ninth, Brevard, Eighth and Caldwell Streets.

The exchange meets a number of objectives by:

- Providing the additional Ninth Street right-of-way necessary to complete the first phase of the widening of the street in accordance with the First Ward Plan;
- Further consolidating ownership of the block bounded by Brevard, Caldwell, Eighth, and Ninth Street by the City, which will facilitate redevelopment of the block, into a First Ward Park;
- Further consolidate ownership of the block bounded by Brevard, Caldwell, Seventh and Eighth Streets by Seventh Street Investors, which will facilitate private redevelopment of the block.

The values received by each party have now been established based on final surveys of the property: The net cost to the City has increased by \$15,000 as a result of the surveys. The estimated and actual values are as follows:

	<u>Estimated</u>	<u>Actual</u>
Value acquired by Seventh Street Investors	\$1,406,000	\$1,614,225
Value acquired by the City of Charlotte	\$1,636,000	\$1,421,575
Cash due to City by Seventh Street Inv.		\$ 192,650
Cash acquisition by City of Charlotte of Ninth Street Investors		\$ 437,650
Net Cost to City of Charlotte	\$ 230,000	\$ 245,000

To complete the acquisition of the block bounded by Ninth, Brevard, Eighth and Caldwell Streets, the City must also acquire a parcel from Ninth Street Investors LLC. (Ninth Street Investors LLC is a successor of Seventh Street LLC. The second entity was established for tax purposes). The cost of acquiring this parcel is \$437,650. The cash owed the City by Seventh Street Investors LLC will be credited against this amount, resulting in the City paying \$245,000 to Ninth Street Investors LLC.

**Funding:**

First Ward Capital Project

**Attachment 31**

Map

## 26. Sale of the Children's Theatre

**Action: Adopt a resolution authorizing the City Manager to execute a Right of First Refusal Agreement with Morehead Properties, Inc. for the disposal of the Children's Theatre Property.**

**Staff Resource:** Vi Alexander Lyles, City Manager's Office

**Explanation:**

City Council authorized the City Manager on April 9, 2001 to negotiate a Right of First Refusal with Morehead Properties, Inc. for the eventual private sale of the Children's Theatre property and containing the following terms:

- The sales price of the property shall be fair market value at the time of the sale as determined by appraisal.
- A requirement that Morehead Properties Inc., continue to rent to the Theatre sufficient parking to meet the Theatre's needs at the below market rate of \$3,000 per year for three years for 120 spaces during non-business hours. Further, there is an option to purchase 6-month extension(s) for \$2,000, until such time as the Children's Theatre is able to relocate.
- A requirement that property be developed in conformance with the Council adopted Central District Plan.

City staff's recommendation was based on a desire to guarantee continued adequate, and below market rate parking for the Children's Theatre prior to relocation. The Right of First Refusal will also provide the City with fair market value for the land at the time of sale as well as require Morehead Properties, Inc. to conform any future development on the site to the Council adopted Central District Plan. The Right of First Refusal requires City Council approval of a resolution, which was not included in the April 9 action.

## 27. Sale of City Owned Property at 440 Beaumont Avenue

**Action: A. Declare .238 acres of City owned property located at 440 Beaumont Avenue (tax code 080-202-14) surplus; and**

**B. Authorize the advertisement of an offer to purchase and contract with Timothy Crawford for the purpose of receiving upset bids.**

**Staff Resource:** Doris Moats, Engineering & Property Management

**Explanation:**

The City owns .238 acres of vacant property at 440 Beaumont Avenue. The property is zoned R-5. An independent appraisal establishes the market value at \$47,500.

An offer to purchase the property has been received for development of housing in the amount of \$47,600 (over market value).

Staff recommends authorizing the advertisement of the offer for the purpose of receiving upset bids.

**Attachment 32**

Map

**28. Sale of City Owned Property at 815 Louise Avenue**

**Action: Approve the sale of City owned property located at 815 Louise Avenue (tax code 081-114-26) to Thomas P. Tappy for \$20,000.**

**Staff Resource:** Diane Johnson, Engineering & Property Management

**Policy:** Asset Management

**Explanation:**

On March 26, 2001, City Council declared this vacant property surplus and authorized the advertisement of an offer to purchase and contract for the purpose of receiving upset bids.

The property is 0.149± acres and is zoned B-2. An independent appraisal establishes the market value at \$20,100.

The contract to purchase was advertised in the Mecklenburg Times on April 3, 2001, for the purpose of receiving upset bids. No upset bids were received. Staff recommends the sale of this property to Thomas P. Tappy for \$20,000 for the purpose of assemblage and commercial development.

**Attachment 33**

Map

## 29. Acquisition of East Trade Street Properties for Federal Courthouse

**Action: Approve two contracts for a total value of \$10,675,000 for the purpose of acquiring land for the development of a Federal Courthouse in the 500 block of East Trade Street.**

**Staff Resource:** Kent Winslow, Engineering & Property Management

### **Explanation:**

During the past year, the General Services Administration (GSA) has been studying the development of a new federal courthouse in Charlotte. The Charlotte Mecklenburg Government District Master Plan identified the 500 block of East Trade Street (bounded by Trade, Davison, Fifth, and Caldwell) as a desirable site for the new courthouse. City Real Estate staff was able to obtain options on the two parcels that make up the block, at no initial cost, in order to conduct due diligence and allow the GSA to further their studies.

The GSA study concluded that the East Trade Street site is the optimum location for the courthouse, and GSA will be pursuing the approval and funding of a new courthouse project on that site with Congress. These contracts will enable the City to own the property and be in a position to sell or trade it to the GSA when Congressional funding is approved.

### **TERMS OF CONTRACTS:**

#### **PMC Holdings, Inc.**

Purchase Price:	\$5,400,000
Escrow on deposit:	\$50,000
Additional escrow due July 24, 2001:	\$100,000
Closing:	On or before August 24, 2001

#### **Walker & Elizabeth Wells**

Purchase Price:	\$5,275,000
Escrow on deposit:	\$50,000
Additional escrow due July 2, 2001:	\$50,000
Closing:	On or before August 15, 2001

\*Should the City fail to close on these contracts in August 2001, Seller will retain the escrowed amount as liquidated damages and have no further recourse against the City.

### **Funding:**

Funding for this project is included in the City Manager's recommended FY2002 budget

**Attachment 34**  
Map

### 30. Expansion of Fire Station 27 and Buy-Out of Medic's Space

**Action: Approve Fire Department's buy-out of Medic's space in Fire Station 27 at a cost of \$159,330 for the purpose of expansion to accommodate the 6th Battalion Chief.**

**Staff Resources:** Luther Fincher, Fire  
Kent Winslow, Engineering and Property  
Management

**Explanation:**

As part of the City's June 30, 2001 annexation, the Fire Department is adding a 6<sup>th</sup> Battalion Chief. Space for this new position is available at Fire Station number 27, located at US29 and W.T. Harris Boulevard.

In March 1990 the City and Mecklenburg County entered into an Interlocal Agreement for the Use of City Fire Station Number 27 to assist the County in the provision of emergency medical services.

The agreement allows the City to buy-out Medic's space and requires the County to vacate the facility. The cost of the buy-out is \$159,330.

Medic no longer staffs 24-hour trucks and no longer needs the housing accommodations or office space in Fire Station 27. Medic will continue to use the parking area and the day quarters between calls.

**Funding:**

Funding for the buy-out is included in the annexation budget.

### 31. Americans with Disabilities Act Improvements

**Action: Approve Amendment #4 to the Agreement for Consulting Services with Woolpert LLP for \$141,860 for Americans with Disabilities Act Improvements.**

**Staff Resource:** William Haas, Engineering & Property  
Management

**Explanation:**

On September 18, 1992, the City approved the original agreement with Woolpert LLP for consulting services to bring City facilities into compliance with the requirements of the Americans with Disabilities Act of 1990. The original agreement provided funds to evaluate City facilities and to develop a transition plan.

Phase V of the planned five phases will address ADA requirements for 14 fire stations. This amendment will provide funds for design, bid phase, and construction administration services for Phase V facilities.

**Funding:**  
Government Facilities Capital Investment Plan

**32. Sharon View Road Sidewalk**

**Action:** Approve the agreement for \$120,678 with The LPA Group of North Carolina, P. A. for engineering design services for Sharon View Road Sidewalk Project.

**Staff Resource:** Derrel Poole, Engineering & Property Management

**Explanation:**  
Funding for Sharon View Road Sidewalk Project was included in the 1998 voter-approved bonds.

This agreement will provide engineering design services for a new sidewalk on Sharon View Road from Sharon Woods Lane to Mountainbrook Road and from Carmel Road to Old Providence Road.

**MWBD:**  
HBE 2%

**Funding:**  
Transportation Capital Investment Plan

**33. Beatties Ford Road/Sunset Road Intersection Improvements, Change Order #1**

**Action:** Approve Change Order #1 for the Beatties Ford/Sunset Road Intersection Improvements with Blythe Development Company of Charlotte, North Carolina for \$111,215.88.

**Staff Resource:** Gayle Vaca, Engineering & Property Management

**Explanation:**  
Council awarded the subject contract on November 22, 1999 for \$1,585,774.67.

During construction of the project, an underground fuel storage tank and contaminated soil were discovered.

This change order will fund environmental remediation of the tank and soil, and overruns of items necessary to complete relocation of a 24" water main.

**MWBD:**

BBE: 3%

WBE: 3%

**Funding:**

General Government Capital Investment Plan and Water Capital Investment Plan

### 34. Briar Creek/Woodland Neighborhood Improvement Project and Cyrus Storm Drainage Improvement Project

**Action: Approve the Agreement for Engineering Services with Woolpert LLP for \$153,582 for Briar Creek Woodland Neighborhood Improvement Project and Cyrus Storm Drainage Improvement Project.**

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

**Explanation:**

In November 2000, the citizens approved the Neighborhood Improvement Bond referendum to fund the Neighborhood Improvement Program (NIP). This program was established to help maintain, stabilize and revitalize neighborhoods through comprehensive infrastructure investments. The Briar Creek/Woodland neighborhood was chosen based on the curb, gutter and sidewalk needs of the neighborhood and because the storm water system in the area is undersized and in need of repair and therefore is a high priority project for Storm Water Services (SWS). In addition to the funds provided by the NIP, SWS will be funding the improvements to the major storm drainage system that runs parallel to Carolyn Drive.

This agreement will provide planning services for the Briar Creek/Woodland Neighborhood Project and the Cyrus Storm Drainage Improvement Project. By combining the two projects, the neighborhood benefits by receiving needed infrastructure improvements such as curb and gutter, sidewalks, and minor drainage improvements that not only improve the look of the neighborhood but also reduces the frequency of house and street flooding, all with one simultaneous construction project.

A total of twelve neighborhood projects were identified as high-priority neighborhoods. On February 12, 2001, Council approved agreements for six of the twelve neighborhood projects. On March 26, 2001 Council approved three additional neighborhood projects.

**Funding:**

Neighborhood Capital Investment Plan and Storm Water Capital Investment Plan

**35. Resurfacing, FY-2000-A Change Order #1**

**Action: Approve Change Order #1 to the FY-2000-A Resurfacing contract with Rea Construction Company of Charlotte, North Carolina for \$279,902.**

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

**Explanation:**  
Council awarded the subject contract on April 10, 2000 for \$7,554,689.

This change order will provide funds for additional asphalt required by the addition of streets for resurfacing, and for increases in asphalt cement costs.

The contract provides for adjustment of the unit price for asphalt cement when the price fluctuates more than 5% from the contract base index price. The asphalt cement price has increased as much as 10% during the contract period.

<b>MWBD: Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$19,594	7%	7%
HBE	\$0	0%	1%
WBE	\$11,196	5%	4%

Rea Construction Company met the good faith efforts requirements.

**Funding:**  
Powell Bill

**36. Pence Road Streetscape and The Plaza Streetscape Projects**

**Action: Approve Amendment #2 for \$177,400 with USInfrastructure of Carolina, Inc. (USI) for engineering and streetscape design services for Pence Road Streetscape and The Plaza Streetscape Projects.**

**Staff Resource:** Becky Chambers, Engineering & Property Management

**Explanation:**  
On June 12, 2000, the City approved the original agreement for \$254,255 with USI for design services for Pence Road, on the south side from Montezuma Trail to Holly Hill Road and on The Plaza from W. T. Harris Boulevard to Plott Road.

On September 28, 2000, the City approved Amendment #1 for \$190,995 to add design services for Pence Road Sidewalk on the south side of Pence Road from Holly Hill Road to Harrisburg Road.

This amendment will provide additional funds to increase the project limits on Pence Road from Highland Avenue to Holly Hill Road. Additional funds will also be used on The Plaza Streetscape Project to add bike lanes throughout the project as well as provide sidewalk and curb and gutter on the north side between W. T. Harris Boulevard and Northridge Middle School.

**MWBD:** ABE 100%

**Funding:**

Transportation Capital Investment Plan

### 37. **Tri-Party Governmental Agreement - Partnership in Wetlands Restoration Program**

**Action: Authorize the City Manager to execute a Memorandum of Understanding (MOU) between The North Carolina Department of Environment and Natural Resources, Mecklenburg County, and The City of Charlotte that sets guidelines for a Partnership to perform water quality improvement projects.**

**Staff Resource:** Steve Sands, Engineering & Property Management

**Explanation:**

The North Carolina Department of Environment and Natural Resources, Division of Water Quality, (DENR) has established the Wetlands Restoration Program (WRP) for the purpose of developing and maintaining wetland and stream resources to protect and improve water quality. Certain public and/or private projects that result in impacts to wetland and stream resources require that a responsible party compensate for losses by either replacing lost resources or paying into the WRP fund. The WRP is partially funded by organizations that arrange to pay into the WRP fund instead of constructing wetland and stream resource restoration projects to offset their impacts. The DENR uses the fees collected to design and construct mitigation projects within the impacted watershed.

The DENR is looking for WRP mitigation sites in the Charlotte/ Mecklenburg County area to fulfill its commitment for fees already collected from the North Carolina Department of Transportation (NCDOT) and private developers in this area. The City and the County will work with DENR on sites where it might be possible to consolidate one of their mitigation projects with a City or County capital project. The MOU will set out the general guidelines under which the DENR, Mecklenburg County and the City of

Charlotte will partner to implement water quality improvement projects with WRP funds.

### 38. FEMA Assistance to Firefighter Grant Program

**Action:** A. Approve the Fire Department's application for grant funding from the Federal Emergency Management Agency (FEMA), Assistance to Firefighters Grant Program, in the amount of \$318,500.

B. Adopt a budget ordinance appropriating \$318,500 in federal funds to provide 70% of the total funding (\$455,000) required to obtain physical fitness equipment for fire stations.

**Staff Resource:** Luther Fincher, Fire

**Explanation:**

FEMA, through its Assistance to Firefighters Grant Program, provides funding directly to fire departments for the purpose of establishing and/or equipping wellness and fitness programs for firefighting personnel in order to ensure that firefighters are physically able to carry out their duties.

Each year, Death and Injury Surveys conducted by the International Association of Firefighters demonstrate that fire fighting remains one of the most dangerous occupations in the United States. Research has repeatedly shown the need for high levels of fitness to perform safely in the fire service.

It is the goal of the Charlotte Fire Department to equip each of its 35 fire stations with the necessary equipment for firefighters to maintain acceptable levels of fitness. The fitness equipment to be purchased will have a total cost of \$455,000, and will have a 10 year minimum life span.

The FEMA Grant will provide 70% of the funding for this equipment, with the City providing a required 30% match from existing appropriated funds in the Fire Department Operating Budget. No additional ongoing funding will be required.

**Funding:** \$318,500 from FEMA Grant funds, \$136,500 from Fire Department Operating Budget

### 39. Police Ethics Training Budget Ordinance

**Action:** Approve a budget ordinance appropriating \$400,000 in funds from the Department of Justice for police integrity training to be offered by the Carolinas Institute for Community Policing.

**Staff Resource:** John Couchell

**Explanation:**

In 1997, the Department of Justice selected a number of police departments across the country to establish regional community policing institutes to offer training to police agencies on a variety of issues. The Charlotte-Mecklenburg Police Department was selected to establish the regional training institute for North Carolina and a portion of South Carolina. The institutes are funded by the Department of Justice.

The Carolinas Institute for Community Policing has offered a variety of courses including Applied community Problem Solving, Leadership Skills for Community Policing Managers, Crime Mapping for Community Policing, and Introductory and Advanced Topics in GIS.

Periodically, the Department of Justice mandates that the regional community policing institutes offer training on a selected topic. This year the mandate is for Police Integrity Training that will be based on a national ethics curriculum.

The Justice Department has awarded the Carolinas Institute for Community Policing \$400,000 to plan and conduct this training. The budget ordinance appropriates these funds into the institute's budget.

**Funding:**

\$400,000 from the Department of Justice

## 40. Translation and Interpretation Contracts

**Action:**

- A. Approve the award of a contract to Choice Translating & Interpreting, Inc. to be the primary company for onsite and telephone interpreting and translation for all languages. Estimated contract amount of \$500,000 annually across all City departments for the services;**
- B. Approve the award of a contract to Tele-Interpreters, Inc. to be the secondary company for telephone interpreting. Estimated amount of \$100,000 annually across all City departments for the services; and**
- C. Approve the award of a contract to Exacto Spanish Translations, Inc. to be the secondary company for onsite Spanish interpreting and translation. Estimated amount of \$100,000 annually across all City departments for the services.**

**Staff Resource:** David Elmore, Business Support Services

**Explanation:**

The Charlotte-Mecklenburg Police Department, Charlotte Fire Department, Charlotte Area Transit System, and Neighborhood Development will be active participants in these contracts. All City Key Business Units including Corporate Communications and Customer Service, may access this service once the contract is approved. Translation services for 911 emergency calls are provided under a separate contract.

The primary company will have the right of first refusal for all services. If they cannot provide timely onsite or telephone services the secondary companies will be contacted.

The demand for all foreign languages is increasing but the demand for the core languages staff identified in the RFP are increasing at a faster rate in the community. Staff found that Spanish, Vietnamese, American Sign Language, and Laotian were the fastest growing and most prevalent requests in the community for all the departments involved.

Summary of possible situations in which this contract could be utilized are as follows:

- On Site Interpreting: Used by CMPD officers on the scene of an accident where one driver does not speak English; used by CFD emergency medical technicians who are attempting to save the life of an injured person who does not speak English; used to communicate to groups of people who do not speak English but wish to use the CATS Transit System or participate in the services offered through Neighborhood Development.

- Translation: used to translate written documents to other languages to reach a broader audience.
- Telephone Interpreting: assisting callers in obtaining information regarding City Services.

This procurement effort also includes the Mecklenburg County departments of Public Health, Department of Social Services, Sheriffs Office, and Area Mental Health. The County will enter into a separate contract with the same companies.

**MWBD:**

Choice Translating & Interpreting will utilize 25% of the total contract amount with minority business enterprises and 10% with women owned business enterprises.

Exacto Spanish Translations, Inc. will 100% self-perform.

Tele-Interpreters, Inc. will 100% self-perform.

**Funding:**

CMPD – International Relations Unit

CATS – General Operating Fund

Neighborhood Development – General Operating Fund

Fire Department - General Operating Fund

#### 41. **Annexation Street Maintenance Resolution**

**Action: Adopt a resolution to:**

**A. Transfer maintenance for 108 streets from the North Carolina Department of Transportation (NCDOT) to the City of Charlotte as a result of the 2001 annexation effective June 30, 2001 and**

**B. Request NCDOT resume maintenance of one street previously accepted in error by the City of Charlotte.**

**Staff Resource:** David McDonald, Transportation

**Explanation:**

The City accepts State-maintained streets upon request and mutual agreement and/or when the streets are within an annexed area and not part of the NCDOT primary road system.

On June 30, 2001 the City will annex portions of Mecklenburg County, including 108 streets previously maintained by NCDOT. These streets are not on NCDOT's primary road system and qualify for maintenance under the City's Street Maintenance Policy.

This resolution requests NCDOT transfer maintenance responsibility for 108 streets to the City.

In addition, one street currently maintained by the City will be returned to the State for maintenance responsibilities. The City is returning to the State a portion of Ballantyne Commons Parkway, from Williams Pond Lane to Elm Lane. Ballantyne Commons Parkway is a major thoroughfare and is maintained by the State on either side of this piece. The City accepted this portion of Ballantyne Commons Parkway through error in a previous annexation.

**Funding:**

Powell Bill

**42. Information Technology Help Desk Support Services Contract**

**Action: Approve a two-year contract with Unisys for the provision of Information Technology Help Desk Support Services. The contract is for \$1,408,539 per year and has a renewal option for two additional years.**

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

**Explanation:**

As part of the Business Support Services (BSS) five year Competition Plan the provision of Information Technology Help Desk Support Services was outsourced to the private sector in August 1999. The original outsourcer was Support Technologies, Inc. and their current contract with the City expires June 30, 2001. To continue with the outsourcing decision in the BSS Competition Plan, a new Request for Proposals (RFP) was issued on January 26, 2001. The Help Desk RFP contained extensive statistics and background information based upon the experiences gained from the City's first two years of using an outsourced vendor.

Seventy-three companies were sent notices regarding this RFP. The following eight vendors submitted responses:

ACS  
 CDI  
 CompuCom  
 DecisionOne  
 Support Technologies, Inc. (STI)  
 Unisys  
 Xerox  
 Xwave

An experienced evaluation team was created to provide an in depth review of each proposal. The team was comprised of the senior technology managers from Business Support Services, CMUD, Engineering, Finance, Fire, Planning, Police, and Transportation. The evaluation team had over 15 years of direct experience in operating outsourced technical Help Desks.

Based upon the evaluation team's experience, the most important criteria in evaluating the proposals were the vendors support methodology; staffing depth and experience in delivering the support methodology; and the vendor's ability to quickly return a down system to normal operations. The evaluation ratings were based upon the following criteria:

Support Methodology	75%
Performance/Past Experience	15%
Cost	10%

The vendors receiving the highest rating were Unisys, ACS, and DecisionOne. The City entered into negotiations with Unisys and ACS to validate final services and prices. Based upon their evaluation rating, reference checks, and those negotiations, Unisys was selected as the City's Help Desk Services Provider. The contract with Unisys will have a two-year term with an option for two additional years. The amount for each year of the initial contract will not exceed \$1,408,539 per year.

**MWBD:**

Unisys will 100% self-perform.

**Funding:**

BSS Information Technology FY 2002 operating budget.

**43. Purchase of Vacuum Catch Basin/Jet Rodder Storm Drainage System Cleaner**

**Action:** Approve the unit price bid of \$55,400 for Item A: Cab & Chassis, and the unit price bid of \$114,568 for Item B: Body, submitted by Public Works Equipment Supply, Inc. This unit price contract for the complete unit will be for one year with an option to renew for two, one-year periods.

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

**Explanation:**

The City sent Invitations to Bid to 20 vendors on December 19, 2000. Four vendors responded to Item A, and two to Item B. The lowest total bid (\$166,999) submitted involved a cab and chassis from Freightliner (\$56,499) and a body from Jet Vac Sewer Equipment (\$110,500).

Jet Vac was bidding similar equipment to what they have previously supplied to the City. Although this equipment meets the bid specifications; the documented maintenance records indicate both significantly high maintenance costs and operational problems. This information has been shared with Jet Vac.

Therefore, the second lowest total bid (\$169,968) submitted by Public Works Equipment & Supply, Monroe, NC, is recommended for award and contract.

The total unit cost (Items A. & B.) is \$169,968. The FY2001 requirements are for a quantity of two (2) for a total of \$339,936.

**MWBD:** There are no known MWBD distributors.

**Summary of Bids:**

<u>Vendor</u>	<u>Item A</u>	<u>Item B</u>	<u>Total</u>
Freightliner of Charlotte	\$56,499.00	* \$110,500.00	\$166,999.00
Adams International	\$61,108.67	* \$110,500.00	\$171,608.67
Public Works Equipment & Supply	\$55,400.00	\$114,568.00	\$169,968.00
Jet Vac Sewer Equipment	\$62,975.00	\$110,500.00	\$173,475.00

(\* Vendor bid Item A only. Body would be provided by Jet Vac Sewer Equipment.)

**Funding:**

Capital Equipment Fund

**44. Election Filing Fees**

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

**Staff Resource:** DeWitt McCarley, City Attorney

**Policy:**

State law requires that the filing fee for municipal primaries must be fixed by the City Council no later than the day before candidates are permitted to begin filing notices of candidacy.

Filing for party nominations for Mayor and City Council will begin on Monday, July 23, 2001.

Pursuant to the North Carolina law governing partisan municipal elections, the City Council has the discretion to set the filing fee at not less than \$5 nor more than 1% of the annual salary of the office being sought.

Until further notice of a filing fee adjustment, set filing fees now at \$200 for the Office of Mayor and \$120 for the Office of City Council to provide the Board of Elections adequate time to prepare to open candidate filing on July 23.

#### 45. Catawba River Raw Water Pumping Station Expansion – Change Order #4

**Action: A. Approve a Budget Ordinance appropriating \$300,000; and**

**B. Approve Change Order #4 for \$388,692.69 to the contract with Hickory Construction Company for additional construction work at the Catawba River Raw Water Pumping Station project.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

A budget ordinance is required to provide additional funds needed to complete this project.

On February 22, 1999, City Council approved a contract with Hickory Construction in the amount of \$9,491,100. This contract consists of a new intake structure and pumping facility on Mountain Island Lake. The new pumping station will have four 50 million-gallon-per-day pumps, augmenting the 130 mgd capacity serving the Franklin Water Treatment Plant. Construction of this project will provide an additional 150 million gallons per day of water supply pumping capacity to serve increased demand for the next 10 years.

Change Order #4 will provide labor and equipment to:

- Provide a 6-inch water main from Pump Station Road to Cell 4 to replace the existing 2-inch main.
- Address costs associated with pumping clay and weathered rock instead of the sand indicated in the contract documents.
- Provide building, pump, and equipment enhancements which will upgrade the materials from those originally specified.
- Address building permit cost reimbursement as per the contract specifications.
- Accommodate revision to metal finish for intake trash racks.

With this change order, the Hickory Construction contract will increase from \$11,475,444 to 11,864,136.69.

**MWBD:** Hickory Construction has made the good faith effort.

**Funding:**

Water Capital Investment Plan

**46. Sanitary Sewer Reimbursable Contract – Pace/Dowd Properties, Ltd.**

**Action: Approve a reimbursable sewer contract with Pace/Dowd Properties, Ltd. for the design and construction of Marvin Branch Sanitary Sewer Trunk.**

**Staff Resource:** Doug Bean, Utilities

**Policy:**

Charlotte Mecklenburg Utilities Extension Policy, 5-Year Reimbursable Program

**Explanation:**

Pace/Dowd Properties request a contract for the design and construction of a sanitary sewer trunk approved in the FY 2001-2005 Capital Investment Plan. This sewer main will extend approximately 4450 linear feet along Marvin Branch and terminate at Dickie Ross Road in southwest Mecklenburg County, to serve a new subdivision. The project will be bid publicly.

**Funding:**

The estimated cost of this project is \$230,000. The applicant has deposited 15% of the estimated project cost with the remaining 85% to be deposited prior to construction. The City will reimburse the applicant over a five-year period because it is an approved Capital Investment Plan project.

**47. FY01 Annual Financial Audit Services Contract**

**Action: Approve a contract with Deloitte & Touche LLP for \$110,000 to provide audit services for the fiscal year ending June 30, 2001.**

**Staff Resource:** Richard Martin, Finance

**Explanation:**

State law requires that the City engage a certified public accountant at the end of each fiscal year to audit the accounting records, evaluate internal controls and audit the annual financial report.

In FY2000 Council approved an audit contract with Deloitte & Touche for four years. The first year fee was \$106,000. Increases in subsequent years fees were to be limited to the increase in the Consumer Price Index (CPI) or less.

Their second year fee of \$110,000 reflects a 3.77% increase over FY2000 and is slightly below the change in the CPI.

**Funding:**

Various funds (General, Water and Sewer, Aviation, Public Transit, Neighborhood Development, Employment and Training, Risk Management and Storm Water).

#### 48. Water and Sewer Revenue Bonds

**Action:** A. Adopt the bond order that provides for the sale of up to \$150,000,000 of Water and Sewer Revenue Bonds; and

B. Adopt a resolution authorizing the approval, execution and delivery of various documents in connection with the sale of Water and Sewer Revenue Bonds, Series 2001.

**Staff Resource:** Richard Martin, Finance

**Explanation:**

The current (FY2001-2005) and prior Water and Sewer Capital Investment Plan includes funding from revenue bonds.

On April 9, 2001 Council authorized staff to take the steps necessary to complete the bond sale for up to \$150,000,000. Funding for the projects is \$144,000,000. The actual amount will be determined at time of sale and any amount over \$144,000,000 will be for issuance expense.

The bond order and bond resolution are legal documents that Council is required to approve before the City can sell bonds.

**Funding:**

Water and Sewer Capital Investment Plan

**Attachment 35**

List of Projects

**49. Resolution Accepting North Carolina Department of Transportation Grant for Airport**

**Action:** A. Adopt a resolution accepting a North Carolina Department of Transportation (NCDOT) grant in the amount of \$400,000; and

B. Adopt a budget ordinance to appropriate funds received from the North Carolina Department of Transportation grant in the amount of \$400,000.

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

The North Carolina Legislature appropriated \$11.7 million to the NCDOT Division of Aviation to be disbursed by the Aeronautics Council to the state's airports. Charlotte's allotment from this fund is \$400,000. This grant will fund a portion of the construction of the commuter ramp expansion for Concourse E.

The Airport Advisory Committee recommends this action.

**50. Airport Concourse D Expansion Change Orders – Various Contractors**

**Action:** A. Adopt a Budget Ordinance appropriating \$3,500,000 to be repaid from the proceeds of future General Airport Revenue Bonds; and

B. Award construction change orders totaling approximately \$10,038,368 for the construction of Concourse D expansion.

General-Beers/Leeper J.V.	\$7,674,868
Mechanical-Cam-Ful Industries Inc.	\$1,000,500
Plumbing-Cam-Ful Industries Inc.	\$ 163,000
Electrical-Aneco Electrical Construction	\$1,200,000

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

These change orders will add approximately 61,000 square feet of space for airline operations offices, U.S. Customs offices and inspection area, renovations to the Federal Inspection Service baggage claim area, and additional retail and concession areas.

F. N. Thompson, Inc., project manager for this project, has performed an independent estimate of construction costs for this additional work and determined the change order amounts to be reasonable.

**Background:**

On August 23, 1999, Council approves issuance of \$51,054,800 in General Airport Revenue Bonds to construct additional gates on Concourses “A” and “D” and construct a new Concourse “E”.

On October 10, 2000, Council awarded contracts to construct a new Federal Inspection Service Facility, construct Concourse “E” and expand the terminal building. These projects will add 7 additional international gates, 21 new commuter gates and expand the international arrivals area.

On February 12, 2001, Council awarded change orders in the amount of \$853,230 to provide 10,000 sq. feet of finished space for offices, operations, inspection areas and detention cells as required by the U.S. Immigration and Naturalization Service (INS).

**MWBD:**

General-Beers/ R.J. Leeper Co

MWBD Status	% of Project	Project Goals
BBE	16%	12%
WBE	1.9%	5%
HBE	N/A	3%
Total	17.9%	20%

**MWBD Compliance: Yes**

Mechanical-Cam-ful Industries Inc.

MWBD Status	% of Project	Project Goals
BBE	N/A	5%
WBE	10%	3%
HBE	N/A	1%
ABE	N/A	1%
Total	10%	10%

**MWBD Compliance: Yes**

Plumbing-Cam-ful Industries Inc.

MWBD Status	% of Project	Project Goals
BBE	N/A	5%
WBE	10%	3%
HBE	N/A	1%
ABE	N/A	1%
Total	10%	10%

**MWBD Compliance: Yes**

Electrical-Aneco Electrical Construction		
<b>MWBD Status</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	N/A	5%
WBE	1.2%	2%
Total	1.2%	7%
<b>MWBD Compliance: Yes</b>		

**Funding:**  
 Airport Capital Investment Plan

**51. Airport Concourse D Expansion Change Order – Beers/ Leeper J.V.**

**Action: Approve a change order totaling \$409,506 to Beers/Leeper J.V. of Charlotte for the construction of the Concourse “D” Expansion.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**  
 This change order is for modifications to the structural steel, an elevator pit, building permit review revisions and revisions to INS inspections area.

On October 10, 2000, City Council approved contracts totaling \$20,951,000 to construct seven additional international gates to Concourse “D”, construct 125,000 sq. ft. of space for a new International Arrivals Inspection Area and 22,000 sq. ft. of terminal space.

On February 12, 2001, Council awarded a change order to Beers/Leeper J.V. in the amount of \$640,608 to provide 10,000 sq. feet of finished space for offices, operations, inspection areas and detention cells as required by the U.S. Immigration and Naturalization Service (INS).

The Airport Advisory Committee recommends this action.

**MWBD:**  
 BBE: 16%  
 WBE: 1.9%

**Funding:**  
 Airport Capital Investment Plan

## 52. Condemnation Settlement With Roy Hounshell and Partners

**Action: Approve Final Settlement of Condemnation Action with Roy Hounshell and Partners (Albemarle Road Storage, LLC).**

**Staff Resources:** Susanne Todd, City Attorney's Office  
Craig Long, Engineering & Property Management

### **Explanation:**

The City of Charlotte condemned 2.55 acres of vacant land on Albemarle Road for construction of the Albemarle Road/W.T. Harris Interchange project. The subject property is located at 6825 Albemarle Road and is owned by Albemarle Storage, LLC. The City obtained the property owners' consent to condemn the entire parcel since the remaining property, after the completion of the road project, would not have frontage on Albemarle Road. The property owners, which include Roy Hounshell and Jamie Bennett, had received permits for the construction of a 55,000 square foot self storage facility and were in the process of grading the property when the property was acquired by the City.

City Council previously authorized condemnation compensation in the amount of \$890,000 based on two independent M.A.I. appraisals. Property owners also presented two M.A.I. appraisals, each of which valued the subject property at \$1,850,000. Property owners also alleged "soft costs" in developing the property in the amount of \$200,000. During negotiations, a proposed total settlement in the amount \$1,440,000 was reached. This amount is \$550,000 over the previously authorized compensation amount.

The recommendation of this settlement is based, in part, on estimated litigation costs at trial and the uncertainty of outcome of a jury verdict at trial. The City will also have the opportunity to recoup some of the settlement amount by selling or assembling the remaining two acres of land for future development after the road project is complete.

### **Funding:**

Transportation Capital Investment Plan

### **Attachment 36**

Map

### 53. Property Transactions

**Action: Approve the following property acquisition (A-L) and adopt the condemnation resolutions (M-R).**

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

**Acquisitions:**

- A. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Janette Boyles Heirs  
**Property Address:** 6127 Dixie Road  
**Property to be acquired:** 5.506 acres  
**Improvements:** Single Family Residence  
**Purchase Price:** \$390,000  
**Zoned:** I1  
**Use:** Single Family Residence  
**Tax Value:** \$253,810  
**Tax Code:** 141-031-11
- B. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** John R Roberts  
**Property Address:** 8131 Old Dowd Road  
**Property to be acquired:** 1.000 acres  
**Improvements:** Single Family Residence  
**Purchase Price:** \$103,000  
**Zoned:** R3  
**Use:** Single Family Residence  
**Tax Value:** \$64,090  
**Tax Code:** 113-361-65

- C. **Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Metrolina Land Company  
**Property Address:** \* Mountain View Road  
**Property to be acquired:** 11.786 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$476,380  
**Zoned:** I1  
**Use:** vacant land  
**Tax Value:** \$120,550  
**Tax Code:** 113-153-05
- D. **Project:** Airport FAR Part 150 Land Program  
**Owner(s):** Earnest C Mumpower  
**Property Address:** 5108 & 5116 Withrow Road  
**Property to be acquired:** .788 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$58,500  
**Zoned:** R17MF  
**Use:** vacant land  
**Tax Value:** \$9,450  
**Tax Code:** 061-232-12 & 061-232-13
- E. **Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Barbara Parsons  
**Property Address:** 7608 Newell Road  
**Property to be acquired:** .427 acres  
**Improvements:** Mobile Home  
**Purchase Price:** \$17,500  
**Zoned:** R3  
**Use:** mobile home  
**Tax Value:** \$7,490  
**Tax Code:** 113-132-04
- F. **Project:** Briar Creek Road Widening/TV Lane, Parcel #7  
**Owners(s):** Star City Development  
**Property Address:** 3345 Washburn Avenue and 701 Television Place  
**Property to be acquired:** 1,821 sq.ft. (0.04 ac.) of permanent sidewalk utility and drainage easements, plus 3,601 sq.ft. (0.08 ac.) of temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$12,957  
**Remarks:** Permanent easements are needed on this property for the Briar Creek Road Widening/TV Lane project. Compensation is based on comparable sales in the area.  
**Zoned:** B-1  
**Use:** Office  
**Total Parcel Tax Value:** \$302,430  
**Tax Code:** 159-022-13 & 22

- G. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #6  
**Owners(s):** Panagiotis I. Haralambous and John P. Elefandis  
**Property Address:** 4328 Central Avenue  
**Property to be acquired:** 2,470 (0.057 ac.) of fee acquisition and permanent utility easement and 4,286 sq.ft. (0.098 ac.) of temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$50,161  
**Remarks:** This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal.  
**Zoned:** B-1  
**Use:** Grocery Store/Market  
**Total Parcel Tax Value:** \$376,900  
**Tax Code:** 131-023-15
- H. Project:** Sharon/Fairview Road Improvements, Parcel #9  
**Owners(s):** H. Allen Tate, Jr.  
**Property Address:** 6618 Fairview Road  
**Property to be acquired:** 1,510 sq.ft. (0.035 ac.) plus 719 sq.ft. (0.017 ac.) of temporary construction easement  
**Improvements:** Landscaping  
**Purchase Price:** \$70,300  
**Remarks:** Areas needed for roadway improvement project. Compensation is based on an independent, certified appraisal.  
**Zoned:** 0-2  
**Use:** Office  
**Total Parcel Tax Value:** \$1,436,540  
**Tax Code:** 183-133-24
- I. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #17  
**Owners(s):** Kilborne Apartments, Limited Liability Company  
**Property Address:** 2924 Kilborne Road  
**Property to be acquired:** 1,116 sq.ft. (0.026 ac.) of fee simple acquisition and permanent utility easement and 6,914 sq.ft. (0.159 ac.) temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$10,000  
**Remarks:** This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal.  
**Zoned:** R-17MF  
**Use:** Apartments  
**Total Parcel Tax Value:** \$1,973,950  
**Tax Code:** 101-173-43

- J. Project:** North Carolina 49/Graham/US 29 Connector-Phase I, Parcel #7  
**Owners(s):** Grace C. Watson  
**Property Address:** 7831 Tyner Street  
**Property to be acquired:** 29,185 sq.ft. (.670 ac.) of fee simple acquisition  
**Improvements:** Prefabricated Warehouse  
**Purchase Price:** \$186,900  
**Remarks:** This acquisition is needed for the 29/49 connector project. The compensation was established by an independent, certified appraisal.  
**Zoned:** I-1  
**Use:** Industrial  
**Total Parcel Tax Value:** \$157,540  
**Tax Code:** 047-221-13
- K. Project:** Sharon/Fairview Road Improvements, Parcel #10  
**Owners(s):** Falls Investment Limited Partnership  
**Property Address:** 6632 Fairview Road  
**Property to be acquired:** 719 sq.ft. (0.017 ac.) plus 1,064 sq.ft. (0.024 ac.) of temporary construction easement  
**Improvements:** Landscaping  
**Purchase Price:** \$42,000  
**Remarks:** These areas are needed for roadway improvements project. Compensation is based on an independent, certified appraisal.  
**Zoned:** O-2  
**Use:** Office  
**Total Parcel Tax Value:** \$1,018,150  
**Tax Code:** 183-133-23
- L. Project:** Sanitary Sewer to Serve Mills Creek Subdivision, Parcel #4  
**Owners(s):** Avery R. Slayton and Vikki R. Maxwell  
**Property Address:** 21107 Townwood Drive  
**Property to be acquired:** 4,095 ± sq.ft. (.094 ac.) permanent easement plus 2,730 ± sq.ft. (.063 ac.) temporary construction easement  
**Improvements:** Large hardwood trees  
**Purchase Price:** \$10,000  
**Remarks:** Easement areas are required for the construction and maintenance of an 8-inch sanitary sewer to serve Mills Creek Subdivision. Compensation is based upon comparable property values in the neighborhood.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$182,930  
**Tax Code:** 005-154-26

**Condemnations:**

- M. Project:** Johnston Road Improvements-Phase II, Parcel #25, 26 & 27  
**Owner(s):** Carmel Crossing Townhouse Association, Inc. & any other parties of interest  
**Property Address:** Carmel Crossing Road  
**Property to be acquired:** 17,133 sq.ft. (0.393 ac.) of fee simple acquisition, temporary construction and permanent utility easement  
**Improvements:** Signs  
**Purchase Price:** \$28,200  
**Remarks:** This acquisition is needed for the Johnston Road Improvements-Phase II project. The compensation was established by an independent, certified appraisal. City staff has yet to reach a negotiated agreement with property owners.  
**Zoned:** R-17MF  
**Use:** Townhouses  
**Total Parcel Tax Value:** \$0  
**Tax Code:** 221-471-90
- N. Project:** Johnston Road Improvements-Phase II, Parcel #55  
**Owner(s):** Renaissance on Carmel Homeowners Association and any other parties of interest  
**Property Address:** Silkwood Court  
**Property to be acquired:** 26,977 sq.ft. (0.619 ac.) of fee simple acquisition, temporary construction easement and permanent drainage  
**Improvements:** Signs  
**Purchase Price:** \$21,500  
**Remarks:** This acquisition is needed for the Johnston Road Improvements-Phase II project. The compensation was established by an independent, certified appraisal. City staff has yet to reach a negotiated agreement with property owners.  
**Zoned:** R-12MFC  
**Use:** Condominiums  
**Total Parcel Tax Value:** \$0  
**Tax Code:** 221-452-75
- O. Project:** Johnston Road Improvements-Phase II, Parcel #56  
**Owner(s):** Renaissance Gardens Homeowners Association and any other parties of interest  
**Property Address:** Johnston Road  
**Property to be acquired:** 21,275 sq.ft. (0.488 ac.) of fee simple acquisition and temporary construction easement  
**Improvements:** Signs  
**Purchase Price:** \$35,250  
**Remarks:** This acquisition is needed for the Johnston Road Improvements-Phase II project. The compensation was established by an independent, certified appraisal. City staff has yet to reach a negotiated agreement with property owners.  
**Zoned:** R-17MF

**Use:** Condominiums  
**Total Parcel Tax Value:** \$0  
**Tax Code:** Common area does not have tax code

- P. Project:** Monroe/Bainbridge Stormwater CIP, Parcel #30  
**Owner(s):** Thomas P. Duffy and any other parties of interest  
**Property Address:** 2313 Knickerbocker Drive  
**Property to be acquired:** 4,995 sq.ft. (.115 ac.)  
**Improvements:** Trees  
**Purchase Price:** \$8,300  
**Remarks:** The areas are needed for the construction of stormwater improvements as part of the Monroe/Bainbridge Stormwater CIP. City staff has yet to reach an agreement with property owner after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.  
**Zoned:** R-3  
**Use:** Residential  
**Total Parcel Tax Value:** \$132,910  
**Tax Code:** 189-014-06
- Q. Project:** Sanitary Sewer to Serve North Mecklenburg/Rocky River Outfall-Phase II, Parcel #10  
**Owner(s):** Albert F. Batts & wf., Martha Cody Batts and any other parties of interest  
**Property Address:** 19544 East Rocky River Road  
**Property to be acquired:** 47,562 sq.ft. (1.092 ac.)  
**Improvements:** Trees  
**Purchase Price:** \$3,650  
**Remarks:** The areas are needed for construction of a sanitary sewer to serve North Mecklenburg/Rocky River Outfall-Phase II. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations.  
**Zoned:** R-3  
**Use:** Single Family Residential  
**Total Parcel Tax Value:** \$369,620  
**Tax Code:** 007-251-18
- R. Project:** Sanitary Sewer to Serve North Mecklenburg/Rocky River Outfall-Phase II, Parcel #13  
**Owner(s):** Curt A. Huntley & wf., Gayle L. Huntley and any other parties of interest  
**Property Address:** 19516 Kistler Farm Road  
**Property to be acquired:** 6,199 sq.ft. (0.143 ac.)  
**Improvements:** None  
**Purchase Price:** \$500  
**Remarks:** The areas are needed for the construction of a sanitary sewer to serve North Mecklenburg/Rocky River Outfall Phase-II. City staff has yet to reach an agreement with the property owner after

numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.

**Zoned:** R-3

**Use:** Single Family Residential

**Total Parcel Tax Value:** \$273,370

**Tax Code:** 007-251-19

#### 54. Meeting Minutes

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

- **March 26, 2001 Business Meeting**
- **March 29, 2001 Joint/City County Workshop**
- **April 2, 2001 Workshop/Citizens Forum**
- **April 9, 2001 Business Meeting**
- **April 11, 2001 Budget Retreat**
- **April 17, 2001 Zoning Meeting**
- **April 26, 2001 Arena Workshop**