AGENDA

Meeting Type:	B
Date:	05/26/98

City of Charlotte, City Clerk's Office

Office Copy

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

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

Council Agenda

CITY COUNCIL MEETING
Tuesday, May 26, 1998

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

7:00 p.m. — **Meeting Chamber**

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

1998 Council Retreat Priorities

Top Priorities for 1998

Transportation Plan (20 years plus)

Transit Plan and Tax

Westside Strategy Plan

Community Oriented Policing: Evaluation and Direction

Connectivity: Neighborhoods and Road System: Policy Direction

High Priorities for 1998

Court System Expansion

Parking Garage / Convention Hotel

Trolley

Corridor Plan

State Roads Strategy

Airport Plan: Implementation

Neighborhood Business Revitalization Strategy and Action Plan

Business Retention Strategy and Action Plan

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Process to Rename Parks

Staff Resource: Julie Burch

Time: 15 minutes

Attachment 1

2. Neighborhood Centers RFP

Staff Resource: Deborah Hazard and Bruce Strong

Time: 30 minutes

Attachment 2

3. Express Permit Plan Review

Staff Resource: Jeb Blackwell

Time: 30 minutes

Attachment 3

4. Committee Reports (by exception)

A. Restructuring Government: Solid Waste Competition/Optimization Plan
B. Transportation: Independence Boulevard Fence
C. Council-Manager Relations: Technology Allowance for Mayor and Council

6:30 P.M. CITIZENS FORUM
MEETING CHAMBER

7:00 P.M. AWARDS AND RECOGNITIONS

CONSENT

5. Consent agenda items 23 through 42 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.

Staff Resource: Julie Burch

PUBLIC HEARING

6. Public Hearing To Close A Portion of General Commerce Drive

Action:

A. Conduct a Public Hearing to abandon a portion of General Commerce Drive; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

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

Petitioner:
Charlotte-Mecklenburg Utility Department

Right-Of-Way to be abandoned:
A portion of General Commerce Drive

Location:
Westwardly from Industrial Center Circle approximately 400 feet to its end.

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner and to facilitate new building construction.

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

Adjoining property owners - No objection

Neighborhood Associations -
Highland Trace Association - No objection

Private Utility Companies - No objection

City Departments - Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statute.

Attachment 4
Map

7. Public Hearing To Close "A" Street

Action:

A. Conduct a Public Hearing to abandon "A" Street; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

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

Petitioner:
Summit Properties Partnership L.P.

Right-Of-Way to be abandoned:
"A" Street. Right-of-way has been retained to accommodate the typical cross section for the adjacent transit corridor.

Location:
Approximately 173 feet northeastwardly from Morehead Street to its end.

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner and abutting property owners.

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

Adjoining property owners - No objection

Neighborhood Associations -
Strawn Apartments Residents Organization - No objection
Red Carpet (CHA) - No objection

Private Utility Companies - No objection

City Departments - Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statute.

Attachment 5
Map

8. Public Hearing To Close A Portion of Green Rea Road

Action:

A. Conduct a Public Hearing to abandon a portion of Green Rea Road; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

Explanation:

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

Petitioner:
Carmel Country Club, Inc.

Right-Of-Way to be abandoned:
A residual portion of Green Rea Road resulting from the realignment of Green Rea Road at its intersection with Carmel Road as part of the recent construction project.

Location:
Lying to the east of the intersection of Carmel Road and Green Rea Road.

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 - No objection

Neighborhood Associations -
Tuckaway Park Homeowners Association - No objection
QuailView/Asherton Homeowners Association - No Objection
Carmel Valley Homeowners Association - No objection
Montibello Homeowners Association - No Objection

Private Utility Companies - No objection

City Departments - Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statute.

Attachment 6
Map

9. Public Hearing To Close A Portion of Merriman Avenue

Action:

A. Conduct a Public Hearing to abandon a portion of Merriman Avenue, and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

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

Petitioner:
Charlotte Pipe and Foundry Company, Inc.

Right-Of-Way to be abandoned:
A portion of Merriman Avenue

Location:
From West Summit Avenue approximately 195 feet northeastwardly to its end.

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner and abutting property owners.

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

Adjoining property owners - No objection

Neighborhood Associations -
Strawn Apartments Residents Organization - No objection
Red Carpet (CHA) - No objection
Westover Hills Association - No objection

Private Utility Companies - No objection

City Departments - Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statute.

Attachment 7
Map

10. Public Hearing To Close Railroad Street

Action:

A. Conduct a Public Hearing to abandon Railroad Street, and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

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

Petitioner:
Charlotte Pipe and Foundry Company, Inc.

Right-Of-Way to be abandoned:
Railroad Street

Location:
From Penman Street approximately 175 feet southwestwardly to its end.

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner and abutting property owners.

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

Adjoining property owners - No objection

Neighborhood Associations -
Strawn Apartments Residents Organization - No objection
Red Carpet (CHA) - No objection
Westover Hills Association - No objection

Private Utility Companies - No objection

City Departments
Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statute.

Attachment 8
Map

11. Public Hearing To Close A Portion of an Unnamed Alley

Action:

A. Conduct a Public Hearing to abandon a portion of an Unnamed Alley, and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

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

Explanation:

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

Petitioner:
Charlotte Pipe and Foundry Company, Inc.

Right-Of-Way to be abandoned:
An unnamed Alley

Location:
From the John Belk Freeway approximately 510 feet southwardly to its end at the Norfolk and Southern Railroads right-of-way.

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner and abutting property owners.

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

Adjoining property owners - No objection

Neighborhood Associations -
Strawn Apartments Residents Organization - No objection
Red Carpet (CHA) - No objection
Westover Hills Association - No objection

Private Utility Companies - No objection

City Departments - Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statute.

Attachment 9
Map

12. Public Hearing on the FY99 Recommended Operating Budget and FY99-03 Capital Investment Plan

Action: **Receive public comment on the City Manager's recommended budget.**

Staff Resource: Curt Walton

Explanation:

- The total recommended budget is $933.8 million, with $580.3 million for operating expenses and $353.5 million for capital expenditures.

- **Property Tax Rate**

  - The recommended property tax rate is 47.5¢ per $100 of property valuation, a 5¢ reduction to offset property revaluation. The 47.5¢ rate meets City Council's revenue neutral budget goal.

  - The distribution of the tax rate is recommended to be revised by transferring 1¢ from the General tax rate to Pay-As-You-Go Capital and ¼¢ from the Storm Water tax rate to Debt Service. Both changes support the emphasis on the capital program.

- **Other**

  Other recommendations include:

  - Increasing water and sewer rates 2.79%, an average of 72¢ per month for residential customers; and

  - Increasing storm water fees 6.5% for residential and 7.2% for commercial customers.

- **Capital Budget**

  The FY99 Capital Budget is recommended at $353.5 million. Highlights are as follows:

- Storm Water projects total $24.7 million for existing storm drain repairs, channel restorations, and flood control projects.

- Transportation projects total $37.9 million, including second-year funding for the Five-Year Transportation Plan and continuing road widening projects for Fairview/Sharon, Hoskins, and Beatties Ford Roads.

- The Aviation Program totals $93.1 million, including Master Plan Land Acquisition and Taxiway Improvements.

- The Neighborhood and Thoroughfare Sidewalk program totals $4 million.

- Westside Strategy Plan projects total $9.4 million and include improvements to the Wilkinson Boulevard, West Boulevard, Westinghouse Boulevard, and Morris Field Drive corridors.

- Neighborhood Improvement Program totals $15.9 million for the City's neighborhoods.

- Water and Sewer projects total $154.9 million including:

  1. $54.4 million for relief sewers at McAlpine Creek, Irwin Creek, and Cabarrus Outfall;

  2. $47.9 million for water and sewer line replacement, upgrades, and rehabilitation in neighborhoods;

  3. $46.6 million for street and minor sewer line extensions; and

  4. $36.7 million for wastewater treatment plant improvements, upgrades, and rehabilitation.

- **Other Information**

  - Council's final budget retreat is scheduled for June 9, 1998.

  - Budget adoption is scheduled for June 15, 1998.

  - State law requires a public hearing be held following presentation of the Manager's Recommended Budget (May 4) and prior to Council adoption of the budget.

  - State law also requires that a public notice be published following presentation of the Manager's Recommended Budget and before the scheduled Public Hearing. The required public notice was published in local newspapers on May 14, 1998.

ZONING DECISIONS

The following petitions were deferred on May 18, 1998 because of the three quarter rule.

13. Rezoning Petition # 97-99

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

Explanation:

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

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

  - Access south to Providence Road West/Ballantyne Commons Parkway through the abutting Providence Commons Shopping Center will be required.

Attachment 10

14. Rezoning Petition # 98-30

Action: **Consider decision on Petition #98-30 by Unique Southern Estates for a change in zoning for approximately 4.066 acres located on the southeast corner of the intersection of The Plaza and Belvedere Avenue from B-2(CD) to B-2(CD) S.P.A.**

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

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

  - No future modifications may be made to the buildings or grounds.

  - There may not be "special events", (which are open to the public at large and allow up to 88 guests) for two years following approval of this rezoning. (Original request allowed these events to occur once petition was approved.)

  - The maximum number of "special events" in a calendar year shall not exceed six and there shall not be more than two seatings per day. (Original request allowed 12 events and did not address seatings per day.)

  - Except for two previously contracted events, the maximum number of guests for private functions or combination of private functions shall not exceed 300 guests. Not more than 12 such functions per calendar year may exceed 200 guests and the site plan shall note which events those may be. (Original request allowed a maximum of 375 guests.)

  - All food consumed on the site shall be prepared on the site. (New condition)

  - Petitioner shall provide on-site noise monitoring equipment and shall comply with local noise ordinances. No amplified music shall be played after 10:30 p.m. on Friday and Saturday; 10:00 p.m. on week nights. Adjoining owners shall be consulted as to the placement of speakers/amplifying equipment prior to their use. (Original request allowed music to be played until 11:00 p.m. on Friday and Saturday.)

- 40-foot undisturbed building setbacks will be established along The Plaza and along Belvedere Avenue except for specific areas denoted on the site plan. (one parking space on Belvedere, the existing carriage house, and two parking lot turnarounds); a 30-foot undisturbed building setback will be established along Thurmond Place except as shown on the site plan. Forty-foot setbacks will also be established along The Plaza, Belvedere Avenue and Thurmond Place for the placement of temporary structures such as tents and stages.

- If not used as an "inn and conference center" the property may only be used for one single family residence. (New Condition) Exception: if the historic home is destroyed, the property may be subdivided in accordance with the R-5 zoning district.

- Valet parking shall access the site from The Plaza or Belvedere Avenue only. (Original request did not limit how valet parking would operate.)

- No accessory structure shall exceed one story nor 22 feet in height. (Original request limited only cottages to one story or 22 feet in height.)

- The floor plans and building elevations attached to the "Development Standards" shall be a binding part of this site plan (added to plan)

Attachment 11

POLICY

15. City Manager's Report

16. Independence Boulevard High Barrier Fence

Action: **Approve Transportation Committee recommendations to:**

A. Concur with the North Carolina Department of Transportation's (NCDOT) plan to install a 4 ft. fence on top of the existing median barrier on Independence Boulevard between Eastway and Briar Creek Interchanges;

B. Request the NCDOT investigate a more aesthetically pleasing fence, and authorize the City Manager to spend up to $25,000 in City funds toward the fence if necessary; and

C. Ask staff to explore better pedestrian access to the businesses along both sides of Independence Boulevard.

Committee Chair: Sara Spencer and Al Rousso, Co-Chairs

Focus Area: Transportation

Staff Resource: Doug Gillis

Explanation: The North Carolina Department of Transportation has proposed the installation of a 4 ft. high barrier fence on top of the concrete median barrier in the middle of East Independence Boulevard from the Briar Creek interchange to Eastway Drive. The average daily traffic volume on this section of Independence Boulevard is in excess of 77,000 vehicles.

A. Concur with the NCDOT's plan to build a 4 ft. high barrier fence on top of the existing barrier on Independence Boulevard between the Briar Creek interchange and the one at Eastway Drive.

- Pedestrians continue to cross the controlled access road even though there are warning signs prohibiting crossings.

- Three fatal and three life-threatening injury pedestrian accidents have occurred in a nine year period since installation of barrier medians.

- The NCDOT plans to make a decision about the fence by May 31. Since Independence Boulevard is a state road, they bear the liability for any safety risk.

B. Request the NCDOT investigate a more aesthetically pleasing fence, and authorize the City Manager to spend up to $25,000 in City funds toward the fence if necessary

- The NCDOT proposes either an anti-glare fence which has a small mesh and makes climbing over it difficult, or a chain link fence which may be considered less obtrusive but more easily climbed.

- They have budgeted up to $75,000 for the fence.

- Based upon citizen input, the Committee recommended spending up to $25,000, in addition to the NCDOT's $75,000 for a more aesthetically pleasing fence, if one can be found within this price range.

- The state plans to advertise the bid for the fence on June 1, 1998.

C. Ask staff to explore better pedestrian access to the businesses along both sides of Independence Boulevard.

- Suggestions made by Committee members include building sidewalk, working with businesses and/or transit to add shuttle service to the area, and/or building an overhead walkway in conjunction with a possible busway demonstration project.

- The Committee asked that staff look at options and come back to the Transportation Committee at a later date.

Committee Discussion: The Transportation Committee met on May 18, 1998 with Co-Chairs Al Rousso and Sara Spencer, and Councilmembers Rod Autrey and Mike Jackson in attendance. Councilmember Malachi Greene was absent. All recommendations by the Committee passed 4-0.

The Committee felt strongly that something needed to be done to discourage pedestrian crossings of Independence Boulevard immediately as crossing the road is hazardous.

While the fence is an immediate safety measure, they also felt pedestrian needs in this area need to be addressed, with staff looking at short term and long range issues.

Options presented to the Committee were:

1. Review current signs for effectiveness, and add more regulatory and warning signs prohibiting crossing. Also work with area businesses to develop an educational program on the dangers of crossing at grade, and step up enforcement of and fines for crossing violations.

2. Ask the NCDOT not to install a wire fence on the barrier median due to concerns about a fence adversely affecting the economic vitality of the area.

3. Ask the NCDOT to install a more aesthetically pleasing fence on top of the median barrier. Installation of any fence would be delayed until a suitable alternative to a wire fence could be selected and designed. The City would pay the additional costs.

4. Concur in NCDOT's plan to install the wire fence. Also instruct staff to determine what longer range alternatives are acceptable to the NCDOT. Construction of any identified alternatives would need to be done through an agreement with NCDOT.

Community Input: A Neighborhood Meeting was held on May 12, 1998 to

Community Input: A Neighborhood Meeting was held on May 12, 1998 to discuss the installation of protective fencing in the median on Independence Boulevard. Also, several neighborhoods were contacted after the meeting for additional input. Comments are attached.

Funding: CDOT departmental budget.

Attachment 12
Neighborhood Comments
Committee Meeting Handouts.

17. Optimization and Competition of Solid Waste Collection Services

Action: **Approve recommendation of the Restructuring Government Committee to:**

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

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

Committee Chair: Charles Baker

Staff Resource: Wayman Pearson

Focus Area: Restructuring Government

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

Explanation:

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

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

- The goals of the recommended competition/optimization plan are to provide the best service at the lowest cost; promote a competitive environment; and maintain reliable service.

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

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

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

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

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

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

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

  - Implementation of a 10-hour work day

  - New job class for non-skilled labor

- Implementation of same collection requirements as in the south and west quadrants

- Equipment Operator team concepts utilized in the west quadrant

- Higher performance standards

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

Committee Discussion:

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

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

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

  - Browning-Ferris Industries

  - Container Corporation of Carolina

  - Waste Industries

  - Waste Management, Inc.

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

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

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

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

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

Funding: Solid Waste Services Operating Budget

Attachment 13
April 27 Restructuring Council Committee Meeting Summary

BUSINESS

18. Pedicab Ordinance

Action: **Approve Pedicab Ordinance to regulate the operation of pedicabs on streets within the City.**

Staff Resource: Bruce McDonald and Randy Jones

Focus Area: Public Safety, Transportation, and Economic Development

Policy: Council prohibits use of bicycles on Uptown sidewalks, and specifies safety equipment required for bicycles.

Explanation:

- Last summer, a business opened Uptown which transports people to various Uptown destinations with a pedicab. A pedicab is typically a three-wheeled pedaled cycle with passenger seats behind the cyclist.

- Regulation of pedicabs is needed because:

  - Some pedicabs have used the sidewalks, which is a hazard to pedestrians

  - Some pedicabs have ignored traffic controls, such as traffic signals and one-way signs, endangering their passengers and other drivers

  - Pedicabs may not have basic safety equipment

- The proposed ordinance requires that pedicabs:

  - Stay off sidewalks

  - Obey standard traffic controls

  - Have adequate brakes, lights and other safety equipment

- Enforcement of this ordinance will be provided either by Police or Transportation staff through counseling of the pedicab company; or if necessary, issuance of a citation. The penalty for violation of this ordinance is a citation levying a civil penalty of $100. The City may also seek other legal remedies through the courts.

Community Input:

- There is only one known pedicab company owner. He has been advised of the ordinance and does not oppose the proposal.

- New companies may begin this service during the summer and for the next football season.

Attachment 14
Pedicab Ordinance

19. Agreement with Charlotte Housing Authority

Action: **Approve a Supplemental Cooperation Agreement for First Ward Place - Phase 2 with the Charlotte Housing Authority.**

Staff Resource: J.W. Walton

Explanation:

- The Charlotte Housing Authority (CHA) is requesting that the City and County enter into a Supplemental Cooperation Agreement for Phase 2 of First Ward Place which contains 108 units. This agreement is needed by CHA to seek HUD approval.

- The Supplemental Cooperation Agreement for Phase 2 is identical in form and substance to the Agreement for Phase 1 which was approved by City Council on September 8, 1997. Federal law requires the Charlotte Housing Authority to make an annual payment in lieu of real and personal property taxes equal to 10% of Shelter Rent which is established by HUD.

- CHA anticipates that payment in lieu of taxes will be in the range of $65,000 per year.

- On May 6, 1998, Mecklenburg County Board of Commissioners approved the Supplemental Cooperation Agreement for Phase 2.

- Background information is provided in the attachment.

Attachment 15
Background
Supplemental Cooperation Agreement for First Ward Place - Phase 2

20. Neighborhood Centers Request for Proposal

Action: **Approve the release of the Neighborhood Centers Request for Proposals (RFP) for Property and Building Management of the Centers.**

Committee Chair: Rod Autrey

Staff Resource: Deborah Hazzard / Bruce Strong

Focus Area: City Within A City and Restructuring Government

Policy: The City Within A City Strategic Plan stresses responsiveness to neighborhood needs and expanded community use of public facilities. The Restructuring Government Focus Area calls for reviewing the management of City assets for opportunities to reduce costs and/or improve service delivery.

Explanation:

- On April 20, 1998, City Council decided to review the Neighborhood Centers RFP before its release.

- On April 23, 1998, the Privatization/Competition Advisory Committee approved issuance of the RFP for Property and Building Management of the Neighborhood Centers.

Background:

- The City owns and operates four neighborhood centers: Alexander St., Amay James, Belmont, and Greenville.

- On April 8, 1996, City Council approved a public process to review use and management of the centers. The review included community input through surveys and focus group discussions, as well as a staff analysis of operating expenses and services offered. Findings revealed that costs among possible management providers were competitive.

- On June 23, 1997, Council approved the following recommendations:

  - That the management of the Neighborhood Centers be subjected to a competitive process, but that City ownership and current service levels remain unchanged;

  - That the competition process and scope of services for management of the Centers be developed in consultation with stakeholders; and

  - That a plan for sharing a portion of operating expenses with tenant agencies be developed and implemented. (The cost sharing plan is being prepared by staff and should be available by July 1, 1998.)

- Request for qualifications (RFQ) was developed simultaneously with the Request for Proposals (RFP). The purpose of the RFQ is to outline the pre-qualification criteria for Property and Building Management Services as demonstrated in the attachment.

- Key points of the Request for Proposals (RFP) are provided in the attachment.

Committee Discussion: On April 15, 1998, the City Within A City (CWAC) Committee discussed the possibility of transferring the Centers to Mecklenburg County, as the majority of the Centers' tenants have a human services focus.

Community Input: When initiating the effort to develop recommendations for the management of the centers, staff conducted a public process to review the use and management of the facilities. The review included surveys and focus group discussions for stakeholders (facility users, service providers). In developing the RFP, the internal RFP team gave consideration to stakeholder interests and concerns expressed during the public input process.

Attachments 16
Request for Proposals (RFP)
Request for Qualifications (RFQ)
Chronology of Neighborhood Centers Competition Process
Request for Qualifications (RFQ) Selection Process
Key Points in the Request for Proposals (RFP)

21. Council Technology Allowance

Action: **Approve Council-Manager Relations Committee recommendation to:**

A. Provide a technology allowance of $3,100 per year for each Councilmember; and

B. Provide technology support funding of up to $3,300 per year for each Councilmember for software, training, and 15th Floor office computer upfit as requested by Councilmembers.

Committee Chair: Al Rousso

Staff Resource: Julie Burch

Explanation:

- In 1997 all Councilmembers who desired fax machines and cell phones received them. These tools allow Councilmembers to communicate faster and more efficiently with each other, the City Manager, and citizens.

- Since that time, several Councilmembers have expressed an interest in a technology allowance. This allowance would enable Councilmembers to enhance communication capabilities by acquiring a computer or by upgrading tools they already have, e.g., computer, cell phone, or fax.

Committee Action:

- The Council-Manager Relations Committee met twice to discuss various options for providing Councilmembers with new or upgraded technology. On April 20, the Committee voted unanimously (5 - 0) to recommend that Council approve a technology allowance of $3,100 per year per Councilmember and $3,300 in technology support for related software, training, and 15th floor office computer upfit as requested by Councilmembers. Committee members present were Al Rousso, Chair; Patrick Cannon, Vice-Chair; Malachi Greene; Nasif Majeed; and Tim Sellers.

Technology Allowance:

- The allowance of $3,100 would provide sufficient funding to lease a laptop computer and portable color printer.

- The technology allowance of $3,100 per year reflects gross pay including federal and state taxes and social security.

Technology Support:

- For each Councilmember choosing to use the allowance for a laptop, there would be additional funding for technology support up to $3,300. This technology support funding would provide software, training, staff assistance, and a docking station with full-sized desktop monitor, keyboard and network connections in the 15th floor Council offices.

- The software package would be Microsoft Office Professional 97 which includes Word, Excel, Access, Outlook and PowerPoint. This package would provide word processing, internet, E-mail, spread sheet, presentation development, and CD rom capabilities.

- City staff has made arrangements for Council members to lease equipment directly from a company. Councilmembers will be offered individualized training on the use of the new hardware and software, including set-up, orientation, and specific training and assistance as requested thereafter.

- Leasing computer technology will provide Council members with current hardware and software and periodic upgrades. In addition, the leasing company will be responsible for maintenance and repairs.

Background:

- Last year, the Council-Manager Relations Committee explored a number of technology tools to help Councilmembers and the City Manager communicate more efficiently and effectively with each other. The Committee recommended and the Council approved providing fax machines and cell phones for Councilmembers who wanted them. At that time, the question of computers as another tool to increase productivity was set aside to allow time to see how well phones and faxes met Council communication needs.

- In December 1997, staff updated an earlier Council survey to determine individual interests and needs for a computer. Seven Councilmembers indicated that they would like to have a portable computer.

Funding:

Funding is included in the Manager's recommended FY99 budget.

Attachment 17
Proposed Council Technology Allowance and Related Costs
Council-Manager Relations Committee Meeting Summaries of April 7 and April 20

22. Appointments to the New Arena Committee

Action: **Each Council Member will appoint one person to the New Arena Committee.**

Staff Resource: Del Borgsdorf

Explanation:

- The Committee will be comprised of citizens from the community, stakeholder organizations and governments. In addition to Council's appointments, the Mayor will appoint four members including the Chair.

- This Ad Hoc Committee will:

  - Review previous studies and recommendations regarding the need for a new facility, and report these conclusions to Council by January 1, 1999.

  - Develop one or more models for funding, financing, ownership, etc., and report to Council by July 1, 1999.

  - Make recommendations to the City Council concerning public involvement on or before December 31, 1999.

  - Subject to the above process, complete a development and financing plan by December 31, 2000.

- Appointments made at the Council Meeting on April 27 are as follows:

  - Mahlon Adams by Council Member Spencer

  - Gerald Johnson by Council Member Majeed

  - Frank Barnes by Council Member Reid

  - Sam H. Smith, Jr. by Council Member Rousso

- Stanley Vaughan by Council Member Baker

- Ann Wooten by Council Member Wheeler

Attachment 18
Applications

Introduction to CONSENT

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

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

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

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

CONSENT

23. Various Bids

A. Toll Plazas for Satellite Parking — Aviation

Recommendation: The Aviation Director recommends the low bid of $598,000 by Edison Foard of Charlotte, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
MBE	$22,100		
WBE	$ 910		
DBE	$23,010	3.8%	10%

MWBD Compliance: Yes

B. McAlpine Creek Wastewater Management Facility - Biosolids Conveyance, Storage Installation, and Electrical Installation **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low multiple-prime bid shown below.

General Construction - Pizzagalli Construction Company of South Burlington, Vermont for $1,718,700.

Electrical Construction - Energy Erectors, Incorporated of Leesburg, Florida for $695,792.

The total bid is **$2,414,492**.

Pizzagalli Construction

MWBD Status:	Amount	Project Goals	% of Project
BBE	$10,300	0.6%	2%
WBE	$56,000	3.3%	2%

MWBD Compliance: Yes. The Utility Department has reviewed the Contractor's documentation and determined that Pizzagalli has exceeded the WBE goal for this project and will continue to make a good faith effort to meet the BBE goal.

Energy Erectors, Incorporated

MWBD Status:	Amount	% of Project	Project Goals
BBE	$13,916	2%	2%
HBE	$166,990	24%	1%
WBE	$0	0%	1%

MWBD Compliance: Yes. The Utility Department has reviewed the Contractor's documentation and determined that Energy Erectors has exceeded the HBE goal, met the BBE goal, and will continue to make a good faith effort to meet the WBE goal for this contract.

C. Pecan Avenue Elevated Water Storage Tank Rehabilitation — CMUD

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $875,000 by Town Hall Painting Corporation of Virginia Beach, Virginia.

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	2%
BBE	$0	1%	2%

MWBD Compliance: Yes. The Utility Department has reviewed the Contractor's documentation and has determined that Town Hall can and will self-perform all work on this contract.

D. Disk Storage for Utility Billing System — Business Support Services

Recommendation: The Business Support Services Director recommends the low bid of $248,741.85 by Piedmont Technology Group, Inc., of Charlotte, North Carolina.

MWBD Compliance: Yes. There are no known MWBD vendors that supply this product.

E. Druid Hills Neighborhood Improvements Phase II — Engineering and Property Management

Recommendation: The City Engineer recommends the low bid of $1,808,350.86 by KIP Corporation of Charlotte, North Carolina. This project consists of infrastructure improvement, storm drainage, concrete curb, sidewalk, driveway, asphalt paving, and related work within the Druid Hills community off Statesville Road near I-85.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$98,000	6%	3%
WBE	$15,470	9%	3%

MWBD Compliance: Yes.

F. **Lakewood Neighborhood Improvements Phase II** — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $1,546,400.63 by Sealand Contractors of Charlotte, North Carolina. This project consists of infrastructure improvement and water main replacement within the Lakewood Neighborhood off Rozzelles Ferry Road near I-85.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$59,000.00	4%	4%
WBE	$59,000.00	4%	4%
NBE	$ 0	0%	1%

MWBD Compliance: Yes.

24. Resolution of Intent to Abandon Street and Set Public Hearing - Portion of Sardis Crossing Drive

Action:

A. Adopt the Resolution of Intent to abandon a portion of Sardis Crossing Drive; and

B. Set A Public Hearing for June 22, 1998.

Attachment 19
Map

25. Resolution Of Intent To Abandon Street And Set Public Hearing - Portion of Wyanoke Street

Action:

A. Adopt the Resolution of Intent to abandon a portion of Wyanoke Street; and

B. Set A Public Hearing for June 22, 1998.

Attachment 20
Map

26. In Rem Remedy

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

Public Purpose:

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

Policy:

- City Within a City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety

A. 2311 Sherrill Street (Reid Park)
B. 406 Tuckaseegee Road (Seversville)
C. 2412 Westerly Hills Drive (Westerly Hills)

Complaint

D. 8008 Chapman Street (Coulwood)
E. 3417 Rozzelles Ferry Road (Lakewood) - Commercial Structure

Field Observation

F. 300-02 W. Kingston Avenue (Wilmore)

Public Safety

A. 2311 Sherrill Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2311 Sherrill Street (Reid Park), located in the City Within a City boundaries.

Attachment 21

B. 406 Tuckaseegee Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 406 Tuckaseegee Road (Seversville), located in the City Within a City boundaries.

Attachment 22

C. 2412 Westerly Hills Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2412 Westerly Hills Drive (Westerly Hills), located in the City Within a City boundaries.

Attachment 23

Complaint

D. 8008 Chapman Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 8008 Chapman Street (Coulwood), located outside the City Within a City boundaries.

Attachment 24

E. 3417 Rozzelles Ferry Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the commercial structure at 3417 Rozzelles Ferry Road (Lakewood), located in the City Within a City boundaries.

Attachment 25

Field Observation

F. 300-02 W. Kingston Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 300 W. Kingston Avenue (Wilmore), located in the City Within a City boundaries.

Attachment 26

27. Refund Certain Taxes

Action: Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $96,979.78.

Attachment 27

CONSENT II

28. Voluntary Annexation - Public Hearing Date

Action: **Adopt a resolution setting a public hearing on June 22, 1998 for a voluntary annexation.**

Explanation:

- This resolution sets Monday, June 22, 1998 as the date for a public hearing on the voluntary annexation of the Childress Klein Properties.

- Childress Klein Properties is the owner of the property proposed for voluntary annexation. The property contains approximately 150.17 acres and is located in the northwestern and northeastern quadrants of the interchange of West Tyvola Road and Billy Graham Parkway. The property is in the initial stage of development.

- The purpose of the voluntary annexation is to help eliminate one of the unincorporated islands of land created by the annexation and construction of West Tyvola Road in 1986 to provide access to the Charlotte Coliseum.

29. Financial System - Year 2000 Compliance Contract

Action: **Authorize the City manager to execute a contract with Geac Computer Systems, Inc. for an estimated $1.7 million for services related to the upgrade of the City's existing financial system to the year 2000 compliant version.**

Explanation:

- The City's existing financial system is provided by Geac Computer Systems, Inc. (Geac). It is used for maintaining the City's official financial records, purchasing goods and services, processing invoices and payments to vendors, preparing reports required by the State and other agencies, monitoring the legal budget, and other related activities that are essential to the continued financial operation of the City.

- The existing financial system is not year 2000 compliant and will not function properly after June 30, 1999.

- The replacement of the existing financial system with a new system was evaluated. It was determined that the implementation of a new system was not feasible at that time due to the large number of technology projects in progress. However, the possibility of a new system will be re-evaluated after the year 2000 compliance issue is fully resolved.

- Under the maintenance and support agreement between the City and Geac, the year 2000 compliant version of the financial system is now available from Geac. However, the upgrade is detailed and complex; the City needs assistance with installation and testing of the upgrade due to limited City resources.

- In February 1998, the City issued to approximately 25 vendors a Request for Proposal (RFP) for installation and testing services for the upgrade. Geac was the sole respondent. Other vendors either did not have staff available or did not have experience with the Geac system.

- Summary of the Geac proposal:

  - The proposal includes installation of the software, conversion of data to the format required by the upgraded software, modification of reports generated by the system, programming to enable the financial system to exchange data with other City systems, and assistance with documentation of the upgraded system.

  - Services under this contract including testing are scheduled for completion by June 1999.

  - Total contract amount is estimated to be $1.7 million.

- This contract only addresses the year 2000 compliance requirements of the financial system.

30. Acquisition of Bainbridge Subdivision Water System

Action: **Approve contract with Carolina Water Services, Incorporated for the purchase of the water distribution system serving Bainbridge Subdivision. The purchase price is $388,685.**

Policy: CMUD considers the acquisition of private water systems when homeowners request City service through the Street Main Extension Program and the new City main would parallel the private system.

Explanation:

- The Charlotte-Mecklenburg Utility Department (CMUD) has received an application for water service from a Carolina Customer in Bainbridge Subdivision. Bainbridge Subdivision is located on N.C. 51 near Wilgrove-Mint Hill Road and is currently served by Carolina Water.

- As an alternative to installing new water mains that would parallel part of the existing Carolina system, CMUD recommends the purchase of the Carolina system.

- The advantages to the City's purchase of the Carolina system serving Bainbridge Subdivision are:

  - This would avoid disruption to the community by eliminating the need to install a parallel water system;

  - CMUD would acquire 185 new water customers;

  - There would not be any cost to the Carolina customers to become CMUD customers; and

  - Upon acquisition of the system, CMUD will install fire hydrants in the subdivision.

- The N.C. Utilities Commission traditionally supports the transfer of private utilities to a municipal system. Their approval will be requested after City Council approves this contract.

- The Town of Mint Hill approves this purchase.

Funding: Water Capital Investment Plan

31. Removal, Hauling, and Disposal of Residuals - Professional Services Contract

Action: **Approve a professional services contract with Trimax Environmental Services (USA) to remove, haul, and dispose of residuals from three lagoons for $1,575,727.88.**

Explanation:

- This contract will provide for removal, hauling, and disposal of residuals from one lagoon located at each of the following plants:

  - Irwin Creek Wastewater Treatment Plant;

  - Sugar Creek Wastewater Treatment Plant; and

  - McAlpine Creek Wastewater Management Facility.

- Request for Proposals was sent to contractors specializing in this type of work. Four proposals were received. Trimax Environmental was selected based upon cost, references, and experience.

Funding: Sewer Capital Investment Plan

Background:

- The lagoons at Sugar and Irwin Creek WWT Plants are abandoned polishing ponds that need to be cleaned out for future projects.

- The Sugar Creek WWT Plant lagoon will be converted to a wet weather storage facility.

- The Irwin Creek WWT Plant lagoon will be demolished and replaced with new final clarifiers.

- The McAlpine Creek WWMF lagoon is in service as a chlorine contact lagoon. This lagoon must be cleaned to ensure that the facility meets its discharge permit and protects the stream into which it discharges.

32. Meter Reading Software System - Budget Ordinance and Contract

Action:

(A) Approve a Budget Ordinance appropriating $153,303 from Utilities Operating Fund Balance to Water Distribution Meter Reading; and

(B) Award the lowest, responsive bid to Itron, Incorporated for procurement of Meter Reading System - $153,303.

Explanation:

- The Request for Proposals was sent to four vendors. Two vendors responded. This proposal established specifications which the vendor was required to meet in order to increase efficiency in reading meters and responding to customer issues.

- Itron was not the low bid, but was the lowest bid meeting specifications. The Utility Key Business Executive and staff review team recommend Itron for procurement of the meter reading system because they:

  - met the specification requirements;

  - can read any brand of water meter;

  - can read any brand of water meters with radio frequency;

  - accept reading from hand held units;

  - can use the current file interface that permits upload and download from the mainframe to a client server;

- produce comprehensive reports including zero consumption on active accounts and non-zero consumption on inactive accounts;
- can accept rereads loaded into the handhelds; and
- can provide personal computer backup and recovery programs

- The proposed contract with Itron will provide software and heldheld computers for the meter reading system which will:
  - improve hand-held units' reliability; and
  - increase productivity.
- The current meter reading system was implemented in September 1991. This system is obsolete and will not allow for other meter reading methods like radio frequency. Also, the present hand-held reading units are experiencing maintenance problems.

Summary of Bids:

Schlumberger Resource	Spokane, WA	$121,042*
Itron, Incorporated	Norcross, GA	$153,303

*did not meet specifications

Funding: Water Operating Funds

Attachment 28
Bid Comparison

33. Street Maintenance Resolution

Action: **Adopt a resolution to transfer maintenance for seven streets from the North Carolina Department of Transportation (NCDOT) to the City of Charlotte.**

Explanation:

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

- The resolution requests NCDOT transfer maintenance responsibility for the following street segments to the City:

  - Smith Road: City limits to Choate Circle
  - Sentry Post Road: Airport Drive to Dead End
  - Sandy Porter Road: York Road (NC49) to City Limit
  - Pioneer Avenue: Westinghouse Blvd to Continental Blvd
  - Continental Blvd: Pioneer Avenue to End of State Maintenance
  - Granite Street: Westinghouse Blvd to end of Maintenance
  - Jimmy Oehler Road: Johnston-Oehler Road to end of Maintenance
  - Airport Drive: West Blvd to Sentry Post Road

- These streets are not on NCDOT's primary road system and qualify for maintenance under the City's Street Maintenance Policy.

- NCDOT has asked the City to accept maintenance responsibility for the streets. Staff recommends approval of the transfer.

Attachment 29
Maps

34. Charlotte-Mecklenburg Government Center Parking Facility Operation and Management

Action: **Approve a contract for the Charlotte-Mecklenburg Government Center Parking Facility operation and management services with Preferred Parking Service, Inc. of Charlotte, NC.**

Explanation:

- This contract provides for operation and management of the CMGC Parking Facility bounded by Davidson, Caldwell, Third, and Fourth Streets. The contract is a three-year contract with the option for two one-year renewals.

- Preferred Parking Service is the low bidder for year one of the contract. Preferred Parking's bid is $0 - this is not an error.

- For years two and three of the contract, Preferred Parking Service submitted the low bid with an apparent decimal error in the management fee. Staff met with Roger Stacks of Preferred Parking and offered him the opportunity to withdraw his bid. However, he declined and wishes to proceed with the contract as submitted.

- The CMGC Parking Facility has been under the operation and management of Central Parking since May 1995.

- Bids represent the management fee only. The parking deck manager is reimbursed for all operating and maintenance costs including personnel costs. Reimbursement is funded by revenues received from parking fees collected. The projected annual operating expense for the contract is $168,000.

- Monthly revenues generated by the parking facility cover the cost of operating expenses, the management fee, necessary maintenance, and repairs. The operator forwards net revenues to the City monthly. Expenses are reviewed by staff and the entire operation is audited annually by external auditors. Any excess revenues are returned to a restricted account used only for parking deck expenses.

MWBD: Preferred Parking Service, Inc. is a Native-American owned business.

Summary of Bids:

Preferred Parking Service of Charlotte, NC	**$0**
Republic Parking System of Chattanooga, TN	$3,330
AMPCO System Parking of Houston, TX	$5,594.40
AllRight Parking, Inc. of Charlotte, NC	$7,770
Central Parking System of Charlotte, NC	$16,650

35. Land Lease for Antenna in Evergreen Cemetery

Action: **Approve a lease agreement between the City of Charlotte and SprintCom, Inc. for the construction of a communication antenna in Evergreen Cemetery.**

Explanation:

- SprintCom needs a cell phone antenna site at or near this location.

- Consistent with the zoning ordinance regulating telecommunications and encouraging collocation, an antenna within an unused wooded area of the cemetery will eliminate the need to construct another antenna tower in this neighborhood.

- The recommended site is near the maintenance building and away from any grave sites. The tower will be 120 feet in height. The site is more than 1,000 feet from the nearest residential homes and is buffered by thick underbrush and trees.

- Terms of the lease agreement are:
  - $20,000 donation plus $775 per month for a five-year base term and four options to renew of five years each. The lease rate will increase at 3% per year for every year leased.
  - These rates are comparable to current marketplace rates for private operators in the local area.
  - The lease will include a 40' x 60' pad for the monopole (flag pole style) antenna and equipment room.

Community Input: A public meeting was held on March 31, 1998. There was no neighborhood opposition. More than 90 letters were sent to property owners surrounding Evergreen Cemetery notifying them of the meeting and explaining the project. Two inquiries were received; one in favor of the project, and one requesting additional information.

36. Sale of Property at 19614 Oak Street, Cornelius NC

Action: **Approve the sale of property at 19614 Oak Street, Cornelius, NC.**

Policy: To seek to maximize the City's return from its current asset portfolio by the sale of surplus City properties.

Explanation:

- The property was advertised through the upset bid process following an offer of $7,400 for the property, based on our appraisal of $7,400.
- The property was advertised 12 times in the upset bid process.
- Allen Reid Plummer, Jr. and Charlotte Plummer, owners of adjacent property presented the highest bid of $17,375.
- The property was formerly a water tank site acquired by CMUD through the consolidation of utility departments in Mecklenburg County.

- The Tax code is 005-211-17.

37. Sale of City Property - 4401 McKinley Drive

Action: **Approve the sale of City owned property located at 4401 McKinley Drive**

Explanation:

- The sale of City owned property is subject to compliance with the provisions of the North Carolina Statutes.

- An offer to purchase was extended to the Airport. The offer is $54,000 with the Airport paying for a realty fee of 3%, and installing a stove and refrigerator. The offer is contingent upon buyer obtaining financing, binder to be returned if buyer is unable to obtain loan.

- The offer was advertised for 10 days in accordance with the statutes for upset bid. No offers were received.

Summary:

Property Address:	4401 McKinley Drive
Tax Code:	061-081-31
Buyer's Name:	Betty Hill
Offer:	$54,000

Background:

- In accordance with the Part 150 Plan, the Airport acquired 32 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones. Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan (less than 75DNL).

- The Airport provided noise insulation to 4401 McKinley Drive and listed the property in the Multiple Listing Service for sale to the public November 1994. Subsequently, there was major vandalism to the property and the property was withdrawn from the market. The house was repaired and placed back on the market in September 1997 for $55,000. The property was appraised in October 1994 for $51,500; however, other properties in that area were now listing for $55,000. This property is adjacent to the school and the lot is used as a cut-thru to the neighborhood. Council approved an offer of $52,000 on January 26, 1998. The buyer was unable to obtain financing and the property was returned to the market.

38. Airport Property Exchange

Action: **Approve a resolution authorizing the exchange of property between the City and Cook Body Company, Inc. The parcels are of equal value.**

Explanation:

- Cook Body Company, Inc. (Cook's) owns approximately 3.17 acres of land located on Harlee Avenue adjacent to the US Airways' aircraft component maintenance facility on Wilkinson Boulevard.

- The actual land swap is approximately .45 acres for both parties. The value is $27,016.13.

- It is mutually beneficial for the Airport and Cook's to exchange parcels of equal value (see attachment). Benefits to the Airport are that acquisition of additional property in the southeast corner will improve the site development to accommodate the trucking functions of the maintenance facility for US Airways. The benefits to Cook are that the land swap will square off his property line and allow for better land utilization.

Community Input: Airport Advisory Committee recommends this resolution.

Attachment 30
Map

39. FAA Grant Acceptance, Budget Ordinance and Construction Contract

Action:

A. Adopt resolutions accepting Federal Aviation Administration (FAA) grants AIP-31 in the amount of $7,710,639 for Master Plan Land Acquisition, Taxiway G, and Reimbursement for Cargo Ramp Expansion and AIP-32 in the amount of $4,781,250 for the Airport's Part 150 Noise Compatibility Program;

B. Adopt a $12,491,889 budget ordinance to appropriate the FAA grants and $814,348 of Airport funds for constructing Taxiway G; and

C. Award a $2,997,055 construction contract to Blythe Development Company of Charlotte to construct Taxiway G.

Policy:

Airport Master Plan, Airport Capacity Enhancement Plan, Taxiway Capacity Initiative Study

Explanation:

- The FAA has offered two grants, one in the amount of $7,710,639 to fund the Master Plan Land Acquisition, Taxiway G, and reimbursement for cargo ramp expansion; the other in the amount of $4,781,250 to fund the Airport's Noise Compatibility Program.

- Each year, the FAA provides entitlement funds based on passenger enplanements; Charlotte's FY98 entitlements are $7,257,160. In addition to the entitlement funds the FAA provides funding, at the Secretary of Transportation's discretion, to high priority Airport projects on a national basis. To date, Charlotte has been offered discretionary funding of $7,364,942.

- The discretionary funds will fund two high priority projects. Construction of Taxiway G will save the airlines approximately $2 million per year in operating costs according to an FAA-sponsored Taxiway Capacity Enhancement Project. The second high priority project is the Airport's Noise Compatibility Program.

Community Input: The Airport Advisory Committee recommends the approval of this grant acceptance, budget ordinance and construction contract.

Summary of Bids:

Blythe Development Co.	**$2,997,055.15**
APAC-Georgia, Inc.	$3,080,185.65
W. C. English, Inc.	$3,339,499.50

MWBD Status: Goal: 21% DBE Participation: 18%

40. NCDOT Grant Acceptance and Budget Ordinance

Action:

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

B. **Adopt a $400,000 Budget Ordinance to appropriate the NCDOT grant to the Ramp B Expansion-Phase 3 project.**

Policy: Airport Master Plan, Airport Capacity Enhancement Plan, Taxiway Capacity Initiative Study

Explanation:

- The NCDOT has offered a grant in the amount of $400,000 to fund the completion of the Ramp B Expansion project, which represents the airport's maximum allocation under the NCDOT's FY98 Transportation Improvement Program.

- In 1987, the Airport Master Plan identified the expansion of the terminal ramp to accommodate traffic growth. Other actions by Council regarding this project are as follows:

Award of design contract	June	1995
Grant acceptance for Ramp B-Phase 1	Dec.	1995
Grant acceptance for Ramp B-Phase 2	Nov.	1996

Community Input: The Airport Advisory Committee recommends the approval of this grant acceptance and budget ordinance.

41. Property Transactions

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

Acquisitions:

A. **Project**: Sidewalk Trinity Road, Parcel #1
Owner(s): William Hurley Elliott, Jr. & Otley H. Elliott
Property Address: 6324 Beatties Ford Road
Property to be Acquired: 24,969 sq.ft. (0.57 ac.) plus 3,440 sq.ft. (0.032 ac.) temporary construction easement
Improvements: Fencing, landscaping buffer with mature hardwood trees
Purchase Price: $15,000
Remarks: The permanent and temporary areas are needed for the Trinity Road Sidewalk project. Compensation is based on an appraisal.
Zoned: B-2 **Use**: Service Garage/Whse./Industrial
Tax Value: $177,690
Tax Code: 037-141-04

B. **Project**: Briar Creek/Central Avenue ATP-3, Parcel #1
Owner(s): Evelyn B. Renfrow
Property Address: 3223 Central Avenue
Property to be Acquired: 4,800 sq.ft. (0.110 ac.) plus temporary construction easement 9,165 ± sq.ft. (0.210 ac.)
Improvements: None
Purchase Price: $33,700
Remarks: This area is needed for the construction of street improvements along Central Avenue and Briar Creek Road. Compensation is based on an independent appraisal.
Zoned: R-22 MF **Use**: Residential
Tax Value: $173,780
Tax Code: 095-122-65

C. **Project:** Master Plan Land Acquisition
Owner(s): Mr. and Mrs. James Deal
Property Address: part of property on Garrison Road
Property to be acquired: 7.21 acres
Improvements: vacant land
Tax Value: $26,215
Purchase Price: $100,925
Remarks: On July 28, 1997 Council approved a municipal agreement for NCDOT and the Airport to work together on those acquisitions that involve I-485 right-of-way and future Airport property. NCDOT is acquiring 2.573 acres. The Airport is buying 7.21 acres of land. The purchase price of entire lot is $136,950. The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. The acquisition is eligible for federal funding.

D. **Project:** Master Plan Land Acquisition
Owner(s): Roy P and Beulah B Burdette
Property Address: 5729 & 5733 Wilkinson Blvd.
Property to be acquired: .689 acres
Improvements: House used as business
Tax Value: $109,760
Purchase Price: $132,500
Remarks:The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific size and condition of the land. The tax value is determined on a more generic basis and will be higher or lower for land with certain features. 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.

Condemnation:

E. **Project**: Cavendish Court/Cloister Drive Storm Drainage, Parcel #80
Owner(s): Glenn Alan McCain & wf., Danella A. McCain
Property Address: 1614 Rutledge Avenue
Property to be Acquired: 1,617 sq.ft. (0.037 ac.) of permanent easement
Improvements: None
Purchase Price: $2,500
Remarks: Upstream drainage improvements require replacement of an undersized pipe along the side lot line of this property. The owner objects since his property does not flood. City staff moved the proposed replacement pipe location to the adjoining owner's property.

- However, the permanent easement is necessary for construction and future maintenance.

Zoned: R-3 **Use**: Single Family Residential
Tax Value: $613,570
Tax Code: 183-041-36

42. Minutes

Action: **Approve minutes as follows:**

- **April 13, 1998 Business Meeting**
- **April 20, 1998 Zoning Meeting**
- **April 21, 1998 Budget Retreat**
- **April 27, 1998 Business Meeting**
- **April 4, 1998 Budget Presentation**
- **April 4, 1998 Workshop and Citizens Forum**