

**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, November 13, 2000**

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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**

# **2000 Council Retreat Priorities**

## **Top Priorities for 2000**

**Housing Policy and Strategy**

**Community Safety Strategy: Safest City in America**

**Road Improvements**

**Westside Strategy**

## **High Priorities for 2000**

**Business Corridor Revitalization**

**Eastside Strategy Plan**

**Financial Policies**

**Neighborhood Initiatives**

**North Tryon Strategy**



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

### **1. Recommendations Regarding Old Convention Center**

**Resource:** Tom Flynn, City Manager's Office

**Time:** 30 minutes

#### **Attachment 1**

### **2. Public Access Corporation Status Report**

**Resource:** Victor Guzman, Public Access Corporation Board Chair

**Time:** 15 minutes

#### **Attachment 2**

### **3. MWBD Annual Report**

**Resource:** Faithel DuBois, MWBD Advisory Committee Chair

**Time:** 20 minutes

#### **Attachment 3**

### **4. Mayor's International Cabinet Briefing**

**Resources:** Melvin Tennant, Mayor's International Cabinet Chair  
Fred Dabney, Mayor's International Cabinet,  
Development Committee Chair

**Time:** 20 minutes

#### **Attachment 4**

### **5. Transportation Committee: Recommendation on Collector Streets**

**Resource:** Bill Finger, Transportation

**Time:** 10 minutes

#### **Attachment 5**

**6. Council Retreat Committee Report**

**Resource:** Vi Alexander Lyles, Assistant City Manager

**Time:** 10 minutes

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

### **CONSENT**

- 7. Consent agenda items 16 through 34 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

## POLICY

### 8. City Manager's Report

### 9. Short List of Developers for Hal Marshall Center Site

The request for Council action will be included in the Friday, November 10 Council-Manager Memo.

### 10. Old Convention Center

The request for Council action will be included in the Friday, November 10 Council-Manager Memo.

### 11. Mecklenburg County Solid Waste Management 10-Year Plan

**Action: Adopt a resolution approving the Mecklenburg County Solid Waste Management 10-Year Plan dated July 1, 2000.**

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

**Focus Area:** Restructuring Government

**Policy:**

House Bill 859 (HB 859), approved by the North Carolina General Assembly in 1996, required all units of local government to prepare and approve a ten-year solid waste management plan by July 1, 1997.

**Explanation:**

Mecklenburg County, the City of Charlotte, and the Towns of Cornelius, Davidson, Huntersville, Mint Hill and Pineville each have a Solid Waste Management Plan that meets the requirement of HB 859. HB 859 required the Solid Waste Management Plan be updated every three years. The Mecklenburg County Board of Commissioners, upon the advice of its Waste Management Advisory Board, approved revisions to the plan on August 15, 2000.

The revised plan addresses changes in the waste management program since 1997 and proposes to put an emphasis on waste reduction, particularly in the commercial sector. This plan recommends shifting from a voluntary source separation program to a mandatory source separation program for commercial recycling and waste that would require businesses to keep paper

and old corrugated cardboard out of their trash cans. As directed by the Board of County Commissioners (BOCC), a task force has been formed to develop a source separation ordinance. County staff will report to the BOCC on a periodic basis regarding the status of the ordinance.

Another key revision in the plan is a request by Mecklenburg County for the State to approve a new base year. HB 859 set a State solid waste reduction goal of 40 percent per capita by June 30, 2001. The request seeks a change in base year from FY90, to FY99, to reflect an increase in the Solid Waste disposal rate from 1.43 tons per person to 1.96 tons per person. This change is requested to reflect the current information sources and methods that the State uses to compile disposal rates. Using more recent information will also make the plan easier to understand by the public.

In order to meet the waste reduction goals of this plan, the City will utilize a public education campaign to encourage businesses and multifamily complexes to increase their recycling rates.

**Community Input:**

An outreach program was conducted as part of the development of the plan to obtain ideas and comments from the public and other interested parties. Based on comments received from the public, research on other programs throughout the country and analysis of the waste streams and programs in Mecklenburg County, the Waste Management Advisory Board approved and recommends the adoption of this Plan by the participating units of government.

**Attachment 6**

- Letter from Mecklenburg County Manager Harry Jones to City Manager Pam Syfert with attached Resolution
  
- Mecklenburg County Solid Waste Management 10-Year Plan dated July 1, 2000

## BUSINESS

### 12. Naming Rights for Independence Arena

**Action:** Approve the recommendation of the Auditorium-Coliseum-Convention Center Authority Board of Directors to change the name of the Independence Arena to the Cricket Arena.

**Resource:** Mike Crum, Auditorium-Coliseum-Convention Center Authority

**Focus Area:** Economic Development

**Policy:**

Council has the authority to name facilities owned by the City of Charlotte, including those managed by the Auditorium-Coliseum-Convention Center Authority (“the Authority”). The Authority maintains, operates, and markets the Independence Arena. The Authority’s marketing responsibilities include revenue generation through the sale of advertising and sponsorship for the facility.

**Explanation:**

Pending the successful negotiation of a naming rights contract between the Authority and Cricket Communications, the Authority’s Board of Directors recommends that Council change the name of the Independence Arena to the Cricket Arena.

Over the five-year term of the agreement, Cricket will pay the Authority a total of \$750,000. After name conversion expenses and contractual revenue sharing with the Checkers, the net benefit of the agreement to the Authority (and ultimately, the City) is estimated to be \$650,000.

**Background:**

Market analysis of the value of naming rights for the Independence Arena indicates that Cricket is paying an appropriate annual amount for the Arena’s naming rights.

The Authority recently marketed the prospect of naming rights for the Auditorium-Arena-Merchandise Mart complex to 6 potential companies. None of the 6 expressed an interest in securing naming rights.

The Authority was approached by Cricket Communications, a wireless communications company new to the Charlotte market, in October about purchasing naming rights to Independence Arena under the terms identified above as part of their local market strategy.

Cricket Communications is a subsidiary of Leap Wireless International, which is headquartered in San Diego. Leap was a spin-off from Qualcomm two years ago and is traded on NASDAQ. Cricket's target market is the two-thirds of U.S. population that does not currently have wireless communication.

The Merchandise Mart supports the sale of naming rights to Cricket Communications.

The Authority has worked with the Echo Hills neighborhood association, the East Charlotte Neighborhood Partners and the Chamber's East Area Council. While none have taken formal action relative to the sale of naming rights to Cricket Communications, each has indicated its support for the name change.

On an annual basis, the Auditorium-Arena Complex loses a minimum of \$232,000 to \$282,000. Revenue from the sale of naming rights will help offset these losses.

Council received a presentation on this proposal at the October 23, 2000 Business Meeting.

#### **Attachment 7**

Cricket Communications Company Overview

### **13. Prohibition of Large Commercial Vehicles on Residential Streets**

**Action: Adopt an ordinance amending City Code, Chapter 14 - Motor Vehicles and Traffic to extend the prohibition of large commercial vehicles on residential streets to include thoroughfares where posted.**

**Staff Resource:** Doreen Szymanski, Transportation

**Focus Area:** Transportation

#### **Explanation:**

This action assists the Charlotte Department of Transportation and the Charlotte-Mecklenburg Police Department in their efforts to enforce the prohibition of large commercial vehicles on streets in residentially-zoned districts. Large commercial vehicles are defined in the City Code as being at least eighty (80) inches in width and thirty (30) feet in length.

CDOT and CMPD receive many calls from residents asking that very large vehicles be prevented from using the street in front of their homes when passing through their neighborhood. Staff would like to amend the code to permit CDOT to determine when such vehicles should be prohibited on thoroughfares in a residentially-zoned district. With approval of the amendment, staff will be able to address resident requests on streets such as:

- Colony Road
- Park Road (between Pineville-Matthews Road and Carolina Place Boulevard)
- Sharon View Road

These streets are minor thoroughfares where truck traffic is discouraged because there are nearby truck routes. If approved, CDOT will evaluate streets on an as-requested basis for truck traffic prohibitions. Evaluation criteria will include vehicular volumes, road classification, and in particular the availability of nearby truck routes/major thoroughfares.

**Community Input:**

Both CMPD and CDOT frequently hear from residents asking for truck traffic restrictions through their neighborhoods.

**Attachment 8**

Comparison between current City Code and recommended changes

## 14. 2001 Council Meeting Schedule

**Action: Approve the 2001 Council Meeting Schedule.**

**Staff Resource:** Brenda Freeze, City Clerk

**Explanation:**

N.C.G.S. 43-318.12 requires that the City Clerk keep on file a schedule of Council's regular meetings. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.

**Attachment 9**

Calendar

**15. Nominations to Boards and Commissions**

**Action: Nominate citizens to serve as specified.**

**A. STORMWATER SERVICES ADVISORY COMMITTEE**

One opening for an unexpired term beginning immediately and ending April 2001. The appointee would serve the next full, three-year term. The appointee must represent either a school, college, hospital or church. Frank Barnes has resigned.

**Attachment 10**

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

Contractors and Consultants

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

## CONSENT I

### 16. Various Bids



#### A. 10<sup>th</sup> Street and Graham Street Intersection Improvements

**E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$468,971.44 by Ferebee Corporation of Charlotte, North Carolina. The project consists of grading, storm drainage, asphalt paving, concrete work, landscaping, and installation of erosion and traffic control devices. This project was approved under the 1996 Street Bonds and will add dual left turn lanes from Graham Street onto 10<sup>th</sup> Street.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	5%
WBE	\$33,618	8%	4%

**MWBD Compliance:** Yes. Ferebee Corporation met the good faith efforts.

**B. Parking Lot Repair E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$234,690 by Crowder Construction of Charlotte, North Carolina. This project is part of the annually funded Parking Lot Repair Program to provide maintenance, repairs and minor expansions at City-owned facilities including Landscape Operations Center, Animal Control, and various fire stations.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$3,925.00	2%	2%
WBE	\$2,227.50	1%	1%

**MWBD Compliance:** Yes.

**C. West District “B” Median Turf and Landscaping Maintenance E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$125,400 by John Todd Landscaping of Charlotte, North Carolina. This five-year contract consists of landscape maintenance in highway median areas of high public visibility within the City limits. Mount Holly/Rozzelles Ferry/York and Remount Roads, and West Boulevard are the areas included in this project.

**MWBD Compliance:** Yes. John Todd Landscaping will self-perform.

**D. Ornamental Fountain Maintenance E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$299,277 by Charlotte Specialty Services of Concord, North Carolina. This is a specialized maintenance services project that requires both a plumbing and electrical contractor's license. This project was advertised twice and Charlotte Specialty Services submitted the only bid. This project includes four-ornamental water fountains: Marshall Park Pond, Polk Park, Ninth Street Park and the Mint Museum.

**MWBD Compliance:** Yes. Charlotte Specialty Services will self-perform.

**E. Water and Sewer Main Construction–Contract #107-Street Main Extensions CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$795,973.70 by McDaniel Construction Contractors, Inc. of Bostic, North Carolina. This project provides sewer line, water pipe, manholes, and various other erosion control activities.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	5%
WBE	\$795,973.70	100%	6%

**MWBD Compliance:** Yes. The McDaniel Construction is a certified WBE and will self-perform.

**F. Fire Hydrants CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends award of a contract to Hughes Supply of Charlotte, North Carolina for an estimated total of \$108,400, on a unit price basis for a period of one year with an option to renew for an additional two one-year extensions on a negotiated basis and subject to availability of funds. The Charlotte-Mecklenburg Utility Department purchases fire hydrants for citizen protection throughout Mecklenburg County.

Hughes Supply was the lowest responsive bidder. A bid was received from Ferguson Waterworks, Charlotte, North Carolina, in the amount of \$78,140 that did not meet specifications. Ferguson proposed a hydrant that did not conform to the American Water Work Association specifications which was a bid requirement.

**MWBD Compliance:** Yes. There are no known MWBD vendors.

**17. Resolution of Intent to Abandon Street and Set Public Hearing for Peace Street**

**Action:** A. Adopt the Resolution of Intent to abandon Peace Street; and

B. Set a public hearing for December 11, 2000.

**Attachment 11**  
Map

## CONSENT II

### 18. Accelerated 2002 Street Bond Projects, Planning and Design



- Action:**
- A. Adopt a budget ordinance appropriating \$8,000,000 from the 2000 Street Bonds; and**
  - B. Approve seven contracts totaling \$4,488,000 for engineering services on street projects:**
    - 1. Approve agreement with LPA Group for \$209,000 for a left turn lane on Third Street at Baldwin Avenue.**
    - 2. Approve agreement with Kimley-Horn and Associates for \$1,548,000 for Arequipa Drive Extension to Sam Newell Road.**
    - 3. Approve agreement with USInfrastructure for \$529,000 for Hickory Grove Road widening.**
    - 4. Approve agreement with McKim-Creed for \$264,000 for a lane on Fairview Road between Sharon and Colony.**
    - 5. Approve agreement with HDR Engineering for \$630,000 for Fred D. Alexander Section C between Valleydale and Brookshire.**
    - 6. Approve agreement with RS&H Architects-Engineers-Planners for \$233,000 for Krefeld Drive connector planning.**
    - 7. Approve agreement with Barbara H. Mulkey Engineering for \$1,075,000 for Statesville Road widening between I-85 and Sunset.**

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

**Explanation:**

On February 28, 2000, Council approved the Transportation Committee's recommendation that staff accelerate planning and design of major transportation projects. On November 7, 2000, Charlotte voters approved \$57.5 million in street bonds. \$8 million of the 2000 street bond is earmarked for early planning and design of projects proposed for the 2002 Street Bond referendum. Descriptions of each project follow:

1. The left turn lane on Third Street will facilitate traffic leaving the center city to distribute itself between Providence and Randolph Roads and reduce congestion on Independence between Third and Fourth.

2. Arequipa will provide a collector street on the north side of East Independence and help provide access to residences and businesses after East Independence becomes a freeway.
3. Hickory Grove will be widened to four lanes between Shamrock Drive and Highland Avenue. Planning was completed for this improvement earlier this year. This contract will provide for design work only in order to facilitate construction of sidewalks. The funding for construction of Hickory Grove Road will be proposed in a future bond referendum.
4. A third east-bound through lane on Fairview between Sharon and Colony will be created by adding a right turn lane on Fairview to Sharon and widening Fairview between Sharon and Colony.
5. Section C of Fred D. Alexander Boulevard (from Valleydale to Brookshire) will connect with other sections to form the Northwest Circumferential between the airport and I-77, where it will connect to W. T. Harris Boulevard.
6. Krefeld will provide a collector street on the south side of East Independence, helping to provide access to residences and businesses after Independence becomes a freeway. A portion of Krefeld is being considered for joint use as a transit way as part of the Southeast Corridor Major Investment Study. This contract is only for planning the road, to assure that it is compatible with the possible transit way.
7. Statesville Road already has been widened north of Sunset Road and from I-85 south. This project between I-85 and Sunset will complete a four-lane arterial parallel to I-77.

**MWBD (listed by project):**

- |    |                    |                                       |
|----|--------------------|---------------------------------------|
| 1. | LPA Group:         | WBE 4.5%, HBE 3.3%, (MWBE Total 7.8%) |
| 2. | Kimley-Horn:       | WBE 2.1%, (MWBE Total 2.1%)           |
| 3. | USInfrastructure:  | ABE 87%, (MWBE Total 87%)             |
| 4. | McKim-Creed:       | WBE 5%, (MWBE Total 5%)               |
| 5. | HDR:               | WBE 3.9%, (MWBE total 3.9%)           |
| 6. | RS&H:              | WBE 15%, (MWBE total 15%)             |
| 7. | Barbara H. Mulkey: | WBE 95%, (MWBE total 95%)             |

**Community Input:**

Each project will have an individual citizen involvement process, which may include public meetings, newsletters and a Web site.

**Funding:**

2000 Street Bonds

## 19. North Corridor Traffic Separation Study

**Action:** Approve a resolution to authorize the Charlotte Area Transit System Key Business Executive to execute Municipal Agreements with the Towns of Cornelius, Davidson, Huntersville and Mooresville to participate in the North Transit Corridor Traffic Separation Study.

**Staff Resource:** Ron Tober, Charlotte Area Transit System

**Explanation:**

On October 10, 2000, Council approved a contract with Gannett Fleming for up to \$275,000 to complete a Traffic Separation Study for the North Transit Corridor ('O' Line). Council also approved a Municipal Agreement with the NCDOT to share the cost of the study. As part of their mandate to improve railway/highway grade crossings and a desire to support regional public transit service in the Charlotte area, the NCDOT will fund approximately 65% of the cost of this study.

The Municipal Agreement between the City of Charlotte and NCDOT for the funding of the study requires the City to sign Municipal Agreements with the Towns of Cornelius, Davidson, Huntersville, and Mooresville.

In August, the Metropolitan Transit Commission approved further study of a demonstration commuter rail service in the North Corridor. Provision of rail service in this corridor by 2003 would provide peak hour commuters an option to Interstate 77, which will be under construction to add lanes at that time. The 2003 implementation date requires very quick study of implementation issues.

The Traffic Separation Study will evaluate both public and private at-grade crossings of the Norfolk Southern Railroad 'O' Line from Charlotte to Mooresville. The Study will determine the need for improvements and/or elimination of grade crossings as part of a comprehensive evaluation of traffic patterns and road usage along the corridor.

**Funding:**

NCDOT and CATS Funding

## 20. Resolution to Amend Council's Boards and Commissions Procedure

**Action: Approve a resolution amending Council's Boards and Commissions Procedure to have attendance reports turned in the first working day after the end of a calendar quarter.**

**Staff Resource:** Brenda Freeze, City Clerk

### **Explanation:**

Council's current policy on Boards and Commissions attendance requirements states that "Staff advisors shall file attendance reports with the City Clerk by the end of the first month following the close of a calendar quarter."

Attendance requirements for Council's Boards and Commissions are that any member must attend 75% of all regular meetings in a calendar year and members are automatically removed if they miss three consecutive regular meetings.

Upon receipt of the attendance reports a month after the end of a calendar quarter, the City Clerk's Office sends courtesy letters to any member who is in danger of violating either attendance rule.

Under the current requirement for attendance reports, a month of the next quarter has gone by before the board member receives a reminder letter. This means the board member has lost a month of opportunity to improve their attendance. This is particularly critical after the third calendar quarter.

The proposed change in deadline for attendance reports would allow the Clerk's Office to send reminder letters sooner, thereby helping board members meet Council's attendance requirements.

### **Attachment 12**

Resolution

## 21. Donation of Electric Vehicles to the University of North Carolina at Charlotte

**Action:** Approve a resolution to donate two electric vehicles to the University of North Carolina at Charlotte.

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

### **Explanation:**

The City obtained two electric Geo Prism sedans, for \$29,985 each, in 1994 as part of an alternative fueled vehicle program. The original program was a partnership funded by the City, State of North Carolina Department of Environmental Health and Natural Resources, Duke Energy and York Technical College to promote the production of electric vehicles as an alternative method of transportation.

The battery technology available at the time of manufacture of these vehicles was not fully developed and the program was plagued with problems related to the batteries. As a result, the vehicles have received minimum use and are not considered reliable. Estimates to repair these vehicles exceed \$10,000 in battery cost. Duke Energy and York Technical College have no interest in the vehicles themselves and are supportive of the donation to UNC-Charlotte. The current salvage value of each vehicle is less than \$1,000.

The UNC-Charlotte Department of Engineering Technology has expressed interest in the vehicles for their alternative transportation, pollution reduction and energy conservation development program. They understand there are no implied warranties associated with the vehicles.

## 22. Grant Award for National Incident Based Reporting System

**Action:** A. Accept a grant from the U.S. Department of Justice, in the amount of \$100,000, to continue the Police Department's conversion to National Incident Based Reporting System (NIBRS); and

B. Adopt a budget ordinance appropriating \$100,000 in federal funds for the NIBRS project.

**Staff Resource:** Veronica Sorban, Police

### **Explanation:**

Last year, the Department of Justice provided funding to three cities, including Charlotte, to assist them in converting their crime reporting system

to NIBRS. NIBRS is an enhanced crime reporting system designed by the FBI to improve the quantity, quality, and methodology of reported crime data.

The current UCR (Uniform Crime Reports) system includes only raw numbers regarding reported offenses. The enhanced system will require police agencies to provide information on the circumstances surrounding crimes such as homicide and aggravated assault. The end result will be a more comprehensive analytical profile of crime in cities reporting to the FBI.

On September 27, 1999, Council accepted a \$236,950 grant from the U.S. Department of Justice for conversion to NIBRS. All three of the cities participating in this project have found the work to be more time consuming and complex than originally anticipated. Consequently, the Justice Department has granted the Charlotte-Mecklenburg Police Department an additional \$100,000 to complete the next phase of the conversion. No City matching funds are required.

**Funding:**

\$100,000 grant from the Department of Justice

## 23. Storm Water Channel Maintenance Renewal FY00-B

**Action: Approve Renewal #1 for \$772,075 with Blythe Development Company for continued construction of FY00-B Storm Water Channel Maintenance Package.**

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

**Explanation:**

This renewal will enable Storm Water Services to continue regular maintenance activities under this contract, recognizing good contractor performance and good existing unit prices. Where the contractor's work has been of good quality, a renewal is recommended to extend the contract.

The contract document provides for renewal of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. This renewal will increase the contract amount from \$772,075 to \$1,544,150.

**MWBD:**

BBE: 6%

WBE: 6%

**FUNDING:**

Storm Water Services Capital Fund

## 24. Agreement with the City of Concord Regarding Temporary Provision of Water and Sewer Service

**Action:** Approve an agreement with the City of Concord to allow for the temporary provision of water and/or sewer by either municipality to areas outside their respective county boundary when mutually agreed upon by the Concord City Manager and Charlotte-Mecklenburg Utilities Key Business Executive.

**Staff Resource:** Doug Bean, Utilities

### **Explanation:**

On occasion a development is proposed on either side of the Mecklenburg-Cabarrus county line that cannot be served with water and/or sewer by the service provider in that county due to the lack of utility lines in the vicinity. However, in some cases, the service provider in the adjoining county does have utility lines that could provide service to the development area.

This agreement provides the framework for the adjoining service provider to serve customers temporarily until the resident municipality extends utility lines to the area to provide permanent service. The temporary water and/or sewer service would only be provided to an area if mutually agreeable to both Charlotte-Mecklenburg Utilities and the City of Concord.

Council has previously adopted similar regional agreements for temporary service with the Water and Sewer Authority of Cabarrus County and the Town of Harrisburg.

## 25. Water Transmission Mains Public Communication Assistance–Professional Services Contract

**Action:** Approve a contract for \$313,800 with CarolinaPR to perform public communication assistance related to construction of four water transmission mains.

**Staff Resource:** Doug Bean, Utilities

### **Explanation:**

Over the next two years Charlotte-Mecklenburg Utilities will be constructing three major water transmission lines: along Park and Johnston Road; parallel to I-85 in northeast Charlotte from the Franklin Water Plant to Plaza Road extension; and southwest from the Franklin Water Plant down to Shopton Road. The construction of these water lines is being implemented on an accelerated schedule and will have substantial impacts to citizens living and traveling along the roadways where these water lines are being constructed. In order to adequately prepare communication information for

the public, the Utilities Department proposes to employ a public relations company to assist with these efforts.

Two of the three engineering design firms (Black & Veatch and Camp Dresser & McKee) working on these water lines had already employed CarolinaPR as a subcontractor to assist with website design and public information development for their projects. Utilities staff have determined that it is in the best interest of the City to have the communications company coordinated directly by the Utilities staff for the water lines. Therefore, if this contract is approved, the subcontracts with the engineering companies would be eliminated and those funds applied towards costs incurred with this contract. Staff at CarolinaPR have substantial experience working with local governments assisting with community relations and communications on various public works projects. Work experience includes the 54-inch waterline that was installed along Providence Road in 1986.

After reviewing CarolinaPR's experience and interviewing their staff, Utilities has negotiated a proposed contract with CarolinaPR to provide these services for a fee not to exceed \$313,800. Fees paid to CarolinaPR would be based on hourly rates and reimbursement of direct expenses as they are incurred.

The scope of this contract includes:

- Development and printing of traffic brochures (100,000 copies)
- Website development, maintenance and host service
- Newspaper tabloid inserts and overprints
- Preparation of visual programs for public presentations
- Project newsletter development
- Attendance at public meetings, project meetings, and door to door delivery of various project informational brochures and updates
- Media contact and information development

**Funding:**

Water and Sewer Operating Fund

## 26. Back Creek Outfall–Budget Ordinance and Change Order

**Action:** A. Adopt a budget ordinance appropriating \$315,000; and  
 B. Approve Change Order #1 with Hunter Landscape, Inc. in the amount of \$315,000 for additional cost due to excessive rock excavation.

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

This action item will allow payment to Hunter Landscape for additional work and in-house engineering charges through the construction period.

On December 13, 1999, Council approved a contract in the amount of \$802,898.95 to Hunter Landscape to construct a gravity sewer line beginning at Back Creek Pump Station to Back Creek Church Road.

The original contract included payment for rock excavation. However, during construction, the contractor encountered over twice the amount of rock originally estimated. Approval of this change order will allow payment to the contractor for rock encountered and for an extension of the contract period.

With this change order the contract with Hunter Landscape will increase from \$802,898.95 to \$1,117,898.95.

**Funding:**

Water and Sewer Capital Fund

## 27. Walker Branch Outfall–Phase II

**Action:** A. Adopt a budget ordinance appropriating \$80,000; and  
 B. Award a contract to Sanders Constructors, Inc. of Belmont, North Carolina for the low bid of \$825,075.06.

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

This project was initially funded in the FY96 Capital Investment Plan. The funding requirements have been increased by \$80,000 due to a more detailed project scope analysis, additional engineering work and right-of-way costs.

This Capital Improvement Program project will provide gravity sewer from east of Steele Creek Road to Sledge Road. The need for service is based on growth in the Steele Creek area.

**MWBD Status:**

BBE: 1%

WBE: 4%

**MWBD Compliance:** Yes. Sanders Constructors has met the good faith effort requirement.

**Funding:**

Water and Sewer Capital Fund

**28. 36-Inch South Transmission Main-Contract #1**

**Action:** A. Adopt a budget ordinance appropriating \$1,500,000;

B. Allow Propst Construction Company of Concord, North Carolina to withdraw their bid of \$3,359,761.65 pursuant to NC General Statutes 143-129; and

C. Award a contract to State Utility Contractors, Incorporated of Monroe, North Carolina for their low single prime bid of \$5,280,499.56.

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

Propst Construction Company requested in writing that its bid be withdrawn without forfeiture of its bid security pursuant to N.C.G.S. 143-129.1. Propst demonstrated that it submitted a bid in good faith which included a substantial, clerical mistake arising from an unintentional omission of a substantial quantity of work, labor, materials and services. The Utilities Director and the City Attorney's Office recommend approval of the withdrawal, as authorized by N.C.G.S. 143-129.1.

State Utility Contractors has completed numerous, complex water and sewer projects for the City of Charlotte. Their workmanship and quality would be of excellent use during construction of this contract. Charlotte-Mecklenburg Utilities recommends approval of this contract to State Utility.

This project includes construction of approximately 13,300 feet of 36-inch water transmission main extending from the intersection of Pineville-Matthews Road (NC 51) and Carmel Road to the intersection of Carmel Road and Johnston Road. The project would also construct a water transmission main from Johnston Road, north of I-485, beneath I-485, and along US Highway 521 (Johnston Road) to Providence Road West.

**MWBD Status:**

BBE: .4%

WBE: 0%

**MWBD Compliance:** Yes. State Utility has made a good faith effort.

**Funding:**

Water and Sewer Capital Fund

**29. Corporate Aviation Parking Deck Design**

**Action: A. Adopt a budget ordinance appropriating \$238,750; and**  
**B. Award a contract in the amount of \$238,750 to Pease Associates of Charlotte for the design of a parking deck located in the Airport's corporate aviation area.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

The Airport has added several additional hangars in the corporate aviation area over the past several years. There is limited space for additional hangars. This parking garage will provide parking for current and future facilities in a space efficient manner. The cost of the project will be repaid through fees and charges paid by corporate users. The parking deck will include four levels and 512 parking spaces. The contract will cover services for design development, technical specifications and construction administration. The cost of the parking deck will be repaid through revenues generated in the corporate aviation area.

**Committee Discussion:**

The Airport Advisory Committee approved this action.

**Funding:**

Aviation Operating Fund

### 30. Daily Parking Deck Design Study

**Action:** A. Adopt a budget ordinance appropriating \$150,000; and  
B. Award a contract in the amount of \$150,000 to LS3P Associates of Charlotte for a design study of a parking deck to be located in the Airport's Daily Parking Lot.

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

Additional parking capacity at the Airport is urgently required. The airport is planning to build a parking deck with approximately 5,000 spaces in the vicinity of the Daily Parking Lot. This parking deck is expected to cost approximately \$50 million. A selection panel consisting of Airport staff and Airport Advisory Committee members interviewed three architectural/design firms and recommended LS3P Associates for this project. LS3P will conduct a design study to determine the size and shape of the deck taking into consideration the site, future growth, terminal access and roadway modifications. The contract will be funded by proceeds from future general airport revenue bonds.

**Committee Discussion:**

The Airport Advisory Committee recommends this action.

**Funding:**

Aviation Operating Fund

**31. Budget Ordinance and Change Orders for Expansion and Improvement of Airport Facilities**

<b>Action: A. Adopt a budget ordinance appropriating \$2,642,000; and</b>	
<b>B. Approve the following change orders:</b>	
<b>Concourse “A” Project Change Orders–Expansion of support facilities for expansion of service by American, Delta, Northwest and Continental.</b>	
<b>Clancy &amp; They</b>	<b>\$269,456</b>
<b>Aneco</b>	<b>\$78,294</b>
<b>Alpha Mechanical-HVAC</b>	<b>\$69,476</b>
<b>Alpha Mechanical-Plumbing</b>	<b>\$22,650</b>
<b>Concourse “E” Project Change Orders–Expansion of Concourse E from 21 gates to 26 gates.</b>	
<b>Clancy &amp; Theys</b>	<b>\$1,116,548</b>
<b>Aneco</b>	<b>\$246,600</b>
<b>Cam-Ful</b>	<b>\$220,800</b>

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

On November 1, 1999, the City issued \$102,255,000 in General Airport Revenue Bonds. A portion of the bond proceeds was used to reimburse the City for previously constructed airfield and terminal projects. Additionally, the bonds were designated to fund expansions of Concourses “A” and “D” the international arrivals area, and a new Concourse “E”. Currently, all of these projects are under construction.

Concourse “A” change orders will expand ramp-level office and support facilities for American, Delta, Northwest and Continental at their new gate locations. The original contracts were awarded by Council on April 10, 2000. Funding is also being provided for an air conditioning contract previously encumbered in the Airport's operating budget and additional projected cost for Airline requests under \$100,000.

Concourse “E” change orders will add five gates to the current project scope, creating 26 commuter gates. These change orders accept additional alternates that were bid as part of the contracts awarded by Council on October 10, 2000.

These funds will be replaced upon issuance of future general airport revenue bonds. The bonds will be repaid through Airline rates and charges.

**Funding:**  
Aviation Operating Fund

**32. 2000 Bond Referendum Results**

**Action: Approve a resolution certifying and declaring the results of the Special Bond Referendum on the Bond Order authorizing the issuance of \$57,500,000 General Obligation Street Bonds and \$40,000,000 General Obligation Neighborhood Improvement Bonds held for the City of Charlotte, North Carolina on November 7, 2000 and authorize publication of the results.**

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

**Explanation:**

After the City receives a certified copy of the results of a Bond Referendum from the County Board of Elections, state statutes require that the City Council adopt a resolution declaring the results of that referendum.

The resolution certifying the results of the special bond referendum will be included in the Friday, November 10 Council-Manager Memo.

### 33. Property Transactions

**Action: Approve the following property acquisitions (A-O) and adopt the condemnation resolutions (P-S).**

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

#### Acquisitions:

- A. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** William T. & Diana Birchfield  
**Property Address:** 4312 Wallace Neel Road  
**Property to be acquired:** .912 acres  
**Improvements:** Office and Warehouse  
**Purchase Price:** \$248,000  
**Zoned:** BDCD  
**Use:** Commercial Office/Warehouse  
**Tax Value:** \$154,620  
**Tax Code:** 113-133-04
- B. Project:** Airport FAR Part 150 Land Acquisition  
**Owner(s):** Mark J. Miller  
**Property Address:** 7818 Douglas Drive  
**Property to be acquired:** 1.05 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$17,500  
**Zoned:** R3  
**Use:** Vacant Land  
**Tax Value:** \$12,500  
**Tax Code:** 141-221-24
- C. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Raymond and Nellie Burch  
**Property Address:** 8836 Midwood Drive  
**Property to be acquired:** 1.490 acres  
**Improvements:** Single family residence  
**Purchase Price:** \$115,000  
**Zoned:** R3  
**Use:** Single Family Residential  
**Tax Value:** \$88,790

**Tax Code:** 113-361-55

- D. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Nathan Cary Windham  
**Property Address:** 7701 Newell Road  
**Property to be acquired:** .478 acres  
**Improvements:** Single family residence  
**Purchase Price:** \$93,600  
**Zoned:** R3  
**Use:** Single Family Residential  
**Tax Value:** \$74,060  
**Tax Code:** 113-131-09
- E. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Charlie Simpson  
**Property Address:** 7711 Old Dowd Road  
**Property to be acquired:** 1.62 acres  
**Improvements:** Single family residence  
**Purchase Price:** \$84,000  
**Zoned:** R3  
**Use:** Single Family Residential  
**Tax Value:** \$56,090  
**Tax Code:** 113-361-35
- F. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Royal Cayco Investments LTD  
**Property Address:** Wilkinson Blvd. (no street address)  
**Property to be acquired:** .368 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$35,700  
**Zoned:** B2  
**Use:** Vacant Land  
**Tax Value:** \$6,410  
**Tax Code:** 055-521-07
- G. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Arthur W. Knighten, Jr.  
**Property Address:** Walkers Ferry Road (no street address)  
**Property to be acquired:** 9.231 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$185,000  
**Zoned:** R3  
**Use:** Vacant Land  
**Tax Value:** \$45,370  
**Tax Code:** 113-134-01
- H. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** David L and Elizabeth Chesney  
**Property Address:** 9539 Dixie River Road

**Property to be acquired:** 1.825 acres  
**Improvements:** Office commercial  
**Purchase Price:** \$134,000  
**Zoned:** I1  
**Use:** Office/Commercial  
**Tax Value:** \$90,220  
**Tax Code:** 113-154-02

- I. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Geraldine Richardson  
**Property Address:** 7625 Newell Road  
**Property to be acquired:** .449 acres  
**Improvements:** Single Family Residence  
**Purchase Price:** \$71,000  
**Zoned:** R3  
**Use:** Single Family Residence  
**Tax Value:** \$47,110  
**Tax Code:** 113-131-07
- J. Project:** Irwin Creek Relief Sewer, Parcel #13  
**Owners(s):** Twelve Thirty West Morehead Owners Association  
**Property Address:** 1230 West Morehead Street  
**Property to be acquired:** 3,925 sq.ft. (0.090 ac.) permanent easement  
**Improvements:** None  
**Purchase Price:** \$17,500  
**Remarks:** A permanent easement is required to construct sanitary sewer lines on this property for the Irwin Creek Relief Sewer project. Compensation is based on the appraisal made on the property.  
**Zoned:** URC  
**Use:** Warehouse/Industrial  
**Total Parcel Tax Value:** \$35,440  
**Tax Code:** 073-244-23
- K. Project:** Monroe Road/Sardis Road North Intersection Improvements, Parcel #7  
**Owners(s):** Eastern Federal Corporation  
**Property Address:** 9630 Monroe Road  
**Property to be acquired:** 7,861 sq.ft. (0.180 ac.) of fee simple and existing right-of-way plus 8,221 sq.ft. (0.188 ac.) of temporary construction easement.  
**Improvements:** Parking spaces, landscaping, signs & fence  
**Purchase Price:** \$60,425  
**Remarks:** The areas are needed for intersection improvements at Monroe Road & Sardis Road North. The compensation amount is based on an independent, certified appraisal.  
**Zoned:** B-2  
**Use:** Theaters/Commercial  
**Total Parcel Tax Value:** \$2,099,560

**Tax Code:** 213-491-01

- L. Project:** Monroe Road/Sardis Road North Intersection Improvements, Parcel #9  
**Owners(s):** Consolidated Realty Company, Inc.  
**Property Address:** Sardis Road North  
**Property to be acquired:** 7,931 sq.ft. (0.182 ac.) of fee simple, existing right-of-way and easement plus 2,117 sq.ft. (0.048 ac.) of temporary construction easement.  
**Improvements:** Landscaping  
**Purchase Price:** \$36,825  
**Remarks:** The areas are needed for intersection improvements at Monroe Road & Sardis Road North. The compensation amount is based on an independent, certified appraisal.  
**Zoned:** B-2  
**Use:** Commercial/Vacant  
**Total Parcel Tax Value:** \$283,450  
**Tax Code:** 213-491-02
- M. Project:** North Tryon Street Improvements, Parcel #22  
**Owners(s):** Wachovia Bank  
**Property Address:** 4111 North Tryon Street  
**Property to be acquired:** 3,838 sq.ft. (0.088 ac.) of fee simple and permanent utility easement plus 3,277 sq.ft. (0.075 ac.) of temporary construction easement.  
**Improvements:** Asphalt parking lot  
**Purchase Price:** \$24,525  
**Remarks:** This acquisition is required for the North Tryon Street Improvement Project. Acquisition price was established by an independent, certified appraisal.  
**Zoned:** O6CD  
**Use:** Bank  
**Total Parcel Tax Value:** \$602,210  
**Tax Code:** 087-011-13
- N. Project:** Parkwood/Plaza Intersection Improvements, Parcel #1  
**Owners(s):** Johnnie C. Cunningham & wf., Julia E. Cunningham  
**Property Address:** 1808 Pegram Street & 1201-1205 Parkwood Avenue  
**Property to be acquired:** 14,154 sq.ft. (.235 ac.) in fee simple  
**Improvements:** One story commercial building  
**Purchase Price:** \$156,700  
**Remarks:** Total acquisition of this property is needed for road improvements for the Parkwood/Plaza project. Compensation is based on an appraisal made on the property.  
**Zoned:** B-1  
**Use:** Commercial  
**Total Parcel Tax Value:** \$52,690  
**Tax Codes:** 083-091-23 & 09 & 24

- O. Project:** Sanitary Sewer to Serve 1241 West John Street, Parcel #1  
**Owners(s):** A & H Realty Company  
**Property Address:** Monroe Road  
**Property to be acquired:** 14,160 sq.ft. (.3251 ac.) of permanent easement plus 22,600 sq.ft. (.5188 ac.) of temporary construction easement.  
**Improvements:** None  
**Purchase Price:** \$15,900  
**Remarks:** Required easements for the construction and maintenance of an 8-inch sanitary sewer line. Compensation is based on an independent, certified appraisal made on the property.  
**Zoned:** R15MF  
**Use:** Garden Apartment/Vacant  
**Total Parcel Tax Value:** \$187,550  
**Tax Code:** 213-012-31

**Condemnations:**

- P. Project:** Irwin Creek Relief Sewer, Parcel #7  
**Owner(s):** Nolan Elenz and any other parties of interest  
**Property Address:** 1230 West Morehead Street/1230 Bryant Street  
**Property to be acquired:** 6,463 sq.ft. (0.148 ac.) of permanent easement  
**Improvements:** None  
**Purchase Price:** \$5,600  
**Remarks:** A permanent easement is needed to construct a sanitary sewer line on this property. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations. Compensation is based on an independent, certified appraisal made on the property.  
**Zoned:** I-2  
**Use:** Warehouse/Industrial  
**Total Parcel Tax Value:** \$289,200  
**Tax Code:** 073-254-07
- Q. Project:** Irwin Creek Relief Sewer, Parcel #9  
**Owner(s):** Mark Andrew Stephenson & any other parties of interest  
**Property Address:** 1235 West Morehead Street  
**Property to be acquired:** 860 sq.ft. (0.019 ac.) of fee simple and temporary construction easement  
**Improvements:** None  
**Purchase Price:** \$1,300  
**Remarks:** A permanent easement is required to construct a sanitary sewer line on this project. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations. Compensation is based on an independent, certified appraisal made on the property.

**Zoned:** I-2  
**Use:** Warehouse/Industrial  
**Total Parcel Tax Value:** \$35,920  
**Tax Code:** 073-254-06

- R. Project:** Irwin Creek Relief Sewer, Parcel #8 & 12  
**Owner(s):** 1213 Company, LLC and any other parties of interest  
**Property Address:** Radio Street (no street address)  
**Property to be acquired:** 62,639 sq.ft. (1.437 ac.) of permanent and temporary easements  
**Improvements:** None  
**Purchase Price:** \$25,000  
**Remarks:** A permanent easement is needed on this property to construct a sanitary line. Compensation is based on an independent appraisal made on the property. The property owner has made a counter-offer that doubles the appraisal amount.  
**Zoned:** I-2  
**Use:** Commercial Business  
**Total Parcel Tax Value:** \$175,980  
**Tax Code:** 073-254-12 & 01
- S. Project:** Monroe Road/Sardis Road North Intersection Improvements, Parcel #10  
**Owner(s):** Azalea Limited, Partnership & any other parties of interest  
**Property Address:** 9868 Monroe Road  
**Property to be acquired:** 54,247 sq.ft. (1.245 ac.) of existing right-of-way acquisition area, permanent and temporary easements.  
**Improvements:** Landscaping & trees  
**Purchase Price:** \$107,425  
**Remarks:** The area is for the construction of intersection improvements for Monroe Road and Sardis Road North. The City's agent has yet to reach an agreement with property owners. Condemnation price is based on an independent, certified appraisal.  
**Zoned:** B1CD  
**Use:** Commercial/Shopping Center  
**Total Parcel Tax Value:** \$3,140,810  
**Tax Code:** 213-221-04

### 34. Meeting Minutes

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

- September 25 Business Meeting
- October 2 Workshop
- October 10 Business Meeting