

**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 27, 2000**

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**5:00 p.m.**

**Dinner and Closed Session**  
**CH-14**

**5:30 p.m.**

**Meeting Chamber**  
- **Invocation**  
- **Pledge of Allegiance**  
- **Annexation Public**  
**Hearings**  
- **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**

# CITY COUNCIL AGENDA

Monday, November 27, 2000

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**5:00 P.M.**  
**CH-14**

**DINNER AND CLOSED SESSION**

**Action:** Adopt a motion pursuant to GS 143-318.11 (a) (6) to go into closed session to consider qualifications, competence, performance, character, fitness, and conditions of employment of the City Manager.

**5:30 P.M.**  
**MEETING CHAMBER**

**PUBLIC HEARING**

**1. Annexation Public Hearings**

**Action:** Hold public hearings for the annexation of 7 areas: Mount Holly-Huntersville Road, Reames Road, Prosperity Church Road, US Highway 29, Back Creek Church Road, McKee Road, and Steele Creek Road.

**Staff Resources:** Dick Black, Planning  
Mike Boyd, City Attorney's Office

**Policy:**  
City Annexation Policy and State Annexation Statutes

**Explanation:**  
State annexation statutes require a public hearing at which a representative of the City explains the annexation report of plans for city services. Following the explanation, residents and property owners are given an opportunity to be heard. By statute, the date for such public hearings must be at least 60 days and not more than 90 days following passage of the Resolution of Intent.

- On September 13, 1999, City Council passed Resolutions of Consideration, which delineated the geographical areas under consideration.
- The Preliminary Annexation Report, a summary of all proposed areas, was submitted to City Council at the September 18, 2000 Dinner Briefing.

- On September 25, 2000, City Council passed a Resolution of Intent, which describes the boundaries of the areas under consideration and establishes the dates for public information meetings and public hearings on the question of annexation.
- On October 10, 2000, Annexation Reports for each area were approved by City Council.
- The Public Informational Meeting was held on November 16, 2000 with about 40 residents in attendance. The City Clerk will prepare a report of all comments, questions and answers from the Public Informational Meeting and will provide a copy of that report to the Mayor and Council.
- The December 4, 2000 Workshop will include a presentation and discussion of specific actions that Council must take in the annexation of the seven areas during the next 60 days.
- Adoption of the annexation ordinances for the seven areas is scheduled for January 10, 2001.

Copies of the Annexation Study Areas, the Preliminary Annexation Report, and the Annexation Plan 2001 are available from the Planning Commission.

**Funding:**

Service costs and projected revenues were provided in the Preliminary Annexation Report.

## **CONSENT**

- 2. Consent agenda items 8 through 23 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

## 3. City Manager's Report

## 4. Connectivity-Collector Map



Road Improvements

**Action:** Approve the Transportation Committee recommendation to adopt the Connectivity Collector Map, which identifies existing and general locations for yet to be built major collectors.

**Committee Chair:** Sara Spencer

**Staff Resource:** Bill Finger, Transportation

**Focus Area:** Transportation

### **Explanation:**

Connectivity was identified as a priority by City Council at their retreat in January 1998. Council asked staff to:

- Develop a major collector map;
- Evaluate where possible conditions currently exist for future pedestrian, bicycle, and/or vehicle connections; and
- Review developmental regulations to determine any needed changes, and evaluate potential development incentives that may complement the effort.

To address future connectivity within our community, an interdepartmental team consisting of CDOT and the Planning Department created a major collector map and identified possible future major collectors.

The map identifies both existing and yet to be built major collectors. Those roads not yet constructed are primarily in undeveloped areas. The new major collector locations on the map are general in nature. The map serves only to show areas where new collectors should be built. If approved, the exact locations will be identified through the development process and built at the developer's expense, as is currently done with thoroughfares.

A major collector is defined as a street that carries over 7,000 vehicles a day or meets two of the following land use definitions:

- Services significant non-residential land uses, e.g., schools, institutions, or major businesses and residential areas

- Intersects or has the potential to intersect with two parallel thoroughfares
- Serves as the primary collector to a large residential area
- Extends into undeveloped area in such a way that future development will likely require a major collector to be developed in the area

Many roads in a subdivision can qualify to be a minor collector. Minor collectors were not mapped because the large number of minor collectors makes it impractical to develop a list or map of these roads. Deciding which roads in a subdivision are minor collectors is subjective. Generally, minor collectors collect traffic from a neighborhood area and connect to a thoroughfare or major collector.

**Committee Discussion:**

On September 11, 2000 the Council's Transportation Committee unanimously endorsed approving the Collector Map as a tool for planning and building future roads. The Committee members present were: Sara Spencer, Rod Autrey, Nancy Carter, Malcolm Graham, and Joe White.

Specific points of discussion raised by the Committee included:

- Connectivity is an example of Smart Growth in that it encourages connections between subdivisions and neighborhoods
- Since no new regulation is required for the City to implement use of the map, City staff can begin using the map upon Council approval to work with developers.
- There are very few safety related issues involved with major collectors.

Council was briefed on this item at the November 13, 2000 Dinner Briefing. Following Council adoption of this item, the next step is for staff to brief the Transportation Committee on the four pilot areas studied where conditions currently exist for future pedestrian, bicycle, and/or vehicle connections. This information will also be shared with the entire Council.

**Attachment 1**

- Transportation Committee Minutes from September 11, 2000
- 1998 Issue Paper: "Connecting Neighborhoods, Connecting Streets"
- The Collector Map

## BUSINESS

### 5. Arbor Glen at Dalton Village Infrastructure Agreement Grant

**Action:** Approve the infrastructure agreement grant between the Charlotte Housing Authority and City of Charlotte to fund \$2 million in infrastructure improvements for the Arbor Glen at Dalton Village, a HOPE VI project.

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

**Focus Area:** City Within A City

**Policy:**

The CWAC Focus Area provides the general policy framework for supporting the redevelopment of the Dalton Village project. Dalton Village is located in a fragile neighborhood and the focus area strategy calls for undertaking comprehensive initiatives to address housing, infrastructure, social and crime conditions.

**Explanation:**

The developers of the project, the Crosland Group, Inc. and the Charlotte Housing Authority (CHA), request authorization to obtain the \$2 million in infrastructure improvement funds approved by City Council on January 25, 1999. The requested action will support the developers' approved application for low-income tax credits with the North Carolina Housing Finance Agency for the development of the Dalton Village project, known as Arbor Glen Apartments at Dalton Village.

The City's funding commitment was based on preliminary approval of a concept plan by the Charlotte-Mecklenburg Planning Commission. Disbursement of funds is contingent upon the following future actions:

- Approval of a detailed site plan by the Charlotte-Mecklenburg Planning Commission; and
- Review of the project infrastructure plan by the Engineering Services Division of Engineering and Property Management.

The Engineering Services Division of Engineering and Property Management will administer the infrastructure draw requests (which will occur over an 18 month period.)

The infrastructure contribution will provide needed physical improvements to make the redevelopment of Dalton Village a successful project. This capital contribution will be allocated to areas such as utilities, road and sidewalk

construction, median development and other items (i.e. retaining walls, guard rails/toddler lots, etc.). The \$2 million will be expended in Phase I of the three-phase development. Any savings from this amount can be applied to subsequent phases of the development. The total projected cost for Phase I of Arbor Glen Apartments is \$11,499,038, while the entire redevelopment of Dalton Village is currently projected to cost \$32,598,280.

**Background:**

On January 25, 1999 City Council approved the Dalton Village Master Plan, the submission of a letter for low income tax credits, and the \$2 million for infrastructure improvements for Dalton Village Phases 1-3. In June 1999, the \$2 million funding was appropriated in the FY2000-2004 Capital Investment Plan.

The Dalton Village community is located on 32.5 acres on the southwest corner of West Boulevard and Clanton Road. The community is adjacent to the Reid Park neighborhood.

The original 300-unit complex was constructed in 1970 and has been owned and operated by CHA since that time. In December 1997 CHA received a \$24.5 million HOPE VI grant from HUD for the redevelopment of Dalton Village.

Crosland's Master Plan for Dalton Village will replace the previous 300-unit CHA apartment complex with 412 units of mixed-income housing. Of the 412 housing units, 358 will be rentals and 54 will be homeownership. The 54 houses will be located on contiguous sites acquired from the Mecklenburg County Parks and Recreation Department and on land to be acquired in the adjacent Reid Park neighborhood.

Of the 358 rental units, 274 will be located on Dalton Village's 32.5-acre site (owned by the Charlotte Housing Authority), and 84 apartments will be built elsewhere in a west Charlotte neighborhood on a site not yet identified. Only 144 rental units of the 358 housing units will be completed in Phase I of this project. Fifty-two units will be one-bedroom units reserved for the elderly and 92 will be 2- and 3-bedroom units for larger, low-income families.

**Funding:**

Capital Investment Plan (Pay-As-You-Go)

**Attachment 2**

- Infrastructure Agreement for Arbor Glen Apartments at Dalton Village including Exhibits A-E
- Infrastructure Schedule of Values
- Sources and Uses of Fund for Phase I Development of Arbor Glen
- Expected Timing of Draw Requests
- Summary of Phase 1 – Phase 3 Dalton Village Capital Needs and Capital Sources

- Arbor Glen Unit Mix By Tenant Income Category and Construction Milestones
- Site Plan for Phase 1 – Phase 3

## 6. Industrial Waste Program Charges Update

**Action: Approve a new rate methodology for the Industrial Waste Billing Program to equitably allocate utility costs among residential, commercial, and industrial customers.**

**Staff Resource:** Doug Bean, Utilities

### **Explanation:**

Charlotte-Mecklenburg Utilities provides water and wastewater services to more than 600,000 residents of the City of Charlotte and Mecklenburg County. Utilities has maintained an Industrial Waste (IW) Billing Program since 1979 to cover the cost of providing wastewater services to residential, commercial, and industrial sewer customers. The basic structure of the billing program has not undergone any significant updates since it was established.

The new rate methodology will:

- Charge for recovering the costs of removing ammonia at the wastewater treatment plants, and
- Implement a new mechanism for charging commercial customers. This system will be more equitable, simpler and more cost effective than the current system.

The updated methodology would become effective in July 2001. Rates for some commercial customers will increase, while rates for residential and industrial customers and other commercial customers will decrease. The updated methodology will be phased in over a two-year period. Overall, Utilities will receive no additional revenue from the new rate structure, just a more balanced and appropriate system for assessing customers.

A presentation explaining the details of the new methodology and the technical basis of the study was given at the October 23, 2000 Council Dinner Briefing.

### **Background:**

To address two decades of change in its customer base and the expanding treatment requirements placed upon Utilities' plants, revisions to the existing wastewater rate structure are necessary. The goal of the rate structure revisions is to equitably allocate utility costs to the appropriate Charlotte-Mecklenburg Utilities wastewater customers – residential, commercial, and industrial. Because each of these customer groups contribute wastewater to

the system with varying degrees of pollutants, the cost of treating wastewater for each also varies. By studying the actual wastewater discharges from sample customers, Utilities is able to base the rates and methodology on actual data rather than assumptions.

Since the billing program was established, new treatment requirements have been imposed upon Utilities' plants requiring the removal of ammonia from the wastewater effluent, prior to discharge to the receiving streams. Ammonia removal from the treated wastewater provides a positive impact to the environment but also requires additional treatment costs for Utilities. These additional costs need to be allocated to the businesses that discharge excessive amounts of ammonia to the system. The new ammonia charge will effectively achieve this.

To ensure that information on the changes to the billing program are effectively conveyed to Utilities' customers, a public notification plan will be implemented upon approval by Council.

**Community Input:**

Utilities established a Steering Committee of affected businesses and Utilities customers to provide input throughout the Industrial Waste Billing Program Study. The new methodology was endorsed by the Committee (June 8, 2000), as well as the Industrial Users Group (June 22, 2000) and CMU Advisory Committee (August 17, 2000).

**Attachment 3**

Steering Committee Members

**7. 2000 Bond Referendum Results**

**Action:** A. Recognize the City Clerk for the purpose of reading the results of the November 7, 2000 Bond Referendum; and

B. Approve a resolution declaring the results of the special bond referendum held on November 7, 2000 on the question of approving \$57,500,000 of Street Bonds and \$40,000,000 of Neighborhood Improvement Bonds and to 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 law requires that the City Council approve a resolution declaring the results of that referendum.

**Attachment 4**

Resolution Declaring Results

## 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

### 8. Various Bids



#### A. South Druid Hills Neighborhood Improvements E&PM

**Recommendation:** The City Engineer recommends the low bid of \$1,901,867.52 by United Construction, Inc. of Charlotte, North Carolina. This is the 15<sup>th</sup> of 18 projects identified under the 1996, \$32 million bond referendum for infrastructure improvements. This is the final phase of three phases of work in the Druid Hills neighborhood, and includes construction of concrete curb and gutter, roadway widening, sidewalk, and storm drainage in the area enclosed by Statesville Road, Graham Street, Norris Avenue and Woodward Avenue.

**MWBD Compliance:** Yes. United Construction, Inc. is a MWBD firm.

#### B. Storm Water Maintenance, FY-2001A E&PM

**Recommendation:** The City Engineer recommends the low bid of \$962,430 by United Construction, Inc. of Charlotte, North Carolina. This project is part of an ongoing program to provide maintenance,

repair, and construction on existing storm water systems, or to construct new systems where none exist within the city limits.

**MWBD Compliance:** Yes. United Construction, Inc. is a MWBD firm.

**C. Storm Water Maintenance, FY-2001B E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$1,025,777 by Showalter Construction of Charlotte, North Carolina. This project is part of an ongoing program to provide maintenance, repair, and construction on existing storm water systems, or to construct new systems where none exist within the City limits.

**MWBD Compliance:** Yes. The contractor will self-perform.

**D. West District "A" Median Turf & Landscaping Maintenance, FY2001 E&PM**

**Recommendation:** The City Engineer recommends the low bid of \$425,634 by Byrd's Landscaping of Charlotte, North Carolina. This five-year project consists of mowing, landscaping maintenance, plant replacement, and removal & disposal of trash, debris, and leaves in an area bounded by Brookshire Blvd, Tryon Street and Rozzelles Ferry/Mt. Holly/Moore's Chapel Roads.

**MWBD Compliance:** Yes. Byrd's Landscaping will self-perform.

**E. Ford Automotive Repair Parts BSS**

**Recommendation:** The Business Support Services Director recommends the low bid for a 'cost plus contract' for the purchase of automotive repair parts. The contract prices, as quoted by Harrelson Ford, Inc., Charlotte, North Carolina shall be on a cost (of parts) plus 8% basis. Purchases are anticipated subject to appropriations by City Council and actual identified needs. The contract award period is for three years and may be extended for two additional periods of one year each.

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

**F. Uniform Rental Services BSS**

**Recommendation:** The Business Support Services Director recommends the low bid of \$495,725.61 by G & K Services of Charlotte, North Carolina. The City rents uniforms for field and trade staff in various business units.

**MWBD Compliance:** There are no known local MWBD firms.

**G. Sharon and Sardis Roads Reservoir Rehabilitations CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$268,981 by The Crom Corporation of Gainesville, Florida. This project includes the repair and rehabilitation of two, five-million gallon concrete reservoirs. The Sharon Road reservoir is located off Sharon Road near Quail Hollow Road and the Sardis Road reservoir is located off Sardis Road near Pineville-Matthews Road.

**MWBD Compliance:** Yes. The Crom Corporation will self-perform.

**H. Water and Sewer Service Construction–FY01 Contract Y-  
Water And Sewer Services CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$973,177.50 by BRS, Inc. of Richfield, North Carolina. This project consists of various water and sewer pipe, related devices, and erosion controls.

**MWBD Compliance:** Yes. BRS will self-perform.

**I. Water and Sewer Main Construction–FY01 Contract #108-  
Street Main Extensions CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$784,749.70 by R. H. Price, Inc. of Charlotte, North Carolina. This project consists of various water and sewer pipe, related devices, and erosion controls.

<b>MWBD Status:</b>	<b>Amount</b>	<b>% of Project</b>	<b>Project Goals</b>
BBE	\$0	0%	5%
WBE	\$784,749.70	100%	6%

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

**J. Rehabilitation of Underground 96" Twin CMP Aviation**

**Recommendation:** The Aviation Director recommends the low bid of \$521,025 by Pressure Concrete, Inc. of Florence, Alabama. The current Airport terminal construction began in 1980. At that time, Coffey Creek was piped in to a twin 96 inch diameter corrugated metal storm drain measuring 1,410 feet long. Approximately 30-40 feet of dirt was filled on top of the pipes and Concourse “C” was constructed in this location. This project will install a 78 inch aluminum structural plate liner in a portion of the culvert to extend the life of the pipe and support the load of the new Concourse “D” construction.

**MWBD Compliance:** Pressure Concrete, Inc. will self-perform.

**9. Resolution of Intent to Abandon Alleyway and Set Public Hearing for a 20-foot Alleyway between West Morehead Street and Bryant Street**

**Action:** A. Adopt the Resolution of Intent to abandon a 20-foot alleyway between West Morehead Street and Bryant Street; and

B. Set a public hearing for January 8, 2001.

**Attachment 5**

Map

**10. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Fallow Lane**

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

B. Set a public hearing for January 8, 2001.

**Attachment 6**

Map

## 11. In Rem Remedy

**For In Rem Remedy A-E, the public purpose and policy are 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 - Police and/or Fire Dept.
2. Complaint - petition by citizens, from tenant or from a public agency
3. Field Observation - concentrated code enforcement program

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

Public Safety

- A. 2229 N. Tryon Street - Commercial (Tryon Hills)
- B. 3149 Amay James Avenue (Reid Park)
- C. 700 Newland Road - Commercial (Lincoln Heights)
- D. 1021 Hickory Nut Street (Echo Hills)

Field Observation

- E. 3534 Marvin Road (Grier Heights)

**Public Safety**

**A. 2229 N. Tryon Street (Commercial)**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2229 N. Tryon Street (Tryon Hills Neighborhood), located in the City Within A City boundaries.**

**Attachment 7**

**B. 3149 Amay James Avenue**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3149 Amay James Avenue (Reid Park Neighborhood), located in the City Within A City boundaries.**

**Attachment 8**

**C. 1700 Newland Road (Commercial)**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1700 Newland Road (Lincoln Heights Neighborhood), located in the City Within A City boundaries.**

**Attachment 9**

**D. 1021 Hickory Nut Street**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1021 Hickory Nut Street (Echo Hills Neighborhood), located in the City Within A City boundaries.**

**Attachment 10**

**Field Observation**

**E. 3534 Marvin Road**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3534 Marvin Road (Grier Heights Neighborhood), located in the City Within A City boundaries.**

**Attachment 11**

## CONSENT II

### 12. Purchase of Transit Buses

**Action:** A. Adopt a budget ordinance estimating federal and state grants and appropriating \$7,619,712;

B. Approve contract between the City of Charlotte and Motor Coach Industries (MCI) for the purchase of up to ten, 40-foot commuter buses in an amount not to exceed \$3,750,000; and

C. Approve contract between the City of Charlotte and Chance Coach, Inc. for the purchase of up to 16, 29-foot buses in an amount not to exceed \$3,869,712.

**Staff Resource:** Keith Parker, Charlotte Area Transit System (CATS)

**Policy:**

The 2025 Transit/Land Use Plan which calls for increasing transportation services.

**Explanation:**

CATS FY2001 Capital Program provides for the purchase of 58 buses. Some of the buses are replacements and some are new buses for CATS-approved expansion services. Included in the approved capital program are 40-foot commuter buses which are used on express bus routes and 29-foot buses used on neighborhood circulator services and other low volume bus routes.

On August 23, 2000 the Metropolitan Transit Commission (MTC) reviewed the procurement process and authorized the CATS Chief Executive Officer to "piggyback" on bus contracts offered by New Jersey Transit (NJT) and Long Beach Transit (LBT). "Piggybacking" facilitates cost savings and shorter procurement schedules by permitting one transit agency to utilize the procurement process and/or option capacity of another transit agency to purchase rolling stock.

The use of "piggybacking" to secure rolling stock in a competitive environment is within the parameters of legitimate procurement process as set forth by the Federal Transit Administration (FTA). North Carolina G.S. 143-129(g) approves the "piggyback" process if it is in the best interest of the agency involved and is approved by the governing body of the purchasing agency.

NJT awarded a competitive bid contract to Motor Coach Industries (MCI) to purchase 40-foot and 45-foot commuter-type buses, and has expressed a willingness to assign up to ten buses of its available option capacity to CATS.

By “piggybacking” on NJT's procurement, CATS will save over \$30,000 per bus and more than one year in delivery time.

Long Beach (California) Transit (LBT) included vehicles for CATS and Oklahoma City in its procurement of 29-foot low floor buses. LBT conducted a competitive procurement and awarded a contract to Chance Coach, Inc., for a 29-foot OPUS bus. Of the 16 OPUS buses, six will be used to replace Arrowood Shuttle buses, and the remaining ten may be used for hub service at Southpark, Eastland Mall, and Beatties Ford Road.

CATS must enter into contracts with Motor Coach Industries to purchase up to ten, 40-foot buses for \$375,000 per bus, and with Chance Coach, Inc., to purchase up to 16, 29-foot buses for \$241,857 per bus.

Notices of these piggyback procurements were published in *The Charlotte Post* on November 9, 2000 and *The Charlotte Observer* on November 10, 2000.

**Funding:**

Federal and state grant funds and CATS capital funds

**13. North Corridor Commuter Rail Project Preliminary Engineering, Phase I**

**Action: A. Adopt a budget ordinance appropriating \$615,000; and**

**B. Authorize the City Manager to negotiate and enter into a contract with HDR Engineering, Inc. of the Carolinas (HDR) for up to \$615,000 for initial preliminary engineering services for the North Corridor Commuter Rail Project, Phase I.**

**Staff Resource:** Ron Tober, Charlotte Area Transit System (CATS)

**Explanation:**

In August 2000 the Metropolitan Transit Commission approved further study of early implementation of commuter rail service in the North Corridor. Interstate 77 is scheduled to be under construction to add lanes in 2003. Provision of rail service in this corridor by 2003 will provide peak hour commuters an alternative to Interstate 77. The 2003 implementation date requires immediate study of implementation issues.

Specifically, the MTC approved:

- A Traffic Separation Study to be conducted of all 120 public and private railroad crossings along the rail corridor between Charlotte and Mooresville to identify short- and long-term improvements. City Council approved that contract October 10<sup>th</sup> and related Municipal

Agreements with Mooresville, Davidson, Cornelius, and Huntersville  
November 13<sup>th</sup>.

- Additional engineering be conducted to further refine costs and issues associated with the implementation of commuter rail.

Phase I will provide initial preliminary engineering services along the 29 mile North Corridor from Center City Charlotte to Mooresville. These services include: preliminary engineering and preparation of cost estimates, coordination with the northern towns (Huntersville, Cornelius, Davidson and Mooresville), public meetings, environmental studies, and aerial mapping and surveying.

Phase I work is to be completed in April 2001, and the results will be considered by the Metropolitan Transit Commission (MTC) for determination of a final decision to be made on April 25, 2001.

If a decision is made to move ahead in April, a Phase II contract will be developed and brought to Council shortly thereafter.

**MWBD:**

HBE: 6.5%

**Funding:**

Charlotte Area Transit System Capital Investment Plan

#### 14. **Pre-Tax Status for Employee Voluntary Insurance Contributions**

**Action: Approve implementation of pre-tax contributions for all employee voluntary contributions to medical, dental, and vision care plans effective January 1, 2001 and other insurance coverages which in the future may be offered on pre-tax basis under the Internal Revenue Code.**

**Staff Resource:** Anna Ellis, Human Resources

**Explanation:**

The City currently offers employees a choice as whether they want to have their voluntary contributions to medical, dental, and vision care made on a pre-tax or after-tax basis. The vast majority of employees (approximately 95%) elect to pay their premiums on a pre-tax basis because their contributions are not subject to federal, state and FICA tax. This plan is established in accordance with Section 125 of the Internal Revenue Code.

Instead of providing employees a choice of whether they want their insurance coverages on a pre-tax basis, staff recommends that all employee voluntary

contributions to eligible insurance coverages be offered on a pre-tax basis. This is consistent with the practice of the vast majority of employers.

The City Attorney's Office has provided an opinion that in accordance with the law, the City can require all eligible voluntary employee contributions to be on a pre-tax basis.

Towers Perrin Benefits Consulting Firm has also reviewed this issue and recommends that the City require pre-tax contributions for employees who elect coverages which can be made on a pre-tax basis.

Advantages of having all employee voluntary contributions on pre-tax basis are:

- Increase take home pay to employees who are currently not contributing pre-tax because their contribution will not be subject to state, federal and FICA tax
- Simplify communications to new employees who enroll in coverage
- FICA savings to City (based on current number of 275 employees who are not contributing pre-tax; savings are approximately \$30,000 per year)
- Increase efficiency and reduced administrative complexity with City's internal systems

## 15. Storm Water Construction Administration Contracts

**Action: A. Approve Amendment #1 for \$300,000 with HDR Engineering, Inc. of the Carolinas (HDR) for construction administration services on Storm Water Repair Projects; and**

**B. Approve Amendment #2 for \$300,000 with USInfrastructure, Inc. (USI) for construction administration services on Storm Water Repair Projects.**

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

### **Explanation:**

The original agreements with both USI and HDR were approved on December 14, 1998 for construction administration services in the amount of \$300,000 each. Amendment #1 with USI was approved April 10, 2000 for additional construction administration services in the amount of \$300,000.

These new amendments will provide funds for construction administration services for one additional year from each consultant. The services include easement acquisition, design services, and all liaison work between the City,

contractor, property owner, and the public. Performance of both USI and HDR to date has been above satisfactory.

**MWBD:**

USI - ABE: 100%

HDR - 0%

**Funding:**

Storm Water Capital Investment Plan

**16. Enfield Drive/Windsor Park Storm Drainage Improvement Project**

**Action: Approve Amendment #1 to the agreement for engineering design services with USInfrastructure (USI) for the Enfield Drive/Windsor Park Storm Drainage Improvement Project for \$461,466.**

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

**Explanation:**

Enfield Drive is a Capital Improvement Project to reduce house and street flooding and stabilize channel erosion in the Enfield Drive/Windsor Park area. Council approved the original agreement on March 22, 1999 with USI for field surveying and planning services for \$248,101.

The original agreement also included design services for Edsel Place Channel, in order to coordinate construction of the channel with a privately funded subdivision. The private developer contributed \$67,512 to pay for 50% of the construction cost of the Edsel Place Channel.

This amendment will provide \$461,466 for design services specific to Enfield Drive/Windsor Park, increasing the total contract amount to \$709,567.

**MWBD:**

ABE: 81%

BBE: 0%

WBE: 0%

**Funding:**

Storm Water Capital Investment Plan

## 17. Bucknell/Chilton Storm Drainage Capital Improvement Project

**Action: Approve Change Order #1 for \$144,650.28 to the contract with Sealand Contractors Corporation for construction of the Bucknell/Chilton Storm Drainage Capital Improvement Project.**

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

**Explanation:**

Council awarded the original contract on November 22, 1999 to Sealand Contractors Corporation for \$1,239,378.54 as part of the Storm Water Capital Improvement Program.

The project will replace undersized and deteriorating storm drain pipes in the vicinity of Bucknell Avenue, Westminster Place, Chilton Place, and Roswell Avenue in southeast Charlotte. The subject locations have experienced roadway flooding, flooding of living spaces, and property damage due to extreme erosion. Sections of Queens Road East and Roswell Avenue will be reconstructed and curb and gutter added to enhance the area's storm drainage system.

This change order will provide funds for overruns in original contract items due to increases in anticipated quantities. The additional asphalt milling, asphalt pavement, select backfill and stone will repair the failing pavement system in the 2000 and 2100 blocks of Queens Road East and replace unsuitable soil under a portion of the pipe system.

Prices for this change order were derived from original contract prices and negotiated prices for new items and are appropriate for the proposed work. The new contract sum is \$1,384,028.82.

**MWBD:**

BBE: 6%

WBE: 5%

**Funding:**

Storm Water Capital Investment Plan

## 18. 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 three water transmission mains.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

Over the next two to three years Charlotte-Mecklenburg Utilities will be constructing three major water transmission lines. They will run:

- Southward along Kenilworth Avenue, Park Road and Johnston Road down to NC 51, with some work continuing further south in the Carmel/Johnston/Ballantyne area;
- Parallel to I-85, heading northeast from the Franklin Water Treatment Plant on the west side to Plaza Road extension in the university area; and
- Southwest from the Franklin Plant down to Shopton Road.

These water lines are on an expedited schedule to enhance water delivery and pressure to the furthest points of the distribution system, and to reinforce the existing water distribution network for the entire service area. Totalling \$100 million or more, these projects will represent the most significant series of construction work that has been undertaken at one time in years. All are expected to begin within the next year and finish during 2003 or before.

These projects will create substantial impacts for citizens living and traveling along the roadways where these lines are being installed. A strong, effective, and unified communications effort will be necessary to keep disruptions to a minimum for our customers.

The Utilities Department needs to hire a public relations firm to help accomplish these multiple communication efforts. Staff at CarolinaPR have substantial experience working with local governments and assisting with community relations and communications on various public works projects including the 54-inch water line that was installed along Providence Road in 1986.

After reviewing CarolinaPR's experience and interviewing agency staff, Utilities has negotiated a proposed contract with CarolinaPR to provide these services for a fee not to exceed \$313,800 through December 2001.

Prior to this process, CarolinaPR had already been hired by the Southwest Water Line consulting engineer to handle community relations for that project. (CarolinaPR is also contracted to handle community relations for a

19-mile sewer system improvement project along Briar Creek over the next five years.)

Consulting engineers for the other two water main projects had not hired anyone to handle the communications component of their individual projects. Fees paid to CarolinaPR would be based on hourly rates and reimbursement of direct expenses as they are incurred.

**Funding:**

Water Capital Investment Plan

**19. Harrisburg Rocky River Outfall–Section A – Budget Ordinance and Change Order**

**Action: A. Adopt a budget ordinance appropriating \$1,120,000; and**

**B. Approve Change Order #1 with B C & D Associates, Inc. in the amount of \$1,120,000 for additional cost due to excessive rock excavation.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

On May 24, 1999 City Council approved a contract in the amount of \$8,764,257.18 to B C & D Associates to construct a sewer interceptor along Rocky River from Coddle Creek to Roberta Road in Cabarrus County.

The original contract included an estimated quantity for solid rock excavation. The original estimate was based on the presence of observed rock outcrops, steep changes in the topography, historical construction in the area, quantities typically encountered on similar projects and soil borings performed at road crossings. Approval of this change order will allow payment to the contractor for the additional rock encountered.

With this change order the contract with B C & D Associates will increase from \$8,764,257.18 to \$9,884,257.18.

Adoption of the budget ordinance will allow payment to B C & D Associates for additional work through the construction period.

**Funding:**

Sewer Capital Investment Plan

## 20. Harrisburg Rocky River Outfall–Section B – Budget Ordinance and Change Order

**Action:** A. Adopt a budget ordinance appropriating \$930,000; and

B. Approve Change Order #2 with Central Builders, Inc. in the amount of \$930,000 for additional cost due to excessive rock excavation.

**Staff Resource:** Doug Bean, Utilities

### **Explanation:**

On May 24, 1999 Council approved a contract in the amount of \$7,404,616.56 to Central Builders to construct a gravity sewer line along Rocky River from Roberta Road to U.S. Highway 29 in Cabarrus County.

The original contract included an estimated quantity for solid rock excavation. The original estimate was based on the presence of observed rock outcrops, steep changes in the topography, historical construction in the area, quantities typically encountered on similar projects and soil borings performed at road crossings. Approval of this change order will allow payment to the contractor for the additional rock encountered, for necessary repairs to asphalt roadway installed in the sanitary sewer right-of-way, and for a modification to accept a 60-inch stub-out in lieu of the originally designed 54-inch.

The City Manager approved Change Order #1, in the amount of \$86,261.44, on May 2, 2000.

With this change order the contract with Central Builders will increase from \$7,490,878 to \$8,420,878.

Adoption of the budget ordinance will allow payment to Central Builders for additional work through the construction period.

### **Funding:**

Sewer Capital Investment Plan

## 21. Upset Bid Process for Sale of Property at 4818 Carmel Road

**Action: Approve the sale of 4818 Carmel Road and authorize the upset bid process to begin.**

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

**Explanation:**

The property was purchased by the City as part of the Carmel Road widening project. Located at 4818 Carmel Road, tax code 209-302-57, the property is currently rented. The tenant, Ms. Etta Martin, presented an offer at the appraised value of \$183,000.

The property would be advertised for upset bid and sold to the highest qualified bidder.

Section 160A-260 of the North Carolina General Statutes enables the City to sell property through the upset bid process. If Council accepts the offer to purchase, the statute requires a deposit of 5% of the bid by the proposed purchaser. The City publishes notice of terms of the offer, with any upset bids received within ten days of publication of the notice. This process continues until no further qualifying upset bids are received, at which time Council shall decide to accept or reject the highest qualifying upset bid. Council may accept or reject all offers at any time.

## 22. Property Transactions

**Action: Approve the following property acquisitions (A-D) and adopt the condemnation resolutions (E-J).**

For property transactions A-C, 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 per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

### Acquisitions:

- A. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Robert C. Roney  
**Property Address:** 8405, 8409, 8413, & 8417 Freeman Drive  
**Property to be acquired:** .872 acres  
**Improvements:** Single family residence  
**Purchase Price:** \$43,000  
**Zoned:** RMH  
**Use:** Single family residence  
**Tax Value:** \$50,500  
**Tax Code:** 113-105-10, 113-105-11, 113-105-12, & 113-105-13.
- B. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Joseph H. Cathey Jr. ET AL  
**Property Address:** 7501 Byrum Drive  
**Property to be acquired:** 3.950 acres  
**Improvements:** Single family residence  
**Purchase Price:** \$265,000  
**Zoned:** R3  
**Use:** Single family residence  
**Tax Value:** \$101,970  
**Tax Code:** 141-055-36
- C. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Elizabeth Boykin  
**Property Address:** Garrison Road  
**Property to be acquired:** 11.48 acres  
**Improvements:** Vacant Land  
**Purchase Price:** \$555,000  
**Zoned:** I1  
**Use:** Vacant land

**Tax Value:** \$296,380  
**Tax Code:** 141-131-07

- D. Project:** 24" Water Main along W. T. Harris Blvd./Albemarle Road, Parcel 58, 59, 60, 61 & 62  
**Owners(s):** William N. Devore, II & wf., Terry Devore  
**Property Address:** Albemarle Road  
**Property to be acquired:** 57.36 sq.ft. (.132 ac.) of permanent easement plus 3,788 sq.ft. or (.087 ac.) of temporary construction easement  
**Improvements:** Trees  
**Purchase Price:** \$48,270  
**Remarks:** The areas are needed for construction of a 24" water main along W.T. Harris Blvd./Albemarle Road. Acquisition price is based on two independent, certified appraisals.  
**Zoned:** R-3  
**Use:** Single Family  
**Total Parcel Tax Value:** \$226,000  
**Tax Code:** 109-303-94,93,91,47,92

**Condemnations:**

- E. Project:** Old Statesville Road Widening, Parcel #49  
**Owner(s):** Israel G. Peralta & any other parties of interest  
**Property Address:** 7228 Old Statesville Road  
**Property to be acquired:** 20,425 sq.ft. (0.469 ac.)  
**Improvements:** Commercial Building  
**Purchase Price:** \$190,000  
**Demolition Requested:** Yes  
**Remarks:** This acquisition is needed for the Old Statesville Road Widening. The compensation was established by two independent, certified appraisals and a review appraisal. City has yet to reach a negotiated agreement with property owner.  
**Zoned:** B-2  
**Use:** Commercial  
**Total Parcel Tax Value:** \$60,350  
**Tax Code:** 043-241-12
- F. Project:** Old Statesville Road Widening, Parcel #53  
**Owner(s):** Robert Gene Wright & any other parties of interest  
**Property Address:** 7322 Old Statesville Road  
**Property to be acquired:** 34,000 sq.ft. (.781 ac.)  
**Improvements:** Commercial Building  
**Purchase Price:** \$270,000  
**Demolition Requested:** Yes  
**Remarks:** This acquisition is needed for Old Statesville Road Widening. The compensation was established by two independent, certified appraisals and a review appraisal. City staff has yet to reach a negotiated agreement with property owner.

**Zoned:** I-2  
**Use:** Commercial  
**Total Parcel Tax Value:** \$150,270  
**Tax Code:** 043-241-09

- G. Project:** Old Statesville Road Widening, Parcel #82  
**Owner(s):** Christopher B. Paone & any other parties of interest  
**Property Address:** 7716 Old Statesville Road  
**Property to be acquired:** 14,985 sq. ft. (0.344 ac.)  
**Improvements:** Fencing, gate, gravel and components of a pre-engineered metal storage building  
**Purchase Price:** \$53,000  
**Remarks:** This acquisition is needed for the Old Statesville Road widening. City staff has yet to reach an agreement with property owner. The compensation was established by two independent, certified appraisals.  
**Zoned:** B-2  
**Use:** Commercial  
**Total Parcel Tax Value:** \$16,880  
**Tax Code:** 043-088-06
- H. Project:** Proposed 36-inch Water Line to Serve Huntersville-Concord Road, Parcel #19  
**Owner(s):** Jeffrey Wilson Brown, Ruth Marilyn Brown, Joann B. Miller and any other parties of interest  
**Property Address:** 14226 Huntersville-Concord Road  
**Property to be acquired:** 8,008 sq.ft. (.1838 ac.) of permanent easement  
**Improvements:** None  
**Purchase Price:** \$2,800  
**Remarks:** The required easement is for the construction and maintenance of a 36-inch water line along Huntersville-Concord Road. The agent has yet to reach an agreement with property owners. Condemnation price is based on an independent, certified appraisal made on the property.  
**Zoned:** OPS  
**Use:** Single Family Residential/Vacant  
**Total Parcel Tax Value:** \$95,980  
**Tax Code:** 021-041-02
- I. Project:** Sanitary Sewer to Clarke's Creek-Phase IV, Parcel #9  
**Owner(s):** Jeffrey Wilson Brown, JoAnn Brown Miller, Ruth Marilyn Brown and any other parties of interest  
**Property Address:** Asbury Chapel Road  
**Property to be acquired:** 25,210.70 sq.ft. (0.579 ac.)  
**Improvements:** None  
**Purchase Price:** \$2,700  
**Remarks:** The areas are needed for construction of a sanitary sewer to serve Clarke's Creek-Phase IV. City staff has yet to reach an

agreement with the property owner after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.

**Zoned:** OPS

**Use:** Vacant

**Total Parcel Tax Value:** \$217,440

**Tax Code:** 021-041-03

- J. Project:** Sanitary Sewer to Serve Clarke's Creek-Phase IV, Parcel #14  
**Owner(s):** Jeffrey Wilson Brown, JoAnn Brown Miller, Ruth Marilyn Brown and any other parties of interest  
**Property Address:** 14226 Huntersville-Concord Road  
**Property to be acquired:** 12,713.30 sq.ft. (0.29 ac.)  
**Improvements:** Trees  
**Purchase Price:** \$1,400  
**Remarks:** The areas are needed for the construction of a sanitary sewer to serve Clarke's Creek-Phase IV. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.  
**Zoned:** OPS  
**Use:** Vacant  
**Total Parcel Tax Value:** \$375,360  
**Tax Code:** 019-212-28

## 23. Meeting Minutes

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

- **October 18, 2000 Zoning Meeting**
- **October 23, 2000 Business Meeting**
- **October 24, 2000 Joint City/County meeting (Hal Marshall Redevelopment)**