AGENDA

Meeting Type:	B
Date:	10/12/98

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

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

Council Agenda

CITY COUNCIL MEETING
Monday, October 12, 1998

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

7:00 p.m. — **Meeting Chamber**

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

1998 Council Retreat Priorities

Top Priorities for 1998

Transportation Plan (20 years plus)

Transit Plan and Tax

Westside Strategy Plan

Community Oriented Policing: Evaluation and Direction

Connectivity: Neighborhoods and Road System: Policy Direction

High Priorities for 1998

Court System Expansion

Parking Garage/Convention Hotel

Trolley

Corridor Plan

State Roads Strategy

Airport Plan: Implementation

Neighborhood Business Revitalization Strategy and Action Plan

Business Retention Strategy and Action Plan

CITY COUNCIL AGENDA

Monday, October 12, 1998

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Convention Center Hotel Discussion

Resource: Tom Flynn and Jeff Sachs

Time: 30 minutes

Attachment 1

2. Transportation Committee: School Safety Plan - Park Road

Co-Chairs: Sara Spencer and Al Rousso

Staff: Vi Alexander Lyles and Randy Jones

Time: 45 minutes

3. Economic Development and Planning: State Development Zones

Chair: Lynn Wheeler

Staff: Tom Warshauer

Time: 10 minutes

Attachment 2

4. Other Committee Reports by Exception:

Economic Development and Planning Committee: Facade Improvement Grant Program; Infrastructure Grant Program; Business Advisory Committee

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

CONSENT

5. **Consent agenda items 19 through 31 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Julie Burch

POLICY

6. City Manager's Report

7. Park Road Traffic Study Report and Findings

The Transportation Committee will review the study findings and recommendations on Monday afternoon prior to the Council meeting. The Committee's report will be presented at the dinner meeting and during the formal Council business meeting. Council will consider the recommendations.

8. Convention Center Hotel and Parking

1998 Council Retreat Priority: Parking Garage/Convention Hotel

Action:

A. Authorize the City Manager to negotiate a Memorandum of Understanding, for City Council's approval, with Gateway Partners for the development of a 793 room Westin Convention Center Hotel and a 1,750 space parking garage for a net investment of $16 million by the City; and

B. Adopt a budget ordinance transferring $200,000 from the Convention Center Fund balance to pay City consultant, legal and bond counsel fees associated with developing the Memorandum of Understanding and subsequent contract.

Committee Chair: Lynn Wheeler

Resources: Tom Flynn
Jeff Sachs, Strategic Advisory Group

Focus Area: Economic Development

Policy: Develop strategies to support Convention Center parking, hotel development and facility expansion plans.

Explanation:

- On August 24, 1998 City Council committed to the "minimum public investment necessary to cause a quality Convention Center Hotel and Parking deck to be developed." Gateway Partners responded to this commitment with a proposal to build a 793 room Westin Convention Center Hotel and 1,750 space parking deck for a net public investment of $16 million. This proposal meets the City Council's goals as established on August 24, 1998 and requires the least amount of public investment of the three proposals under consideration on August 24. (The other two developers chose not to respond.)

- Gateway Partners has secured over 50% of the equity financing for this project. The remaining equity and debt financing cannot be secured until Gateway has an agreement with the City. This action authorizes the City Manager to negotiate that agreement for Council's approval.

- These negotiations for a Memorandum of Understanding and subsequent contract development, if Council approves the Memorandum of Understanding, will require consulting, legal and bond counsel assistance. Based on experience from other cities, we estimate that we will need approximately $200,000 from now until the hotel opens for these expenses. The budget ordinance appropriates these funds from the Convention Center Fund (Balance: $23 million).

MWBD:

Gateway partners has committed to develop a plan which commits to MWBE opportunities in construction and operation of the hotel and parking deck. The Memorandum of Understanding will address this issue in more detail.

Community Input:

- In June 1997 City Council created the Convention Center Maximization Committee which included representatives of all stakeholders in Charlotte's Hospitality and Tourism industry - Convention Center Authority, HTA, CCVB, Center City Partners, Charlotte Chamber, uptown hotels, and Restaurant Association. This Committee made several presentations at community meetings,

Hospitality and Tourism Association meetings and area Chamber meetings.

- The issues raised at these meetings include the impact on the existing uptown hotels and the use of general tax dollars for the project. The impact on the existing hotels will be mitigated by:

  - The increased marketing efforts by the CCVB and the Convention Center

  - The corporate demand for uptown hotel rooms

  - New group demand brought by the Convention Center Hotel

- The October 1, 1998 public presentation by Gateway Partners was also shown live on cable channel 16. Viewers were given a number to call with questions and responses were provided or mailed out the following week.

- The Maximization Committee's recommendation to invest public funds in the Convention Center Hotel and Parking deck was endorsed by the following organizations: Coliseum/Convention Center Authority, Convention and Visitors Bureau, Hospitality and Tourism Alliance, Center City Partners and Charlotte Chamber.

Funding:

The funds used for the City's investment in the Convention Center Hotel and Parking Deck will come from the Convention Center Fund, supported by the 1% prepared Food Tax and the second 3% Hotel/Motel Tax. These funds can only be used for convention center related purposes. Additional funds for City investment in the project may also come from revenues generated by the project, such as parking revenues.

Attachment 3
September 28 Letter from Jeff Sachs to Pam Syfert
Hotel Selection Committee Recommendation

9. Facade Improvement Grant Program

1998 Council Retreat Priority: Neighborhood Business Revitalization Strategy

Action: **Approve the Economic Development and Planning Committee's recommendation to create a Facade Improvement Grant Program funded from the Business Corridor Revitalization Fund.**

Committee Chair: Lynn Wheeler

Staff Resource: Stanley Watkins and Tom Warshauer

Focus Area: Economic Development and City Within A City (CWAC)

Policy: City Council's Economic Development and CWAC Focus Areas encourage the development of programs to promote the revitalization of distressed urban business districts.

Explanation:

- The Facade Improvement Grant Program was included in City Council's FY99 budget, with the recommendation of the Economic Development and Planning Committee.

- At Council's June 8, 1998 meeting, the program was referred back to the Economic Development and Planning Committee to examine the possibility of pursuing a tax rebate approach in lieu of a grant approach for the calculation and disbursement of funds.

- On July 24, 1998 Neighborhood Development facilitated a focus group of inner-city business leaders to discuss various granting options including payment at completion of construction and payment over a period of years tied to the value of the property. Legal issues prevented a consideration of a direct tax rebate approach.

- The focus group's consensus was that full payment after construction (grant approach) offered the greatest assistance to the targeted businesses and the strongest incentive to achieve the program's goals.

Background:

- The objective of the Facade Improvement Grant Program is to remove blight along the City's designated distressed urban business districts by improving building appearance and bringing buildings, signs and parking into conformance with current codes.

- The program would provide 1:1 matching grants of up to $10,000 to retail business or property owners for renovations to a building's facade, signage, parking and landscaping.

- Eligible participants include owners or tenants of buildings that are used for retail and neighborhood service businesses. Participants in this program shall not be eligible for the Infrastructure Grant Program.

- All business must have less than $2,000,000 per year in gross sales over the last three years.

- Bars, nightclubs, tattoo parlors, body piercing shops, and adult oriented businesses are prohibited.

- Property taxes must be current and paid.

- A maximum of $35,000 per district may be awarded in any year.

Committee Discussion:

- The Economic Development and Planning Committee discussed the Facade Improvement Grant Program at their April 8, May 14 and September 21, 1998 meetings. Summaries of these meetings are provided in the attachments.

- The Committee asked staff to expand the geography to include additional distressed business districts, delete areas where this assistance may no longer be needed and to describe how this program fits with other local, state and federal business assistance programs.

- The Committee also discussed the option of using a tax rebate approach instead of a grant approach.

- On September 21, 1998, staff presented three payment options to the Committee. The Committee voted 3-1 (Wheeler, Greene, Baker in the affirmative and Sellers dissenting) to recommend to Council the creation of the Facade Improvement Grant Program that provides payment at completion of construction. Councilmember Majeed was absent.

Community Input:

- Staff examined facade programs in other cities and held focus group meetings with Charlotte design professionals to solicit their input into the proposed program.

Funding:

The FY99-03 Capital Investment Plan includes $200,000 annually for the program. The funding level will be evaluated again after two years.

Attachment 4

10. Infrastructure Grant Program

Action:

Approve the Economic Development and Planning Committee's recommendation to create an Infrastructure Grant Program.

Committee Chair:

Lynn Wheeler

Staff Resource:

Stanley Watkins and Tom Warshauer

Focus Area:

Economic Development and City Within A City (CWAC)

Policy:

City Council's Economic Development and CWAC Focus Areas seek to encourage the location, retention and expansion of business and residential uses in Charlotte's distressed urban business districts.

Explanation:

- The Infrastructure Grant Program was included in City Council's FY99 budget, with the recommendation of the Economic Development and Planning Committee.

- At Council's June 8, 1998 meeting, the program was referred back to the Economic Development and Planning Committee to examine the possibility of pursuing a tax rebate approach in lieu of a grant approach for the calculation and disbursement of funds.

- On July 24, 1998 Neighborhood Development facilitated a focus group of inner-city business leaders. The focus group's consensus was that full payment after construction (grant approach) offered the best incentive for serving the needs of the small business community and achieving the program's goals.

Background:

- The objective of the Infrastructure Grant Program is to provide an incentive for small businesses to locate or expand in distressed business districts. Another objective is to encourage the development of infill housing along the City's transit corridors by assisting in the construction of infrastructure triggered by these expansions.

- The program would provide grants to businesses and multifamily infill developers for City required expenses including:

  - Required landscaping

  - Required curb, gutter, sidewalk

  - Backflow prevention

- Eligible properties must be located within a 1/4 mile of the City's designated distressed urban business districts (see attached map) and be:

  - a commercial or industrial business

  - a multi-family residential construction project with each structure containing 4 or more dwelling units

  - paid and current on all property taxes

  - properly zoned

- The grants shall not exceed $10,000 or 10% of the total private investment, whichever is less.

Committee Discussion:

- The Economic Development and Planning Committee discussed the Infrastructure Grant Program at their April 8, May 14 and September 21, 1998 meetings. Summaries of these meetings are provided in the attachments.

- The Committee asked staff to expand the geography to include additional distressed business districts, delete areas where this assistance may no longer be needed, and describe how this program fits with other local, state and federal business assistance programs.

- The Committee also discussed the option of using a tax rebate approach instead of a grant approach.

- On September 21, 1998 staff presented three payment options to the Committee. The Committee voted 3-1 (Wheeler, Greene, Baker in the affirmative with Sellers dissenting) to recommend to Council the creation of the Infrastructure Grant Program that provides payment at completion of construction (grant approach). Councilmember Majeed was absent.

Community Input:

- The Manager's Office formed a Land Development Regulation Review Team composed of development and business community representatives and city and county staff to identify barriers to development in urban Charlotte.

- They found that developing the usually small sites in urban areas is more expensive than developing in suburban areas due to high land costs, land assembly issues, costs associated with fulfilling City infrastructure requirements and environmental costs. This program was developed to assist with required infrastructure, identified as a significant barrier for many urban sites.

Funding:

The FY99-03 Capital Investment Plan includes $200,000 annually for the program.

Attachment 5

11. State Development Zones

Action: **Approve the Economic Development and Planning Committee's recommendation to submit two State Development Zones for designation by the North Carolina Department of Commerce.**

Committee Chair: Lynn Wheeler

Staff Resource: Stanley Watkins and Tom Warshauer

Focus Area: Economic Development and City Within A City (CWAC)

Policy: City Council's Economic Development and CWAC Focus Areas seek to encourage the location, retention and expansion of businesses in Charlotte's distressed urban business districts.

Explanation:

- In order to attract businesses to areas of persistent distress in North Carolina cities, the 1998 State Legislature passed amendments to the William S. Lee Act that provide state tax incentives to certain businesses locating or expanding in designated State Development Zones.

- By offering tax incentives, the State Development Zone designation encourages the location and expansion of industry in distressed areas and in industrial areas adjacent to areas of poverty.

- Cities may propose zones to the State's Department of Commerce. The Department of Commerce will administer the process by certifying the zones and determining business eligibility for the state tax incentives.

- Business types eligible for state incentives include:

  - Manufacturing-processing
  - Warehousing
  - Air courier services
  - Distribution

- Data processing
- Central administrative offices creating more than 40 new administrative jobs

- State tax incentives include:
  - $4,000 credit per job created in addition to the existing $500 credit
  - 7% credit for investments in machinery and equipment, with no minimum threshold
  - Up to $1,000 per employee for worker training

Background:

- State Development Zones must:
  - Include one or more contiguous census tracks or census block groups
  - Be located in whole or in part in a city with a minimum population of 5,000
  - Have a population of at least 1,000 residents
  - Have more than 20% of the zone residents below poverty
  - Be located in a City where zones do not overlap

- Charlotte's zone submission includes all census tracts with poverty rates greater than 20% and adjacent areas with lesser poverty rates where eligible businesses exist or would likely locate as illustrated by the attached map.

- This geography complements the City's Enterprise Community and Empowerment Zone strategies, the City's business corridor revitalization plans and the City's business assistance programs.

- Zones proposed by local governments must have the approval of the governing body. The Department of Commerce certifies the zones, with the first round to be announced on November 2, 1998. Zones remain in effect for 48 months.

Committee Discussion:

- On September 21, 1998 the Economic Development and Planning Committee was presented the State Development Zones for Charlotte. Councilmembers Wheeler, Greene, Baker and Sellers were present. Councilmember Majeed was absent.

- The Committee voted unanimously (Wheeler, Greene, Baker, Sellers) to recommend that Council approve the request for State Development Zone Designations for Charlotte.

Community Input:

- The North Carolina Department of Commerce, Division of Community Assistance worked with a committee of businesses and citizens from across the state to develop these incentives.

- City staff in Neighborhood Development, Planning and the Manager's office worked with representatives from the Chamber of Commerce, Charlotte Center City Partners, Enterprise Communities and the Charlotte Mecklenburg Development Corporation (CMDC) to develop the proposed zones.

Funding:

The incentives offered to businesses in State Development Zones are state funds.

Attachment 6

12. Annexation Reports

Action: **Approve annexation reports for the four proposed annexation areas.**

Staff Resource: Dick Black and Mike Boyd

Explanation:

- This report is required by state annexation statutes, which specify that certain types of information must be included regarding the extension of municipal services to the proposed area.

- The report includes:
  - relevant maps
  - a statement indicating how the area meets annexation criteria
  - a description of services to be provided
  - a statement on the method by which the City plans to finance the extension of services, and
  - an impact statement on rural fire departments and fire protection.

- By statute, the reports must be approved at least 30 days prior to the public hearing scheduled for November 19 - in effect, the reports need Council approval on October 12, 1998.

- The Preliminary Annexation Report, a summary of all proposed areas, was submitted to City Council at the September 14, 1998 dinner meeting. This report, called the Annexation Plan, is the next step required by state annexation statutes. Copies of the individual Annexation Plans are available from the Planning Commission.

- On September 23, 1998, City Council passed a Resolution of Intent to consider annexing the four proposed areas.

Funding: The Preliminary Annexation Report indicated projected service costs as follows:

	Costs
Start-Up	$717,066
FY00	$4,587,401*
FY01	$727,192

*Note: FY00 costs include $3,564,100 in one-time water and sewer capital costs. Total revenues are projected at $2,342,884 in FY00 and $2,989,542 in FY01.

Attachment 7
Map

13. Criminal Justice Joint Study Committee Final Report

Action: **Accept the final report of the Criminal Justice Joint Study Committee.**

Committee Chairs: Mayor Pat McCrory and Commissioner Tom Bush

Staff Resource: Vi Alexander Lyles

Focus Area: Community Safety

Explanation:

- Mayor McCrory and Commissioner Bush appointed the Criminal Justice Joint Study Committee to examine the continuing problems in the criminal justice system and determine what steps could be taken at the state and local level to strengthen the system.

- The Committee had representation from both the City Council and County Commission and heard from representatives of all major components of the local criminal justice system. The committee also met with members of the local legislative delegation. All Committee activity took place from February 10 - June 23, 1998.

- After a series of meetings, the Committee developed three recommendations which were sent to the state legislature on June 23, 1998:

  1. Fund the budget of the Administrative Office of the Courts in its entirety. Locally, this funding would provide three additional District Court Units, six additional staff members for the Clerk of Court, and additional funds for technology.

2. Direct the Criminal Justice Information Network Governing Board to make implementation of the following three components of the statewide information system a priority:

   - a statewide magistrate system which would streamline the process of warrant and case creation;

   - a statewide fingerprint based criminal history system that includes all arrests and case dispositions; and

   - a statewide identification index which includes information from all local and state criminal justice agencies as well as the necessary linkages to federal criminal justice agencies.

   These information systems would enable law enforcement agencies across the state to share information and track the criminal history of a defendant who has been arrested anywhere in the state.

3. Designate a single entity to be accountable for the development of technology improvements for the criminal justice system. This would facilitate the development of the system, establish clear accountabilities for the accomplishment of the work, and provide clear lines of communication between the state and local governments who are developing their own information systems.

- The Committee also made three recommendations for the City and the County. They were:

  1. The City should continue grant funding to assist with District Attorney staffing and other support.

The City currently funds four Assistant District Attorneys with block grant funds and pays for three support positions in the District Attorney's Office. The City also pays one-half of the match for the grant funding the drug court.

2. The County, in its deliberations of the FY99 operating and capital budget, should continue to recognize its responsibility to provide local support to the Criminal Justice System as mandated by the General Statutes of North Carolina.

The County has met all of the mandates as well as funding 11 support positions for the District Attorney, two positions for the Trial Court Administrator, one position for the Public Defender, and two case managers for the Drug Court.

The County has also provided a portion of the funding for a Domestic Violence Grant which will include two Assistant District Attorneys and three Legal Assistants. They are also assisting in the development of information systems for the Trial Court Administrator and the Public Defender and are providing wiring to enhance the information system capabilities of all court agencies.

3. Both the City and the County should provide support for the development of information systems at the local level and training and support for the staff development of court personnel as resources become available.

The County allocated approximately $2,000,000 in its FY99 budget for the criminal justice information system. The Police Department continues to build its master information system with both City and Federal funds. The city also provided the County with $315,000 in block grant

funds for criminal justice information system improvements.

Both the City and County have made the commitment to identify training courses that are applicable for court personnel, especially in the area of computer training, and to make slots available in those courses for Court personnel.

- The attached committee report includes details on the membership of the committee, the meetings, major findings of the committee, and the final recommendations.

Attachment 8
Final report of the Criminal Justice Joint Study Committee

14. Business Advisory Committee

Action: **Approve the recommendation of the Economic Development and Planning Committee to establish a fifteen member Business Advisory Committee.**

Committee Chair: Lynn Wheeler

Staff Resource: Tom Flynn

Focus Area: Economic Development

Policy: "Maintain positive relations with local businesses and organizations to identify and address service and infrastructure needs." - Economic Strategic Plan

Explanation:

- This fifteen member Council appointed Committee would have the following charge:

  - Provide recommendations and advice to the City Council on ways the City can help businesses in Charlotte.

  - Provide a forum for businesses to raise issues. Discuss and have input into City policy responses to these issues.

- Provide input and advice to business retention planning efforts and implementation of the Business Retention Plan.

- Keep City Council and Key Business Executives abreast of changes in business and business climate, and how that might affect business-government relations and needs of public services.

- The Committee would have the following composition:

  - 5 members recommended by the Charlotte Chamber and affirmed by City Council (one from each Area Council)

  - 1 member recommended by the Manufacturer's Council and affirmed by City Council

  - 1 member recommended by the Arrowood Association and affirmed by City Council

  - 6 members appointed by the City Council

  - 1 member appointed by the Mayor

  - 1 member appointed by the Mayor as Chairman

- This composition is recommended to give geographic diversity to the Business Advisory Committee and provide a strong link to the Charlotte Chamber.

- Terms would be for three years and each member could be reappointed once.

- The Mayor would appoint the Chair to make up for not having the traditional one-third of appointments, due to the seven members of the Business Advisory Committee that would be recommended by other groups and affirmed by City Council.

Committee Discussion: The Economic Development and Planning Committee discussion focused on the need for the Business Advisory Committee to help staff develop the Business Retention Plan. The Committee also discussed how to ensure a diverse representation of Council appointees on the Business Advisory Committee. The Economic Development and Planning Committee recommends that the six Council appointees reflect the need for diverse representation of our economy (i.e. transportation, finance, small business, minority business, high technology business) but not be specifically tied to those sectors of Charlotte's economy.

Community Input: The Charlotte Chamber helped develop this proposal and has committed to help support the Business Advisory Committee. The Manufacturer's Council and Arrowood Association supports this effort.

Attachment 9

BUSINESS

15. Tree Ordinance Amendment

Action: **Approve an ordinance amending Section 21-42(3) of the City Code to exempt property in a Mixed Use Development District from the development requirements of the Tree Ordinance.**

Staff Resource: Jeb Blackwell

Explanation:

- The City's Tree Ordinance protects existing trees and requires planting of additional trees during new development. The ordinance is applied more easily to greenfield (suburban) sites.

- When the Uptown Mixed Use District (UMUD) zoning ordinance was adopted in 1983, the UMUD ordinance included tree planting and green space requirements consistent with urban streetscape development. UMUD zoned property was then exempted from the Tree Ordinance due to the urban nature of that development.

- The Mixed Use Development District (MUDD) was adopted this year to guide urban-type development outside the uptown area. MUDD zoned property is not exempted from the Tree Ordinance.

- After reviewing several site plans, it is now evident that requirements for tree and green spaces in both urban and suburban areas need to be addressed in a comprehensive fashion. These issues also will affect additional urban zoning districts currently being developed.

- On September 15, 1998, the Tree Advisory Commission voted unanimously to revise the Tree Ordinance to exempt MUDD zoned property from the private property tree planting requirements as an interim measure. The Tree Advisory Commission and staff will immediately begin an inclusive process to develop a new tree ordinance that addresses both urban and suburban issues.

- Exempting MUDD zoned property from the Tree Ordinance during the interim period will ensure that current development projects can proceed. These projects will be subject to the streetscape tree requirements included in the MUDD ordinance.

16. Dates for City Clerk, City Attorney, and City Manager Evaluations

Action: **Set closed sessions for the purpose of conducting evaluations of the City Clerk, City Attorney, and City Manager. The suggested times are:**

City Clerk
3:30 p.m. on Wednesday, October 21, 1998
Room CH-14

City Attorney
3:30 p.m. on Monday, October 26, 1998
Room CH-14

City Manager
3:00 p.m. on Monday, November 23, 1998
Room CH-14

17. Nominations for Boards and Commissions

Action: **Nominate candidates to serve on the following boards.**

A. AIRPORT ADVISORY COMMITTEE
Two, one year terms as recommended by the Carolinas Partnership. Stephen Gedney and Michael Stacy are not eligible to be reappointed.

Attachment 10

B. **CITIZENS OVERSIGHT COMMITTEE FOR CABLE TV**

One position to fill an unexpired term beginning immediately and ending March 31, 2000. Aaron Sanders has resigned.

Attachment 11

C. **CLEAN CITY COMMITTEE**

One position beginning immediately to fill an unexpired term ending June 30, 2000. Debra Bovard has resigned.

One position beginning immediately to fill an unexpired term ending June 30, 1999. Carol Simon has resigned.

Attachment 12

D. **HOUSING APPEALS BOARD**

One position beginning immediately and ending December 31, 2001. The appointee must be a representative of the housing industry. Richard Bainbridge has resigned.

Attachment 13

E. **HOUSING AUTHORITY**

One, three year appointment beginning December 18, 1998. Joshua Neal is not eligible for reappointment.

Attachment 14

F. **MAYOR'S INTERNATIONAL CABINET**

One appointment beginning immediately and ending in 2001 representing the ethnic category. Sherry Suttles has resigned.

Attachment 15

G. **NEIGHBORHOOD MATCHING GRANTS REVIEW TEAM**
One position beginning immediately to fill an unexpired term ending April 15, 1999. Barbara Washington has resigned.

Attachment 16

H. **TRANSIT ADVISORY COMMITTEE**
One appointment to be filled by a suburban employer served by Charlotte Transit. This position will begin immediately to fill an unexpired term ending January 31, 2000. Blue Weber has resigned.

Attachment 17

I. **TREE ADVISORY COMMISSION**
One position beginning December 14, 1998 for three years. Carl Leonard is eligible and would like to be reappointed.

Attachment 18

18. Appointments to Boards and Commissions

Action: **Vote on the blue paper ballots and give to the City Clerk at dinner so she may announce the results at this point in the meeting.**

A. **NEIGHBORHOOD MATCHING GRANTS FUND REVIEW TEAM**
Four appointments beginning immediately and expiring April 15, 2002. The categories are as follows:

Business Category
1. Elyn Dortch by Councilmember Cannon
2. Kenneth Hill by Councilmember Wheeler
3. Susan Lindsay by Councilmembers Rousso, Sellers and Wheeler

4. Anthony Pizzo by Councilmembers Cannon and Rousso
5. Elton Shoemaker by Councilmember Reid

Neighborhood Category

1. Robert "Doug" Burns by Councilmember Baker
2. Alex Holloman, III by Councilmember Cannon
3. Rahman Khan by Councilmember Majeed
4. Helen Kirk by Councilmembers Rousso and Wheeler
5. Susan Lindsay by Councilmember Sellers
6. Evelyn Newman by Councilmembers Cannon, Rousso and Wheeler
7. Elton Shoemaker by Councilmember Reid

Attachment 19

Consent

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

19. Various Bids

A. Old Terminal Chiller Replacement — Aviation

Recommendation: The Aviation Director recommends the low bid of $127,334 by Cam-Ful Industries, Inc. of Pineville, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
WBE	$6,367	4.9%	5%

B. Storm Drainage Box Culvert Installation **Aviation**

Recommendation: The Aviation Director recommends the low base bid of $473,585 by Showalter Construction Company of Charlotte, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
MBE	$26,000	5.49%	5%
WBE	$56,000	11.82%	10%

C. Transit Maintenance Operations Center (TMOC) Dispatch Area Renovations **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $118,773.50 by Gulf Construction, Inc. of Charlotte, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$10,477	13%	3%
WBE	$ 7,695	9%	2%

D. Six Mile Creek East and West Areas - 1997 Annexation Water Mains **CMU**

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $585,683.92 by Foster Utilities Inc. of Pineville, North Carolina.

MWBD Compliance: Yes. The Utility Department has reviewed the Contractor's documentation and determined that the Contractor will and can self-perform all the work on this contract. The Contractor will make a good faith effort to meet the goals on this contract if other subcontracting opportunities arise.

CONSENT II

20. North Corporate Aviation Area Projects

Action:

A. Adopt a $1,300,000 budget ordinance to appropriate Airport funds for constructing facilities in the New North Corporate Aviation area; and

B. Award a $651,325.50 construction contract to Blythe Development Co. of Charlotte to construct the Corporate Aviation North Access Road.

Explanation:

- This contract constructs a new access road for the new Corporate Aviation North area that can accommodate up to eight corporate hangars.
- Two corporate hangars already exist in this area and First Union is constructing a new terminal facility.
- Previously, City Council approved a construction contract for a joint use aircraft fuel facility for the North Corporate Aviation area. This budget ordinance amends the funding account for this project.
- The budget ordinance will cover the access road construction contract, the previously awarded fuel facility and future site preparation.
- The Airport Advisory Committee recommends this budget ordinance and construction contract.

MWBD: Goal: 15% DBE Participation: 15%

Funding: This ordinance appropriates airport funds from the Airport Discretionary Fund in the amount of $1,300,000.

21. Advancing Community Policing Grant

Action:

A. Accept a grant of $153,588 from the U.S. Department of Justice to fund the Advancing Community Policing Project; and

B. Adopt a budget ordinance appropriating $153,588 in federal funds to fund the project.

Explanation:

- The Police Department has received a grant from the Justice Department's Office of Community Oriented Policing Services to assist in its implementation of community problem oriented policing.

- The funds will sponsor a one year residency for Herman Goldstein, the originator of the community problem oriented policing concept. Goldstein will spend at least one week per month for the next year at the Police Department. His primary goal will be to strengthen the problem solving capacity of police officers and to assist the department in incorporating the problem solving philosophy into all of its activities. His efforts will complement the Police reengineering efforts that are currently being discussed by Council's Public Safety Committee.

- Goldstein's expertise will be available to personnel at all levels of the organization. He will also meet with some community groups and police district advisory councils to help further their understanding of the community problem oriented policing concept.

- Goldstein will also help the department organize seminars and work groups with other police professionals whose expertise can benefit the department. The grant will fund these seminars.

Funding:

The project will be fully funded through the $153,588 in federal grant funds. No matching funds are required.

22. Municipal Agreement for the Extension of Rea Road from Ballantyne Commons Parkway to Providence Road (NC 16)

Action: **Adopt a resolution authorizing the Transportation Director to execute a Municipal Agreement with the NCDOT for Rea Road Extension.**

Explanation: This Agreement provides that the NCDOT and City share equally in the sidewalk construction costs on both sides of Rea Road Extension within the City Limits, which is consistent with City and NCDOT policy. The City's estimated cost is $125,000.

The project will:

- Construct a four lane median divided roadway from Ballentyne Commons Parkway to Providence Road south of Weddington.
- Incorporate a road section in the Landon Subdivision that will be built through the land development process.
- Have sidewalks with planting strips on both sides of the roadway.

Another one-half mile section of roadway is outside the City, but within Mecklenburg County. The sidewalk is not currently funded on this road section, but can be funded by the City through a supplement to the Municipal Agreement after the scheduled annexation on June 30, 1999.

Community Input: A public meeting was held by the NCDOT on October 13, 1994, with over 80 people attending. Staff is not aware of any outstanding issues.

Funding: Transportation Capital Investment Plan

Attachment 20
Map

23. Purchase of Help Desk Software and Related Consulting Services

Action: **Approve a contract with Strategic Technologies up to the amount of $175,000 for the purchase and installation of new city-wide help desk software.**

Explanation:

- The Information Technology Division of Business Support Services currently uses help desk software to record requests for technology service assistance from approximately 1,800 City staff customers. This software is not Year 2000 compliant nor does it interface with the City's new infrastructure. To upgrade and enhance this existing system to meet the City's needs would require a substantial monetary and staff investment of approximately $195,000.

- This product known as "Remedy", as provided by Strategic Technologies, is the current industry leader in help desk customer service and is recommended to replace the City's existing software. The vendor has a local office which will expedite the support they provide for this product.

- In addition to being Year 2000 compliant and integrating with the new infrastructure, the Remedy product will also provide the following enhanced features:

  - Automatic escalation of pending service calls with automatic notification through pagers, e-mail, etc. to support staff of major system problems
  - Automatic status updates to customers through e-mail
  - Customer may inquire about their request electronically
  - Full integration with Information Technologies Asset Management Program currently utilized to track the location of desktop computers used in the City.

Funding: FY99 Technology Fund

24. Porter's Pond Lane Lift Station Resolution - CIP Amendment

Action: **Approve a resolution amending the FY99-FY03 Capital Investment Program to add the Porter's Pond Lane Lift Station.**

Explanation:

- A lift station is necessary to serve the sanitary sewer basin upstream of Porter's Pond Lane. Porter's Pond Lane is in the Rivendell Estates Subdivision along Reverdy Lane in the Town of Matthews.

- ACT and Associates (ACT), a developer, has requested service in this upstream basin. The developer is under contract with CMUD for a sewer trunk to serve his subdivision and will reimburse the City.

- CMUD requests that the lift station be included in the FY99-FY03 Capital Investment Program. This lift station will serve the proposed ACT subdivision and the remaining land within the basin. The estimated cost of the lift station is approximately $100,000.

Funding: Five-Year Reimbursement Program

25. North Mecklenburg Rocky River Outfall - Professional Engineering Services Contract with McKim and Creed Engineers, P.A.

Action: **Approve the Professional Engineering Services Contract with McKim and Creed Engineers, P.A. for a not to exceed amount of $156,000.**

Explanation:

- This contract is to complete the surveying, mapping, design, and geotechnical investigations of the North Mecklenburg Rocky River Outfall project, which is included in CMUD's Capital Investment Plan.

- This project will ultimately eliminate three existing pump stations in Davidson and provide sewer service to the west prong of the north fork of the Rocky River basin, south and east of the Towns of Davidson and Cornelius.

Funding: Water and Sewer Capital Investment Plan

26. Water and Sewer Street Mains - Professional Engineering Services Contract with Hazen and Sawyer, P.C.

Action: **Approve the Professional Engineering Services Contract with Hazen and Sawyer, P.C. for a not to exceed amount of $200,000.**

Explanation:

- The Professional Engineering Services contract is to complete the surveying, design, and drafting, of water and sewer street main extensions in various locations throughout Mecklenburg County.

Funding: Water and Sewer Capital Investment Plan

27. Town of Matthews Sewer Trunks - Phase 2 - Professional Engineering Services Contract with Hazen and Sawyer, P.C.

Action: **Approve the Professional Engineering Services Contract with Hazen and Sawyer, P.C. for a not to exceed amount of $100,000.**

Explanation:

- This contract is to complete the surveying, design, and drafting of the ten sewer trunks to serve various locations within Matthews.

- The sewer trunks were approved in a referendum by the citizens of the Town of Matthews in 1997.

Funding: Water and Sewer Capital Investment Plan

28. Truelight Church Road/Surface Hill Road Water Main

Action: **Approve a budget ordinance appropriating $170,000 for the Truelight Church Road / Surface Hill Water Main project.**

Explanation: This action will provide funding for the design and construction of a water main along Truelight Church Road and Surface Hill Road. The water main will create a second feed for the Bainbridge Subdivision and a loop in the water distribution system for better water quality. The main will also provide service availability to the residents along Truelight Church Road and Surface Hill Road.

Funding: Water and Sewer Main Capital Investment Plan

29. Mint Hill Bond Funded Sewer Lines - Contract 2, Change Order #1

Action: **Approve Change Order #1 to the Mint Hill Bond Funded Sanitary Sewer Construction - Contract 2 - with Foster Utilities, Incorporated for $427,236.23.**

Explanation:

- The Town of Mint Hill has requested that three sewer trunks be added to the bond funded contract currently under construction with Foster Utilities.
- Foster Utilities is working on the original bond projects in the area and is mobilized to perform this additional work.
- The additional work will be obtained at a competitive cost and avoid delays in project implementation.

MWBD: The Contractor will continue to make the good faith effort for any subcontracting opportunities within the additional work assigned by this change order.

Funding: Mint Hill Water Bonds

30. Property Transactions

Action: **Approve the following property acquisitions (A-C).**

Acquisitions:

A. **Project**: Master Plan Land Acquisition
Owner(s): Corrine L. Smith Estate
Property Address: 8407 Trexler Avenue
Property to be acquired: .5968 acres
Improvements: Vacant land
Purchase Price: $4,500
Remarks:The purchase price was determined by an independent appraiser. The appraisal takes into consideration the specific condition and size 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

Zoned: RMH **Use:** Vacant
Tax Value: $3,600
Tax Code: 113-106-01

B. **Project**: Randolph Road/Wendover Road Intersection, Parcel #26
Owner(s): R. Nelson Lemmond & wf., Kaye E. Lemmond
Property Address: 3854 Sedgewood Circle
Property to be Acquired: 451.11 sq.ft. (0.0104 ac.) plus 3,542.49 (0.0813 ac.) of temporary construction easement
Improvements: Fencing, trees & other landscaping items
Purchase Price: $55,250
Remarks: Required areas necessary for road construction project. Compensation based on two independent certified appraisals which include damages for loss of mature landscaped buffer between the house and roadway.

Zoned: R-3 **Use**: Single/Family Residential
Tax Value: $439,050
Tax Code: 181-021-38

C. **Project**: Beatties Ford Road Four Lane Widening, Parcel #49 & 50
Owner(s): Paul A. McGill, DDS, P.A.
Property Address: 1404 Beatties Ford Road
Property to be Acquired: 2,177 sq.ft. (.050 ac.) fee simple and permanent utility easement, plus 2,396 sq.ft. (.055 ac.) temporary construction easement
Improvements: Sign, trees
Purchase Price: $17,000
Remarks: Required area needed to widen road and relocate utilities causing loss of parking, trees, and a business sign. Compensation based on an independent appraisal

Zoned: 02/B-1 **Use**: Medical Office Building
Tax Value: $324,550
Tax Code: 075-073-28 & 29

31. Minutes

Action: **Approve minutes as follows:**

- **September 23 Zoning Meeting**
- **September 28 Business Meeting**