

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, October 8, 2001

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**

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
10.	Reschedule Date and Time for the 2001 Performance Evaluation of the City Attorney	8	
11.	Nominations to Boards and Commissions	8	8-16

Consent I

12.	Various Bids		
	A. Providence Road/Wendover Road Minor Intersection Improvements	11	
	B. Tryon Mall Renovations, Phase II	12	
13.	Refund of Property Taxes	12	17

Consent II

14.	Police Reimbursement for Child Development Community Policing Training-Budget Ordinance	13	
15.	Franklin Water Treatment Plant Upgrade-Change Order #2	13	
16.	Water and Sewer Main Construction Street Main Extensions Renewal	14	
17.	Freedom Drive/Mount Holly Road Widening-Design Phase	15	
18.	Stream Restoration	15	
19.	Monroe Road/Sharon Amity Road Intersection Improvements	16	
20.	Airport Landscape Maintenance Contract Extension	17	
21.	Design of Old Dowd and Wallace Neel Roads Relocations	18	
22.	Concourses D and E Hold Room Seating	18	
23.	Amend Airline Master Lease	19	

<u>Item No.</u>		<u>Page No.</u>	<u>Attachment No.</u>
24.	FAA Navigational Aid Lease	20	
25.	Corporate Aviation Hangar	20	
26.	Authority to Increase Prices of City Code and Supplements	21	
27.	Resolution for Amendments to the Council-Adopted Municipal Retention and Disposition Schedule	22	18
28.	Antenna Lease at 11401 Old Statesville Road	22	19
29.	Property Transactions	23	
30.	Meeting Minutes	31	

5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Business Advisory Committee Report on Development Permitting

Resources: Tom McCracken, Chair of Business Advisory Committee
Tim Chappel, Chair of Development Sub-committee
Tom Flynn, City Manager's Office

Time: 20 minutes

Attachment 1

A copy of the Advisory Committee Report will be included in the October 5 Council-Manager Memo.

2. CWAC: Status Report on Affordable Housing

Committee Chair: Rod Autrey

Resource: Stanley Watkins, Neighborhood Development

Time: 30 minutes

Attachment 2

3. North Tryon Street JobLink Career Center

Resource: Tom Warshauer, Neighborhood Development

Time: 15 minutes

Attachment 3

4. 2005 National Congress of Cities

Resource: Ron Kimble, City Manager's Office

Time: 15 minutes

Attachment 4

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

CONSENT

- . Consent agenda items 12 through 30 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

6. City Manager's Report

7. Draft West Morehead Corridor Vision and Concept Plan



Action: The Economic Development & Planning Committee recommends Council adopt the *West Morehead Street Corridor Vision and Concept Plan Volume 1: Concept Plan*.

Committee Chair: Lynn Wheeler

Staff Resource: Melony McCullough, Planning

Explanation:

The boundaries of the West Morehead Street corridor extend approximately two miles along both sides of West Morehead Street from South Tryon Street to Wilkinson Boulevard. In the past, limited development activity occurred along this corridor. However, recently many of the older buildings have been or currently are being renovated for mixed use development, primarily for office and retail uses. This Plan is the result of requests from business and property owners in the area who expressed a desire that future development in the corridor occur in a cohesive and organized fashion.

The overall themes throughout this Plan are preservation of the historic character of buildings, mixed-use urban scale development, preservation of open space, protection of the floodplain, and streetscape improvements. The Plan will serve as a policy guide for future growth and development along the corridor.

The Plan is divided into two parts, Volume 1: Concept Plan and Volume 2: Implementation Plan.

1. *Volume I: Concept Plan* identifies planning challenges and includes goals and recommendations for improving the overall area. **This is the only document that staff is requesting be considered for adoption with this action.**
2. *Volume II: Implementation Plan* will identify implementation strategies over the next five to ten years for Planning staff and other implementing agencies.

Public Hearing Comments

Issue:

At the City Council meeting on August 27, 2001 a representative from Charlotte Pipe and Foundry expressed concern about a proposed recommendation for their property to be changed from industrial to mixed use. The property is located between I-77 and I-277, south of Post Street (see attached map).

Response:

Staff recognizes that Charlotte Pipe and Foundry is a viable, long-term industrial operation in the area. Staff met with the property owner and his agent on September 7, 2001 to discuss their concerns about land use recommendations in the Plan. Staff explained that any proposed rezonings would have to be initiated by the property owner or those interested in developing the property. After further discussion, staff agreed to recommend to the Economic Development and Planning Committee that the draft Plan be amended to recognize the existing industrial land use for the subject property (see attached map). However, if Charlotte Pipe and Foundry at some future date decides to relocate its manufacturing facility or to discontinue operating at its current location, this area should be used for mixed use. The petitioner's agent has submitted a letter to the Economic Development and Planning Committee supporting this change.

Committee Discussion:

The Economic Development and Planning Committee discussed the draft plan at their April 18, 2000, April 11, 2001, July 25, 2001, and September 27, 2001 meetings. At the September 27 meeting, the Committee recommended that City Council adopt the draft *West Morehead Corridor Vision and Concept* plan with the following amendment:

Recognize the existing industrial use on property located south of Post Street between I-77 and I-277, Charlotte Pipe and Foundry. However; if the area transitions over time from its current land use, the property should be used for mixed-use development.

Community Input:

The planning process involved several public meetings with a large number of participants that included business and property owners along the corridor, as well as residents and representatives from some of the adjoining neighborhoods. Through a series of workshops, issues and opportunities for the Corridor were identified, leading to a consensus on the overall concept and generalized strategies.

Attachment 5

- *Proposed Land Use Map "3rd Ward District"*
- *Draft West Morehead Street Corridor Area Volume I: Concept Plan and Volume II: Implementation Plan*

8. National League of Cities 2005 Congress of Cities in Charlotte



Action: A. Consider City support for bringing the 2005 National League of Cities' Congress of Cities to Charlotte; and

B. Approve a resolution in support of the 2005 Congress of Cities in Charlotte if Council supports the initiative.

Staff Resource: Ron Kimble, City Manager's Office

Explanation:

The Charlotte Convention and Visitors Bureau (CCVB) has requested that the City provide financial support to bring the National League of Cities' 2005 Congress of Cities to Charlotte. Estimated economic impact and conference costs are estimated as follows:

- Attendance is estimated at 6,000 delegates in December 2005;
- Total guestrooms occupied are estimated at 20,000;
- Direct delegate spending is estimated at \$6.9 million;
- The cost of hosting the convention is estimated to be \$744,000 in a combination of cash and in-kind services.

The National League of Cities does not allow cities to "compete" against each other for these conventions. Instead, for those cities with the appropriate facilities, a resolution from City Council and a letter of invitation from the Mayor are considered on a first-come, first-served basis. Indianapolis has expressed a desire to be the host in 2005 but has not as yet submitted a Resolution or letter of invitation.

The National Association of Counties (NACO) met in Charlotte in 2000. The cost of that event was \$1.48 million, with the public sector paying approximately 75% from the following sources:

Mecklenburg County	\$596,773
State of North Carolina	\$200,000
Other NC Counties	\$163,755
City of Charlotte	\$100,000
SC Counties	\$ 36,614
CCVB	\$ 25,000
TOTAL	\$1,122,142

The private sector contributed the difference of \$359,500.

Should Council commit to financially supporting the 2005 Congress of Cities in Charlotte, it is recommended that the public sector contribute a percentage of the funding similar to that for NACO in 2000, or approximately \$550,000.

Options for funding the public commitment of \$550,000 include:

- Request contributions from the State of North Carolina or League of Municipalities and the Convention and Visitors Bureau.
- Request a Mecklenburg County contribution of \$100,000, as the County did of the City in 2000;
- The balance, in an amount not to exceed \$450,000, could be provided by the City. Funding options include:
 - o General Fund Fund Balance, either over three years or at once;
 - o An annual appropriation in the General Fund's budget of \$150,000 in FY2003, FY2004 and FY2005;
 - o Use of a portion of the annual revenue from the Hotel/Motel Tax currently dedicated to capital investment, which is \$4.8 million annually. Taken over three years the loss would not significantly impact the \$80 to \$100 million the City has available for capital investment. Financial projections for the debt capacity supported by this tax will be updated this winter.

Attachment 6
Resolution of Support

BUSINESS

9. Amber Ridge Auxiliary Annexation Ordinance

Action: A. Establish the effective date for the annexation and adopt the annexation ordinance; and

B. Adopt a budget ordinance appropriating \$10,350 for public notices and mailing expenses.

Staff Resources: Jonathan Wells, Planning
Mike Boyd, City Attorney's Office

Explanation:

The Amber Ridge Annexation is necessitated by a discrepancy discovered between annexation maps used for the June 30, 2001 Annexation and the annexation legal description contained within the annexation ordinance approved by City Council on January 8, 2001. The Amber Ridge annexation area was not included in the annexation maps but was included in the legal description. As a result, the affected property owners were not legally notified of the annexation. The intent of this annexation is to rectify that discrepancy and bring the affected properties into the City effective December 31, 2001.

State annexation statutes require City Council to adopt an ordinance extending the corporate limits to include all, or such part, of the area described in the notice of the public hearing and which Council has concluded should be annexed. Council must also establish the effective date for the annexation, which may not be less than 70 days nor more than 400 days from the date of passage of the ordinance. The recommended effective date for the Amber Ridge annexation area is December 31, 2001.

The annexation budget ordinance includes the start-up costs and funding sources required in the current fiscal year to extend City services into the area to be annexed. Start-up costs of \$10,350 are necessary to cover the expenses for all required public notices and mailings to affected property owners.

Background:

A community meeting was held on May 22, 2001. Mailings were sent to each affected property owner announcing the time and place of the meeting. No residents attended the meeting. Planning staff also discussed the proposed annexation with the neighborhood association chairperson. On July 16, 2001, Council adopted a Resolution of Intent to consider annexing the Amber Ridge area, and approved the annexation report. A required public informational meeting was held on August 30, 2001 to explain service plans for the area and to answer residents' questions. No residents attended the meeting. On

September 26, 2001, City Council held a Public Hearing on the proposed annexation area. No residents attended the Public Hearing.

Funding:

The \$10,350 in start-up costs will be funded from the General Fund fund balance. No additional on-going funding will be required to provide City services for this annexation.

Attachment 7

Annexation Ordinance

10. Reschedule Date and Time for the 2001 Performance Evaluation of the City Attorney

Action: Reschedule date and time for closed session for the purpose of conducting the 2001 performance evaluation of the City Attorney:

City Attorney Monday, October 22, 2001 3:30 p.m.

11. Nominations to Boards and Commissions

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

A. AIRPORT ADVISORY COMMITTEE

One seat for a position beginning immediately and ending October 31, 2002 to replace Dale Hall, who has resigned. Must be recommended by the Charlotte Regional Partnership.

Attachment 8

Application

B. BICYCLE ADVISORY COMMITTEE

Two appointments to serve three years beginning in January 2002. Herbert Brown and William Klenz are eligible and would like to be reappointed.

Attachment 9

Applications

C. CLEAN CITY COMMITTEE

Two appointments beginning immediately to serve unexpired terms ending June 30, 2003. Jeff Coulter and Lorenzo McIver have relocated from the Charlotte area.

One appointment to begin serving immediately to fill an unexpired term ending June 30, 2002, and then serve the next full three year term. Richard Foster has resigned.

Attachment 10

Applications

D. COMMUNITY RELATIONS COMMITTEE

One position beginning immediately and ending June 2004. Kristen McManus has resigned.

Attachment 11

Applications

E. HOUSING APPEALS BOARD

One appointment to serve three years beginning January 2002. Bryan Bennight is eligible and would like to be reappointed.

Attachment 12

Applications

F. HOUSING AUTHORITY

One appointment for three years beginning December 2001. Eric Douglas is eligible and would like to be reappointed.

Attachment 13

Applications

G. MINORITY/WOMEN'S BUSINESS DEVELOPMENT

One appointment beginning immediately and ending December 31, 2002. Victor Alexander did not meet Council's attendance requirements.

Attachment 14

Applications

H. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

One appointment beginning immediately and ending March 2003. Katie Tyler did not meet Council's attendance requirements.

Attachment 15

Applications

I. TREE ADVISORY COMMISSION

Two appointments for three years beginning February 2002. Robert Miller is eligible and would like to be reappointed. Carl Leonard is not eligible for reappointment.

Attachment 16
Applications

Introduction to CONSENT

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

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

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

Minority and Women Business Development Program (MWBD) Abbreviations:

BBE – African American

ABE – Asian American

NBE – Native American

HBE – Hispanic

WBE – Non-Minority Women

Contractors and Consultants

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

CONSENT I

12. Various Bids

A. Providence Road/Wendover Road Minor Intersection Improvements E&PM

Recommendation: The City Engineer recommends the low bid of \$227,313.84 by Sealand Contractors Corporation of Charlotte, North Carolina. This project will construct a right turn lane from outbound Providence Road onto Wendover Road and a concrete sidewalk along the outbound side of Providence Road from Harris Road to Wendover Road.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$2,186	1%	1%
WBE	\$2,186	1%	1%

MWBD Compliance: Yes.

B. Tryon Mall Renovations, Phase II

E&PM

Recommendation: The City Engineer recommends the low bid plus Bid Alternate #1 of \$3,394,468.54 by Valley Crest of Calabasas, California. This project is the second of two phases to renovate the Tryon Street Mall, which is located on Tryon Street between Stonewall Street and 8th Street. Sealand Contractors completed the first phase in April 2001. The work includes new irrigation, electrical, and potable water systems, and concrete pavers and tree well renovations.

Bid Alternate #1 is for the installation of Gorla sidewalk pavers. This manufacturer's product has been used successfully in previous Tryon Street Mall construction projects.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$299,365	10%	2%
WBE	\$50,800	2%	1%

MWBD Compliance: Yes.

13. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$60,390.27.

Attachment 17
List of Refunds

CONSENT II

14. Police Reimbursement for Child Development Community Policing Training Budget Ordinance

Action: Adopt a budget ordinance appropriating \$12,500 from Yale University's National Center for Children Exposed to Violence into the Police Department's operating budget.

Staff Resource: Major Ken Williams, CMPD

Explanation:

The Charlotte-Mecklenburg Police Department (CMPD) participates in the Child Development Community Policing Training program that was developed by the Yale University's National Center for Children Exposed to Violence. The program pairs police officers and mental health clinicians in providing services to children who have been victims or witnesses to violence.

Because the CMPD's program has been so successful, two police officers and two clinicians were invited to provide training for the Pinellas County, Florida Police Department as it prepares to implement the program. The training was conducted in May 2001 and telephone follow-up by a police officer and a clinician will be conducted once a month for one year.

Yale University has paid the Police Department \$12,500 for providing the training program to Pinellas County. The Police Department wishes to put that money into its operating budget so that officers and clinicians involved in the Child Development Community Policing Program can use the funds for advanced training, conferences and other program needs not covered under the Governor's Crime Commission grant which funds the program.

15. Franklin Water Treatment Plant Upgrade–Change Order #2

Action: Approve Change Order #2 for \$918,424.39 to the contract with Pizzagalli Construction Company, Inc. for additional construction work at the Franklin Water Treatment Plant.

Staff Resource: Doug Bean, Utilities

Explanation:

On June 12, 2000, Council approved a contract with Pizzagalli Construction Company in the amount of \$24,665,000. This contract will renovate many areas of the Franklin Plant and will enable increased production of treated water at an increased rate, from 154 million gallons per day (mgd) to 181 mgd.

Change order #2 will provide for valving and piping necessary to tie the future Southwest Water Main (SWWM) project into the high service pump station number 1. The systems to be installed are in critical areas of the Franklin Plant which will be exposed during the construction of the rehab project this winter. Construction of this SWWM segment as a change order therefore reduces costs and reduces the risk of potential damage to the entire water supply of the Franklin Plant by only exposing this area once.

On January 22, 2001, change order #1 was approved by Council in the amount of \$945,610 to handle removal of lead-based paint from areas affected by construction.

With this change order, the Pizzagalli contract will increase from \$25,610,610.00 to \$26,529,034.39.

MWBD:

The BBE participation goal will be \$12,000 or .01% of the change order amount.

Funding:

Water and Sewer Capital Investment Plan

16. Water and Sewer Main Construction Street Main Extensions Renewal

Action: Approve renewal #1 for \$848,801.70 with R. H. Price, Incorporated for continued construction of FY01 Contract #109 water and sewer street main extensions.

Staff Resource: Doug Bean, Utilities

Explanation:

This renewal will enable Utilities to continue construction throughout the City of Charlotte and Mecklenburg County for applicants who have requested water and sewer street main extensions.

The contract document provides for renewal of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. This renewal will increase the contract amount for FY01 Contract #109 from \$848,801.70 to \$1,697,603.40.

MWBD:

WBE: 3%

MWBD Compliance: Yes. R. H. Price made a good faith effort.

Funding:

Water and Sewer Capital Investment Plan

17. Freedom Drive/Mount Holly Road Widening–Design Phase

Action: Approve an amendment for \$2,225,242 with Presnell Associates, Inc. for engineering services on the Freedom Drive/Mount Holly Road Widening Project.

Staff Resource: Tonia Wimberly, Engineering & Property Management

Explanation:

This project was included in the November 1998, voter-approved Street Bonds. The original contract in the amount of \$496,235 for the planning phase of the project was approved on November 23, 1998. The original planning phase contract produced an alignment for the new roadway. The project has progressed to the design phase and includes design services, aerial surveying, geotechnical analysis, and land surveying. The design phase will provide roadway plans and right-of-way acquisitions in order to construct the project. This amendment provides funding for the design phase services.

The original schedule has been compressed so that all design services will be completed by October 2003. No additional amendments to the design contract are anticipated.

Community Input:

Community input was carried out using the City's Citizen Involvement process.

Funding:

Transportation Capital Investment Plan

18. Stream Restoration

Action: A. Approve an agreement for \$250,000 with Buck Engineering PC for engineering services for stream restoration services;

B. Approve an agreement for \$250,000 with Kimley-Horn and Associates, Inc. (KHA) for engineering services for stream restoration services; and

C. Approve amendment #1 for \$250,000 to the agreement for engineering services with Earth Tech of North Carolina (Earth Tech) for stream restoration services.

Staff Resource: Shawn Wilkerson, Engineering & Property Management

Explanation:

The quality of many of Charlotte's streams has deteriorated due to erosion and urban pollution. As Charlotte Storm Water Services works to reduce flooding with capital improvement projects, state and federal environmental regulatory agencies require that the City perform stream restoration to offset the possible negative environmental effects of the capital improvement projects. Stream restoration is the process of converting a deteriorated stream to a more natural and healthy system. The benefits of stream restoration include beautification, improved water quality, increased green space, and improved wildlife habitat. These contracts will provide stream restoration design services.

Funding:

Storm Water Capital Investment Plan

19. Monroe Road/Sharon Amity Road Intersection Improvements

Action:

- A. Adopt a budget ordinance providing a supplemental appropriation of \$500,000 for the Monroe Road/Sharon Amity Road Intersection Project;**
- B. Reject the bid of \$2,525,908.62 from United Construction of Charlotte, North Carolina, pursuant to the Minority and Women Business Development Program; and**
- C. Award contract for Monroe Road / Sharon Amity Road Intersection Improvements to next low bidder, Sealand Contractors Corporation of Charlotte, North Carolina in the amount of \$2,690,527.44.**

Staff Resource: Tonia Wimberly, Engineering & Property Management

Explanation:

This project was included in the voter-approved, November 1996 Street Bonds. The construction includes major roadway improvement work at the intersection of Monroe and Sharon Amity Roads, including the addition of dual left turn lanes and a right turn lane to southbound Sharon Amity, and right turn lanes on both approaches of Monroe Road.

A budget ordinance is needed to provide supplemental funding for the project. The bids for the project came in higher than the project cost estimate. The budget ordinance transfers \$200,000 from the completed Carmel Road project and \$300,000 from the Sharon Amity/Littleton Roads project.

The recommendation to reject United Construction’s (UC) bid is based on its non-compliance with the Minority and Women Business Development (MWBD) Program. UC failed to meet the MWBD subcontract goals for this project and also failed to meet the good faith efforts in obtaining the goals. The MWBD Program states that the City Council may refuse to award a contract to a bidder if it determines that the bidder has failed to make a good faith effort to comply with MWBD requirements.

Summary of Bids:

United Construction	\$2,525,908.62
Sealand Contractors	\$2,690,527.44
Blythe Development	\$2,945,987.46

MWBD:

BBE: 4%
WBE: 2%

Funding:

Transportation Capital Investment Plan

20. Airport Landscape Maintenance Contract Extension

Action: Approve a one-year extension of the Airport’s landscape maintenance contract with The Budd Group, Inc., but change the term to month-to-month, subject to the same specifications and conditions of the existing agreement. The annual contract is currently \$436,599.

Staff Resource: Jerry Orr, Aviation

Explanation:

On January 1, 1999, The Budd Group, Inc. (lowest bidder) began a three year contract to service the Airport with a comprehensive program of maintaining all turf and landscape areas outside the security fence. Service contracts of this type usually include short-term renewal options which allow the City to maintain the desired service levels achieved by continuing with an experienced service provider.

The Budd Group was the low bidder during the initial bid solicitation with a difference of \$373,566 between it and the next bidder. The Budd Group has agreed to accept the conditions of the existing contract, with the change to a month-to-month term.

The Airport Advisory Committee recommends this action.

Funding:

Aviation Operating Budget

21. Design of Old Dowd and Wallace Neel Road Relocation

Action: Award a contract in the amount of \$685,000 to Gannett Fleming of Charlotte for the design of the relocation of Old Dowd and Wallace Neel Roads.

Staff Resource: Jerry Orr, Aviation

Explanation:

The relocation of Wallace Neel Road is necessary for construction of the third parallel runway and therefore qualifies as an airfield capacity project eligible for 75% reimbursement by the Federal Aviation Administration (FAA) Airport Improvement Program. A FAA grant was accepted by Council on September 26, 2001 for this amount.

This contract will provide for the planning and design of the relocation of the roads and is based on hourly rates with a not-to-exceed limit. The construction estimate is \$9,000,000 for these road relocations.

Requests for Qualifications were received on January 28, 2000. Eight companies submitted qualifications and a selection committee comprised of Airport Advisory Committee members and airport staff selected Gannett Fleming for this project.

MWBD:

WBE: 8%

MWBD Compliance: Yes

Funding:

Aviation Capital Investment Plan

22. Concourses D and E Hold Room Seating

Action: Award a contract in the amount of \$376,745.58 to Office Interiors, Inc. of Charlotte for seating in Concourses D and E.

Staff Resource: Jerry Orr, Aviation

Explanation:

The airport is currently constructing a new Concourse E and expanding Concourse D. Portions of Concourse E are scheduled to be in service in October 2001. This contract will provide 1,300 seats for airline gates in the newly constructed areas.

Background:

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

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

Bids were received on September 13, 2001 and were rejected due to an ambiguity in the bid specification regarding the inclusion of sales tax in the bid amount. The specifications were revised to address the issue of sales tax in the bid amount and the project was re-advertised on September 23, 2001. Bids were received on October 1, 2001.

The Airport Advisory Committee recommends this action.

MWBD Compliance:

Yes. Office Interiors, Inc. will self-perform.

Funding:

Aviation Capital Investment Plan

23. Amend Airline Master Lease

Action: Approve an amendment to the Master Lease between the City of Charlotte and six major airlines for use of Charlotte/Douglas International Airport.

Staff Resource: Jerry Orr, Aviation

Explanation:

The Aviation Director and six of the airlines serving Charlotte/Douglas International Airport wish to amend the basic lease agreement. The purpose of this amendment are:

- to accurately reflect what areas of the Airport are leased to each airline, because the areas have changed since the last amendment; and
- to officially lease the new space in Concourse A to the respective airlines. Concourse A was expanded in 2000 to add 4 gates and 34,000 square feet.

In addition, the amendment provides that the Airport shall provide the janitorial service in all public areas. In the past, the various airlines were responsible for cleaning the bathrooms in each of their exclusive leased premises. However, in order to better control the quality of the janitorial services, the City wishes to consolidate and self-manage this service.

This amendment has been planned for several months and is not a result of the events of September 11, 2001.

The amendment **does not** change the payment terms, length of lease or any other financially material aspect of the lease agreement.

The Airport Advisory Committee recommends this action.

24. FAA Navigational Aid Lease

Action: Recommend approval of a 20-year agreement with the FAA for use of Airport property for the Runway End Identifier Light system for Runway 18L.

Staff Resource: Jerry Orr, Aviation

Explanation:

The FAA provides, installs, and maintains navigational aids at the Airport. The Airport is required under the terms of the FAA grant assurances to provide sites for FAA facilities at no cost. This 20-year lease is for a replacement of the Runway End Identifier Light system for Runway 18L.

The Airport Advisory Committee recommends this action.

25. Corporate Aviation Hangar

Action: A. Adopt a budget ordinance to appropriate \$220,375 from the Airport Capital Projects Fund Balance; and

B. Award a contract to Pease Associates of Charlotte, North Carolina in the amount of \$192,375 including reimbursable expenses for the design of a corporate aviation hangar.

Staff Resource: Jerry Orr, Aviation

Explanation:

There is a shortage of hangar space for corporate aircraft at the Airport. Pease Associates was selected to provide the design of a 28,500 square foot hangar to accommodate up to nine corporate aircraft. Pease Associates has had considerable experience designing similar airport facilities. This hangar will be located adjacent to Signature Flight Support, the current Fixed Base Operator at Charlotte/Douglas International Airport.

The design fee is broken down as follows:

Design Fee	\$184,875
Reimbursable Expenses	7,500
Total	\$192,375

The budget ordinance will provide funding for the following:

Architectural/Engineering Services	\$193,375
Surveying	10,000
Geotechnical	10,000
Contingency Fee	7,000
Total	\$220,375

The Airport Advisory Committee recommends this action.

Funding:

Aviation Capital Investment Plan

26. Authority to Increase Prices of City Code and Supplements

Action: Designate authority to the City Clerk for approval of increases in the prices of the City Code and Supplementation for subscribers in accordance with price increases by our Code publisher.

Staff Resource: Brenda Freeze, City Clerk

Explanation:

In 1995 City Council approved privatization of the sale of new code books and distribution of City Code supplementation with Municipal Code Corporation and simultaneously increased the one-time cost of a new Code Book to \$260 and Supplementation Subscription to \$80 per year to reflect current publishing and billing costs to the City. This was the first increase in price in 20 years, and we have not had an increase since then.

With this approval by Council in 1995, the City Clerk signed an agreement with Municipal Code Corporation to privatize the handling of all sales of our Code, distribution of supplements, and billing to subscribers.

The cost of a new Code book is currently \$260, which is recommended to increase to \$375. The cost of quarterly supplements is currently \$80, which is recommended to increase to \$104. These price increases reflect the actual cost to the City for publishing.

Designation of this authority to the Clerk will enable us to handle these and any future price increases quickly and efficiently and keep the sales prices in line with the cost of the services provided by Municipal Code Corporation.

The City Attorney’s Office is aware of this request and concurs.

27. Resolution for Amendments to the Council-Adopted Municipal Retention and Disposition Schedule

Action: Adopt a resolution approving three amendments to the Council-adopted Municipal Records Retention and Disposition Schedule.

Staff Resource: Brenda Freeze, City Clerk

Explanation:

On April 27, 1998, City Council approved a resolution adopting the new Municipal Records Retention and Disposition Schedule issued by the North Carolina Department of Cultural Resources, Division of Archives and History. This State-issued schedule sets rules for the City Clerk and other City staff for the retainage and disposition of City records.

The N.C. Department of Cultural Resources, Division of Archives and History has approved the following three amendments to the State Schedule. Council is asked to approve a resolution accepting these amendments as part of the Records Retention and Disposition Schedule for the City of Charlotte, NC:

- Standard - 3 Budget and Fiscal Records, Item 37 Escheat and Unclaimed Property File (Statewide Change)
- Standard - 13 Police Department Records, Item 15 Communications Records File (Statewide Change)
- Standard - 25 Water, Sewage, Electrical and Gas Records, Add Item 29A Storm Water Services Library Catalog (Requested by Engineering/Storm Water Services)

Attachment 18

- Resolution
- 3 Amended Standards

28. Antenna Lease at 11401 Old Statesville Road

Action: Approve lease agreement with Nextel Communications for placement of a communication antenna at 11401 Old Statesville Road.

Staff Resource: Kent Winslow, Engineering & Property Management

Explanation:

Nextel Communications has requested placement of transmission equipment on top of a water tank at 11401 Old Statesville Road.

Terms of this agreement are:

- Base monthly rent of \$1,800; first term revenue \$116,994.
- Five-year term with 4 – 5 year options to renew.
- A 20% increase in rent each term.

Attachment 19

Tax Map

29. Property Transactions

Action: Approve the following property acquisitions (A-0) and adopt the condemnation resolutions (P-V).

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

Acquisitions:

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Michael Holland & Dara Schwegal
Property Address: 8420 Trexler Avenue and 8333 Freeman Drive
Property to be acquired: .918 acres
Improvements: vacant land and single family residence
Purchase Price: \$75,000
Zoned: RMH
Use: vacant land and single family residence
Tax Value: \$42,320
Tax Code: 113-105-05 & 113-105-09
- B. Project:** South Transmission Main-Contract 3, Parcel #18
Owner(s): HPW Park Associates, L.P.
Property Address: 5412 Park Road
Property to be acquired: 5,109 sq. ft. (0.12 ac.) of Permanent Easement
Improvements: Trees
Purchase Price: \$10,000
Remarks: Areas are needed for South Transmission Main construction project. Compensation based on an independent appraisal for additional easements needed for separate project along Park Road.

Zoned: R22MF
Use: Townhomes, Vacant Land
Tax Code: 171-241-21
Total Parcel Tax Value: \$274,820

- C. **Project:** South Transmission Main-Contract 5, Parcel #53
Owner(s): Versailles Condominium Association
Property Address: Versailles Condominiums, Park Road
Property to be acquired: 10,127 sq. ft. (0.23 ac.) of Permanent Easement, plus 8,543 sq. ft. (0.20 ac.) of Temporary Construction Easement
Improvements: Tennis Court and Landscaping
Purchase Price: \$50,000
Remarks: Areas needed for water main construction project. Compensation based on independent appraisal.
Zoned: R17MF
Use: Condominiums
Tax Code: 147-096-04 through 91
Total Parcel Tax Value: \$1,355,965
- D. **Project:** Providence Road/Sharon Lane/Sharon Amity Intersection, Parcel #20
Owner(s): Daniel A. Royer
Property Address: 705 South Sharon Amity Road
Property to be acquired: 367 sq. ft. (0.01 ac.) plus 1,582 sq. ft. (0.04 ac.) of Temporary Construction Easement
Improvements: Sign and Parking
Purchase Price: \$24,250
Remarks: Areas needed for intersection improvement project. Compensation based on an independent, certified appraisal.
Zoned: B-1
Use: Restaurant
Tax Code: 185-013-06
Total Parcel Tax Value: \$254,930
- E. **Project:** Old Statesville Road Widening, Parcel #7
Owner(s): Ruth V. Beard
Property Address: 6420 Old Statesville Road
Property to be acquired: 5,122 sq. ft. (0.118 ac.) of Fee Simple Acquisition, Permanent Drainage Easement and Permanent Utility Easement, plus 9,445 sq. ft. (0.217 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$22,730
Remarks: This area is needed for the Old Statesville Road Widening Project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser.
Zoned: R17MF
Use: Single Family Residential

Tax Code: 045-431-17
Total Parcel Tax Value: \$106,150

- F. Project:** Old Statesville Road Widening, Parcel #28
Owner(s): GAH International, Inc. (Formerly Known as Mecklenburg Fair)
Property Address: 7000 Apache Avenue
Property to be acquired: 6,267 sq. ft. (0.144 ac.) of Fee Simple Acquisition, Permanent Drainage Easement and Permanent Utility Easement, plus 14,022 sq. ft. (0.322 ac.) of Temporary Construction Easement
Improvements: Chain Link Fence and Sign
Purchase Price: \$24,650
Remarks: This area is needed for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser.
Zoned: I-2
Use: Flea Market
Tax Code: 037-203-17
Total Parcel Tax Value: \$5,689,190
- G. Project:** Old Statesville Road Widening, Parcel #59
Owner(s): C. Wayne Key and Angela M. Key
Property Address: 7501 Old Statesville Road
Property to be acquired: 24,432 sq. ft. (0.560 ac.) of Fee Simple Acquisition, Permanent Drainage Easement, Permanent Utility Easement and Permanent Slope Easement, plus 25,697 sq. ft. (0.590 ac.) of Temporary Construction Easement
Improvements: Three Trailers, Chain Link Fence, Wooden Deck and Watermain
Purchase Price: \$111,135
Remarks: This area is needed for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by two independent, certified appraisers and a review appraiser.
Zoned: RMH
Use: Mobile Home Park
Tax Code: 037-214-01
Total Parcel Tax Value: \$430,900
- H. Project:** Old Statesville Road Widening, Parcel #31
Owner(s): Frank J. Turner and Jodi D. Turner
Property Address: 6900 Old Statesville Road
Property to be acquired: 5,910 sq. ft. (0.136 ac.) of Fee Simple Acquisition, plus 3,214 sq. ft. (0.074 ac.) of Temporary Construction Easement
Improvements: Chain Link Fence and Sign
Purchase Price: \$23,820

Remarks: This area is needed for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by two independent, certified appraisers and a review appraiser.

Zoned: B-2

Use: Landscaping and Plant Shop

Tax Code: 043-052-29

Total Parcel Tax Value: \$136,370

I. Project: Johnston Road Improvement-Phase II, Parcels #25, #26 & #27

Owner(s): Carmel Crossing Townhouse Association, Inc.

Property Address: Carmel Crossing Road

Property to be acquired: 2,751 sq. ft. (0.06 ac.) of Fee Simple Acquisition and Permanent Utility Easement, plus 13,948 sq. ft. (0.32 ac.) of Temporary Construction Easement

Improvements: Signs

Purchase Price: \$28,200

Remarks: This acquisition is needed for the Johnston Road Improvement-Phase II project. The compensation was established by an independent, certified appraisal and a review appraisal.

Zoned: R17MF

Use: Townhouses

Tax Code: 221-471-90

Total Parcel Tax Value: \$205,820

J. Project: Old Statesville Road Widening, Parcel #37

Owner(s): Donald M. Oglesby

Property Address: 7007 Old Statesville Road

Property to be acquired: 1,584 sq. ft. (0.04 ac.) of Fee Simple Acquisition, and 3,485 sq. ft. (0.080 ac.) of Temporary Construction Easement

Improvements: Chain Link Fence and Gate

Purchase Price: \$13,125

Remarks: This area is needed for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and review appraiser.

Zoned: I2CD

Use: Single Family Residential

Tax Code: 037-203-04

Total Parcel Tax Value: \$90,950

K. Project: Old Statesville Road Widening, Parcel #50

Owner(s): James M. Williamson and Virginia Williamson

Property Address: 7225 Old Statesville Road

Property to be acquired: 2,854 sq. ft. (0.066 ac.) of Fee Simple Acquisition and Permanent Drainage Easement, plus 8,398 sq. ft. (0.193 ac.) of Temporary Construction Easement

Improvements: Electrical Sign

Purchase Price: \$10,910

Remarks: This area is needed for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser.

Zoned: I-2

Use: Vacant/Industrial

Tax Code: 037-211-05

Total Parcel Tax Value: \$472,190

- L. Project:** Sharon Amity Road and Lyttleton Drive Intersection, Parcels #16 & #17
Owner(s): First Alliance Church
Property Address: 1122 North Sharon Amity Road
Property to be acquired: 3,965 sq. ft. (0.091 ac.) of Fee Simple, plus 4,173 sq. ft. (0.096 ac.) of Permanent Easement, plus 1,867 sq. ft. (0.043 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$13,000
Remarks: The areas are needed for the construction of Sharon Amity Road and Lyttleton Drive Intersection. Acquisition price is based on an independent, certified appraisal.
Zoned: R-3
Use: Church/Residential
Tax Code: 163-142-01 and 163-101-30
Total Parcel Tax Value: \$1,022,890
- M. Project:** 24-Inch Water Main along South Polk Street, Parcel #4
Owner(s): Dexter, Yager and Birdie Partnership
Property Address: 600 Towne Centre Boulevard
Property to be acquired: 4,928 sq. ft. (0.114 ac.) of Permanent Easement plus 4,171 sq. ft. (0.096 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$22,000
Remarks: The areas are needed for construction of a 24-inch Water Main along South Polk Street. Acquisition price is based on an independent, certified appraisal.
Zoned: B-4
Use: Warehouse/Industrial
Tax Code: 221-132-08
Total Parcel Tax Value: \$2,435,140
- N. Project:** Statesville Avenue Widening, Parcels #28 and #29
Owner(s): Charles L. Ross
Property Address: 3436 Statesville Avenue
Property to be acquired: 5,563 sq. ft. (.1277 ac.) land plus 2,474 sq. ft. (.0568 ac.) of Temporary Construction Easement
Improvements: One-story Commercial Structure
Purchase Price: \$54,925
Demolition Requested: Yes

Remarks: The areas and structure are needed for the construction of the Statesville Avenue Widening project. Compensation is based upon an independent, certified appraisal.

Zoned: I-1

Use: Commercial/Single Family Residential

Tax Code: 077-056-06 and 05

Total Parcel Tax Value: \$38,770

- O. Project:** Statesville Avenue Widening, Parcels #35 and #36
Owner(s): Robert Oren Withers and Wife, Norine Withers
Property Address: 3441 Statesville Avenue
Property to be acquired: 1,097 sq. ft. (.0252 ac.) land plus 2,089 sq. ft. (.048 ac.) of Temporary Construction Easement
Improvements: Convenience Store Building
Purchase Price: \$48,675
Demolition Requested: Yes
Remarks: The areas and structure are needed for the construction of the Statesville Avenue Widening project. Compensation is based upon an independent, certified appraisal.
Zoned: I-1
Use: Commercial/Convenience Store
Tax Code: 077-051-20 and 50
Total Parcel Tax Value: \$37,990

Condemnations:

- P. Project:** Old Statesville Road Widening, Parcel #22
Owner(s): Larry D. Wright and Donna S. Wright, and Any Other Parties of Interest
Property Address: 6623 Old Statesville Road
Property to be acquired: 10,225 sq. ft. (0.234 ac.) of Fee Simple Acquisition and Temporary Construction Easement
Improvements: None
Purchase Price: \$13,425
Remarks: This area is needed for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by two independent, certified appraisers and a review appraiser. City Staff has yet to reach a negotiated settlement with property owner.
Zoned: B-2
Use: Service Garage/Church
Tax Code: 037-421-14
Total Parcel Tax Value: \$184,380
- Q. Project:** Statesville Avenue Widening, Parcel #30
Owner(s): Doris Corporation and Any Other Parties of Interest
Property Address: 3500 Statesville Avenue
Property to be acquired: 4,797 sq. ft. (.1101 ac.) of Fee Simple Acquisition
Improvements: Pavement, Concrete Curb and Fence
Purchase Price: \$14,700

Remarks: Area is needed for the construction of the Statesville Avenue Widening project. Compensation is based on an independent, certified appraisal. City Staff is unable to reach an agreement with the property owner.

Zoned: I-1

Use: Service Garage/Warehouse/Industrial

Tax Code: 079-054-05

Total Parcel Tax Value: \$137,550

- R. Project:** Statesville Avenue Widening, Parcel #1
Owner(s): Willie J. McCombs and Mildred K. McCombs and Any Other Parties of Interest
Property Address: 2624 Statesville Avenue
Property to be acquired: 5,961 sq. ft. (.1368 ac.) of Fee Simple Acquisition and Temporary Construction Easement
Improvements: Asphalt Parking Lot, Sign, and Phone Booth
Purchase Price: \$12,350
Remarks: Areas needed for the construction of the Statesville Avenue Widening project. Compensation is based upon an independent, certified appraisal. City Staff is unable to reach a negotiated settlement with the property owner.
Zoned: B-1
Use: Commercial/Shopping Center Strip
Tax Code: 079-058-07
Total Parcel Tax Value: \$279,820
- S. Project:** Statesville Avenue Widening, Parcels #13 and #14
Owner(s): Constance Caldwell and Any Other Parties of Interest
Property Address: 3012 Statesville Avenue
Property to be acquired: 19,446 sq. ft. (.4464 ac.) of Fee Simple and Total Acquisition
Improvements: None
Purchase Price: \$19,000
Remarks: Total parcel needed for the construction of the Statesville Avenue Widening project. Compensation is based upon an independent, certified appraisal. City Staff has yet to reach a negotiated settlement.
Zoned: R8/B1
Use: Vacant/Commercial
Tax Code: 077-197-02 and 03
Total Parcel Tax Value: \$19,670
- T. Project:** Statesville Avenue Widening, Parcels #25 and #26
Owner(s): Robert Dry and Wife, Delia C. Dry and Any Other Parties of Interest
Property Address: 3422 Statesville Avenue
Property to be acquired: 6,281 + sq. ft. (.1442 ac.) of Fee Simple Acquisition and Temporary Construction Easement
Improvements: Billboard, Sign and Phone Booth

Purchase Price: \$17,700

Remarks: Area needed for the construction of the Statesville Avenue Widening project. Compensation is based on an independent, certified appraisal. City Staff is unable to reach a negotiated settlement with the property owners.

Zoned: I-1

Use: Restaurant/Commercial

Tax Code: 077-056-26

Total Parcel Tax Value: \$59,720

- U. **Project:** Sardis Road Sidewalk, Parcels #10 and #11
Owner(s): Bijan Vazeen and Wife, Mina Vazeen and Any Other Parties of Interest
Property Address: 8515 Sardis Road and 105 Creek Valley Road
Property to be acquired: 6,574 sq.ft. (0.15 ac.) in Permanent Easement
Improvements: Shrubs, Screening Brick Entrance Fences
Purchase Price: \$8,461.00
Remarks: The areas are needed for construction of sidewalks along Sardis Road. City Staff has yet to reach an agreement with the property owners after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.
Zoned: R-3
Use: Single Family Residential
Tax Code: 213-114-12 and 213-114-02
Total Parcel Tax Value: \$352,640.00 – 213-114-12 and \$134,500.00 – 213-114-02
- V. **Project:** Ravencrest Right-of-Way Dedication, Parcel #1,
Owner(s): Raeburn Homeowners Association and Any Other Parties of Interest
Property Address: Parks Farm Lane
Property to be acquired: 77,842 sq.ft. (1.787 ac.)
Improvements: None
Purchase Price: \$1.00
Remarks: Area is needed for roadway construction. The property was supposed to have been dedicated by the developer but instead was mistakenly conveyed to the Homeowners Association. The Association has refused to convey the property to the City.
Zoned: R-3
Use: Vacant Land
Total Parcel Tax Value: \$0
Tax Code: 229-071-03

30. Meeting Minutes

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

- **August 27, 2001 Business Meeting**
- **September 4, 2001 Workshop/Citizens Forum**
- **September 10, 2001 Business Meeting**
- **September 17, 2001 Zoning Meeting**