

Mayor Patrick McCrory

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Malcolm Graham
Don Lochman
James E. Mitchell, Jr.

Mayor Pro Tem Patrick De'Angelo Cannon

Patrick Mumford
Sara S. Spencer
John Tabor
Lynn Wheeler
Joe White

CITY COUNCIL MEETING
Monday, February 10, 2003

5:00 p.m.

Conference Center

Dinner Briefing
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7:00 p.m.

Meeting Chamber

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

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Small Business Enterprise Loan Fund

Resources: Vi Lyles, City Manager's Office
Adam Jackson, Vice President and Regional Credit Officer, Branch Bank & Trust (BB&T)
Carol Chapman, CEO, Mobile Construction Company
Jerry Vaughn, Director of Charlotte Region, Self-Help Credit Union

Time: 30 minutes

Synopsis of Presentation:

On July 22, 2002, City Council approved components for the City's Small Business Enterprise (SBE) Program. One of the components was the establishment of a SBE Loan Fund program. Council also approved the establishment of a task force to develop this program. The task force was appointed in September 2002 and consisted of representatives from financial institutions, small businesses and the MWBD Stakeholders Committee. The goal of the task force was to develop, as well as capitalize, a loan fund that would meet the needs of undercapitalized small businesses.

The SBE Task Force held its first meeting on September 24, 2002 and held regular monthly meetings and sub-committee meetings. A recommendation was approved by the Task Force at its last meeting on December 18, 2002. The recommendations regarding the Loan Fund model are as follows:

- Fund will be structured using a "Deposit/Loss Reserve Model"
- Proposed initial funding of \$10,000,000
- 75% (\$7,500,000) will be capitalized by Self-Help Credit Union
- Self-Help Credit Union will manage the Loan Fund
- Investors will capitalize 12.5% or \$1,250,000 in the form of a Certificate of Deposit earning an above-market interest rate that will function as a "Senior/Subordinate" class of investment
- "Social Capital" providers such as foundations and the City will capitalize the remaining 12.5% or \$1,250,000 in the form of a Certificate of Deposit earning a below market or 0% interest rate that will function as a "Subordinate" class of investment
- Initial Loan Fund will mature 10 years after its initial capitalization
- Loan Fund is aimed at providing short-term working capital and term loans to businesses needing seasonal working capital support, permanent working capital and expansion capital

Future Action: The Small Business Enterprise Loan Fund will be referred to the Restructuring Government Committee.

2. Municipal Leadership for Expanded Learning Opportunities: The Beatties Ford Road After-School Initiative

Resources: Vi Lyles, City Manager's Office
Dr. Deborah Walker, Project Coordinator
Saskia Thompson, City Manager's Office

Time: 20 minutes

Synopsis of Presentation:

In April 2001, the National League of Cities, through its Institute of Youth, Education, and Families, offered a technical assistance grant titled "Municipal Leadership for Expanded Learning Opportunities". The program is based upon the belief that the advancement of after-school activities for youth today will help to build the capacity of community leaders tomorrow. The City of Charlotte submitted an application with the assistance of Partners in Out-of-School-Time (POST), and was one of eight cities selected by the NLC to receive the grant.

The City narrowed the focus of the grant to a specific target area, rather than trying to develop a program that could be implemented citywide. The Beatties Ford Road Corridor was selected because it is an area of need where the City investment is currently focused on neighborhood revitalization efforts for housing, transportation, and other economic development initiatives.

This NLC grant provides technical assistance only; no funding of any sort is given to the chosen cities. As a grant recipient Charlotte receives technical support and resources from the NLC throughout the grant period. NLC staff provides assistance on several items, such as:

- Working with the City team to establish and build consensus around a clear vision for after-school programming in Charlotte
- Analyzing municipal challenges and opportunities, and developing specific action plans with specific short term, intermediate, and long-term outcomes
- Identifying national and local experts to work with the team on critical issue areas
- Exposing city teams to a broad menu of strategies and models for municipal involvement in expanding learning opportunities in the non-school hours

Using these resources, the City of Charlotte is expected to work with a broad spectrum of local stakeholders to develop a framework for a

successful after-school program in the Beatties Ford Road Corridor that can be used as a model for duplication in other areas of the city.

Dr. Walker will update Council on grant activities to date. She will explain the composition of the Steering Committee, describe the goals of the subcommittees, and present a schedule for completion of program recommendations.

Future Action:

This presentation is intended to update Council on the progress and goals of the grant. No action is requested at this time, and a presentation of final recommendations developed by the grant steering committee will be made to Council in December 2003.

Attachment 1

Stakeholder Participation and Staffing

3. 2002 Homicide Review

Resource: Darrel Stephens, Charlotte-Mecklenburg Police

Time: 30 minutes

Synopsis of Presentation:

The Public Safety Committee requested a briefing for City Council on 2002 homicides. The objective of the presentation is to give Council an overview of homicide trends in Charlotte-Mecklenburg. The Chief will also address the issue of unsolved homicides and some methods for handling those cases. The presentation will include:

- A Homicide Profile with information on victims, offenders, victim-offender relationship, primary circumstances, location, type of weapons, etc.
- CMPD homicide clearance rates, with comparisons to national average and jurisdictions of comparable size
- Charlotte-Mecklenburg homicide rates with comparisons to other cities of comparable size
- Investigation of unsolved homicides

4. Urban Street Design Guidelines

Resource: Norm Steinman, Transportation
Laura Harmon, Planning

Time: 20 minutes

Synopsis of Presentation:

Purpose of Presentation

An interdepartmental staff team has been working with consultants to develop new street design guidelines for Charlotte. In August 2002, Council received an introduction to the milestones of this planning process. This is an update of the work completed in the past four months. The information will be presented to stakeholders in March 2003.

Purpose of Project

The new street design guidelines will support the City's Smart Growth Principles by establishing guidance for designing new streets and modifying existing streets. The intent is to develop a design process for new or modified streets that:

- better accommodate all travel modes
- reflect the street's function and land-use context
- prioritize the tradeoffs between competing uses for the street right-of-way

Progress to Date

The project is being carried out in two phases. Phase I was completed last summer and included the following tasks:

- identify key issues, including stakeholder interviews
- develop a framework and likely content for the guidelines
- develop scope for Phase II, based on results of the above two tasks

Phase II, now underway, will result in the complete definition of the guidelines and a plan for implementing them. Through extensive discussions and work sessions involving the management and consultant teams, the following tasks have been completed thus far in Phase II:

- development of draft guidelines for street segments and intersections
- review of draft guidelines by staff Technical Teams to elicit feedback
- initial applications of the guidelines (South Corridor Infrastructure Program, e.g.)

Evolving Framework

The framework for the guidelines is evolving to include the following features:

- Five street "types" have been defined and will serve as the basis for designing all streets in Charlotte's extra-territorial jurisdiction (parkways, boulevards, avenues, main streets, local streets).

- The five street types will function as overlays on the existing street classification system and will explicitly consider street function, surrounding land use context, and preferred design elements.
- The guidelines will define and provide guidance for transitions (as the street continues through different land uses).
- The guidelines will provide a decision-making process for evaluating the tradeoffs between competing allocations of street rights-of-way, particularly in “retrofit” situations. This will be accomplished by
 1. classifying individual design elements as “preferred”, “to be considered”, or “inappropriate” for a given street type and
 2. providing the reasons for those classifications.

Future Action:

Staff anticipates a presentation to Council by June that will describe the draft final content of the guidelines and the implementation plan.

5 Committee Reports by Exception

Economic Development and Planning Committee: Albemarle Road/I-485 Interchange Study

Communities Within A City: Piedmont Courts Hope VI Application and Charlotte Neighborhood Fund Administration Contract

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

CONSENT

- 6. Consent agenda items 15 through 29 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

7. Public Hearing and Bond Order Resolution for General Obligation Refunding Bonds

Action: A. Hold a public hearing concerning the bond order for up to \$45,000,000 of General Obligation Refunding Bonds, and

B. Adopt the bond order resolution.

Staff Resource: Greg Gaskins, Finance

Explanation:

On January 27, 2003 Council approved a resolution authorizing Refunding Bonds. Council also approved the February 10, 2003 Council meeting as the time and place for a public hearing concerning these bonds.

The bond order is for up to \$45,000,000.

The General Obligation Refunding Bonds may total up to \$45,000,000. The actual amount of bonds to be refunded is \$43,300,000. The refunding bonds will not be issued unless the City realizes net present value savings of approximately 3% of the face value of the bonds to be refunded. Refunding bonds are issued at a lower interest rate than the existing bonds so that the City realizes a savings. Market conditions determine the savings amount. Refunding is similar to refinancing a mortgage.

On February 24, 2003 Council will be asked to approve the Bond Resolution.

Funding:

Municipal Debt Service Fund
Water and Sewer Debt Service Fund

Attachment 2

Resolution

POLICY

8. City Manager's Report

9. Albemarle Road/I-485 Interchange Study



Action: Approve the Economic Development and Planning Committee recommendation to adopt the Albemarle Road/I-485 Interchange Study.

Committee Chair: Lynn Wheeler

Staff Resource: Garet Walsh, Planning Commission

Explanation:

The Albemarle Road/I-485 Interchange Study was developed as a follow-up to the Eastside Strategy Plan, adopted by City Council in October 2001. The Eastside Strategy Plan recommended that a land use workshop be completed to determine the most appropriate future land use mix for the northeast and northwest quadrants of the Albemarle Road/I-485 Interchange.

Recommendations from this Albemarle Road/I-485 Interchange Study will amend the East District Plan (1990) for the study area.

The Albemarle Road/I-485 Interchange Study makes specific land use, design and transportation recommendations. Summarized below are the recommendations as proposed by staff and endorsed by the Economic Development and Planning Committee:

Staff Recommendation

Future development could include up to 100,000 square feet of retail development; 200,000 square feet of office and approximately 5,900 residential units. The most intense uses are located away from the interchange ramps to help minimize traffic impacts on Albemarle Road and the I-485 interchange.

The draft recommendations also include an extensive set of urban design guidelines to help ensure that this area becomes a very desirable place to live, work and shop in the future. Transportation recommendations are also provided to ensure that the street network is integrated with the proposed development and that it accommodates a variety of travel modes (bicycling, walking, transit, automobiles).

In addition to reviewing the staff recommendations, the Economic Development and Planning Committee gave thorough consideration to two alternative recommendations, one put forth by the Planning Committee of the Planning Commission and one presented by a group of approximately five

families (30 people) owning property near the interchange. These alternatives are summarized as follows:

Planning Committee Recommendation

At their meeting on September 17, 2002, the Planning Committee voted 5-1 in favor of the recommendation summarized below.

Future development could include up to 300,000 square feet of retail with a maximum size of any single tenant limited to 90,000 square feet; 200,000 square feet of office; and 5,972 residential units. In addition, none of the retail uses would be required to be vertically integrated and there would be enough flexibility for retail and office uses to locate closer to the I-485 interchange.

Alternative Proposed by Group of Property Owners

Future development could include up to 856,000 square feet of retail plus a 120-room hotel, 500,000 square feet of office; and 4,878 residential units. The most intense uses are located near the interchange ramps. (Note: The property owner in the northwest quadrant has revised his request, decreasing the retail square footage by 50,000.)

Committee Discussion:

Staff presented an overview of the Albemarle Road/I-485 Interchange Study to the Economic Development and Planning Committee on August 21st. The Committee was particularly interested in the amount of retail within a three mile radius of the study area. As of September 2002, staff found that 529,000 square feet of commercial existed within the three mile area and zoning was in place for approximately 1.7 million additional square feet of commercial development.

On December 18, 2002 the Committee continued their review of the plan, focusing on staff responses to the issues raised at the September 23, 2002 public hearing (see attachment). The Committee's comments focused on the differences between the staff land use proposal, the recommendation put forth by the Planning Committee, and the proposal put forth by a group of property owners within the study area.

On January 15, 2003 the Committee discussed the various land use proposals and associated impacts, particularly transportation impacts. The Committee recommended adoption of the draft plan as recommended by staff by a vote of 3-1. Council members Wheeler, Graham and Carter voted to recommend the plan. Council member Lochman voted against the plan. Council member Cannon was absent.

Community Input:

Community Workshops: The planning process for the draft Albemarle Road/I-485 Interchange Study included a three-day workshop held in the community in February 2002. Property owners, area residents, Town of Mint Hill staff and Cabarrus County staff attended the workshop sessions. These

stakeholders worked with City staff to identify community issues and opportunities and develop land use, design and transportation recommendations. The workshop included two evening meetings attended by approximately 50 people each night, as well as two daylong sessions attended by approximately 15 people during each day.

Public Meetings: In addition to the workshop meetings, staff hosted a public meeting in the community on June 11, 2002 to present the draft recommendations. Approximately 50 people participated at this public meeting. The Planning Committee of the Planning Commission conducted another public meeting on the plan on June 17, 2002. Finally, City Council heard public comments on September 23, 2002. Public comments at each of these meetings focused, primarily, on differences between the staff recommendation and a proposal put forth by a group of approximately five families (about 30 people) owning property near the interchange. The key difference between the staff recommendation and the alternative proposed by the group of property owners is the intensity and location of the proposed retail and office development.

Town of Mint Hill Public Hearing: Because the Albemarle Road/ I-485 Interchange Study considered an area included within the Town of Mint Hill's jurisdiction, Planning Staff, at the request of the Planning Committee, presented the plan to the Town Board on August 15, 2002. The Town held a public hearing on the study on September 12, 2002 and voted unanimously that evening to support the study as recommended by Planning Staff.

Mecklenburg-Union Metropolitan Planning Commission MUMPO: At the request of the Transportation Technical Committee, Planning Staff presented the Albemarle Road/I-485 Interchange Study to the MUMPO on September 18, 2002. The MUMPO considered several proposals for the land use at this interchange - one recommended by Planning Staff, one proposed by landowners, and one recommended by the Planning Committee. The MUMPO voted unanimously to support the Planning Staff recommendation. (Council member White abstained on this vote.)

Approximately 100 letters were mailed out to notify citizens of this Council meeting.

Attachment 3

Albemarle Road/I-485 Interchange Study
Response to Key Issues from Public Hearing
Analysis of Retail/Commercially Zoned Land
Planning Committee Recommendation

10. Piedmont Courts HOPE VI Application



Action: Approve the Communities Within A City Committee recommendations to:

- A. Authorize City staff to engage in land acquisitions (up to \$1.2 million) to support the Piedmont Courts HOPE VI Application and implementation of the Belmont Plan,**
- B. Authorize City staff to take preliminary steps for condemnation (eminent domain) of properties in the Belmont neighborhood and surrounding vicinity for affordable housing, pursuant to North Carolina General Statutes 160A-456(b), 157-11 and 40A,**
- C. Direct City staff to participate in the HOPE VI Application development process and identify City financial and service contributions to support the project for City Council's approval prior to submittal of the application, and**
- D. Approve the recommendation to relocate Street Maintenance, Light Equipment Garage and Fire Logistics from the Central Yard and construct a new Solid Waste Facility at the Central Yard.**

Committee Chair: Patrick Mumford

Staff Resource: Stanley Watkins, Neighborhood Development
David Garner, Engineering and Property Management

Policy:

The City's FY2003 Consolidated Action Plan identifies the need for affordable, safe and decent housing for low and moderate-income families. The Plan was approved by Council on May 13, 2002 and reaffirmed the three basic goals of the City's Housing Policy: preserve the existing housing stock, expand the supply of affordable housing and support family self-sufficiency initiatives.

Explanation:

Council received a briefing on the HOPE VI grant application at the February 3rd Workshop. At Council's November 3, 2002 Workshop, the Charlotte Housing Authority (Authority) requested the City's help in developing a HOPE VI grant application for the redevelopment of the 242 unit Piedmont Courts Housing Community in the Belmont neighborhood. Specifically, the Authority requested that the City approve the Belmont Plan, assist the authority in meeting the requirements of the grant application, consider making financial and service commitments to the application and

participate in the grant planning process. Council members also raised questions about the future of the Central Yard Facility given the proposed HOPE VI application and the Belmont Plan.

The Authority's request and review of the Central Yard was directed to the CWAC Committee for review and recommendation to the full Council. Below is a summary of the Committee's recommendations to Council:

1. The Authority is expected to submit the HOPE VI application to the U.S. Department of Housing and Urban Development in September 2003. One of the key application requirements is that all land associated with the application must be under control. This means that the land must be acquired or under option at the time of the application submission. Depending upon the final plan proposal in the application, land acquisition to support the redevelopment may be as high as \$2.4 million. The Authority and the City will share acquisition cost. The Authority will acquire land associated with the primary HOPE VI site and the City will concentrate on acquisition for replacement housing. Therefore, City staff is seeking authorization to spend up to \$1.2 million to support the HOPE VI Application and eventual implementation of the Belmont Plan.
2. City staff is also seeking Council's permission to take preliminary steps for condemnation (eminent domain) of properties for affordable housing, pursuant to North Carolina General Statutes 160A-456(b), 157-11 and 40A, if negotiations to purchase fail. The City must have the tools to acquire key properties by the anticipated September 2003 application deadline.
3. Successful HOPE VI applications seek to have a 4 to 1 leverage ratio. Under HUD rules, the maximum award is \$20 million and the competing Authority must identify \$80 million in funds from private, non-profit and public sources. City staff will participate in the HOPE VI Application development process conducted by the Authority and identify potential City financial and service contributions that can support the application. Potential City contributions will be brought back for City Council's approval prior to submission of the application.
4. The removal of some of the facilities at the 37-acre Central Yard is recommended. The recommendation is to relocate Street Maintenance, Light Equipment Shop and Fire Logistics from the Central Yard (Otts Street) to other locations within the City. The Solid Waste and Heavy Equipment Vehicle shop operations will remain on the site, in close proximity to each other.

The City Facility Plan calls for constructing a new Solid Waste Facility. The new Solid Waste Facility and relocation of Street Maintenance and Light Vehicles Garage is expected to cost \$23,750,000, which is included in the City's current Capital Investment Plan. Street Maintenance and Light Vehicles Garage are scheduled to be relocated by 2006 and the new

Solid Waste Facility completed by 2008. The Fire Logistics relocation is unfunded at this time.

No action is needed at this time regarding the Authority's request relating to the Belmont Plan. The Belmont stakeholders group is finalizing the plan. After review by the Planning Committee of the Planning Commission, the plan will be considered by Council in the Spring of 2003. Council has assigned the Belmont Plan to the CWAC Committee for review.

Background:

On June 22, 2001, the Charlotte Housing Authority first applied for a HOPE VI Grant from the federal government for the redevelopment of the Piedmont Courts housing development in the Belmont neighborhood, but the application was not successful. The City supported the first Piedmont Courts HOPE VI grant application by pledging \$20+ million to improve the City Yard Facility, \$6 million for on-site and off-site infrastructure improvements and \$4 million for replacement housing. The 2001 grant application also committed to undertake a plan for revitalization of the Belmont neighborhood and explore the relocation of the City's Central Yard Facility.

Committee Discussion:

Pursuant to Council referral, the CWAC Committee on November 21, 2002 received an overview on the HOPE VI Application and City's Facility Investment Plan from the City and Authority staffs. The Committee was presented with the requirements of the HOPE VI application and the Authority's needs from the City. A key consideration was getting the property under control necessary to support the application. Congressman Mel Watt was in attendance and shared information about the HOPE VI Application process and his office's expectations for the application. Congressman Watt expressed concern about the impact of the City's Central Yard on the successful revitalization of the Belmont area. The City staff provided an overview of the current city operations located at the City Yard Facility and gave a general overview of the City's Master Facility Plan. The Committee asked clarifying questions about the presentations.

At the December 11, 2002 CWAC meeting, the Committee received an overview of the Belmont Plan and staff presented options for the HOPE VI Application and City Facility Plan. The Committee discussed each option, the cost involved and the impact each option would have on the different facilities located at the Central Yard site and surrounding neighborhoods. The Committee asked clarifying questions about the options.

On January 8, 2003, the CWAC Committee received staff's recommendations regarding the Piedmont Courts HOPE VI Application and the City Facility Plan. The Committee requested staff to get input from impacted businesses in the Belmont community and present a report at a future CWAC meeting. The Committee voted unanimously to recommend the following to City Council: 1) pursue the Belmont Plan approval, 2) acquire land to support the HOPE VI Application and the Belmont Plan; 3) usage of eminent domain to

acquire affordable housing sites; 4) direct staff to participate in the application development process and identify City leverage opportunities that will be brought back to City Council for approval; and 5) plan to relocate Street Maintenance, Light Vehicle Shop and Fire Logistics from the site and construct a new Solid Waste Facility at the Central Yard. Council members Mumford, Mitchell, Cannon, Lochman and Spencer were present.

Funding:

HOPE VI application - FY03 Community Development Block Grant (CDBG) and HOME funding

City Yard Facility - Capital Improvement Program

Attachment 4

Process Background Information

Overview of the HOPE VI Application

Overview of the Central Yard Facility

11. Charlotte Neighborhood Fund Administration Contract



Action: A. Approve the Communities Within A City Committee's recommendation to execute a three-year agreement with the North Carolina Community Development Initiative to administer the Charlotte Neighborhood Fund, and

B. Authorize the City Manager to enter into a one year Memorandum of Understanding for \$300,000 to support the fund and execute contract renewals not to exceed \$300,000 annually for two additional years, if performance goals are met.

Committee Chair: Patrick Mumford

Staff Resource: Stanley Wilson, Neighborhood Development

Policy:

The Communities Within A City (CWAC) Focus Plan supports increasing affordable housing and homeownership opportunities in threatened and fragile neighborhoods to foster neighborhood stabilization. The City's Consolidated Plan for spending affordable housing funds identifies strengthening neighborhoods and community organizations as a priority.

Explanation:

On August 26, 2002, the City Council approved the Communities Within A City (CWAC) Committee's recommendation to solicit Request for Proposals (RFP) from organizations to manage the Charlotte Neighborhood Fund (CNF); and authorized staff to fund directly the six existing Community Development Corporations (CDCs) and provide project and technical

assistance during the interim period. This action was taken because of the poor project performance of the CNF participants over the last two years.

The CNF is a consortium between the City, local banks and foundations that provides funds to local Community Development Corporations (CDC) to support their operating budgets. The CNF administrator will solicit funds for the CNF, oversee performance-based contracts with local CDCs, provide project development assistance and help build the capacity of the CDCs to undertake housing, community development and economic development activities.

The CDCs participating in the CNF during the first year will include Belmont, Grier Heights, Lakewood, Northwest Corridor, Reid Park and Wilmore. These CDCs will contribute to achieving the City's housing and neighborhood revitalization goals in the neighborhoods they serve.

The North Carolina Community Development Initiative (Initiative) was selected because:

- The Initiative's proposed scope of services (project development and capacity building) to assist six organizations is more realistic given the CDCs' current situation.
- The Initiative has a track record of developing CDCs that have developed housing, built retail office and commercial centers, empowered people and developed community leadership. The Initiative currently supports 22 CDCs in North Carolina.
- The Initiative proposes to raise \$3.2 million over the three-year period and the local CDCs will receive more operating funds annually to hire appropriate staffs (between \$75,000 to \$125,000).
- The Initiative will develop a planning matrix for each CDC which will specify: development goals, measurement outcomes, action steps needed to meet outcomes, expected change in the neighborhood's quality of life and specific details on how the achievement will be determined.
- The Initiative will establish an annual Strategic Initiative Fund (\$280,000) to make additional investments in individual CDCs to address any deficiencies in personnel, equipment and/or special consultant needs.

The detailed proposal from the Initiative is included in the appendix along with a comparison with the unsuccessful bidder, the Enterprise Foundation. The Initiative's proposal will increase the City's annual contribution from \$250,000 to \$300,000. The Contract with the Initiative is anticipated to begin July 1, 2003. City staff will provide quarterly reports on the fund performance.

Background:

The Request for Proposals (RFP) was advertised on September 30, 2002. The RFP was also advertised in the NAHRO Monitor, a national housing and community development publication. Proposals were sent to the following organizations:

The Affordable Housing Group	QED Group
The Enterprise Foundation, Inc.	MD Strum Housing Organization
Local Initiatives Support Corporation	ACC Q Tech Service
Mercy Housing Southeast	AP Associates
Neighborhood Reinvestment Corporation	Kreisler Borg Florman
North Carolina Community Development Initiative	

The pre-proposal submission meeting was conducted on October 10, 2002. The Affordable Housing Group, Enterprise Foundation and North Carolina Community Development Initiatives were represented at the meeting.

The RFP was sent out on September 30, 2002 and proposals were received from the Enterprise Foundation and the North Carolina Community Development Initiative, Inc. The proposals due date was Wednesday, October 30, 2002 and proposals were received from the Enterprise Foundation and North Carolina Community Development Initiative. The initial review of the proposals and interviews were conducted in November and December 2002.

On December 20, 2002 the RFP process was completed and the selection committee recommended the North Carolina Community Development Initiative (Initiative). The selection committee consisted of:

David Howard – Charlotte Mecklenburg Housing Partnership
 Joy Paige – Wachovia Bank
 Michelle Allen – Mercy Housing Southeast
 Mona Lita Carr – Reid Park CDC
 Saskia Thompson – City Managers Office
 Patricia Mason – Neighborhood Development
 Richard Woodcock – Neighborhood Development

Stanley Watkins, Neighborhood Development's KBE is a board member and officer of the North Carolina Community Development Initiative. Therefore, Stanley Wilson, Neighborhood Development's Housing Services Manager, and Vi Lyles, Assistant City Manager, have been overseeing the process.

Committee Discussion:

On January 8 2003, the Communities Within A City Committee voted unanimously to recommend approval of the North Carolina Community Development Initiative for a three-year commitment to administer the Charlotte Neighborhood Fund. Council members Mumford, Mitchell, Spencer, Cannon and Lochman were present. The Committee discussed the need to see results (roof-tops) after 1-year. If the CNF is not successful over the next year, the Committee recommends a complete redesign of the program. In addition, the Initiative must come back to the Committee to

present the established performance goals for the CDCs for the upcoming year.

The Committee also discussed the \$75,000 to \$125,000 annual funding for operations that the CDCs would receive under the Initiative's proposal and the need for the CNF funding level to be maintained and not decreased. There was also a discussion that City staff and the Initiative should meet with the CDCs frequently to ensure that the organizations are operating properly. The Committee will receive quarterly reports on the status of the CDCs performance because annual monitoring and reporting are not sufficient.

Funding:

Federal HOME and Innovative Housing Funds

Attachment 5

Proposal Ratings

General Proposal Comparison

Summary Comparison Between the Two Proposals

The North Carolina Community Development Initiative Proposal and Enterprise Foundation Proposal are in the Council library

BUSINESS

12. Process to Create University City Municipal Service District

Action: A. Approve process for considering creation of University City Municipal Service District, and

B. Direct staff to prepare report documenting district boundaries, tax rate and revenue, and plan for providing services.

Staff Resources: Tom Flynn, Economic Development
Matt Bronson, Budget and Evaluation

Policy:

State law allows cities to create municipal service districts (MSDs) to promote economic development and/or provide services at a higher level in the district than provided for the entire city. MSDs are funded through an assessment on all property owners within the district boundaries. All of the money raised by the MSD assessment must be spent on district enhancement programs. The City currently has four MSDs: three in Center City and one in South End.

Explanation:

At the January 27, 2003 Dinner Briefing, the Chamber's University City Area Council presented a proposal to create a municipal service district (MSD) in the University City area to enhance the economic vitality of the area. The creation of an MSD is one of the action steps from the University City Strategic Plan implementation plan approved by Council on December 9, 2002.

The proposed boundaries of the University City MSD would be Interstate 85, University City Boulevard, and Mallard Creek Church Road. By state law, residential parcels farther than 150 feet from major transportation corridors or nonresidential parcels farther than 1,500 feet from major transportation corridors are excluded from the proposed district. The proposed district also excludes vacant undeveloped land near Mallard Creek Church Road and North Tryon Street.

The proposed MSD tax rate would be 3 cents, which would generate an estimated \$150,000. This funding would be used for marketing and promotion efforts, developing a vision and streetscape plan for the Highway 29/Harris Boulevard area, creating University area signage, and other economic development initiatives.

The University City Area Council has requested that the University City MSD be effective beginning on July 1, 2003. To meet this request and enable

the City to follow required statutory guidelines, staff proposes the following process for considering creation of this district:

<u>Action</u>	<u>Date</u>
Council action to prepare MSD report	February 10, 2003
City notifies affected property owners about MSD	March 2003
City staff finalizes and distributes MSD report	March 2003
Council conducts public hearing	April 28, 2003
Council resolution to create MSD	May 12, 2003
Council approves MSD contract with contract agency	June 23, 2003

The timing of this process is also designed to coincide with the FY04-05 budget process as the MSD tax rates and revenues must be included in the total City budget estimates. This process is similar to the process for creating the South End MSD in 2000.

The City is required to prepare the MSD report before conducting the public hearing. This report will document proposed district boundaries, tax rate, and plan for providing services. Upon completion, this report will be distributed to Council and key stakeholders. It will also be available through the City Clerk’s Office and the City’s Internet site.

Attachment 6

Map

13. Process to Evaluate R-3 to R-4 Zoning Text Amendment

Action: A. Approve the Planning Department’s recommended process for evaluation of the R-3 to R-4 Zoning Text Amendment submitted by the Chamber Land-Use Committee, and

B. Defer consideration of rezonings from R-3 - within the R-3 vacant land area - to any higher intensity zoning classification.

Staff Resource: Martin Cramton, Planning Commission

Explanation:

The Charlotte Chamber Land Use Committee has filed an amendment to the Zoning Ordinance to increase the density from 3 dwelling units per acre to 4 dwelling units per acre for the R-3 District (for parcels larger than 5 acres that have not been subdivided). The Chamber Land Use Committee has requested a 90-day deferral of the February 2003 public hearing to enable an evaluation of issues associated with their proposal.

There are 30,930 acres of vacant R-3 land in parcels of five acres or more and primarily located within the City’s sphere of influence area. Allowing this land to develop at 4 dwelling units per acre would increase the total “by-right” development potential from 92,790 to 123,720 dwelling units – an increase of 30,930 units. In addition, density bonus provisions of the R-3 District can increase allowable density by as much as an additional one unit per acre – an added 30,930 units beyond either the R-3 or R-4 base density.

During the 2000-2002 period, 182 subdivisions have been approved generating 15,768 lots. The greatest impact is within the vacant R-3 area. Over the same period, 34 rezoning petitions for R-3 to a higher single family density were filed: 7 were withdrawn or denied, 12 approved as “CD” or MX districts and 15 approved without conditions.

The rate and potential pattern of development is seriously outpacing the road capacity as well as financial resources to fund road construction.

Planning Commission, Charlotte Department of Transportation (CDOT) and Storm Water Services staffs are concerned about the potential impacts of allowing this increase in the amount of by right development. Therefore staff is proposing the following process to evaluate the potential impacts and possible policy implications:

Planning Staff Process Recommendations

Stakeholder Group. Establish a Stakeholders Group to discuss the issues and formulate consensus recommendations for consideration by The Planning Commission.

- Stakeholders group to be 8 to 10 members.
- A Planning Commission member – designated by the Planning Commission Chair, will facilitate the work of the stakeholders group and be a non-voting member.
- Membership of the Group selected jointly by The Planning Commission Chair and Planning Director.
- Representation categories:

Planning Commission	1
Business / Development	3
Neighborhood	3
Environmental	1
Economy	1
Land Use Attorney	<u>1</u>
	10

Schedule. (150 Day Study Process) Stakeholder group would convene in February and would meet 7-8 times through June 2003 to determine impacts and develop policy recommendations. (See attached flow chart.) R-3 to R-4 petition to be scheduled for July public hearing.

Primary Staff Support. CDOT, Planning, Storm Water and County Environmental Services will provide staff support. CDOT and Planning will provide transportation consultant services as may be required.

General Development Policies (GDP). Staff does not have the capacity to support both the GDP and R-3/R-4 efforts at the same time, nor can staff make any progress with the GDP's until there is an "Adequacy" definition for transportation facilities. It may be possible to overlap completing the R-3/R-4 evaluation and restarting the GDP effort. This determination will be made in April.

Deferral of R-3 Rezoning Petitions. Defer consideration of rezonings from R-3 – within the R-3 vacant land area, to any higher intensity zoning classification.

Planning Commission Recommendation

1. Approve creation of stakeholders group.

The commission unanimously passed a motion to recommend to the City Council the creation of a stakeholders group as presented by the Planning staff. This includes that the Planning Commissioner on the stakeholder group is a facilitator and a non-voting member.

2. Approve Study Process and Schedule. Complete a recommendation on status for GDP Process in April 2003.

The commission unanimously approved the study process and schedule with these modifications to the process as presented by the Planning staff. That "delay" be taken out of the Evaluate GDP schedule and only say "resume". The addition of "Lay out a 90-day schedule commencing with the first Stakeholders group meeting. Monitor and evaluate, report monthly and adjust the schedule with an outer time limit of an additional 60 days".

3. Defer Consideration of R-3 to R-4 or higher density rezoning petitions.

The commission unanimously approved the recommendation to continue to consider R-3 to R-4 rezoning petitions on an individual basis and make a recommendation on what they know at that point in time. They do not rule out the possibility that staff will recommend against it.

Next Steps

If the City Council approves an evaluation process, a stakeholders group will be established and work will proceed as outlined in the attachment.

Attachment 7

Process to Evaluate R-3 to R-4 Zoning Text Amendment (flow chart)
Map of R-3 Designated Areas

14. Nominations to Boards and Commissions

Action: Nominate citizens to serve on designated boards.

A. AIRPORT ADVISORY COMMITTEE

Two appointments beginning immediately. One will serve until July 2004. McKay Belk did not meet attendance requirements.

One appointment recommended by the Charlotte Regional Partnership and serving until October 2004. Andy Matthews did not meet attendance requirements.

Attachment 8

Applications

B. AUDITORIUM-COLISEUM-CONVENTION CENTER

One appointment beginning immediately and ending April 2003 and then serving the next full three year term. Ruth Shaw did not meet attendance requirements.

Attachment 9

Applications

C. BUSINESS ADVISORY COMMITTEE

Three appointments beginning immediately. One will be recommended by the Charlotte Chamber, serving until April 2003, and then serving the next full three year term. Susan Twyman did not meet attendance requirements.

Two appointments: one ending April 2005 and one ending April 2004. Jeff Feemster and Ned Fowler did not meet attendance requirements.

Attachment 10

Applications

D. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION

One appointment beginning immediately and ending June 2003 and then serving the next full two year term. Must represent the financial category. Kelvin Carter did not meet attendance requirements.

Attachment 11

Applications

E. CITIZENS REVIEW BOARD

Two appointments beginning immediately and ending July 2003, and then serving the next full three year term. Suzanne Varner and Ann Whitworth did not meet attendance requirements.

Attachment 12

Applications

F. COMMUNITY RELATIONS COMMITTEE

Four appointments beginning immediately and ending June 2004.
Three to replace Willie Bullock, Melanie Mobley and Angelique Speight who did not meet the attendance requirements.

One to replace Chandra Green who has resigned.

Wendell Fant has been called to active military duty for one year. He would like to remain on the committee once he returns from active duty, and is asking Council to excuse him from the attendance policy while he's serving his country so he can remain on the committee.

Attachment 13

Applications

G. DOMESTIC VIOLENCE COMMITTEE

One appointment beginning immediately and ending September 2004.
Sherry Barnes did not meet attendance requirements.

Attachment 14

Applications

H. MAYOR'S INTERNATIONAL CABINET

One appointment beginning immediately and ending February 2005.
Helga Armfield did not meet attendance requirements.

Attachment 15

Applications

I. NEIGHBORHOOD MATCHING GRANTS FUND

Two appointments beginning immediately. One will serve until April 2003, and then serve the next full two year term, representing the open category. Calvin Lewers did not meet attendance requirements.

One appointment serving until April 2004, representing a non-profit organization. Michelle Thomas did not meet attendance requirements.

Attachment 16

Applications

J. PARADE PERMIT COMMITTEE

One appointment beginning immediately and ending March 2005.
Rosemary Hall did not meet attendance requirements.

Attachment 17

Applications

K. PASSENGER VEHICLE FOR HIRE BOARD

One appointment beginning immediately and ending July 2003, and then serving the next full three year term, representing a user of passenger vehicles. Evelyn Mitchell did not meet attendance requirements.

Attachment 18

Applications

L. PLANNING COMMISSION

One appointment beginning immediately and ending June 2005. Wayne Johnson did not meet attendance requirements.

Attachment 19

Applications

M. SISTER CITIES COMMITTEE

One appointment beginning immediately and ending April 2004. Vernease Miller did not meet attendance requirements.

Attachment 20

Applications

N. ZONING BOARD OF ADJUSTMENT

One appointment beginning immediately and ending January 2004. Martha Odom did not meet attendance requirements.

Attachment 21

Applications

CONSENT II

15. Federal Economic Development Initiative Grant for City West Commons Shopping Center

Action: Approve a budget ordinance in the amount of \$950,000 for an Economic Development Initiative grant from the Department of Housing and Urban Development to finance the development of the City West Commons Shopping Center.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

City Council's Economic Development Focus Area encourages the revitalization of distressed business districts through the attraction of new businesses, the creation of jobs, and services for low- moderate-income persons.

Explanation:

An Economic Development Initiative (EDI) grant in the amount of \$950,000 has been approved and executed by the U.S. Department of Housing and Urban Development for the purpose of funding the development of the City West Commons Shopping Center. The EDI grant is part of the total financing required for the project, which was approved by City Council on June 24, 2002.

The construction of the shopping center is underway and is 20% complete. The projected completion date is July 1, 2003. The shopping center is 93.5% leased to date.

Funding:

Federal EDI Grant Funds

Attachment 22

Budget Ordinance

16. Transit Advertising Services

Action: A. Approve an agreement for transit marketing services with Indievision of Charlotte, North Carolina for an amount not to exceed \$370,000 to support future growth in ridership and promote new services, and

B. Authorize the City Manager or her designee to negotiate and execute contract renewals not to exceed \$370,000 annually for a maximum of four additional years.

Staff Resource: Olaf Kinard, Charlotte Area Transit System

Explanation:

The major goal of this transit marketing program is to increase ridership of transit services and enhance the image of Charlotte Area Transit System (CATS) and public transit in the region. In FY2002, total ridership on CATS was more than 14.5 million passengers, which represents a 23% increase since FY1998.

Some of the products that these professional services will include are:

- Direct mail to encourage commuters to ride CATS' express neighborhood or other routes
- Clear the Air campaign
- Try transit week campaign
- Radio and billboard advertisements
- TV commercials
- Brochures
- Website enhancements
- Plus other marketing related deliverables

The firm of Indievision was selected pursuant to a competitive Request For Proposal (RFP) procurement process, which was an advertised solicitation. There were four responses to the RFP from the following firms:

Indievision
Lyerly Agency
Powel and Partners Creative
The Marketing Consortium

A technical evaluation committee comprised of CATS Marketing, Bus Operations Division, CATS Development and Administration staff evaluated the proposals against the following criteria:

- Approach and methodology to implementing the marketing plan and program

- Account management, creative, production and media placement capabilities and/or staff's history and experience, if any, with governmental accounts
- Demonstrated understanding of the project's goals and requirements
- Active client list
- Agency resources, including the number of people in each department, background information on these people and a list of staff and freelancers who would be assigned to work on the City's account; current annual billings
- Cost

The technical proposals accounted for 70% of the total evaluation and the proposed price accounted for the remaining 30% of the evaluation. The proposer with the lowest proposed average hourly rate received the highest cost evaluation score.

Indievision's proposal was the only proposal that presented an overall branding and imaging concept for CATS that also integrates this theme into CATS' individual products and services including:

- Express routes
- Employer Transportation Coordinator Program
- Clear the Air
- Wheels for Learning
- Community Shuttle services
- Guaranteed Ride Home
- and Senior and youth/university campaigns

The evaluation committee rated Indievision technical and price proposals the highest and their hourly rate as the least overall cost. As a result of the evaluation of the best and final offers, the proposal submitted by Indievision was determined to be the most responsive proposal to the RFP.

CATS' Marketing Division periodically reviews the performance of the marketing campaigns executed by reviewing response rates to direct mail campaigns, increase in ridership for individual routes marketed, increases in ridership for the system as a whole and through an annual customer and non-rider opinion survey on the image of CATS.

Background:

In FY1996, the City Council suspended marketing activities for Charlotte Transit due to the fact that ridership had only increased 0.5% since FY1991. Staff, along with a consultant, reviewed the promotional function and made recommendations to re-organize and revamp marketing for transit. In FY1997, the transit division created a marketing group responsible for

marketing the transit system and increasing ridership. The marketing division developed a new marketing strategy based on retail and business-to-business marketing. Since FY1998, CATS has executed this marketing strategy helping to increase ridership by 23%.

Funding:

CATS Operating funds

17. Major Investment Study for Future Transit Service to Rock Hill

- Action:**
- A. Authorize the City Manager to execute the Interlocal Agreement between the City of Charlotte and the City of Rock Hill,**
 - B. Authorize the City Manager to submit the grant application for federal funds to be used for the Major Investment Study (MIS) in Rock Hill, and**
 - C. Adopt a budget ordinance appropriating \$880,000 from the Transit Fund to the Transit Capital Fund for this project.**

Staff Resource: John Muth, Charlotte Area Transit System

Explanation:

In May 2000, the Metropolitan Transit Commission (MTC) approved the use of \$880,000 in Federal earmark funds for the purpose of conducting a Major Investment Study (MIS) into York County, South Carolina. The MIS will help develop a consensus on the long-range transit and land use strategy for the South Transit corridor between Pineville and Rock Hill and to recommend a Locally Preferred Alternative (LPA) for the longer corridor.

The proposed MIS will build upon the work of the now completed MIS for the South Corridor in Mecklenburg County, as well as on the "Rapid Transit Alternatives Study" undertaken by York County, the City of Rock Hill, and the South Carolina Department of Transportation in 2000. In addition, work on this project will be coordinated with the ongoing South Corridor Light Rail project that is expected to receive a Record of Decision and approval to enter Final Design this spring. Participation in this project will further CATS' efforts to increase regional cooperation and is consistent with CATS' vision of "contributing to innovative, effective and community focused regional development."

The FY2002 Transportation Appropriations Act provided a total of \$7,000,000 for the South Corridor light rail project, including planning for service extensions to Rock Hill. Eighty percent (80%) of the funds for this project (\$880,000) will come from the FY2002 Transportation Appropriations Act.

The 20% local share of the cost of the project will come from three South Carolina sources: \$100,000-Rock Hill-Fort Mill Area Transportation Study (RFATS), \$60,000-City of Rock Hill, \$60,000-York County. No City of Charlotte funds will be used for this project.

Staff of the City of Rock Hill Planning Department will lead the MIS and CATS staff will participate by ensuring coordination with the Federal Transit Administration (FTA), the ongoing South Corridor PE/EIS project, and in other areas crucial to the success of the project.

The Rock Hill City Council approved the interlocal agreement on November 25, 2002.

Funding:

The budget ordinance appropriates \$880,000 in federal grant funding. In order to implement the project, the amount equal to the federal grant, \$880,000 will be advanced as a loan to the Transit Capital Fund from the Transit Fund Balance until receipt of the grant.

Attachment 23

Interlocal Agreement and Project Management Plan
Budget Ordinance

18. Arena Infrastructure Improvements

Action: Approve the low bid of \$2,799,213.56 by Blythe Development Company of Charlotte, North Carolina for arena infrastructure improvements.

Staff Resource: Jim Schumacher, Engineering and Property Management

Explanation:

This project includes utility relocations and adjustments; grading; drainage; concrete curb and gutter, sidewalks, lighting and asphalt paving necessary to widen North Caldwell Street from Fourth Street to East Fifth Street; and realign Fifth Street from Caldwell Street to the Charlotte Trolley Line. A portion of the utility costs will be reimbursed by the affected utility companies.

The alignment of Fifth Street is primarily related to the urban design decision to move the staging area for the arena onto the arena site in order to improve the development potential of the block north of Fifth Street. In addition, having the staging contiguous to the building will be better operationally. These issues were addressed in two public workshops, reviewed by the Economic Development and Planning Committee on January 8 and the City Council on February 3.

Funding:

Economic Development Capital Investment Plan

Attachment 24

Site Recommendations from Final Draft Urban Design Report

19. Storm Water Maintenance Renewal FY01-B

Action: Approve renewal #1 for \$1,025,777 with Showalter Construction Company for continued construction of FY01B Storm Water Maintenance Package.

Staff Resource: Bill Pruitt, Engineering and Property Management

Explanation:

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

The contract document provides for renewals of the contract up to three times, at the City's option. This is the first renewal and will increase the contract amount for FY01-B from \$1,025,777 to \$2,051,554.

Funding:

Storm Water Capital Investment Plan

20. Central Avenue Streetscape-Phase II

Action: Approve change order #2 to the Central Avenue Streetscape Phase II contract with Sealand Contractors of Charlotte, North Carolina for \$243,012.42.

Staff Resource: David Meachum, Engineering and Property Management

Explanation:

Council awarded the original contract on April 22, 2002 for \$2,068,565.95.

Council awarded change order #1 on November 25, 2002 for \$602,380.38 to make quantity adjustments and field adjustments to the original quantities.

The Central Avenue Phase II project (Kilborne to Sharon Amity Road) was bid with 60% complete plans in an effort to finish construction prior to NCDOT beginning construction of Independence Boulevard at Albemarle Road. As a result, a drainage analysis was not completed for the side streets.

This change order will provide for additional drainage systems needed on side streets not included in the original scope of work or in change order #1. The additional items include masonry drainage structures, curb and gutter, topsoil, additional pavement removal and thermoplastic pavement markings.

Prices for this change order are based on existing contract unit prices and negotiated prices for new items. The prices are appropriate for the work.

The new contract sum is \$2,913,958.75.

Funding:

Neighborhood Capital Investment Plan

Attachment 25

Central Avenue Streetscape Update

21. Hidden Valley Neighborhood Improvement, Phase V

Action: Approve change order #1 to the Hidden Valley Neighborhood Improvement, Phase V contract with 7 Star Construction of Rock Hill, South Carolina for \$206,704.02.

Staff Resource:

David Meachum, Engineering and Property Management

Explanation:

Council awarded the original contract on February 25, 2002 for \$1,424,465.91.

This is one of the 18 neighborhoods identified for improvements under the 1996 Neighborhood Improvement Project bond referendum. Four phases of work have been completed in the neighborhood that consists of new curb and gutter, sidewalks, storm drainage, street improvements, wheelchair ramps, new water and sewer lines and paving of roads. The project addresses infrastructure needs in the remainder of the neighborhood. This change order provides funding to increase the original quantities and will provide for additional drainage systems, concrete driveways, asphalt paving, timber retaining wall and select backfill material.

Prices for this change order are based on existing contract unit prices and negotiated prices for new items. The prices are appropriate for the work.

The new contract sum is \$1,631,169.93.

Funding:

Neighborhood Capital Investment Plan

22. Assets Forfeiture Funds Appropriation

Action: Adopt a budget ordinance appropriating \$740,870 in police assets forfeiture funds for equipment and training for police officers.

Staff Resource: Chief Darrel Stephens, Charlotte-Mecklenburg Police

Explanation:

The Police Department receives a share of the assets seized during investigations of illegal drug activities. The department's share is based on its level of participation in the investigation. Federal assets forfeiture laws stipulate that the funds be used only for law enforcement purposes, including training, law enforcement equipment and operations, and improvements to law enforcement facilities.

The Police Department wishes to appropriate \$740,870 from its assets forfeiture accounts. Much of the money will be used for equipment purchases. Other major expenditures will include:

- \$250,000 for the upfit of the new Baker Three office
- \$165,000 for the construction of a permanent command center on the second floor of the Police Headquarters Building
- \$150,000 for the Police Department to obtain accreditation through the Commission on Accreditation for Law Enforcement Agencies
- \$25,000 for advanced management training for CMPD command personnel

A detailed list of assets forfeiture purchases is attached.

Funding:

Assets Forfeiture Funds

Attachment 26

Assets Forfeiture Purchases

Budget Ordinance

23. Donated Funds for Police Purposes

Action: Adopt a budget ordinance appropriating \$5,500 in donated funds to the Police Department's budget.

Staff Resource: Chief Darrel Stephens, Charlotte-Mecklenburg Police Department

Explanation:

The Police Department has received two donations of funds to be used for specific law enforcement purposes. They are as follows:

- \$2,000 from the North Carolina Department of Transportation to fund the Department of Motor Vehicles participation in the 2003 Identity Theft Symposium which is sponsored by CMPD
- \$3,500 from Beck Imports to purchase a canine for the department's K-9 Unit

The budget ordinance appropriates the funds to the Police Operating Budget.

Attachment 27

Budget Ordinance

24. Lease for Baker Three District Office

Action: Approve a 10-year lease agreement, in the amount of \$905,527.50, between the Charlotte-Mecklenburg Police Department and 9301 Monroe, LLC for the Baker Three District Office.

Staff Resources: Chief Darrel Stephens, Charlotte-Mecklenburg Police
 Captain Cam Selvey, Charlotte-Mecklenburg Police

Explanation:

The Baker Three District plans to relocate its office in the spring of 2003. The Baker Three Office has been located in Mint Hill. Since CMPD will no longer serve Mint Hill as of July 1, 2003, the department will relocate the Baker Three Office to a more central location within the district.

The new office will be located in Suites G and H of the Greylin Business Park at 9315 Monroe Road. The office has 9,235 square feet and includes office space, a roll call room, weight room, locker space and a conference room.

The lease agreement is with 9301 Monroe, LLC. The lease is for a period of 10 years. The first year of rent, including taxes, insurance and CAM (common area maintenance expenses), will be \$76,510. Rent will increase at a rate of 4% per year during the lease period. The rent on the property is approximately \$7 per square foot. Market rate for comparable properties in the area is approximately \$10 per square foot.

The department will also pay Levine Properties \$192,000 for the upfit of the property to police specifications. The money for the upfit will be appropriated from assets forfeiture funds on February 10, 2003.

Funding:
Police Operating Budget

25. Private Funds for Traffic Signal Improvements

Action: Adopt a budget ordinance appropriating \$177,533.08 in private developer funds for traffic signal improvements.

Staff Resource: Bill Dillard, Transportation

Explanation:
The following developers are fully funding the traffic signal installations/improvements as part of various land development projects.

Childress Klein Properties has contributed \$57,124.14 to fund the installation of traffic signal mast arms at the intersection of Billy Graham Parkway and Tyvola Road.

C/O Collett & Associates, Inc has contributed \$60,000 to fund the installation of a traffic signal at the intersection of Albemarle Road and the Eastern Circumferential.

Childress Klein Properties has contributed \$53,408.94 to fund the installation of traffic signal mast arms at the intersection of First Street and Tryon Street.

Providence Presbyterian Church has contributed \$7,000 to fund the installation of signal heads at their new driveway connection at Alexa Drive and Providence Road.

CDOT staff has reviewed the requested road improvements and recommends approval. The North Carolina Department of Transportation has already approved these projects.

Funding:
The budget ordinance appropriates \$177,533.08 in developer contributions to the capital program.

Attachment 28
Budget Ordinance

26. Financing for FY2003 Equipment Purchases

Action: Adopt a resolution approving the terms of an Installment Payment Contract (lease/purchase) and related financing documents to fund the FY2003 Capital Equipment Requirements. The principal amount of the contract will be approximately \$16 million.

Staff Resource: Greg Gaskins, Finance

Explanation:

Council approved the Lease Purchase Agreement for fiscal year 2003 in the annual budget adoption process.

This resolution will authorize the City Manager and the Finance Director to negotiate the documents necessary to secure funding for the City's FY2003 Capital Equipment Requirements.

The City has used this method of financing for equipment since 1982 because a five-year financing allows the City to spread the cost over the approximate life of the equipment. Historically, short-term interest rates have been very favorable; the rate for the FY02 Equipment Lease Purchase was approximately 3.9%.

Funding:

Municipal Debt Service Fund, Water and Sewer Debt Service and Airport Debt Service Fund

Attachment 29

List of equipment
Resolution

27. Consolidated Influent Pumping Station at McAlpine Creek Contract

Action: Approve a contract with HDR Engineering, Inc. of the Carolinas for \$ 2,524,346 to provide final design services for the Consolidated Influent Pumping Station at McAlpine Wastewater Management Facility.

Staff Resource: Doug Bean, Utilities

Explanation:

This contract will provide for the final design of the consolidated influent pumping station (CIPS) project at the McAlpine Creek Wastewater Management Facility (WWMF).

There are two factors driving the project. The first is an increase in dry weather and peak wet weather flows that the WWMF will incur as a result of the proposed McAlpine Creek Relief Sewer project. The second factor is the need to significantly upgrade and rehabilitate the existing North and South Plant Influent Pumping Stations.

The purpose of this phase of the project is to complete the final design and produce a set of construction documents that will allow for bidding and construction of the CIPS project.

On March 25, 2002, City Council approved a contract with HDR for preliminary design services for the consolidated influent pumping station.

MWBD:

HDR will subcontract 15,000, or .06%, to a Hispanic firm.

Funding:

Sewer Capital Investment Plan

28. Property Transactions

Action: Approve the following property acquisitions (A&B) and property condemnations (C-E).

For property transactions A & B, 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 costs are eligible for Federal Aviation Administration reimbursement.

NOTE: Condemnation Resolutions are on file in the City Clerk's Office.

Acquisitions:

- A. Project:** Master Plan Land Acquisition
Owner(s): Nick & Georgia Yiottis
Property Address: 7701 Frosch Road
Property to be acquired: .694 acres
Improvements: warehouse
Purchase Price: \$240,000
Zoned: I1
Use: warehouse

Tax Value: \$116,230
Tax Code: 113-143-11

- B. Project:** FAR Part 150 Land Acquisition
Owner(s): Courtney and Nancy Austin
Property Address: 8030 McAlpine Drive
Property to be acquired: .689 acres
Improvements: vacant land
Purchase Price: \$17,500
Zoned: R3
Use: vacant land
Tax Value: \$12,500
Tax Code: 141-221-12

Condemnations:

- C. Project:** Proposed 8-inch sanitary sewer to serve Homewood Acres Subdivision, Parcel # 11
Owner(s): Charles Ferguson and any other parties of interest
Property Address: 1201 Breezewood Drive
Property to be acquired: 19,646 sq.ft. (.46 ac.) of Right-of-Way, permanent easement plus temporary construction easement
Improvements: N/A
Purchase Price: \$1,925
Remarks: This acquisition is required for the proposed 8-inch sanitary sewer to serve Homewood Acres Subdivision project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential
Tax Code: 029-155-20
Total Parcel Tax Value: \$11,000
- D. Project:** Proposed 8-inch sanitary sewer to serve Homewood Acres Subdivision, Parcel # 4
Owner(s): Charles Edmond Ferguson and Rhonda Y. Ferguson and any other parties of interest
Property Address: 909 Breezewood Drive
Property to be acquired: 11,768 sq.ft. (.27 ac.) of Right-of-Way, permanent easement plus temporary construction easement
Improvements: N/A
Purchase Price: \$1,150
Remarks: This acquisition is required for the proposed 8-inch sanitary sewer to serve Homewood Acres Subdivision project. Compensation was established by an independent, certified

appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3

Use: Single Family Residential

Tax Code: 029-571-16

Total Parcel Tax Value: \$4,958

- E. Project:** Proposed 8-inch sanitary sewer to serve Homewood Acres Subdivision, Parcel # 2 and #3
- Owner(s):** Charles E. Ferguson and Rhonda Yvette Ferguson and any other parties of interest
- Property Address:** 1613 and 1621 Crestview Court
- Property to be acquired:** 1,614 sq.ft. (.026 ac.) of Right-of-Way, permanent easement plus temporary construction easement
- Improvements:** N/A
- Purchase Price:** \$175
- Remarks:** This acquisition is required for the proposed 8-inch sanitary sewer to serve Homewood Acres Subdivision project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
- Zoned:** R-3
- Use:** Single Family Residential
- Tax Code:** 029-571-19 and 029-571-20
- Total Parcel Tax Value:** \$36,020

29. Meeting Minutes

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

- **January 13, 2003 Business Meeting**
- **January 21, 2003 Zoning Meeting**
- **January 27, 2003 Legislative Agenda**