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City of Charlotte, City Clerk's Office
Mayor Patrick McCrory  Mayor Pro Tem Al Rousso

Charles Baker  Don Reid
Patrick Cannon  Ella Butler Scarborough
Malachi Greene  Tim Sellers
Mike Jackson  Sara Spencer
Nasif Rashad Majeed  Lynn Wheeler

Council Agenda

CITY COUNCIL MEETING
Monday, February 24, 1997

5:00 p.m.  Conference Center
Dinner Briefing
(See Table of Contents)

6:30 p.m.  Meeting Chamber
• Invocation
• Pledge of Allegiance
• Citizens Hearing

7:00 p.m.  Formal Business Meeting
# CITY COUNCIL AGENDA
Monday, February 24, 1997

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Mayor's International Cabinet
   Attachment 1

2. Carolinas Historic Aviation Commission - DC-3 Airplane Purchase
   Attachment 2

3. Parole Accountability Committee Annual Report
   Attachment 3

6:30 P.M. CITIZENS HEARING
MEETING CHAMBER

CONSENT

5. Consent agenda items 15 through 32 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.

Staff Resource:  V1 Alexander Lyles
6. Decision on Petition No. 96-77

Decision on Petition No. 96-77 by Westwind of Southpark, LLC for a change in zoning for approximately 5.8 acres on the north side of Fairview Road, west of Wintercrest Drive from R-3 to R-12MF(CD) and R-8MF(CD).

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the November 18 and December 16, 1996 meetings, January 21, and February 17, 1997 meetings.

The Zoning Committee recommends approval of the proposed land use, but finds the earlier site plan preferable to the latest revised site plan.

Attachment 4

7. Decision on Petition 97-10

Decision on Petition No. 97-10 by Charlotte Mecklenburg Planning Commission for a change in zoning for approximately 3.6 acres located on the north side of Albemarle Road between Faulconbridge Road and Hollirose Drive from R-4(CD) and B-2(CD) to R-3.

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Zoning Committee recommends this petition be approved.

This petition was deferred at the February 17, 1997 meeting.

Attachment 5
POLICY

8. City Manager's Report

9. Neighborhood Traffic Program

Action:  
A. Approve a Council Transportation Committee recommendation for traffic circles as a traffic control remedy available to neighborhoods through the Council’s Neighborhood Traffic Program and the criteria for site selection of traffic circles;

B. Approve funding alternative for the installation of traffic circles; and

C. Approve test recommended by Council Transportation Committee for other traffic calming measures, such as speed humps, speed tables and chicanes as additional remedies for the Neighborhood Traffic Program.

Committee Chair: Sara Spencer

Staff Resource: Randy Jones

Explanation of Request

Traffic Circles

- In September 1996, CDOT installed a test traffic circle in Elizabeth at the intersection of 8th Street and Lamar Avenue. The circle was successful in terms of public acceptance and function (see attached report on Residential Traffic Calming Remedies)

- Motorists are driving around the circle correctly and the intersection has not been a problem for larger vehicles. The test showed a reduction in average speed
Although there was no reduction in traffic volume, a survey of the neighborhood residents indicated a perceived reduction. The evaluation is supported by radar checks and traffic volume counts.

- The Council Transportation Committee unanimously recommends that traffic circles be included in the Neighborhood Traffic Program as a traffic control remedy available to neighborhoods.

**Site Criteria**

- The following site criteria is recommended for traffic circles:

  1. Intersections cannot include thoroughfare streets
  2. Intersections must be 4-way
  3. A petition of 75% of residents within a 1200-foot radius of the intersection is required

**Funding Options**

- Council is requested to approve a method of funding for traffic circles. CDOT expects the cost to be $4,500 per circle. Below are funding options for traffic circles. A comparison of the various alternatives is attached as "Funding Options."

  1. Establish a Transportation Matching Grant Program whereby the City would match 50% of the cost to the neighborhood’s contribution of 50%.
  2. The City is responsible for 100% of the total cost. A Capital Investment Program project account would be created and funded annually.
  3. The neighborhood is responsible for the total cost (either by assessment or payment upfront).
The City allocates a specified amount of funding for neighborhoods to apply to whichever traffic calming device they choose (e.g. the equivalent cost of speed humps on a street - $1,500). Any remaining costs, over the money provided by the City, will be collected from the neighborhood.

- Option #1, establishing a 50/50 Transportation Matching Fund program to cover the costs of traffic circles as well as other traffic calming measures is recommended. CDOT has already received many neighborhood requests for traffic circles and speed humps and the requests are expected to increase. An annual funding level of $250,000 will be requested in the FY98 capital budget.

**Testing Other Traffic Calming Remedies**

- In response to neighborhood requests for additional traffic calming remedies, the Council Transportation Committee recommends testing other traffic control devices, or “traffic calming” measures.

Traffic calming devices include:

- Speed Hump - smoother speed bump
- Speed Tables - raised intersection
- Chucane - protruding, landscaped islands in an alternating pattern that narrow the road to one lane

- The Council Transportation Committee unanimously recommends testing speed humps on ten residential streets and a speed table at one intersection. A neighborhood has requested a chucane.
• Once data is collected and analyzed at these test sites, the findings will be reported to Council. If these tests are successful, Council will be asked to include these measures in the Neighborhood Traffic Program.

• Other cities that are now implementing these traffic calming measures were asked about liability issues. Attached is a report. No cities reported accidents associated with these measures.

• The City Attorney believes there is not sufficient case law available to determine what issues may be presented by the installation of such traffic calming measures.

**Funding:**

• If Council approves a funding option requiring city participation, Council will review a request for a traffic control account of $250,000 for the Neighborhood Traffic Program. This will be a new program that will compete for funding with other transportation priorities.

• Funding for traditional traffic control devices, such as signs, will continue to be funded from the operating budget.

**Background:**

• Since the 1970's, the City Council has had a Neighborhood Traffic Program to help alleviate the impacts of speeding and through traffic in neighborhoods. Common remedies used include lowered speed limits, turn restrictions and multi-way stops. On occasion, these remedies may have limited benefit, and the neighborhoods have asked for additional remedies for their traffic problems.

• Traffic calming measures, such as those discussed above, are used widely throughout Europe and are increasingly being utilized throughout the U.S. Their objectives are to

  - improve driver behavior and concentration,
- reduce traffic speed to a level best for surroundings,
- enhance the environment and quality of life for residents,
- increase pedestrian and bicycle use of the street

**Attachment 6**
Residential Traffic Calming Remedies Report
Proposed Criteria for Speed Humps Placement
Proposed Structural Designs for Speed Humps
Traffic Circle Funding Options

### 10. Revisions to Truck Route Ordinance

**Action:** Approve recommendation of Council Transportation Committee to remove Beatties Ford Road, Thirty-Sixth Street, and Cedar Street from the list of designated truck routes in Schedule V of Section 14-21 of the City Code.

**Committee Chair:** Sara Spencer

**Staff Resource:** John Muth

**Explanation of Request:**
- On January 27, 1997, Council Transportation Committee was presented with three options regarding the City's truck route network. The options were

  1. Add several thoroughfares with industrial and residential frontage to the existing network. This option provides better coverage of the City and affords the Police a more realistic tool with which to enforce the truck ordinances city-wide.

  2. Add only thoroughfares with industrial frontage. This option results in a network that can be better enforced in the northern and western sections of the City, but not in the southern and eastern sections.
3  Do not add to the existing network. This option removes Beatties Ford Road, Cedar Street, and 36th Street from the network. These deletions were requested by citizens at the public meetings held on this matter. Deletion of these streets does not adversely affect truck travel around the City.

- The Committee voted 4 to 1 in favor of Option 3 with Council member Jackson dissenting. Mr. Jackson favored Option 1.

- Under Option 3, trucks will still be able to use all thoroughfares when traveling across the southern and eastern sections of the City. CDOT is limited in its ability to work with residents concerned with trucks traveling on residential thoroughfares. The Police are limited in their ability to enforce the truck route ordinance on thoroughfares due to the lack of a designated route (see attached memo from Police Attorney).

- The Police do have City Ordinance 14-183 which generally prohibits large commercial vehicles from traveling on residential streets (non-thoroughfares) in residentially zoned districts. This ordinance does not apply to vehicles which enter a residential street for the purposes of loading or unloading materials, performing work of a temporary nature, or engaging in a governmental or public purpose.

**Background:**

- The City of Charlotte has had ordinances designating routes for trucks (specifically tractor-trailer units) since at least 1951. Although Council has considered minor revisions to the ordinances several times, the City has not adopted any major updates since 1961. As Charlotte and the trucking industry have grown during this period, the truck route network has remained static, without responding to increased demands.
This has resulted in a system difficult to enforce (especially in the eastern and southern sections of Charlotte) where, due to lack of designated routes, truck drivers use almost any street they desire.

Attachment 7
Transportation Committee Material

11. Onstreet Parking Program

Action:

A. Approve a budget ordinance appropriating $250,000 to finance the pilot phase for an Onstreet Parking Program for the remainder of the fiscal year;

B. Authorize the Director of Transportation to approve a contract with Central Parking System for a six-month pilot program to manage onstreet parking. If the pilot is successful, the contract will be extended for a five-year period; and

C. Approve an ordinance to amend City Code Chapter 14 to modify the penalties for three parking violations.

Staff Resource: Randy Jones

Explanation of Request:

- At the request of Council and Uptown interests, an Onstreet Parking Management Program has been developed to
  - improve compliance with parking controls,
  - provide enforcement relief to Police, and
  - act as a catalyst for continued growth and development in Uptown and the adjacent commercial areas.
**Budget Appropriation**

- The budget ordinance appropriates $130,000 from the Transportation Fund fund balance and $120,000 from estimated revenues from the program through June 30, 1997. The total appropriation is $250,000. Funding for the Onstreet Parking Program during the FY98-99 budget period will be submitted as part of the budget process.

**Contract Approval**

- The Council Transportation Committee recommends a management contract. The contract privatizes all aspects of onstreet parking management, from installation of parking meters to ticket collections.

- In October 1996, a request for proposal was issued to 43 local and international companies. To assist with the selection of a management firm for this program, a group of Uptown leaders was chosen for a Parking Oversight Committee (see attached member list). The Committee and CDOT evaluated nine proposals for program operation.

- The Parking Oversight Committee and CDOT recommend Central Parking System, Inc. for the full management of the Onstreet Parking Program. Central Parking System, Inc. has over 13 years of parking experience and currently manages 11,000 parking spaces in Charlotte. The firm has onstreet parking enforcement experience, is financially stable, and has a good background with citation collections and accounting procedures.

- During the pilot phase, CDOT and Central Parking System will be testing metered vs. non-metered parking, the level of enforcement needed, and the types of meters and rates to be charged. CDOT is planning for mostly two-hour parking zones, operating between the hours of 8:00 a.m. to 6:00 p.m., except on streets requiring clearance for peak rush hours.
• The success of the Onstreet Parking Program pilot phase will be measured by
  - Does the program pay for itself?
  - Does the public accept a managed program?
  - Do Uptown businesses find it helpful?
  - Does it further the continued growth and vitality of Uptown?

A summary of the Onstreet Parking Management Contract's key features is attached

City Code Chapter 14

• To assist with the enforcement of this program, the Council Transportation Committee recommends that the current schedule of civil penalties be increased from $10 to $25 for the following three parking violations:

   1. Meter violation (meter time purchased has run out)
   2. Parking overtime (exceeding the two-hour limit)
   3. Improper parking (parking the wrong direction or parking in a no parking zone, etc.)

• The ordinances are needed to provide a deterrent to illegal parking, especially to those motorists that repeatedly and purposely violate parking restrictions. The three City Code revisions are proposed until multi-ticketing is approved by the Legislature. If the Legislature approves "multi-ticketing", which would enable enforcement officials to give a violator a ticket for each hour of violation, then Council could consider rescinding these increases
Operating Budget Impact:

- The program will create operating efficiencies in several City departments. If the pilot phase is successful and full expansion of parking takes place, Police intends to eliminate two positions (parking enforcement officers). Finance is holding one position vacant for evaluation. CDOT plans a realignment of workload. At the end of the pilot, CDOT will evaluate staffing levels.

Funding:

- The onstreet parking program is self-supporting in the full expansion phase and no capital outlay is required for that phase.

- The pilot phase will cost approximately $500,000. Council is asked to approve $250,000 in start-up funds with this action. The program will be included in the FY98 budget and will be self-supporting.

Background:

- The parking program was designed by staff (Transportation, Police, Finance) and a wide range of Uptown interests. Three presentations of the program have been given to Council over the past two years including a recent presentation at the Council workshop of February 3, 1997.

Attachment 8
Summary of Key Features of Parking Contract
Parking Oversight Committee Membership List
Responses to Council Inquiries from 2/3/97 Workshop
Ordinance Amending City Code Chapter 14

12. Sprinkler System Legislation for Fraternity and Sorority Houses

Action: Approve Public Safety Committee recommendation to support local act for authority to adopt a local ordinance requiring the installation of sprinkler systems in fraternity and sorority houses.

Committee Chair: Don Reid

Staff Resource: Luther Fincher and David Carelock
**Explanation of Request:**

- Data indicate that fires in these structures tend to happen late at night or early in the morning. These are the times when the greatest number of students are home and when they are most vulnerable to fire.

- Sprinkler protection is needed in these structures because of their transient populations, limited supervision, and the nature of activities that occur in them.

- Current sprinkler systems are designed to protect people and property from fire by activating during the early stages of a fire. The fire is extinguished or contained to allow people time to get out of the fire area.

- Fraternity and sorority houses will have five years to comply from the date of ordinance adoption.

- The Public Safety Committee voted unanimously to support this request following discussions on its impact.

- This request is supported by local colleges and universities and the local fraternities and sororities.

**Background:**

- Eight fraternity house fires have occurred in Charlotte since the mid-1980s resulting in over $400,000 in fire loss.

- Two fraternity house fires in Charlotte resulted in the total destruction of two houses and injuries to civilians and fire fighters.

- The number of fraternity and sorority houses in Charlotte is expected to increase due to a projected increase in student populations over the next three years.

Attachment 9
BUSINESS

13. City Technology Plan

Action:

A. Approve the information system concept for the Police Department; and

B. Approve the City's technology infrastructure plan

Staff Resource:

Chief Dennis Nowicki and Julie Burch

Explanation of Request:

- During the February 3 workshop, Council heard two presentations outlining (A) the master information system designed by the Police Department and (B) the plan for improving the City's current technology infrastructure

  - Police System
  Thus information system will give the officer in the field timely and access to information that can help identify and address crime and quality of life concerns in assigned neighborhoods

- The information system consists of
  - laptop computers for patrol cars
  - a Local and Wide Area computer network linking officers in the field and the 16 Police facilities
  - a computerized records management system
  - a new computer assisted dispatch system

- The Police Department has received federal grants which cover much of the cost of the laptop computers, the records management system, and the dispatch system Council has also appropriated $3 million toward the purchase of the system

- Infrastructure Technology
  The City's current infrastructure is unreliable, hard to maintain, and vendors are dropping support and maintenance Newer technology (replacement parts, newer hardware and/or software, etc) will not work with old hardware, lines and software
Additionally, the new technology will improve customer service turn-around times for all City services because of faster access, shared common data among City agencies, and the ability to transmit large amounts of data over the network.

- The City Technology Plan consists of
  - New and upgraded routers, wires and servers for the infrastructure
  - Neighborhood Based Problem Solving System
  - Land Development System
  - Human Resource Management System
  - Year 2000 Impact Analysis
  - Licensing for 1500 users for office software (word processing, spreadsheets, etc.)

- Staff had indicated during the workshop that contracts would be presented to Council this spring for the purchase of the network hardware and software components. However, if Council approves the resolution authorizing the purchase of computer network hardware and software infrastructure components and equipment through State term contracts (agenda item #27), component purchases would not be presented to Council for approval. For this reason, staff is presenting the City's information system network for conceptual approval.

**Funding:**

Council appropriated $3 million for Police and $5 million for the City's infrastructure upgrade in the FY97 budget ordinance. Other funding is available for Police through grants and matching assets forfeiture funds.

**Attachment 10**

Police February 3 presentation

Information Technology February 3 presentation
14. March 3 Workshop Agenda

Action: Approve topics for the March 3 workshop agenda:

- Regulatory User Fee Pricing Report
- Aviation Master Plan
- Economic Development Strategic Plan: Trends and Organization
- Utility Billing System
- Coliseum/Hornets Update
Introduction to CONSENT I and II

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

CONSENT I

15. Various Bids

A. Ladder Fire Trucks

  **Fire Department**

  **Recommendation:** The Fire Chief recommends the low bid meeting specifications as submitted by Quality Equipment Company, Talladega, AL be accepted for award as a unit price contract in the amount of $500,102 per truck. Purchases are anticipated subject to appropriations by City Council and actual identified needs. The total estimated FY97 expenditures for two fire trucks is $1,000,204. The contract awarded is for one year with an option for two, one year extensions.

  **MWBD Compliance:** Yes  There are no known MWBD vendors selling this product.
B. Elmwood & Ninth Street Cemeteries Ground Maintenance

Recommendation: The City Engineer recommends the low bid of $252,000 from Round Tree Lawn Care of Charlotte, N.C. This three-year project will provide turf and landscape maintenance at Elmwood and Ninth Street Cemeteries.

MWBD Status: Service contracts are typically self-performed by prime contractor, therefore, subcontracting goals were not set on this project.

Competition Status: The City did not compete for this work.

C. Water Main Construction 24 Inch Water Main CMUD to Serve Sam Furr Road - Phase 3


<table>
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<td>BBE</td>
<td>$0</td>
<td>0%</td>
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<tr>
<td>WBE</td>
<td>$822,974</td>
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Compliance: Yes. The Utility Department has reviewed the Contractor's MWB documentation and determined that the Contractor is a WBE firm and will self-perform all work with their current work forces.

16. Resolution of Intent to Abandon Street and Set Public Hearing - Portion of Red Oak Lane

Action: A. Adopt the Resolution Of Intent to abandon a portion of Red Oak Lane; and


Attachment 11
17. Resolution of Intent to Abandon Street and Set Public Hearing - Portion of Mack Street

Action:

A. Adopt the Resolution of Intent to abandon a portion of Mack Street; and


Attachment 12

18. Resolution Setting a Public Hearing for Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for March 24, 1997 for voluntary annexation by Pavilion Partners and Funded Land Investment Partners. The site is a portion of Pavilion Boulevard (formerly Blockbuster Boulevard).

Attachment 13
Map

19. Refund of Certain Taxes

Action:

Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $8,539.45.

Attachment 14
20. Police & Fire Training Academy and Adam Bureau Station Landscape Maintenance

**Action:** Award the low bid of $152,019 from Lan-Scape of Lancaster, SC.

**Explanation of Request:** This three-year project will provide turf and landscape maintenance, turf renovation, and snow and ice removal at the Police & Fire Training Academy and Adam Bureau Station.

**MWBD Status:** Service contracts are typically self-performed by prime contractor, therefore, subcontracting goals were not set on this project.

**Competition Status:** The Landscape Management Division has traditionally performed this work. Award to the private contractor will result in the elimination of two positions. A placement plan was submitted with the City’s bid to guide:

- selection of the employees who will be displaced,
- evaluation of placement opportunities within the City, and
- an end of City employment, if necessary.

All major areas of work in Landscape Management have been subjected to competition. Landscape Management has won the bids in some areas, and will continue to compete to ensure the lowest cost service.

**Summary of Bids:**

<table>
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<td>LAN-SCAPE SERVICES</td>
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<td>CJ’s Lawn Service of Charlotte, NC</td>
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<td>Merecom Corp of Monroe, NC</td>
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<td>City of Charlotte, Charlotte, NC</td>
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<td>Charlotte Turf &amp; Landscape,</td>
<td></td>
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<td>of Charlotte, NC</td>
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<tr>
<td>Creedmore &amp; Gardner, Charlotte, NC</td>
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<tr>
<td>Todd Landscape of Charlotte, NC</td>
<td>$344,925.00</td>
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21. Residential Sound Insulation Construction Contracts

Action:

A. Reject the low bid of Rayco Construction for Contract A and Contract B due to lack of valid state contractor license; and

B. Award Contract A for $291,157, Contract B for $316,762 and Contract C for $258,307 to Moretti Construction of Charlotte, the lowest responsive bidder for sound insulation of airport area homes.

Explanation of Request

- These contracts will provide storm windows, storm doors, additional insulation, storm baffling and minor refurbishing of homes eligible to participate in the sound insulation program

- Rayco Construction submitted the lowest bid for Contract A and Contract B. Subsequently, the N C Board of General Contractors advised the Airport that Rayco Construction has not renewed their license for the year 1997. State contracting laws require contractors to have a valid license at the time of bid. Therefore, their bids were determined to be non-responsive

- Therefore, it is recommended that Contracts A, B and C be awarded to Moretti Construction, the lowest responsive bidder

Funding: Aviation operating budget

Background:

- In 1987, City Council approved the Part 150 Noise Program that specifies sound insulation of homes, schools and churches

- To date, 86 homes and three schools have been insulated. There are currently 697 participants in the sound insulation program

Contract A (20 properties)
Bass & Jones $315,143
Moretti Construction $291,157
Rayco Construction $282,401*
DBE Goal 10%
DBE Participation(BBE) 7%

Contract B (19 properties)
Bass & Jones $333,510
Moretti Construction $316,762
Rayco Construction $268,526*

DBE Goal 10%
DBE Participation(BBE) 5%

Contract C (13 properties)
Bass & Jones $279,907
Moretti Construction $258,307
Rayco Construction $263,386

DBE Goal 10%
DBE Participation(BBE) 5%

*Did not have a valid North Carolina Contractor License at the time of bid

22. Trindel Service Contract

Action: Extend current service agreement for one year with Trindel-America Corporation for $151,085 for maintenance of the Airport’s Automated Parking System.

Explanation of Request:

- This service agreement provides two full-time service technicians to maintain the Airport’s Automated Parking System. Due to the proprietary nature of the computer software, only Trindel-America can provide manufacturer computer software support and other services required by this maintenance service agreement. These services are:
  - Preventive Maintenance (including all parts and labor)
  - Emergency On-Call Repair Service (including normal wear & tear and replacement parts)
- On-site system testing by factory-trained technicians

- This service agreement of $151,085 is a 3% increase over last year's Service Agreement

**Funding:**
- Aviation operating budget

**Background:**

- On January 11, 1982, Council approved a contract for $818,435 with Trindel-America Corporation for the initial installation of a Revenue Control System for the Airport's public parking lots

- On February 22, 1988, Council approved a contract amounting to $1,169,180 for upgrading the parking control system in conjunction with the new parking deck. This parking system incorporates an on-line computer which provides management control over all fee collections. The system includes centralized control of all entrance gates, ticket dispensers, cashier terminals and inventory equipment. The Airport has had a Service Agreement with Trindel-America since 1983

### Lease Agreement with Truck Air Associates

**Action:**
- Approve a three year lease agreement with Truck Air Associates for office and warehouse space in the Charlotte Air Cargo Center.

**Explanation of Request:**

- Truck Air Associates currently leases 9,401 square feet of office and warehouse space in the Charlotte Air Cargo Center. Truck Air Associates is a trucking firm that specializes in air cargo

- The term on their current lease has ended and Truck Air has requested a new lease agreement. The proposed agreement is for a three year term with the following rental rates:

  - Warehouse space: $4.50/square foot
  - Office space: $7.80/square foot
  - Total rental/month: $3,872.98
Background:  
- In January 1994, Truck Air Associates signed a lease for the space they currently occupy in the Air Cargo Center.

24. AT&T Wireless PSC, Inc. Lease Agreement

Action:  
Approve a lease agreement between the City of Charlotte and AT&T Wireless PCS, Inc. for placement of a communications tower at the Police and Fire Training Academy.

Explanation of Request:
- AT&T Wireless needs an antenna site near Beam Road and Shopton Road to construct a personal communication system (PCS) tower.
- Terms of the lease agreement are:
  - Five-year base term at $800 per month with three options to renew for five years each. The lease rate will increase at 5% per year for every year leased.
  - These rates are comparable to current marketplace rates for private operators in the local area.
  - The lease will be for a 50 x 50 foot plot of land that is located off the easterly side of the Academic Building parking lot, as shown on the attached map.
  - The property will not interfere with the present or future operation of the Police and Fire Training Academy.
  - The company will install a 175 foot monopole antenna tower with a 12 x 18 foot equipment shelter. The facility will have shrubbery planted around the fence.
Fundings: The income from the agreement will start at $9,600 for the first year and increase at 5% per year thereafter. Revenues generated over the base term of the agreement will be $53,046.

Background:
- The proposed antenna site is within the Police and Fire Training Academy property. The Steele Creek AME Zion Church is the only neighboring structure near the proposed site. The church is approximately 600 feet away and buffered from the Academy by heavy woods. The church also has the only other communication tower in this general vicinity.
- The communication tower on the church property would have been the preferred site since connecting to an existing structure would reduce AT&T's operating costs. Unfortunately, the tower was designed years ago and cannot support the AT&T antennas.
- The proposed tower will be a monopole design that will accommodate up to three additional users. The design of the tower will reduce the number of towers needed in this area in the future. The City will also share in the revenues that AT&T would receive from leasing to other companies.
- Also included in the agreement is the City's right to attach to AT&T's tower at no cost, if the need arises for additional 911 coverage.

Attachment 15
Map

25. Lease Agreement for Baker Service Area Office

Action: Approve a ten year lease agreement in the amount of $700,000 between the Charlotte-Mecklenburg Police Department and A.P.C. Station L.L.C. for the Baker Service Area and Baker One District Office.
Explanation of Request:

- The Police Department wishes to enter into a ten year lease agreement with A P C Station L L C to provide 7,000 square feet of office space for the Baker Service Area and the Baker One District.

- The office will be located in the 3500 block of Latrobe Drive off of Wendover Road. The office will be centrally located within the Baker Service Area and accessible by public transportation.

- The space will house the command staff and support staff for the Baker Service Area and will serve as the district office for Baker One. Eighty parking spaces are included with the office space.

- The lease is for a ten year period at a cost of $5,833 50 per month or $70,000 per year. These costs will not increase during the term of the lease. There are no building or grounds maintenance charges associated with the lease. The Police Department will pay for utilities and phone service.

- The cost of the space is $10 per square foot. The Real Estate Division indicates that this rate is comparable to similar properties in this area of the city. The site for the office has been reviewed by the Planning Commission.

Funding:

- Police Department operating budget.

Background:

- Council originally approved a lease for the Baker Service Area Office on March 25, 1996. In the interim, the developer has restructured his partnership and the Police Department has used its experience in designing service area centers to develop a facility that more fully meets the demands of the Baker Service Area.
26. Release of Community Development Property from Use Restriction

Action: Approve release of community development property located at 1808 Brewton Drive from use restriction to allow construction of a community center.

Explanation of Request:

- The purpose of this action is to release real property, which the City conveyed to a church, located at 1808 Brewton Drive in Genesis Park, from a City-imposed requirement that it be used for "open spaces."

Background:

- In the early 1970s the City acquired the subject property, through condemnation, for community development purposes and then filed a "Declaration of Restrictions" that provides that the property must be used for "permanent open space purposes, and the open space use or uses of such land shall be for park and recreation purposes, conservation of land and other natural resources, or historic or scenic purposes."

- In 1989, the City conveyed the property to Community Outreach Christian Ministries, Inc. Due to an oversight, the use restriction was not removed from the property at that time. The church now wishes to construct a community center on the property, but the use restriction technically precludes that. The church cannot complete arrangements for construction financing until the restriction is removed.

27. Purchase of Computer Network Infrastructure Components and Equipment through State Term Contracts

Action: Adopt a resolution authorizing the purchase of computer network hardware and software infrastructure components and equipment through state term contracts.
Explanation of Request:

- This resolution will initially allow the Police Department and the Information Technology (IT) Division of Business Support Services to purchase network hardware and software components functionally necessary for the planned police and City networks through North Carolina state term contracts. It is anticipated that other City Key Businesses may also have need to purchase the same items for future network expansion as well.

- The purchases from state term contracts will be subject to budget approval and availability of appropriated funds and will be allowed through a convenience clause.

- Future Council action on component purchases under state contracts will not be required.

Funding:

Funds are available in various Key Business Units' budgets.

Background:

- On January 13, 1997, the City Council adopted a resolution authorizing the purchase of microcomputers and related equipment through State of North Carolina contracts under recently adopted rules that allow local governments to purchase from certain state term contracts that have been competitively bid. Since then, the State has recently awarded similar contracts and staff understands that the State will soon award contracts for other network hardware and software components.

- The ability to purchase network components through competitively bid state contracts would save the administrative time and expense of bidding the components locally. Police and IT will be able to decrease the turnaround time for these projects and implement the new infrastructure earlier than originally projected. In addition, because of economies of scale pricing, the prices established under the state contracts are better than the City could obtain by bidding alone.
28. Sugar Creek Wastewater Treatment Plant Odor Control Improvements - Professional Services Contract

Action:  
A. Approve a budget ordinance transferring $400,000 from the Wastewater Treatment Plant Improvements Control Account; and

B. Approve a contract with HDR Engineering for $743,867 to provide design of Odor Control Improvements at the Sugar Creek Wastewater Treatment Plant.

Explanation of Request:

- This contract will provide for design of the improvements required to eliminate odor problems at the Sugar Creek Wastewater Treatment Plant. Implementation of the improvements will eliminate odors coming from the wastewater treatment plant and the sewer lines coming into and out of the plant.

- The proposed design improvements include

  - a primary sludge pumping station, new waste activated sludge pumps, and two pipe lines to transfer sludge to the McAlpine Creek Wastewater Management Facility,

  - covers for odor discharging process units, fans and odorous air ducts, and,

  - a two stage central odor scrubber facility

Funding:  
Sewer Capital Accounts

Background:

- Odor control improvements at the Sugar Creek Wastewater Treatment Plant were approved in the FY 97-2001 Capital Investment Program

- The CMUD contracted with Carl V. Huber on February 22, 1996 to perform an odor study for the Sugar Creek WWTP. This study identified the odor sources within the plant and made recommendations for correcting these issues
29. **Supplemental Utility Agreement - Independence Boulevard (US 74) from Brookshire Freeway (I-277) to Briar Creek**

**Action:** Approve a resolution authorizing the Key Business Executive for Transportation to execute a Supplemental Utility Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the reconstruction of Independence Boulevard.

**Explanation of Request:**
- The original Utility Agreement provides for the NCDOT contractor to perform water and sewer line adjustments and relocation work in the project area at a cost of $590,607.68 to the City, based on a preliminary engineering estimate. The Supplemental Agreement changes that cost to $850,403.10 based on the contractor’s actual bid price and adds, at the City’s request, $85,992 for the installation of a fire protection system along the project.

**Funding:**
The City’s additional cost is $345,787.42. Funds are available in Water and Sewer Capital Accounts.

**Background:**
- The project involves certain utility relocations/adjustments which require a Utility Agreement between the City and NCDOT. The City is required by NCDOT policy to pay for relocation of utilities it owns that are encroaching in state rights-of-way and for any betterments or additions to its system.

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30. **Sale of City Property - 4311 McKinley Drive**

**Action:** Approve the sale of City owned property located at 4311 McKinley Drive.

**Explanation of Request:**
- Council is requested to approve the sale of City owned property subject to compliance with the provisions of the North Carolina Statute 160A-269 and pursuant to the terms of the following offer.
Property Address 4311 McKinley Drive  
Tax Code 061-081-28  
Buyer’s Names Tonya D Rhynes  
Offer $55,000  

- In accordance with the Part 150 Plan, the Airport acquired 23 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones. Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan.

- The Airport provided noise insulation to 4311 McKinley Drive and listed the property in the Multiple Listing Service for sale to the public. The sales price was determined by an appraisal.

- An offer to purchase was extended to the airport. The offer is as follows:

  Offer $55,000 00  
  Less Closing Costs $ 1,950 00  
  Realty Fees $ 1,650 00  
  Net to City $51,400 00  

  Appraised value of house $53,000 00  

The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid. No other offers were received.

31. Sale of City Property - 4400 Pebblebrook Drive

Action: Approve the sale of City owned property located at 4400 Pebblebrook Drive

Explanation of Request: Council is requested to approve the sale of City owned property subject to compliance with the provisions of the North Carolina Statute 160A-269 and pursuant to the terms of the following offer.
In accordance with the Part 150 Plan, the Airport acquired 32 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones. Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan.

The Airport provided noise insulation to 4400 Pebblebrook Drive and advertised this offer for the required 10 days in the newspaper.

An offer to purchase was extended to the airport. The offer is as follows:

- Offer: $55,000
- Less Closing Costs: $1,650
- Appliances: $1,000
- Realty Fees: $1,650
- Net to City: $50,700

Appraised value of house: $53,000

The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid. No other offers were received.
32. Property Transactions

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

Acquisition:

A. **Project:** Land Acquisition, Fourth/Kings/Third Intersection Improvement, Parcel # 9, Project # 512-91-022
**Owner(s):** Trustees of Central Piedmont Community College
**Property Address:** 1200 Elizabeth Avenue
**Property to be acquired:** 31 sq ft (0.12 ac) plus Temporary Construction Easement, 1,541 sq ft (0.035 ac)
**Improvements:** Landscaping and trees
**Purchase Price:** $11,500
**Remarks:** This acquisition is needed to construct the proposed Kings Drive intersection improvements. The compensation amount is based upon an independent appraisal.

**Zoned:** B2  **Use:** Community College

B. **Project:** F A R Part 150 Land Acquisition
**Owner(s):** Mr and Mrs Darryl N Wingate
**Property Address:** 8524 Todd Road
**Property to be acquired:** 439 acres
**Improvements:** Split level house
**Tax Value:** $85,470
**Purchase Price:** $87,000
**Remarks:** The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific size and condition of the land and house. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain features. Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.
C. **Project:** F A R Part 150 Land Acquisition  
**Owner(s):** Deborah S Tamson  
**Property Address:** 8341 Todd Road  
**Property to be acquired:** 606 acres  
**Improvements:** Ranch  
**Tax Value:** $90,900  
**Purchase Price:** $96,000  
**Remarks:** The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific size and condition of the land and house. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain features. Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.

Condemnations  

D. **Project:** Fire Station 31 Land Acquisition, Parcel #1, Project # 512-97-010  
**Owner(s):** Murrell Stubbs, Jr and Mary Stubbs and any other parties of interest  
**Property Address:** Shelly Avenue and Rudge Road  
**Property to be acquired:** 189,486 sq ft (4.35 ac) total area  
**Improvements:** Vacant  
**Purchase Price:** $87,000  
**Remarks:** This site meets all fire department criteria for construction of a two bay fire station to serve the 1997 annexation area near Highland Creek. Sellers have accepted city's appraised offer and have agreed to sell, however, due to a questionable title, the City Attorney recommends condemnation to guarantee clear title.

**Zoned:** R-3  
**Use:** Vacant
E. **Project:** Proposed 8-inch Sanitary Sewer to Gardner Lane, Parcel #1, Project #516-97-510  
**Owner(s):** Donald G Faires and Nancy G Cook and any other parties of interest  
**Property Address:** 6501 Brookfield Place  
**Property to be acquired:** 4,727 sq ft (0.11 ac)  
**Improvements:** Miscellaneous landscaping  
**Purchase Price:** $8,475  
**Remarks:** A permanent easement is needed to provide sanitary sewer to properties along Gardner Lane. The property owners refused the City’s offer because they feel the project will destroy valuable landscaping unnecessarily. Alternate routes studied by City staff were not suitable and involved multiple property owners. The City’s independent appraisal included compensation for owner’s affected landscaping.

**Zoned:** R-3  
**Use:** Residential