

Mayor Patrick L. McCrory

Nancy G. Carter
Harold Cogdell, Jr.
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
Tuesday, May 28, 2002

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

6:30 p.m.

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Forum**

7:00 p.m.

- **Awards and Recognitions**
- **Formal Business Meeting**

CITY COUNCIL AGENDA

Tuesday, May 28, 2002

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6:30 P.M. Citizens Forum

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7:00 P.M. Awards and Recognitions

Meeting Chamber

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Charlotte-Mecklenburg Utilities Automated Meter Reading

Resource: Doug Bean, Utilities

Time: 20 minutes

Synopsis of Presentation:

This presentation will discuss Utilities' conversion from a manual meter reading to an automated meter reading system. With an automated meter reading system, readings are electronically transmitted to a receiver located in a van or truck. Presently, Utilities has 36 full-time employees reading approximately 207,000 accounts monthly. Automated meter reading will allow one employee to read all accounts in two weeks. The first phase of this project is scheduled to begin in the fall of 2002. Phases will occur 12 months apart and will occur over a three to five year period. The payback period is estimated to be three to four years.

Future Action:

City Council will consider a project management contract with a meter reading company and a water meter contract at their July or August 2002 meeting.

2. Monroe Road Traffic Study

Resource: Leon Howe, Transportation

Time: 20 minutes

Synopsis of Presentation:

The CDOT has been conducting a traffic study along Monroe Road. The study will focus mainly on the portion of Monroe Road between Idlewild Road and Thermal. The study covers a review of existing conditions along the road, and includes land use, traffic characteristics and current traffic controls especially in the area of East Mecklenburg High School.

Related to the study, Nancy Graham appeared before City Council on March 25, 2002. She spoke to City Council regarding the fatality of her 14 year-old son on September 25, 2001 in a pedestrian accident at the intersection of Monroe Road and Old Post Road.

CDOT also will share additional recommendations for the road.

Attachment 1

Monroe Road Speed Study

Speed Versus Accident Severity Table

Map of the Area

Council/Manager Follow-up Memo from April 5, 2002

3. Connectivity Study Process**Resource:** Norm Steinman, Transportation**Time:** 30 minutes**Synopsis of Presentation:**

Connectivity was identified as a priority by City Council during their retreat in January 1998. Connectivity is a Smart Growth tool that increases mobility by allowing movement of cars, bicycles and pedestrians between neighborhoods without using thoroughfares. City Council approved a Connectivity Pilot Program in March 2001.

The pilot program will investigate increasing connectivity in four specific, already developed areas of Charlotte (see attached map).

They are:

- I. Northeast Area- Beatties Ford, (I-85, Lake View, W.T. Harris, West Sugar Creek – mixed use area: Industrial/Commercial/Residential
- II. West Quadrant- West Boulevard., Billy Graham Parkway, I-77, Remount Road – proposed residential in-fill
- III. South/McAlpine Creek Area- Approximately one mile of coverage of each side of the creek. Area with little connectivity due to McAlpine Creek.
- IV. Eastland Mall Area- One-mile radius coverage around Eastland Mall – reinvigorate area and mall.

Staff recommends Hopper Communications in association with Walkable Communities and HDR Engineering, Inc. to implement the Connectivity Pilot Program. City Council will consider a \$200,000 contract for the study at the June 10, 2002 meeting.

The Scope of Services is under negotiation at this time, and proposed deliverables include:

- stakeholder informational meetings, community meetings and design charettes
- a list of connectivity projects in each area
- a range of solutions (bike/ped/auto) for each project

- a draft "Preferred Connectivity Alternatives" deliverable with drawings and project rationale
- schematics and design drawings with associated cost estimates for the shortlist of projects
- a report that documents process and recommendations
- City Council public hearing presentation

Future Action:

The contract will be an item on the June 10, 2002 City Council Agenda

Attachment 2

Pilot area map

Update on original Connectivity Tasks

4. Residential Traffic Calming Speed Humps Program

Resource: Doreen Szymanski, Transportation

Time: 10 minutes

Synopsis of Presentation:

On October 13, 1997, City Council approved the addition of speed humps to the Residential Traffic Calming Program, which also offers traffic circles, multiway stops and turn restrictions to assist with controlling speeds and traffic volumes in neighborhoods. Since that time, the City has installed approximately 600 speed humps on nearly 170 streets.

The Residential Traffic Calming Speed Humps Program is quite popular in Charlotte. Streets must meet criteria to be eligible for speed humps. If eligible, the CDOT ranks and prioritizes locations. Neighborhoods usually wait three to four years to obtain speed humps.

This year the CDOT will install 105 humps on 35 different streets. The Pay-As-You-Go Fund provides annual funding of \$250,000 dedicated to speed humps. The program is not funded after FY2004 due to resource constraints.

Future Action:

Item 11 of this agenda recommends Council action to approve the list of streets to receive speed humps and the speed hump contract.

5. Committee Reports by Exception

Economic Development and Planning Committee: Sports and Cultural Facilities Process

**6:30 P.M. CITIZENS FORUM
MEETING CHAMBER**

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

CONSENT

- 6. Consent agenda items 16 through 28 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

7. Public Hearing on the FY2003 Operating Budget and the FY2003-2007 Capital Investment Plan

Action: Receive public comment on the City Manager's recommended budget.

Committee Chair: Lynn Wheeler

Staff Resource: Curt Walton, Budget & Evaluation
Ruffin Hall, Budget & Evaluation

Explanation:

State law requires a public hearing be held following presentation of the Manager's recommended budget (May 13, 2002) and prior to Council adoption of the budget (June 24, 2002).

State law also requires that a public notice be published following presentation of the Manager's recommended budget and before the scheduled public hearing. The required public notice was published in local newspapers on May 16, 2002.

FY2003 Budget Summary:

The total recommended budget is \$1.1 billion (all funds) with \$355.7 million for General Fund operating expenses and \$392.3 million for capital expenditures.

Revenues:

Significant revenues include:

- A property tax rate of 46.70¢ per \$100 of property valuation for FY2002, which is the same tax rate as the current year.
- \$43 million of State-collected local revenues in the capital budget that are at risk for next year.
- A water/sewer rate increase of 4.8%, a \$1.76 average monthly increase.
- An increase in storm water fees of 5.5%, an average monthly variable rate increase from \$3.67 to \$3.87.

Operating Budget

The economic slowdown results in a decrease in the FY2003 recommended General Fund operating budget compared to the original FY2003 budget submitted last year – from \$361.2 million down to \$355.7 million.

Key Business Units submitted targeted budget reductions of approximately \$10 million to meet budget goals and to fund priorities. Examples of budget reductions include:

- Delaying Police and Fire recruit classes
- Holding approximately 16 positions vacant in Street Maintenance
- Decreasing frequency of mowing and litter pick-up along City rights-of-way and medians
- Holding positions vacant in Code Enforcement and Community Empowerment
- Eliminating recycling education programs
- Eliminating Smart Growth research and training
- Eliminating the televising of the Citizens' Forum
- Eliminating the reprinting of brochures in non-English languages

Significant new expenditure priorities include:

- New small business enterprise program development and implementation
- Costs related to the conclusion of federal grants for Police Officers
- New financial partner, Advantage Carolina
- Health insurance costs increases
- Employee compensation

Capital Budget

Due to economic issues associated with State-collected local revenues, the recommended Capital Investment Plan (CIP) reflects an overall decrease of 13% from the current five-year plan. If State-collected local revenues are withheld for FY2003, the proposed five-year plan can only be completed in eight years. These impacts are restricted to projects funded in the General CIP.

Additionally, the recommended CIP delays the previously scheduled November 2002 bond referendum for roads, sidewalks, transit station area infrastructure and affordable housing.

The recommended five-year CIP (assuming receipt of State-collected local revenue) is summarized below:

The budget includes \$174.3 million in Pay-As-You-Go and Current Revenue general government projects. Major projects include:

- \$92.0 million for the City's Maintenance of Effort (MOE) contribution to Transit
- \$30.3 million for Innovative Housing
- \$3.3 million as the City's matching requirement for the HOME grant
- \$8.0 million for Smart Growth Land Acquisition (FY2004-2006)
- \$20.0 million for building and roof maintenance

Major Storm Water projects include:

- \$27.2 million for Repairs to the Existing Storm Water System
- \$25.7 million for Storm Water Channel Restoration

Major Charlotte Area Transit projects include:

- \$455.3 million for South and North Corridors development
- \$70.6 million for New and Replacement Buses
- \$35.0 million for a second bus garage

Major Water and Sewer projects include:

- \$66.4 million for McDowell Wastewater Treatment Plant Expansion
- \$50.0 million for Water and Sewer Line Rehabilitation
- \$41.0 million for McAlpine Nutrient Reduction

Major Aviation projects include:

- \$80.0 million for a new Third Parallel Runway
- \$71.4 million for continued expansion of Air Cargo operations

Calendar

- Council's final budget retreat is scheduled for June 19, 2002 at 4:00 p.m.
- Budget adoption is scheduled for June 24, 2002 at 7:30 p.m.
- Council is required by state law to adopt a budget on or before June 30 of each year.

POLICY

8. City Manager's Report

9. Sports and Cultural Facilities Process



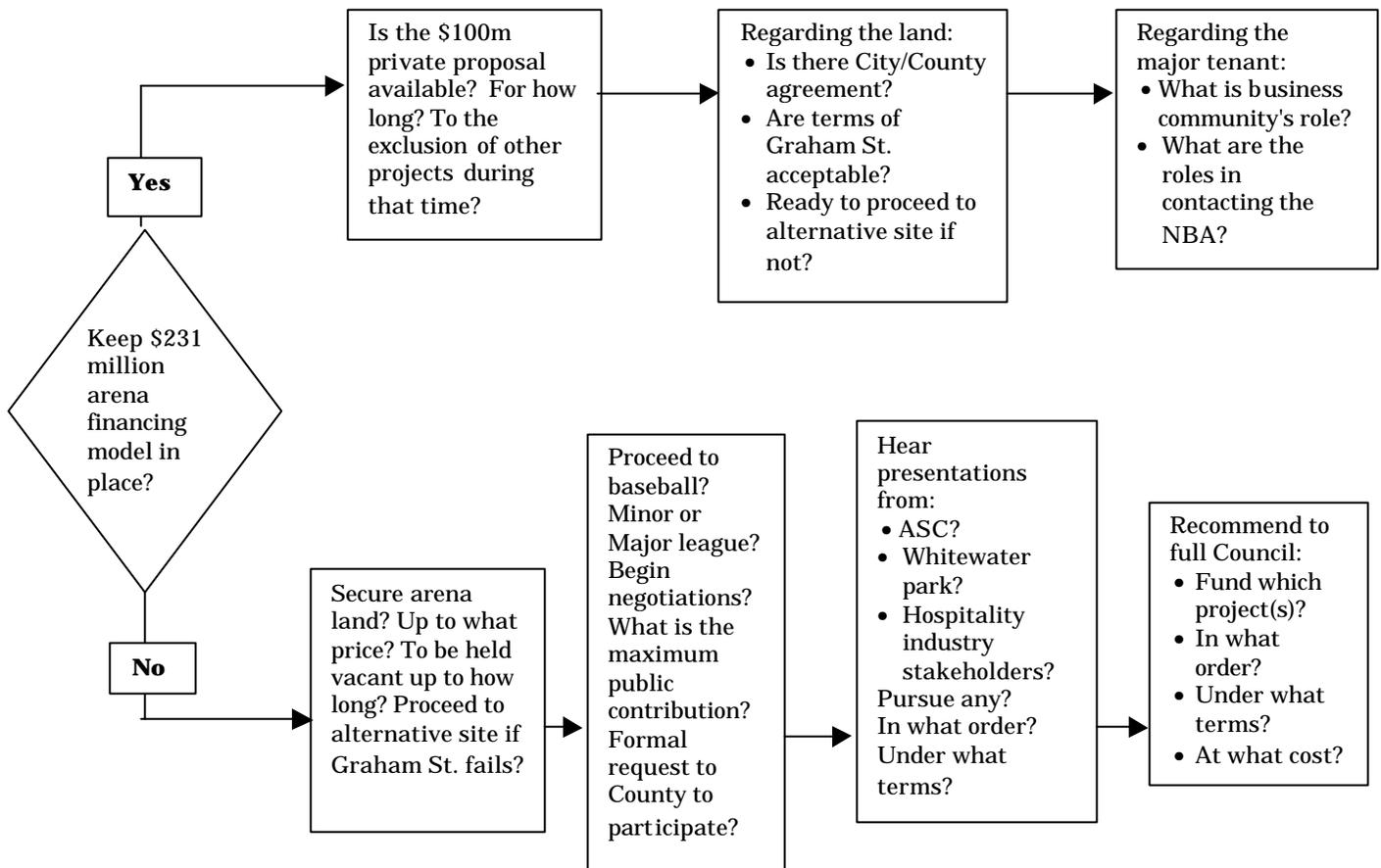
Action: Approve Economic Development and Planning Committee's recommendation establishing a process for the review and consideration of Sports and Cultural Facilities.

Committee Chair: Lynn Wheeler

Staff Resources: Pamela Syfert, City Manager
 Ron Kimble, Assistant City Manager
 Curt Walton, Budget Director

Explanation

Council is requested to approve the process as recommended by the Economic Development and Planning (ED/P) Committee for consideration of sports and cultural facilities. The Committee recommended the "Yes" decision path:



The process also includes the following timeline towards completion of the process:

May 21	ED/P Committee	Review and recommend process
May 28	Full Council	Consider ED/P Committee recommendation
June 4	County Commission	Consider Third Ward Land Use Plan
June 10	Full Council	Consider Third Ward Land Use Plan
June 12	ED/P Committee	Status of Third Ward Land
June 19	ED/P Committee	Definition of roles for pursuit of major tenant
June 24	Full Council	Consider any ED/P Committee recommendations

Background

On May 13 the Council referred to the Economic Development and Planning Committee the issue of how to proceed relative to the construction of tourist-related capital facilities. The Committee met on May 15 to discuss their goals and then again on May 21 to discuss a process for how to achieve those goals.

The recommended process was approved by a vote of 3 to 1 (Wheeler, Cannon and Graham approving; Lochman dissenting). Council member Carter was absent. Council members Mumford and Tabor were also in attendance.

The Committee discussed getting additional information about construction of a minor league baseball stadium, but the recommendation was to delay further conversation with minor league baseball until the arena process was completed. The Committee emphasized, however, that the Council could transition from the "Yes" track to the "No" track at any point.

BUSINESS

10. Soil Erosion and Sedimentation Control Ordinance Amendment

Action: Adopt amendment to the Soil Erosion and Sedimentation Control Ordinance.

Staff Resource: Lisa Hagood, Engineering and Property Management

Explanation:

In October 1999 the State presented mandated changes to the Soil Erosion and Sedimentation Control Ordinance. The Storm Water Advisory Committee (SWAC or Advisory Committee) endorsed the State mandated changes and City Council approved the amendment to the Soil Erosion and Sedimentation Control ordinance in August 2000. During that time, City and County staff along with the Advisory Committee determined other changes were necessary to make the City and County ordinances stronger and more consistent.

The Advisory Committee set up a stakeholders group in the fall of 2000 to review the ordinance and make further recommendations. The stakeholders group extensively reviewed the proposed revisions with County and City staff over a course of two years. SWAC reviewed the proposed revisions, made changes and endorsed the revisions at their February 21, 2002 meeting.

The revised ordinance strengthens the City and County's ability to address two primary objectives:

- Hold developers and contractors responsible for maintaining erosion control on their projects, and
- Protect environmentally sensitive areas from sediment damage

The ordinance amendments are effective upon adoption.

Community Input:

A stakeholders group of developers, environmental representatives, City Engineering & Property Management Land Development staff, Mecklenburg Environmental Protection and Mecklenburg County Land Development met to work on this amended ordinance.

Public Input:

A public hearing was held on May 13, 2002. Staff gave a brief explanation and three speakers came forward. Three speakers spoke in favor of the amendments:

- Mike Peters, lower Lake Wylie Homeowners
- Mark Cramer, REBIC
- Rick Roti, Sierra Club and River Keepers Inc.

Attachment 3

Proposed ordinance

11. Residential Traffic Calming Speed Humps Contract for 2002

Action: A. Approve list of streets to receive road humps; and

B. Award the low bid traffic calming road humps contract to Oliver Paving, Inc. of Charlotte, North Carolina for \$161,720.

Staff Resource: Doreen Szymanski, Transportation

Policy:

On October 13, 1997 City Council approved the addition of speed humps to the Residential Traffic Calming Program to assist with controlling speeds in neighborhoods. Council approval is required to place an obstruction on a City maintained roadway.

Explanation:

Residential streets approved for speed humps must meet certain criteria:

- reducing the posted speed limit on the street to 25 MPH
- having a volume of at least 1,000 vehicles per day
- having an average speed limit that is 5 MPH or more over the posted speed limit

Once the initial criteria are met, the street is ranked according to a number of factors:

- severity of the speeding problem
- traffic volume
- nearby pedestrian activity
- presence of a sidewalk

The street is then placed on a waiting list for funding. When the street becomes eligible for speed hump funding, residents circulate the petitions for signatures by at least 75% of the households on that street. Neighborhood association endorsement is also required.

This contract provides 90 standard speed humps and 15 decorative speed humps on 35 streets identified on the attached list. This contract is funded with FY2002 funds.

City funding of speed humps will not exceed the \$225,000 limit per year set by Council in October 1997.

Residents have the option to pay for decorative brick tops for the speed humps on their street. The City does not pay the additional cost for this option. Residents may also elect to pay the total cost for speed hump installation to avoid being placed on a waiting list for City funding, as long as street meets the program criteria.

Because of resource constraints, the City Manager's recommended Capital Investment Plan for FY2003-2007 does not fund this program after FY2004.

Funding:

Transportation Capital Investment Plan

Attachment 4

Streets to Receive Traffic Calming Speed Humps in 2002

12. Agreement with the City of Concord for Provision of Water Service

Action: Approve an agreement with the City of Concord to allow for the provision of water service to Concord when mutually agreed upon by the Concord City Manager and the Charlotte-Mecklenburg Utilities Key Business Executive.

Staff Resource:

Doug Bean, Utilities

Explanation:

In 1994 Charlotte-Mecklenburg Utilities (CMU) entered into an agreement to make an emergency connection to the City of Concord to sell water through a connection located at the county line on Highway 29. In 2001, Utilities made an additional connection with Concord to assist with their water supply due to the ongoing drought. Recently, Concord has expressed an interest in additional connections to purchase water from CMU during periods when the demands within our system are below peak levels. Utilities staff have reviewed the potential connection points and determined that future connections are also feasible.

This agreement provides an average of 5 million gallons per day of water to Concord over the next 5 years. The agreement proposes that these water sales would only occur during months when Utilities has excess water production capacity above existing system demands. The agreement provides

that Utilities is not obligated to supply water during peak demands with its system and it provides that Concord may supply to the Charlotte system if needed for emergencies. Concord would be charged the bulk rate that is currently equal to that of the second tier of our existing three-tier conservation rate structure. The agreement provides that it can be voided at any time by either party giving proper notice to the other.

Utilities also sells water to Union County and York County at this same rate.

Charlotte-Mecklenburg Utilities also has sewer service agreements with Cabarrus and Union counties.

13. General Obligation Refunding Bonds

Action:

- A. Approve a resolution making certain statements of fact concerning the proposed bond issue;**
- B. Introduce a bond order for up to \$40,000,000 of General Obligation Refunding Bonds; and**
- C. Approve a resolution calling a public hearing on the bond order and direct publication of notice of the public hearing and filing of a debt statement.**

Staff Resource: Greg Gaskins, Finance

Explanation:

The General Obligation Refunding Bonds may total up to \$40,000,000. The actual amount of bonds to be refunded is \$38,500,000. A preliminary analysis indicates that the City would save in excess of \$1 million. 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.

This action refunds the 1992A refunding bonds which were issued to refund 1986, 1987 and 1998 public improvement and water and sewer bonds.

Notice of the public hearing will be published on June 8, 2002 and the public hearing will be June 24, 2002.

Background:

The primary criterion when refunding debt is savings. The Local Government Commission policy is for net present value savings that will equal 3% of bond principle being refunded. The previous refunding and the proposed refunding exceed net present value savings of 3%. If the market moves against the City before the proposed refunding bonds are sold, the transaction won't take place. Staff continuously review our outstanding debt for refunding

candidates. Since September of 1992, the City has refunded 15 debt issues resulting in net present value savings of \$69.8 million

In the most recent refunding, all of the savings (\$406,000) will be realized in the Municipal Debt Service Fund over the life of the refunding bonds. In the proposed refunding, approximately 55% of the savings (estimated to be in excess of \$1,000,000) will be realized in the Water and Sewer Debt Service Fund and 45% in the Municipal Debt Service Fund over the life of the refunding bonds. Refunding savings from general government debt will stay in the Municipal Debt Service Fund. In the Water and Sewer Debt Service Fund savings will reduce required annual contributions from the operating fund.

Funding:

Municipal Debt Service Fund

Attachment 6

Bond order
Resolutions

14. Appointments to Boards and Commissions

Action: Vote on blue ballots and give to City Clerk at dinner.

A. TREE ADVISORY COMMITTEE

One appointment beginning immediately and serving until December 2004 to replace Kelly Brannon who has resigned.

Hannelore Palmer by Council member Mitchell
Mark Shawl by Council member Tabor

Attachment 7

Applications

15. FY2003 Budget Calendar

Action: Amend the FY2003 budget calendar as discussed at the May 21, 2002 Budget Retreat.

Committee Chair: Lynn Wheeler

Staff Resource: Curt Walton, Budget & Evaluation

Explanation:

Council is requested to amend the FY2003 budget calendar, as discussed at the May 21, 2002 budget retreat:

Date	Time	Place	Purpose
May 28, 2002	7:00 p.m.	Council Chamber	Public hearing
June 5, 2002	4:00 p.m.	CH14	List items for additional consideration in the City Manager's Recommended Budget
June 17, 2002	3:00 p.m.	CMGC Room 267	Preliminary decisions on the list of items identified June 5 th , those on the list receiving 5 or more votes will be considered for straw votes on June 19 th
June 19, 2002	4:00 p.m.	CMGC Room 267	Straw votes on the items receiving 5 or more votes on June 17 th ; items receiving 6 or more votes will be included in the budget ordinance to be adopted June 24 th
June 24, 2002	7:00 p.m.	Council Chamber	Budget adoption

Background:

At the May 21, 2002 budget retreat Council requested additional time to consider the City Manager's Recommended Budget for FY2003. The May 23rd budget retreat was cancelled and Council tentatively recommended the above calendar.

Introduction to CONSENT

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

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

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

Contracts awarded to Minority and Women Business Development (MWBD) certified companies are noted. The MWBD abbreviations are as follows:

ABE – Asian American

BBE-African American

HBE – Hispanic

NBE-Native American

WBE – Non-Minority Women

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit. DBE is race neutral.

Contractors and Consultants

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

CONSENT I

16. Various Bids

**A. Sanitary Sewer and Water Main Construction– CMU
Mount Holly-Huntersville Road 2001
Annexation Area**

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$2,036,344.55 by State Utility Contractors, Inc. of Monroe, North Carolina. This project consists of various pipes, manholes, fire hydrants and related apparatus.

MWBD: State Utility will subcontract \$42,800 or 2% to Nicky Construction Company and Wayland, Inc., certified WBE's.

**B. Sanitary Sewer and Water Main Construction- CMU
Prosperity Church Road 2001 Annexation Area**

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$2,224,327.83 by Sanders Utility Construction Company, Inc. of Charlotte, North Carolina. This project consists of various pipes, manholes, fire hydrants and related apparatus.

MWBD: Sanders Utility is a certified WBE firm.

C. Fire Records Management System

Fire

Recommendation: The Fire Chief recommends the low bid of \$1,393,734 by FDM Software Ltd. of Vancouver, British Columbia, Canada for a fire records management system. The system will provide such essential information as hydrant location, water availability, building layout and premise information, street directions and personnel skills and availability. The contract includes a five year maintenance agreement. The project is funded by the 911 surcharge fee on telephone landlines and cellular service.

17. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$3,472.39.

Attachment 8

Resolution

List of Refunds

18. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Sofley Road

Action: A. Adopt the Resolution of Intent to abandon a portion of Sofley Road; and

B. Set a public hearing for June 24, 2002.

Attachment 9

Map

19. In Rem Remedy

For In Rem Remedy #A , the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence in a neighborhood.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.

Policy:

- Communities Within A City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety – Police and/or Fire Dept.
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

Public Safety

- A. 2953 Ross Ave. (Reid Park Neighborhood)

Public Safety:

A. 2953 Ross Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2953 Ross Avenue (Reid Park Neighborhood).

Attachment 10

CONSENT II

20. Amendment to Passenger Vehicle for Hire Ordinance

Action: Adopt an ordinance amending Chapter 22 of the City Code, entitled “Passenger Vehicles for Hire” to add a definition of and identification requirements for limousine sedans.

Staff Resource: Terry Steele, Charlotte-Mecklenburg Police

Explanation:

On May 8, 2000, City Council approved the new Passenger Vehicle for Hire Ordinance that became effective on July 1, 2001. When the owners of vehicles classified in the ordinance as black cars, town cars, and executive cars began obtaining permits for those vehicles, they found that the ordinance required that they display their company name, phone number and vehicle unit number with permanent decals in four inch lettering on the sides and six inch lettering on the rear. In November 2001, these vehicle owners advised City staff that this type of signage would result in a significant loss of their business. Staff research indicated that these types of vehicles are not marked, labeled, or otherwise publicly identified in any other large cities.

Staff has worked with the vehicle owners to resolve this issue in a manner that satisfies the public safety goals of the ordinance, in regard to identification requirements, without negatively impacting the business of these limousine companies.

The amendment to the ordinance defines limousine sedans as:

A luxury sedan that the manufacturer promotes as a luxury automobile with an original manufacturer suggested retail price in excess of \$30,000. This vehicle is a non-metered passenger vehicle for hire that is used to transport persons hired by pre-arrangement rather than on demand and the driver may or may not charge passengers a direct fee. A limousine sedan differs from a limousine in that it has fewer than four seats behind the driver and does not meet the manufacturers' specifications for a luxury limousine.

The limousine sedans will be required to display:

- A city issued numbered decal on the lower, right front windshield
- A conspicuous notice with the appropriate information on filing complaints in the passenger area of the vehicle

- A permanent window decal that includes the company name and telephone number in a four inches by four inches area at the passenger entry doors
- A front license plate that includes the company name
- A rear license plate frame that includes the company name and telephone number

The ordinance will be effective July 1, 2002.

Community Input:

Two public meetings were held on February 6 and February 27, 2002. Representatives of the affected companies and vehicle owners were present at both meetings along with staff from the Airport, the Passenger Vehicle for Hire Office and representatives from the Passenger Vehicle for Hire Board. The ordinance amendment reflects the input from these meetings.

Attachment 11

Ordinance

21. Backup 911 Emergency Operations Center

Action: Approve the sole source purchase of telephone and recording equipment in the amount of \$290,276 to serve as a backup 911 Emergency Operations Center for the Charlotte-Mecklenburg Police Department.

Staff Resource: Cindy Cesena, Charlotte-Mecklenburg Police
John Trunk, Business Support Services

Explanation:

The North Carolina bid statute allows sole sourcing when performance or price competition is not available, when a needed product is available from only one source of supply or when standardization or compatibility is the overriding consideration. In this case sole sourcing is appropriate because the equipment for the proposed backup 911 Emergency Operations Center must be compatible with existing equipment used by the Charlotte-Mecklenburg Police Department's 911 System provided by Plant Equipment, Inc.

This purchase provides VESTA 911 telephone equipment and a PYXIS logging recorder from Plant Equipment to be installed at the new Police and Fire Training Academy. The equipment will be used to establish a backup 911 Emergency Operations Center that would be activated should an emergency require the Police Department to vacate its East Trade Street facility. The equipment will also be used in the Communications Training Academy to train new telecommunicators in a live environment.

Currently, the Police Department is the primary location for answering 911 calls for all of Mecklenburg County except Huntersville, Cornelius and Pineville. The Charlotte Fire Department and Mecklenburg MEDIC operate secondary answering points. 911 calls are being transferred to them from the Police Department. Currently there is no back-up center sufficiently equipped to handle the workload should the Police Department be forced to vacate its Headquarters.

The new Fire/Police Training Academy, scheduled to open in June, will have a large room that will be used as the Communications Training Academy. A proposal was made by CMPD to equip this room so that it could be quickly activated as a 911 Emergency Operations Center for the Police Department. The backup server for the department's new computer aided dispatch system will be located in this room.

The VESTA 911 telephone equipment, to be purchased under this contract, will provide test 911 trunks to allow for 911 operator training. Fifteen backup 911 trunks will also be installed at the Academy so that 911 calls can be quickly re-routed to the Academy should the need arise. In the event that the Police Department must evacuate its main Communications Center, all 911 calls would then be temporarily rerouted to City Fire and MEDIC until the Police Department could staff the 911 Emergency Operations Center and reroute the calls to that location.

The proposed contract with Plant Equipment also provides for a PYXIS logging recorder that will allow telecommunicators to record all 911 calls received while the 911 Emergency Operations Center is in operation. The PYXIS recorder is integrated with the VESTA 911 telephone equipment. Sole sourcing the equipment with Plant Equipment would allow for the Communications Academy to train on the exact same equipment utilized at Police Headquarters. Should the EOC be activated, all telecommunicators would be familiar with the equipment allowing for a quick and efficient response to the emergency.

Funding:

Funds are available in the 911 Surcharge Funding account

22. Contract to Install New Underground Conduit for CDOT Traffic Signal Communication Cable on Ballantyne Commons Parkway and on Johnston Road

Action: Approve a contract with Communication Services, Incorporated in the amount of \$445,000 for a traffic signal communication conduit system on Ballantyne Commons Parkway and on Johnston Road.

Staff Resource:

Bill Dillard, Transportation

Explanation:

CDOT has identified a need for fiber optic traffic signal communications cable in the Ballantyne area. Because of the high cost of constructing underground facilities in this area, CDOT approached several communications companies to explore a public/private conduit system on Ballantyne Commons Parkway between Elm Lane and Old Lancaster Highway and on Johnston Road between Providence Road West and Carmel Road (including an underground crossing of I-485). Communication Services Incorporated (CSI) expressed an interest in a partnership with the City and as a result of this interest a formal contract agreement has been negotiated.

Under the contract, CSI will develop plans and construct the conduit duct systems on Ballantyne Commons Parkway and on Johnston Road. The total estimated cost of the work to be performed by CSI is \$2,438,000. The City will contribute \$445,000 in exchange for one conduit on each street for the City's exclusive use. The cost for the City to separately install a single conduit is estimated to be \$730,000.

Section 7.109 of the City Charter authorizes negotiated public/private development contracts.

Funding:

Transportation Capital Investment Plan and Transportation Operating Budget

23. Smallwood/Eleanore Heights Neighborhood Improvement-Amendment #1

Action: Approve Amendment #1 to the agreement with Finkbeiner, Pettis & Strout for \$104,000 for design phase activities in the Smallwood and Eleanore Heights neighborhoods.

Staff Resource: Carl Jarrett, Engineering and Property Management

Explanation:

On February 12, 2001, Council approved an agreement with Finkbeiner, Pettis and Strout for \$141,000 for the planning phase of the Smallwood and Eleanore Heights Neighborhood Improvement project. The project has now reached the design phase and this amendment will fund various activities, including design of curb and gutter, sidewalk and storm drainage. No further amendments to this agreement are anticipated.

Community Input:

The standard citizen involvement process was used to gather community input.

Funding:
Neighborhood Capital Investment Plan

24. East Providence Storm Water Capital Improvement

Action: Approve contract with Armstrong Glen for engineering services in the amount of \$159,520.

Staff Resource: Steve Sands, Engineering and Property Management

Explanation:
The East Providence Storm Drainage Improvement project will reduce street and house flooding on East Providence, Davis Drive and Allenwood Road. These streets are located just south of McKee Road and east of Martin Freeway in southeast Charlotte. This contract is for planning phase services. An amendment is anticipated for design services after completion of the planning phase.

Community Input:
Meetings with neighborhood groups and other efforts to involve the community are included in the scope of services.

Funding:
Storm Water Capital Investment Plan

25. Sewer Construction Administration and Inspection Services–Hazen and Sawyer, P.C.

Action: Approve a contract with Hazen and Sawyer, P.C. for \$180,000 to provide construction administration and inspection on various sewer projects.

Staff Resource: Doug Bean, Utilities

Explanation:
This contract will provide for construction administration, inspection, and other miscellaneous engineering services. This contract allows Charlotte Mecklenburg Utilities (CMU) to move forward with contract preparation and advertisement for construction for various projects such as Clarke Creek Outfall Phase IV, Coffey Creek Tributary Phase II, and Wilkinson Boulevard Outfall.

Due to the number and scope of the existing and upcoming projects under construction supervision by CMU staff, there are limited resources available to provide the necessary inspection and construction administration.

This contract facilitates the construction of projects in a timely and cost effective manner.

Funding:

Sewer Capital Investment Plan

26. Briar Creek Relief Sewer-Professional Service Contract With Camp Dresser & McKee

Action: Approve a contract with Camp Dresser & McKee (CDM) for \$1,402,090 to provide design and engineering services at the Briar Creek Relief Sewer project.

Staff Resource:

Doug Bean, Utilities

Explanation:

This contract will provide for final route selection, surveying, right-of-way easement map preparation, permitting and design services for Phase I of the Briar Creek Relief Sewer project. It will also include costs for preliminary design and right-of-way easement map preparation for Phases II, III and IV of Briar Creek Relief Sewer.

In recent years the sanitary sewer flow demands in the Briar Creek basin service area have increased and the service life of several major outfalls and sewer trunks have been exceeded. The existing sewer lines in the Briar Creek basin are no longer capable of conveying the necessary capacity due to growth and the rapidly deteriorating system that allow rainwater leakage into the system. With projected growth in the Briar Creek basin and the current state of the aging infrastructure in this basin, capacity will continue to diminish and the system will deliver excessive amounts of rainwater to the treatment plants during wet weather months.

The estimated construction cost for all phases of this project is \$67 million dollars. To finance this cost, the project has been divided into phases with funds allotted over several years. The contract with CDM includes the detail design of Phase I and provides for the preliminary design and right-of-way easement map preparation for all phases. The intent is to acquire all the necessary easements for all the phases as soon as the preliminary design is complete in order to gain control of the needed work zones. This should limit excessive redesigns due to continued development and property ownership changes as future phases move into detail design and construction.

The Briar Creek basin extends from Tyvola Road to W. T. Harris Boulevard at Plaza Road Extension.

Funding:

Sewer Capital Investment Plan

27. Property Transactions

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

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:** FAR Part 150 Land Acquisition
Owner(s): Patricia K. Hyatt
Property Address: 6433 Shoreline Drive
Property to be acquired: 0.41 acres
Improvements: Single family residence
Purchase Price: \$93,000
Zoned: R3
Use: Single family residence
Tax Value: \$69,800
Tax Code: 055-365-08
- B. Project:** Airport Master Plan Land Acquisition
Owner(s): Paul Norman
Property Address: Dixie River Road
Property to be acquired: 13.0654 acres
Improvements: Vacant land
Purchase Price: \$1,010,000
Zoned: I1
Use: Vacant land
Tax Value: \$317,550
Tax Code: 141-271-09
- C. Project:** Albemarle Road Streetscape, Parcel #14
Owner(s): State Employee's Credit Union
Property Address: 6330 Executive Circle

Property to be acquired: 6,796 sq.ft. (.156 ac.) of Permanent Sidewalk Easement plus 1,117 sq.ft. (.026 ac.) of Temporary Construction Easement

Improvements: None

Purchase Price: \$10,059

Remarks: This acquisition is required for the Albemarle Road Streetscape Project. Compensation was established by independent, certified appraisals in the area.

Zoned: O-15CD

Use: Model Office

Tax Code: 103-261-12

Total Parcel Tax Value: \$1,120,450

- D. Project:** Old Statesville Road Widening, Parcel #123,
Owner(s): Atlantic Business Centers V, LLC
Property Address: Old Statesville Road
Property to be acquired: 14,295 sq.ft. (0.328 ac.) of Fee Simple Acquisition and Permanent Utility Easement plus 6,301 sq.ft. (0.145 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$35,981
Remarks: This acquisition is required for the Old Statesville Road Widening Project. Compensation was established by two independent, certified appraisals and appraisal review.
Zoned: I-2
Use: Business-Vacant
Tax Code: 037-253-19
Total Parcel Tax Value: \$272,980
- E. Project:** 8-inch Sanitary Sewer to Serve 6008 Pineville-Matthews Road, Parcel #1
Owner(s): Karrington Operating Company, Inc.
Property Address: 5515 Rea Road
Property to be acquired: 11,747 sq.ft. (0.270 ac.) of Permanent Easement plus 13,376 sq.ft. (0.307 ac.) of Temporary Construction Easement
Improvements: Landscaping, Wooden Sign, Sprinkler System, Hood Lamps
Purchase Price: \$17,475
Remarks: This acquisition is required for the 8-inch sanitary sewer to serve 6008 Pineville-Matthews Road Project. Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-12MFC
Use: Apartment Homes
Tax Code: 211-251-04
Total Parcel Tax Value: \$5,463,720

Condemnations:

- F. Project:** 24-inch Water Main along South Polk Street, Parcel #3
Owner(s): Bronze/Pineville Associates, LP and any other parties of interest
Property Address: 321 Polk Street
Property to be acquired: 13,473 sq.ft. (0.309 ac.) of Permanent Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$28,100
Remarks: This acquisition is required for the 24-inch water main along South Polk Street 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: B-4
Use: Commercial
Tax Code: 221-132-02
Total Parcel Tax Value: \$4,983,200
- G. Project:** Freedom Drive (NC27) Widening, Parcel #519,
Owner(s): Virgil Stewart and wife, Mary Stewart and any other parties of interest
Property Address: 815 Little Rock Road
Property to be acquired: 21,780 sq.ft. (0.500 ac.) of Fee Simple
Improvements: All Buildings – Total Take
Purchase Price: \$91,500
Remarks: This acquisition is required for the Freedom Drive (NC27) Widening Project. Compensation was established by two independent, certified appraisals 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: 059-225-10
Total Parcel Tax Value: \$84,190
- H. Project:** Wilkinson Boulevard Outfall Project, Parcel #2,
Owner(s): Matlock Family Trust and any other parties of interest
Property Address: Sam Wilson Road
Property to be acquired: 42,183 sq.ft. (0.968 ac.) of Permanent Sewer Easement plus Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$1,525

Remarks: This acquisition is required for the Wilkinson Boulevard Outfall 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: I-1

Use: Vacant

Tax Code: 113-046-19

Total Parcel Tax Value: \$102,540

- I. Project:** Sharon View Road Sidewalk Project, Parcel #22,
Owner(s): William Martin Ivey, and wife, Janice Eldridge King Ivey and any other parties of interest
Property Address: 5009 Sharon View Road
Property to be acquired: 1,235 sq.ft. (0.028 ac.) of Permanent Sidewalk plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,475
Remarks: This acquisition is required for the Sharon View Road Sidewalk 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: 187-233-07
Total Parcel Tax Value: \$176,150
- J. Project:** Asbury Avenue Extension, Parcel #99
Owner(s): Joseph C. Anderson and wife, Loree R. Anderson and any other parties of interest
Property Address: 808 Atando Avenue
Property to be acquired: 5,797 sq.ft. (.133 ac.) of Fee Simple plus Temporary Construction Easement
Improvements: None
Purchase Price: \$9,275
Remarks: This acquisition is required for the Asbury Avenue Extension 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: I-2
Use: Warehouse/Industrial
Tax Code: 085-071-03
Total Parcel Tax Value: \$141,740

28. Meeting Minutes

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

- **April 22, 2002 Business meeting**