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Council Manager Memo #2 - Jan. 8, 2010

Calendar Details:

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- [January and February Calendars](#)

- [South Tryon Bus Facility Fuel Discharge](#)

Calendar Details:

Monday, January 11

2:00 pm - Economic Development Committee, Room 280. AGENDA: ED Focus Area Plan 2011/2012; Small Business Loans; Small Business Strategy Plan; Discuss Meeting Schedule for 2010

3:30 pm - Transportation and Planning Committee, Room 280. AGENDA: Committee Charge; Transportation Action Plan (TAP) Annual Report; Zoning Requirements for Special Needs Housing; Committee Schedule

5:00 pm - Council Business Meeting

January and February calendars are attached.

Agenda Notes:

2009 Crime Statistics Review

Resource:

Eric Campbell, City Manager's Office, 704-336-5158, ecampbell@charlottenc.gov

Charlotte-Mecklenburg Police Department plans to release its 2009 annual crime statistics on Tuesday, January 12. The City Manager has asked Chief Rodney Monroe to present the crime statistics to the Mayor and City Council at Monday night's dinner briefing so that Council will be able to respond to any questions from the media.

Chief Monroe will present for about 15 minutes at the beginning of the dinner briefing. He will cover the highlights of the crime statistics and discuss some of the strategies that CMPD is using to meet its crime reduction goals.

Information Items:

South Tryon Bus Facility Fuel Discharge Update

Resource:

Carolyn Flowers, CATS, 704-336-3855, cflowers@charlottenc.gov

Mitigation, environmental clean-up, and investigation efforts have advanced and are continuing since we first reported to you the discharge of diesel fuel that was discovered at the CATS South Tryon Bus Facility late in the day on December 22, 2009 (see attachment for additional details). The discharge was contained by the afternoon of December 23. A licensed contractor has been at work on both bus facility grounds and within the affected drainage basin areas since then providing necessary clean-up of the waters. That clean-up is continuing and will not be completed until the waters draining from the bus facility are clear of any fuel contamination.

The costs of the clean-up and repairs are being defined and quantified. The invoices for the initial



discharge containment and clean-up of the waters only total just under \$100,000 to date. The full extent of the contamination, and hence the full extent of the required remediation efforts and the costs, will not be determined until the gravel/soil clean-up is underway and test wells are established. Staff anticipates asking Council at the January 25 meeting to take action on the contract for emergency clean-up and remediation. The agenda item will set forth the basic facts of this matter and outline the emergency procurement of the environmental clean-up services. We will also include a cost summary and estimate.

The team of City staff handling this matter is from several City departments and is continuing to work with all appropriate local, state and federal agencies to fully mitigate this discharge. Staff is also reviewing processes to determine the need for any additional control measures (including additional check valves to be added as redundant safeguards). Please let the staff resource know if you have any further questions.

Carolina Thread Trail

Resource:

Debra Campbell, Planning, 704-336-2671, dcampbell@ci.charlotte.nc.us

At the September 8, 2009 meeting, City Council adopted a resolution of support for the Carolina Thread Trail. The Thread Trail is a greenway, bike and PED trail system that is proposed to be developed to connect 15 counties in the Charlotte-Mecklenburg region. At this meeting Dave Cable, director of the Catawba Lands Conservancy, provided a status report on the project including fund raising and detailed planning efforts. Council member John Lassiter expressed concern that, in Mecklenburg County, the project needed to be coordinated with other land development efforts like the rezoning and subdivision processes to ensure that land is adequately reserved and protected to develop the system of trails.

On December 16, 2009, Planning staff met with Dave Cable and Saxby Chaplin to discuss the project and ways to coordinate the rezoning and subdivision processes. Additionally, staff discussed the need to have the proposed trail map in a digital format to ensure locations are accurately captured on proposed land use plans and to coordinate with other possible joint use opportunities. The group agreed to meet once or twice a year to share information and discuss any process issues. Staff will also update Council as the need arises on the progress of the group.

Lawing School Road Connectivity Project

Resources:

Matt Magnasco, CDOT, 704-336-3368, mmagnasco@charlottenc.gov

Dan Leaver, E&PM, 704-336-6388, dleaver@charlottenc.gov

The third project undertaken through the Connectivity Program is in the bidding phase and construction is scheduled for this coming summer.



Staff expects the project to be featured in an upcoming issue of *Mountain Island Weekly*. The project will connect Lawing School Road to Northwoods Forest Drive, two local streets off Mt. Holly-Huntersville Road near Bellhaven Boulevard (see map).

Currently there is a gap of approximately 300 feet between the two streets. The project will consist of the following:

- Connecting the two existing streets.
- Minor widening of Northwoods Forest Drive
- Construction of 8-foot planting strips, 5-foot sidewalks, and curb and gutter along Lawing School Road between Northwoods Forest Drive and the Stratford Pond neighborhood
- Traffic calming on Lawing School Road.

Despite the presence of a barricade between the two streets, approximately 300 vehicles per day routinely drive around the barricade. Adjacent residents claim that school buses also use this improvised "connection." Drivers already are creating their own connectivity, even though there is no existing street. The photo below, taken from Northwoods Forest Drive, illustrates this.

In 2008, residents on the Northwoods Forest side of the gap requested that CDOT connect these two streets, and they later submitted a petition to that effect. The project meets several objectives of the Connectivity Program, such as: addressing existing demand; improved Fire Department response time to any incident at the end of Northwoods Forest Drive from Station #33 (Mt. Holly-Huntersville Road) by 1.1 minutes and from Station #25 (Pleasant Grove Road) by 2.3 minutes; improved access to nearby destinations without the need to travel on Mt. Holly-Huntersville Road (including Bi-Lo shopping center on Bellhaven Boulevard and the future Long Creek Greenway); and improved Police response.



The project team held two public meetings in 2008 and has briefed Council member Mitchell. Although public support and opposition was split, Council member Mitchell supported implementation of the project. We believe the project will address the concerns as part of the improvements. These include perceptions about increased crime, speeding on Lawing School Road (the project will include traffic calming), inadequate street infrastructure on Lawing School Road (the project will install sidewalk and curb and gutter well beyond the limits of the connection), and perceptions that the benefits of the connection would go to Northwoods Forest residents but the impacts would go to Lawing School residents (the project would benefit both sides).

EPA Proposes New National Ozone Standards

Resource:

Eldewins Haynes, CDOT, 704-336-7621, ehaynes@ci.charlotte.nc.us

Last September, staff advised City Council that the U.S. Environmental Protection Agency (EPA) was considering reducing the nationwide 8-hour ozone standard. On January 7, 2010, the agency announced its intention to propose new standards and states that the new standards will be scientifically sound and more protective of human health. EPA will receive public comments for 60 days after publishing the proposed rule in the Federal Register. The EPA will hold three public hearings on the proposal: February 2, 2010 in Arlington, Va. and Houston, TX; and February 4, 2010 in Sacramento, CA. The EPA expects to issue a final decision by August 31, 2010.

The new 8-hour ozone standard will be somewhere between 60 and 70 parts per billion (ppb), lower than the 75 ppb standard set in March, 2008. The new ozone standard will not impact our ability to meet current conformity requirements. The 1997 ozone standard, 84 ppb, is still in effect, and remains the existing air quality goal for our area.

EPA also is proposing a separate "secondary" standard to protect plants and trees. This seasonal standard is designed to protect plants and trees from damage occurring from repeated ozone exposure, which can reduce tree growth, damage leaves, and increase susceptibility to disease. We have no details at this time about the secondary standard.

Attainment deadlines and the geographical extent of nonattainment areas will be determined by EPA March 12, 2011. EPA also announced they will not apply the previous 75 ppb ozone standards.

More information: <http://www.epa.gov/groundlevelozone>



Stimulus Information:

Charlotte to Receive Clean Water Stimulus Funds for Wilora Lake Project

Resource:

Darryl Hammock, E&PM, 704-336-2167, dhammock@charlottenc.gov

On March 9, 2009 City Council approved applications to the North Carolina Division of Water Quality for three Storm Water stimulus projects that would improve the quality of surface waters and that met the definition of "shovel ready". Without the availability of Stimulus funding these projects would have either been funded by the Storm Water Capital program, or potentially not built at all. This past spring, two of these three projects were awarded stimulus funding including the Muddy Creek Stream Restoration at \$2.195 million, and the Revolution Park Water Reuse project at \$0.577 million.

State officials have relayed their intent to award Charlotte up to \$1.32 million in stimulus funds for an additional project, the Wilora Lake Rehabilitation. The funding comes from the EPA's "Green Project Reserve," which provides construction funds for environmental infrastructure projects that slow down or reverse the effects of urbanization on surface waters.

Bids to construct the project were opened January 5, and Council will be asked to approve a budget ordinance and award a construction contract at the January 25 meeting. A condition of Charlotte receiving the stimulus funding is that a construction contract must be awarded by February 17, 2010, one year after the federal stimulus act was approved. Also at the January meeting, Council will be asked to approve a resolution accepting the loan for up to \$1.32 million and naming staff as the projects' Authorized Representative.

The Clean Water Funds come in the form of an interest free loan with 50% of the loan to be repaid within 20 years. The Wilora Lake Rehabilitation award is the third Storm Water Services project receiving stimulus funds, totaling \$4.1 million.

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