AGENDA

Meeting Type:	BUSINESS
Date:	04/11/1988

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Al Rousso*

John A (Gus) Campbell *Roy Matthews*
Stanley M Campbell *Cyndie Patterson*
Dan Clodfelter *Ella Butler Scarborough*
Charlie S Dannelly *Richard Vinroot*
Gloria Fenning *Velta W Woollen*

Council Agenda

Monday, April 11, 1988
District 4 Council Meeting
Windsor Park Elementary School
3900 Sudbury Road

5:30 PM. . . . . Council-Manager dinner
7:00 PM. . . . . Citizens Hearing
. Report from Community Relations Committee, Jack Bullard
7:30 PM. . . . . Council Meeting

ITEM NO.

1. Invocation by Rev. John Davis of Grace Memorial Baptist Church.

2. Consider approval of minutes of zoning hearing of March 23, 1988.

POLICY

3. A. Conduct a public hearing on the Business Privilege License Tax recommendations.

B. Consider unanimous recommendation of the City Council Finance Committee of an ordinance which implements the recommendation of the Citizens Committee on the Business Privilege License Tax.

Recommendation: In order to implement the Citizens Committee on the Business Privilege License Tax recommendations, it is requested that a revised business privilege license tax ordinance be adopted which

- will eliminate multiple City-controlled licenses for some businesses and make it easier for them to comply with the law.

- computes the tax at 60¢ per $1000 of annual gross receipts with a $50 minimum and a $2,000 cap.

- will increase revenues approximately $500,000 next year.
- Businesses covered by State law categories will continue to be issued separate licenses and will pay the maximum required by that law.

Background: In March, 1987, after extensive discussion Council implemented a two-stage process for revision of the business privilege license tax. Stage One called for the adoption of an ordinance which raised only those fees which were controlled by the State to their State-permitted maximum and which called for the submission of certain information to be used to help revise the BPLT ordinance. Stage Two involved the appointment of a citizens committee to work with the information submitted to bring back a recommendation which improved the equity and efficiency of these taxes. However, the statement was made that this was not to be a major revenue source.

The Citizens Committee on the Business Privilege License Tax was made up of 14 members and was chaired by Mr. Tom Turner, Chairman of the Department of Accounting at UNC-Charlotte. (Other members are listed on the attached sheet.) Since the beginning of January the committee has had a number of meetings using this data in an attempt to agree on a revised BPLT structure. At its meeting on February 29, 1988 the committee made its final recommendation by unanimous vote. The attached letter from Mr. Tom Turner to Mayor Myrick fully describes the committee's actions. In addition, the Board of the Charlotte Chamber of Commerce has also unanimously approved this recommendation.

Funding: No new funding required.

Attachment No. 1

4. Consider (1) rescinding an earlier Council action which designated the arena at the new Coliseum as the Paul Buck Arena; (2) designating the entrance boulevard to the Coliseum "Paul Buck Boulevard"; and (3) displaying a relief of Paul Buck in the lobby of the new Coliseum.

Requested action: This item is a request to: (1) rescind Council's action of June 8, 1987 which designated the arena as The Paul Buck Arena; (2) designate the entrance boulevard to the new Coliseum "Paul Buck Boulevard"; and (3) display a relief of Paul Buck in the lobby of the new Coliseum.

Background: Attached is a copy of a letter from Authority chairman John Maxheim in which he requests that the street leading to the new Coliseum be named Paul Buck Boulevard, and that a relief of Mr. Buck be placed in the lobby of the new Coliseum.

Last year the naming of the Coliseum entrance boulevard for Mr. Buck was proposed and during the Council discussion, Authority Chairman Martin Brackett requested Council designate the arena area as Paul Buck Arena. After extensive debate, Council agreed to the arena designation and did not take action on naming the boulevard. The minutes are attached.

Mr. Maxheim is now requesting the City reconsider its previous action and revert to the original proposal of naming the entrance street Paul Buck Boulevard.

Attachment No. 2

5. Status report on performing arts center and consideration of any recommendations from the North Carolina Performing Arts Center at Charlotte Foundation.

6. Recommend adoption of a resolution amending Council's previous resolution calling for a periodic review of the purpose and accomplishments of appointed boards, committees and commissions.

Requested action: Adoption of this resolution will eliminate the required periodic oral committee reports to Council and will instead require periodic written reports.

Background: On June 13, 1983, Council adopted a resolution calling for periodic comprehensive reviews of each of its standing boards, committees and commissions to which it makes exclusive appointments. The reviews were to assess whether each of these bodies would be renewed, dismantled, expanded or its charge redefined. The in-depth review covered 20 boards, committees and commissions with five reviewed each year over a period of four years. (The attached resolution shows the list of committees.) The reason for adopting this procedure was to avoid having each come before Mayor and Council for consideration at one time. The review schedule is to be repeated starting in 1988.

More Efficient Use of Time - Written Reports: Mayor and Council have indicated they would like to eliminate oral presentations to make more efficient use of their time. This amendment would eliminate the oral presentation by the chairman. The review would occur in the year indicated but would entail a written report from the chairman which would include information as to when the committee was established, its charge, membership and meeting schedule, its accomplishments and any recommendations pertaining to a reduction or expansion in membership, or a redefining of the charge.

Attachment No. 3

7. Recommend adoption of a resolution calling for a public hearing on May 9, 1988 to receive citizens comments on the proposed Housing Assistance Plan (HAP) for the three-year period October 1, 1988 through September 30, 1991.

Requested action: Adoption of this resolution will set a public hearing on May 9, 1988 to receive comments on the proposed three-year Housing Assistance Plan (HAP). The current HAP expires September 30, 1988. The City must submit a new three-year HAP to the Department of Housing and Urban Development for approval prior to September 30, 1988.

The attachment outlines the following: HAP background, purposes, uses, components, and options for Council's consideration in submitting the 1989-91 HAP.

Attachment No. 4

8. Recommend amendments to the Charlotte-Mecklenburg Thoroughfare Plan for the East Charlotte Outer Loop and other thoroughfares.

Requested action: This item requests Council's formal approval of revisions to the Thoroughfare Plan to reflect actions taken by the Metropolitan Planning Organization on March 16 regarding (1) eastern alignment for the Outer Loop Freeway, (2) addition of a new major thoroughfare on or adjacent to the corridor of the previously protected western alignment, and (3) approve other revisions previously made by the MPO in recent years. A large map will be available at the Council meeting.

Background: On March 14, 1988, Council directed its representative to the Metropolitan Planning Organization (MPO) to support the eastern alignment for the East Charlotte Outer Loop and the location of a new major thoroughfare along the western alignment.

On March 16, 1988, the MPO amended the Charlotte-Mecklenburg Thoroughfare Plan to locate the East Charlotte Outer Loop along the eastern route and to add a new major thoroughfare on or adjacent to the western alignment (as shown on a map presented on that date) to accommodate area traffic demands.

Request of MPO: At its March meeting, the MPO requested that the City of Charlotte also approve the amended Thoroughfare Plan reflecting the actions taken by this group on the East Charlotte Outer Loop. The Plan revisions Council is being requested to approve include:

1. The eastern alignment for the Outer Loop Freeway (Class I street) as approved by the MPO, the final alignment subject to specific design by the North Carolina Department of Transportation (NCDOT); and

2. Addition of a new major thoroughfare (Class III street) on or adjacent to the corridor of the previously protected western alignment of the Outer Loop. The Department of Transportation will work with other local, State, and Federal transportation staffs to refine the major thoroughfare's location to minimize its impacts.

3. Council is also requested to approve minor revisions to the Thoroughfare Plan that have been made by the MPO. These will be identified on the map at the Council meeting.

Why Council approval is necessary: Council approval of the amended Thoroughfare Plan is necessary to invoke the provisions of the Mecklenburg County Subdivision Ordinance to protect the rights-of-way and to prevent further subdivision activity in the paths of the East Charlotte Outer Loop and other roadways, unless the subdivisions are designed to preserve those rights-of-way under the requirements of the ordinance. A modified thoroughfare map will be available for review at the Council meeting or in the Charlotte Department of Transportation offices prior to the meeting.

BUSINESS

9. Recommend approval of a contract with Spirit Square Art Center, Inc. for the expansion and remodeling of its existing facilities and adoption of a budget ordinance appropriating $2,493,066 from Spirit Square.

Requested action: Approve a financial arrangement between the City and Spirit Square for expansion and renovations of Spirit Square's existing facilities, and appropriate funds from Spirit Square into the appropriate account.

Background: The City agreed to participate with Spirit in Spirit Square renovations on a 50-50 basis using up to $2.7 million in City funds. The City's portion of the cost is funded through a capital facilities lease purchase agreement.

$5,596,566	Total project cost
2,700,000	City's contribution
$2,896,566	Spirit Square portion of the project cost

Previous actions: In November, 1986 Council approved an agreement for architectural services with Middleton, McMillan Architects for $514,000 based on a construction cost of $4 million. Two amendments have since been approved increasing the architectural fees to $590,266 based on a fixed limit of construction of $4,678,000 plus $328,300 administrative costs for a total project cost of $5,596,566. Spirit Square contributions of $403,500 were appropriated in association with these actions.

Construction contract: We anticipate the construction contract will be coming to Council for approval this summer.

4/11/88

9A. Recommend adoption of a resolution to designate the facility in which Spirit Square for the Arts is housed as an Arts Center.

Requested action: Adoption of a resolution stating that the facility in which Spirit Square is housed will be used as an arts center for the useful life of the improvements funded by the $350,000 grant received from the National Endowment for the Arts.

Background: Spirit Square's portion of the cost of expansion and remodeling of its facilities is $2,896,566, and is funded through private contributions and grants and a small amount of miscellaneous funds. In order to obtain the $350,000 grant from the National Endowment for the Arts, the National Endowment requires that the facility in which Spirit Square is housed be designated as an arts center, and that the facility be used as an arts center for the useful life of the improvements funded by the grant.

Clearances: Finance and Legal.

Spirit Square's funding: Spirit Square's portion of the $5,596,566 project cost ($2,896,566) is funded through private contributions and grants and a small amount of miscellaneous funds. They obtained a $500,000 State grant that has already been received by the City, a $300,000 Mecklenburg County grant, a $350,000 National Endowment for the Arts grant, and a $100,000 Kresge Foundation grant.

Security to the City for uncollected pledges will be in the form of irrevocable loan commitments from local banks and will be fully executed at the time the contract is entered into by the City and Spirit Square. Also, Spirit Square has obtained irrevocable loan commitments of $281,115 from four banks as security to the City for the remainder of its share to fully fund the project.

Clearances: This contract was negotiated by the Finance Department and has been cleared by the Legal Department, Budget Department and Spirit Square.

$380,879.00

10. Recommend adoption of a budget ordinance for ~~$385,978.00~~ which provides funding for additional staff and equipment in support of the Transportation Improvement Program.

This item was deferred at the March 28 Council meeting.

Requested action: On February 22, 1988, City Council directed the Planning and Public Works Committee to review the 25 requested positions and equipment to support the transportation program. The committee met on March 11, 1988, and agreed to recommend this request with the condition that some committee members may have further questions after more detailed review.

Adoption of this budget ordinance for $385,978.00 will provide funding for the remainder of FY88 for the 25 positions and equipment. Funding for FY89 and subsequent years will be included as part of the regular operating budget approval process.

Background: At its annual retreat on January 8 and 9, 1988, Council expressed considerable concern about the time required to implement transportation projects. This concern has been shared by staff for quite some time, and new ways have been sought to improve project flow so that completed projects can be opened to traffic sooner. Since the retreat, a staff task force, comprised of members of the Engineering Department, Department of Transportation, Planning staff and the Budget Office, has worked to improve project schedules.

These efforts have lead to the following changes:

1. The time-frame for the public input process has been shortened.
2. Right-of-way activity will begin before final designs are in-hand.
3. Construction on some projects may begin with plans that are less than "perfect".
4. An expanded public information program for all projects.
5. Application of greater effort toward securing approvals of external agencies (NCDOT, utilities, railroads).

These changes (and others) and the additional staff positions being requested will allow projects to be completed from 12 to 18 months earlier than in the past. (These earlier completion dates are based upon the assumptions shown in Attachment 1.)

The substantial increase in the Capital Improvement Program for transportation since 1981 has had a significant impact upon the Engineering and Transportation Departments in that the growth in projects has outpaced staff additions. For example, in 1981 there were four major transportation projects in the works. Today, we are working on 33 major projects. To deal with this current workload will require 13 new positions in the Engineering Department, seven new positions in the Department of Transportation, two positions in the City Attorney's Office and Park and Recreation Department, and one for the Planning staff.

Attached are handouts and minutes from the committee meeting.

Clearances: All affected departments, Budget & Evaluation and the Personnel Department.

Funding: Unappropriated balance of the General Fund. Future costs will be charged to the appropriate capital project accounts.

Attachment No. 5

11. Recommend approval of a loan agreement for $14,000 between the City of Charlotte and John E. Veal to provide funds for the purchase of equipment and operating capital to be used in an electronic manufacturing services firm.

Requested action: Approval of a $14,000 loan between the City and John E. Veal for funds to purchase equipment and for operating capital to be used for Veatronics Corporation, an electronic manufacturing services firm.

Background: A loan is being requested by John E. Veal, president of Veatronics Corporation. The company is owned and operated by John E. and Loretta Veal. Mr. Veal has 30 years of experience in the field of electronic engineering with 20 years as an IBM Senior Associate

Engineer. He recently retired from IBM and opened Veatronics in early 1987 in the University Incubator Center in Charlotte.

Veatronics provides "quick turnaround" services of prototype custom special designs, small volume production (or assembly), as well as test analysis of electronic circuitry. The sales market is targeted to duplicating and replacement of electronic equipment where spare parts are not readily available or in uses where original components may have become obsolete. This service is often procured by federal military agencies.

As a tenant of the University Business Incubator Center, the company is able to take advantage of the professional expertise and facilities at the University of North Carolina at Charlotte.

A description of the project is attached, along with a description of the Economic Development Revolving Loan Fund.

Public Purpose:
The objective of the Economic Development Loan Fund as approved by City Council on November 10, 1986 is to assist designated areas to stimulate the growth, development, and expansion of small businesses. Loans made should act as a stimulus in creating and retaining jobs for low and moderate income citizens of Charlotte. One of the purposes of the City loan program is to create public/private partnerships and leverage private dollars. Attached is a summary of the Economic Development Revolving Loan Fund.

Job Creation:
It has been determined that this business meets the City's objective of job creation. Veatronics will create a total of three new jobs - two electronic technicians, and one assembly technician - which will be made available to persons from low to moderate income households within the City.

City Participation:
City participation is determined appropriate since the loan request meets the Economic Development Revolving Loan Fund guidelines. It also has been determined that the total funding necessary could not be obtained without the City loan since the participating bank provided the maximum loan determined by their underwriting procedures.

Small Business Administration participation:
The equipment that Veatronics is purchasing has a useful life of less than ten years; therefore, it would not qualify under SBA guidelines.

The project is also leveraging personal assets of Mr. and Mrs. Veal, therefore, making it impossible to borrow all funds required from a private source.

Funding: Economic Development Revolving Loan Fund.

Clearances: The Economic Development Revolving Loan Fund Committee approved the loan on March 9, 1988.

Attachment No. 6

12. Award of bid for water sculpture infrastructure for the Charlotte-Mecklenburg Government Center.

Bids have been received and the Arts Commission will discuss alternates at its meeting on Thursday, April 7. Information will be sent in Friday's Council-Manager memorandum.

13. Recommend adoption of an ordinance lowering the speed limit on 20 neighborhood streets from 35 miles per hour to 25 miles per hour.

In accordance with Council's approved policy, 22 streets in 12 neighborhoods have had petitions validated and are determined by the engineering study to be appropriate for a 25 mile per hour speed limit. The streets are:

Asherton Drive (Quail View/Asherton)
Bathurst Drive (Deerhurst)
Baystock Drive (Heather Glen)
Butterwick Lane (Harlton)
Candlewood Drive (Starmount)
City View Drive (City View Acres)
Cricketeer Drive (University Park North)
Dorn Circle (City View Acres)
Drury Drive (Shady Glen)
Heather Glen Lane (Heather Glen)
Kelly Grange Road (Quail View/Asherton)
Kingscote Circle (Quail View/Asherton)
Lindstrom Drive (Quail View/Asherton)
Montezuma Trail (Heatherwood)
Owen Boulevard (Autumnwood/Charcon Heights)
Quail Hunt Lane (Quail View/Asherton)
Quail View Road (Quail View/Asherton)
Sheffingdell Drive (Cedar Woods)
Sherwood Avenue (Myers Park)
Reedham Court (Heather Glen)

Tapperty Circle (Quail View/Asherton)
Wakely Court (Heather Glen)

Street descriptions are attached.

Clearances: The City Attorney has approved the attached ordinance as to form.

Attachment No. 7

14. Nominations for Appointments to Boards and Commissions.

A. Auditorium-Coliseum-Convention Center Authority - Two appointments for three-year terms. The terms of Laurence Cobb and John Maxheim will expire April 25. Mr. Cobb is completing two full terms and is not eligible for reappointment. Mr. Maxheim has complied with the attendance policy.

B. Certified Development Corporation - Two positions in the Private Lending Institutions category. The terms of Clayton Howze and Thomas Shaw are expired. Mr. Shaw is not eligible for reappointment.

Two positions in the Business Organizations category. Paul Gibson's first full term is expiring and he is eligible for reappointment. The other appointment will be to fill a vacancy caused by the resignation of Norman Hunte.

Two positions in the Community Organizations category. Spencer Thompson's and Ray Bigg's terms are expiring. Both are eligible for reappointment.

All terms are for three years and all those eligible for reappointment have complied with the attendance policy.

C. Community Resources Board - One appointment to fill Derma Lambert's unexpired term which will end December 31, 1989.

D. Municipal Information Advisory Board - Two positions for three-year terms. The terms of Reginald Withers and Francis (Chip) Clark are expiring. Mr. Clark is eligible for reappointment. Mr. Withers, who is completing his first full term, did not meet the attendance requirements in 1987.

One appointment to fill the unexpired term of Delsie Maples which will end April 30, 1989.

E. Parks Advisory Committee - Three appointments for three-year terms. The terms of Susan DeMarco, Annette Bedford and Larry Hale will expire June 1. Only Mr. Hale is eligible for reappointment. Terms are for three years.

F. Sister Cities Committee - Sixteen appointments for two-year terms. The terms of the following 8 members are expiring and are recommended for reappointment· Lyn Renwick, Lee Major, Wilson Edmunds, Jeanne Johnson, Robert Bryan, Jerald Melberg, Douglas Martin, Doris McLaughlin.

The terms of 4 members - Norman Mitchell, Bernard Schroder, Jack Messer, Larry Harmon - are expiring and although otherwise eligible for reappointment, they have not complied with the attendance policy.

Three members - Charles Noe, David Townsend and Ed Lasher - are completing two full terms and are not eligible for reappointment. Kimm Jolly is completing her first full term but has asked not to be reappointed due to what she considers to be a conflict of interest (International House).

Attachment No. 8

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The City Attorney advises that agenda items no. 15 through 30 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

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BUDGET ORDINANCE

15. Recommend adoption of a budget ordinance for $10,000 for the continuation of engineering services with Dana H. Rucker & Associates for Cityfair.

Background: This action will appropriate $10,000 from Carley Capital which will be used to pay for a contract amendment between the City and Dana H. Rucker Associates for additional inspection services required because of the delay in completing the Cityfair parking facility. The contract will be extended to June 20, 1988. The delays were no fault of the City, and Carley has agreed, in writing, to pay 100 percent of the extra costs.

Adoption of this budget ordinance will fund the contract amendment. The City will advance the funds and Carley will reimburse the City on a monthly basis.

Funding: Carley Capital Group Contribution.

Clearances: The Finance, Community Development, Budget and Evaluation and the Engineering Departments concur with this request.

16. Recommend adoption of a budget ordinance to transfer $350,000 from the Water-Sewer Operating Fund balance to various sanitary sewer projects in the redirection of growth area.

Requested action: Adoption of this budget ordinance will allow the Finance Director or his designee to borrow $350,000 from the Water-Sewer Operating Fund balance until the bonds are sold. The Charlotte-Mecklenburg Utility Department proposes to begin land acquisitions during April 1988 on several sewer projects.

Background: The 1987 bond referendum approved funding for various water and sewer projects located in the northeast section of Mecklenburg County. The basic plan was to redirect growth to the northeast by providing necessary infrastructure as an incentive for development.

Funding: These funds will be returned to fund balance with the sale of the 1987 bonds which is expected to be completed in August, 1988.

ITEM NO.

17. Recommend adoption of a budget ordinance adding an appropriation of $10,000 to the Community Relations Committee budget.

Requested action: Adoption of a budget ordinance to appropriate an additional $10,000 made available to the Community Relations Committee by the Mecklenburg County Board of Commissioners. This action will allow the Committee to proceed with its work and expend the funds.

Background: On November 16, 1987, the Mecklenburg Board of County Commissioners took action to provide an additional $10,000 to the Charlotte-Mecklenburg Community Relations Committee for additional work requested by the Board.

The additional work objective is . . . to identify and highlight the needs of minority communities in Mecklenburg County and to initiate solutions through coordinating the services of a broad span of existing community, social, economic and professional organizations.

This objective envisioned research, in cooperation with other community agencies/organizations, to determine the need for services or to identify underutilized resources in the community and a "State of the Community Report".

18. Recommend adoption of an ordinance advancing $210,000 from the Municipal Debt Service Fund for the construction of golf cart paths at York Road Renaissance Park.

Requested action: Adoption of this ordinance will fund a contract with Propst Construction Company for $183,120.00 for construction of golf cart paths at York Road Renaissance Park, and provide a contingency in the account. The recommended contract award follows in the bid section.

Background: In June 1986, City Council approved the bids for the construction of the 18-hole golf course at York Road Renaissance Park. The construction of the golf course is in the maturation phase and construction of the golf cart paths is scheduled for this summer.

Funding: An advance from the Municipal Debt Service fund to be repaid from revenues from the golf course.

Clearances: Engineering, Budget and Evaluation, and Parks and Recreation Departments.

BID LIST

19. Recommend approval of the bid list as shown. The following contract awards are all low bid and within budget estimates unless otherwise noted. Each project or purchase was authorized in the annual budget.

A. 9 - 10 Ft. Contractor Dump Bodies — Operations Dept., St. Div. & Utility

Recommendation: By Purchasing Director, Operations Director and Utility Director that the low bid, Twin States Truck Equipment Company, Charlotte, N. C., in the amount of $37,701.00, be accepted for award of contract.

Project Description: These replacement bodies will be installed on trucks that will be used for a variety of jobs and projects in various departments.

Source of Funding: (6) Water and Sewer Fund - (Wastewater Collection). (3) General Fund - (Operations/Street Maintenance).

B. Electrical Alterations, Sugar Creek Wastewater Treatment Plant. — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Bryant Supply Company, Inc., Charlotte, N. C., in the amount of $107,995.61, be accepted for award of contract.

Project Description: Various electrical distribution equipment to completely replace current equipment which is not in compliance with electrical codes.

Source of Funding: Water and Sewer Fund - (Sugar Creek Wastewater Treatment Plant).

C. Sale of Scrap Iron

Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that approximately 977 tons of scrap iron be sold to the highest bidder, Smith Metal & Iron Works, Rock Hill, S. C., in the amount of $85,976.00.

Project Description: This proposed sale of scrap iron consists of approximately 977 tons of obsolete assorted cast iron pipe, valves, fittings and etc.

Source of Funding: No source of funding required. Revenues go to the Water and Sewer Fund.

D. Planting and Irrigation of Airport Taxi Holding Area

Airport

Recommendation: The Airport Manager recommends that the low bid from Larry Foxworth and Associates with a base bid sum of $57,000.00 be accepted for award of this contract.

Project Description: As part of the overall Airport landscaping master plan developed by Freeman White & Associates in 1986, it was recommended that the Airport implement the plan in phases with particular attention to high visibility areas. Phase One was implemented in the spring of 1987 for the terminal access ramp area. This phase will provide planting and irrigation of the Airport taxi holding area.

Source of Funding: Airport Terminal Capital Project Fund - (Signs and Landscaping - 1987 Airport Revenue Bonds).

E. Sanitary Sewer Construction 1987 Annexation - Hemphill And Mineral Springs/University Research Park

Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low responsive bid by Sanders Brothers, Incorporated of Charlotte, North Carolina in the amount of $1,961,340.66 be accepted for award of contract on a unit price basis.

The low bid of $1,903,036.08 submitted by Yates Construction Company did not include any M/WBE documentation. Yates Construction delivered the M/WBE commitment form the day after the bid opening and did not show any good faith efforts to obtain M/WBE participation prior to the bid opening.

It is the Utility Department's recommendations that the bid submitted by Yates be determined non-responsive since he did not include his M/WBE documentation with his bid and that award be made to the second low bid, Sanders Brothers, Inc.

Project Description: Construction of this project would provide sewer service to the Hemphill and Mineral Springs/University Research Park Areas.

Source of Funding: Water and Sewer Capital Improvement Fund - (Hemphill). Water and Sewer Capital Improvement Fund - (Mineral Springs).

F. York Road Renaissance Park Golf Cart Paths — Parks & Recreation

Recommendation: By the City Engineer, based upon the recommendation of Woolpert Consultants, that the low bid of $183,120.00, as submitted by Propst Construction Co., be accepted for award on a lump sum basis.

Project Description: The approved master plan for York Road Renaissance Park, prepared by Woolpert Consultants, includes the construction of a golf course and related buildings; a tennis court complex and related buildings; a recreation area; an athletic complex; concession/restroom building and maintenance center. Construction began on the golf course and tennis complex in August, 1986. This contract will include minor clearing, earthwork, culverts, construction of asphalt golf cart paths, timber fence with curbing, and seeding.

Source of Funding: General Capital Improvement Fund - (York Road Renaissance Park Golf Cart Paths).

FUNDING AGREEMENT/CONTRACT

20. Recommend approval of a funding agreement with Mecklenburg County, and award a contract for $215,000 to MCI Consulting Engineers for development of a stormwater management ordinance contingent upon approval of the funding agreement by the County.

As a follow-up to Council's discussion at the April 5 workshop, the following actions are recommended for development of a County-wide stormwater management ordinance.

1. Award of a contract for $215,000.00 to MCI Consulting Engineers for development of a stormwater management ordinance and technical specifications; and

2. Authorize the City Manager to execute an agreement with the County Manager which specifies the cost of the stormwater management contract be shared equally between the City and County.

The contract: The contract with MCI will (1) create an ordinance which requires developers to contribute to stormwater management commensurate with the increased runoff caused by development, and (2) identify associated funding sources and how revenue generated can be used to address related stormwater issues such as maintenance and upgrading of existing facilities. MCI is a joint recommendation of City and County staffs using the Council-approved selection process for professional services.

The contract is a two-party contract between the City and MCI, and will be administered by the City Engineering Department with the assistance of County Engineering. A City advisory committee has been appointed consisting of representatives of the land development industry, design professionals, and the general public. This committee and the Mecklenburg County Drainage Advisory Board will meet with the consultant quarterly during the project to provide input and comment on the consultant's findings and recommendations.

Funding: CIP Storm Drainage Capital Account.

Clearances: The contract has been reviewed by the City Attorney and the City and County Engineering Departments.

BUDGET ORDINANCE/AGREEMENT

21. Recommend adoption of a budget ordinance of $207,000.00 and approval of an agreement for engineering services with Talbert, Cox and Associates, Inc. for $176,500.00 for the planning and design of Colony Road Extension, Phase I.

Requested action: Using the Council-approved selection process, the engineering firm of Talbert, Cox and Associates, Inc. is recommended for planning and design services for the Colony Road Extension, Phase I Project.

City Council is asked to adopt a budget ordinance for $207,000.00 and approve an agreement for engineering services with Talbert, Cox and Associates, Inc. for $176,500.00. The $207,000.00 budget ordinance includes the cost of the planning, design, City administrative costs, and some right-of-way costs.

Background: One of the high priority roadway projects included in the November, 1987 transportation bond package was Colony Road Extension, Phase I. The project extends from the McMullen Creek Crossing on existing Colony Road for approximately 0.6 miles to the Giverny subdivision. As part of this contract, Talbert, Cox Associates will consider a two lane roadway with a 15 ft. planted median, and will include intersection improvements at Sharon View Road/Colony Road and Carmel Road/Colony Road.

Funding: Appropriating FY-87 Street Improvement Bonds and advance funds from the unappropriated balance of the Municipal Debt Services fund until such time as the bonds are sold.

Clearances: The contract has been reviewed and approved by appropriate City Staff including the City Attorney.

A map is attached.

Attachment No. 9

AGREEMENT

22. Recommend approval of an agreement for engineering design services with Harwood Beebe Company, Inc. for $74,900.00 for the design of improvements to the Eastway Drive/The Plaza Intersection.

Requested action: Using the Council-approved selection process, the Engineering Department and CDOT recommend the firm of Harwood Beebe Company, Inc. to perform design services on the Eastway Drive/The Plaza Intersection Improvements Project.

City Council is asked to approve an agreement for engineering services with Harwood Beebe Company, Inc. for $74,900.00

Background: As part of the Capital Improvement Program, funding is provided to improve several transportation system management (TSM) intersections each year. The Eastway Drive/The Plaza intersection has been identified as a TSM intersection due to the high traffic congestion and high accident rates.

Improvements to the intersection include adding an additional left turn lane and a right-turn-only lane to the southbound approach of Eastway Drive; right-turn radius improvement to the northbound approach of Eastway Drive; and adding a right-turn-only lane to the westbound approach of The Plaza.

Funding: TSM Intersection Improvements Capital Account.

Clearances: The contract has been reviewed and approved by appropriate City staff including the City Attorney.

BUDGET ORDINANCE/CHANGE ORDER

23. Recommend adoption of a budget ordinance for $160,760.00, and approval of Change Order No. 1 for $160,760.00 to the general contract with John M. Campbell Co. for York Road Renaissance Park athletic field complex.

Requested action: Council is asked to adopt an ordinance for $160,760.00 and approve a change order for $160,760.00 to the general contract with John M. Campbell for York Road Renaissance Park athletic field complex.

Background: When bids were originally received for this project, they were 30 percent over budget. The bids were rejected and the project redesigned to get it within budget. The project was rebid, and the low bid by John M. Campbell was approximately $266,000 under budget. Council awarded the contract of $1,241,860.00 in February, 1988.

Negotiations were conducted with the contractor and the $160,760.00 change order covers the following items:

Seeding and mulching	$21,700
Parking	68,148
Concrete walks	3,022
Play equipment	7,990
Fencing	19,500
Bleachers	40,400

The addition of these items will increase the available parking from 292 spaces to 487 spaces, provide additional bleachers, and play equipment for the children's play area.

Funding: York Road Renaissance Park Account.

Clearances: This change order has been reviewed and approved by appropriate City staff including the City Attorney.

LEASE

24. Recommend approval of a five-year lease agreement between the City of Charlotte, lessee and Wardlow, Knox, Knox, & Freeman, lessor for 3,750 square feet of second floor office space at 817 East Trade Street to be occupied by Community Relations Committee.

Requested action: Approve a five-year lease for the Community Relations Committee to occupy 3,750 square feet of space at 817 East Trade Street at a rental rate of $11.20 per square foot.

Background: The Community Relations Committee is presently occupying leased space in the Executive Building, 623 East Trade Street. This lease will terminate on August 31, 1988. The Executive Building does not meet all physical property requirements necessary in complying with Federal and State Laws regarding handicapped accessibility to public services. The 817 East Trade Street Building does meet all of these requirements and is near the Charlotte-Mecklenburg Government Center and other government offices which is also necessary.

Comparisons: The following comparison information was investigated and reviewed. Court Arcade, space available on two separate floors, $12-$12.50 per square foot, no parking spaces available; Cameron-Brown Building, $14-14.50 per square foot, parking available; Law Building, $12.00 per square foot, no parking available, no handicap accessibility.

Funding: Community Relations operating funds.

Clearances: Community Relations, Legal Department, Engineering/Real Estate and the Insurance and Risk Management Agency have reviewed this agreement and recommend its approval.

CITY CODE AMENDMENT

25. Recommend adoption of an ordinance amending City Code, Chapter 23 to provide for enhancement of industrial waste discharge restrictions and pretreatment program requirements.

Federal regulations concerning industrial waste discharges to the publicly-owned treatment works are administered by the N. C. Department of Natural Resources, Division of Environmental Management (N.C.D.E.M.) The N.C.D.E.M. requires all local utilities to adopt common language into their sewer use ordinances in order to provide for the monitoring of industrial waste discharges and for appropriate enforcement action when violations of discharge restrictions occur. CMUD has incorporated the N.C.D.E.M. language into the existing ordinance as required by state and federal law and requests adoption of the revised ordinance.

During the revision process, all of Chapter 23 was reviewed for validity by CMUD, Finance, and Legal Departments. Other changes such as the appropriate mailing address for the Finance Department and references to the Revenue Division as the correct title of the City's collection agency for utility payments were also made.

LAST RESORT GRANT

26. Recommend approval of a last resort grant for $34,467.16 to purchase a replacement unit at 110 N. Congress Street, York, S.C. for a homeowner, Ms. Iris Goins, who is being displaced by Airport expansion from her residence at 8441 Bryum Drive.

Requested action: Approval of a last resort grant of $34,467.16 for Ms. Iris Goins in order to meet the requirement of the Uniform Relocation Act.

Ms. Goins' relocation: Ms. Goins received $70,443 from the Airport for her house and 1.1 acres of land. Only one house that met the comparability requirement was found and the sales price was $129,000. She found the place in York, S. C. and paid $115,000 which was less than the comparable found in Mecklenburg County.

Based on the Uniform Relocation Act regulations, Ms. Goins is entitled to a last resort grant of $34,467.16 in order to restore her to the financial positions where she was before displacement. Ms. Goins has already received the $15,000 housing replacement assistance to which she is entitled.

Funding: Last Resort is an eligible FAA/DOT expense.

Clearance: Community Development provides relocation services for Airport Land Acquisition projects and has prepared this request.

TAX REFUND

27. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $12,424.68 which were assessed through clerical error or illegal levy against 85 tax accounts.

SPECIAL OFFICER PERMIT

28. Recommend approval of application for special officer permit to Arthur L. Whipple for use on the premises of Charlotte/Douglas International Airport.

UTILITY CONTRACTS

29. Recommend approval of contracts between the City of Charlotte and the applicants listed below:

These are extension contracts for new development in accordance with the Water/Sewer Extension Policy. The applicants are to construct the entire systems at their own proper cost and expense. The City is to retain all revenue. There is no cost to the City and no funds are needed. Utility and Planning Directors recommend approval.

1. Harry Grimmer And Company, Inc., to construct 2,206 linear feet of 8-inch water main and 1,555 linear feet of 2-inch water main to serve Glenwood Manor Phase II Subdivision, Sections 1 & 2, located north of Margaret Wallace Road, south of McAlpine Creek and east of U.S. Highway 74, outside the Charlotte City Limits. Estimated Cost - $65,000.00. Water Contract No. 100-88-013.

2. S.C. Hondros & Associates, Inc., to construct 3,237 linear feet of 8-inch water main to serve Stewart Creek Business Park, located north of I-85, south of Hoskins Road and east of Stewart Creek, inside the Charlotte City Limits. Estimated Cost - $76,000.00. Water Contract No. 100-87-129.

3. The Home Grove Company, to construct 3,971 linear feet of 8-inch water main, 894 linear feet of 6-inch water main and 2,866 linear feet of 2-inch water main to serve Mallard Grove Subdivision, located east of Cheshire Road and south of W. T. Harris Boulevard, outside the Charlotte City Limits. Estimated Cost - $130,000.00. Water Contract No. 100-87-218.

4. The Home Grove Company, to construct 9,659 linear feet of 8-inch sanitary sewer main to serve Mallard Grove Subdivision, located east of Cheshire Road and south of W. T. Harris Boulevard, outside the Charlotte City Limits. Estimated Cost - $337,925.00. Sanitary Sewer Job No. 100-87-747.

5. LVG Properties, to construct 3,848 linear feet of 8-inch sanitary sewer main to serve Rosecliff Subdivision, Phase II, located south of N.C. Highway 51, north of Four Mile Creek and west of Strawberry Lane, outside the Charlotte City Limits. Estimated Cost - $134,680.00. Sanitary Sewer Job No. 100-87-730.

6. Tull Development Company, to construct 2,793 linear feet of 8-inch sanitary sewer main to serve Challis Farm, Phase I Subdivision, located north of N.C. Highway 51, east of Elm Lane and west of Rea Road, outside the Charlotte City Limits. Estimated Cost - $97,750.00. Sanitary Sewer Job No. 100-87-745.

PROPERTY TRANSACTIONS

30. Recommend approval of the following property transactions.

Acquisition of 1.707 acres of land plus improvements (one story house), at 5849 Piney Top Drive, Charlotte, North Carolina 28208, from Charles M. Freeman, for $93,000.00, for the 1987 Airport Master Plan Land Acquisition - Areas 11 & 12. (Option)