AGENDA

Meeting Type:	BUSINESS
Date:	12/12/1988

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Al Rousso*

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

Council Agenda

Monday, December 12, 1988

5:00 PM. . . . . Council-Manager dinner with Airport Advisory Committee (CMGC)
7:00 PM. . . . . Citizens Hearing
7:30 PM. . . . . Council Meeting

ITEM NO.

1. Invocation by Father J. G. Dulken of St. Timothy's Anglican Catholic Church.

2. Consider approval of minutes of the Zoning Meeting of November 21, 1988 and Regular Meeting on November 28, 1988.

PUBLIC HEARINGS

3. A. Conduct a public hearing to abandon a portion of Brunswick Avenue.

B. Recommend adoption of a resolution to close a portion of Brunswick Avenue.

Petitioner: The Charlotte-Mecklenburg Hospital Authority

Right of Way to be Abandoned: A portion of Brunswick Avenue

Location: Between Garden Terrace and Blythe Boulevard.

Reason: To incorporate right of way into adjoining parcels for development of a hospital addition.

Clearances City departments and private utility companies: no objection. Dilworth Community Development *Association: no objection.*

Funding No City funds are involved.

A map is attached.

Attachment No. 1

4. Conduct a public hearing on an application by the Mecklenburg County Vietnam Veterans Memorial Committee for the installation of a monument at Thompson Park.

Process — Public hearing.

Staff review and written comments which will include Parks Advisory Committee and Thompson Orphanage Alumni Association comments.

Council action in January.

Memorial Background — The Mecklenburg County Vietnam Veterans Memorial Committee was appointed by the Mecklenburg Board of County Commissioners with the purpose of developing a design concept, selecting an appropriate site, raising the required funds, and building a Vietnam Memorial dedicated to the servicemen and women who served and died during the Vietnam conflict.

Site — The proposed site for the memorial is Thompson Park located near the Government Plaza in uptown Charlotte The plans call for a 230-foot, granite-faced memorial with landscaped areas in front and a grass berm to the rear. The stone arc will rise from the ground and maintain a level plane as the natural terrain falls away to a height of seven feet.

Inscriptions — Memorial inscriptions will include the names of persons from Mecklenburg County who died in Vietnam; a time line of key events and leaders during the Vietnam conflict; and a dedicatory statement on behalf of the people of Mecklenburg County.

Information is attached which describes the purpose of the Mecklenburg County Vietnam Memorial Committee, estimated memorial construction cost, site plan and how the memorial would fit on the property, and a drawing of the memorial. A model is currently exhibited in the CMGC lobby.

Funds — Funding for construction of the memorial will be sought from area businesses, foundations, veterans groups and citizens. Estimated cost is $240,000; maintenance will be performed by the Park Operations Division and is estimated at less than $2,000 per year.

Attachment No. 2

5. Conduct public hearing and approve actions including a series resolution and adoption of an ordinance associated with the issuance of 1988 Special Facility Revenue Bonds for Piedmont/USAir.

On November 14, 1988 Council adopted an inducement resolution with respect to certain capital improvements to Charlotte/Douglas International Airport to be leased to Piedmont/USAir, and set the required public hearing for December 12.

Required Actions

In order to issue revenue bonds to carry out the proposed Airport program, the following actions are necessary:

1. Conduct a public hearing for the issuance of Series 1988 Special Facility Airport Revenue Bonds.

2. Approve Supplemental Special Facility Lease Agreement with Piedmont Aviation, Inc.

   This amends the original Special Facility agreement to lease to Piedmont approximately 13 additional acres of adjacent property to provide for the construction of the ground service equipment facility. Annual ground rental payments of approximately $45,000 will be made under the same terms of payment as the original lease.

3. Adopt a series resolution authorizing the issuance, under the provisions of the State and Local Government Revenue Bond Act, as amended, not exceeding $25 million Airport Special Facility Revenue Bonds, Series 1988 (Piedmont Aviation, Inc. Project).

4. Adopt an ordinance appropriating estimated revenues from the issuance of 1988 Special Facility Bonds and projected investment income totaling $~~20,992,279~~ for the construction of Piedmont Airlines Special Facility Project and for compliance with debt service reserve and capitalized interest account requirements.

   #20,747,843

5. Approve contract extension with Day and Zimmerman, Inc. of $1,800,000 for project management services for a period of approximately two years.

   It is estimated that approximately $400,000 of this contract extension will be necessary to accommodate the requirements of Piedmont. The remainder will provide project management services on a continuing basis for other Airport projects funded by 1987 Airport Revenue Bonds such as the South Terminal Expansion project and International and Commuter Concourse project.

This project management fee amounts to approximately 2½ percent of total project costs which is well below typical project management fees. Funds are available and have been included in these project budgets. Day and Zimmerman, Inc. has provided project management services for the City on Airport projects since 1978. They have worked successfully with the Airport M/WBE program and have developed a working relationship with local MBE firms to insure the Council's M/WBE goals are carried out. Day and Zimmerman, Inc.'s expertise and familiarity with coordination of design and construction of Airport projects will be necessary to complete the 1988 Special Facility Project in accordance with the lease and bond order requirements.

Background

- November 10, 1986 City Council authorized $75 million in Special Facility Revenue Bonds.
- December 8, 1986 City Council authorized the City to proceed with plans to construct an aircraft maintenance hangar for Piedmont Airlines and authorized the Finance Director to proceed with arranging financing subject to supporting commitments by Piedmont.
- March 9, 1987, City Council approved a lease agreement with Piedmont which provides for the construction of the maintenance facility.
- June 10, 1987 $67 million of these bonds were issued.

Additional Bonds

In accordance with the lease agreement, Piedmont/USAir has requested the City issue additional bonds. The shortfall of bond funds needed to finance the project is currently estimated to be $20 million. It includes Piedmont/USAir's changes to the scope of the original hangar project ($10.7 million), addition of a ground service equipment building ($6.2 million), and bond issuance costs, capitalized interest and bond reserve funds ($3.1 million).

Council has previously appropriated $6 million in Airport funds to cover the award of certain construction contracts until the additional bonds could be sold at the request of Piedmont/USAir. The advanced funds will be repaid from the proceeds of the additional bonds to be issued. On November 14, 1988, City Council adopted the "Inducement Resolution" for these additional Special Facility Revenue Bonds, which establishes the City

intent to cause certain Airport improvements to be funded, appointed the underwriters and set a public hearing date for the issuance of these Special Facility Revenue Bonds.

All costs, including cost of money advanced by the City, is recovered through the lease agreement.

Clearances Piedmont/USAir, the City's Finance Director and the Airport Manager recommend these actions.

POLICY

6. Choose one of the following options relating to the housing project being developed by The Trinity Group/McDevitt & Street: (1) Authorize the City to enter into a loan agreement with the Housing Authority in the amount of up to $2,000,000 to be used as rent subsidy for low income families for 15 years and authorize the City Manager to determine the payment and method of rent subsidy of not more than $200,000 per year or (2) Defer action until the December 19, 1988 zoning meeting when the down zoning petition for this property will be considered.

Housing Policy Plan On April 6, 1987, City Council adopted a Housing Policy Plan which advocated development of housing using public/private partnerships. Subsequently, Council appropriated a total of $6 million in an Innovative Housing Fund to produce this housing.

Housing Proposal Consistent with Council's goals, Community Development staff responded to a request from Carolina Capital Group/McDevitt & Street to discuss their housing proposal (known as McAlpine Terrace/Glen Cove) to build housing units for low-income families. The McAlpine Terrace/Glen Cove project has met all required criteria and has been reviewed by the Innovative Housing Fund Review Committee, chaired by Assistant City Manager Julie Burch. A description of the project, features of the proposal, the Housing Authority's assessment of need for the project, letter requesting name change from Carolina Capital Group to The Trinity Group, and the developers' background are attached for your information.

Action

- Authorize a loan not to exceed $2 million to be payable at the end of 15 years at 0% interest.
- That City funds would be used to reduce rent payments so that moderate and low income people would qualify.

The project will meet the City goals by providing 20 three-bedroom units for persons at 35% of median income. These persons are expected to be placed from the Housing Authority's waiting list. It is known that the need for 3-bedroom units is the largest demand.

Funds — The City's Innovative Housing Fund.

Clearances — The loan was approved by the Innovative Housing Review Committee on November 14, 1988. All criteria for qualifying for financial assistance has been met by the applicant in accordance with the requirements outlined in the Housing Policy Plan.

Attachment No. 3

7. Consider establishment of a bus shuttle service on Independence Boulevard.

Shuttle Bus Concept — Bus shuttle concept along Independence Boulevard will:

provide service along the frontage of Independence Boulevard, particularly between Briar Creek and Albemarle Roads;

primarily serve employees of businesses fronting Independence Boulevard; and

will operate every hour from 6·30 a.m. to 6:30 p.m. with one 9:30 p.m. trip seven days per week.

The shuttle would also provide service to residents by proceeding to the Briar Creek/Amity Gardens area via the Chantilly neighborhood. This would be at no extra cost; the Chantilly neighborhood association requested this service.

If Council approves the shuttle concept:

CDOT will take bids from private operators to provide the service.

The estimated start-up date is late February or March.

Regular fares will be charged and estimated net contract cost is $90,000.

Independence Boulevard Bus Service-Background

On September 6, at the time of annual changes in Charlotte Transit service and because of the construction which is about to begin on Independence Boulevard, the Independence Boulevard transit route (old Route 2) was moved to a parallel route involving Commonwealth Avenue, Woodland Drive and Winfield Drive (new Route 17) to reach the Sharon Amity area. Neighborhood groups and merchants along the route have suggested, and discussed with Council members and staff, several possible revisions in the new routing, and have requested additional service on Independence Boulevard during construction.

Staff met with members of Council and various neighborhood groups and conducted a survey of current riders for Route 17.

As a result, in January when service adjustments are made, Route 17 will be moved from Seventh Street and Bay Street to Central Avenue, and will follow Commonwealth Avenue to Woodland Drive then Independence to the Sharon Amity area. Until construction on Independence Boulevard precludes continued use, (estimated to be 1994) entrance to Woodland from Independence Boulevard will be controlled by a gate which will limit access to only transit vehicles to prevent entrance of through traffic. (Woodland is one of the streets to be closed to prevent cut-through traffic in the Eastway Park/Sheffield area during construction and after Independence becomes a freeway/expressway.)

Shuttle Bus Operation

The shuttle operation will provide basic public transportation access for employees of the businesses fronting on Independence during the period that construction is underway. Staff expects that suitable locations can be found for passengers to board and alight without stopping in the construction zone, but instead by using parking lots fronting businesses and shopping centers. Adjustments can be made as construction progresses and as staff gains experience with patterns of patronage. We will monitor the service closely to determine that it meets ridership needs.

Funds

Transportation Fund Balance.

Clearances

City Manager's Office.

8. Performing Arts Center.

Information on this item will be sent in the Friday, December 9 Council-Manager memorandum.

9. Consider Operations Committee recommendation to adopt an ordinance to amend Chapter 22, entitled "Vehicles for Hire" to provide upgraded Airport Taxicab Service.

Operations Committee

In April, the Airport Advisory Committee sent a Resolution to City Council recommending an exclusive taxi contract for Airport service. City Council referred this to the Operations Committee which met on July 26 and September 21. The executive summaries of those meetings are included in Attachment I.

Options Considered

At the September 21 meeting, the committee considered two options for improving Airport taxi service:

1. Exclusive contract - a concession agreement would be bid or negotiated with one taxicab company to provide airport service and pay the airport an annual concession fee.

2. Non-exclusive contract/permit procedure - the Airport would establish performance criteria covering taxicab service. Any taxicab companv wishing to comply would be allowed to enter into a contract and purchase permits from the Airport to provide this service.

The staff report stated that both these alternatives will result in significant improvement in service from the Airport. The exclusive contract has the advantage of easier administration and more predictable and probably higher revenues. Attachment II contains a Taxi Service Option Comparison.

While the committee unanimously agreed to the need for improved service from the airport, three members were in favor of a non-exclusive contract, and two members were in favor of an exclusive contract.

ITEM NO.

Committee Recommendation

In order to proceed with a non-exclusive contract-permit system, Council needs to amend the City Code, Chapter 22, "Vehicles For Hire" which provides that a taxi company wishing to operate at the Airport enter into a Taxicab Operating Agreement with the City and obtain a current valid Airport Taxicab Permit for each taxi. Attachment III contains the ordinance amendment. If Council chooses the exclusive option, we will use similar provisions as the basis for putting the service out for bids. We will come back to Council at the time we would award the bid with any other code amendments that are required.

Highlights of the ordinance are:

- The Aviation Director may set the fare for service from the Municipal Airport to the central area of the City.

- No taxicab shall operate at the Airport unless the company with which it is associated has obtained a current valid Airport Taxi Permit for said vehicle as a result of entering into a Taxicab Operating Agreement with the City for the issuance of the annual Airport Taxicab Permit.

- The agreements shall be entered into annually, and shall require the payment of an annual fee and shall obligate the taxicab company and permitted vehicle to adhere to certain standards of operation at the Airport.

- All drivers holding a valid Airport Taxicab Permit may also engage in the provision of other taxicab service throughout the City.

- Any Airport Taxicab Permit may be revoked or suspended upon breach of a term or condition of the Taxicab Operating Agreement.

A draft Taxicab Operating Agreement is included as Attachment IV and the Taxicab Rules and Regulations is included as Attachment V. Representatives from each of Charlotte's five taxi companies, as well as the Independent Taxi Operators Association, have participated in the development of these documents. The effective date of this ordinance is January 1, 1989.

Funds: No additional funds are necessary to implement this change.

Clearances: Legal Department and Budget and Evaluation.

Attachment No. 4

10. Recommend approval of an amendment to the informal runway use and noise abatement procedures to allow full utilization of the Airport until 11:00 p.m. and approve submission of an updated FAR Part 150 noise map to the Federal Aviation Administration.

Recommendation: Approval of this action will:

- approve extension of the use of the parallel runwavs from 10:00 p.m. until 11:00 p.m.

- approve submission of an updated FAR Part 150 Noise map to the Federal Aviation Administration that will increase the number of residences eligible for assistance under the Part 150 Noise Program.

The airlines are willing to support the implementation of the Part 150 Program and will reimburse the Airport Revenue Fund for the local share of program costs through rates and charges.

Background: During the last couple of years, the aviation system in the United States has suffered from increasing congestion. One of the effects of this congestion has been flight delays. Operations have been rescheduled with longer flight times to assure that flights operate according to the published timetables. At Charlotte, this means that flights that were previously scheduled to depart around 9:00 p.m. are now scheduled to depart around 9·45 p.m. Many of these flights actually depart after 10:00 p.m., when the night preferential runway use program directs most jet aircraft flights to use Runway 5/23. Because a single runway can serve less than 50 percent as manv flights as the full airport, severe delays result.

As a way of reducing the delays during that period, Piedmont Airlines and Federal Aviation Administration personnel at Charlotte requested that the City consider allowing use of the parallel runways by jet

aircraft between the hours of 10:00 p.m. and 11:00 p.m. It was proposed that the City plan a six months demonstration of this change. On June 9, 1988, a public meeting was held to inform Airport neighbors of the proposed six months demonstration period. Subsequently, at their meeting of June 21, 1988 the Airport Advisory Committee approved implementation of the six months demonstration program.

During the demonstration period, the Airport has gathered substantial information in order to evaluate the proposal as follows:

1. Evaluate the delay reduction. Evaluation of the delays during first six months of 1988 to those during the final six months of the year indicate that there has been a significant improvement in on-time performance by airlines during the demonstration period. The average delays are down 46 percent reflecting a cost savings to the airlines of approximately $600,000 during the demonstration period.

2. Monitoring the noise environment. During the demonstration period, the Airport's noise compliance officer has continued to measure noise at the standard locations as well as at specific locations requested by Airport neighbors. These measurements are used to verify the noise contour maps. Upon Council approval of this action, a revised noise contour map will be submitted to the Federal Aviation Administration. Since each landing or departure by jet aircraft between 10:00 p.m. and 7:00 a.m. is assessed a penalty of ten times the normal impact under the Ldn scale utilized in FAA-approved noise standards, the enlarged noise contours will include additional areas in the Part 150 Noise Compatibility Program which will allow portions of Moores Park and Whipporwill Hills subdivisions to become eligible for acquisition.

3. Implementation of the Airport's Part 150 Noise Compatibility Program.

On October 24, 1988, City Council approved an action plan for accelerating the Airport's Part 150 Noise Compatibility Program. At that time the City advanced $7.4 million from Airport reserves to fund the local share of anticipated Federal Aviation Grants to provide for acquisition of residences in the 75 Ldn zone and corrective measures (including purchase assurance and sound proofing) in the 70 Ldn zone. Approval of the requested extension of usage of the parallel runways from 10:00 p.m. to 11:00 p.m. will increase the number of residences eligible for assistance under the Part 150 Program. The airlines are willing to support the implementation of the Part 150 Program and will reimburse the Airport Revenue Fund for the local share of program costs through rates and charges.

4. Commitments to Stage III Operations.

Piedmont has made substantial efforts to introduce Stage III aircraft into the Charlotte market at a faster pace than these aircraft have been introduced into their fleet. Piedmont has committed to maintain at lease 32 percent Stage III aircraft during the nighttime hours. USAir Group, the parent corporation of Piedmont Airlines, has more than 100 Stage III aircraft on order, and is committed to reducing its Stage II fleet by 20 aircraft. In June 1988, 28 percent of the scheduled Piedmont flights were with Stage III aircraft. USAir has committed to a good faith effort to increase this percentage to at least 36 percent by June, 1989 and at least 43 percent by June, 1990.

5. Feasibility of additional noise abatement measures. (i.e. closing certain runways after 11:00 p.m.

Informal noise abatement measures have been amended to restrict the use of the parallel runways for all aircraft weighing in excess of 12,500 pounds. This measure restricts use of the parallel runways for all large propeller-driven aircraft in addition to jet aircraft.

City Council is requested to approve amendment of the informal noise abatement procedures to allow full utilization of the Airport until 11 p.m. and approve submission of an updated FAR Part 150 noise map to the Federal Aviation Administration.

Clearances The Airport Advisory Committee concurs in this request.

11. Seek authority to enable the City to establish conservation districts and to form a conservation district commission if needed.

Back-up material for this agenda item, including a draft of the proposed legislation, will be sent to Council in the Friday, December 9 Council-Manager memorandum.

12. Consider options for the provision of recreation services to the Pine Valley neighborhood.

Pine Valley Recreational Services On October 10, Council was asked to consider several options for City involvement in providing recreational services at Pine Valley, a neighborhood off the 9200 block of South Boulevard. Pine Vallev is in the latter stages of a housing program called the Turn Key Program, in which the residents accumulate a down payment over a

period of time and purchase their home. The Housing Authority estimates that in two years, all 203 homes in Pine Valley will have been sold.

At the October 24 meeting, Council asked staff to look further into the options for providing recreational services to Pine Valley through a contractual arrangement with either the YMCA or the YWCA. These groups were asked to explore the provision of an interim recreational program under contract with the City until a more suitable site or other alternatives can be explored. City staff has met with these two groups, and has investigated the options involving the current Starmount Elementary School Afterschool program. The YWCA and the YMCA will be submitting general proposals for the provision of six-month part-time afterschool programming for Pine Valley children by December 9. A cost estimate for each of these proposals will be sent to Council in the December 9 Council-Manager memo.

Options

The City Council is being asked to consider several options for City involvement in providing recreation at Pine Valley. None of the options include building and grounds maintenance costs, insurance or other necessary start-up costs. All options will require negotiation with the Housing Authority for use of its building and negotiation with the agency or city and the neighborhood for programming needs. The earliest start up date is February, 1989.

Option 1: Full-Time Program

The City Parks and Recreation Department would provide a full-time recreation program at Pine Valley, including two full-time staff members, programming equipment and supplies at an estimated cost of $64,008 for 40 hours of programming.

Option 2: YMCA Contract

The City would contract with the Harris Branch YMCA for the provision of recreation programming both at the Pine Valley facility and at the Harris Branch YMCA. Programs provided by the YMCA for a six-month interim program include recreation and arts and crafts. The program will operate daily after school and special events will be scheduled (i.e. basketball clinics).

Option 3: YWCA Contract

The City would contract with the YWCA for recreational and educational programs at Pine Valley and at the Park Road YWCA. The program would be modeled after the existing scattered site programs. The program will operate daily after school and will include special events (i.e. field trips).

Option 4: Starmount Elementary Afterschool Program
The City would, with the approval of the Charlotte-Mecklenburg School System, subsidize participation in the Starmount Afterschool Program. This could be a far-reaching precedent, with other afterschool programs requesting similar funding. The cost of this option would depend upon the number of children from Pine Valley requesting to participate in the Starmount Program.

Option 5: Continue Current Program
The City would continue to provide the Summer Playground Program at Pine Valley. Any additional programming decision would be deferred until the City/County Parks Facilities Needs Analysis is completed. The analysis is scheduled for Council review spring, 1989.

13. Recommend approval of an Interlocal Agreement as amended and recommended by the Liaison Committee, and direct the City and County Attorneys to develop a policy on removal with cause.

Interlocal Agreement — The Interlocal Agreement is a document approved by the City Council, County Commission and Planning Commission to establish a process to deal with a joint planning program. The agreement is attached.

Amendments — The Interlocal Agreement was again amended in June of 1988. At that time the County requested an extension of the sunset clause to allow them more time to address additional issues. As a result, the Interlocal agreement is to be amended as follows:

a) Section 3.33.2 (Vacancies and Removal)
This amendment changes the attendance requirement from 75% of regular meetings excluding excused absences to requiring attendance at 50% of all meetings.

b) Section 5.10 Sunset Provision
Delete.

Other issues include the following:

a) Removal with cause (3.33.2)
The Liaison Committee recommend that the City and County Attorney determine an appropriate policy. The City Council and County Commission will need to direct their staff appropriately.

b) Budget and work program (4.22)
The Liaison Committee recommend a workshop be scheduled with the Planning Commission before the final submission of the budget. No official action needs to take place on this issue.

Clearances Liaison Committee, City and County Attorneys.

Attachment No. 5

BUSINESS

14. Recommend adoption of a budget ordinance effective January 4, 1989, transferring three positions and associated costs from the Parks & Recreation Department to the Engineering Department.

Improved Permit Process — In order to enhance customer relations with respect to the building permit approval process, it is recommended that City site-related plan review and inspection services be consolidated in the Engineering Department. This action will require that three existing positions be transferred from the Parks and Recreation Department to the Engineering Department.

One Stop Permitting — The consolidation would allow the following reviews to be made in the Engineering Department: plan review (now in Engineering); tree review (now in Parks and Recreation); and driveway review (now in Transportation). The driveway review function in CDOT is not a full-time position and those responsibilities will be absorbed within Engineering.

Permits which involve unusual circumstances, such as major driveway connections to a thoroughfare or preservation of a specimen street tree, would require input from other departments. However, the coordination would be the responsibility of Engineering staff rather than the developer/contractor.

Consolidation also presents an opportunity to check Utility Department water and sewer maps to confirm if these facilities are available. (A weakness identified in the existing process is that no check is made by the City or County to determine the availability of water and sewer. The applicant provides this information, which, if in error, can result in a building being finished with no acceptable means of discharging sewage.)

Attached is a copy of the November 23, 1988 Council-Manager memorandum which goes into greater detail about land development regulations, and our evaluation and recommendation for consolidating functions.

Funds — No additional funds are necessary for this consolidation.

Attachment No. 6

15. Recommend approval of amended and restated lease agreement with Dobbs House Inc. for food and beverage concessions at the Airport.

Airport Expansion — As a result of expansion in the Airport terminal and concourse areas, concession facilities must be relocated to accommodate major changes in passenger flow.

Extend Lease Terms — Both Dobbs House, Inc. and Host Marriott need to have their lease terms extended in order to provide sufficient time to amortize the considerable investment required to provide the proposed facilities. Dobbs, in particular, will be significantly affected by the proposed construction since their major cafeteria facility must be relocated.

Dobbs is expected to spend approximately $6 million to provide the appropriate leasehold improvements as part of this project. Dobbs' current lease expires in 1996, and Dobbs has indicated that this is not long enough to properly amortize their proposed investment.

Working closely with Ms. Marjorie Brink from Peat Marwick Main and Company, a nationally recognized concessions consultant, the Airport Manager and the City Finance Director have been negotiating for some time with Dobbs over relocation and construction of additional leasehold improvements for the proposed terminal expansion to develop an agreement which is acceptable to both parties.

Lease Provision — The following are major provisions of the proposed lease:

1. Dobbs agrees to spend $6,650,000 for the construction of leasehold improvements which will include a first-class table service restaurant, a meeting/conference center, an English pub/grill, a new cafeteria style restaurant and various snack bars and cocktail lounges.

2. The City agrees to extend the term of Dobbs' food/beverage lease for an additional seven years (through June 30, 2003) under the same percentage rental as in the existing agreement. According to Ms. Brink (the City's consultant), the percentage rentals paid to the City by Dobbs are as high or higher than industry standards. Additionally, Dobbs has agreed to the following:

   a. Minimum annual guarantee - beginning with the effective date of the extended agreement, the annual minimum guarantee rental be 85 percent of the actual concession rental paid in the previous lease year, but not less than $1,027,780.
   b. Profit sharing - The first month following the opening of all renovated and expanded facilities (estimated to be January, 1991) will trigger a project sharing provision which will provide the City with an opportunity to share in anv future successes of the food and beverage concessionaire.

3. Dobbs agrees to subcontract to one or more minority firms ("MBE") the operation of four additional food/beverage facilities. The projected share of food/beverage sales to be realized from MBE operating facilities is estimated to increase from 5.2 percent to 22.8 percent between 1989 and 1991. It should be noted that the Federal Aviation Administration Civil Rights Division has approved Dobbs' proposed MBE participation.

Benefits

The major benefits to the Airport of entering into the proposed amended and restated lease with Dobbs are as follows:

1. The proposed expansion of food/beverage concessions benefit the traveling public by meeting the additional demands for these services that have resulted from the recent rapid growth of airline traffic at the Airport.

2. Dobbs covers all costs of the proposed leasehold improvements by investing $6.6 million which will provide first-class food/beverage facilities, specifically designed to meet the needs of originating, departing and transferring passengers.

3. Dobbs' proposed minority participation plan provides a significant increase in opportunities for local MBE's to participate in concession programs at the Airport.

Clearances The City Finance Director joins Airport Manager in making this recommendation. The Federal Aviation Administration Civil Rights Division has approved Dobbs' minority participation plan.

16. Recommend approval of a loan agreement of $42,646 between the City and Clarence W. Wall to provide funds for the purchase of land and construction of a building located at 1108 South Graham Street to be used as a welding and fabrication shop.

Project Description Clarence W. Wall is the owner of Wall's Welding & Fabrication. The company was established in 1974 and provides metal welding and fabrication services in the Charlotte area. In 1983 the business was relocated by the State I-277 project to the current 130 West Bland Street site. The site is very small and has no parking space. The new location is being purchased from the City and is located at 1108 S. Graham Street in the West Morehead Redevelopment Area. City Council approved the sale of this land to Mr. Wall on July 27, 1987 and he has been working to arrange financing since that time. The contract for the sale of this land has been extended in order to allow Mr. Wall to arrange the necessary financing.

Loan A loan of $42,646 is being requested from the City to purchase the land and to construct a 4,000 square foot building at 1108 S. Graham Street. The new facility will be much larger and is needed for additional work space. The total cost is $106,616 and the City loan for $42,646 will be used in conjunction with a loan from NCNB in the amount of $53,308. Mr. Wall has on hand and will contribute $10,662 toward the project.

Jobs The City is requiring the creation of three new jobs on a full-time basis as a condition of the loan. These jobs will be made available to low/moderate income citizens from the City's designated Pocket of Poverty.

Attached are details of the project costs, source of funds, loan terms, security and public purpose. Attached also is a summary of the Economic Development Revolving Loan Fund.

Funds Economic Development Revolving Loan Fund.

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

Attachment No. 7

17. Appointments to Tree Advisory Commission.

The following nominations for appointment have been made for two three-year terms:

a) Jean Davis, nominated by Council member Clodfelter.
b) Brian Such, nominated by Council member S. Campbell.
c) Marshall Huey, nominated by Council member Woollen.
d) Patricia Rodgers, nominated by Council member Fenning.
e) Danita Brown, nominated by Council member Vinroot.
f) Randy Veltri, nominated by Council member Vinroot.

Attachment No. 8

18. Nominations for Appointments to Boards and Commissions.

A. Community Resources Board - The term of Peter Keber expires December 31, 1988. He is completing his first term and is eligible for reappointment. The term is for three years. He has complied with the attendance policy.

B. Safety Action Committee - The terms of Deborah Antshel, Gary Hemric and Rodney Smith will expire December 31, 1988. Ms. Antshel is completing two full terms and is not eligible for reappointment. Messrs. Hemric and Smith are completing their first terms. Both have complied with the attendance policy.

C. Nominations of three at-large members of the new nine-member Hezekiah Alexander Board of Trustees.

Attachment No. 9

19. Appointment of Council Representative to Charlotte Uptown Development Corporation.

Council member Gloria Fenning's first term will expire December 31. Directors representing City Council and the County Commission are appointed for one-year terms.

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The City Attorney advises that agenda items no. 20 through 39 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

20. Recommend adoption of a budget ordinance to transfer $150,000 from the Water/Sewer Operating Fund Balance to the Catawba River Pump Station Land Acquisition Account.

Bond Funds approved for land Purchase	Funds were approved in the November 1988 bond referendum for the purchase of land adjacent to the Catawba River pump station. This will allow for expansion of the facility plus prohibit any residential development adjacent to the pump station.
Purchase 8.72 acres	The Real Estate Division has completed negotiations to acquire approximately 8.72 acres off Pump Station Road from Cresent Land and Timber Corporation for $139,520. Administrative expenses, legal charges and appraisals associated with the purchase are estimated at $10,000.
Funds	Adoption of this budget ordinance will transfer $150,000 from the Unappropriated Water/Sewer Operating Fund Balance to Catawba River Pump Station Land Acquisition account until the 1988 water bonds have been sold. The action to acquire this property is included in the Property Transaction section of the agenda.
Clearances	Utility Director.

21. Recommend adoption of a budget ordinance to transfer $819,000 from the Water/Sewer Operating Fund Balance to the McIntyre Creek Sanitary Sewer Construction Projects.

Bond Funds Approved — The November 1984 bond referendum included $1,396,000 for the design and construction of sewer outfalls along McIntyre Branch. The completion of these outfalls will provide sanitary sewer service in the Beatties Ford Road - Sunset Road area.

The McIntyre outfall project is contiguous to the Long Creek outfall project. In order to avoid two separate construction contracts crossing the Oak Hill Golf Course, a portion of the McIntyre project was included in the Long Creek project.

As a result of this construction, along with expensive construction easements and engineering, the project account balances currently total $934,000.

$819,000 Transfer — The following Bid section recommends award of the McIntyre outfall construction project to Dellinger Construction Company for $1,668,223. This action will transfer $819,000 to the appropriate accounts to provide construction funds and a five percent project contingency.

Funds — Water/Sewer Operating Balance.

Clearances — Utility Director.

22. Recommend adoption of a budget ordinance to reallocate funds remaining from the expired Salvation Army contract.

Salvation Army Fund — A sum of $26,667 was appropriated to the Salvation Army in FY88 to supplement the agency's basic operating expenses. Due to the fluctuation in usage of the shelter, all allocated funds were not used and at the end of FY88 an amendment was approved to extend the contract termination date until September 30, 1988. This amendment has expired leaving a balance of $15,580.11 in unappropriated fund balance. A request has been received to release funds for $7,076.32 covering expenditures for the period ending September 30, 1988. Because the contract expired, the balance was closed out. In order to make the requested payment, an ordinance is required.

This action will reappropriate $7,076 to the Salvation Army in keeping with the intent of the original contract.

Funds Unappropriated General Fund Fund Balance.

Clearances Budget and Evaluation.

BID LIST

23. 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. The following bids are for the purchase of 54 automobiles and vans to be used by various City departments; the majority are to replace existing vehicles which are in poor condition with maintenance costs that will continue to be high if they remain in service.

Bid Summary:

Regal Chrysler-Plymouth	Charlotte, N.C.	$206,376.00
(For 24 automobiles)		
Harrelson Ford	Charlotte, N.C.	$275,598.00
(For 19 automobiles and 4 mini vans)		
Larry J. Chevrolet	Charlotte, N.C.	$ 50,827.43
(For 2 station wagons, 1 four wheel drive vehicle, 1 Suburban carry all)		
Dick Keffer Pontiac-GMC	Charlotte, N.C.	$ 39,669.54
(For 3 four-wheel drive vehicles)		

Source of Funding: (43) Capital Equipment Fund - (Operations, Police, Transportation. Engineering, Neighborhood Centers, Parks and Recreation). (1) IRMA Fund - (Insurance and Risk Management). (1) Water and Sewer Fund - (Vest Treatment Plant). (1) Water and Sewer Fund - (Franklin Treatment Plant). (4) Water and Sewer Fund - (Engineering). (1) Water and Sewer Fund - (Industrial Waste). (1) Water and Sewer Capital Equipment Fund - (Wastewater Collections). (2) General Fund - (Fire Department).

ITEM NO.

B. 4,000 Tons - Plant Mix Asphalt, Cold Mix — Operations Dept., St. Maint. Div.

Recommendation: By Purchasing Director and Operation Director that the only bid received, Rea Construction Company, Charlotte, N. C., in the amount of $144,000.00, be accepted for award of contract on a unit price basis.

Project Description: Plant mix asphalt is used for street repairs and resurfacings.

Source of Funding: Powell Bill Fund - (Resurfacing by City Forces).

C. Polymer, Irwin Creek Wastewater Treatment Plant — Utility Dept.

Recommendation: By Purchasing Director and Utility Director that the low bid, American Cyanamid Company, Wayne, New Jersey, in the amount of $38,102.40, be accepted for award of contract on a unit price basis.

Project Description: Polymer will be used with the sludge dewatering centrifuge at Irwin Creek Wastewater Treatment Plant. Polymer improves the efficiency of the centrifuge.

The bid process for polymer requires that vendors pre-qualify their product. This requires extensive time and testing on City equipment and also requires a contractor to furnish and install a bulk storage tank on site. Due to these requirements a contract for a period of one year with the option to renew for an additional year at the same unit price is requested providing funds are made available by City Council.

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

D. Polymer, McAlpine Wastewater Treatment Plant — Utility Dept.

Recommendation: By Purchasing Director and Utility Director that the low bid, Stockhausen, Inc., Greensboro, N. C., in the amount of $159,281.25, be accepted for award of contract on a unit price basis.

Project Description: Polymer will be used with the sludge dewatering centrifuge at McAlpine Wastewater Treatment Plant. Polymer improves the efficiency of the centrifuge.

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

E. Sanitary Sewer Construction McIntyre Branch Outfall, East And West — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the bid by Dellinger, Incorporated of Monroe, North Carolina in the amount of $1,668,223.36 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend sewer service to the Long Creek - Beatties Ford Road area.

Source of Funding: Water and Sewer Capital Improvement Fund - (McIntyre's Branch Outfall). Water and Sewer Capital Improvement Fund - (McIntyre's Branch Outfall - West). Water and Sewer Capital Improvement Fund - (McIntyre's Branch Outfall - East).

*Requires approval of Budget Ordinance.

F. Cordelia Park — Engineering

170,586.03

Recommendation: By the City Engineer that the low bid of ~~$161,891.46~~, as submitted by McChesney Brothers of Charlotte, be accepted for award on a unit price basis.

Project Description: This project is part of an ongoing program to improve and enhance city parks and consists of renovations to the existing park, including a new playground and softball field. Existing creeks are realigned and in some places rip-rap has been added to prevent erosion control. Neighborhood input has been used in developing a plan to meet the needs of the neighborhood.

Source of Funding: General Capital Improvement Fund - (Improvements to Existing Parks - Pay-As-You-Go Tax Levy).

G. Delta Road, Phase II — Engineering

Recommendation: By the City Engineer that the low bid of $2,487,222.06, as submitted by Blythe Industries, Inc., be accepted for award on a unit price basis.

Project Description: The need for this project is based on traffic congestion and system continuity. The project will reduce congestion along Sharon Amity, Albemarle and Idlewild Roads by providing an alternate roadway for north-south travel from Independence Boulevard to east and northeast Charlotte.

This project is the second phase of a two phase project to build a new roadway from Independence Boulevard to Idlewild Road at Idlewild Road North.

Source of Funding: General Capital Improvement Fund - (Delta Road Extension - Capital Reserve).

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24. Recommend the adoption of a resolution authorizing the Mayor to execute an interlocal agreement between the City of Charlotte, the County of Mecklenburg and the Charlotte-Mecklenburg Board of Education for an Underground Storage Tank Testing Program.

Compliance with Federal Regulations: This resolution will authorize an interlocal agreement with the County and the School Board to share the cost of complying with newly adopted Environmental Protection Agency regulations which seek to control the major causes of leaks and spills from underground storage tank systems. The County will coordinate the program.

The three parties agreed in principle to participate in the program as of January 1, 1988 and the County has been providing services to the City and Schools since that time. A formal interlocal agreement was not pursued until the final federal regulations had been issued.

AGREEMENT

25. Recommend entering into agreements with PacifiCorp Capital, Inc. and IBM Corporation to acquire a replacement system for the 5520 word processing system now leased by the City at a cost of $715,507.48.

Lease Expiration: The City has been leasing the IBM 5520 word processing system from CIS Corporation since 1982. IBM discontinued manufacture of this system in 1987; the City's lease expires in December, 1988.

Recommendation

Various options have been under study by the MIS Department for several months. Of the options studied, the IBM Office AS/400 system under a 48-month leasing arrangement with PacifiCorp Capital Inc. is recommended.

Compatibility

The AS/400 System is fully compatible with the City's central computer system and with the purchased word processing systems at the Airport and Utility Departments. Conversion of current 5520 documents will be minimal. Additionally, the national acceptance of the AS/400 has prompted aggressive leasing possibilities with third-party firms throughout the country.

Total Cost of $715,507.48

The leasing arrangements available for the AS/400 were reviewed in October when the City received 19 responses to a Request for Quotation mailed to 33 leasing firms. The lowest quote for the processors and workstations, $10,993 per month for 48 months, was received from PacifiCorp Capital, Inc. This rate totals $527,664, or $119,609 less than the outright purchase price of the same equipment. In addition, a one-time cost of $107,549 for software and $80,294.48 for printers will be needed for a total commitment of $715,507.48. Purchase of the printers is recommended because of their projected useful life, and because they can be used outside of the word processing environment, if necessary. The software is only available under a one-time charge agreement.

Total Savings of $36,141.90

The impact on the FY89 budget would result in a $32,000 savings from the budgeted amount for the 5520 systems (including lease of the AS/400 for five months and the purchase of the printers). IBM has agreed to delay billing for the software until FY90. The impact on the FY90 budget would, therefore, be an increase of $37,697 over the cost of the 5520 system. The impact on the succeeding two years, however, would be additional cost savings over the 5520 for a total savings in the 48 month period of $36,141.90.

Attached is the December 2, 1988 Council-Manager memorandum on this lease.

Funds

MIS Operating Budget.

Attachment No. 10

ITEM NO.

CONTRACT AMENDMENT

26. Recommend approval of a contract amendment not to exceed $2,675,000 with Black & Veatch for professional services related to the upgrade and expansion of the Mallard Creek and McDowell Creek Wastewater Plants.

Phase I-Engineering Study

Attached is the July 27, 1987 Council agenda item which approved a not-to-exceed $75,000 agreement for Black & Veatch, Inc. to provide an engineering study for the upgrade and expansion of the Mallard Creek and the McDowell Creek Wastewater Treatment Plants. This study was Phase I of the project.

Phase II-Amendment

The Phase I agreement with Black & Veatch provided for a contract amendment for the design, construction administration, and on-site construction services for the upgraded and expansion of the two plants - Phase II. This amendment has been negotiated with Black & Veatch at a not-to-exceed contract amount of $2,675,000. Due to the similar design of the two facilities and the likelihood that the upgrade will also have similar features, it is economical to retain the same engineer for both projects. .

Funds

Water and Sewer Capital Improvement Fund - Mallard Creek and McDowell Creek Wastewater Treatment Plant Capital Accounts - 1987 Sewer Bonds.

Clearances

The Utility Department Director recommends approval.

Attachment No. 11

27. Recommend approval of an amendment to the FY89 contract between the City of Charlotte and Child Care Resources, Incorporated to provide 20 additional daycare slots for participants of employment and training programs at an additional cost of $50,000, to be funded through Title II-A of the Job Training Partnership Act (JTPA).

Contract Provides 55 Day Care Slots

On July 11, 1988, City Council approved a contract between the City of Charlotte and Child Care Resources, Incorporated to provide 55 daycare slots for low-income participants enrolled in the City's training programs at a total cost of $147,361.00. The rationale for providing child care services is that it enables persons to eliminate daycare as a barrier to participation in classroom training and on-the-job training programs. The 55 slots purchased have been utilized at maximum capacity and are re-utilized throughout the fiscal year contingent upon turnover. At present, 56 individuals identified as needing child care services are being prioritized to occupy twelve vacated slots.

20 more Slots This amendment to the FY89 contractual agreement provides 20 additional child care slots, for a total of 75 slots, and increases the amount of the contract from $147,361.00 to $197,361.00.

Funds Funds for this amendment are available due to a greater than projected amount of Job Training Partnership Act (JTPA) Title II-A dollars carried forward from FY88 to FY89.

Clearances This contractual amendment has been reviewed and approved by the Private Industry Council, the Budget and Evaluation Department, the Legal Department, and Child Care Resources, Incorporated.

CONTRACT CANCELLATION

28. Recommend cancellation of the contract with Malachi J. Greene, in the Third Ward area and retain the good faith deposit of $1,000.00.

Sale of Land On July 27, 1987, City Council approved the sale of Block 23, Parcel 14, located at 1132 Greenleaf Avenue, in the Third Ward Neighborhood Strategy Area, to Malachi J. Greene, for $10,000.00. The parcel contains approximately 12,846 sq. ft., and the developer proposed to build three townhouse units for sale.

Mortgage Financing The contract required the developer to demonstrate evidence of mortgage financing before the City could convey the land on December 7, 1987. Having failed to do this, the City gave the developer 30 days to cure the default. The developer requested and was granted two time extensions, on April 17, 1988, and August 12, 1988, to provide additional time to presell the units as required by his lender. The City has not received any additional correspondence from the developer since August 3, 1988, when he requested his second time extension.

No Response The developer was advised of the October 31, 1988 deadline by certified mail on August 12, 1988, and again on October 10, 1988. The City has not received any response to these notifications, and other attempts to contact the developer by telephone have been unsuccessful.

Clearances Engineering/Real Estate, City Attorney's office, and Community Development concur in this request.

A map is attached.

Attachment No. 12

ITEM NO.

LEASE

29. Recommend approval of a five-year lease agreement between the City of Charlotte, Landlord, and the Children's Theatre of Charlotte, Inc., Tenant, 1017 East Morehead Street.

Children's Theatre — This property is located at 1017 East Morehead Street and has been leased by the Children's Theatre of Charlotte, Inc. since 1972.

Terms — The term of this proposed lease is for five years for $1.00 per year. As further consideration, the lessee agrees to assume responsibility for the maintenance of said premises. The lease may be terminated prior to the expiration date upon mutual agreement of the parties, or upon a 90 day written notice by either party.

Tenant shall pay all utilities, taxes, assessments, and provide insurance. The leased premises shall be used for Children's Theatre activities, open to the general public to provide educational, recreational, and theatrical opportunities which service the public good.

Clearances — Engineering/Real Estate, Insurance and Risk Management Agency, and the Legal Department concurs in this request.

LEASE AMENDMENT

30. Recommend approval of amendment of lease with North Carolina Air National Guard to provide additional land for construction of aircraft parking ramps at the North Carolina Air National Guard base at the Airport.

Lease Amentment Terms — This lease amendment with North Carolina Air National Guard will provide additional land (13.28 acres) for construction of additional aircraft parking ramps. The terms of the lease agreement between the City and the North Carolina Air National Guard extend to June 30, 2032. The rent paid to the City by the Air National Guard will continue to be $1 per annum under the agreement terms of this supplemental agreement. Under the terms of a separate agreement between the State of North Carolina and the City, the Air National Guard pays the City $1,600 per month for operation and maintenance of the airfield.

Background

North Carolina Air National Guard has been an integral part of the Airport community since 1947. They have provided substantial support to the City and the development and operation of the Airport. All planning and development has considered the Air Guard Base as a permanent and vital part of the Airport.

Recent examples of the continuing support the City receives from the North Carolina Air National Guard include construction of a $900,000 Crash Fire Rescue facility at no cost to the City and funding of $1,500,000 for the extension of Taxiway D.

Recently the North Carolina Air National Guard completed a BASE MASTER PLAN dated September 1, 1988. This plan has been carefully coordinated with the Airport's Master Plan throughout its development. The Air Guard's BASE MASTER PLAN recommends the construction of additional aircraft parking ramp in order to accommodate additional military aircraft. The Air National Guard anticipates Defense Department funding to become available in the very near future for the construction of the proposed additional aircraft ramp parking. In order for the Air National Guard to utilize Department of Defense funds to construct the additional aircraft ramp, it is necessary that their proposed ramp expansion be incorporated under the term of their long-term lease agreement with the City. Therefore, the North Carolina Air National Guard is requesting that 13.28 acres of land north of their present permanent lease be added to enable the construction of the proposed aircraft parking ramp expansion. This land is presently leased to North Carolina Air National Guard organizations for recreational purposes.

The North Carolina Air National Guard recreation center board of directors concurs in the amendment of the existing lease to allow the North Carolina Air National Guard to extend its lease boundaries.

CHANGE ORDER

31. A. Recommend approval of Change Order No. 3 to the Mechanical construction contract for fuel farm expansion for $94,275.00.

Background On August 24, 1987, City Council awarded the mechanical construction contract to Row Industrial Service, Inc. for fuel farm expansion. This project is included in the 1987 Revenue Bond Issue.

Change Order This change order provides for modifications to the instrumentation panel; modifications to piping to accommodate differential settlements for Fuel Tanks Number 7 and 8; and replacement of the Fuel Farm alarm system.

Contract: Fuel Farm Expansion Mechanical Construction Contract
Contractor: Row Industrial Service, Inc.
Date of Award: August 24, 1987
Contract Amount to Date: ~~$889,385.66~~ 899,385.66
Change Order Number 3: 94,275.00 94,275.00
New Contract Amount: ~~$993,660.66~~ 993,660.66

Funds 1987 Revenue Bonds debt serviced bv long term airline lease agreement.

Clearances Talbert, Cox and Associates and Day and Zimmermann, Inc. concur in this request.

B. Recommend approval of Change Order No. 2 for $355,684.00 for two additional passenger boarding bridges for Concourse D.

Background On October 12, 1987, City Council awarded a contract to Jetway Systems for nine new passenger boarding bridges and for retrofitting two existing bridges. Seven new bridges and the retrofitted units were designated for Concourse B. Two new bridges were designated for Concourse D. Since that time, plans for Concourse D have been expanded from two gates to four gates.

Change Order This change order provides for material, fabrication, delivery and installation of two apron drive passenger boarding bridges needed for the two gates added to the Concourse D project.

Contractor: Jetwav Systems
Date of Award: October 12, 1987
Contract Amount to Date: ~~$1,836,377.10~~ 1,836,377.10
Change Order Number 2: 355,684.00
New Contract Amount: ~~$2,192,061.10~~ 2,192,061.10

Funds 1987 Revenue Bonds debt serviced by long term airline lease agreements.

Clearances Odell Associates, Inc. (architect) and Day and Zimmermann, Inc. concur in this request.

C. Recommend approval of Change Order No. 1 for $38,745.00 to the Idlewild Road Widening Project with Blythe Industries, Inc.

Contract: Idlewild Road widening project between Monroe Road and Independence Boulevard
Contractor: Blythe Industries, Inc.
Date of Award: March 14, 1988

Contract Amount:	$1,450,426.88
Change Order No. 1:	38,745.00
New Contract Amount:	$1,489,171.88

Reason for Change Order The City Department of Transportation requested the Engineering Department to have the exit ramp from Independence Boulevard heading east onto Conference Drive removed as a part of the intersection improvements at the intersection of Independence Boulevard/Buick Drive/Conference Drive. The ramp removal is a part of an intersection improvement to improve the safety of the intersection. The ramp has been temporarily closed for over a year.

The Idlewild Road project has been progressing satisfactorily, and is ahead of schedule. The requested intersection improvement is immediately adjacent to the Idlewild Road widening project. The Engineering Department elected to negotiate a change order with Blythe Industries for the proposed work in order to expedite the work and take advantage of the low unit prices in the Idlewild Road widening contract.

Funds Minor Intersection Improvements Account.

Clearances This change order has been approved by the Engineering Department and reviewed by CDOT and the Attorney's office.

CODE AMENDMENT/BUDGET ORDINANCE

32. Recommend adoption of an ordinance to amend Chapter 2, entitled "Administration", of the Code of the City of Charlotte, and adopt an ordinance appropriating estimated user fee revenues for January 1 - June 30, 1989 of $49,475.

User Fee Policy Adopted

On August 22, 1988, City Council adopted a resolution to establish user fee policies for the City. This ordinance adds a new section to Chapter 2, Administration of the City Code. This section states the following·

- Establishes a Schedule of User Fees for services performed by City departments;
- Fees shall be set by user fee policies established by the City Council;
- Fees shall be computed in accordance with the methodology set forth in the Arthur Young "User Fees Study of August, 1987."
- Allows City Manager, or his designee, to revise the user fee schedule to reflect additional costs to the City for provision of these services;
- Provides that the fees in the User Fee Schedule shall supersede any prior existing fee;
- The complete Schedule of User Fees shall be available for inspection in the Office of the City Clerk;
- A schedule of user fees for each department shall be conspicuously posted in the appropriate department; and
- The ordinance amendment becomes effective January 1, 1989.

Funding No funding is required.

Clearances City Attorney.

CODE AMENDMENT

33. Recommend adoption of an ordinance requested by the Coliseum Authority amending Chapter 6 of the City Code, "Peddlers", to prohibit peddling in the Charlotte Coliseum area.

Prohibit Peddling at Coliseum

Adoption of this ordinance amendment would prohibit peddling at the new coliseum, including all of the parking areas.

ITEM NO.

Presently peddling is generally prohibited in: (a) the uptown business district; (b) along Independence between Morehead Street and the City limits; (c) the area and streets surrounding the old coliseum; and (d) the area around Memorial Stadium. Expected from this prohibition are the sale of newspapers, and magazines and peddling as part of a market, festival, activity, or other similar event sponsored or sanctioned by the City or County government.

GRANT AMENDMENT

34. Recommend adoption of a resolution approving Amendment No. 1 to Federal Aviation Administration grant to provide for construction of a service road for emergency vehicle use.

FAA Grant — On June 22, 1987, City Council accepted a Federal Aviation Administration grant of $4,635,000 to provide Federal funding for 75 percent of the project costs for Concourse B ramp expansion and other airfield improvements, including extending safety areas, approach clearing, taxiway strengthening and taxiway extensions. Council has previously awarded construction contracts for these high priority airport improvement projects.

Amendment — On November 28, 1988 Council awarded a contract of $150,464 to the low bidder for construction of an all-weather crash fire rescue vehicle access road off the end of Runway 36L and security fencing around F.A.A. navigational aids. This amendment changes the Federal grant description to include construction of the service road and thereby makes the project eligible for 75 percent Federal funding.

Funds — Council has previously appropriated the anticipated proceeds of the Federal grant and 1985 Revenue Bonds to cover the City's share of project costs. The City shares debt-service by the airlines through landing fees under the terms of their lease agreement.

Clearances — The Federal Aviation Administration and the airlines concur in this project.

ITEM NO.

REHABILITATION LOAN

35. Recommend a rehabilitation loan with Willie L. and Leila Drakeford for $38,774 to rehabilitate their home at 2132 B Avenue.

$38,774 Loan

Mr. and Mrs. Willie Drakeford's home at 2132 B Avenue is in violation of the City's housing code. The total loan amount to rehabilitate their house and bring it into code compliance is $38,774. The appraiser estimates the after rehabilitation value of this property to be $52,500.

Under the Rehabilitation Program approved by City Council on October 12, 1987, a homeowner is to pay no more than 35% of their household income towards housing expense. The Drakeford's total income, which is derived from Social Security, is $525 per month. No federal tax is withheld from this income. Mr. and Mrs. Drakeford have a 20 year old, retarded son who lives with them and is carried as a dependant.

Income/ Expenses

An analysis of the Drakeford's household income and projected housing expenses is as follows:

Household Income	$525.00 (SS) Month
	x 35%
Amount available for housing expense	$183.75
Projected housing expenses:	
Insurance	12.50
Real Estate Taxes	15.08
Utilities (oil/elec.)	106.00
Est. Maintenance	42.00
Total	$175.58
Difference	$ 8.17

Mr. and Mrs. Drakeford qualify for a deferred payment loan (DPL) of $36,574 and a 3% loan of $2,200. The deferred payment loan will be repaid upon the death of the owners or the sale of the property. Payments on the 3% loan along with the escrow deposit for taxes and insurance will start immediately. Liens will be placed on the property for the DPL and the 3% loan. This will regenerate our loan funds for future needs of lower-income families.

The rehabilitation assistance is as follows:

Borrower	Property Address	Loan Amount	Term	Interest Rate	Type of Assistance
Willie L. & Leila Drakeford	2132 B Avenue	$36,574	N/A	0%	DPL
		$ 2,200	360 mo.	3%	Loan

A summary of the Rehabilitation Loan Program is attached for your information.

Funds — Community Development Block Grant Funds.

Clearances — The loan application has been reviewed by the Community Development Department and all criteria to qualify for financial assistance have been met by the applicant in accordance with the requirements outlined in the Community Development Standard Rehabilitation Loan and Grant Program.

Attachment No. 13

AWARD OF SERVICE REVOLVER

36. Recommend approval to award service revolver to retiring Airport Safety Chief.

Background — North Carolina General Statute §20-1872(a) allows the governing body of a law enforcement agency the discretion to award the service side arm to a retiring member. Several years ago, City Council approved a policy to permit retiring police officers to receive their service revolvers at the discretion of the Chief of Police. However, the City Attorney believes this policy is limited to City Police and does not appear to cover the Chief Airport Safety Officer.

Request for Service Revolver — Airport Safety Chief J. J. Mitcham is retiring December 31, 1988, and has requested that he be allowed to keep his service revolver.

Clearances — The Airport Manager.

SET PUBLIC HEARING

37. Recommend adoption of a resolution of intent to abandon a portion of Rountree Road and set a public hearing for January 9, 1989.

UTILITY CONTRACTS

38. 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. Item 1 is a 5-year reimbursable contract. The applicant deposited 10% of the estimated construction cost. The remaining 90% will be deposited prior to construction. Item 6 is a 15-year reimbursable contract. The applicant deposited 10% of the estimated construction cost. The remaining 90% will be deposited prior to construction. There is no cost to the City and no funds are needed. Items 2 through 5 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. Charlotte-Mecklenburg Schools, to construct 2,300 linear feet of 16-inch water main to serve McKee Road (Charlotte-Mecklenburg Elementary Schools), located between Kuykendall Road and Providence Road, outside the Charlotte City Limits. Estimated Cost - $96,000.00. Water Contract No. 300-88-184.

2. T.C. Homes Charlotte-Wynfield L.P., to construct 200 linear feet of 8-inch water main, 1,300 linear feet of 6-inch water main and 1,915 linear feet of 2-inch water main to serve Thornbury At Wynfield Subdivision, located north of Gilead Road, west of Ranson Road and east of Torrence Creek Tributary #1, outside the Charlotte City Limits. Estimated Cost - $55,000.00. Water Contract No. 100-88-161.

3. Mark-One Construction Company, Inc., to construct 795 linear feet of 8-inch sanitary sewer main to serve Wyre Forest Subdivision, located north of Sardis Road North, east of Ritter Drive and west of Sunnywood Drive, inside the Charlotte City Limits. Estimated Cost - $60,000.00. Sanitary Sewer Job No. 100-88-628.

4. Charlotte Building Group, to construct 4,283 linear feet of 8-inch sanitary sewer main to serve Stourbridge At Wynfield, located west of Ranson Road, north of Gilead Road and south of Sam Furr Road, outside the Charlotte City Limits. Estimated Cost - $149,905.00. Sanitary Sewer Job No. 100-88-662.

5. CIAH Corporation, to construct 1,932 linear feet of 8-inch sanitary sewer main to serve Willow Pond Phase 2 (Cornelius), located east of I-77, west of Floral Lane and south of N.C. Highway 73, outside the Charlotte City Limits. Estimated Cost - $86,940.00. Sanitary Sewer Job No. 100-88-695.

6. Charlotte-Mecklenburg Schools, to construct 900 linear feet of 8-inch sanitary sewer main to serve McKee Road (Charlotte-Mecklenburg Elementary Schools), located between Kuykendall Road and Providence Road, outside the Charlotte City Limits. Estimated Cost - $53,800.00. Sanitary Sewer Job No. 400-88-653.

PROPERTY TRANSACTIONS

39. Recommend approval of the following property transactions and adoption of the condemnation resolutions.

(1) Project: General Airport Land Acquisition
Owner(s): Laura Jane McGinn
Property address: 5519 Piney Top Drive, Charlotte, NC 28208
Property to be acquired: 21.123 acres of land
Improvements: Single family residence & all outbuildings
Price: $805,000.00

(2) Project: General Airport Land Acquisition
Owner(s): James J. Bigger and wife, Elizabeth Bigger
Property address: 5333 Piney Top Drive, Charlotte, NC 28208
Property to be acquired: 9.334 acres of land
Improvements: Single family residence & all outbuildings
Price: $345,000.00

(3) Project: General Airport Land Acquisition
Owner(s): James J. Bigger and wife, Elizabeth Bigger
Property address: 5100 Piney Top Drive, Charlotte, NC 28208
Property to be acquired: 6.60 acres of unimproved land.
Improvements: Vacant Land
Price: $215,600.00.

(4) Project: Pump Station - Mountain Island Lake
Owner(s): Cresent Land and Timber Corporation
Property address: Off Pump Station Road (S.R. 2001)
Property to be acquired: 8.72 ±acres
Improvements: Vacant land.
Price: $139,520.00
Remarks: This will allow for expansion of this facility plus prohibit any residential development adjacent to the pump station. (The City owns a .61 acre parcel surrounded by Cresent Land property which is not used nor needed for the operation of the pump station. We propose to exchange this with Cresent Land.)

(5) Project: McIntyre Creek Outfall and Long Creek Outfall Phase V-A
Owner(s): Oak Hills, Inc.
Property address: Oakdale Road
Property to be acquired: 3,745.57 linear feet of 25 ft. right-of-way with temp. construction easement varving in width from 15 ft. to 40 ft. on Long Creek and 977.24 linear ft. of 20 ft. right-of-way with temp. construction easement 5 ft. in width.
Improvements: Fairways and one green plus various landscaping.
Price: $52,000.00
Remarks: The construction will take 4 months and will require closing several holes on the golf course.

(6) Project: 60" Raw Water Main/Catawba River to Reservoirs
Owner(s): R. Carlton Dunn
Property address: 5916 Old Plank Road
Property to be acquired: 23,128 sq. ft. plus temporary construction easement.
Improvements: Utility building.
Price: $13,365.00

CONDEMNATIONS

(7) Project: General Airport Land Acquisition
Owner(s): Gilbert Raymond Cooper and wife, Emily Cooper and any other parties of interest
Property address: 5535 Piney Top Drive, Charlotte, NC 28202
Property to be condemned: 3.449 acres
Improvements: One story brick single family residence/detached frame garage.
Condemnation price: $153,000.00
Reason for condemnation: Property owners refused City's offer which was based on formal, independent appraisals. Counteroffer of $300,000 was determined unacceptable.

(8) Project: Intersection Improvements - North Tryon Street at 30th St.
Owner(s): Brinson Diesel Sales and Service, Inc. and any other parties of interest
Property address: 2700 North Tryon Street
Property to be condemned: 919 sq. ft. (plus 66 sq. ft. utility easement and 1,497 sq. ft. temporary construction easement)
Improvements: N/A
Condemnation price: $3,750.00
Reason for condemnation: Owner has refused to execute option or make counteroffer.

(9) Project: Delta Road Extension - Phase II
Owner(s): Gus Gallins and wife, Athena Gallins; John Gallins and wife; Jeannie Gallins; Steve P. Fellos; Mary Elizabeth Duncan Tsumas, and any other parties of interest.
Property address: Independence Boulevard
Property to be condemned: 83,144 sq. ft. (1.909 acres) plus easement of 92,000 sq. ft. (2.11 acres). Also included in condemnation is a drainage easement of 470 sq. ft., utility easement of 240 sq. ft., and construction easement of 91,290 sq. ft.
Improvements: N/A
Condemnation price: $13,400.00
Reason for condemnation: Property owners refused to accept City's offer based on appraisal. Declined to make any counteroffer.

(10) Project: Intersection Improvements - North Tryon at 30th St.
Owner(s): Elizabeth S. Newitt and any other parties of interest
Property address: 2701-05 North Tryon Street
Property to be condemned: 3,087 sq. ft. (0.07 acres) plus (2) 5' x 20' utility easements and temp. construction easements.
Improvements: Fence to be relocated.
Condemnation price: $8,800.00

Reason for condemnation: Owner's attorney said he would get his own appraisal. When appraisal did not materalize, he was contacted again. He had not progressed very far in obtaining the appraisal and requested we condemn property.

(11) Project: Birchwood Drive Culvert
Owner(s): Nancy B. Aycock, and any other parties of interest.
Property address: 208 Birchwood Drive, Charlotte, NC 28214
Property to be condemned: 142.48 sq. ft. plus 1,444.34 sq. ft. of temporary construction easement.
Improvements: N/A
Condemnation price: $650.00
Reason for condemnation: Owner refused to accept City's offer based on appraisal, declined to make a counteroffer, and does not like alignment of road.

- ANNOUNCEMENTS -

In meeting on Monday, January 9, 1989, City Council will make nominations for appointment to the following boards:

1. Zoning Board of Adjustment - One appointment for a three-year term. Incumbent is eligible for reappointment.

2. Mecklenburg Waste Management Advisory Board - Five persons will be selected for recommendation to the County Commission for appointment. Selected will be one person from each of the following groups: a) Medical-Scientific; b) Legal; c) Planning Organization; d) Chamber of Commerce; e) Charlotte Clean City Committee. Members of the board must be residents of Mecklenburg County. Terms are for three years.

3. Certified Development Corporation - One appointment to fill an unexpired term ending April 30, 1991. Appointee must represent a private lending institution.

SCHEDULE OF MEETINGS
December 12 - 16, 1988

Monday, December 12	COUNCIL/MANAGER DINNER Meeting Chamber Conference Room	5:00 p. m.
	CITIZENS HEARING	7:00 p. m.
	COUNCIL MEETING Meeting Chamber, CMGC	7:30 p. m.
Thursday, December 15	CITY COUNCIL/LEGISLATIVE DELEGATION Conference Center - CMGC	7:30 a. m.
	OPERATIONS COMMITTEE Conference Center - CMGC	4:00 p. m.
	PUBLIC HEARING ON ANNEXATION Meeting Chamber - CMGC	7:00 p. m.