AGENDA

Meeting Type:	BUSINESS
Date:	05/23/1994

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Richard Vinroot *Mayor Pro Tem Patrick McCrory*

Charles Baker *Hoyle H Martin*
Stan Campbell *Don D Reid*
Patrick D Cannon *Ella Butler Scarborough*
Mike Jackson *Sara Spencer*
Nasif Rashad Majeed *Lynn M Wheeler*

Council Agenda

CITY COUNCIL MEETING
Monday, May 23, 1994

4:00 p.m. — **Meeting Chamber**

FY95 Budget Presentation

5:00 p.m. — **Conference Center**

- **Enterprise Community Application**
- **Report from Personnel and Finance Committee**
  - **Water/Sewer Rate Methodology**
- **Report from Public Services Committee**
  - **MWBE Policy**

6:30 p.m. — **Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Hearing**

7:00 p.m. — **Formal Business Meeting**

CITY COUNCIL AGENDA
Monday, May 23, 1994
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Item No. 2 Approved as amended

MINUTES

1. Approve Minutes of: April 6 Work Shop
April 11 Regular Meeting

Mov all but # 16 mc/wh Unan

CONSENT ITEMS

2. Agenda items 15 through 30 may be considered in one motion except for those items removed from the consent agenda as a result of a Councilmember making such a request of the City Clerk prior to the meeting.

Staff Resource: Julie Burch

Mot/Comm To approve with Caveat of looking at change for apartments

Sub. to Approve as written by Board/mc 2 votes For Bolk - mc

Vote on original motion 10-1 No - Bolk

POLICY

3. Water/Sewer Rate Structure Methodology

Ord #6 #3872 B-45 P-331

Action: Approve an Ordinance amending City Code Chapter 23, "Water And Sewer Rate Structure Methodology" as recommended by Council's Personnel and Finance Committee.

Committee Chair: Hoyle Martin

Staff Resource: Doug Bean

Policy: Consider establishing a new rate structure for residential, lawn meter, and swimming pool customer classes.

Explanation of Request:

- Current
  - Water consumption billed at single rate
  - Sewer billed on basis of metered water consumption.

Cmt

Item No

- Recommended Change
  - Residential class sewer charges limited to a maximum of 18 hundred cubic feet (ccf)(13,500 gallons) of metered water consumption.
  - Residential, lawn meter, and swimming pool classes metered water consumption billed in three tiers
    - 0-18 CCF
    - 19-40 CCF
    - Over 40 CCF
  - Increasing rates for water consumption recognizes additional cost of meeting peak summer demand.
- Residential customers who use less than 18 ccf of water will see no change in total charges.
- Change will reduce total water and sewer charges for residential customers who use large amounts of water during the summer season.
- Total water and sewer charges for all non-residential (commercial, apartment, industrial, institutional, government, etc.) will increase
- Water charges for lawn meters and swimming pool use will increase.

Background:

- Citizens petitioned for a change. CMUD Advisory Committee, Council's personnel, and Finance Committee recommend change

Attachment 1
Background

Item No To Approve Reid | wh 9-2 vote 2 No + McCarp

4. MWBE Policy

Action:

A) Approve City Council Public Services Committee recommendations for a proposed policy framework for the MWBE Business Development Program.

B) Direct Staff to finalize the detailed MWBE Business Development Program incorporating the policy framework.

C) *Approve recommended timetable for* finalizing MWBE Business Development Program.

Committee Chair: Don Reid

Staff Resource: Dave Cooke, Mike High, Anthony Fox

Explanation of Request:

- On January 10, the City Council referred the development of a new and/or modified MWBE policy to the Public Services Committee.

- Since that time the Committee met seven times to address this charge. The last meeting (May 9) centered on resolving the policy issues presented to Council on April 25

- Listed below are the Public Services Committee's proposed objectives for the new MWBE Business Development Program. This is followed by a matrix illustrating the 12 policy issues and the Committee's recommendations for each. (A more detailed description of each policy is included in the attachment)

Dave Cooke

Program Objectives

1. To maintain or increase minority-owned business utilization

2. To maintain or increase women-owned business utilization

3. To maintain or increase small local business utilization.

4. To encourage private sector utilization of MBE, WBE, and/or small local business.

5. To promote existing MBE, WBE, and/or small local business growth and profitability

6. To promote MBE, WBE and/or small local business start-up and development.

Policy Issues

Issues	Current Program	Committee Recommended Program (which meets the six objectives)
Scope of All Program Elements •What groups are included in the program?	African Americans, Asian Americans, Native Americans, Hispanics, Women	Same
Training and Technical Assistance	Provided on a limited basis Open to any business wanting to conduct business with the City.	•Increase Training efforts •Targeted to all small businesses •Contract out all training and technical assistance
Basis of Program	Race-conscious program as supported by Senate Bill 290	Same

Issues	Current Program	Committee Recommended Program (which meets the six objectives
Self-Performance by the Prime Contractor	Yes, as required by Senate Bill 290	Same
Goal Setting	Goals are set by individual projects for MBE and WBE firms	•Goals will be set by individual projects over $100,000 for each ethnic group and for women-owned firms •A simple compliance process will be set for projects under $100,000 •No goals will be set for small local business.
Program Duration	Unspecified	Each group's contract activity will be reviewed annually. WBE firms will remain in the program for one year (after an initial 6-month program start-up) if their goals are met. MBE firms will remain in the program for 3 years (plus the 6-month start-up) Council action will be required to extend any program beyond 3 years
Overall City Goal(s)	No Overall goals were removed from the program in 1987 when the program went to project specific goals However, the goals of 10% MBE and 3% WBE have been used as a measurement of program performance.	No. However, the cumulative total of all individual project goals will be used as the "benchmark" to assess progress.

Issues	Current Program	Committee Recommended Program (which meets the six objectives)
Goal Attainment Strategies	•"Good Faith" effort applies on projects which are subcontracted •Utilize informal contracts	•"Good Faith" effort to include 3 new criteria •Proposing to increase informal contract limits from $50,000 to $100,000 (requires enabling legislation) •Improve communication among participants •Improve tracking by MWBE Program Director and Key Businesses
Mandatory Goals	No	No
Set Asides	No	No However, the program will be strengthened by stressing opportunities for MWBE's with informal contracts.
Certification	Certify for MWBE ownership and control only	•Expanded process to include "Business Profiles" to address capacity issues
Citizens Advisory Committee	City Manager Appointed	City Council Appointed
Reporting Relationship	Reports to the Purchasing Director	Reports to a Key Business Executive

- Council is also requested to approve the recommended timetable for finalizing the MWBE Business Development Program.

The timetable is outlined below.

Week Of May 30	Council's Public Services Committee review of proposed MWBE Business Development Plan

Item No.

June 13:	Council receive recommended MWBE Plan with resolution containing legislative findings, set Public Hearing and Final Adoption of Plan
June 27	Public Hearing and final adoption of the MWBE Business Development Plan Resolution with Legislative Findings

- The current program is staffed by two employees in the MWBE office and supported by staff in the other key businesses. The program as described in the policy framework will require more resources than available today.

- Resource estimates will be presented as part of detailed plan review.

Background·

Since 1981, the City has had an MWBE plan. Over the years, the plan has been amended on several occasions

In 1989, a Supreme Court decision involving the City of Richmond, Virginia caused many governments to review the basis of their MWBE programs.

In 1991, City Council chose to conduct a study to provide data and analysis which would document the need, if any, for race and gender preference in the award of City contracts. The study was completed in October 1993.

Attachment 2

UNDER THE OPTION TO REJECT THE KEITH PROPOSAL, THE STAFF MEMORANDUM STATES THAT THE CITY WOULD NOT BE ABLE TO REFINANCE THE PARKING GARAGE UNTIL 1998 AND APPROXIMATELY $500,000 IN PARKING DECK LOSSES WOULD BE INCURRED

THE CITY WILL HAVE APPROXIMATELY $240,000 IN PARKING DECK LOSSES THIS FISCAL YEAR IF THAT OCCURS FOR THE NEXT FOUR YEARS, THE TOTAL LOSS WILL BE $960,000 ASSUMING THE LOSS CAN BE REDUCED TO $200,000 PER YEAR, THE LOSS OVER A FOUR YEAR PERIOD WOULD BE $800,000

THERE WILL ALSO BE A LOSS OF $40,000 PER YEAR IN AD VALOREM TAXES OR $160,000 THEREFORE, THE TOTAL LOSS TO THE CITY WOULD BE SOMEWHERE BETWEEN $960,000 ($800,000 + $160,000), AND $1,120,000 ($960,000 + $160,000) OVER THE NEXT FOUR YEARS, RATHER THAN $500,000

BUSINESS

5. June 6 Workshop Agenda

Action:

Approve the following topics for inclusion on the June 6, 1994 Council Workshop Agenda:

- Police Decentralization Strategy
- Committee of 100 Update: Barton-Aschman Study results
- Enterprise Community Application
- Boards and Commissions Appointment Process

So approved with additions to Affordable Housing policy Task Force under Spencer Scar

6. Proposed Charlotte Transit Center

Action:

A) Approve a preliminary outline of an agreement between NationsBank and the City of Charlotte for a proposed Transit Center; and

B) Authorize City staff to work with NationsBank to prepare contractual documents and drawings for the proposed Transit Center for final approval by Council.

Scar | 10 | No | Reid

Staff Resource: Boyd Cauble

Policy: The City of Charlotte and NationsBank have agreed to pursue a joint venture in order to expand transit in the Uptown area, remove congestion along the existing Tryon Street Mall and create amenities for existing transit riders.

Boyd Cauble

The original proposal approved by Council on April 6, 1994 would provide covered boarding areas for transferring riders in the Uptown area as well as restrooms and environmentally controlled waiting areas. The proposed project will also add needed retail and food services in the Uptown area.

Explanation of Request:

- The proposal outlines a 50/50 partnership where the City donates land appraised by the Tax Office at $7.7 million while NationsBank contributes between $7.5 and $8.5 million to build the Transit Center.

- NationsBank will design and construct the Center after Council has reviewed the final design plans and approved the detailed contractual agreement.

- The operation of the transit portion of the Center will be the City's responsibility while NationsBank has assumed full responsibility and risk for operating the approximately 15,000 square feet of proposed retail in the joint venture.

- NationsBank has pledged to contribute all retail profits to subsidize the transit operation in the Uptown area after deducting operation and maintenance costs plus operating and capital reserves

- If the partners agree to sell the Transit Center in the future, revenues from the sale will be split 50/50 with NationsBank retaining only the amount it has invested in the project. The remaining portion of NationsBank's proceeds from the sale of the project will be donated to the City for use in supplementing transit operations in the Uptown area.

- NationsBank may require the City to purchase its interest in the Center, at its cost, if the transit system functions at less than 50% of the standard level of service. Otherwise, if the City decides to expand its transit operation on the existing site, it may require NationsBank, after an initial 10 years of operation, to dissolve the joint venture and abandon the site for the sum of its initial investment.

Funding: No City funds are required to accelerate construction of the proposed Transit Center.

Background: The Fish and Oyster site is in the City's Capital Improvement Program and has been identified by the Planning Department as the ideal site to develop the next stage of transit in the Uptown area The proposed project will enable the City to continue to expand the current bus system and provide for future light rail along the North Carolina Railroad right-of-way behind the old Convention Center.

City staff and NationsBank personnel have worked together to design what is needed in order to accelerate the development of transit in our Uptown area without any expenditure of public funds The venture also minimizes any City risks associated with retail in the mixed-use project which will serve as a tremendous amenity for the current transit riders

Finally, NationsBank has agreed to forego any upside financial gain from its investment in the project in order to accelerate the development of transit in the Uptown area. All future residual profits NationsBank may realize from both operation of the retail and/or sale of the land, will be returned to the City and dedicated for transit in the Uptown area.

On April 6, 1994, City Council authorized City staff to develop the basis for an agreement between NationsBank and the City of Charlotte in order to form a public/private partnership for the primary purpose of providing a Transit Center in the Uptown area.

The existing Tryon Street Mall is reaching its capacity and the next stage of transit in the Uptown area is a Transit Center at the Charlotte Fish and Oyster site.

NationsBank has agreed to furnish the capital necessary to accelerate the project in our Capital Improvement Program

Attachment 3

7. Convention Center, Fluor Daniel Amendment No. 1

Action:

Authorize the City Manager to approve Amendment No. 1 with Fluor Daniel for $3,385,000 to fund the assignment of the Convention Center Storefront and Curtainwall contract.

With this Amendment, Fluor Daniel's contract will increase from $7,461,750 to $10,846,750.

Staff Resource: Clark Readling

Policy: **Complete Convention Center by December 23, 1994.**

Explanation of Request:

- On April 19, 1994, the Storefront and Curtainwall contractor, Joseph Shisko, Inc., was terminated due to their inability to maintain satisfactory progress on the project

- Approval of this amendment will give us the option of moving ahead with this work, and minimize delays to the schedule if Joseph Shisko's bonding company, after completing their evaluation of the situation, elects not to take over this work themselves.

- The bonding company is responsible for either completing the work of their client, or paying the City for any additional amount incurred in completing the work.

- This request is to fund the estimated cost if the bonding company refuses to honor their commitment and Fluor Daniel has to take over and complete the Storefront and Curtainwall contract.

- The City Manager will approve this Amendment only if the bonding company does not take over this contract

- Funds are available in the project account to cover this cost, as shown in the **Attachment**

- We will take the appropriate legal action with the bonding company to recover the additional expenses we may incur by completing the work through Fluor Daniel.

Funding: Funds are available in the Convention Center Account. Approximately $2.2 million remains in Shisko's contract. This amount will be unencumbered and used to fund a portion of this amendment. An additional $1,185,000 is estimated to be needed to complete this work within our original schedule, based on quotes that Fluor Daniel has received.

Background:

On June 14, 1993, City Council awarded the Storefront & Curtainwall contract to Joseph Shisko. Shisko's bid was in the amount of $2,842,666 but through cost reductions was awarded at $2,787,290. The next lowest bid was Pritchard Paint & Glass at $3,309,017.

The Storefront and Curtainwall system is critical in order to "dry in" the building so that the finishing trades can begin. Any delays will severely affect the completion date.

Our contract with Fluor Daniel allows us to assign work to them in the event that a contractor defaults or is terminated. This assignment has been made.

The other alternatives are for the City to rebid the work, resulting in a minimum 90 day delay to the project, or to wait for the bonding company to hire their own contractor to do the work. Currently, the bonding company has requested more time to evaluate the situation.

The cost of the amendment is to reimburse Fluor Daniel for materials and labor costs for the Storefront and Curtainwall system.

Attachment 4

8. *Agreement with George Shinn Sports, Inc.*

Action:

Approve a resolution expressing the City's consent to the transfer of the assets and operations of Charlotte NBA Limited Partnership to George Shinn Sports, Inc. with regard to contracts and agreements between the City and Charlotte NBA Limited Partnership.

Coop Wilson

Boyd Cauble

Resource: Representative of Charlotte Hornets

Explanation of Request:

- During the construction of the Coliseum, the City, the Auditorium-Coliseum-Convention Center Authority (the Authority) and Charlotte NBA Limited Partnership (the Partnership) entered into a series of agreements with regard to the installation of the scoreboard, the construction of skyboxes and the repayment for the cost incurred for these improvements. George Shinn Sports, Inc., a North Carolina corporation, is now the sole and managing general partner of the Partnership and has acquired the interest of all limited partners of the Partnership

- As a result, the Partnership is dissolving and transferring all of its assets and operations to George Shinn Sports, Inc. (the Corporation) The Corporation has agreed to assume all obligations of the Partnership in connection with the various agreements between the Partnership, the City and the Authority.

- There will be no change in control in the ownership or operation of the Partnership's assets or business as a result of the dissolution of the Partnership. George Shinn Sports, Inc has requested that the City consent to the transfer of the obligations of the Partnership to the Corporation as it relates to the various agreements.

- At its meeting on May 10, the Authority consented to the transfer. Approval of the transfer is also needed from the National Basketball Association (NBA) NBA approval is expected in the next several weeks. The resolution expressing the approval of the City is expressly conditioned upon the approval of the transfer by the NBA.

9 **Mint Museum Property**

Action:

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A) Approve a resolution of condemnation by the City of Charlotte for the acquisition of approximately 5 32 acres fronting on Randolph Road in Charlotte, Mecklenburg County, North Carolina, currently owned by the E. C. Griffith Company (the "Griffith Property"), and

B) Approve an Amendment to the Lease Agreement between the City of Charlotte and Mint Museum of Art to include the Griffith Property (following condemnation and rezoning actions) in the description of the leased premises, and

C) Extend the lease term to 50 years with two 25 year renewal options

Resource

Mint Museum Representatives - Bailey Patrick, Leslie Webb, Bruce Evans

Explanation of Request

- The Mint Museum of Art (the "Museum") is in need of additional space for much needed parking and the expansion of its Museum operations The Griffith Property is immediately adjacent to the property currently leased by the City to the Museum and is suitable for such purposes

- Condemnation is necessary because the Griffith Property is subject to restrictions which limit its use to residential purposes The Board of Trustees of the Museum has worked closely with adjacent property owners and the Eastover Residents Association to reach mutually satisfactory and beneficial agreements regarding the Museum's proposed use of the Griffith Property

Real Estate (?)

- Owners of four of the five residential properties adjoining the Griffith Property which will be most effected by the Museum's proposed use thereof have participated in these negotiations which include agreements regarding future construction upon the Griffith Property, restrictions regarding the number of large outdoor events conducted by the Museum, limitations on the access to the Museum complex from the Eastover neighborhood and an agreement to renovate and to reconfigure its service area to route service traffic to and from the Museum complex from the Randolph Road entrance.

- The current lease to the Museum is for a five year term which expires in July, 1997. Because the Museum is providing the necessary funds to enable the City to purchase the Griffith Property, it has an interest in securing a reasonable lease term for the operation of its Museum facility. The proposed term is similar to those lease terms offered the Junior League of Charlotte and the Carolina Panthers The proposed lease amendment to include the Griffith Property would take effect after completion of the condemnation proceeding and necessary rezoning actions.

Funding: The Board of Trustees of the Museum has agreed to provide to the City all funding necessary to acquire the Griffith Property.

Background: The City of Charlotte has a long standing relationship of cooperation with and support of the Mint Museum of Art. The Museum has operated in the Eastover neighborhood for decades and is dedicated to maintaining an attractive and aesthetically pleasing facility

which exists in harmony with its residential neighbors. The Museum, adjoining property owners and the Eastover Residents Association have worked closely together to ensure this mutually beneficial coexistence.

The Mint Museum has requested that paving and upfit of the parking lot be included as a capital project in the City's Capital Needs Assessment.

The $303,000 project will be a part of the Capital Needs Assessment and is unfunded The Mint Museum proposes to fund one half of the cost and requests the other half be funded by the City.

10. McAlpine Creek Wastewater Management Facility

Motion to Excuse Parks Scott Carr approve Carol Scott Carr

Action: **Approve a professional services contract with HDR Engineering, Incorporated of North Carolina in the amount of $4,269,100 to provide design and construction management services for expansion of the McAlpine Wastewater Management Facility from 48 MGD to 64 MGD.**

Staff Resource: Doug Bean

Policy: **The Charlotte-Mecklenburg Utility Department is committed to maintaining a wastewater treatment capacity such that no limitations are placed on connections to the sewer system by the North Carolina Division of Environmental Management (NCDEM).**

Explanation of Request:

- On January 14, 1991, HDR Engineering was awarded a contract to design an expansion of the McAlpine Creek Wastewater Management Facility from 40 MGD to 60 MGD. This expansion was authorized by the FY-90 CIP with a funding level of $40,000,000. Subsequent negotiations with North Carolina Division of Environmental Management limited the expansion to 48 MGD.

- A long range planning study of CMUD's wastewater treatment needs for the McAlpine, Sugar, and Irwin Creek drainage basins has been completed by HDR Engineering. This study documented a total projected wastewater design flow (maximum month) for the combined basins of 79 million gallons per day (MGD) by 1995 and 98 MGD by 2005.

- Total permitted flow for the three treatment plants in these basins, including expansions now under construction, is 83 MGD For 1993, the combined maximum month wastewater volume at the three plants was 72 MGD, or 87% of the permitted capacity.

- In order to avoid a NCDEM imposed moratorium on connections to the sewer system, an expansion of treatment capacity is required by 1997. The study recommends a 16 MGD expansion at the McAlpine Creek plant, and CMUD concurs.

- HDR Engineering has completed preliminary design of many of the facilities needed for this expansion under an existing contract. Because of the resulting cost and time saving benefits that can be realized, it is recommended that this contract be awarded to HDR Engineering.

- The contract amount of $4,269,100 will include all costs associated with design, construction management services, and permit approval. The permit process will include permit approval of the expansion of the McAlpine Plant to 64 MGD. Payment to the Engineer will be made on a percentage of completion basis as services are completed

Attachment 6

11. 805 East 20th Street - Demolition/New Construction Loan

Action:

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1 No Jacket

A. Approve a $58,975 permanent loan to Edward and Vera Proctor for the purchase of a new house to be built at 805 East 20th Street and the demolition of their existing house;

B. Approve a Tri-Party Agreement between the City, New Vision Homes, Inc. and Edward and Vera Proctor to construct the new house;

C. Approve a Tri-Party Agreement between the City, Bison Co. and Edward and Vera Proctor to demolish their existing house for $1,425.

D. Of the $58,975, approve $48,250 to be used as a construction loan to New Vision Homes, Inc. to construct the new house for Edward and Vera Proctor at 805 East 20th Street.

Staff Resource: J. W. Walton

Policy:

- **At the July 12, 1993 Housing Workshop, City Council reviewed, affirmed and refined the City's current housing policies, programs and priorities.**

CR

NOTE - Councilmember Jackson asked after the meeting to vote No on #11 + #12 -

NSG

- **City Council approved a policy for local option relocation benefits on July 22, 1991. Persons eligible for benefits are:**

  - **those families earning 80% or less of median income and being displaced from their homes due to governmental action such as code enforcement or locally-funded capital improvement projects, and**

  - **those families whose houses are not feasible to rehabilitate**

Explanation of Request:

- The above actions are needed in order to provide Mr. and Mrs Proctor affordable, standard housing.

- Mr. and Mrs. Proctor's house was inspected on June 29, 1993 due to an assigned field observation in a Concentrated Code Enforcement Area. The house was ordered to be demolished.

- The Proctors were added to the relocation workload on August 26, 1993. Due to the dangerous conditions of the house, Mr. and Mrs. Proctor were temporarily relocated to City-owned housing at Clinton Square Apartments.

- Community Development staff analysis determined that Mr. and Mrs Proctor's house at 805 East 20th Street was not feasible to rehabilitate. (See Analysis of Feasibility in the Background.)

- The City's Local Option Policy provides relocation benefits in the form of a replacement housing loan when a homeowner wants to continue as a homeowner.

- The Proctors wish to remain homeowners and remain on their current site.

- The property at 805 East 20th Street was purchased by the Proctors in 1968 when the house was 23 years old The Proctors paid $5,380 for the property. (At that time, the tax value of the property was $1,525. Current tax value is $29,410.)

- The house is now 49 years old. The expected life cycle of a house is approximately 50 years unless it has been very well maintained.

- Although the Proctors have made repairs over the years such as new roof, vinyl siding and new windows, they have been prone to get involved in home repair contracts where they did not get their money's worth. For example, the roof covering was placed on an improperly constructed roof, the vinyl siding was placed over defective wood and the windows were installed without replacing the damaged wood framing. All this resulted in cosmetic improvements to the house, but still left structural damage. With the major structural problems (roof, foundation, floors) and electrical and plumbing problems, to do any further repairs to the house is not economically feasible.

- As a result of their efforts, the Proctors have a current mortgage of $20,000 at 18% interest due to refinancing their home so they could make repairs to the house.

- Negotiations have been made with the mortgage company to accept $7,500 in lieu of the $20,000 balance on the loan (Copy of mortgage company's acceptance of $7,500 is in the Attachment.)

Options: A summary of options are listed in the Attachment.

Recommended Option:

- Based on staff's analysis, it was determined that new construction would be the most cost efficient approach to provide affordable, standard housing to the Proctors. (Staff's analysis is provided in the Background.)

- New construction will:

  - remove "slum and blight" from the neighborhood

  - add to the on-going efforts of stabilizing the neighborhood by allowing continued homeownership by the Proctors

  - add to the neighborhood's property values

- Breakdown of Total Costs:

- Construction Cost	$48,250
- Demolition Cost	1,425
Sub-Total	$49,675
- Refinance 1st Mortgage	7,500
- Closing Costs	1,800
Total Loan Amount	$58,975

- The $58,975 permanent mortgage loan to Mr and Mrs. Proctor will be financed by the City. The loan will be at 3% interest rate for term of 20 years with a monthly principal and interest payment of $327.31. The Proctors will also pay $40 00 per month to a maintenance reserve account.

Of the $58,975 permanent loan, a construction loan of $48,250 will be made to New Vision Homes, Inc. The loan will be at 0% interest and will be repaid to the City through the permanent financing of the house. New Vision Homes, Inc. will be required to provide the City with an Irrevocable Letter of Credit for $48,250 to guarantee the construction of the house.

- Prior to the $58,975 loan being made to Mr and Mrs. Proctor, they will be required to attend a home maintenance class conducted by Community Development staff.

Background: See Attachment for additional background

Attachment 7
Mortgage Company Letter
Summary of Options
Background
Picture of Existing House
Rendering of New House
Map

12. Home Purchase Loan - 816 Jarmon Street

Action: **Approve a $55,100 home purchase loan for Gertie Mae Rose to purchase an existing house at 816 Jarmon Court.**

Staff Resource: J W. Walton

Policy: **At the July 12, 1993 Housing Workshop, City Council reviewed, affirmed and refined the City's current housing policies, programs and priorities.**

City Council approved a policy for local option relocation benefits on July 22, 1991. Persons eligible for benefits are:

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No - Jack
CP

- those families earning 80% or less of median income and being displaced from their home due to governmental action such as code enforcement or locally-funded capital improvement projects,

- those families whose houses are not feasible to rehabilitate, and

- tenants who wish to become homeowners

Public Purpose Achievement

- Add to on-going efforts of stabilizing the Hidden Valley neighborhood through homeownership by enabling a relocatee to become a homeowner.

Explanation of Request:

- The home purchase loan will:

  - provide Gertie Rose and her family with affordable, standard housing; and

  - achieve City Council's policy objectives of providing homeownership to low/moderate income families and recycling existing houses when feasible

- Ms Rose came on the City's relocation workload on March 3, 1993 because of code enforcement action at the house which she was renting at 2633 Dodge Avenue. The house was inspected because of a field observation in a Concentrated Code Enforcement Area

- The house at 2633 Dodge Avenue was ordered to be demolished, therefore, standard, affordable housing needed to be found for the Rose family.

- Due to the dangerous conditions of the house, the family was temporarily relocated to a City-financed housing unit at 512-C Arrowhawk Drive.

- The City's Local Option Policy provides relocation benefits in the form of a home purchase loan when a tenant desires to become a homeowner.

- Ms. Rose wants to become a homeowner. Community Development staff has worked with her to locate a house to meet her family's needs.

- Several avenues were investigated which included available houses through our Acquisition/Disposition Program and the former Anderson/Culbertson Partnership houses. However, a house was not located that would meet her family's needs and at the same time be affordable.

Property Located

- Property was located at 816 Jarmon Court which Ms. Rose wishes to purchase. This house is currently owned by Key Realty Co

- Facts about 816 Jarmon Court

  - brick house built in 1966
  - 3 bedroom house with 1.5 baths
  - contains 1,000 sq. ft.
  - sales price of the house is $54,900
  - appraised value of the house is $55,000
  - appraiser states house in excellent condition

- After a financial analysis by Community Development staff, the most cost efficient way to provide Ms. Rose financial assistance to become a homeowner is purchase the house at 816 Jarmon Court. (See Summary of Options in Attachment)

- Breakdown of Total Costs:

$54,900	Purchase 816 Jarmon Court
200	Appraisal
$55,100	

- The $55,100 permanent mortgage loan to Gertie Mae Rose will be financed at a rate of 2% for a term of 30 years with a monthly principal and interest payment of $203.66 She will also pay $40.00 per month to a maintenance reserve account.

- Prior to the loan being made to Gertie Mae Rose, she will be required to attend a home maintenance class conducted by Community Development staff. Ms. Rose has completed pre-homeownership classes conducted by Family Housing Services.

Background: See Attachment for additional background.

Attachment 8
Background
Picture - 816 Jarmon Court
Map

To Approve
Scot Cannon
Unan.

13. **Project LIFT Contract**

Action: **Approve a $154,914 contract with the Charlotte-Mecklenburg Board of Education for Project LIFT, a summer educational enrichment program for 400 economically disadvantaged youth.**

Staff Resource: Gus Psomadakis

Explanation of Request:

Employment & Training

- The JTPA Summer program requires an educational component. The $154,914 contract with the Charlotte-Mecklenburg Board of Education will provide this component.

- The Charlotte-Mecklenburg Board of Education's program is known as Project LIFT (Linking Instruction with Fundamental Training). The school system has operated Project LIFT for the last 7 years.

- This year's budget of $154,914 will serve 400 participants at 5 different learning sites. Last year's contract of $118,665 served 200 participants at 3 different learning sites. Although the contract is increasing only $36,249, 200 additional students will be served. The cost per student decreased from $593 last year to $387 this year.

- **Federal regulations mandate the following about the JTPA Summer Programs:**
  - must contain an educational component
  - students enrolled must be.
    - between ages of 14 and 21
    - below grade 12
    - *economically disadvantaged* (Example of economically disadvantaged: A family of 4 with an income of $7,610 in a 6-month period would qualify.)
    - in need of basic skill enrichment

- **Administration of the Project LIFT program:**
  - Area schools refer students that are in need of remedial education.
  - Summer Counselors from Employment and Training are responsible for determining eligibility and job placement.
  - Students attend math, reading, writing and computer classes at the learning centers from 8:15 a.m. to 11.15 a.m., 5 days a week.

13 A

Request for Council Action

—. **Convention Center, Streetscape Improvement Funding**

Action: Approve the use of $600,000 from the remaining $2,740,000 in savings from the refinancing of Convention Center bonds for streetscape improvements around the new Convention Center

Staff Resource: Clark Readling and Martin Cramton

Policy: none

Explanation of Request:

- In November 1993, Council was briefed on proposed improvements for the area around the new Convention Center.
- The proposed improvements include landscape screening on the streets surrounding the Convention Center and the establishment of a pedestrian walkway from the main entrance of the Convention Center to the Tryon Street Mall.
- A description of the proposed improvements is as follows:

  College Street (Second to Stonewall) and Stonewall (Brevard to College) - A landscape buffer of trees and shrubs to screen existing parking areas.

  First Street (College to South Tryon) - Reconstruction of the road to provide for one lane of vehicular traffic and an eight foot pedestrian walkway. The walkway will be constructed of pavers and will include new pedestrian level lighting and a landscape screen of trees and shrubs.
- The proposed plan has been approved by the Engineering and Property Management, Planning, Transportation Departments and the Convention Center Design Review Committee.

APPROVED BY CITY COUNCIL

Nancy S Gilbert
Deputy City Clerk

Jackson / Mart motion to delay
Sub motion to Approve 6-5
Scar / Carr
Vote on Sub. Spen Carr Baker
yes - MAJ
Scar
No - Jack
Wha
Reid
McC
Martin

Funding: Funds are available in the Convention Center's Finance Account; Center 371.01, Fund 2013, Object Code 31990.

Background: In June 1991, Certificates of Participation in the amount of $167,643,940 were sold to finance the new Convention Center's land acquisition, design, construction and the financing requirements.

The Convention Center bonds were refinanced which resulted in a $6.4 million savings.

In November 1993, Council approved the use of $3,660,000 from these savings to be added to the Convention Center project contingency.

Responsible Dept. Engineering and Property Management and Planning Department

Agenda Date Req. May 23, 1994

Consequences if Agenda Date is Delayed or Action is Deferred.
The schedule is very tight and our objective is to complete these improvements before the first event in the new building in March 1995. Any delay will impact this schedule.

Contact Person for Questions from the City Manager's Office:
Clark Readling, Ext. 3610
Martin Cramton, Ext. 2205

#13B

Request for Council Action

—. Refinancing of City of Charlotte Parking Facility Revenue Bonds, Series 1985 (CityFair Project)

Action: Council is requested to approve a resolution authorizing the staff to proceed with a refinancing of the City's Parking Facility Revenue Bonds, Series 1985 through the use of an installment payment contract financing. The resolution makes appropriate findings and authorizes the necessary steps and documents, including calling a public hearing for June 13, 1994 required to complete the transaction. The refinancing will save the City approximately $1 million in debt service expense.

Res # 11
scan | mail
wrap
B 32
p. 302

Staff Resource: W. Carey Odom

Policy:

Explanation of Request: The current interest rate environment allows the City an opportunity to realize debt service savings by refinancing the 1985 Parking Facility Revenue Bonds in the approximate amount of $5,200,000. To accomplish this, the City will sell certificates of participation to generate the necessary funds to pay the older revenue bonds. This action by Council is the first of two that are necessary to complete the transaction. It authorizes the staff to proceed with all steps necessary to put the transaction in place and calls for a public hearing on the matter for June 13, 1994.

APPROVED BY CITY COUNCIL

Nancy S Gilbert
Deputy City Clerk

Funding: Refunding certificates of participation.

Background: In 1985, the City approved a development agreement which led to the construction of Cityfair and the Cityfair Parking Deck. In late 1985, the City closed on a revenue bond issue of $5,800,000. This issue has a 9% interest rate.

Responsible Dept. Finance

Agenda Date Req. May 23, 1994

Consequences if Agenda Date is Delayed or Action is Deferred.
Would delay financing.

Contact Person for Questions from the City Manager's Office
W Carey Odom

Attachment __

- The other half of the day, the students are working for public sector employers to further develop their employability and maturity skills.
- Project LIFT begins on June 13, 1994 and ends on August 2, 1994.

- **Monitoring/Evaluation of Project LIFT:**
  - Summer Counselors from Employment and Training visit the five sites on a weekly basis to:
    - provide career guidance
    - activities in the classroom
    - provide any necessary support services to prevent students from dropping out of the program.
  - 2 Summer Monitors from Employment and Training are in charge of overseeing the program during the contract period They visit the 5 sites twice during the eight-week Project LIFT Program to.
    - ensure student attendance
    - ensure students have jobs
    - ensure students are paid for hours in Project LIFT activities
    - ensure counselors are visiting on a weekly basis
  - At the beginning of the program, each participant receives a pre-test analysis that identifies the level of instruction needed. At the end of the program, a post test is conducted to determine the participant's learning gain Each student who successfully completes Project LIFT receives up to one unit of course credit.

Project LIFT is funded with Federal JTPA Title II-B Summer Program funds.

Background:

- Project LIFT is a summer program that addresses the educational needs, as well as, the work maturity and the employability level of economically disadvantaged students

- Project LIFT is designed to increase the overall employability development of secondary students by addressing the individual needs of the students as they relate to pre-employment/work maturity and basic skill instruction through an integrated learning approach with mathematics, reading comprehension, computer applications and work based learning.

14. Appointments to Boards and Commissions

1 **CERTIFIED DEVELOPMENT CORPORATION**
One appointment beginning May 1, 1994 to represent the Private Lending category.

(a) Malcolm Graham, by Councilmember Martin
(b) Jerry McMurray, Sr., by Councilmember Reid
(c) *Karen Woods, by Councilmember Wheeler

*Is currently serving on the Certified Development Corporation in the Business Organization Category.

Attachment 9

Res #12 Appoint Res Spencer Carmen Wm B. 3r D. 3rd

2 **HOUSING APPEALS BOARD**
One appointment beginning immediately to represent an at large position. Council is also requested to adopt a resolution certifying all three of its appointments on the Housing Appeals Board.

(a) Karen Woods, by Councilmember Scarborough
(b) Jene Singletary, by Councilmember McCrory

Attachment 10

3 **PAROLE ACCOUNTABILITY COMMITTEE**
Six appointments for staggered terms beginning June 1, 1994. Up to three members may be crime victims.

(a) Steven Allen, by Councilmember Campbell
(b) Michelle Allgood, by Councilmember Cannon
(c) *James Barnett, by Councilmember Campbell
(d) Jeff Brown, by Councilmember Campbell
(e) Hilda Griffin, by Councilmember Scarborough
(f) Tobin Henry, by Councilmember McCrory
(g) Diane Long, by Councilmember Scarborough
(h) Keith Shannon, by Councilmember McCrory
(i) D. R. Stone, by Councilmember Wheeler
(j) Dee Sumpter, by Councilmember Campbell
(k) Bruce Treadway, by Councilmember Campbell

* Declined Nomination

Attachment 11

CONSENT

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

Consent I consists of routine items that have been approved in the budget, are within the budget estimate, and have met MWBE criteria.

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

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

To Approve Consent All but # 16 McC | Wha Unan

CONSENT I

15. Various Bids

A. Sanitary Sewer and Water Main Construction - FY94 Contract J - Street Main Extensions **CMUD**

Recommendation: The Utility Director recommends that the low bid of $985,656 00 by Utilityworks, Incorporated of Stanfield, North Carolina be accepted.

MWBE Status:

	Amount	% of Project	Proj Goals
MBE	$30,000	3.0%	6%
WBE	$32,530	3.3%	3%

Compliance: Yes - The Utility Department has reviewed the Contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the MWBE Program **The Contractor has met and will exceed the project goals for WBE participation.**

CMP

B. Sanitary Sewer and Water Main Construction - FY94 Contract K - Street Main Extensions **CMUD**

Recommendation: The Utility Director recommends that the low bid of $1,144,385.25 by Propst Construction Company, Incorporated of Concord, North Carolina be accepted.

MWBE Status:

	Amount	% of Project	Proj Goals
MBE	$24,000	2.1%	6%
WBE	$65,000	5 7%	3%

Compliance: Yes - The Utility Department has reviewed the Contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the MWBE Program. **The Contractor has met and will exceed the project goals for WBE participation.**

Cmw

C. Street Tree Pruning Contract **Engineering & Property Management**

Recommendation: The City Engineer recommends that the low bid of $97,691.00 from Carolina Tree Care, Inc. of Concord, North Carolina, be accepted.

MWBE Status	Amount	% of Project	Proj Goals
MBE	0	0%	5%
WBE	0	0%	3%

Compliance: YES Contractor has complied with MWBE Program provision which allows performance of all work with contractor's own forces

Cmw

D. Sir John's Hill Retaining Wall **Engineering & Property Management**

Recommendation: The City Engineer recommends that the low bid of $119,807.62 from Ferebee Corporation of Charlotte, be accepted.

Cmw

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$20,759.60	17.7%	3%
WBE	$ 8,058.00	6.9%	3%

Compliance: Yes. Contractor has complied with the requirements and intent of the MWBE Program by exceeding the established contract goals.

16. In Rem Remedy - 1617 North McDowell Street

Action:

Ord #1 #3867-X B45 P-325 Scott McCullough

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1617 North McDowell Street (Belmont Neighborhood) which is located in the City Within a City boundaries.

Attachment 12

17. In Rem Remedy - 208 Carothers Street

Action:

Ord # 2 #3868-X B45 P-326

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 208 Carothers Street (Hoskins/Thomasboro Neighborhood) which is located in the City Within a City boundaries.

Attachment 13

18. In Rem Remedy - 4401 Meridian Drive

Action:

ORD # 3 #3869-X B45 P-327

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 4401 Meridian Drive (Hyde Park Neighborhood) which is located outside the City Within a City boundaries.

Attachment 14

19. Refund of Certain Taxes

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $42,948.60.**

Explanation of Request: It is requested that the City Council adopt the attached resolution authorizing refund of $42,948.60 in total to the listed taxpayers.

Background: North Carolina General Statute 105-381(a) provides that any taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed through clerical or assessor error upon his property shall make demand in writing of a refund of the questioned tax payment. The governing body shall determine whether the taxpayer has a valid defense to the tax collected and authorize by resolution a refund of that portion of the amount that is determined to be in excess of the correct tax liability.

Res # 1
B-32
P-280

Attachment 15
Resolution with taxpayer listing. Additional listing of taxpayers who have received refunds less than $100 (As required by Resolution Rook 27, Page 493, June 24, 1991).

CONSENT II

20. Various Bids

A. Sanitary Sewer Construction - McCullough Branch Outfall and Pump Station and Hughes Park Pump Station Elimination **CMUD**

Action:

A) Reject the low bid of $946,533.66 by Sanders Brothers, Incorporated of Charlotte, North Carolina be rejected (see attachment).

B) Accept the low, responsive, responsible bid of $1,098,725.57 by State Utility Contractors, Incorporated of Monroe, North Carolina.

CMUD

MWBE Status:

	Amount	% of Project	Proj Goals
MBE	$ 4,050	0.4%	4%
WBE	$45,498	4 1%	5%

Compliance: Yes - The Utility Department has reviewed the Contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the MWBE Program.

Summary of Bids:

Sanders Brothers,Inc.	Charlotte, NC	$ 946,533.66
State Utility Contractors, Inc.	Monroe, NC	1,098,725.57
B R.S., Incorporated	Richfield, NC	1,388,867.72
Dellinger, Inc.	Monroe, NC	1,439,137.82
W. M. Paris & Associates	Charlotte, NC	1,518,504.37

Consequences If Item Deferred: A private wastewater treatment facility on the applicant's property would continue operation for a longer period of time Future development in the McCullough Branch drainage basin would be delayed.

Attachment 16

Item No.

CDOT

B. **Street Marking Truck**

Action:

A) Reject the low bid of $216,674 by M.B. Companies of Chilton, Wisconsin.

B) Accept the lowest responsive bid of $229,387 by Linear Dynamics of Montgomery, Alabama.

Summary of Bids:

M.B. Companies	Chilton, WI	$216,674
Linear Dynamics	Montgomery, AL	$229,337
Pave Mark	Atlanta, GA	$244,909

MWBE Status:	**Amount**	**% of Project**	**Proj Goals**
MBE		0	10
WBE		0	3

Compliance: Yes, no known MWBE vendors for this equipment

Program Director Concur: Yes

Recommend Award to Low Bidder: No, low bidder did not meet specifications in four areas: insurance, experience, rollover protection and spraying capability.

Purchas.mg

Consequences if Deferred: New equipment will not be available. Old equipment would continue in service with high maintenance and low dependability.

21. **Municipal Agreement - I-485 Construction Project**

Action:

A) Approve and authorize the Director of the Department of Transportation to sign a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to construction of I-485 (Charlotte Outer Loop) from east of the interchange with Providence Road (NC 16) to east of CSX railroad (Project R-0211 EA).

DOT

Item No

Res # 2
B 32
p. 283

B) Adopt a resolution authorizing the Director of the Department of Transportation to execute the Utility Agreement.

Explanation of Request:

The Utility Agreement between the City and NCDOT will allow for construction of I-485 (Charlotte Outer Loop) from east of the interchange with Providence Road (NC 16) to east of CSX railroad and will allow NCDOT's contractor to perform water line adjustments and relocation work along the State Highway System for the project.

Background:

This section of the I-485 construction project requires certain utility relocations/adjustments, and a Municipal Agreement between the City and NCDOT is required before construction improvements can proceed.

22. Service Agreement Extension - Airport Terminal Building Maintenance

Action:

Approve a one year extension of the service agreement for $200,628 with Johnson Controls, Inc. for the airport terminal building automation and air-conditioning systems.

Explanation of Request:

- This service contract provides preventative maintenance for the more complex elements of the building automation system, which has centralized control of all heating, ventilating and air-conditioning, lighting, fire safety and security alarm programs.
- Because of the proprietary nature of the computer software, only Johnson Controls can provide manufacturer computer software support in addition to the other services required by the service agreement.

AVIATION

- While routine maintenance, servicing and operation of building systems are performed by airport personnel, the more complex elements of the building automation system, which require specialized tools and training, are maintained through this service contract

- Amount of service contract is increased 5.74% due to new equipment associated with the passenger terminal expansion. This cost includes labor, computer software upgrades, preventative maintenance materials and cleaning materials.

Background: This service contract has been extended annually since 1984.

23. Fire Training Facility - Construction Agreement

Action: **Approve Agreement between the City of Charlotte and the National Guard Bureau for the construction of a Fire Training Facility at Charlotte/Douglas International Airport**

Explanation of Request: The North Carolina Air National Guard has made funds available for the construction of a Fire Training Facility that will be jointly used by the Air National Guard and the Aviation Department. The Aviation Department will be responsible for the construction of this facility with the Air National Guard reimbursing the Aviation Department for all eligible project costs associated with this facility. These costs are not to exceed $656,800 00. Council is requested to approve this agreement between the City of Charlotte and the North Carolina Air National Guard for the construction of the Fire Training Facility.

AVIATION

Background: The United States Environmental Protection Agency (EPA) has enacted regulations prohibiting the use of jet fuel as the burning agent for fire training facilities due to air quality and soil contamination issues. The proposed facility will use propane as the burning agent which is environmentally acceptable to the EPA. This proposed facility was designed by the North Carolina Air National Guard in conjunction with their consultant and consists of a training classroom, aircraft mockup and fire pit, observation deck, and fire/smoke tower. The facility will be constructed on airport property and will be available to other regional airports for their FAA required fire training needs.

24 Independent Audit Contract

Action: **Approve a contract with Coopers and Lybrand for $73,975 to provide audit services for the fiscal year ended June 30, 1994.**

Policy: Audit services are to be provided by an independent auditing firm on a rotating basis for periods not to exceed four years pursuant to the taking and evaluation of audit proposals.

Explanation of Request: Coopers and Lybrand was selected as the City's auditing firm in 1992. This will be the firm's third year of an expected four-year contract to provide audit services.

Funding: Various funds (General, Water and Sewer, Airport, Public Transportation, Community Development, Employment and Training, Insurance and Risk Management and Stormwater)

Background. State law requires that the City engage a certified public accountant at the end of each fiscal year to audit the accounting records, evaluate internal controls and audit the annual financial report.

FINANCE

25. Contract Amendment - Water Line Along Sam Wilson Road

Action: Approve an amendment to a water construction contract with Charlotte I-85 Associates, Ltd. to design and construct a water line along Sam Wilson Road.

Policy: CMUD Extension Policy - 5-Year Reimbursement Program. This project is included in the Capital Improvement Program approved by Charlotte City Council and is therefore eligible for the reimbursement program.

Explanation of Request:

- Approve a contract amendment with Charlotte I-85 Associates, Ltd for the design and construction of a water line along Sam Wilson Road. The amendment was requested by the applicant due to the increased cost of the project determined after design was complete.

- The five-year reimbursable contract to serve the applicant's property along Sam Wilson Road was approved by City Council on March 23, 1992.

- Due to roadway construction within the proposed water construction area, the project has been delayed

- The original amount of the water contract was $119,300 00. This amendment will increase the project cost to $245,574.00. The applicant has deposited all necessary funds for design and construction.

Funding: There is no cost to the City.

CMUD

26. CMUD Non-Treatment Facilities Master Plan Study

Action: **Approve a contract to perform a facilities master plan study for the Charlotte-Mecklenburg Utility Department (CMUD) with Brice Morris Architects - $100,000.**

Explanation of Request:

- The purpose of this project is to develop a long term master plan for CMUD's non-treatment facilities including water and wastewater maintenance, meter reading and maintenance, laboratories, engineering and administration offices.

- The master plan will include an evaluation of existing facilities and space utilization, and will project office, laboratory, equipment and employee parking, fueling, outdoor storage, and storeroom requirements for a 20 year planning period. The plan will also determine the most advantageous locations for these facilities to optimize responsiveness and minimize operating costs

Background:

- This project was approved in the FY 94 Capital Improvement Program

- Brice Morris was selected based on their experience with similar master planning work, including projects for other City departments and for NC Department of Transportation Proposals were solicited and evaluated in accordance with City Policy. Brice Morris was determined to be the most qualified

Chap

27. Engineering Design Contract - Air Cargo Site Preparation

Action: **Approve a contract with Talbert & Bright, Engineers in the amount of $125,000 for engineering design services for the Air Cargo Site Preparation and Paving - Phase 2.**

Eng.

Policy: **Airport Master Plan**

Explanation of Request: This contract provides the engineering design services for the second phase of the Air Cargo Ramp Expansion. The following is a breakdown of the lump sum fees:

Preliminary Design	$ 6,495
Design Phase	67,250
Bidding Phase	3,000
Construction Administration	36,255
Reimbursable Expenses	12,000
TOTAL:	$ 125,000

This fee is 4.63 % of the estimated construction costs of $2,700,000 75% of the project costs will be provided by a future FAA Grant. The balance will be repaid through cargo ramp user rates and charges.

Background: The need for this project is identified in the Airport Master Plan Update and is based upon increased demand for air cargo facilities. The first phase of the Air Cargo Center was completed in May 1993, with Airborne Express and Burlington Air Express leasing the two new facilities The primary tenant for this second phase of the Air Cargo Center will be United Parcel Service.

28. Change Speed Limit - One City Street

Action: **Adopt an ordinance amending City Code Section 14-131(c) to change the speed limit on one Charlotte City street: East W. T. Harris Boulevard.**

Ord # 4
#3870-X
B-451
P 328

DOT

Item No.

Explanation of Request:

The requested change is on a thoroughfare street, in accordance with the Council Thoroughfare Speed Limit Policy An engineering and safety evaluation has determined that the below listed speed limit is appropriate. This will place the speed limit back to 45 MPH where it had been prior to construction.

- East W. T. Harris Boulevard between The Plaza and Albemarle Road 45 MPH

Background:

The speed limit on East W. T. Harris Boulevard between Albemarle Road and The Plaza was temporarily lowered for safety during construction Speed limits in construction zones of major projects are generally lowered to at least 35 MPH

29. Change Speed Limit - Five City Streets

Action:

Adopt an ordinance to lower the speed limit on five Charlotte streets.

Explanation of Request:

Request Council adopt an ordinance to lower the speed limit, in accordance with Council's approved policy on the Neighborhood 25 MPH Program, on.

- **Hopedale Avenue (Myers Park) 25 MPH**
- **Linda Lake Drive (Grove Park) 25 MPH**
- **Oren Thompson Road (Fairies Farm) 25 MPH**
- **Westchester Boulevard (Woodland) 25 MPH**
- **Wilbrown Circle (Yorkmont Park) 25 MPH**

Ord # 5
3871
B 45
P-329

DOT

Background: On May 14, 1984, City Council approved a policy to permit a lowered speed limit on residential streets. The policy requires that the residents submit a petition signed by 75 percent of the residents or property owners on the streets and that an engineering evaluation be conducted by the Department of Transportation to determine if the lowered speed limit is appropriate.

30. Recommend Approval of the following property transactions and adoption of the condemnation resolutions.

Acquisitions:

A. **Project:** Tarlton Drive (2124) Sanitary Sewer Right of Way, Parcel #1
Owner(s): Pappamihiel Properties
Property Address: 7731 E. Independence Blvd
Property to be acquired. 11,514 sq.ft (0.26 AC.) of Permanent Right of Way, plus 7,676 sq.ft. (0 18 AC) of Temporary Construction Easement.
Improvements: Trees
Purchase Price: $15,000
Remarks: The proposed 15' Sanitary Sewer Line crosses through the middle of the subject property creating considerable severance damage for future development, reflected in the City's appraisal of $15,000. This project was designed to provide sanitary sewer service to the residents along Tarlton Drive where health hazards have been identified.

Zoned: B1SCD Use: Unimproved Property
Tax Code: A part of 193-071-18
Tax Value: $2,666,870

Rd Estate

B. **Project**: S. Blvd./Archdale Dr. & Old Pineville Rd./Archdale Dr., Parcel #13 A/2, 13 B/2
Owner(s): Starmount Shopping Center, a North Carolina General Partnership
Property Address: 6101-05 South Boulevard
Property to be acquired. 3,747 sq.ft. (0 045 AC.) in fee plus 17,216 sq ft. (0.395 AC.) Temporary Construction Easement
Improvements: Advertising Signs, Parking Spaces, Landscaping
Purchase Price: $138,474
Remarks: This intersection improvement project causes loss of frontage to South Boulevard. Compensation amount is based on appraisals on property and relocation of 4 advertising signs, 71 parking spaces, landscaping and relocation of 4 power poles and Guy Wire Easement for businesses located in Starmount Shopping Center.

Real Estate

Zoned: B-2 Use· Strip-Commercial
Tax Code: A part of. 173-022-07 A&B
Tax Value· $3,436,310

C. **Project**: S. Blvd./Archdale Dr. & Old Pineville Rd./Archdale Dr. Intersection Improvement, Parcel #7
Owner(s): Tom's Mini Mart, Inc.
Property Address 6401 Old Pineville Road
Property to be acquired 3,594 sq ft. (0.082 AC) in fee plus 5,408 sq.ft. (0.124 AC.) Temporary Construction Easement
Improvements Sign, two lamp posts, trees, loss of parking
Purchase Price: $38,000
Remarks: The intersection improvement causes loss of frontage property and cut access to eastbound Archdale Drive The compensation amount is based on the appraisals and includes damages for loss of parking, advertising sign, two lamp posts, a planter and other landscaping.

Real Estate

Zoned: I-2 Use:
Residential/Commercial
Tax Code: A part of: 169-204-01
Tax Value: $152,890

D. **Project**: S. Blvd /Archdale Dr. & Old Pineville Rd./Archdale Dr. Intersection Improvement, Parcel #6
Owner(s): Richard H. Peniston & Carolyn O. Peniston
Property Address: 6335 Old Pineville Road

Property to be acquired 2,258 sq.ft (0 052 AC.) in fee plus 681 sq ft. (0.016 AC.) Temporary Construction Easement
Improvements: Sign & Landscaping Screening
Tax Value $130,680
Purchase Price: $22,140
Remarks: This intersection improvement project causes loss of side property on Archdale Drive and minimal loss of frontage on Old Pineville Road along with a Guy Wire Easement. The compensation amount is based on appraisals made on property and includes loss of advertising sign and shrubbery used as screening.

Real Estate

Zoned: I-2 Use: Office Building
Tax Value: $130,680
Tax Code: A part of. 169-162-05

E. **Project**: Carmel Road Widening, Parcel #119
Owner(s): The Crosland Group, Inc.
Property Address: 2 97 AC Quail Hollow Road, Olde Village Shopping Center
Property to be acquired 11,278.29 sq ft fee (0.2589 AC.) plus 8,368 92 sq ft. (0.1922 AC)
Improvements: Grass area
Tax Value None

Real Estate

Purchase Price. $10,800
Remarks: The acquisition of the areas referenced consist of a strip taking along a buffer fronting Quail Hollow Road and Carmel Road causing loss of developable property.

Zoned· R-3 Use: Buffer/Vacant
Tax Value: None
Tax Code: 209-171-03

F. Project: Carmel Road Widening, Parcel #14
Owner(s): Sharon Volunteer Fire Department, Inc.
Property Address: 6225 Carmel Road
Property to be acquired: 13,459.04 sq ft. (0.3089 AC.) of fee and Permanent Easement plus Temporary Construction Easement of 8,850.86 sq.ft (0.2032 AC.)
Improvements None
Tax Value: $268,370
Purchase Price: $41,800
Remarks: This road widening project requires Fee Simple, Permanent Easement and Temporary Easement acquisition in addition to moving the road much closer to front of their building

Real Estate

Zoned. 0-1 Use Fire Department
Tax Value $268,370
Tax Code A part of. 211-322-54

G. Project Carmel Road Widening, Parcel #110
Owner(s): James R White & wf., Lynda F. White
Property Address 4100 Rotunda Road
Property to be acquired· Fee 3,138.99 sq.ft. (0.0721 AC.); Temporary Construction Easement 1,728.18 sq.ft (0.0397 AC.)

Real Estate

Improvements: Variety of trees, fence & landscaping (Sight & Sound Barrier)
Tax Value: $274,790
Purchase Price: $14,150

Remarks: Areas need to construct the widening of Carmel Road, curb, gutter and sidewalk. Property owners will lose much of their sight and sound barrier.

Zoned: R-3 Use: Residential
Tax Value: $274,790
Tax Code: 211-371-01

H. **Project**: Carmel Road Widening
Owner(s): Charles G. Jenkins & wf., Linda P. Jenkins
Property Address: 5700 Ivygate Lane

Property to be acquired. 1,549.06 sq.ft (0.0355 AC.) of fee and Permanent Easement plus Temporary Construction Easement of 2,652.35 sq.ft. (0.0609 AC.)
Improvements: Landscaping, trees, part of berm, shrubbery and two rail wood fence
Tax Value: $169,350
Purchase Price. $13,940
Remarks: This road widening project requires fee simple, Permanent & Temporary Easement acquisition causing a loss of landscaping and part of berm in addition to moving the road closer to the rear of their home.

Real Estate

Zoned. R-3 Use. Residential
Tax Value: $169,350
Tax Code: Portion of: 209-311-63

I. **Project**. S Blvd./Archdale Dr. and Old Pineville Rd./Archdale Dr., Parcel #9
Owner(s): Flowe Development Company
Property Address: 1322 Archdale Drive

Real Estate

Property to be acquired: 2,194 sq.ft (0.050 AC.) in fee plus 1,740 sq.ft. (0.040 AC.) Temporary Construction Easement
Improvements: Sign, Fencing, Landscaping
Tax Value: $1,111,050
Purchase Price: $21,000
Remarks: The acquisition of fee and Temporary Construction Easement is required to make intersection improvements. A compensation is based on appraisals and include payment for sign relocation, 40 linear feet chain link fence relocation and landscaping.

Zoned· I-2 Use: General Industrial
Tax Value: $1,111,050
Tax Code: 173-021-07

Condemnations: J. **Project**: Neighborhood Reinvestment· Reid Park Phase II, Parcel #74

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Owner(s): Benjamin Franklin Hoover & Helen W. Hoover and any other parties of interest
Property Address: 3061 Ridge Avenue
Property to be acquired: 3,816 sq ft. (0.09 AC.)
Improvements: None
Tax Value: $24,630
Purchase Price: $1.00

Real Estate

Remarks· This project will improve the neighborhood through the installation of sidewalk, curb & guttering and new drainage, therefore the property owners are being asked to donate the needed right of way Mr. Benjamin Hoover does not agree with giving the City any property without compensation Since the improvement will enhance the property, the City will not compensate for the right of way. Therefore, condemnation is being requested. Total Area: 8,076 sq.ft. (0 18 AC.); Area Required: 422 sq.ft. (0.009 AC.);

Temporary Construction Easement· 3,394 sq.ft (0.08 AC.), Area Remaining: 7,654 sq ft. (0.17 AC.).

Zoned: R-12MF Use: Residential
Tax Value: $24,630
Tax Code: 145-187-11

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K. **Project**: Neighborhood Reinvestment Reid Park, Phase II, Parcel #52/53
Owner(s): Katie Mae Reeves & any other parties of interest
Property Address· 3053 Amy James Avenue
Property to be acquired 903 sq ft. (0.02 AC.)
Improvements· None
Tax Value: N/A
Purchase Price· $1.00
Remarks: The project involves the installation of curb, guttering and sidewalk primarily along Amy James Avenue and Coronia Street. This will improve the neighborhood Therefore, the property owners are asked to donate the right of way needed to install the improvements. Mrs. Katie Reeves is against giving any land to the City without compensation. Since the improvements will be an enhancement to the property, the City will not compensate for the right of way. Therefore, condemnation is being requested. Total Area· 20,834 sq ft. (0 47 AC); Area Acquired: 1,127 sq.ft. (0 027 AC.); Temporary Construction Easement: 2,725 sq.ft. (0.06 AC), Area Remaining 19,677 sq ft. (0.45 AC).

Real Estate

Zoned: R-22MF Use: Residential
Tax Value N/A
Tax Code· 145-188-08

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real Estate

L. **Project**. S. Blvd./Archdale Dr. & Old Pineville Rd./Archdale Dr. Intersection Improvements, Parcel #26
Owner(s): My Own Grocers, Inc. & any other parties of interest
Property Address: 5934 South Boulevard
Property to be acquired 3,598 sq ft (0 82 AC.)
Improvements: Nine parking spaces, advertising sign
Tax Value: $558,220
Purchase Price: $137,600
Remarks: Property owners and several tenants were unable to reach an agreement with the City due to intersection improvements causing loss of front parking and relocation of advertising sign.

Zoned: I-2 Use: Strip Shop-Commercial
Tax Value: $558,220
Tax Code: 173-011-09

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real Estate

M. **Project**· S Blvd./Archdale Dr & Old Pineville Rd./Archdale Dr Intersection Improvement, Parcel #11
Owner(s). Mid State Oil Company & any other parties of interest
Property Address: 6100 S. Boulevard
Property to be acquired 6,000 sq.ft. (0.137 AC.)
Improvements: Advertising Sign Lamp/Lamp Post, Landscaping
Tax Value: $343,050
Purchase Price: $100,000
Remarks This intersection improvement causes loss of frontage on South Boulevard and Archdale Drive and prohibits egress to westbound Archdale Drive. The owners refused the City's offer due to lack of maneuverability by cars to reach the gas pumps from South Boulevard. The City has

made accommodations for easier access by relocating a driveway entrance to their specifications. However, an agreement over compensation could not be reached.

Zoned: I-2 Use: Convenient Store-Commercial
Tax Value: $343,050
Tax Code: 173-021-01

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B-38
P-293

N. **Project**: S. Blvd./Archdale Dr. & Old Pineville Rd./Archdale Dr., Parcel #10
Owner(s): Service Station Realty, Inc & any other parties of interest
Property Address 5940 South Boulevard

Property to be acquired. 8,747 sq ft. (0.201 AC.)
Improvements Advertising sign, Lighting, Landscaping
Tax Value: $245,080
Purchase Price: $206,300

Real Estate

Remarks: This intersection improvement causes loss of property on South Boulevard and Archdale Drive. The owners refused the City's offer due to lack of maneuverability of gas delivery trucks. The City has made accommodations for easier access by widening the driveway entrance on Archdale Drive. However, agreement over compensation could not be reached. Total Area: 22,817 sq ft. (0.524 AC.); Area in Existing right of way 873 sq ft (0.020 AC.); Portion to be acquired: 4,439 sq.ft (0 102 AC.); Permanent Down Guy: 58 sq.ft (0 001 AC.); Temporary Construction Easement: 3,377 sq.ft. (0 078 AC.), Area remaining: 17,505 sq.ft (0.402 AC).

Zoned: I-2 Use. Gas/Convenient Store
Tax Value: $245,080
Tax Code: 173-011-10

Item No.

Res # 2
B 32
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O. **Project**: S. Boulevard/Archdale Dr. & Old Pineville Rd./Archdale Dr., Parcel #12
Owner(s): Lemberg Syndicate and Charlotte Joint Venture and any other parties of interest
Property Address: 5801-31 South Boulevard
Property to be acquired· 17,383 sq.ft (40 AC.)
Improvements: Landscaping & Trees
Tax Value: $2,800,150
Purchase Price $43,700
Remarks: This intersection improvement causes loss of property on South Boulevard and Archdale Drive. Compensation includes loss of 44 parking spaces and 12 trees. The owners provided some land sales of higher priced properties but they were not comparable properties and no other justification for higher values were given They refused our offer, therefore, condemnation is requested Total Area· 618,108 sq.ft. (14.190 AC.); Area in Existing Right of Way: 7,164 sq ft (0.164 AC.); Portion to be acquired. 4,761 sq ft (0.109 AC.): Temporary Construction Easement: 5,458 sq ft. (0.125 AC.); Area Remaining 606,183 sq.ft (13 916 AC.).

Zoned: B-15CD Use: Dept. Store-Commercial
Tax Value: $2,800,150
Tax Code: Part of. 173-012-01 A&B

Real Estate

Res # 9
B 32
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P. **Project**· Carmel Road Widening, Parcel #22
Owner(s): William C. Fee & any other parties of interest
Property Address 5718 Ivygate Lane
Property to be acquired· 2,196 80 sq.ft. (0.0504 AC.)
Improvements: Landscaping, trees, shrubs and two rail wood fence

Tax Value: $127,140
Purchase Price: $8,000
Remarks: This property fronts on Ivygate Lane and backs up to Carmel Road. The property owner wants the City's contractor to replace the portion of the berm that will be removed during construction or add additional money to the City's offer. The appraisal included compensation for the berm plus the improvements Additional money for the berm would be double compensation. Total Area 15,200.00 sq.ft (0 3489 AC.); Portion to be Acquired: 1,100.30 sq.ft. (0 0253 AC.); Down Guy Easement· 40 50 sq.ft. (0.0009 AC.); Temporary Construction Easement: 1,056.00 sq.ft (0.0242 AC); Area Remaining: 14,099.70 sq.ft. (0.3236 AC.).

Zoned: R-3 Use· Residential
Tax Value: $127,140
Tax Code: 209-311-66

ANNOUNCEMENTS

In its meeting on Monday, June 27, City Council will make nominations to fill vacancies on the following committees

1 **AIRPORT ADVISORY COMMITTEE**
Two regular three year appointments Harold Carter is eligible in the airport affiliation category and wants to be reappointed The candidate to represent the westside of Charlotte, Marvin Smith, is not eligible for reappointment Both appointees must be residents and registered voters in Mecklenburg County

2 **BOXING COMMITTEE**
One regular three year appointment Al Mandell is eligible but does not want to be reappointed

3 **DOMESTIC VIOLENCE COMMITTEE**
One regular three year term Incumbent June Kimmel is eligible and would like to be reappointed

4 **HISTORIC LANDMARKS COMMITTEE**
Two regular three year appointments Louis Bledsoe is eligible but does not want to be reappointed Allen Brooks is not eligible for reappointment

5 **NEIGHBORHOOD MATCHING GRANTS FUND CITYWIDE REVIEW TEAM**
One citizen to represent the non-profit category and to fill an unexpired term ending April 16, 1996 Joel Segal has moved out of State

6 **PLANNING COMMISSION**
One appointment to fill an unexpired term ending June 30, 1995 Tom O'Brien has resigned Must be a resident of Mecklenburg County

7 **SPIRIT SQUARE BOARD OF DIRECTORS**
One appointment beginning immediately and ending June 30, 1995 to fill an unexpired term Charlie Williams has resigned

8 **TAXICAB ADVISORY COMMITTEE**
Two regular three year terms Gregory Ritch is eligible and would like to be reappointed Robert Seals is not eligible to serve another term Mr Seals represents the operating permit holder classification

9 **UPTOWN DEVELOPMENT CORPORATION**

Four three year terms Three shall represent business Vivian Williams is no longer eligible in the business category Billie Ray does not want to serve another term Tolly Kennon is eligible and would like to be reappointed

In the category to represent a non-profit entity, William P Wood is not eligible to be reappointed