AGENDA

Meeting Type.	BUSINESS
Date.	11/29/1994

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Richard Vinroot | *Mayor Pro Tem Patrick McCrory*

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

Council Agenda

CITY COUNCIL MEETING
Tuesday, November 29, 1994

5:00 p.m. — **Conference Center**

- **Earle Village Master Plan**

6:30 p.m. — **Meeting Chamber**

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

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

CITY COUNCIL AGENDA
Monday, November 29, 1994
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Baker ✓ Martin ✓ Spencer ✓

Item No

MINUTES

1. Approve Minutes of: October 19 Zoning Meeting and October 24 Regular Meeting.

Scarborough/Wheeler app. Nix, Tran.

CONSENT ITEMS

2. Consent agenda items 12 through 33 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting

Staff Resource Julie Burch

POLICY

3. City Manager's Report NONE

4. Recommendations of the Transportation/Transit Committee of 100

Res #5 3-9-87

Action: Adopt a resolution to endorse the final Committee of 100 recommendations and to support State enabling legislation to grant Mecklenburg and adjacent counties the authority to levy up to a 1% sales tax, subject to voter approval, for the purpose of implementing the vision of the Transportation/Transit Committee of 100

Baker/Scarborough app. - See typed motion attached

Subst. McCray/Campbell adopt resolution and recommended plan, leave method of financing open and ask legislature what they would approve, include funding for an increase in planned funding for legislation, and if Baker clarify to method of financing, will be what amount it, will this be subject to voter approval, 1¢, 5¢ & etc.; and

Subst. Vote No - Wheeler, Reid, Baker, Jackson

After break, Baker asked that he be allowed to vote. He voted to change his vote to opt to because he hoped to get original motion. The consensus was yes on Baker substitute

Committee Chair: Bill Simms

Staff Resource: Boyd Gaubie

MOTION FOR ITEM #4 COMMITTEE OF 100 RECOMMENDATION

ADOPT A RESOLUTION TO ENDORSE THE FINAL COMMITTEE OF 100 RECOMMENDATIONS AND SUPPORT STATE LEGISLATION TO LEVY UP TO 1% SALES TAX, SUBJECT TO VOTER APPROVAL, FOR IMPLEMENTATION, PROVIDED THE "MAINTENANCE OF EFFORT" CLAUSE IS INCLUDED IN THE STATE LEGISLATION TO ENSURE THAT PLANNED FUNDING BY THE STATE IS MAINTAINED; AND THAT LIGHT RAIL BE A FUTURE CONSIDERATION, BUT IS NOT BE BUILT UNTIL FINANCIALLY FEASIBLE AND NEEDED.

Council Policy:

Transportation is a key City Council Focus Area, which supports Council's other Focus Areas of Community Safety, City Within A City and Urban Economic Development Projected trends for Transportation indicate increased congestion and safety problems, lengthy commute times, and a less competitive region - unless strategic actions are taken

Explanation of Request:

The Committee of 100 recommendations represent a regional 20 year transportation/transit plan The plan totals $1 7 billion and emphasizes acceleration of State road construction and high capacity transit planning in the first ten years (1996-2005) and implementation of a high capacity transportation system in the second ten years (2006-2015) The plan also emphasizes significant improvements to the bus system over the next 20 years

ENTIRE REGION

COUNTY $1.2 mi

Specific actions requested are as follows

- To approve the Committee of 100 recommendations and regional transportation/transit vision

- To endorse a regional effort to secure State enabling legislation for a new point of collection sales tax of up to 1%, upon voter approval, dedicated to transportation/transit

- To endorse a county-wide referendum on the implementation of a new sales tax to support the recommendations of the Transportation/Transit Committee of 100

WITH COUNTIES CA-MC - 20 MILE RING UNION, CABARRUS, GASTON, IREDELL, YORK

Summary of Recommendations:

Roads

- Accelerate the State Highway Program with emphasis on the Charlotte Outer Loop, Independence Boulevard, I-85, I-77 and other road improvements

Mgr's Office

- Include a "maintenance of effort" clause in the legislation to ensure that state road spending is maintained at current levels

- Dedicate $450 million to road construction in Mecklenburg County

20 YEAR PERIOD

Transit

- Dedicate $10 million annually to expansion of Charlotte Transit, including service extensions into Mecklenburg County.

- Continue regional initiatives of car and van pooling and express bus service

- Determine preferred model(s) of high-capacity transportation for initial operation after the year 2005

- Create a metropolitan transit organization, beginning with Charlotte and Mecklenburg County and provide an opportunity for neighboring local governments to join or contract for services

- Dedicate $450 million to high capacity transportation with implementation beginning in the year 2006

Intergovernmental Roles and Finance

- Upon voter approval, implement a new point of collection sales tax of up to 1% dedicated to transportation/transit

- Allocate a minimum of 25% of new annual sales tax revenues to transit in Mecklenburg County only

- Each county in our metro region can decide exactly when to implement the plan based on its own transportation needs

Land Use

- Plan for high density development along five major corridors and development centers: Uptown Charlotte to 20 mile ring cities of Gastonia, Monroe, Mooresville, Rock Hill and Concord/Kannapolis

- Dedicate $5 million annually to planning for high capacity transportation and right-of-way protection

Environment

- Implement intelligent highway systems (e g , coordinated signal systems and freeway incident management systems)

- Implement bicycle and pedestrian paths

- Convert public sector vehicle fleets to natural gas or electric energy usage

- Dedicate $3 million annually to implement the environmental projects

Background

- On April 26, 1993 Council approved a strategic process for building community consensus on future transportation/transit needs

- On June 14, 1993 Council approved appointing a broad-based citizens committee to study regional transportation and transit issues and provide recommendations

- On July 25, 1994 Council approved the Committee of 100's "Centers and Corridors" land use vision

- On August 22, 1994 Chairman Simms presented the Committee's preliminary recommendations to Council and requested input in structuring the Committee's recommendations

- *All four of the regional Metropolitan Planning* Organizations have adopted the Committee of 100's Metropolitan Roadway Plan

- On November 22, 1994, the County Commission approved the Committee of 100 Recommendations

5 Recommendations of Council-Manager Relations Committee Concerning Council Rules of Procedure and Revised Council Travel Policy

Action: **Adopt the recommendations of the Council-Manager Relations Committee that:**

A. Amend the existing Council Rules of Procedure to include Sections 24 - 27 (see attachment), and

B Amend the existing Council Travel Policy to reflect the changes listed in the attachment

Baker/wheeler app, McCrory, Reid + Jackson passed as is.
no - McCrory
Sulzt, Reid/McCrory
Accept recommendation with exception that each Commissioner be given a set amount for travel + that it cannot be exceeded.
yes - McCrory, Reid, Jackson
failed

Committee Chair Charles Baker

Staff Resource: Julie Burch

Explanation of Request: The existing Rules of Procedure were reviewed to ensure that they continue to facilitate the effective and efficient conduct of City business

The Travel Policy was reviewed at the request of the City Council

Attachment 1
Proposed Amendments to Council's Rules of Procedure
Council Travel Guidelines Summary
Review Summary of May 21, 1992 Council Travel Guidelines Decision

Mayor's Office

6. 1995 Legislative Package

Action: **Approve the list of issues to be presented to the Mecklenburg Delegation for inclusion in their 1995 legislative work program**

Staff Resource: Boyd Cauble

Policy Public safety, government efficiency and more local home rule authority are top priorities with City Council The proposed legislative program addresses these major priority areas

Campbell/Carson
app.

Explanation of Request. At the November 14 Council Dinner meeting, City Council reviewed and approved the proposed legislative agenda and added several items to be included for consideration in this year's work program The following is a listing of items to be reviewed and approved by Council and later presented to our delegation for their approval

Unan

- Continued Drug Court funding
- Housing Authority laws
  - Drug free public housing zone
  - Termination of Housing Authority leases
  - More stringent visitors and guests' rules
  - Housing Authority's acceptance of rent becomes no waiver of defaults

Mayor's Office

Item No

- Expedited eviction actions in certain Housing Authority cases
- Access to national criminal records for Housing Authority applicants

- Creation of Youthful Offender Boot Camp
- Fortified Wine Ban
- Term limits for Mayor and Council
- Transportation/Transit Committee of 100 recommendations
- Increased force account limits from $75,000 to $200,000
- Increased informal contract limit from $50,000 to $100,000
- Actual charge for accident report and other public document reproductions
- Street name authority given to CDOT
- Finance Department authorized to refund invalid tax collections regardless of amount
- Elimination of traffic control devices inventory recordkeeping
- Second and subsequent offenses of assault on a female and other domestic violence misdemeanors changed to Class G felonies

Background. The Mayor, Council and Key Business Executives have been requested to submit items for Council consideration in preparing a legislative agenda for our Mecklenburg Delegation The preliminary agenda was approved and additions were made at the November 14 Council Meeting The final recommendations approved by Council will be presented to the delegation prior to their convening in Raleigh for the '95 General Assembly

6A. - PROPOSED MULTI-WAY STOP SIGN AT BRANDYWINE + CHELSEA.

Patter/Scarborough aff. No-McCrory, Reid, Jackson, Martin

BUSINESS

7 **Resolution for Certificates of Participation**

Res #6
B. 33
p 89

Action:

Adopt a resolution authorizing staff to proceed with actions necessary to secure an Installment Purchase Contract - Certificates of Participation (COPS) to finance the following:

Scarborough-Martin
App.
Unan

- Additional parking space in the Law Enforcement Center (LEC) parking deck;
- Police Bureau Station to be located on Wilkinson Boulevard;
- Communications Tower\Equipment; and
- Issuance expenses related to financing these three projects

The total amount of the contract will not exceed $11 million The resolution authorizes staff to take required steps and prepare the documents necessary for the financing

Additionally, the resolution establishes December 12, 1994 as the date for a public hearing on the financing.

Staff Resource: Carey Odom

Explanation of Request

In order for staff to proceed with securing an installment purchase contract, they must take certain actions on behalf of the City These include the following

- Publish required legal notices
- File an application with the Local Government Commission

Finance

- Investigate and negotiate the selection and terms of the financing

- Solicit bids and/or proposals in connection with the financing

Background: Council has previously approved the following appropriations for these projects to be funded from an Installment Payment Contract

- Law Enforcement Center (including additional space in parking deck) - $18 2 million The city sold $14 million of this in July 1993 The additional space will increase the capacity of the deck from approximately 430 spaces to approximately 890 spaces The increase in the number of spaces will increase the number of levels from four to eight The expanded deck will provide adequate parking for police personnel housed in the new building

- Police Bureau Station - $4 7 million To better serve citizens, the City is proposing to build a new Police Bureau Command Center near the intersection of Wilkinson Boulevard and Morris Field Drive The facility will house major police functions as well as provide space for other City agencies and a neighborhood meeting room

- Communications Tower\Equipment - $1 2 million This project will provide better quality and more reliable voice transmissions The 800 MHz tower will be approximately 240 feet in height It will be located on Charlotte-Mecklenburg Utility Department property at 5100 Belhaven Boulevard.

- Issuance Expense For The Financing - $400,000

The Law Enforcement Center has been designed to include the additional parking deck space A decision to delete the additional parking would require a redesign of the parking deck and delay a move out of the old Law Enforcement Center Contracts for construction are scheduled to be awarded in February 1995

By including the Police Bureau Station in this financing, the issuance expenses will be reduced If this project is not financed along with the LEC Parking and the Communications Tower, additional expenses will be incurred In addition, the City may need to advance funds for design and land purchase

Council approved a $1.2 million advance of City funds for the Communications Tower\Equipment The Equipment is here and is being tested. A delay in the financing means that the City will be delayed in receiving repayment for the $1 2 million that it advanced to this project

8 Resolution to Name Local Roadway for Seddon ~~R~~ "Rusty" Goode

Res #7
B-33
P-96

Action: **Approve a resolution requesting the North Carolina Board of Transportation to name a roadway within the Charlotte Area for Seddon R "Rusty" Goode**

Scarborough/Martin

Policy North Carolina Department of Transportation Street Naming Policy

App.

Explanation of Request In recognition for the extensive civic efforts of Rusty Goode, Council is requested to pass a resolution honoring him, and asking the N.C Board of Transportation to name an area roadway after him The Board would select a State System street to be renamed

unan

CDOT

Background:

Rusty Goode has had a wide range of civic responsibilities, including

- Member of the N C Board of Transportation under two Governors' administrations
- President of the N C Air Cargo Airport Authority
- President of the University Research Park
- Treasurer of the State Ports Authority
- Member of N C Advisory Budget Commission
- Commissioner of the C-M Hospital Authority
- Trustee of the N C Retirement System
- Vice-Chair of United Community Services
- Director of Carolinas Partnership
- Director of Charlotte Chamber Foundation

Many roadway improvements now underway in the Mecklenburg area are a result of his direct efforts

9. Appointments to Community Relations Committee (CRC) Action Committee

Action:

Appoint three persons to CRC's Action Committee to review Chapter 12 of the City Code (the Human Relations Ordinance), for possible revision

(a) Charlie Baker by Councilmember Campbell
(b) David Belton by Councilmember Cannon
(c) Al Cooper by Councilmember Reid
(d) Frank Krepp by Councilmember Scarborough
(e) Leroy "Pop" Miller by Councilmember Martin
(f) Jim Polk by Councilmember Cannon
(g) Jim Ross by Councilmember Scarborough
(h) Tim Sellers by Councilmember McCrory
(i) Sam Smith by Councilmember Scarborough
(j) Sandra Staton by Councilmember Majeed
(k) George Wallace by Councilmember Spencer
(l) Al Wingate by Councilmember Wheeler

Item No.

County Deferred to 12/5/94

The CRC Chairman appointed Rev Herman Thomas and David Burkhalter The CRC appointed John Offerdahl, Katherine Johnson and Ronnie Stone The County Commission Chair will appoint two members The County Commission will appoint three members

10 December 5 Workshop Agenda

Action: Approve the following schedule and topics for the December 5 workshop agenda

Wheeler/Martin app. unan.

2.30 Public Housing Initiatives for Public Safety Tour (Optional)

3 30 Workshop
- **A Public Safety and Public Housing***
- **B Roll-Out Garbage Issues**
- **C. Competition Activities·**
  Solid Waste Request for Proposals and Activity Based Costing

Mgr's Office

6:00 Zoning

11. Council's Meeting Schedule for 1995 — TELL COUNCIL MAY NEED TO CHANGE AFTER CHAMBER SETS DATE FOR INTER CITY VISIT

Action· Adopt a Meeting Schedule for 1995 The suggested schedule of regular meetings is attached showing holidays and Council's conferences that will interfere with regular meeting dates as well as substitute dates

Wheeler/Reid app. unan.

Staff Resource. Brenda Freeze

City Clerk

Item No

Explanation of Request:

Each year in November or December the Council approves a regular meeting schedule for the coming year After Council's approval of a Meeting Schedule, the City Clerk keeps a certified copy of the Schedule on file in accordance with G S § 143-318 12

Attachment 2

Introduction to CONSENT I and II

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 low bid, and have met MWBE criteria

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

Pull Consent 13A, 15, 29 Cannon/Wheeley app. Rest unan.

CONSENT I

12. Various Bids

A. Patrol Boat — Police, Purchasing

Recommendation The Purchasing Director and the Police Chief recommend that the low bid of $70,286 by Sea Ark Marine of Montecello, Arkansas be accepted

MWBE Compliance Yes There are no known MWBE firms

B. McDowell Creek Wastewater Treatment Plant - Phase I Improvements — CMUD

Recommendation The Charlotte-Mecklenburg Utility Director recommends that the low bid of $155,000 by Powell Construction Company be accepted

Compliance: Yes There were no subcontract opportunities identified due to the specialized nature of this work

13. In Rem Remedy

A. 3617 Tuckaseegee Road

Action: Reid/Martin Defer to 12/12 Urban

Adopt an Ordinance authorizing the use of In Rem Remedy to repair the dwelling at 3617 Tuckaseegee Road (Enderly Park Neighborhood) which is located in the City Within a City boundaries.

Attachment 3

CD

B. 4321 East End Street

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 4321 East End Street (Hoskins/Thomasboro Neighborhood) which is located in the City Within a City boundaries.**

Ord #1 #178-X B-46 P-97

Attachment 4

CD

C. 2722 Craddock Avenue

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2722 Craddock Avenue (Wingate Neighborhood) which is located in the City Within a City boundaries**

Ord #2 #179-X B-46 P-98

Attachment 5

CD

14 Refund of Certain Taxes

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $1,903 04**

Res #1 B 33 P-80

Attachment 6

Jenoxe

Item No

15. Speed Limit Change

Ord #3
#180
B-16
p-99

Action: **Adopt an ordinance to lower the speed limit on 22 Charlotte streets·**

Billingsley Road (Billingsley Road)	25 MPH
Captain John Lane (Olde Whitehall)	25 MPH
Captain Neal Lane (Olde Whitehall)	25 MPH
Clifton Meadows Drive (Callaway Plantation)	25 MPH
Coffee Creek Drive (Olde Whitehall)	25 MPH
Colley Ford Lane (Olde Whitehall)	25 MPH
Coulee Place (Yorkmont Park)	25 MPH
Devon Drive (Myers Park)	25 MPH
Greenleaf Avenue (Third Ward)	25 MPH
Hastings Drive (Myers Park)	25 MPH
Jacobs Fork Lane (Olde Whitehall)	25 MPH
Judith Court (Oakhurst)	25 MPH
Lakeside Drive North (Grove Park)	25 MPH
MacAndrew Drive (Wessex Square)	25 MPH
Olde Whitehall Road (Olde Whitehall)	25 MPH
Queen Anne Road (Yorkmont Park)	25 MPH
Shady Grove Lane (Yorkmont Park)	25 MPH
Snow Creek Lane (Olde Whitehall)	25 MPH
Southampton Road (Yorkmont Park)	25 MPH
Sterling Road (Myers Park)	25 MPH
Westbrook Drive (Third Ward)	25 MPH
Yorkdale Drive (Olde Whitehall)	25 MPH

Reid Wheeler app. urban

CDOT

are all residential

CONSENT II

16. Joint-Use Aircraft Crash/Fire/Rescue Training Facility

Ord #4 #181-X B-46 P-101

Action:

A. Adopt an ordinance appropriating $656,800 to provide funding for construction of a joint-use aircraft crash/fire/rescue training facility at the Airport; and

B Declare the Watson Electrical Company bid ($42,705) to be non-responsive; and

C. Award multi-prime contracts to the lowest responsive bidders for the training facility based on negotiated contract amounts as follows

General	
Beam Construction, Cherryville, NC	$416,628
Plumbing	
Tri-Meck Mechanical, Charlotte	$ 25,600
Mechanical	
Tri-Meck Mechanical, Charlotte	$130,000
Electrical	
Ind-Com Electrical, Charlotte	$ 44,200
TOTAL	**$616,428**

Explanation of Request:

- The North Carolina Air National Guard (NCANG) has agreed to fund construction of the training facility for City firefighters, NCANG personnel, and other fire response agencies

- The Aviation Department will be responsible for construction of the facility with the NCANG reimbursing the City for all project costs The costs are not to exceed $656,800

Aviation

- The Aviation Department has negotiated with the lowest responsive bidders and recommends award of contracts totaling $616,428 for this construction The project contingency is $40,372

Background

On May 23, 1994, City Council approved an agreement with the NCANG for the construction of a joint use fire training facility at the airport

17 Burlington Air Express Cargo Facility Addition

$214,000

Recommendation: Aviation Director recommends that the bid of Mann Contractors, Inc be declared non-responsive and that bid of $235,000 by Beam Construction Company, the lowest responsive bidder, of Cherryville, North Carolina be accepted for the construction of a 4,000 square foot expansion to the building occupied by Burlington Air Express

Explanation· Burlington Air Express requested expansion of their existing facilities to meet their current operational requirements and to accommodate continued growth in their cargo operations This facility was designed according to the Airport Master Plan so that it could be expanded to accommodate the tenant's needs

Beam Construction Company was deemed the lowest responsive bidder The lowest bid of Mann Contractors, Inc ($214,000) was non-responsive because they did not submit proper documentation of good faith efforts to achieve DBE participation at the time of bids The Airport's FAA-approved DBE program requires submission of seven certified documents at the time of bid to be considered a responsive bidder Mann did not comply Therefore, they must be considered non-responsive

MWBE Status:	Amount	% of Project	Project Goals
MBE	$13,465	5 72	N/A
WBE	$ 5,603	2 38	N/A
DBE TOTAL	$19,608	8 00	15%

Compliance· Yes

Aviation

18 **Resolution and Budget Ordinance for NCDOT Grant**

Res #22 B 33 p 83

Ord #5 #183 X 46 B p 102

Action:

A. **Adopt a resolution accepting a North Carolina Department of Transportation (NCDOT) Grant for $500,000, and**

B **Adopt a budget ordinance appropriating the grant monies to provide the State's share to Overlay Runway 5/23, Reseal Apron and Taxiways; and Reconstruct Taxiway "C"**

Explanation of Request:

- The NCDOT has allocated State funds in the amount of $500,000 for three airfield improvement projects - Overlay Runway 5/23, Reseal Apron and Taxiways, Reconstruct Taxiway "C"
- The total cost of the three projects amounted to $4,293,948 of which 75% was funded by the Federal Aviation Administration (FAA) with the remaining 25% funded by Airport Revenue Bonds
- The State grant for $500,000 will reduce the City's share of project costs by a like amount

Source of Funding

The City has previously advanced Airport monies to provide funding of the City's share of these high priority Airport Improvement Projects

Background

On June 27,1994 City Council accepted a FAA grant to Overlay Runway 5/23, Reseal Apron and Taxiways, and Reconstruct Taxiway "C"

Aviation

19. Franklin Water Treatment Plant Expansion Professional Services Contract, Amendment #1

Action: **Approve Amendment #1 to the Professional Services Contract with Camp Dresser & McKee (CDM) for the Expansion of the Franklin Water Treatment Plant - $603,300**

Explanation of Request:

- This amendment will increase the professional services contract from $2,110,697 to $2,713,997 It will pay for the additional design costs and construction management services to increase the Franklin expansion from 24 million gallons per day (MGD) to 36 MGD
- This project was accelerated from the original CIP schedule after the 1993 drought
- Based on previous studies, CMUD established the capacity of the expansion at 24 MGD, and the original CDM design contract was negotiated based on a 24 MGD expansion
- A system distribution study updated system demand projections and treatment capacity requirements The new projections showed that a 36 MGD expansion will be needed to supply adequate water through the year 2010
- The approved CIP for FY95 included design and construction funds for the 36 MGD expansion
- The added capacity has increased the cost for the design and construction management services of the proposed expansion

CMUD

Background: City Council approved a professional services contract with CDM for design and construction management of a 24 MGD expansion to the Franklin Water Treatment Plant on December 13, 1993 - $2,110,697

20. Monroe/Wendover/Eastway Intersection Improvements Change Order #2

Action: **Approve Change Order #2 to the contract with Blythe Construction, Inc for $365,402.25. This action will change the contract amount from $1,717,103 75 to $2,082,506**

Explanation of Request: This Change Order will provide funding for additional quantities of asphalt and excavation necessary to complete the project The original bid prices will be used for the additional quantities The additional quantities are primarily due to inaccurate quantities in the bid documents prepared by the consultant and minor changes in scope of work

Change Order #1 was for additional fire hydrants and water lines - $48,070

Background: The Monroe/Wendover/Eastway Drive Intersection Improvement Project was awarded by Council on September 27, 1993

21. Sardis Road Widening, Change Order #5

Action: **Approve Change Order #5 to the contract with Blythe Construction, Inc for $114,240 This action will change the contract amount from $4,063,789 54 to $4,178,029.54**

Explanation of Request This item was deferred at the November 14 meeting Information provided in the November 18 Council-Manager Memo is attached

This Change Order will provide funding for additional quantities of asphalt and asphalt cement necessary to complete the project

The cost of asphalt cement (6% of total quantity of asphalt mix) has increased $37 50 per ton since the contract was awarded This adjustment amounts to $72,000 or 63% of the total change order The contract requires an adjustment to the base index cost set at the time of bidding

The additional asphalt is required due to extension of the project limits and a projected overrun of the surface pavement quantity

The cost of the additional asphalt is determined by the contract unit prices

Background:

The Sardis Road Widening project was awarded by Council on March 23, 1992

The City Engineer awarded the previous change orders

9/4/92 - Change Order #1 for $41,692 30
Culvert Replacement

11/1/93 - Change Order #2 for $16,675
Guardrail McAlpine Creek

5/1/94 - Change Order #3 for $22,000
CMUD Extra Items

10/24/94 - Change Order #4 for $47,737 50
Boyce Road Sidewalk

Attachment 7

Eng.

c

22. Convention Center, Miscellaneous Steel, Change Order #7

Action: **Approve Change Order #7 to the Convention Center Miscellaneous Steel contract with Owen Steel for $134,265.**

Explanation of Request Due to the fast track nature of this project, Owen Steel furnished additional work required to accommodate design modifications that were necessary to meet actual field conditions Also, Owen added items not included in the original scope, and rescheduled some erection work, so that access to the building by the other contractors was not hindered This Change Order incorporates all of this work, which has been on going for the past year

This Change Order increases Owen Steel's contract from $3,924,320 to $4,058,585

Background: On May 10, 1992, Council approved the original contract with Owen Steel for $2,758,544

On November 8, 1993, Council approved Change Orders #1 and #2 totalling $710,210 Miscellaneous metals were removed from the masonry contract

The City Engineer has approved Change Orders #3, #4, and #5 totalling $63,350 for additional miscellaneous steel

On April 25, 1994, Council approved Change Order #6 for $392,216 for ornamental handrails

Attachment 8
Budget Summary

Eng.

23 Convention Center, Overhead Doors Contract, Change Order #2

Action: **Approve Change Order #2 to the Convention Center Overhead Doors contract with American Overhead Doors for $82,653**

Explanation of Request: This Change Order is the result of several design changes made to the building's large sliding and roll up door systems

The major change involved adding emergency exit doors in the large "elephant door " This change was required by Building Standards after the work had been bid This change order also included the addition of new doors, and door size modifications to improve the functioning of the building

This Change Order increases Overhead Door's contract from $552,861 to $635,514

Background: Council approved the original contract with American Overhead Doors on June 14, 1993, for $572,176

The City Engineer approved Change Order #1 on July 29, 1993 that reduced the contract by $19,315

24 Convention Center, Electrical Contract, Change Order #5

Action: **Approve Change Order #5 to the Convention Center Electrical contract with Port City Electric for $295,121 to settle their claim for additional compensation**

Explanation of Request This Change Order results from negotiations to settle Port City Electric's claim for additional compensation submitted on August 8, 1994 for $610,439

Due to delays and disruptions to the construction schedule, Port City Electric claimed they had to provide more people than originally anticipated to meet the project schedule Although the actual man-hours to complete the job remained the same, Port City did have to provide more supervision, tools, and equipment to support the larger workforce toward the end of the job

After extensive negotiations, Port City Electric, Fluor Daniel, the FWA Group and the City Engineering and Property Management Department have agreed to a final settlement of $295,121

This Change Order will increase Port City Electric's contract from $8,365,879 to $8,661,000

Background: On January 11, 1992, Council approved the original contract for $7,892,976

Change Orders #1 and #2 totalling $37,503 have been approved by the City Engineer

Change Order #3 for $344,563 was approved by Council for additional telecommunication cable

Change Order #4 for $90,837 was approved by Council for miscellaneous electrical changes

Eng

25 Convention Center, Fluor Daniel, Amendment #2

Action: **Approve Amendment #2 to the Construction Management agreement with Fluor Daniel for $375,000**

Explanation of Request: This Amendment is for costs associated with the completion of the Convention Center construction

c

As the project nears completion, most of the contractors on site are working overtime, and are not able to perform any work that is not in their original contract This amendment will allow Fluor Daniel to hire additional contractors as needed, bring in Fluor Daniel construction workers when appropriate, and to purchase or rent equipment and supplies necessary to finish the project by December 23 All expenses will require our review and approval before reimbursement

Fluor Daniel has also incurred expenses beyond the allowances in their contract due to

- the intense coordination necessary to tie up loose ends,
- additional work required to supervise and coordinate the night shift work,
- project cleanup, and
- relocation of the construction trailers, and other work necessary to expedite the project

This amendment funds the work for which we are contractually obligated to pay

This Amendment will increase Fluor Daniel's contract from $10,846,750 to $11,221,750

Background.

On August 6, 1990 Council approved the original contract with Fluor Daniel for $7,461,750

On August 31, 1994, the City Manager approved Amendment #1 for $3,385,000 for the assignment of the Convention Center Storefront and Curtainwall contract to Fluor Daniel

Eng.

26. Convention Center, Concrete 1 Contract, Change Order #7

Action: **Approve Change Order #7 to the Convention Center Concrete 1 contract with Baker Concrete for $258,219**

Explanation of Request: On June 22, 1992, City Council awarded the Concrete 1 contract to Baker Concrete Construction At that time, the construction plans were only partially complete due to the fast track method of construction

Design modifications have been made to the building's concrete walls, beams and columns

This Change Order increases Baker Concrete's contract from ~~$4,663,050 24~~ $4,663,122 24 to ~~$4,921,269 24~~ $4,921,341.24

Background: The original contract with Baker Concrete for ~~$3,635,208~~ $3,635,280 was approved by Council on June 22, 1992

Change Order #1 for $91,608 was approved by Council on June 11, 1993 for changes in the foundation design

Change Order #2 for $83,846 62 was approved by Council on June 28, 1993 for changes in the structural design

Change Order #3 for $264,021 was approved by Council on November 8, 1993 for additional foundations due to poor soil

Change Order #4 for $88,366 62 was approved by Council on March 28, 1994 for additional reinforcement

ORIC #3,635,280

From 4,663,122 To
4,921,341 24

From David Burton,
Eng.

Change Order #5 for $500,000 was approved by Council on March 28, 1994 to settle a claim for additional compensation due to construction delays

Change Order #6 was approved by the City Engineer with no change to the contract amount

Eng

27 Convention Center, Concrete 2 Contract, Change Order #8

Action: **Approve Change Order #8 to the Convention Center Concrete 2 contract with Baker Concrete for $144,042**

Staff Resource David Garner

Explanation of Request: On January 25, 1993, City Council awarded the Concrete 2 package to Primesouth, Inc With the concurrence of the City, Primesouth assigned, the work for this package to Baker Concrete, who was second low bidder on this package At that time, the construction plans were only partially complete due to the fast track method of construction

Design modifications have been made to the building's concrete floors, stairs and other miscellaneous concrete work

The cost for this work has been extensively negotiated with Baker Concrete by the Construction Manager and the Architect, who feel that this cost is appropriate

This Change Order will increase Baker Concrete's contract from $5,646,101 to $5,790,143

Eng

Background:

The original contract with Baker Concrete for $5,230,356 was approved by Council on January 25, 1993

Change Order #1 for $130,718 was approved by Council on November 8, 1993 for additional concrete work

Change Orders #2, #3, and #4 totalling $128,000 were approved by the City Engineer for the addition of secondary pours on various concrete floor slabs

Change Order #5 for $116,149 was approved by Council on April 25, 1994 for miscellaneous concrete changes

Change Order #6 for $40,878 was approved by the City Engineer on August 8, 1994 for additional steel reinforcement.

Change Order #7 was approved by the City Engineer with no change to the contract amount

28 Americans with Disabilities Act FY95/FY96 Modification Implementation

Action·

Approve amendment #1 for $124,990 to the agreement with Woolpert Consultants to provide architectural services for the implementation of the Americans with Disabilities Act (ADA) FY95 / FY96 modifications. Approval of this Amendment will increase the total amount of the agreement from $240,668 to 365,658

Explanation of Request

- This item was deferred at the November 14 Council Meeting A copy of the November 18 Council-Manager Memo that provided additional information is attached

- Woolpert has completed the facility surveys of the City's facilities (with the most public contact) and a review of the programs offered in each of the facilities as required by ADA Woolpert estimated the physical changes needed to be $600,000 in 1993

- The estimated cost is a significant savings from the original projection of $2 to $3 million The savings result from finding low-cost alternatives to physical modifications

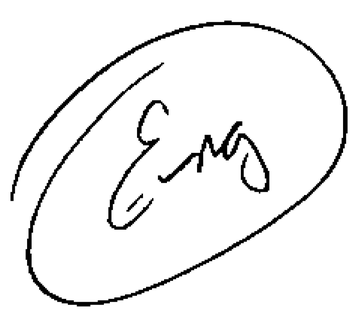
- City Staff has developed a five year implementation plan for facility modifications that allots $160,000 per year (this includes inflation, design and administration costs)

- Staff has worked closely with the Charlotte Mecklenburg Advocacy Council for People With Disabilities throughout the process and has their concurrence on the five year implementation

- The original agreement with Woolpert was to survey the facilities, to assist City staff with the program survey, and to provide recommendations and cost estimates for making the facilities accessible

- Woolpert has provided consulting services and acted as the City's expert on ADA issues as they relate to City facilities

- This Amendment will provide for bid phase and construction administration services for FY95 and for construction documents, bid phase and construction administration services for FY96 Included are CMUD facilities that are part of CMUD's five year plan, as well as an unspecified allowance to continue to provide expert consulting services on ADA issues and facility reviews as needed



- $43,560 of the $124,990 is for design of the FY96 facilities The estimated construction cost is $235,704 CMUD will reimburse Engineering and Property Management for the design and construction of their facility modifications that will total approximately $76,000.

Attachment 9

29 Duke Power Grant for Emergency Management

Wheeler/Martin/Scarborough & McCrory
Expense
unan.

Ord #6
#183
B-46
p. 103

Action: **Adopt a budget ordinance appropriating $9,000 from Duke Power to Emergency Management. These funds are for equipment purchases associated with the Mobile Command Post**

Explanation of Request: Duke Power provides Emergency Management with an annual grant, approved in the regular budget Duke Power is contributing an additional $9,000 for expenses associated with the Mobile Command Post The Mobile Command Post is used in public emergencies requiring cross-functional coordination

Wheeler/Reid
app.
unan.

On February 28, 1994, City Council approved the Mid-Year Budget Ordinance that contained funding for the purchase of a Mobile Command Post Funding for the Mobile Command Post came from Mecklenburg County ($25,000), NC Department of Transportation ($5,000), and Police, Fire, and Transportation ($60,000) Duke Power is contributing $9,000 for the purchase of communications equipment and cabinetry work on the interior of the Mobile Command Post

Fire Dept.

30 **Street Maintenance Resolution**

Rep #3
B-33
P-83

Action: **Adopt a resolution to transfer maintenance responsibility for two streets from the City of Charlotte to the North Carolina Department of Transportation (NCDOT).**

Explanation of Request: Portions of Gum Branch Road (0 10 mile) and Tom Sadler Road (0 07 mile) were transferred from NCDOT's system to the City network following annexation NCDOT requests that they resume maintenance responsibility for the segments within the City so that one agency will be responsible for all of Gum Branch and Tom Sadler Roads

CDOT

Attachment 10

31. **Metro/Mobile Lease Agreement Amendment**

Action: **Approve an amendment to a lease agreement between the City of Charlotte and Metro Mobile of Charlotte, Inc to permit additional antenna attachments and authorize the City Manager to execute future amendments to this agreement**

Policy: In October 1993, City Council adopted a Policy Statement for Asset Management as follows "The City will seek to maximize its return from its current and future assets "

Explanation of Request:

- The City owns a radio tower site and property located at 5731 Closeburn Drive
- Metro Mobile of Charlotte, Inc approached the City about the possibility of leasing additional space on this tower to accommodate antennas for their cellular telephone service

- The Communications and Information Systems Department (CIS) reviewed Metro Mobile's request and determined space was available, the lease would not interfere with either the current or future needs of the City at this site; and that leasing such space at this site, and other tower sites, is a viable source of additional revenues

- This agreement also authorizes the City Manager to execute future amendments to this agreement

Background

- In January 1992, City Council approved the original lease for Metro Mobile This lease has generated over $37,200 in revenues as of September 1994

- The current lease rate with Metro Mobile is $1,200 per month (which is comparable to current marketplace rates for such accommodations) with provisions tied to the Consumer Price Index for determining monthly rental during renewal periods

- Metro Mobile is requesting eight additional antenna attachments for an additional monthly lease amount of $570 This brings the total lease amount to $1,770 per month

CIS

32. Auctioneer Services Contract

Action: **Approve contract for Auctioneer Services with Wayne Evans Auction Company for a one year period with the option to renew the contract for four additional one year periods**

Explanation of Request: The purpose of this contract is to provide Auctioneer Services for the disposal of surplus property for the City of Charlotte

- The City has two major auctions annually, one in the spring and one in the fall Several local agencies including the ABC Board, Mecklenburg County and the School Board also participate in the City's annual auction

- The most recent auction contract has expired and the City issued a Request for Proposal (RFP) to award a new auction contract in October 1994

- Five RFP's were received The auction RFP's were evaluated by a team of City and County staff from Purchasing, Contracts Administration, City and County Internal Audit and City and County Equipment Services

- Proposal responses were evaluated on the basis of commission rates, MWBE participation, municipal references, equipment and personnel Wayne Evans Auction Company clearly presented the best proposal and was unanimously recommended by the auction proposal review team

- The MWBE participation will be 100% for all subcontracting opportunities, including towing concessions, printing and notary services

- During the past two years, the auction has generated more than $1 million in gross sales annually

Purchasing

#2 ITEM 32 ON CONSENT

Wayne Evans Auction Co.

P.O. Box 4600 • Columbus, GA 31904

(706)324-0344 / 800-282-8460 / FAX (706)324-0354

A FULL SERVICE PROFESSIONAL AUCTION COMPANY

Resolution for

Reso #4 B-33 P-85

33 **Approve the following condemnation:**

A. **Project** Carmel Road Widening, Parcel #75
Owner(s) Everett E Pearson & wf , Daisy J Pearson & any other parties of interest
Property Address 5315 Carmel Road
Property to be acquired 26,275 78 sq ft (0 6032 AC)
Improvements Landscaping, large hardwood trees, assorted flowering trees and shrubs
Tax Value $148,320
Purchase Price $79,200
Remarks This property fronts on Carmel Road The road widening takes a strip of land ranging in width from 69 feet to 96 feet causing a loss of mature trees and landscaping The City contracted for two independent appraisals and had their reports reviewed by a third appraiser It appeared that a settlement could be reached if the City would repair the driveway and add additional parking spaces This request was approved but a settlement never materialized The Pearsons are now requesting compensation of about $156,000 No market data has been provided to support this sum Condemnation is therefore requested Total Area 94,171 59 sq ft (2 1619 AC) Portion to be Acquired by Condemnation 21,628 41 sq ft (0 4965 AC), Temporary Construction Easement 4,647 37 sq ft (0 1067 AC), Remaining Area 72,583 18 sq ft (1 6663 AC)

Zoned R-3 Use Residential
Tax Code 211-184-03

Eng/R E.

$131,000 per acre