AGENDA

Meeting Type:	BUSINESS
Date:	09/26/1988

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Sue Myrick | *Mayor Pro Tem Al Rousso*

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

Council Agenda

Monday, September 26, 1988

1:00 PM. . . . . Council-Manager luncheon
2:00 PM. . . . . Citizens Hearing
2:30 PM. . . . . Council Meeting

ITEM NO.

1. Invocation by Rev. L. Jervais Phillips, Jr. of Unity of Charlotte.

2. Consider approval of minutes of the September 6, 1988 workshop.

PUBLIC HEARINGS

3. A. Conduct a public hearing on the private sale of four City-owned parcels of land to Habitat for Humanity for $20,850.

B. Recommend approval of the sale of land to Habitat for $20,850.

C. Approve a contract for $52,850 granting funds to Habitat for (1) purchase of the land for $20,850 and (2) site development costs of $32,000.

Innovative Housing Fund Grant	Habitat for Humanity requests a $52,850 grant from the Innovative Housing Fund which will be used to: (1) purchase four parcels of City-owned land totalling 1.6 acres in the Belmont neighborhood for $20,850, and (2) fund site development costs of these properties for $32,000. The four parcels have an appraised value of $20,850.

North Carolina law prevents the City from selling land to non-profit organizations for less than its appraised value, which would preclude the City donating the land to Habitat. The purchase price of $20,850 for the land would be repaid to the Innovative Housing Fund account at the time of closing.

Habitat's Proposal: Habitat proposes to build eight houses on the four parcels which are located on Harrill Street and Pegram Street (see attached map). The estimated site development costs for developing eight buildable lots are not to exceed $4,000 per lot for site clearance, fill dirt and installation of water and sewer taps. Habitat will sell the three-bedroom houses (average size 1000 square feet) for an average price of $32,400 amortized over 20 years at no interest. The houses will be sold to low to moderate income families.

Mandatory Referral: The Planning Commission's Planning Committee at its September 13, 1988 meeting unanimously approved Planning staff's recommendation to sell the property to Habitat. A copy of the Mandatory Referral Report is attached.

Background: Habitat for Humanity: Habitat for Humanity of Charlotte, Inc. has built 43 houses in Charlotte since the program began in 1983. The organization's efforts have been concentrated in the Optimist Park neighborhood. Habitat recently selected the Belmont neighborhood as the next area where they will operate their non-profit housing program.

Public Hearing Required: The transfer of the land by a private sale is authorized by N.C.G.S. 160A-457(4), and calls for a public hearing to be held to consider such a sale.

Funds: Innovative Housing Account Fund.

Clearances: Proposal was approved by the Innovative Housing Committee on August 18, 1988. An explanation of the Innovative Housing Fund is attached.

Attachment No. 1

POLICY

4. Consider adoption of a test ban resolution as proposed by the Charlotte Citizens for a Test Ban Resolution as requested by Council.

The proposed resolution is attached.

Attachment No. 2

5. Recommend adoption of an ordinance to amend Chapter 10, Article III of the City Code, "Removal and Disposition of Abandoned and Junked Motor Vehicles and Vehicles Declared to be a Health or Safety Hazard" to incorporate changes in state statutes governing this process.

City's Authority to remove vehicles

Under Chapter 10, Article III of the City Code, the Operations Department-Community Improvement Division has the authority to remove and dispose of abandoned and junked motor vehicles which have been declared a health and/or safety hazard. The owner of such a vehicle is provided a notice of violation, and, if the violation is not corrected, the Division will request that the vehicle be towed by one of the two towing companies under contract with the city to perform that service.

Information on the City's current authority is attached.

City's Authority Expanded

A recently enacted state statute empowered the City to expand the authority of its current Code pertaining to the "Removal and Disposition of Abandoned and Junked Motor Vehicles and Vehicles Declared to be a Health and Safety Hazard".

Mecklenburg County's Ordinance

Mecklenburg County adopted a similar ordinance on September 6, 1988. Although worded differently than this proposed amendment, it regulates the removal of junked vehicles for reasons of appearance. The County ordinance does not include the $25 citation nor the provision that one junked vehicle may be kept if it is adequately concealed. County officials plan only to respond to citizens' requests.

Changes in Enforcement Procedures

The amendment of Chapter 10 establishes the following changes in the current enforcement procedures:

- In applying the definition of a junked motor vehicle, the Community Improvement Officer shall take into consideration whether the vehicle has a valid inspection decal and whether essential parts of the vehicle are present. Flat tires, removed parts, condition of the exterior, or any other specific evidence could support a finding that the vehicle violates this section.

- The ordinance revision reduces the seven-day waiting period to 24 hours for vehicles left on property owned or operated by the City and to two hours for vehicles left on private property without the consent of the owner, occupant, or lessee. This will assist owners of vacant lots in ridding their property of unauthorized "fixit" shops. This waiting period is the same as the County's.

- In order to allow individuals to pursue the restoration of old vehicles, vehicles may be kept as long as specific concealment and/or enclosure requirements are met. One vehicle may be in the rear yard if it is adequately concealed from public view by a canvas covering; others must be kept in a garage or building which completely encloses them.

- In unusual circumstances where the owner will not cooperate and a vehicle can't be towed (e.g., vehicle may be blocked by another vehicle), we will issue a $25 citation for non-compliance. (Each day that the vehicle is not in compliance is a separate offense; therefore a $25 citation can be issued for each day of non-compliance.)

Effective Date — As written the amendment will become effective in 90 days. This will give the Community Improvement Division the opportunity to train Community Improvement Inspectors to enforce the ordinance, review and revise administrative procedures to address this problem and provide a public information effort designed to gain compliance before enforcement.

Enforcement — We will respond to citizens' complaints and based on the number of complaints and the impact to current staffing levels, will be coming back to Council at budget time with a recommendation.

Option — As an option, if Council wants us to begin with an aggressive and increased level of enforcement, one Community Improvement Inspector I and a permanent part-time Office Assistant III would be needed, and we would include an action on the October 10 consent agenda for your approval. The cost for the remainder of the year for the two positions would be $29,305.00.

Clearances: Operations Department, Legal, Budget and Evaluation.

Attachment No. 3

6. Recommend approval of October 5, 1988 workshop agenda.

The following are items proposed for the October workshop. The workshop will be on Wednesday, October 5, at 5:00 p.m. in the Government Center. (The North Carolina League of Municipalities meeting in Asheville is Monday and Tuesday, October 3 and 4.)

Annexation status.
Report of City Manager's Task Force on Belmont neighborhood.
Motor Transport productivity report.
Review of Council policies on medians, trees and sidewalks as part of road construction projects.
Productivity Committee response.
Alternatives for reducing the time for zoning meetings.

7. Recommend acquisition of Elizabeth Price Crockford property.

Request Authorization to Purchase

Council is requested to authorize the City Manager to proceed with exercising our option to purchase the 18.9 acre Crockford property adjacent to the new Charlotte Coliseum. Funding is available from previous appropriations for this project.

Background: Lease/Purchase of Crockford Property

In 1985, the City Council instructed staff to begin working with the Chamber of Commerce, the County Commission and the Crockett family to identify a site for a new baseball stadium. During a very lengthy study and evaluation of alternative sites, approximately 18.9 acres of property adjoining the Coliseum site and the State Regional Farmers Market was identified as the best location for a minor league stadium, (Tract "A" on the attached map).

The elderly property owner, Mrs. Elizabeth Price Crockford, agreed to give the City a long-term lease for the property and allowed us the option to purchase the property after her death.

Additional Land Needed

In addition to negotiations with Mrs. Crockford, the City also was required to seek additional property from the State Farmers Market. The tracts are identified on the attached map as Tract 1 and Tract 2. Tract 2 was

acquired in order to enhance the Crockford property, has 100 ft. frontage on Yorkmont Road, and is adjacent to the Crockford property. The City has fee simple title to Tracts 1 and 2.

Council Authorization — Council authorized the execution of the lease/purchase agreement with Mrs. Crockford and appropriated $1 million for lease payments and eventual acquisition. The annual lease payments were $84,000. The acquisition price, if purchased before 1991, would be $829,080. After 1991, the purchase price would increase 5% per year.

Available Option to Purchase — Mrs. Crockford died in May, 1988 and the City now has the option to purchase the subject property and discontinue our semi-annual lease payments which average $6,909 per month. The effective current monthly cost to the City, after deducting interest earnings the City receives from the money set aside for purchase, amounts to $1,520.

Valuable Asset — Although the baseball stadium project has been abandoned, the City has a very valuable asset adjacent to our new Coliseum. The purchase price of ~~$892,080~~ $829,080 represents approximately ~~$47,200~~ 43,866 per acre. Comparables in the area are currently selling for $90,000 to $175,000 per acre.

Future Need for Property — Potential uses for the site are numerous. CDOT has identified this location for another possible entrance to the Coliseum off Billy Graham and Yorkmont. The Coliseum Authority previously discussed using the area for additional parking. A public/private use incorporating a major hotel has been suggested. Several other development opportunities have been proposed which complement our Coliseum and Lincoln Property's Coliseum Center development.

Attachment No. 4

BUSINESS

8. Recommend adoption of a resolution authorizing the setting of the Department of Transportation's Disadvantaged Business Enterprise 1989 goals for projects funded by the Urban Mass Transportation Administration.

Goals Required — Since FY1984, Federal legislation has required the setting of a percentage of the anticipated contract dollars as a goal for award to both Disadvantaged Business Enterprises (DBE) and Women's Business Enterprises (WBE) for Urban Mass Transportation Administration (UMTA) funded projects. (In 1987 the two terms -

Disadvantaged Business Enterprise and Women's Business Enterprise - were combined into one term - Disadvantaged Business Enterprise.)

1989 Goal

It is recommended that the FY89 goal to be submitted to UMTA be set at 13% of all transit related contracts. This is the same goal as set for last fiscal year. Preliminary year-end results show that we will achieve 16.7%.

Basis for 13% Goal

The achievement of 16.7% for last fiscal year's goal of 13% can be attributed in part to a WBE's successful fuel bid. Without any construction projects for FY89 and in the absence of a WBE fuel award, it is felt that 13% is a reasonable goal for FY89.

Clearances: The City Attorney has approved the resolution as to form, and the Purchasing Department recommends approval.

9. Recommend authorization to file an amendment to 1987 grants from the Urban Mass Transportation Administration (UMTA) and the North Carolina Department of Transportation (NCDOT) to allow for purchase and rehabilitation of 10 used articulated buses instead of new ones.

This item was deferred at the last Council meeting.

UMTA/NCDOT Grants to Purchase Articulated Buses

On October 6, 1986, Council adopted a resolution authorizing the City to apply for UMTA and NCDOT grants for the purchase of ten articulated buses and other capital equipment such as radios, spare components, etc. These grant applications were in support of a five year financial plan for the Charlotte Transit System that Council adopted in May, 1983. The financial plan stated, "Policy IV is to expand the transit system to accommodate the City's goals for ridership while selecting equipment properly sized for productivity." The policy called for the annual purchase of 20 buses and related equipment, cited experimenting with articulated vehicles, and supported modernization of equipment and facilities.

The original approved grant project totalled $2,938,200 with UMTA's participation at $2,350,260 (80%); the NCDOT at $293,820 (10%); and the City's 10% contribution at $293,820.

Bids for Articulated Buses

The City took bids for 10 new articulated buses and the equipment necessary to put them into service. At bid opening, only one manufacturer bid, and the cost of each bus was approximately $80,000 more than was available under the grant.

Cost/ Benefit Ratio

Department of Transportation staff reevaluated the need for articulated buses, and determined that while the need was still appropriate, the cost/benefit ratio was skewed because of the rapid increase in cost.

Recommend Purchase of Marta Buses

It is recommended that the City purchase 10 Marta articulated buses for $10,000 each for a total of $100,000. Refurbishment, which will cost approximately $100,000 each, or $1 million, will include new seats, new flooring, new bellows (the accordion connection between the two sections), painting, installation of openable windows, engine overhall, and mechanical repairs. This refurbishment should give these vehicles a 10 year life expectancy.

In addition, the City will purchase two spare transmissions for $20,000, and associated maintenance items that total $75,000. (Marta also has about $250,000 worth of new spare parts that we would be able to buy for $100,000 from CTS's operating budget.)

Project Funds Reduced

Because purchase/refurbishment of old buses instead of purchasing new is a change of the grant's scope as far as UMTA is concerned, this action amending the grant is necessary for UMTA's approval and authorization to proceed. The cost of refurbishment etc. is less, so the full amount in the original grant contract won't be needed.

Savings

The original grant budgeted $1,944,000 for the purchase of the ten buses. With this amendment the cost will be approximately $1,175,000, a substantial savings.

The total grant project will be reduced from $2,938,200 to $2,189,200, a reduction of $749,000. The City's already appropriated 10% share will be reduced from $293,820 to $218,920.

Attached is a report from CDOT on the articulated bus purchase.

Attachment No. 5

10. Recommend (1) adoption of a budget ordinance appropriating funds to purchase an Automated Fingerprint Identification System (AFIS), and (2) award of bid to the low bidder, Identification and Security Systems, Inc. of Albany, New York, in the amount of $1,101,851.00 for the Automated Fingerprint Identification System.

Description of AFIS — The Automated Fingerprint Identification System, AFIS, is a custom designed system of hardware, software, and image processing. AFIS provides a highly accurate and efficient tenprint identification capability which can detect arrestees who attempt to use aliases in order to escape identification and association with their previous criminal records. AFIS will also match unidentified latent prints collected at crime scenes against a large computerized database of fingerprints of prior arrestees. AFIS has the capability to store unsolved latent prints and to automatically match those prints against new tenprint records added to the database.

Need — Since tenprint identification is currently done manually, the computerization of this function, through AFIS, will allow more rapid and accurate identification of arrestees. This system's capability to match latent prints should enhance the Police Department's ability to identify suspects and increase its case clearance rate.

Funds — Purchase of AFIS requires adoption of an ordinance appropriating funds from three sources: Capital Equipment Fund Fund Balance, Drug Forfeiture Receipts, and transfer of funds appropriated to the Police Department for Capital Outlay purchases now deferred.

11. Appointments to Boards and Commissions.

A. Citizens Advisory Committee, Convention and Visitors Bureau - The following nominations have been made for three unexpired terms ending March 30, 1989:
   a) Angela Cureton, nominated by Councilmember Dannelly.
   b) Joyce Rice, nominated by Councilmember Patterson.
   c) Cathy Jones, nominated by Councilmember Scarborough.
   d) Jim Brucki, nominated by Councilmember S. Campbell.
   e) Carole Clark, nominated by Councilmember Vinroot.

B. Council on Aging - The following nominations have been made to fill an unexpired term ending March 30, 1991:
   a) Dr. Valeria Granger, nominated by Councilmember Clodfelter.
   b) Dr. Mark O'Rourke, nominated by Councilmember Vinroot.
   c) Beth Brown, nominated by Councilmember Patterson

* * * * * * * * *

The City Attorney advises that agenda items no. 12 through 21 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

* * * * * * * * *

ACCEPT GRANT/BUDGET ORDINANCE

12. Recommend adoption of a resolution accepting Federal Aviation Administration grant of $6,605,476.00 and adoption of an ordinance appropriating these grant monies to provide funding for Concourse B ramp expansion, other high priority airfield improvements, and reimbursement for land acquisition costs.

$6,605,476.00 FAA Grant

The following bid section of the agenda (A & B) contains recommendations for the award of two low bid items for airfield improvements at the Airport. A Federal Aviation Administration grant of $6,605,476.00 will provide Federal funding for 75 percent of the project costs for these improvements. The remainder of this Federal grant reimburses the City for 75 percent of costs incurred in previously acquired F.A.A. eligible land.

Concourse B Ramp Expansion and Other Improvements

A portion of this grant is to provide funding for several high priority airfield improvement projects, shown on the attached sketch as follows:

1. Construct expansion to Ramp B
2. Construct extension to Taxiway M
3. Construct highspeed exit taxiway from Runway 18R
4. Construct highspeed exit taxiway from Runway 36R

High Priorities

These airfield and safety-related improvements are identified as high priorities in the Airport Master Plan. By improving air traffic flow, both aircraft ground noise and air pollution will be alleviated.

ITEM NO.

Funds:

$6,605,476.00	FAA funds
1,414,190.00	City's share - 1987 Airport Revenue Bonds already appropriated

The City's share is debt-serviced by the airlines through landing fees under the terms of their lease agreements.

Clearances: The Federal Aviation Administration and the Airlines concur in this project.

Attachment No. 7

12A & 12B addendum items

BID LIST

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

A. AIP-011 Airfield Improvements — Airport

Recommendation: The Airport Manager recommends that the low bid from Blythe Industries, Inc. in the amount of $5,111,325.25 be accepted for award of contract on a unit price basis.

Project Description: This contract addresses ramp traffic congestion and improves airfield capacity in accordance with the requirements of the Airport's Master Plan.

The City and the airlines have agreed to the construction of these improvements.

Source of Funding: Airport Terminal Capital Project Fund - (Airfield Improvements 1989 - FAA Grant and 1987 Airport Revenue Bonds).

B. AIP-011 Airfield Improvement Quality Control Testing — Airport

Recommendation: Recommend award of contract to Eastern Engineering in the amount of $150,000.00 to provide material testing services for the AIP-011 Airfield Construction project at the Airport.

Project Description: This contract provides for the quality control testing for work associated with extension of taxiway M, extension of Ramp B, construction of exit ramps at runways 18R and 36R.

Source of Funding: Airport Terminal Capital Project Fund - (Airfield Improvements 1989 - FAA Grant and 1987 Revenue Bonds)

C. Idlewild Road at Lawyers Road Park & Ride Lot — Engineering

Recommendation: By the City Engineer that the low bid of $184,534.32, as submitted by Crowder Construction Co., be accepted for award on a unit price basis.

Project Description: This project will construct a City-owned parking lot at the intersection of Idlewild Road North and Lawyers Road for transit system riders to park their cars and ride the bus to the inner city. It is being 80% funded by a grant from the Urban Mass Transit Administration.

Source of Funding: Public Transportation Capital Improvement Fund - (Park and Ride Lots - UMTA and State DOT Grants and Transit Facility Bonds; 80-10-10 funding formula).

D. Parking Lot Repair Package #2 — Engineering

Recommendation: By the City Engineer that the low bid of $148,637.94, as submitted by Blythe Industries, Inc., be accepted for award on a unit price basis.

Project Description: This project is part of the ongoing parking lot repair program and consists of performing base repair and resurfacing City owned parking lots.

Source of Funding: General Capital Improvement Fund - Resurface Parking Lots - Pay-As-You-Go Funding).

Items E. through M. are low bid recommendations for chemicals which are estimated quantities to be used during the coming year for water and wastewater treatment.

E. 20 Tons Aluminum Sulfate, (Ground Alum) — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Delta Chemical Corporation, Baltimore, Md., in the amount of $4,670.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (Franklin Water Treatment Plant, Vest Water Treatment Plant, Davidson Water Treatment Plant).

F. 650 Tons Hydrated Lime, Chemical, Bags — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Virginia Lime Company, Ripplemead, Virginia, in the amount of $48,425.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (All Water and Wastewater Treatment Plants - Chemicals for Water Treatment).

G. 100 Tons Activated Carbon — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Acticarb, Inc., Dunnellon, Florida, in the amount of $64,365.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (Franklin, Vest and Davidson Water Treatment Plants - Chemicals for Water Treatment).

H. 730 Tons Liquid Chlorine — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Jones Chemicals, Inc., Charlotte, N.C., in the amount of $362,080.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (All Water and Wastewater Treatment Plants - Chemicals for Water Treatment).

I. 180 Tons Sodium Silicofluoride — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Lucier Chemical, Ltd., Clayton, Mo., in the amount of $93,654.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (Franklin, Vest and Davidson Water Treatment Plants - Chemicals for Water Treatment).

J. 600 Tons Liquid Hydrogen Peroxide, 70% — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, FMC Corporation, Charlotte, N. C., in the amount of $402,000.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (Odor Monitoring and Control Division - Chemicals for Water Treatment).

K. 864 Tons Aluminum Sulfate, (Liquid Alum) — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, American Cyanamid Company, Wayne, N. J., in the amount of $106,056.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (Franklin, Vest and Davidson Water Treatment Plants - Chemicals for Water Treatment).

L. 825 Tons Hydrated Lime, (Chemical, Bulk) — Charlotte-Mecklenburg Utillity Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Virginia Lime Company, Ripplemead, Va., in the amount of $49,665.00, be accepted for award of contract on a unit price basis.

Source of Funding: Water and Sewer Operating Fund - (All Water and Wastewater Treatment Plants - Chemicals for Water Treatment).

M. 180 Tons Sodium Bicarbonate — Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Ace Chemical Corporation, Charlotte, N. C., in the amount of $48,600.00, be accepted for award of contract on a unit price basis.

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

RESOLUTION

14. Recommend adoption of a resolution authorizing the City Manager to apply for a loan not to exceed $3,000,000 from the State Clean Water Revolving Loan and Grant Program for the construction of various water and wastewater projects in Mecklenburg County.

Low interest funds available — The North Carolina Clean Water Revolving Loan and Grant Act of 1987 was adopted by the General Assembly to provide low-interest funding source for municipal water and wastewater capital facilities. The maximum grant amount that a governmental unit may apply for in one year is $3 million.

City projects — There are certain eligibility requirements that must be met in order to receive a loan. The City intends to use these funds to assist with funding for the Franklin Water Treatment Plan expansion program, and the 60-inch raw water main project.

Savings to City — The benefit to the City of applying for this $3 million loan is that the interest rate is less than we would pay on general obligation bonds. The interest rate will be about one half the national market rate for tax exempt

general obligation debt, or four percent, whichever is less. (The last time we sold bonds on June 8, 1988, the average net interest cost was 7.2 percent.) The City is, therefore, saving about one half on interest costs. The repayment period is 20 years which is consistent with the City's general obligation repayment schedule.

Clearances: Finance, Utilities.

CONTRACT

15. Recommend approval to enter into a joint venture contract with Presbyterian Health Services Corporation to share the expense for planning street improvements on Hawthorne Lane, Fourth Street and Caswell Road at a City cost not to exceed $10,645.

Private sector Leveraging	As part of the 1987 bond package, Street Improvement Bonds were approved which included a Private Sector Leveraging Program to provide incentive funds for encouraging private sector participation in transportation projects.
Partnership with Presbyterian	Representatives of Presbyterian Health Services Corporation recently contacted staff concerning formation of a public/private partnership with the City for improving roads and intersections surrounding Presbyterian Hospital.
Intersections to be improved	Intersections to be addressed include: Caswell and 4th/Randolph, 4th Street and Hawthorne Lane/Queens Road and a radius improvement at Elizabeth Avenue and Hawthorne Lane. A traffic engineering firm hired by the hospital has shown traffic flow associated with the hospital could benefit from street improvements at these locations. The 1986 Traffic Operations Plan (TOP) indicates the need for improvements at these locations. (The TOP is a Charlotte Department of Transportation manual that is prepared yearly which shows high congestion/high accident locations throughout the City and which CDOT uses in setting priorities and as a guideline for TSM intersection improvements.)
Cost Sharing	Engineering, Transportation and Planning Department staff met with Presbyterian Health Services Corporation representatives to discuss the desired street improvements and possible cost sharing arrangement. City staff has proposed a 50/50 cost sharing

partnership with Presbyterian Health Services Corporation.

Planning/ public input

The first stage of the partnership will be for planning/public input at a total cost not to exceed $21,290. During this stage, City and hospital representatives will meet with board of directors for the Elizabeth Community Association and the Myers Park Homeowners Association to discuss potential improvement options. Public meeting(s) will also be conducted during this stage. CDOT, Engineering, and Planning staffs will be closely involved.

Contract Administration

Presbyterian Health Services Corporation will administer a contract with Wilbur Smith Associates and other professional firms for required services. The Engineering Department will approve payments to Presbyterian Health Services Corporation for the City's portion of costs.

Future Contract

Upon completion of the planning/public input stage, it is anticipated City Council will be asked to approve entering into a second contract for joint venture on the design, right-of-way acquisition and construction of the improvements.

Funding:

Capital Improvement Program TSM Intersection Account.

Clearances:

CDOT, Engineering and Planning Department staff.

CONTRACT

16. Recommend approval of a professional services contract at a cost not to exceed 112,210.00 with Clary, Martin, McMullen and Associates, Inc., an MBE firm, to provide architectural design services for the proposed new FIS (federal inspection services) facility to be located on the ramp level of Concourse D.

Concourse D International Passenger Arrivals

On April 6, 1987, City Council authorized the City to proceed with all projects contained in the 1987 Revenue Bond issue, one of which was construction of new Concourse D to handle commuter and international operations. As part of the international facility, a new FIS facility to handle 400 passengers per hour will be constructed.

Proposed Contract: The proposed contract with Clary, Martin, McMullen and Associates, Inc. will provide architectural design services for the new FIS facility at a cost not to exceed $112,210.00.

Funds: Funds are available in the 1987 Revenue Bond Construction Fund.

Clearances: Odell Associates, Inc., architect, and Day and Zimmermann, Inc., project manager, concur in this request.

AGREEMENT

17. Recommend continuation of the agreement dated December 21, 1961 between the City of Charlotte and the U.S. Geological Survey for the period from July 1, 1988 through June 30, 1989.

Agreement with U.S. Geological Survey: The City of Charlotte and Mecklenburg County have had an agreement with the U.S. Geological Survey since 1961. Under this agreement, local cooperative funds and direct expenditure items are matched essentially dollar for dollar by funds of the U.S. Geological Survey.

Services provided by USGS: Services include: 1) stream flow measuring analyses to observe the effects of development on flood heights, 2) detailed investigations to determine the effects of land use on the quality of both surface and ground-waters (example-landfills), 3) updating of floodway maps in the Charlotte-Mecklenburg area.

Funds: The City's contribution is $78,570, (funds of $51,000; in-kind services of $27,570) matched by USGS funds of ~~$78,580~~ for a total program value of ~~$157,150.00~~.

$78,570 $157,140 00

Clearances: Budget and Evaluation, Parks & Recreation, Operations, and the Engineering Departments.

CHANGE ORDER

18. A. Recommend approval of Change Order No. 1 to the paving and utilities contract for the USAir/Piedmont maintenance facility for $60,555.47.

Contract: USAir/Piedmont Maintenance Facility
Roadway Paving and Utilities Phase
Contractor: Crowder Construction Company
Date of Award: October 26, 1987
Contract Amount to Date: $1,533,876.80
Change Order Number 1: $ 60,555.47
New Contract Amount: $1,594,432.27

This change order adjusts the contract amount to reflect unit cost as confirmed by actual field data instead of the estimated quantities projected by the contract.

Funds: 1987 Airport Special Facility Revenue Bonds

Clearances: USAir/Piedmont Airlines and Day and Zimmermann, Inc., project manager.

B. Recommend approval of Change Order No. 5 for $35,783.55 for the electrical construction contract with Howell Electric, Inc. for Concourse A and terminal building expansion, shell package.

Contractor: Howell Electric, Inc.
Date of Award: December 31, 1985
Contract Amount to Date: $1,207,672.00
Change Order Number 5: $ 35,783.55
New Contract Amount: $1,243,455.55

This change order adjusts the contract to include work added to the requirements of the original contract documents. Changes include: installation of improved closed loop water piping for the emergency generator, installation of 12 power transformers, repair of main breaker in the existing switch gear, installation of steel framing to support electrical equipment and to relocate controllers serving two air handling units. This change order represents the final cost for this contract.

Funds: 1985 Airport Revenue Bonds Issue

Clearances: Odell Associates, Inc. (Architect) and Day and Zimmermann, Inc., project manager.

SETTLEMENT

19. A. Recommend that the City compromise and settle an inverse condemnation action by Betsy H. Herrin against the City for the total amount of $277,855.00.

Inverse Condemnation

On August 26, 1980, Betsy H. Herrin filed an inverse condemnation action against the City of Charlotte. After several years of unsuccessful attempts on the part of the City to resolve this matter, the City filed a counterclaim to condemn the property (5.5 acres) and made a deposit on September 1, 1987 of $100,000.00.

Settlement

The plaintiff has agreed to settle this condemnation for the fair market value of $262,750.00, plus interest at the legal rate through September 30, 1988 of $14,105.00, plus moving expenses of $1,000, for a total of $277,855.00. This litigation has been proceeding for eight years. Settlement at this point would avoid the additional costs of trial, appraisers for the plaintiff and the defendant, as well as the outside attorney's fees for the City.

Funds:

Funds are available from the 1985 Airport Revenue Bonds to cover this settlement.

Clearances:

City Attorney, Airport Manager.

B. Recommend that the City compromise and settle the condemnation against Masco, Inc. for a total amount of $110,000.00.

Condemnation by City

The City condemned this land on the corner of Independence Boulevard and Idlewild Road on October 6, 1987 and deposited $71,100 as its estimate of just compensation. The condemnation action involves land necessary for the intersection improvements at that location. The site is occupied by a fast food restaurant.

Settlement

The property owner has contended that the loss of a number of parking spaces directly in front of its establishment will directly affect its ability to lease the property to a new tenant. Furthermore, the inclusion of medians on Idlewild Road restricts the flow of traffic into and out of the site. The property owners demanded $150,000 but have agreed to compromise this matter for a total of $110,000.

In light of the City's appraisals, and the risks associated with trial, it is recommended that the defendants offer be accepted. This offer includes any and all interest, attorney's fees or other costs that the defendant may claim.

Funds: General Capital Improvement Fund. Idlewild Road Improvement Capital Account.

Clearances: Real Estate and Legal.

UTILITY CONTRACTS

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

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

1. Robert C. Rhein Interests, Inc., to construct 1,435 linear feet of 8-inch water main, 2,830 linear feet of 6-inch water main and 2,635 linear feet of 2-inch water main to serve McDowell Farms Subdivision, located east of York Road, west of Nations Ford Road and north of Arrowood Road, inside the Charlotte City Limits. Estimated Cost - $132,000.00. Water Contract No. 100-88-193.

2. First Colony Group Ltd., to construct 1,750 linear feet of 8-inch water main, 2,955 linear feet of 6-inch water main and 5,055 linear feet of 2-inch water main to serve Northwoods At Coulwood Phase III, located south of Mt. Holly-Huntersville Road, east of South Ford Road and west of Mountain Aire Circle, outside the Charlotte City Limits. Estimated Cost - $150,000.00. Water Contract No. 100-88-059.

3. Caroleen-Henderson Enterprises, Inc., to construct 1,649 linear feet of 12-inch water main, 145 linear feet of 8-inch water main and 674 linear feet of 2-inch water main to serve Cedarfield Plantation Phase 5 Subdivision, located north of McIlwaine Road, south of Gilead Road and west of McCoy Road, outside the Charlotte City Limits. Estimated Cost - $51,000.00. Water Contract No. 100-88-165.

4. Equity Ventures, Inc., to construct 1,400 linear feet of 12-inch water main, 850 linear feet of 8-inch water main, 1,405 linear feet of 6-inch water main and 1,985 linear feet of 2-inch water main to serve Walker's Creek Subdivision, located south of York Road, west of Carowinds Boulevard and east of N.C. Highway 49, outside the Charlotte City Limits. Estimated Cost - $110,000.00. Water Contract No. 100-88-097.

5. Robert C. Rhein Interests, Inc., to construct 6,456 linear feet of 8-inch sanitary sewer main to serve McDowell Farms Subdivision, located east of York Road, west of Nations Ford Road and north of Arrowood Road, outside the Charlotte City Limits. Estimated Cost - $225,960.00. Sanitary Sewer Job No. 100-87-744.

PROPERTY TRANSACTIONS

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

Acquisitions

(1) Project: General Airport Land Acquisition
Owner(s): Elizabeth B. Boykin
Property address: 5737 Piney Top Drive
Property to be acquired: 1.79 acres of land, including improvements.
Improvements: Single family residential house and detached garage.
Price: $80,500.00

(2) Project: General Airport Land Acquisition
Owner(s): Frederick M. Glisson
Property address: 5101 West Boulevard
Property to be acquired: 1.007 acres ± of land
Improvements: vacant land
Price: $48,300.00

Condemnations

(3) Project: Street improvements - Mill Road/Solomon Street/ Dixon Street
Owner(s): Jiten Pandya and any other parties of record
Property address: 216 Mill Road
Property to be condemned: ~~7,945~~ square feet (0.182 acres) 229 sq ft + temp const easement
Improvements: N/A
Condemnation price: $200.00
Reason for condemnation: Property owner offered $515.00 for right of way and severance damages. Owner refused offer and made a counteroffer of $1,000.00. The appraisal was $200.00. Condemnation is recommended.

(4) Project: Rama Road Widening Project
Owner(s): I. Grier Wallace, Jr.; Jeanne S. Wallace; J. Lightsey Wallace, Jr.; Louise B. Wallace and any other parties of record
Property address: 1700 block of Rama Road
Property to be condemned: 7,924 square feet (0.182 ac.) plus 24,230 square feet of temporary construction easement
Improvements: N/A
Condemnation price: $5,500.00
Reason for condemnation: Property owners designated agent has been contacted five times, but refuses to negotiate and will not submit a counteroffer.

(5) Project: Rama Road Widening Project
Owner(s): Jacob Lightsey Wallace, Jr., Louise B. Wallace, and any other parties of record
Property address: 1831 Rama Road
Property to be condemned: 246 square feet (0.006 ac.) plus 1,200 square feet (0.028 ac. of temporary construction easement)
Improvements: N/A
Condemnation price: $400.00
Reason for condemnation: Property owners designated agent has been contacted five times, but refuses to negotiate and will not submit a counteroffer.

(6) Project: Rama Road Widening Project
Owner(s): I. Grier Wallace, Jr.; Jeanne S. Wallace; J. Lightsey Wallace, Jr.; Louise B. Wallace and any other parties of record
Property address: 1801 Rama Road
Property to be condemned: 306 square feet (0.007 ac.) plus 1,888 square feet (0.043 ac.) of temporary construction easement
Improvements: N/A
Condemnation price: $425.00
Reason for condemnation: Property owners designated agent has been contacted five times, but refuses to negotiate and will not submit a counteroffer.

(7) Project: Rama Road Widening Project
Owner(s): I. Grier Wallace, Jr.; Jeanne S. Wallace; J. Lightsey Wallace, Jr.; Louise B. Wallace and any other parties of record.
Property address: 1800 Rama Road
Property to be condemned: 70 square feet (0.002 ac.) plus 3,625 square feet (0.083 ac.) of temporary construction easement.
Improvements: N/A
Condemnation price: $400.00
Reason for condemnation: Property owners designated agent has been contacted five times, but refuses to negotiate and will not submit a counteroffer.

(8) Project: Rama Road Widening Project
Owner(s): I. Grier Wallace, Jr.; Jeanne S. Wallace; J. Lightsey Wallace, Jr.; Louise B. Wallace and any other parties of record.
Property address: 1900 Block of Rama Road
Property to be condemned: 131 square feet (0.003 ac.) plus 2,200 square feet (0.051 ac.) of temporary construction easement
Improvements: N/A
Condemnation Price: $500.00
Reason for condemnation: Property owners designated agent has been contacted five times, but refuses to negotiate and will not submit a counteroffer.

(9) Project: Rama Road Widening Project
Owner(s): I. Grier Wallace, Jr.; Jeanne S. Wallace; J. Lightsey Wallace, Jr.; Louise B. Wallace and any other parties of record.
Property address: 1733 Rama Road
Property to be condemned: 458 square feet (0.011 ac.) plus 6,678 square feet (0.153 ac.) of temporary construction easement
Improvements: N/A
Condemnation price: $1,500.00
Reason for condemnation: Property owners designated agent has been contacted five times, but refuses to negotiate and will not submit a counteroffer.

SCHEDULE OF MEETINGS
September 26 - October 7, 1988

Monday, September 26	COUNCIL-MANAGER LUNCHEON	1:00 p. m.
	CITIZENS HEARING	2:00 p. m.
	COUNCIL MEETING Meeting Chamber, CMGC	2:30 p. m.
Sunday - Tuesday, October 2 - 4	N. C. LEAGUE OF MUNICIPALITIES Asheville, N. C.	
Wednesday, October 5	CITY COUNCIL WORKSHOP Training Center, City Hall Annex	5:00 p. m.