AGENDA

Meeting Type:	BUSINESS
Date:	09/08/1997

City of Charlotte, City Clerk's Office

Mayor Patrick McCrory *Mayor Pro Tem Al Rousso*

Charles Baker
Patrick Cannon
Malachi Greene
Mike Jackson
Nasif Rashad Majeed
Don Reid
Ella Butler Scarborough
Tim Sellers
Sara Spencer
Lynn Wheeler

Council Agenda

CITY COUNCIL MEETING

Monday, September 8, 1997

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

6:00 p.m.

- **Reception for the Mecklenburg Delegation**

7:00 p.m. — **Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Awards and Recognitions**
- **Formal Business Meeting**

CITY COUNCIL AGENDA

Monday, September 8, 1997

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. **Solid Waste Update**

2. **Coliseum Easement Agreement**

6:00 P.M. RECEPTION FOR THE MECKLENBURG LEGISLATIVE DELEGATION

7:00 P.M. AWARDS AND RECOGNITIONS
MEETING CHAMBER

CONSENT

3. **Consent agenda items 14 through 30 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

4. City Manager's Report

5. Annexation Resolution of Consideration

Action: City Council is asked to adopt a Resolution of Consideration for each of 12 Annexation Study Areas. A series of official maps of each study area will be adopted as formal boundaries and will be on file with the City Clerk.

Staff Resource: Dick Black

Focus Area: Economic Development

Policy: City Annexation Policy and State Annexation Statutes

Explanation of Request:

- An individual Resolution of Consideration is to be adopted for each of 12 study areas The 12 study areas are
  - I-77/Reames Road
  - Prosperity Church Road/Eastfield Road
  - I-85/Mallard Creek Church Road
  - Back Creek/Reedy Creek/McKee Creeks
  - Sardis Road
  - Ballantyne
  - South Boulevard/U S 521
  - York Road/Steele Creek Road
  - Steele Creek Road/Shopton Road
  - Parkway Plaza
  - West Boulevard
  - I-85/Moores Chapel Road
- Detailed studies will be conducted in the coming year to determine what part (or all) of each study areas is eligible, and those areas will then be submitted for annexation Areas identified would be considered for annexation effective June 30, 1999

- Under State law, areas being considered for annexation must be identified at least one year before the beginning of formal annexation proceedings This is accomplished through adoption of a Resolution of Consideration which delineates the geographical area under consideration City Council must then wait one full year (but not more than two years) before initiating formal annexation proceedings

- The Planning Commission staff has identified 12 areas which appear likely to qualify for annexation during the two-year life span of the resolution

- The following is a tentative timetable of Council actions in the annexation process

  - September 1997 - Adopt Resolution of Consideration, outlining general areas that may be eligible

  - September 1998 - Adopt Resolution of Intent, given specific boundaries of proposed annexation areas

  - October 1998 - Approve Annexation Reports

  - November 1998 - Hold Public Hearings

  - January 1999 - Adopt Annexation Ordinances

  June 30, 1999 - Effective Date of Annexation

Attachment 1
Maps of the 12 Annexation Study Areas

6. Service Contracting Guidelines

Action: **Approve recommendation of the Restructuring Government Committee concerning the Privatization/Competition Advisory Committee's recommended revisions to the Guidelines for Services Contracting**

Committee Chair: Charlie Baker

Staff Resources: Doug Bean and Julie Burch

Focus Area: Restructuring Government

Policy: Privatization/Competition Policy

Explanation of Request:

- In 1994, the City Council adopted a set of guidelines for competition and services contracting These guidelines served the Privatization/Competition Advisory Committee (PCAC) and the City staff well as the process began With three years of experience, much has been learned We believe the guidelines need to be revised to incorporate lessons learned The revised guidelines reflect four basic areas of improvement

  1. A new section has been added for monitoring of contractors Simply going through the bidding process is not all that is involved in competition/contracting An adequate monitoring process is being established to insure contractor adherence to specifications

  2. The revised guidelines more specifically speak to the writing of specifications and Request for Proposals (RFP) One of the keys to a successful bidding situation is to have clearly written specifications that do not favor one bidder over another When the City is a participant it becomes even more important that an RFP is written in an objective manner

3 The process of reviewing proposals is more clearly spelled out in the revised guidelines Formal evaluation teams are called for with contracts in excess of $500,000 per year For contracts that are less than $500,000 a year, there is an informal process which still requires objectivity in proposal review

4 The structure of guidelines has been changed to reflect the sequence of events beginning with the preparation of specifications and ending with contract monitoring This format is more user friendly for Key Business Executives as they implement their competition plans

- The drafting of the revised guidelines was a task of a special sub-committee of the Privatization/ Competition Advisory Committee and the City staff The PCAC voted unanimously to recommend the revised guidelines to the City Council and the staff concurs with their action

Committee Discussion: On August 18, 1997, the Restructuring Government Committee met with the Privatization/Competition Advisory Committee to review recommended revisions to the Guidelines for Services Contracting The revisions were approved by a vote of 2-1 with Councilmember Malachi Greene dissenting

Attachment 2
Revised Guidelines for Services Contracting

7. Charlotte-Mecklenburg Development Corporation

Action: **Approve the establishment, in partnership with the County and Charlotte Chamber, of the Charlotte - Mecklenburg Development Corporation to initiate and promote commercial economic development in the City Within A City area.**

Committee Chair: Lynn Wheeler

Staff Resource: Tom Flynn

Focus Areas: Economic Development and City Within A City

Policy: Business Retention and Expansion

Explanation of Request:

- The Charlotte-Mecklenburg Development Corporation is a tool to promote retention and expansion of existing companies and jobs and the creation of new jobs in the CWAC area The Corporation will accomplish this by initiating and promoting commercial economic development in the CWAC area through the following activities

  - Identification, planning and implementation of redevelopment projects,

  - Attraction and management of investment capital and low interest loan pool,

  - Marketing of redevelopment projects in the CWAC area to commercial developers,

  - Selection of private developers for redevelopment projects, and

  - Working with surrounding property owners and neighborhoods to ensure that redevelopment meets their needs

- The Development Corporation's first significant project will be the CWAC Business Park This organization is needed to bring together the public and private resources necessary to successfully complete this and other complicated redevelopment projects Without this organization the City would have to develop this public/private partnership for each redevelopment project

- The Development Corporation will have a Board of 15 people 6 representing government, 6 representing business, and 3 representing CWAC neighborhoods The City Council will appoint two citizens The Chairmen of the Council CWAC and Economic Development Committees will also sit on this Board, along with a representative of the City Manager

- If Council approves this item, they can make nominations for these appointments in item 11A of this agenda

Committee Discussion: The proposal was presented to the Council Economic Development and Planning Committee but no formal action was requested However, there was general support for the proposal City Council received a presentation on the Development Corporation at the August 25 Council Dinner

Funding: The Corporation will be funded by grants, private sector donations, and project income The Corporation will bring back a more detailed operating and capital funding plan at the beginning of 1998 Mecklenburg County has contributed $100,000 and the private sector $250,000 for the operating costs of the Development Corporation Council authorized $200,000 in the FY98 CIP for predevelopment expenses (appraisals, environmental studies, land options) of the CWAC Business Park Once the Development Corporation is established, Council will be asked to approve a contract with the Development Corporation for the use of those funds

Attachment 3
Bylaws of the Corporation

BUSINESS

8. Shared Parking Easement on Coliseum Property

Action: **Approve a Shared Parking Easement for up to 230 additional parking spaces on Coliseum property to accommodate a convention hotel.**

Staff Resource: Tim O'Brien

Explanation of Request:

- City staff has been working with Mr John Q Hammons, a hotel developer, to construct a full service hotel adjacent to the Coliseum to accommodate major spectator events such as the ACC and NCAA tournaments and other events

- Mr Hammons recently purchased nearly eight acres of land adjacent to the Coliseum to construct a Crown Plaza Hotel The 300 room full service hotel is expected to be in operation by late 1998

- The Zoning Ordinance requires 230 more parking spaces than what is available on the site The shared parking agreement satisfies the Zoning Ordinance requirements

- Mr Hammons has built many hotels across the country and based upon his experience, believes the spaces will never be utilized After the hotel has been in operation for two years, he plans to seek a variance for the 230 parking spaces

- In exchange for access to the 230 spaces on the Coliseum property, Mr Hammons proposes to pay the Coliseum Authority $5,000 per year Should the hotel utilize any of the 230 spaces, the Authority will also be paid $5 00 per day for each parking space used

- The Authority approved the shared parking arrangement during their August 13, 1997 meeting

- If Coliseum events are adversely affected by this agreement, Mr Hammons agrees to construct permanent gates, fences or other traffic management improvements, or construct replacement parking spaces on an undeveloped area of Coliseum land

- Should there ever be a situation where the 230 spaces are fully utilized, the Coliseum Authority can exercise its parking agreement with the Farmers Market

- Should the City sell the Coliseum land, Mr Hammons will either be required to purchase the shared parking area from the City for its then fair market value, or demonstrate to Building Standards an alternative way to satisfy the parking requirements

Attachment 4
Map of parking on the Coliseum land
Map of hotel site and Crescent Properties

9. Contract Between the Mecklenburg County ABC Board and the City of Charlotte

Action: **Approve a contract between the Mecklenburg County ABC Board and the City of Charlotte to allow Charlotte-Mecklenburg Police officers to provide assistance in enforcing State ABC laws**

Committee Chair: Don Reid

Staff Resource: Bruce McDonald

Focus Area: Public Safety

Explanation of Request:

- The Mecklenburg County ABC Board has agreed to allow designated Charlotte-Mecklenburg Police (CMPD) officers to provide assistance in the enforcement of State ABC laws

- The City sought legislative authority to give police officers an additional tool to address crime problems in areas around ABC outlets such as convenience stores and private clubs

- The primary duties of CMPD officers under the contract will be walk on visual inspection of ABC permittees ABC Law Enforcement will continue to cite all violators of ABC regulations to the State ABC Commission

- Twelve officers will be designated to assist in ABC Law Enforcement They will receive specialized training and, when engaged in ABC enforcement activity, wear uniforms similar to those of ABC agents

- The contract contains a provision whereby the City agrees to indemnify the ABC Board from any damages or lawsuits which may arise as a result of the City's performance of the contract In addition, the City has agreed to reimburse the ABC Board for any increase in liability insurance premiums which the Board may incur as a result of the contract

Committee Discussion: The Public Safety Committee discussed this issue at its February 26 meeting There was additional discussion at Council's March 3 Workshop Council subsequently included, as part of its legislative package, a bill to authorize the Mecklenburg County ABC Board to contract with the City for CMPD assistance in enforcement of ABC laws House Bill 587, which authorizes such a contract, was ratified by the North Carolina General Assembly on June 26, 1997

10. Appointment of Chair and Vice Chair for Citizens Review Board

Action: **Vote on blue paper ballots and give to Deputy Clerk at dinner so that she may be prepared to announce the results.**

A. CITIZENS REVIEW BOARD/CHAIR

1 George Daly by Councilmember Cannon
2 Anthony Fox by Councilmember Sellers
3 Bobby Miller by Councilmember Reid

B. CITIZENS REVIEW BOARD/VICE CHAIR

1 George Daly by Councilmember Baker
2 Anthony Fox by Councilmembers Scarborough and Cannon
3 Faison Kuester, Sr by Councilmember Rousso
4 Bobby Miller by Councilmember Reid
5 Suzanne Varner by Councilmember Wheeler

Attachment 5

11. Nominations for Boards and Commissions

Action: **Nominate candidates to serve on the following boards.**

A. **CHARLOTTE-MECKLENBURG DEVELOPMENT CORPORATION**
Nominate two citizens to work on promoting commercial redevelopment of the CWAC area Terms will be for three years beginning in October One appointee should represent a community based, non profit organization within the CWAC area, and the other position is at large with no category The City Clerk's Office has not yet received any applications, and nominations may remain open until appointments are made on October 13

B. **TAXICAB REVIEW BOARD**
One appointment to fill a two year term beginning immediately Appointee must have an affiliation with cab drivers This item was deferred from Council's August 25 meeting Council may nominate and appoint at this meeting if desired

Attachment 6

12. Council Orientation and Retreats

Action: **Approve a calendar for Council Orientation and Retreats**

Staff Resource: Vi Alexander Lyles

Explanation of Request: The Mayor and City Council Swearing-In Ceremony will be held December 1, 1997

The following dates are recommended for the Council orientation and retreat sessions

Orientation
Date to be determined

To review Council procedural rules, committee structures, and appointments

Partnering Retreat
November 22 or December 12, 1997
8 30 a m to 7 00 p m

To establish high priority areas for the Council work plan and review Council roles and meeting norms

Budget Retreat
January 8 - 10, 1998
Thursday 5 00 p m to Saturday Noon

To review the second year plan and Council focus areas, strategic plans, goals and other issues

13. Appraisal Dates for Council Appointees

Action:

A. Set a closed session for September 15 at 4:00 p.m. to conduct the City Clerk's evaluation.

B. Set a closed session for October 6 at 4:00 p.m. to conduct the City Attorney's evaluation.

C. Set a closed session for November 17 at 4:00 p.m. to conduct the City Manager's evaluation.

Introduction to 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 low bid, and have met MWBD criteria

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

Minority and Women Business Development Program (MWBD) Abbreviations
BBE - African American
ABE - Asian American
NBE - Native American
HBE - Hispanic
WBE - Non-Minority Women

CONSENT I

14. Various Bids

A. Cherry Neighborhood Improvements - Phase IV — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $142,206 95 by United Construction Company, Inc of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
ABE	$142,206 95	100%	0%

B. Accelerated Transportation Project, Group 6 and Tom Sadler Road Phase I — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $461,174 64 by United Construction Company of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
ABE	$461,174 64	100%	0%

C. Water and Sewer Main Construction - FY 98 Contract #107 for Street Main Extensions **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $985,229 70 by McDaniel Construction Contractors, Incorporated of Bostic, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
WBE	$985,229 70	100%	3%

D. Water and Sewer Main Construction - FY98 Contract #108 for Street Main Extensions **CMUD**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $851,279 70 by McDaniel Construction Contractors, Incorporated of Bostic, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
WBE	$851,279 70	100%	3%

CONSENT II

15. Agreement with Charlotte Housing Authority

Action: **Approve a Supplemental Cooperation Agreement for First Ward Place - Phase 1 with the Charlotte Housing Authority.**

Explanation of Request:

- The Charlotte Housing Authority is developing an apartment complex known as "First Ward Place" as part of its revitalization of the First Ward area It will be leasing the apartment complex to First Ward Place, LLC First Ward Place, LLC is a limited liability company (which is like a limited partnership) having as its members NationsBank Community Development Corporation (CDC), Maryland National CDC (an affiliate of NationsBank CDC) and the Charlotte Housing Authority

- Since the complex will be leased to a limited liability company, the Federal government requires that the amount of payment in lieu of taxes to be made by the Charlotte Housing Authority be specified for First Ward Place - Phase 1 This requirement must be met to receive Federal funding for the project

- The Charlotte Housing Authority has requested the City to enter into a Supplemental Cooperation Agreement for First Ward Place - Phase 1

- Mecklenburg County's Board of Commissioners approved this request at its September 2, 1997 meeting

- There has been a Cooperation Agreement between the City and the Charlotte Housing Authority since 1939 The current Agreement was entered into in 1968 whereby the Charlotte Housing Authority agreed to make the annual payment in lieu of taxes equal to 10% of shelter rent, the maximum allowed under the Federal Housing Act

- In September, 1986 a Supplemental Cooperation Agreement was entered into and the City and County agreed to refund the payment in lieu of taxes to the Charlotte Housing Authority for 10 years This refund was used to assist in the development and operation of the Authority's Stepping Stone transitional housing program In November, 1996 City Council approved extending the refund for an additional 10 years

- The annual payment in lieu of the taxes for First Ward Place - Phase I will not be part of the annual refund to the Charlotte Housing Authority

Attachment 7
Supplemental Cooperation Agreement

16. Andover Road Area Storm Drainage Project - Engineering Services - Amendment #1

Action:

Approve Amendment #1 to the agreement with Hazen & Sawyer, P.C. in the amount of $171,563 for the design phase of storm drainage improvements in the Andover Road area. This amendment will bring the total contract amount to $224,663.

Explanation of Request:

- The Andover Road area has been identified as a high priority project in the Storm Water Capital Program

- On February 14, 1996 City Council approved the original agreement for the planning study with Hazen & Sawyer, P C for $53,100

- The cost for these services is comparable to the cost of similar work for other storm water drainage projects

MWBD:

Hazen & Sawyer will enter into a contractual agreement with Monarch Temporary Services (BBE) to provide miscellaneous technical services in the amount of $3,000

Funding:

Storm Water Capital Program

17. Storm Water Construction Administration Contract - Amendment #1

Action:

Approve an amendment to USInfrastructure's contract to provide construction administration services on Storm Water Repair Projects for $301,100. The amount of the contract after the amendment will be $622,350.

Explanation of Request:

- This agreement will provide construction administration of construction contracts for one year including easement acquisition, design services, and all liaison work between the City, contractor, property owner, and the public

- USInfrastructure has gained valuable experience over the past year, allowing us to renegotiate this amendment for approximately $20,000 less than the original contract We want to continue this work with USInfrastructure because they are fully trained and we are pleased with their performance We propose to re-advertise this work in one year

- USInfrastructure, Inc , was selected using Council's approved selection process

MWBD:

USInfrastructure, Inc , is a certified Asian-American Business Enterprise with the City of Charlotte

Funding:

Storm Water Capital Program

18. Budget Ordinance and Municipal Agreement for Utilities and Sidewalk on NC 49

Action: **Recommend approval of a budget ordinance totaling $250,000 and resolution for participation in State highway project for NC 49 between Tyvola Road and Carowinds Blvd. to add sidewalk and utilities.**

Explanation of Request:

- The Municipal Agreement provides for the NCDOT contractor to perform

  water line adjustments in the project area, and

  - construct sidewalk with the City paying 50% of the costs,

- State policy requires 50% City participation for sidewalks on both sides of the roadway The State also requires the City to relocate water and sewer lines for the project

- Budget

Water Line Adjustments	$ 12,500
Sidewalk Construction	237,500
Total Cost	$250,000

Funding: Participation in State Road Projects Capital Account and CMUD Water Line Relocation Account

19. Spirit Square Lease and Operating Agreement

Action: **Approve the following actions:**

A. A Lease and Operating Agreement for the Spirit Square Complex to the North Carolina Performing Arts Center at Charlotte (PAC); and

B. A Parking Lease Agreement with PAC for the parking lot adjacent to the Spirit Square Complex.

Explanation of Request:

- On August 25, 1997, Council approved termination of the lease with The Spirit Square Arts Center Corporation for the operation and management of Spirit Square

- A new lease between the Performing Arts Center (PAC) and the City and County, as joint owners of the facility has been prepared

- The County approved the lease agreement on August 12, 1997

- The new ten-year lease agreement with the PAC has the same provisions as the Spirit Square Arts Center lease with one change if the City terminates the lease, the City will reimburse the PAC $45,000 annually for each year left on the lease for leasehold improvements This provision was requested by the PAC from both the City and the County

- Other provisions of the lease match the previous lease agreement, providing that the City pay the debt service for the facility and make structural repairs such as roof, electrical and HVAC repairs through the City s Capital Budget process

- Copies of the lease agreements are available in the Council Library

- Attached is the information on cultural facility debt service costs requested during the August 25, 1997 discussion of the Spirit Square agenda item

Attachment 8
Cultural Facility Debt Service Costs

20. Bicycle Amendment

Action: **Adopt an ordinance amending Section 14-97 of Chapter 14, Article III of the City Code entitled "Bicycles" to allow police officers to ride bicycles on sidewalks in the uptown area.**

Explanation of Request:

- Currently Section 14-97 of Chapter 14 of the City Code prohibits riding bicycles in the "congested business district" of uptown Charlotte
- The amendment to the ordinance would allow police officers in the discharge of their official duties to ride bicycles on the sidewalks in the uptown area

21. Mallard Creek Water Reclamation Facility Reuse Project - Budget Ordinance, Amendment, and Change Order

Action:

A. **Approve a budget ordinance totaling $450,000;**

B. **Approve Amendment No. 2 to the Black & Veatch contract for Engineering Services - $117,000. With this amendment, the Black & Veatch contract will increase from $772,494 to $889,494; and**

C. **Approve Change Order # 1 to the construction contract with Propst Construction Company for construction of the Mallard Creek Reuse Pipeline - $774,854.35. With this change order, the contract with Propst will increase from $1,059,836.10 to $1,834,690.45.**

Explanation of Request:

- Funding for the reuse project was established in the FY94 Capital Investment Plan and was based on a feasibility study conducted for the Ballantyne development, with the McAlpine Wastewater Management Facility as the source of reuse water When Ballantyne declined to participate, the project was switched to Mallard Creek, with The Tradition Golf Course as the primary customer

- CMUD has attempted to complete the project within the original budget, however material and construction costs have placed the total project cost about $450,000 above the original budget Higher costs are attributed to

  - the Mallard Creek pipeline route is four times longer than that proposed route for Ballantyne,

  - the pumping station is more complex, and

  - to expedite the project, CMUD pre-purchased materials which required a long lead time for manufacturing The material costs were higher than estimated

- The scope of services for the Black & Veatch contract has increased due to

  - complexity of the pumping station, and

  - addition of programming services for the reuse system controls

- The reuse pipeline is currently under construction and approximately 25% complete The proposed 16-inch water main along Mallard Creek Road and Salome Church Road parallels the route of the reuse pipeline along these roads

- The design of the water main was completed after the reuse line was under contract Due to site constraints, the water main had to be located parallel to the reuse line with minimum horizontal separation North Carolina health regulations required that the reuse line be lowered by approximately 3 feet The negotiated price for this change is $161,500

- CMUD has requested a price for the construction of the 16-inch water main from Propst Construction Company The negotiated price of $613,354 35 is less than CMUD's construction estimate based on our most recent bids for similar projects

- Approval of this change order will result in savings by

  - eliminating mobilization charges by another contractor, and

  - preventing a three month delay in going through the bid process

- In addition, concurrent construction of both projects will minimize disruptions for the citizens living in this area and the people that use these roads

- Funding for the 16 inch water main was approved in the FY-98 CIP

MWBD: $100,000 (WBE) and $3,000 (MBE)
16% WBE and 5% MBE participation

Funding: The budget ordinance transfers $450,000 from the prior Sewer Bonds to the project account

22. Personnel Contract for Airport Janitorial Services

Action: **Approve a $614,700 three-year contract with two one-year extensions with International Service Systems (ISS), Inc. for janitorial employees at the Airport.**

Explanation of Request:

- The Airport has been contracting for janitorial personnel services since 1990 and since this time Olsten Staffing has had the contract The janitorial staff is comprised of 65 contracted workers and four janitorial supervisors (permanent airport employees) This contract provides for the 65 contracted workers

- Request for Proposals (RFP's) were advertised on July 27, 1997, to provide janitorial employees at the airport The deadline for proposals was August 20, 1997 Four companies submitted proposals

  - International Service System, Inc

- Griffin Staffing Services
- Olsten Staffing Services
- Carpet Care Specialists

- A Selection Committee comprised of a member of the Airport Advisory Committee, Manager of Customer Services for United Airlines and airport staff reviewed the proposals

- Selection was based on
  - Proposed markup percentage,
  - Company experience and references,
  - Employee benefits,
  - Financial stability, and
  - Ability to provide workers 24-hours a day

- ISS offered the lowest markup percentage, an acceptable benefits package, and their relative experience and references were satisfactory

Percent Markup Comparison

-	ISS	(36 6%)
-	Griffin Staffing	(42 5%)
-	Olsten	(47 9%)

Projecting a base employee salary cost of $450,000 annually, the Aviation Department's cost would be

-	ISS	($614,700)
-	Griffin Staffing	($641,250)
-	Olsten	($665,550)

Community Input: The Airport Advisory Committee recommends this employment contract

Funding: Aviation Operating Budget

23. FAA Grant Resolution, if Offered

Action: **Adopt a resolution authorizing the Aviation Director to accept a Federal Aviation Administration (FAA) Grant to provide the Federal share for the construction of a capacity Taxiway G.**

Explanation of Request:

- This project was identified in the Airport Capacity Enhancement Plan as an improvement which would allow the airfield to operate more efficiently Based on a series of computer simulation studies, conducted by the FAA, it was determined that this project would produce an annual delay cost avoidance of $2 1 million to the airlines if constructed

- This grant is FY97 Discretionary Funds and will reimburse the airport for 75% of the costs associated with this project Since the federal fiscal year ends September 30, the grant must be accepted by the City by that date

- This resolution would authorize the Aviation Director to accept the grant on behalf of the City, it offered by the FAA, prior to the end of the federal fiscal year

- The airport anticipates asking Council to appropriate the grant funds and award a construction contract in October if federal funds are offered

Community Input: Airport Advisory Committee recommends approval

24. Sale of City Property - 4408 Pebblebrook Drive

Action: **Approve the sale of City owned property located at 4408 Pebblebrook Drive.**

Explanation of Request:

- Council is requested to approve the sale of City owned property subject to compliance with the provisions of the North Carolina Statutes and pursuant to the terms of the offer

- In accordance with the Part 150 Plan, the Airport acquired 31 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan (less than 75DNL)

- The Airport provided noise insulation to 4408 Pebblebrook Drive and listed the property in the Multiple Listing Service for sale to the public at the appraised price of $54,000

- An offer to purchase was extended to the airport The offer is $55,500 with the airport paying for a realty fee of 3% ($1665), binder to be returned if buyer unable to obtain FHA/VA loan, Airport to pay $1,500 toward closing cost

- The prospective purchaser signs a Residential Property Disclosure Statement acknowledging "The property is located in proximity to Charlotte/Douglas International Airport in a noise impacted area and to an industrial park A racing engine machine shop (Panther Racing) is located in the aforementioned industrial park adjacent to the Wandawood Subdivision "

- Additionally, a perpetual easement for the flight of aircraft over the property is attached to the deed The easement covers noise vibrations, fumes, etc , so long as the noise level does not increase more than three decibels

- The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid No offers were received

Community Input: Airport Advisory Committee recommends approval

Summary of Bids:

Property Address	4408 Pebblebrook Drive
Tax Code	061-121-14
Buyer's Name	Tammy Harris
Offer	$55,500

25. Sale of City Property - 4409 McKinley Drive

Action: **Approve the sale of City owned property located at 4409 McKinley Drive.**

Explanation of Request:

- Council is requested to approve the sale of City owned property subject to compliance with the provisions of the North Carolina Statutes and pursuant to the terms of the offer

- In accordance with the Part 150 Plan, the Airport acquired 31 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan (less than 75DNL)

- The Airport provided noise insulation to 4409 McKinley Drive

- Following the work on the house, the property was appraised for $54,000 An offer to purchase was extended to the airport The offer is $54,000 with the airport paying for a realty fee of 3% ($1620), binder to be returned if buyer unable to obtain loan

- The prospective purchaser signs a Residential Property Disclosure Statement acknowledging "The property is located in proximity to Charlotte/Douglas International Airport in a noise impacted area and to an industrial park A racing engine machine shop (Panther Racing) is located in the aforementioned industrial park adjacent to the Wandawood Subdivision "

- Additionally, a perpetual easement for the flight of aircraft over the property is attached to the deed The easement covers noise vibrations, fumes, etc , so long as the noise level does not increase more than three decibels

- The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid No offers were received

Community Input: Airport Advisory Committee recommends approval

Summary of Bids:

Property Address	4409 McKinley Drive
Tax Code	061-081-32
Buyer's Name	Lennell Simpson
Offer	$54,000

26. Declaration of Withdrawal from Dedication - Thrift Road

Action: **Adopt a resolution stating that Thrift Road is not part of the adopted street plan (thoroughfare plan).**

Explanation of Request:

- According to North Carolina General Statute 136-96, a right-of-way not utilized within 15 years of dedication can be abandoned through the recording of the Declaration of Withdrawal

- The statute requires the City to adopt a resolution stating the right-of-way to be abandoned is not part of a proposed street plan This unused and unopened street right-of-way is not part of any such plan, therefore, the City has determined that all necessary requirements of the statute will have been met by adopting the resolution Right-of-way on Thrift Road sufficient to meet minimum thoroughfare requirements for Tuckaseegee Road has been retained and is not part of this petition The petitioner will maintain existing sanitary and storm drainage easements for the Charlotte-Mecklenburg Utility Department (CMUD)

Petitioners:
J F and Helen P Eggleston
Merrill Morris Efird
Nancy W and Terry Whitehurst, etal
W Chris Parnell (Attorney/agent)

Right-of-Way to be abandoned:
Thrift Road

Location:
From Tuckaseegee Road northwardly approximately 500 feet to just south of Little Rock Road

Reason:
To incorporate the right-of-way into adjacent property The petitioners are selling their property to Eckerd's Drug Store in order to develop the site in accordance with rezoning petition 97-41 approved by the City Council on June 16, 1997

Attachment 9
Map

27. Resolution of Intent To Abandon Street And Set Public Hearing - Loch Leven Street

Action:

A. Adopt the Resolution Of Intent to abandon a Portion of Loch Leven Street; and

B. Set a Public Hearing for October 13, 1997.

Explanation of Request:

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this Council Action in accordance with the statute

Petitioner:
Richard L Eppley, John F and Karen D Broome

Right-of-Way to be abandoned:
A portion of Loch Leven Street

Location:
From Cheshire Avenue eastwardly approximately 175 feet

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioners

Community Input:

Notification:
In accordance with City Policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies and City Departments for review

Adjoining property owners - No objection
Neighborhood Associations - No objection
Reid Park Neighborhood Association

Private Utility Companies - No objection
City Departments - Review has identified no apparent reason this closing would

- Be contrary to the public interest, or
- Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in NCGS 160A-299

Attachment 10
Map

28. Public Auction

Action:

Declare specific vehicles, equipment, various parts and supplies and other miscellaneous items as surplus and approve a resolution authorizing them for sale at public auction on Saturday, September 27, 1997 at 10:00 a.m. at the Holman-Moody hanger site, 7515-A Warren Road, Charlotte, North Carolina.

Explanation of Request:

Pursuant to North Carolina G S 160A-270, approval is requested for a public auction on September 27, 1997 at 10 00 a m to dispose of City owned property declared as surplus

Attachment 11
List of property to be declared as surplus

29. Property Transactions

Action: **Approve the following property acquisitions.**

Acquisition:

A. **Project** Northwest Circumferential Grade Separation-ATP-8, Parcel #10
Owner(s) Stephen E Coleman & wf , Suzanne L Coleman
Property Address 115 Valleydale Road, Charlotte, N C 28214
Property to be Acquired 25,003 44 sq ft (574 ac)
Improvements Single Family Residence & Out Building
Purchase Price $82,000
Appraiser T B Harris, Jr & James M Owens
Remarks Total acquisition of this property is required for the northwest circumferential grade separation project Compensation based on two independent appraisals made on this property
Zoned R-17 **Use** Residential
1991 Tax Value $58,480
Tax Code 031 011 04

B. **Project** F A R Part 150 Land Acquisition
Owner(s) William R Mikeal Sr and Scott T Mikeal Jr
Property Address 4620 Beam Road
Property to be acquired 1 389 acres
Improvements Ranch house
Tax Value $52,720
Purchase Price $126,000
Remarks The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the specific condition and size of the land and house The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970 Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

30. Minutes

Action: Approve minutes as follows:

- City/County/School Board Meeting - August 19, 1997