# AGENDA

**Meeting Type:**

<table>
<thead>
<tr>
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<th>B</th>
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</table>

**Date:**

<table>
<thead>
<tr>
<th></th>
<th>11-22-1993</th>
</tr>
</thead>
</table>

City of Charlotte, City Clerk's Office
Dinner Briefing

Mayor Vincent √
Campbell √ 5:52
Chadfooter √
Hammond Absent
McCrosky √
Majeiri Absent
Mangum √
Martin √
Patterson √ 5:52
Reid √
Scanlanough √
Wheeler √

5:20 p.m.

Vincent
Wendell
Stone - Police Youth Outreach Program
Vincent

Mangum
Stone - introduces S宛如n: Elizabeth Barbed
Mayor
Stone

Mayor
White

Bill McGee - Commute Ride - 610C
McHale
Wheeler
McHale
Goodfelter - Fair Box?
McHale - Quality, dependable & 1 each way
Goodfelter
Mary Clayton - CPC
McHale
Mayor - Contact with downtown!
McHale - $55,000
Mayor
McHale - Ridership since grown by word of mouth
Paid 150 day?
McHale - Correct
Mayor
White - Charlotte Report

Campbell arrives 5:52 & Patterson
Vande Peering - Presentation on Convention Area

Goodfelter
White
Goodfelter - renegotize
White - Demo work that way
Goodfelter
Carry Odem
Goodfelter - $22 million
Odom - Debt Service
Reid

Odom - Safety Feature
Reid

Odom
Reid

Odom
Reid - Bond Holder

Odom
Patterson - Over the life of the bond

Odom
Woolfetter

Odom
Mayor
Reid

Odom - 6.4 was an estimate
Reid - 3% 190

Odom
Mayor - $3.5 million bridge

Reading - Realign RRX
Wheeler - Cast to demolish

David Garner - Eng.
McCrary
Mayor
McCrary
White
McCrary - 1st Street
White
McCrary - 1st Street
Bar Phipps
Mangum - 1st Street one way?
Platterson - yes
Reid
Martin
Mike Jackson
Odom
Jackson - met Isaac
Odom
Jackson
Odom
Jackson
Odom
Jackson - Hotel & Speed
Odom
Jackson - met East
Odom
Jackson
Odom - 250,000
Patterson
Odom
Patterson - 5 years Revenue deals alike?
Odom $250,000 over 50,000 over
Mayor
McCurdy - Art Contracts for Convention
White - eyes
Patterson
White - no
McCurdy
Patterson
White
Mayor - Ann's Gather - Orientation
McCurdy
White - Revenue Books
Mayor
White
Mayor
Patterson
Mayor - Suite 2
Patterson
McCrory
Sugarloaf
Pam Sargent
Essie
Patten
Mayer
Essie
Mayer
Mangum
Mayer
White - Community Center
Mayer
Essie - Study of accommodations
White
Essie - Walk in Center
White
City Council Meeting 11-22-93

Major Vincent
Campbell ✓
Chapeltown ✓
Hammond Absent
McCoy ✓
Majeed Absent
Morgan ✓
Martin ✓
Patterson ✓
Reid
Scarborough ✓
Wheeler ✓

6:30

Mayor Invocation / Rev. Len Meeks
Mayor Vincent Rydzak
Mayor
Ryd Zak
Scarborough
Mayor
Bob Carrigan
Barber Nichols
Mayor
McClung
Mayor
Underhill
Morgan
Mayor
Underhill
White
Mayor
Underhill
Patterson
Mayor - Item # 24 Pulled
# 2 - Approve Minutes
# 3 - Consent
Item 20 - 31
Gibb
Puke 24 & 25
Part 1 who to approve others
# 29 -
Scan
Underhill
Jim Templeton
Martin
Lindale
Martin
Lindale
Scarborough
Campbell—why are we moving the powers?
Templeton
Mayor
Scarborough
Martin
Lindale
Scarborough
Martin
Templeton
Mayor
Templeton
Mayor

[Signature]

#4 - Privatization/Competition Report

[Signature]

[Signature]

[misread]

(Left out all the chatter)
# 1 - Public Hearing
Mays.

MC was una.

MC 5 - Approve B + C una.

# 5 - Planning Comm. Res.
Chair - run to adopt A + B

MC, C, Martin

# 6 - Coliseum Land Swap

Carp. Mant. - to explore buy + pull

Carp. Mant. - to approve

Reid, Rosenstrach

Reid, Rosenstrach

Reid, Bauer, Fields

Rosenstrach

Reid, Rosenstrach
# 8  Mary  Scan
J. No. - Reid

Reid  Zoning

# 9  93-27
Mary
Rhea  Scan to approve as modified

# 10- 93-51
Rhea  Scan to deny check to

# 11  93-52
Mary  Mary (to deny)
McMurray Fields
McCory Fields
McCory Fields
McCory Fields
McCory Fields

Chase
Scan

Martini  Fees

Page 2
Mar 12
Mangum
Mayor
McCart / Sab Motion / and back to Zoning
Mangum
Mayor

Vote on Sab Mot. of For
Comp - Scan - Reid - Patt - Mc - Who - Clock
Mayor
93-10
Mayor - Who at offer
Mangum - Sab motion to 2-5 / Scan
Clock
Mayor
Mang
Mayor
Mang - withdraw motion - change A to 2-7
Mayor - Out of Order - not allowed
Vote on Sab Motion
Mayor - repeated Motion -
Move A as is
Don C. Scanted
Part A unanimous
Vote on Part B -

Choose to R-5 - Second Scan

4 - yes Scan - Mat - Clock

Original Motion - Carries Part B
No Scan - Read - Mat

# 13  93-108
Whe / Mat  Unan

# 14  93-109
Whe / Morn  Unan

# 15  93-110
Cod / Scan

Due for 30 days

# 16  93-111
Cod / Morn -
Unan

# 17  Cod / Patt  93-113
Unan
# 18 - Resolution - Public Hearing

# 19 - Part / Who

Addendum
Gilbert

Meeting Scan to approve

Clark
Scar
Fields
Underhill
Closfelt
Underhill
Morgan
Scan
Mayer
Underhill
Mayer
Closfelt
Mayer
Closfelt
Undeclared
Mayor
Mongum
Scarborough - Put back to multi-family
Mayor
Sca... cap... Park... Mat
Whe... Chal...
Mayor
Mary
McC
Park / Scar
Adjourn 8:25 PM
MAYOR'S SCHEDULE
November 22, 1993

6:30 p.m. CITIZEN'S HEARING

1. ✓ Invocation by Rev. Ken Meeks, Newell Presbyterian Church.


3. ✓ Sandy Carnegie, 301 South McDowell Street, 375-8007 - Latta Equestrian Center.

4. ✓ Betsy Young, Trammell-Crow Commercial, 331-9574 - Latta Equestrian Center.

5. ✓ Robert Young, 2418 Finchley Drive, 568-5603 - Team Leaders Report.

6. ✓ Amy Yetman, 9117 Fairbridge Road, 541-3065 - Team Leaders Report.


10. ✓ Barbara Nicholson, - Mayor

7:00 p.m. CITY COUNCIL MEETING
# MEETINGS IN NOVEMBER '93

## THE WEEK OF NOVEMBER 1 - 5

<table>
<thead>
<tr>
<th>Day</th>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Monday</td>
<td>8:00 a.m</td>
<td>PLANNING COMMISSION/Fall Planning Retreat</td>
<td>CMGC 8th Floor Conference Room</td>
</tr>
<tr>
<td>2. Tuesday</td>
<td>2:00 p.m</td>
<td>COMMITTEE OF 100/Staff Task Force</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>YOUTH INVOLVEMENT COUNCIL</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td>4. Thursday</td>
<td>3:00 p.m</td>
<td>COMMITTEE OF 100/Steering Committee</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td></td>
<td>4:30 p.m</td>
<td>CHARLOTTE MECKLENBURG ART COMMISSION</td>
<td>Arts &amp; Science Council Bldg 214 N Church St</td>
</tr>
</tbody>
</table>

## THE WEEK OF NOVEMBER 8 - 12

<table>
<thead>
<tr>
<th>Day</th>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 Monday</td>
<td>9:00 a.m</td>
<td>AUDITORIUM COLISEUM CONVENTION CENTER AUTHORITY</td>
<td>2940 One First Union Center</td>
</tr>
<tr>
<td></td>
<td>3:30 p.m</td>
<td>CITY COUNCIL PUBLIC SERVICES COMMITTEE</td>
<td>CMGC Room 271</td>
</tr>
<tr>
<td></td>
<td>5:00 p.m</td>
<td>COUNCIL/MANAGER DINNER</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td></td>
<td>6:30 p.m</td>
<td>CITIZENS HEARING</td>
<td>CMGC Meeting Chamber (Televised Live on Cablevision 16 and VisionCable 32)</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>CITY COUNCIL MEETING</td>
<td>CMGC Meeting Chamber (Televised Live on Cablevision 16 and VisionCable 32)</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>HISTORIC LANDMARKS COMMISSION</td>
<td>Commission Office 500 N Tryon St Suite 201</td>
</tr>
<tr>
<td>9. Tuesday</td>
<td>7:30 a.m</td>
<td>FIREFIGHTERS RETIREMENT BOARD</td>
<td>428 E Fourth St Suite 205</td>
</tr>
<tr>
<td></td>
<td>12:00 Noon</td>
<td>PLANNING COMMISSION</td>
<td>CMGC 8th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>1:30 p.m</td>
<td>HOUSING APPEALS BOARD</td>
<td>CMGC 5th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>8:00 a.m</td>
<td>AIRPORT ADVISORY COMMITTEE</td>
<td>Charlotte/Douglass International Airport</td>
</tr>
<tr>
<td>10. Wednesday</td>
<td>8:30 a.m</td>
<td>CIVIL SERVICE BOARD</td>
<td>CMGC 7th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>3:00 p.m</td>
<td>HISTORIC DISTRICT COMMISSION</td>
<td>CMGC 8th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>5:30 p.m</td>
<td>CLEAN CITY COMMITTEE/Business Beautification Awards Committee</td>
<td>CMGC Room 270</td>
</tr>
<tr>
<td>11 Thursday</td>
<td>7:45 a.m</td>
<td>CIVIL SERVICE BOARD</td>
<td>CMGC 7th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>HISTORIC DISTRICT COMMISSION</td>
<td>CMGC 8th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
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<td>CMGC 7th Floor Conference Room</td>
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<td>CMGC 7th Floor Conference Room</td>
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<tr>
<td></td>
<td>7:00 p.m</td>
<td>CIVIL SERVICE BOARD</td>
<td>CMGC 7th Floor Conference Room</td>
</tr>
<tr>
<td>15 Monday</td>
<td>5:00 p.m</td>
<td>CITY COUNCIL WORKSHOP Disparity Study</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td>16. Tuesday</td>
<td>2:00 p.m</td>
<td>HOUSING AUTHORITY</td>
<td>Administrative Offices 1301 South Boulevard</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>YOUTH INVOLVEMENT COUNCIL</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td>17 Wednesday</td>
<td>7:45 a.m</td>
<td>PRIVATE INDUSTRY COUNCIL</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>CIVIL SERVICE BOARD</td>
<td>CMGC 7th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>METROPOLITAN PLANNING ORGANIZATION</td>
<td>CMGC 7th Floor Conference Room</td>
</tr>
<tr>
<td>19 Friday</td>
<td>2:00 p.m</td>
<td>CMUD ADVISORY COMMITTEE</td>
<td>Utility Department 5100 Brookshire Blvd</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>TREE COMMISSION</td>
<td>CMGC Room 270</td>
</tr>
</tbody>
</table>

## THE WEEK OF NOVEMBER 15 - 19

<table>
<thead>
<tr>
<th>Day</th>
<th>Time</th>
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<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 Monday</td>
<td>5:00 p.m</td>
<td>CITY COUNCIL WORKSHOP Disparity Study</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td>16. Tuesday</td>
<td>2:00 p.m</td>
<td>HOUSING AUTHORITY</td>
<td>Administrative Offices 1301 South Boulevard</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>YOUTH INVOLVEMENT COUNCIL</td>
<td>CMGC Conference Center</td>
</tr>
<tr>
<td>17 Wednesday</td>
<td>7:45 a.m</td>
<td>PRIVATE INDUSTRY COUNCIL</td>
<td>CMGC Conference Center</td>
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<tr>
<td></td>
<td>7:00 p.m</td>
<td>CIVIL SERVICE BOARD</td>
<td>CMGC 7th Floor Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>METROPOLITAN PLANNING ORGANIZATION</td>
<td>CMGC 7th Floor Conference Room</td>
</tr>
<tr>
<td>19 Friday</td>
<td>2:00 p.m</td>
<td>CMUD ADVISORY COMMITTEE</td>
<td>Utility Department 5100 Brookshire Blvd</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m</td>
<td>TREE COMMISSION</td>
<td>CMGC Room 270</td>
</tr>
</tbody>
</table>

(Continued on Back)
THE WEEK OF NOVEMBER 22 - 26

22, Monday
8 00 a m  MAYOR'S INTERNATIONAL CABINET  CMGC Conference Center
11 45 a m  PLANNING COMMISSION/Executive Committee  CMGC 8th Floor Conference Room
4 30 p m  PLANNING COMMISSION/Zoning Committee  CMGC 8th Floor Conference Room
5 00 p m  COUNCIL/MANAGER DINNER  CMGC Conference Center
6 30 p m  CITIZENS HEARING  CMGC Meeting Chamber (Televisioned Live on Cablevision 16 and VisionCable 32)
7 00 p m  CITY COUNCIL MEETING - CMGC Meeting Chamber (Televisioned Live on Cablevision 16 and VisionCable 32)

25, Thursday
CITY HOLIDAY  Thanksgiving  All City Offices Closed

NOVEMBER 29 - 30

29, Monday
7 00 p m  CITY COUNCIL MEETING/OATH OF OFFICE CEREMONY  CMGC Meeting Chamber (Televisioned Live on Cablevision 16 and Vision Cable 32)

30, Tuesday
1 00 p m  ZONING BOARD OF ADJUSTMENT  Hal Marshall Center  700 N Tryon St  Training/Conference Room

NOTE: These organizations do not have meetings scheduled for NOVEMBER

Advisory Energy Commission
Charlotte Transit Advisory Committee
Community Relations Committee
Div. of Insurance & Risk Management
Parade Permit Committee
Council Agenda

CITY COUNCIL MEETING
Monday, November 22, 1993

5:00 p.m. Conference Center
- Police Youth Outreach Program
- Savings from Convention Center Refinancing

6:30 p.m. Meeting Chamber
- Invocation
- Citizens Hearing

7:00 p.m. Formal Business Meeting
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Page No.</th>
<th>Attachment No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Sale of City-owned land at 3117 Drenan Street</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Approval of Minutes</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Consent Items</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Public Services Committee Recommendations for a Privatization/ Competition Advisory Committee</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>5.</td>
<td>Planning Committee’s Recommendations on Regulating Adult Entertainment Establishments</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Coliseum Center Tract II Land Swap</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>7.</td>
<td>Refinance 1987 Airport Revenue Bonds</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>New Convention Center Appropriation of Refinancing Savings</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Decision on Petition 93-27</td>
<td>12</td>
<td>4</td>
</tr>
<tr>
<td>10.</td>
<td>Decision on Petition 93-51</td>
<td>12</td>
<td>5</td>
</tr>
<tr>
<td>Item No.</td>
<td>Description</td>
<td>Page No.</td>
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<tr>
<td>11.</td>
<td>Decision on Petition 93-52</td>
<td>13</td>
<td>6</td>
</tr>
<tr>
<td>12.</td>
<td>Decision on Petition 93-100</td>
<td>13</td>
<td>7</td>
</tr>
<tr>
<td>13.</td>
<td>Decision on Petition 93-108</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td>14.</td>
<td>Decision on Petition 93-109</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td>15.</td>
<td>Decision on Petition 93-110</td>
<td>14</td>
<td>10</td>
</tr>
<tr>
<td>16.</td>
<td>Decision on Petition 93-111</td>
<td>14</td>
<td>11</td>
</tr>
<tr>
<td>17.</td>
<td>Decision on Petition 93-113</td>
<td>14</td>
<td>12</td>
</tr>
<tr>
<td>18.</td>
<td>Resolution to Set Public Hearing on Historic Landmark</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Resolution to Set Public Hearing for Zoning</td>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

**CONSENT I**

**20. Various Bids**

A. Sanitary Sewer and Water Main Construction - FY94 Contract E - Street Main Extensions | 16

B. Sanitary Sewer Construction - Caldwell Creek Tributary North - U S. HWY. 21 to Bailey Road | 16

C. Park/Johnston Road Landscaping | 17

D. Annual Vehicle Replacement | 17

**21. In Rem Remedy**

A. 929 Patch Avenue | 17 | 13

B. 1015 McAden Street | 18 | 14
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Page No.</th>
<th>Attachment No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>22.</td>
<td>Speed Limit - Houston Branch Road</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Set Public Hearing to Abandon Street</td>
<td>18</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td><strong>CONSENT II</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Plastic Roll-Out Containers</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>25.</td>
<td>Raw Water Pump Station Expansion - Professional Services Contract - Metcalf &amp; Eddy</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Air Rights Over Caswell Road</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>27.</td>
<td>Extension of Existing Contract for Fire Hydrants</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>28.</td>
<td>Sale of Fire Truck Resolution</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>29.</td>
<td>Removal of Unmarked Graves</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>Resolution Declaring November 2 Bond Referendum Results</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>31.</td>
<td>Property Transaction</td>
<td>23</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC HEARING

1. Sale of City-owned Land at 3117 Drenan Street

Action:
(A) Conduct a public hearing to consider the sale of a parcel of City-owned land located at 3117 Drenan Street to the Grier Heights Economic Foundation (GHEF) for the appraised value of $5,900.

(B) Approve the sale of the parcel to the GHEF for $5,900.

(C) Approve a $51,784 loan agreement with GHEF to provide interim financing for:
- purchase of the City-owned parcel at 3117 Drenan Street
- purchase of the City-owned house at 4025 Eastway Drive
- contract with Carolinas Construction Company for a turnkey rehabilitation project.

Policy:
- The Comprehensive Housing Affordability Strategy approved by City Council on October 25, 1993 listed Strengthening Neighborhoods and Community-Based Organizations as one of its seven priorities; and the City agreed to provide financing to housing projects sponsored by community-based organizations.

- In 1989 City Council directed City staff to make houses displaced by capital improvement projects available to the Community Development Department to provide affordable housing resources to low-to-moderate income families.

Staff Resource:
J W. Walton

Explanation of Request:
- State law requires that a public hearing be held by the City prior to the sale of land and that the land be sold for no less than its appraised value.
The sale of the parcel of City-owned land to the GHEF for the appraised value of $5,900 will provide the land needed to relocate a single-family house the GHEF is purchasing from the City at 4025 Eastway Drive as part of the Eastway Drive capital improvement program.

A breakdown of the $51,784 loan to GHEF is:

$5,900  Purchase of Land at 3117 Drenan Street
900*  Purchase of House at 4025 Eastway Drive
42,053  Contract with Carolinas Construction Co.
$48,853  6% Contingency
2,931
$51,784

*Purchase price of house was provided by the Public Facilities and Engineering Department. The "as-is" salvage value of the remaining structure is $900. The price is comparable to recent salvage values received by NCDOT and the Airport.

Term of the loan is 1 year at an interest rate of 1/2 of 1% which will be assessed upon repayment of the loan.

GHEF will enter into an agreement with Wachovia Bank and Trust to provide permanent financing.

- Wachovia’s Neighborhood Revitalization Program (NRP) will be used if the buyer is qualified (maximum household income $30,000; within targeted geographical areas; 2 years continuous employment).
- A buyer not qualified for Wachovia's NRP will utilize financing from both Wachovia and the City whereby Wachovia and the City will finance 85% and 15% respectively.

- Downpayment assistance up to $1,500 (but not to exceed 50% of the downpayment amount) can be provided by the City on an as-needed basis.

Funding:

- HOME program requires that 15% of the City's grant funds be used by neighborhood-based organizations on approved activities, such as acquisition and rehabilitation of houses for sale to low-to-moderate income families.

HOME funds will be used to:
- provide interim financing to GHEF
- provide funds for the City's portion of the permanent financing (15% second mortgage) if the buyer does not qualify for Wachovia's Neighborhood Reinvestment Program
- provide downpayment assistance if needed

Clearances:


Attachment 1
Background

MINUTES

2. Approve Minutes of: September 27, 1993 Regular Business Meeting
CONSENT ITEMS

3. Agenda items 20 through 31 may be considered in one motion except for those items removed from the Consent Agenda as a result of a Councilmember making such a request of the City Clerk prior to the meeting.

Staff Resource: Julie Burch

POLICY

4. Public Services Committee’s Recommendations for a Privatization/Competition Advisory Committee

Action: Approve the Public Services Committee’s recommended Charge and Composition for a Privatization/Competition Advisory Committee

Policy: See Attachment

Staff Resource: Dave Cooke

Explanation of Request:

The Public Services Committee has met with the Chairman of the Mayor’s Privatization Task Force and reviewed the Task Force’s recommendations for an oversight committee.

The Public Services Committee recommends the following charge and composition for the Privatization/Competition Advisory Committee:

Charge

1. The Committee shall monitor the progress of the City in implementing services contracting and asset management, recommend services and assets to be considered for competition and privatization, and will advise on ways to improve current contracted services with service delivery problems.
The Committee will prepare an annual report to City Council.

2. The Committee shall assist and advise the City on issues in implementing the goals and processes adopted by City Council of:

- services contracting
- asset management

This may include review of requests for proposal, cost comparison methodologies, bid processes, etc.

3. The Committee shall be an advisor to both the City Council and the City Manager on matters regarding privatization and competition, in general. They will review the existing legal system for contracting and may develop and recommend local legislation to modify such systems.

4. The Committee shall be a resource regarding concerns about the fairness of any bidding processes. As a result, they may be asked to review bid proceedings and hear grievances from parties involved.

Composition

Proposed Size: Nine members

Appointments: Committee Chairman and one member appointed by the Mayor. Other members appointed by City Council.

Terms: 2-Year staggered terms, each member being limited to two consecutive terms.

Composition: The Mayor and City Council should appoint individuals who will maintain objectivity throughout implementation. Members must consider the interests of citizens, the business community and current City employees.
The Committee should be comprised of individuals that will focus on internal issues (process, specifications, costs) as well as external issues (e.g., quality customer service, impact on City employees).

The Committee should also be comprised of individuals knowledgeable about management, accounting, human resources, marketing and customer service. Representative skills may include some or all of the following: work management and specifications, cost accounting, customer relations, performance measurement and analysis, employee relations, quality assurance, asset divestment, and procurement and bidding processes.

Background.

The Public Services Committee was assigned to review the Mayor's Privatization Task Force Report and bring to Council recommendations for proceeding with privatization and competition in the City of Charlotte. Specific recommendations, including goals and policy statements, were brought to Council and approved on October 25th. Council then requested the Public Services Committee to bring specific recommendations, including charge and composition, for a privatization/competition oversight committee.

Attachment 2
Policy Statement

5. Planning Committee’s Recommendations on Regulating Adult Entertainment Establishments

This recommendation will be included in the Friday, November 19 Council-Manager Communication.
BRAIN

Action: Authorize the Mayor to execute a deed transferring Coliseum Tract II Land to Crescent Resources Inc., in exchange for land to protect the City's water supply and $400,000 cash, contingent upon approval by Mandatory Referral Process.

Explanation of: This exchange helps meet Council's policy and goals for:
- watershed/water supply protection,
- Real Estate Asset Management, and
- Economic Development in the Coliseum area.

The City will exchange land with Crescent Resources Inc. as follows:

City Property known as Coliseum Tract II contains 33.57 acres.
Appraised Fair Market Value: $2,550,400

Crescent Resources Inc. property:
- Along Dixie River Road contains 130 ± acres. Appraised Fair Market Value: $675,000
- Along Pump Station Road contains 59.7 ± acres Appraised Fair Market Value: $625,000
- Along Stephens Road contains 203 ± acres. Appraised Fair Market Value: $1,115,000
- In addition to the land, Crescent Resources, Inc. will pay to the City: $400,000
- Total contribution from Crescent Resources Inc. $2,815,000
City Council instructed staff to negotiate with Crescent Resources Inc. for the sale of Coliseum Center land, Tract II. Crescent proposed an exchange of watershed protection property in the area of Mountain Island Lake and land for a future water distribution plant on Lake Wylie. Staff has secured a proposal for approximately 263± acres in the Mountain Island Lake area and 130± acres on Lake Wylie.

In exchange for the Crescent properties the City will deed Tract II of the Coliseum Center to them for development of a business park and retail/restaurant space in accordance with the existing zoning and the Southwest District Plan. The City will also receive $400,000 in cash at closing. (These revenues will revert to General Fund fund balance at year-end)

In accordance with N.C.G.S. 160A-271, (Exchange of Property) notice of the exchange was published in the Charlotte Observer specifying the property and value to be exchanged by both parties.

Attachment 3
Maps

7. Refinance 1987 Airport Revenue Bonds

Action:

Take the necessary actions required to refinance the 1987 Airport Revenue Bonds totaling approximately $73 million. These actions include the approval of three resolutions and a budget ordinance that will accomplish the following:

(A) Approve the 1997 Airport Revenue Refunding Bonds Series Resolution and the issuance of the Refunding Bonds by July 1, 1997

(B) Approve the redemption of the 1987 Airport Revenue Bonds
C) Approve the Interest Rate Agreement

D) Approve the necessary contracts for the financing team

E) Approve the contract for bond insurance, and

F) Approve a budget ordinance appropriating $3,390,000 to pay issuance cost of the refinancing. The major portion of this will be call premium, underwriters' spread and bond insurance.

Explanation of Request:

These actions are necessary to complete the refinancing transaction that is expected to produce estimated savings of approximately $17 million.

Funding:

Temporary advance from the Airport Discretionary Fund and the 1997 Airport Revenue Refunding bonds.

Background:

The airlines, particularly USAir, will be the primary beneficiaries of the savings. An agreement has been entered into with the airlines that authorizes the refinancing. The Local Government Commission will consider the transaction on December 7, 1993. This transaction is very similar to the refinancing that was completed in June, 1993, that refinanced the 1985 Airport Revenue Bonds.

8. New Convention Center Appropriation of Refinancing Savings

Action:

Approve a budget ordinance appropriating $6,400,000 in refinancing savings of the Convention Center Bonds as follows:

A) $3,660,000 to the project contingency, and

B) $2,740,000 to the finance/reserves account.
The new Charlotte Convention Center is a fast track and dynamic project. The project is currently 38% complete and is on schedule.

The final construction contract was awarded by City Council on September 13, 1993.

Due to many of the bids coming in over budget, the Architect and Construction Manager have worked closely with City and Authority staff, and the Design Review Committee in identifying reductions to get the project within budget. With these cost reductions and the use of contingency, the project has kept on track and within budget.

The contingency has now been drawn down to $612,858 which is less than 1/2% of the project budget. The Construction Manager, Architect and City staff are uncomfortable with the amount remaining.

Typically, a project of this size and complexity would hold a 3% contingency for unforeseen problems and possible claims.

At the direction of Council, the Convention Center Bonds have been refinanced, resulting in a $6.4 million savings.

In the Council Manager memo for the week of November 8, 1993, there were two other Convention Center issues identified. These items are the vicinity improvements and the Railroad Bridge over Stonewall Street, for which cost figures have not yet been finalized. The remaining $2.74 million of the savings can be utilized on these items. They are scheduled as topics at the November 22, 1993 Dinner Meeting. Council will be asked to vote on these at a later date.
Background:

- In June of 1991 Certifications of Participation in the amount of $167,643,940 were sold to finance the new Convention Center’s land acquisition, design, construction and the financing requirements.
- The budget for land, design and construction is $142,416,000, with the remainder required for financial cost and reserves.

Decision on Petition No. 93-27 by Harold Jolly for a change in zoning from R-4 to R-8MF(CD) for approximately 2.2 acres located on the west side of Oakdale Road south of Dale Avenue.

This hearing was continued from the June 21 meeting.

At the July 19th meeting, the petitioner requested some time to work on his site plan, therefore the Zoning Committee did not take any action on this petition at that time.

This petition was deferred at the September 22, and October 20, 1993 meetings.

The Zoning Committee recommends that this petition be approved as modified.

Attachment 4

10. Decision on Petition No. 93-51 by Samuel M. Youngblood, III for a change in zoning from R-12MF(CD) to B-D for a 4,280 square foot parcel bounded by Neal Drive, McGill Street and Heathway Drive.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the October 20, 1993 Meeting.

The Zoning Committee recommends that this petition be denied.

Attachment 5
93-100 - I couldn't get all this in the book

First motion:
May I ask to approve

Sub motion
Martin Scan to change the entire petition to R-5 zoning

Martin changed motion to accept part A as recommended
Don C. seconded - Unanimous

Martin moved Part B to R-5
Scan & seconded - 4 votes Yes
Scan - Not - Rate - Cool

Vote on
Maynum's original motion for Part B
to approve - Part accepted
No - Scan - Kid - Mart
This mt. on Carried
11. Decision on Petition No. 93-52 by Alan and Terry Beaty for a change in zoning from I-1 to I-2(CD) for approximately 5.27 acres located on the northeasterly side of Brookshire Boulevard east of Caldwell Williams Road.

A protest petition has been filed and is not sufficient to invoke the 20% rule.

This petition was deferred for 30 days at the October 20, 1993 Meeting.

The Zoning Committee recommends that this petition be denied.

Attachment 6

12. Decision on Petition No. 93-100 by Charlotte-Mecklenburg Planning Commission for a change in zoning for the following areas:

A. In the Seversville and Smallwood neighborhoods, including areas generally south of Rosyln Avenue, west of West Trade Street, north of Tuckaseegee Road and east of Stewart Creek from R-22MF, B-2 and I-1 to R-8.

B. Property at the end of Clyde Drive between Coronet Way and Rozelles Ferry Road from I-1 to R-22MF.

This petition was deferred at the November 8 meeting.

The Zoning Committee recommends that this petition be approved.

Attachment 7

13. Decision on Petition No. 93-108 by University Research Park, Inc., for a Text Amendment to the City of Charlotte Zoning Ordinance to modify the development standards for the Research Districts.

The Zoning Committee recommends that this request be approved.

Attachment 8

14. Decision on Petition No. 93-109 by Dr. Robert Zack Hull for a change in zoning from R-22MF to O-2(CD) for approximately .61 acres located on the southwesterly corner of the intersection of Queens Road and Edgehill Road South.
The Zoning Committee recommends that this petition be approved.

Attachment 9

15. Decision on Petition No. 93-110 by Ronald S. and Betty B. Cecil for a change in zoning from R-3 to B-2 for approximately 1.63 acres located on the northeasterly corner of the intersection of East W. T. Harris Boulevard and Robinson Church Road.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Zoning Committee deferred action on this petition for 30 days.

Attachment 10

16. Decision on Petition No. 93-111 by Catherine M. Piercy for a change in zoning from R-3 to R-4 for approximately 14.18 acres located on the east side of Mason Drive, north of Mallard Creek Road.

A protest petition has been filed, and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Zoning Committee recommends that this petition be approved.

Attachment 11

17. Decision on Petition No. 93-113 by Paul Sires and Ruth Lyons for a change in zoning from B-1 to NS (Neighborhood Services) for approximately .27 acres located on the southeast corner of North Davidson Street and East 34th Street.

The Zoning Committee recommends that this petition be approved.

Attachment 12
Adoption of a motion that the City of Charlotte serve as the petitioner for a rezoning petition on the Dixon property located on Capital Drive, to rezone the property from its current single family zoning classification to an appropriate multi-family classification that would allow a day care center and that the rezoning petition be advertised for public hearing at the January zoning meeting.
Item No. 18. Recommend adoption of a resolution calling for a joint public hearing on Monday, December 20, 1993, by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission concerning the designation of the John Dinkins House and Lodge and the land associated therewith as a local Historic Landmark.

19. Recommend adoption of a resolution calling for public hearings on Monday, December 20, 1993 at 6:00 p.m. in the Meeting Chamber on Petition Nos. 93-114 through 93-119 for zoning changes.

See Attachment
CONSENT

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

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

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

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

**CONSENT I**

20. Various Bids

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

Recommendation: The Charlotte-Mecklenburg Utility Department Acting Director recommends that the low bid of $956,467.75 by McDaniel Construction Contractors of Spindale, NC be accepted.

**MWBE Status:**

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<th>Proj Goals</th>
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**B. Sanitary Sewer Construction - Caldwell Creek Tributary North - U.S. Highway 21 to Bailey Road**

Recommendation: The Charlotte-Mecklenburg Utility Department Acting Director recommends that the low bid of $213,124.17 by 7 Star Construction of Rock Hill, SC be accepted.
Item No.

MWBE Status:

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C. Park\ Johnston Road Landscaping

Recommendation: The Public Facilities and Engineering Department Director recommends that the low bid of $148,958.78 by Southern Tree and Landscape Company of Charlotte, NC be accepted.

The Contractor has complied with the MWBE Program provision which allows performance of all work with contractor's own forces.

D. Annual Vehicle Replacement

Recommendation: The Purchasing Director recommends the following low bids be accepted.

Summary of Bids:

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<th>Contractor</th>
<th>Location</th>
<th>Bid Amount</th>
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<td>Charlotte, NC</td>
<td>$2,169,560</td>
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<tr>
<td>Town &amp; Country Ford</td>
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MWBE Status:

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21. In Rem Remedy

A. 929 Patch Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 929 Patch Avenue (Druid Hills Neighborhood) which is located in the City Within a City boundaries.

Attachment 13
B. 1015 McAden Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1015 McAden Street (Belmont Neighborhood) which is located in the City Within a City boundaries.

Attachment 14

22. Speed Limit - Houston Branch Road

Action: Adopt an ordinance to lower the speed limit from 35 mph to 30 mph on Houston Branch Road from High Ridge Road to Plantation Road.

23. Set Public Hearing to Abandon Street

Action: A. Adopt the Resolution of Intent to abandon portions of Greenwood Avenue, Dudley Avenue, and Belt Road;


Attachment 15
Vicinity Map
24. Plastic Roll-Out Containers

Recommendation: The Directors of Solid Waste Services and Purchasing recommend that the bid of $5,681,158 by Otto Industries of Charlotte, NC be accepted.

<table>
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Summary of Bids:

- Otto Industries, Charlotte, NC: $5,681,158
- Schaefer Systems, Charlotte, NC: $4,763,200
- Toter Incorporated, Statesville, NC: $5,727,500
- Zarn Incorporated, Reidsville, NC: $9,522,153

Project Description: The Solid Waste Services Department will be implementing a curbside garbage collection program in July of 1994. These containers are needed so that customers can safely and conveniently transport waste materials to the curb for collection by the Solid Waste Services Department or by any private hauler that may be operating under a contract with the City of Charlotte for residential and small business refuse collection.

Explanation: The low bidder, Schaefer Systems did not meet the specification requiring the containers to be a universal cart. Use of the Schaefer cart would require a retrofit of automated trucks which may not be compatible with other carts or vehicles used by private haulers.

Solid Waste Services budgeted $55 per container. The actual cost per container will be $39.18 which includes a 2%-15 day prompt payment discount. Total estimated cost was $7,975,000. Difference between estimated cost and Otto Industries bid is $2,293,842.

25. Raw Water Pump Station Expansion - Professional Services Contract - Metcalf & Eddy

Action: Approve Professional Services Contract totaling $820,500 with Metcalf & Eddy for study, design, and construction management of the Raw Water Pump Station Expansion.
This contract will provide engineering services to determine the most cost effective design to ensure maximum utilization of the existing facilities. This contract will also provide for design and preparation of construction documents and construction management for the expansion of the 70 year old Raw Water Pumping Station. This station was last expanded in 1965 and is seriously undersized to meet present water demands.

26. Air Rights Over Caswell Road

Action:

A. Adopt a Resolution that approves the granting of Air Rights over Caswell Road to Presbyterian Health Services Corporation; and

B. Authorize the Mayor or Director of the Charlotte Department of Transportation to execute a Crosswalk Agreement and Term Air Rights Easement granting such rights.

Explanation of Request:

City Council has the authority to grant air right easements over public rights-of-way. The City’s Policy is to charge 50% of adjacent property tax value (square foot basis) for air rights easements. The cost of the air rights is $8,760.

Background:

Location:
Caswell Road, approximately 300 feet east of Providence Road (between Providence Road and Randolph Road).

Reason:
To provide a pedestrian bridge between the Presbyterian Hospital Parking Deck and the Nalle Clinic (under construction).

27. Extension of Existing Contract for Fire Hydrants

Action:

Approve purchase of 130 fire hydrants for $60,368.88 by extending existing contract with Pump & Lighting Co. of Charlotte, NC for one year.
Item No.

Explanations of Request:

- In August of 1992 requests to bid for new fire hydrants were sent to 18 companies. Three bids were received. Pump & Lighting Co. was the low bid.

- The contract stated that additional fire hydrants could be purchased at this price ($440) for one year by extending the contract.

- Extending the existing contract saves time and expense of soliciting bids.

- The Purchasing Department estimates that the City will save 7% on the price by extending the existing contract.

28. Sale of Fire Truck Resolution

Action:

A) Approve the sale of Fire Apparatus Ladder #24 Resolution, and

B) Approve budget ordinance appropriating $275,000 from sale to the General Fund.

Explanations of Request:

During Hurricane Hugo, a fire truck was damaged beyond repair. The need to replace this truck was immediate because an area of the City was without fire protection. An identical replacement was not immediately available. The truck subsequently bought has not met the needs of the Fire Department. The truck has experienced mechanical problems and it does not meet the present specifications.

The City of Hopewell, VA has agreed to purchase this fire truck for $275,000.

29. Removal of Unmarked Graves

Action:

Approve the removal of approximately fifteen unmarked grave sites located on property owned by Lizzie Mayberry.
Pursuant to North Carolina General Statutes, Article 5, § 65-13, before removing a grave, the land owner must first secure the consent of the governing body of the City in which the grave site is located. This is the only action the City is required to take.

The land owner is responsible for relocating the graves.

The property on which the grave sites are located is on West Sugar Creek Road between Hubbard Road and Enoch Drive.

30. Resolution Declaring November 2 Bond Referendum Results

Action: Adopt a resolution declaring the result of the special bond referendum held on November 2, 1993 upon the questions of approving $12,760,000 Sanitary Sewer Bonds, $58,490,000 Water Bonds, and $27,000,000 Environmental Clean-up Bonds.

State law requires the City Council to adopt a resolution declaring the results of a bond referendum once the results have been certified by the County Board of Elections. The Board of Elections met on November 4, canvassed the returns and have certified the results of the referendum.

$12,760,000 Sanitary Sewer Bonds
For: 41,199 votes
Against: 30,724 votes

$58,490,000 Water Bonds
For: 40,760 votes
Against: 30,847 votes

$27,000,000 Environmental Clean-up Bonds
For: 40,015 votes
Against: 30,828 votes
31. Property Transactions

Action: Approve the following property transaction:

Project: F.A.R. Part 150 Land Acquisition
Owner(s): Gerald D. Smith and wife
Property Address: 4320 McKinley Drive
Property to be acquired: .248 Acres, Lot size 88X130X80X143
Improvements: Brick ranch, 3 bdrm, 1 bath
Tax Value: $50,780
Purchase Price: $54,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the house. Residential property is acquired per Federal Guidelines 49CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Owners are eligible for relocation benefits. The acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.
BACKGROUND

- City Council has directed staff to make houses, displaced by capital improvement projects, available to the Community Development Department to be used in programs that provide affordable housing resources to low to moderate income families.

- GHEF is a non-profit neighborhood-based organization that has previously acquired land from the City and moved 6 houses, after which the houses were sold by the GHEF to low to moderate income families.

- The Grier Heights Economic Foundation (GHEF) originally submitted a proposal to relocate 13 houses from Eastway Drive to lots in Grier Heights to be acquired from the City. However, after a thorough analysis, it was determined that the cost of moving and rehabilitation exceeded the cost of new construction for all but 1 (4025 Eastway Drive) of the 13 structures. (As an alternative to the original proposal, GHEF is presently working with Community Development staff to develop a request for proposals to solicit bids from developers to construct up to 10 houses on land which GHEF proposes to purchase from the City in the Grier Heights area. The proposal and a funding request will be presented to City Council at a later date.)

- The GHEF will contract with Carolinas Construction Company to provide a turnkey project to move the house currently located at 4025 Eastway Drive to 3117 Drenan Street and to construct the foundation and rehabilitate the moved house.

- The notice of the public hearing to sell the City-owned parcel at 3117 Drenan Street will be advertised in the Charlotte Observer on November 12 and November 19, 1993.
Policies for Competition and Privatization

Services Contracting Policy (approved 10-25-93)

In evaluating the most efficient and effective way to provide public services, the City shall use a competitive process in which private service providers are encouraged to compete with City departments for the opportunity to provide such services, and in which the option of delivering services through public employees and departments must be justified through the competitive bidding process. The City shall encourage the provision of public services through contracts with private sector providers, wherever this offers the lowest cost, most effective method of service delivery consistent with service level standards and other adopted City policies.

Asset Management Policy (approved 10-25-93)

In seeking to maximize the City’s return from its current and future asset portfolio, the City will aggressively manage these assets. Maximizing the City’s return will include pursuing alternative ownership/management strategies which optimize the benefits of private ownership (tax revenue streams and eliminating public costs associated with ownership) while meeting the City’s public policy objectives.
SITE
AREA APPROX. 130 AC.
November 5, 1993

Mayor Richard Vinroot
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission on petitions which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission on October 25, 1993.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse 12:00 Noon on Monday, November 15, 1993. This will then permit these matters to be placed on your agenda for consideration on Monday, November 22, 1993.

If you have questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

Don Whelchel
Charlotte-Mecklenburg, Planning Commission
Assistant Zoning Committee Chairperson

600 East Fourth Street • Charlotte, North Carolina 28202-2853 • (704) 336-2205
DATE: October 25, 1993

PETITION NO.: 93-27

PETITIONER(S): Harold Jolly

REQUEST: Change from R-4 to R-8MF(CD)

LOCATION: Approximately 2.2 acres located on the west side of Oakdale Road south of Dale Avenue.

ACTION: The Zoning Committee recommends that this petition be approved as modified.

VOTE: Yeas: Baucom, James, Jones, Motley, and Whelchel.

Nays: None.

Absent: Byrne and Heard.

REASONS

This petition proposes rezoning from a single family residential classification to a conditional multi-family category to allow a fraternal organization. Publicly adopted plans for the area envision single family residential land uses for the subject property. The Zoning Committee previously deferred action on this petition to allow the petitioner to revise his site plan. The petitioner has submitted a revised site plan that addresses earlier concerns regarding the residential character of the structure. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.
Petition #: 93-27
Petitioner: Harold Jolly

Hearing Date: June 21, 1993

Zoning Classification (Existing): R-4

Zoning Classification (Requested): R-8MF(CD)

Location: Approximately 2.2 acres located on the westerly side of Oakdale Road south of Dale Avenue.

Zoning Map #(s): 68

Scale: 1" = 400'
ZONING COMMITTEE
RECOMMENDATION

DATE: October 25, 1993
PETITION NO.: 93-51
PETITIONER(S): Samuel M. Youngblood, III
REQUEST: Change from R-12MF(CD) to B-D
LOCATION: A 4,280 square foot parcel bounded by Neal Drive, McGill Street and Heathway Drive.

ACTION: The Zoning Committee recommends that this request be denied.

VOTE: Yeas: Adams, Baucom, Bruno, James, Jones, Motley, and Whelchel.
Nays: None.

NOTE: There are two votes from Planning Committee members on this petition. Some of the members of the Zoning Committee were unable to attend the public hearing on this petition and two members of the Planning Committee attended in their absence.

REASONS

This petition proposes a rezoning from a conditional multi-family residential category to the distributive business district. Publicly adopted plans generally recommend residential development in the area of the subject property. The Zoning Committee deferred action on this petition last month at the petitioner's request. The petitioner indicated a desire to submit a conditional site plan. However, the petitioner never submitted a conditional site plan. Therefore, the Zoning Committee recommends that this petition be denied.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.
Petition #: 93-51
Petitioner: Samuel M. Youngblood III  Hearing Date: September 20, 1993
Zoning Classification (Existing): R-12MF(CD)
Zoning Classification (Requested): B-D
Location: Approximately 4,280 square feet located on the southeast corner of the intersection of Neal Drive and McGill Street.

Zoning Map #(s): 77  Scale: 1" = 400'
ZONING COMMITTEE
RECOMMENDATION

DATE: October 25, 1993

PETITION NO.: 93-52

PETITIONER(S): Alan and Terry Beaty

REQUEST: Change from I-1 to I-2(CD)

LOCATION: Approximately 527 acres located on the northeasterly side of Brookshire Boulevard east of Caldwell Williams Road

ACTION: The Zoning Committee recommends that this petition be denied

VOTE: Yeas: Adams, Baucom, Bruno, and James.

Nays: Jones, Motley, and Whelchel.

Absent: Byrne and Heard.

NOTE: There are two votes from members of the Planning Committee on this petition. Some of the members of the Zoning Committee were unable to attend the public hearing on this petition and two members of the Planning Committee attended in their absence. As a result, two members of the Planning Committee voted on this petition.

REASONS

This petition proposes a change from a light industrial district to a conditional general industrial district. Publicly adopted plans for the area recommend light industrial land uses for the subject property. Previously, the Zoning Committee deferred action on this petition to allow the petitioner an opportunity to submit a conditional site plan. The petitioner has submitted a conditional site plan that revises the area of the site that's being petitioned for rezoning. The front portion of the site has been deleted from the petition and the rear portion of the site is being requested to be rezoned to I-2(CD).
This petition was discussed at length by the Zoning Committee. The Zoning Committee was unsuccessful in getting the petitioner's agent to agree to additional restrictions to the site plan that exceed minimum ordinance requirements. Although, committee members were mainly concerned with additional buffering and screening, concern was also expressed regarding this site being an eyesore in the community and existing violations at this site. Therefore, the Zoning Committee recommends that this petition be denied.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee. The planning staff does not believe that the general industrial zoning should be expanded to this side of Belhaven Boulevard. While a conditional site plan is preferable to a conventional rezoning, staff does not consider this request appropriate for approval.
Petition #: 93-52

Petitioner: Alan & Terry Beaty

Hearing Date: September 20, 1993

Zoning Classification (Existing): I-1

Zoning Classification (Requested): I-2

Location: Approximately 5.27 acres located on the northeasterly side of Brookshire Boulevard (NC Hwy. 16) east of Caldwell Williams Road.

Scale: 1" = 400'

Zoning Map(s): 67
ZONEING COMMITTEE
RECOMMENDATION

DATE. September 28, 1993

PETITION NO.: 93-100

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-22MF, B-2 & I-1 to R-22MF & R-8 (Central District Plan)

LOCATION: Several acres located in (A) the Seversville and Smallwood neighborhoods, including areas generally south of Roslyn Avenue, west of West Trade Street, north of Tuckaseegee Road, and east of Stewart Creek (from R-22MF, B-2 and I-1 to R-8), (B) property at the end of Clyde Drive between Coronet Way and Rozzelles Ferry Road (from I-1 to R-22MF)

ACTION: The Zoning Committee recommends that this petition be approved

VOTE: Yeas Baucom, Byrne, James, Jones, Motley and Whelchel

Nays None

Absent Heard

REASONS

This petition proposes rezoning properties located in the Seversville and Smallwood neighborhoods, including areas generally south of Roslyn Avenue, west of West Trade Street, north of Tuckaseegee Road, and east of Stewart Creek, property at the end of Clyde Drive between Coronet Way and Rozzelles Ferry Road from a combination of R-22MF, B-2 and I-1 to R-22MF and R-8 based on the Central District Plan. The petitioned property consists of single family homes, duplexes, vacant land, several churches, and an elementary school. The Zoning Committee viewed the proposed single family and multi-family residential districts as appropriate for the area and recommends that the petition be approved.

STAFF OPINION

The Staff agrees with recommendation of the Zoning Committee.
REZONE I-1 TO R-22MF

zoning case # 93-100
ZONING COMMITTEE
RECOMMENDATION

DATE: October 25, 1993
PETITION NO.: 93-108
PETITIONER(S): University Research Park, Inc.
REQUEST: Consideration of a text amendment to the City of Charlotte Zoning Ordinance to modify the development standards for the Research districts
ACTION: The Zoning Committee recommends that this request be approved.
VOTE: Yeas: Baucom, James, Jones, Motley, and Whelchel.
      Nays: None.
      Absent: Byrne and Heard.

REASONS
This text amendment proposes minor changes to the development standards for the Research districts in the City Zoning Ordinance. The Zoning Committee viewed the changes as relatively minor and having no negative effect on future development in the Research Park area. Therefore, the Zoning Committee recommends that this request be approved.

STAFF OPINION
The staff agrees with the recommendation of the Zoning Committee.
ORDINANCE NO.  

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A., "Zoning" of the City of Charlotte is hereby amended as follows:

1 - Amend Chapter 9, Part 6, Section 9.605 (Development standards for research districts) by:

(A) Delete subsection (1)(d) in its entirety.

(B) Add a new subsection (1)(d) as follows:

<table>
<thead>
<tr>
<th>SUBSECTION (1)(d) MINIMUM SETBACKS (FEET)</th>
<th>RE-1</th>
<th>RE-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lots between 2 and 4 acres</td>
<td>40**</td>
<td>N.A.</td>
</tr>
<tr>
<td>Lots between 4 and 15 acres</td>
<td>40**</td>
<td>100</td>
</tr>
<tr>
<td>Lots between 15 and 20 acres</td>
<td>100</td>
<td>125</td>
</tr>
<tr>
<td>Lots greater than 20 acres</td>
<td>100</td>
<td>150</td>
</tr>
</tbody>
</table>

(C) Amend subsection (5) by deleting the word "exterior" from the first sentence of that subsection.

Section 2. That this ordinance shall become effective upon adoption.

Approved as to Form:

__________________________
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ___ day of _______, 19___, the reference having been made in Minute Book _______, and recorded in full in Ordinance Book _______, at page ________.

__________________________
Brenda Freeze, City Clerk
ZONING COMMITTEE
RECOMMENDATION

DATE: October 25, 1993

PETITION NO.: 93-109

PETITIONER(S): Dr. Robert Zach Hull

REQUEST: Change from R-22MF to O-2(CD)

LOCATION: Approximately 0.61 acres located at the southwest corner of the intersection of Queens Road And Edgehill Road South.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baucom, James, Jones, Motley, and Whelchel.

Nays: None.

Absent: Byrne and Heard

REASONS

This petition proposes a rezoning from a multi-family residential zoning district to a conditional office zoning district to allow an existing structure to be used as an office facility. The site plan limits the kinds of office uses that would be permitted on the site. Publicly adopted plans for the area recommend residential land uses for the property. However, due to the established land use pattern in the area, this petition may be considered appropriate for approval. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.
Petition #: 93-109

Petitioner: Dr. Robert Zach Hull

Hearing Date: October 20, 1993

Zoning Classification (Existing): R-22 MF

Zoning Classification (Requested): O-2(CD)

Location: Approximately .61 acres located on the southwest corner of the intersection of Queens Road and Edgehill Road South.

Zoning Map #(s): 111

Scale: 1" = 400'
ZONING COMMITTEE
RECOMMENDATION

DATE: October 25, 1993
PETITION NO.: 93-110
PETITIONER(S): Ronald S. & Betty B. Cecil
REQUEST: Change from R-3 to B-2
LOCATION: Approximately 1.63 acres located on the northeasterly corner of the intersection of East W.T. Harris Boulevard And Robinson Church Road.
ACTION: The Zoning Committee deferred action on this petition for 30 days
VOTE: Yeas: Baucom, James, Jones, Motley and Whelchel
Nays    None
Absent: Byrne and Heard.

REASONS

This petition proposes a change from a single family residential category to a conventional general business category. Publicly adopted plans for the area recommend continued residential development along the Harris Boulevard corridor. Zoning Committee members expressed concern over this being a conventional application. The petitioner agreed to file a conditional site plan. Therefore, the Zoning Committee deferred this petition for 30 days.
ZONING COMMITTEE
RECOMMENDATION

DATE: October 25, 1993
PETITION NO.: 93-111
PETITIONER(S): Catherine M Piercy
REQUEST: Change from R-3 to R-4
LOCATION: Approximately 14.18 acres located on the east side of Mason Drive, north of Mallard Creek Road.
ACTION: The Zoning Committee recommends that this petition be approved
VOTE: Yeas: Baucom, James, Jones, Motley, and Whelchel
Nays: None.
Absent: Byrne and Heard.

REASONS

This petition proposes a change from one single family residential classification to another of slightly higher density. Publicly adopted plans for the area recommend single family residential development at a density of up to 4 dwelling units per acre. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.
Petition #: 93-111

Petitioner: Catherine M Piercy

Hearing Date: October 20, 1993

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-4

Location: Approximately 14.18 acres located on the east side of Mason Drive.

Zoning Map #(s): 59

Scale: 1" = 400'
ZONING COMMITTEE
RECOMMENDATION

DATE: October 25, 1993

PETITION NO.: 93-113

PETITIONER(S): Paul Sires and Ruth Lyons

REQUEST: Change from B-1 to NS (Neighborhood Services)

LOCATION: Approximately .27 acres located on the southeast corner of North Davidson Street and East 34th Street.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas Baucom, James, Jones, Motley, and Whelchel.

Nays: None.

Absent: Byrne and Heard.

REASONS

This petition proposes a rezoning from a conventional neighborhood business district to the neighborhood services district. Publicly adopted plans for the area recommend the revitalization of the commercial district surrounding the intersection of Davidson Street and 36th Street. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.
Petition #: 93-113

Petitioner: Paul Sires and Ruth Lyons  Hearing Date: October 20, 1993

Zoning Classification (Existing): B-1

Zoning Classification (Requested): NS

Location: Approximately .27 acres located at the southeast corner of the intersection of N. Davidson Street and E. 34th Street.

Zoning Map #(s): 89  Scale: 1" = 400'
BACKGROUND

- **General Information**
  - Owner: Mildred L. Gibson
  - c/o Anthony Giordano
  - Attorney at Law
  - Owner’s Address: P. O. Box 15342
  - Charlotte, NC 28211
  - Property Address: 929 Patch Avenue
  - Neighborhood: Druid Hills
  - Census Tract: #51
  - Council District: #2

- **Code Enforcement Information**
  - Reason for Inspection: Complaint From Occupant
  - Date of Inspection: 12/31/92
  - Owner Notified of Hearing: 1/4/93
  - Hearing Held: 1/29/93
  - Demolition ordered since cost to repair was more than 65%
    of the estimated tax value.
  - Owner Ordered to Demolish Dwelling by: 3/29/93
  - Owner did not comply with Order to demolish.
  - Title report received in July 1993 revealed no parties
    in interest to the property.
  - Structure Occupied: No (Tenant moved shortly after complaint
    was made)
  - Demolition Cost: $2,298
  - Lien will be placed on property for cost of demolition.

- **Notification to Owner**
  - Owner has been notified of this In Rem action being presented to City Council.
**Acquisition/Disposition Analysis**

(See Exhibit A - Acquisition/Disposition Analysis)

Demolition recommended because:
- estimated $14,525 In Rem Repair cost is 206% of the $7,030 tax value
- rehabilitation vs. new construction is not feasible
- new house could be constructed with an economic life of 50 years

<table>
<thead>
<tr>
<th>Acquisition &amp; Rehabilitation Cost of Existing House (1,170 Sq. Ft.)</th>
<th>Average Cost to Build a New 1,000 Sq. Ft. House</th>
<th>Difference in Rehabilitation &amp; New Construction Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>$53,735*</td>
<td>$50,000</td>
<td>$3,735</td>
</tr>
</tbody>
</table>

*Includes $265 in delinquent taxes and a $750 outstanding lien
**NEIGHBORHOOD DEVELOPMENT DIVISION**
**ACQUISITION/DISPOSITION ANALYSIS PROGRAM (ADAP)**
**EVALUATION GUIDE**

**ADDRESS:** 929 Patch Av
**Census #:** 51

### I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

- **Code Order:** In Rem Repair
- **Demolition**

**Effective Year**
- **Structure Built:** 1927

**Style**
- **TRGO**

**# Bedrooms:** 2
**Sq. Ft. (House):** 1170

**Civil Penalty:** $X
**Amount:** $1020
**Date:** 12-30-93

**A. Current Tax Value of Structure:** $7030
**B. Land Value:** $9000
**SUB-TOTAL TAX VALUE:** $16030

**C. Estimated Cost to In Rem Repair to Code Standards**
**TOTAL:** $14578

**D. % of C divided by A:** 20.6%

- **< 65% of Value:** Yes
- **No**

**E. Once HRS II completes above, forward to HDS.**

**F. Comments/Mitigative Concerns**

- House has been Vandalized.
- The garage listed on the tax card has been removed.
- Condition of the owner in very difficult to get property to abide civil penalty.

**Name:** M. Vindt
**Date Completed:** 12-30-93
G. Preservation Manager or Development Manager Comments

__________________________________________________________________________

__________________________________________________________________________

Date Completed __________

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date 7-2-93

1. Negotiated Acquisition or Tax Value $16,030

2a. Rehabilitation (Substantial) $37,440
(based on average cost of CD rehabilitation x sq.ft. in house)
$70 sq.ft. x $323 per sq.ft.

2b. Actual Cost/Cost Estimate $NA

3. Delinquent Taxes (if any) $265.50

4. Outstanding Loans/Liens (if any) $750

Sub-Total $54,485.50
Outstanding Loans/Liens $750
TOTAL $53,735.50

Is Total > $50,000 Yes  No

B. Amount of Civil Penalties $1020

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes  No
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by HDS)

Replacement Value: sq. ft. of structure x replacement cost
per sq.ft. (based on average cost of CD new construction)

11910 sq.ft. x $44.44 $519,914.40
Plus Land Value $9,000

67 yr old structure TOTAL $50,914.90

C. Is it feasible to rehabilitate vs. replacement house cost?
Yes  No

Name _____________________________
Date Completed 7-20-93

* Chg. #1 7/50.001 stated on title report.
The lien was for the removal of trash and junk.
IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

1. Acquire
   
   Only forward to Rehabilitation
   Chief for work write-up and cost
   estimate after concurrence with
   CD Director of internal use purchase.
   
   If we are interested in acquiring the
   land, the two processes (code and
   acquisition) simultaneously continue.
   
   2. In Rem Repair
      
   3. Demolish
      
   If #1 is checked yes, NDS notifies the HRS II
   and the code enforcement process stops.
   
   If either #2 or #3 is checked yes, the code
   enforcement process is continued by updating
   cost estimate and preparing City Council
   agenda item.

   Name ____________________________
   Date Completed 9-20-93

B. Proposed Use (to be completed by NDS)

1. Retain for Use Internally
   
   Explain Proposed Internal Use of House
   Provided a Nebraska State prison
   or any other institution
   
   2. Sell to Interested Purchaser
      
      Explain Proposed External Sale of House
      Sold interests in property to non-profit
      who or not interested in property

   ____________________________
C. Comments
Attorneys for owner and CD staff have tried to
secure public input by collection and analysis
but no action of
Supervision of design and design issues lead for late usage.
the location of the
process near the Stateville Avenue Damp
imposed the decision of a future decision or approval.

Name: John Doe
Date Completed: 9/24/23

V. Community Development Director

Director's Comments/Concerns:
Demolition
BACKGROUND

- **General Information**
  - Owner: Mildred L. Gibson
c/o Anthony Giordano
  Attorney at Law
  - Owner’s Address: P. O. Box 15342
    Charlotte, NC 28211
  - Property Address: 1015 McAden Street
  - Neighborhood: Belmont
  - Census Tract: #8
  - Council District: #1

- **Code Enforcement Information**
  - Reason for Inspection: Assigned Field Observation in a Concentrated Code Enforcement Area
  - Date of Inspection: 8/14/90
  - Owner Notified of Hearing (by advertisement): 9/25/90
  - Hearing Held: 10/8/90
  - Repair ordered since cost to repair was less than 65% of the estimated tax value.
  - Owner Ordered to Repair Dwelling by: 11/20/90
  - Owner did not comply with Order to repair. (Some repairs made, but none to meet Code.)
  - Property continued to deteriorate and the cost to repair the house now exceeded 65% of the estimated tax value.
  - Owner Ordered to Demolish Dwelling by: 7/17/91
  - Owner did not comply with Order to demolish.
  - Case was not followed up on.
  - Since additional violations had occurred, a new inspection was made.
  - Date of New Inspection: 2/17/93
  - Owner Notified of Hearing: 2/18/93 (mail returned unclaimed)
  - Owner Notified of Hearing: 3/17/93
  - Hearing Held: 4/16/93
  - Demolition ordered since cost to repair was more than 65% of the estimated tax value.
  - Owner Ordered to Demolish Dwelling by: 5/16/93
- Title report received in October 1993 revealed no parties in interest to the property.
- Structure Occupied: Yes (Tenant will be relocated prior to demolition)
- Demolition Cost: $2,590
- Lien will be placed on property for cost of demolition.

**Notification to Owner**

- Owner has been notified of this In Rem action being presented to City Council.

**Acquisition/Disposition Analysis**

(See Exhibit A - Acquisition/Disposition Analysis)

Demolition recommended because:
- estimated $6,040 In Rem Repair cost is 67% of the $9,010 tax value
- rehabilitation vs. new construction is not feasible
- new house could be constructed with an economic life of 50 years

<table>
<thead>
<tr>
<th>Acquisition &amp; Rehabilitation Cost of Existing House (1,065 Sq. Ft.)</th>
<th>Average Cost to Build a New 1,000 Sq. Ft. House</th>
<th>Difference in Rehabilitation &amp; New Construction Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>$45,634*</td>
<td>$50,000</td>
<td>-$4,366</td>
</tr>
</tbody>
</table>

*Includes $334 in delinquent taxes
NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION ANALYSIS PROGRAM (ADAP)
EVALUATION GUIDE

ADDRESS 1015 MCDONALD ST  Census #: B

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS-III)

Code Order: In Rem Repair Demolition

Effective Year
Structure Built 1932
Style 16-00
# Bedrooms 3
Sq. Ft. (House) 1065
Civil Penalty X
Amount 9,141.0
Date 6-30-93

A. Current Tax Value of Structure $ 9010
B. Land Value $ 2210
     SUB-TOTAL TAX VALUE $ 11220
C. Estimated Cost to In Rem Repair to Code Standards $ 6040
     TOTAL $ 17260

D. % of C divided by A 61.1% < 65% of Value Yes No X

E. Once HRS II completes above, forward to HDS.

F. Comments/Mitigative Concerns
   - Please note that case has been partially tried for 4th time in March 1993.
   - Concerning the owner's involvement, it appears the property owner
     is very anxious to dispose of property without a civil penalty.

Name M. Jenkins
Date Completed 6-30-93
G. Preservation Manager or Development Manager Comments

Date Completed

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date 7-2-93

1. Negotiated Acquisition or
   Tax Value $11,220

2a. Rehabilitation (Substantial)
    (based on average cost of CD
    rehabilitation x sq.ft. in house)
    1,045 sq.ft. x $32 per sq.ft.
    $33,440

2b. Actual Cost/Cost Estimate $N/A

3. Delinquent Taxes (if any) $334.56

4. Outstanding Loans/Liens (if any) $0

Sub-Total $45,634.56

Outstanding Loans/Liens

TOTAL $45,634.56

Is Total > $50,000 Yes ☑ No ☐

B. Amount of Civil Penalties $9,100

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes ☑ No ☐

If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by HDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

1065 sq. ft. x $44.44 $47,328.60

Plus Land Value $9210

TOTAL $49,538.60 *

C. Is it feasible to rehabilitate vs. replacement house cost?

Yes ☑ No ☐

*Structure is 61 yrs old and has not been maintained by owner.

Replacement housing cost is $39,049 more than acq/rehab. cost.
IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

1. Acquire

Only forward to Rehabilitation Chief for work write-up and cost estimate after concurrence with CD Director of internal use purchase.

If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

2. In Rem Repair

3. Demolish

If #1 is checked yes, NDS notifies the HRS II and the code enforcement process stops.

If either #2 or #3 is checked yes, the code enforcement process is continued by updating cost estimate and preparing City Council agenda item.

Name

Date Completed 9-30-92

B. Proposed Use (to be completed by NDS)

1. Retain for Use Internally

Explain Proposed Internal Use of House

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2. Sell to Interested Purchaser Externally

Explain Proposed External Sale of House

Habitat would like lot not the structure.
Habitat does not want to pay demolish cost due to their cost constraints.
C. Comments

Address for the owner who is interested does not have the funds to demolish structure prior to selling to Habitat.

Name: [Signature]
Date Completed: 9-24-93

V. Community Development Director

Approval: [Signature] 9-24-93

Director's Comment/Concerns:

Demolition. Habitat wants lot to rebuild house.
REQUEST FOR COUNCIL ACTION

Planning Committee Recommendations on Regulating Adult Entertainment Establishments

Action:

A) Approve recommendation from Planning Committee on regulating adult entertainment establishments; and

B) Hold a public hearing on a proposed zoning text amendment at the December 20 Zoning Meeting.

Explanation of Request:

On October 21, the Planning Committee voted to recommend to Council to direct staff to prepare zoning text amendments to establish spacing and other requirements for adult entertainment establishments; and to prepare a resolution for a public hearing on the amendment in December 1993.

Overview of Proposed Amendment

- Ordinance would apply to "adult establishments" which are defined as adult book stores, adult motion picture theaters, adult mini motion picture theaters, adult live entertainment establishments (topless) or massage parlors.

- Any structure in which an adult establishment is the principal or accessory use must be separated by a distance of at least 500 feet from any residential use or district, church, school, child care center, park or play ground.

- In addition, any structure in which an adult establishment is the principal or accessory use shall be separated by a distance of at least 1,000 feet from any other adult establishment.

- Existing adult establishments that become non-conforming with respect to the 500 feet separation requirement must come into compliance with the provisions of this ordinance within 5 years from the date of the
adoption of the ordinance.

- Attached is information reviewed by the Planning Committee about current regulations in Charlotte and Mecklenburg and other cities.

- The Public Safety Committee recently discussed the issue of adult entertainment businesses and concerns related to their existence. A primary concern was the impact of these establishments on residential, recreational, religious and educational property uses. The City Attorney and Planning staff provided outline information as to criminal and land use regulations that might apply. The land use issues were referred to the Planning Committee for further discussion.

- At the Planning Committee meeting the City Attorney discussed several legal issues and the Planning staff discussed potential land use regulations.

Attachment
ADULT ENTERTAINMENT ESTABLISHMENT ORDINANCES

Current Zoning Regulations for Adult Entertainment Establishments

The City of Charlotte and Mecklenburg County Zoning Ordinances regulate certain adult entertainment establishments in the following manner:

Nightclubs, bars and lounges are allowed in B-1 and B-2 districts subject to a 400 foot separation from residential uses or districts. Nightclubs, bars and lounges up to 70,000 square feet are allowed in I-1 and up to 25,000 square feet in I-2 districts subject to a 400 foot separation from residential uses or districts. Entertainment establishments such as nightclubs, bars, lounges, taverns and cabarets are allowed in UMUD (City only) subject to a 100 foot separation from a residential structure in a residential district.

There are no zoning regulations that prevent the conversion of an ordinary restaurant (permitted in B-1, B-2, UMUD, I-1 and I-2) to a topless restaurant and no separation requirements are imposed.

Review of Regulations in Other Localities

Localities throughout the Country that have chosen to adopt special regulations for adult uses have generally used one of two zoning approaches in the regulation of adult establishments. The "concentration" technique confines adult establishments to specified areas. The "dispersal" technique separates adult businesses from each other (usually 1000 feet apart) and from residential districts and/or uses and certain "protected" uses such as churches, schools, day care centers, playgrounds and public parks (usually 500-1000 feet away). Many ordinances also prohibit sexually oriented signage or displays in view of the general public and amortize nonconforming adult uses.

CONCENTRATION TECHNIQUE

Boston, Massachusetts

- "Adult Entertainment District" special purpose overlay district required.

DISPERsal TECHNIQUE

Denver, Colorado

- 500 foot separation from residential zoning or uses, schools, and churches.
- 1000 foot separation from another adult use.
Islip, NY

- 500 foot separation from residential uses, schools, churches, and playgrounds.
- 1/2 mile separation from another adult use.
- Industrial district with a special exception required.
- Separation standards can be waived based on certain findings including submittal of a petition bearing signatures of 51% of property owners within a 500 foot radius.
- Amortization schedule for nonconforming adult uses based on $ invested.

Lakewood, Colorado

- 750 foot separation from residential zoning, schools, churches, day care centers, and public parks.
- 1000 foot separation from another adult use.
- Amortization of nonconforming adult uses in 6 months.
- Subsequent location of protected use does not render pre-existing adult use nonconforming.

Little Rock, Arkansas

- 750 foot separation from residential zoning or uses, schools, churches, public park, hospital, or historic properties or to another adult use.
- Amortization of nonconforming adult uses in 3 years unless extension is granted based on finding of hardship.
- Subsequent location of protected use does not render pre-existing adult use nonconforming.

Los Angeles, California

- 500 foot separation from residential zoning, schools, churches, or public park.
- 1000 foot separation from another adult use.
- Amortization schedule for nonconforming adult uses based on $ invested or lease terms.

Marion County, Florida

- Commercial or industrial zoning with a special use permit required and
  - 1000 foot separation from residential zoning, schools, churches, playgrounds, parks and another adult use.
  - Signage controls

National City, California

- 1000 foot separation from residential zoning.
- 1500 foot separation from another adult use, schools and public parks.
- No public school, public park or residential district allowed to commence within the specified distances of separation.
New Hanover County, NC

- Commercial or industrial district with a special use permit required and
  - 500 foot separation from residential zoning, schools, churches, and parks.
  - 1000 foot separation from another adult use.
  - Signage controls.

Raleigh, NC

- Industrial, commercial, or thoroughfare district with a special use permit required.

Potential Impacts

There has been extensive research and numerous studies of the potential adverse impacts of adult businesses by municipalities across the nation in support of their ordinances. The documented potential impacts are outlined below.

Property Values

Several municipalities including Indianapolis, Minneapolis, St. Paul, Detroit, and Los Angeles have documented that areas with a concentration of adult businesses experience deteriorating property values, rental values, and rentability/salability and that this effect diminishes with distance.

Blight

It has also been documented that the economic decline resulting from concentrations of adult businesses often causes physical deterioration and blight. Negative physical impacts have been documented by cities including Detroit and Los Angeles.

Crime Rate

A number of impact studies from cities including Indianapolis, Austin, Minneapolis, St. Paul, Phoenix, Detroit, Los Angeles and Fayetteville indicate that areas with adult entertainment businesses tend to have higher crime rates than areas without such uses and sex-related crimes were substantially higher in these areas than the control areas without these businesses.

Summary of Court Reviews

Courts have generally upheld the constitutionality of zoning ordinances aimed at controlling adult establishments provided that the regulations do not totally exclude or excessively restrict these uses. Localities may seek to limit the potential negative impacts of adult uses as opposed to prevent their establishment.
REQUEST FOR COUNCIL ACTION

Planning Committee Recommendations on Regulating Adult Entertainment Establishments

Action:  
A) Approve recommendation from Planning Committee on regulating adult entertainment establishments; and

B) Hold a public hearing on a proposed zoning text amendment at the December 20 Zoning Meeting.

Explanation of Request:  
On October 21, the Planning Committee voted to recommend to Council to direct staff to prepare zoning text amendments to establish spacing and other requirements for adult entertainment establishments; and to prepare a resolution for a public hearing on the amendment in December 1993.

Overview of Proposed Amendment:

- Ordinance would apply to "adult establishments" which are defined as adult book stores, adult motion picture theaters, adult mini motion picture theaters, adult live entertainment establishments (topless) or massage parlors.

- Any structure in which an adult establishment is the principal or accessory use must be separated by a distance of at least 500 feet from any residential use or district, church, school, child care center, park or play ground.

- In addition, any structure in which an adult establishment is the principal or accessory use shall be separated by a distance of at least 1,000 feet from any other adult establishment.

- Existing adult establishments that become non-conforming with respect to the 500 feet separation requirement must come into compliance with the provisions of this ordinance within 5 years from the date of the
adoption of the ordinance.

- Attached is information reviewed by the Planning Committee about current regulations in Charlotte and Mecklenburg and other cities.

Background:

- The Public Safety Committee recently discussed the issue of adult entertainment businesses and concerns related to their existence. A primary concern was the impact of these establishments on residential, recreational, religious and educational property uses. The City Attorney and Planning staff provided outline information as to criminal and land use regulations that might apply. The land use issues were referred to the Planning Committee for further discussion.

- At the Planning Committee meeting the City Attorney discussed several legal issues and the Planning staff discussed potential land use regulations.

Attachment
ADULT ENTERTAINMENT ESTABLISHMENT ORDINANCES

Current Zoning Regulations for Adult Entertainment Establishments

The City of Charlotte and Mecklenburg County Zoning Ordinances regulate certain adult entertainment establishments in the following manner:

Nightclubs, bars and lounges are allowed in B-1 and B-2 districts subject to a 400 foot separation from residential uses or districts.
Nightclubs, bars and lounges up to 70,000 square feet are allowed in I-1 and up to 25,000 square feet in I-2 districts subject to a 400 foot separation from residential uses or districts.
Entertainment establishments such as nightclubs, bars, lounges, taverns and cabarets are allowed in UMUD (City only) subject to a 100 foot separation from a residential structure in a residential district.

There are no zoning regulations that prevent the conversion of an ordinary restaurant (permitted in B-1, B-2, UMUD, I-1 and I-2) to a topless restaurant and no separation requirements are imposed.

Review of Regulations in Other Localities

Localities throughout the Country that have chosen to adopt special regulations for adult uses have generally used one of two zoning approaches in the regulation of adult establishments. The "concentration" technique confines adult establishments to specified areas. The "dispersal" technique separates adult businesses from each other (usually 1000 feet apart) and from residential districts and/or uses and certain "protected" uses such as churches, schools, day care centers, playgrounds and public parks (usually 500-1000 feet away). Many ordinances also prohibit sexually oriented signage or displays in view of the general public and amortize nonconforming adult uses.

CONCENTRATION TECHNIQUE

Boston, Massachusetts

- "Adult Entertainment District" special purpose overlay district required.

DISPERSAL TECHNIQUE

Denver, Colorado

- 500 foot separation from residential zoning or uses, schools, and churches.
- 1000 foot separation from another adult use.
Islip, NY

- 500 foot separation from residential uses, schools, churches, and playgrounds.
- 1/2 mile separation from another adult use.
- Industrial district with a special exception required.
- Separation standards can be waived based on certain findings including submittal of a petition bearing signatures of 51% of property owners within a 500 foot radius.
- Amortization schedule for nonconforming adult uses based on $ invested.

Lakewood, Colorado

- 750 foot separation from residential zoning, schools, churches, day care centers, and public parks.
- 1000 foot separation from another adult use.
- Amortization of nonconforming adult uses in 6 months.
- Subsequent location of protected use does not render pre-existing adult use nonconforming.

Little Rock, Arkansas

- 750 foot separation from residential zoning or uses, schools, churches, public park, hospital, or historic properties or to another adult use.
- Amortization of nonconforming adult uses in 3 years unless extension is granted based on finding of hardship.
- Subsequent location of protected use does not render pre-existing adult use nonconforming.

Los Angeles, California

- 500 foot separation from residential zoning, schools, churches, or public park.
- 1000 foot separation from another adult use.
- Amortization schedule for nonconforming adult uses based on $ invested or lease terms.

Marion County, Florida

- Commercial or industrial zoning with a special use permit required and
  - 1000 foot separation from residential zoning, schools, churches, playgrounds, parks and another adult use.
  - Signage controls

National City, California

- 1000 foot separation from residential zoning.
- 1500 foot separation from another adult use, schools and public parks.
- No public school, public park or residential district allowed to commence within the specified distances of separation.
New Hanover County, NC

- Commercial or industrial district with a special use permit required and
  * 500 foot separation from residential zoning, schools, churches, and parks.
  * 1000 foot separation from another adult use.
  * Signage controls.

Raleigh, NC

- Industrial, commercial, or thoroughfare district with a special use permit required.

Potential Impacts

There has been extensive research and numerous studies of the potential adverse impacts of adult businesses by municipalities across the nation in support of their ordinances. The documented potential impacts are outlined below.

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Summary of Court Reviews

Courts have generally upheld the constitutionality of zoning ordinances aimed at controlling adult establishments provided that the regulations do not totally exclude or excessively restrict these uses. Localities may seek to limit the potential negative impacts of adult uses as opposed to prevent their establishment.
COUNCIL AGENDA ITEM

Council Agenda: NOVEMBER 22, 1993

Project: PARK / JOHNSTON ROAD LANDSCAPING
User Dept: PUBLIC FACILITIES AND ENGINEERING

FUNDING: General Capital Improvement program (Park Road Widening - Street Bonds) - $1,740,843

Description: This project will provide tree, shrub, and ground cover planting from North of Quail Hill Rd to South of Treva Woods on Park Road, and East of the Gleneagles-Sharon Rd. West / Park Rd. intersection to West of Hopeton Rd. on Sharon Road West.

Justification: This project is related to the Park Road Widening construction project described in the FY 92-96 Capital Budget. This landscaping will complete Phase II, Segments I, II, and III of the Park Road Widening project.

Advertised: October 3, 1993
Bids Rcvd: October 26, 1993 Bids Expire: December 24, 1993

Summary of Bids:
SOUTHERN TREE & LANDSCAPE COMPANY $148,958.78
DAVIS LANDSCAPE, INC. $168,237.50
INGLE & SON LANDSCAPING $182,435.23

MWBE Status: Amount % of Project Proj Goals
MBE 0 0 2%
WBE 0 0 2%

Compliance: Contractor has complied with M/WBE Program provision which allows performance of all work with contractor's own forces.

Program Director Concur: YES

Est. Cost: $184,000 % Difference 19% $ Difference $35,000

Consequences If Item Deferred: DELAY IN AWARD
Recommend Award to Low Bidder: Yes

Submitted By: __________________________
C.D. READLING, City Engineer

Contact & Phone If Questions  Tom Campbell, 336-3617

ENGBID 1.112
CONSENT I AGENDA ITEM

Council Agenda: November 22, 1993

Project: Sanitary Sewer Construction - Caldwell Creek Outfall  User Dept: CMUD

FUNDING: Ctrl: 632.61  Fund: Water/Sewer CIP (2071)
Balance of Funds: $329,835 62

Description: This project consists of approximately 3098 + linear feet of 15-inch sanitary sewer main, 965 + linear feet of 12-inch sanitary sewer main, 1001 + linear feet of 8-inch sanitary sewer main, 16 manholes and various other appurtenances to be performed within varying width sanitary sewer rights-of-way with additional temporary construction easements, crossing seven (7) individually owned properties, beginning at an existing manhole at U.S Highway 21 (Statesville Road) and proceeding northeasterly to Bailey Road.

Justification. Construction of this project is based upon efforts to promote development between the towns of Cornelius and Huntersville. The 2005 Generalized Land Plan designates a Development Enterprise Area (DEA) between the two towns to promote employment growth in the general area. In addition, this project meets the need by promoting growth in North Mecklenburg and assists in overall community efforts to redirect growth from the fast growing South and East.


Summary of Bids:

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<tr>
<th>Contractor</th>
<th>Location</th>
<th>Amount</th>
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<tr>
<td>7 Star Construction</td>
<td>Rock Hill, SC</td>
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<td>B R S , Inc.</td>
<td>Richfield, NC</td>
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<td>Marlboro Construction</td>
<td>Bennettsville, SC</td>
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<td>Dellinger, Inc.</td>
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<td>Hickory Sand Company</td>
<td>Hickory, NC</td>
<td>$268,181.55</td>
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<td>Gilbert Engineering</td>
<td>Statesville, NC</td>
<td>$269,574.64</td>
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<td>State Utility Contractors</td>
<td>Monroe, NC</td>
<td>$277,146.56</td>
</tr>
<tr>
<td>Rea Brothers, Inc</td>
<td>Pineville, NC</td>
<td>$355,595.36</td>
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MWBE Status:  MBE PRIME CONTRACTOR

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<tr>
<td>WBE</td>
<td>$213,124.17</td>
<td>100%</td>
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</table>
Compliance: Yes - The Contractor has complied with the MWBE contract provisions which allow him to perform all the work with his own forces. The Contractor has met and will exceed the project goal for MBE participation.

Program Director Concur: Yes

Est. Cost: $230,000 00  % Difference 7.34%  $ Difference: $16,875 83

Consequences If Item Deferred: Bids will be valid for sixty (60) days beyond November 5, 1993.

Recommend Award to Low Bidder: Yes - 7 Star Construction Company

Submitted By: ___________________ Approved:___________________

Contact & Phone If Questions: Kathy Freeze - 391-5104
CONSENT I AGENDA ITEM

Council Agenda: 11-22-93

Project: Fire User Dept: Utility (Purchasing)


Description: Fire Hydrants

Justification: Fire Hydrants are used for residential and commercial fire protection. Pump & Lighting Company has offered a twelve month extension at the same prices bid one year ago. See copy of letter. Present contract #93 006.09 08 allows for extension

Advertised: N/A Bids Rcvd: N/A Bids Expire: 11-30-93

Summary of Bids:

Pump & Lighting Co., Charlotte, NC $60,368.88

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Compliance: Yes

Program Director Concur: Yes

Est. Cost: 60,368.88 % Difference 0 $ Difference $0

Consequences If Item Deferred: Present contract will expire 11-30-93 Extension of present contract is needed to assure systematic delivery of hydrants. A 7% increase would amount to a savings of $4,225.82.

Recommend Award to Low Bidder: Yes

Submitted By: ________________ Approved: ________________

Contact & Phone If Questions: Gregory S Spearman, 336-2933
CONSENT I AGENDA ITEM

Council Agenda: November 22, 1993

Project: Sanitary Sewer And Water Main Construction - FY 94 Contract E - Street Main Extensions User Dept: CMUD

Contract Amounts: Sewer Street Main Extension - 633.79 ($408,990.38), Sewer Extensions for Public Health Protection - 633.90 ($35,000.00), Sewer Extension Policy 50/50 Program - 630.90 ($35,000.00), Water Street Main Extension - 635.79 ($387,477.37), Water Extension Policy 50/50 Program - 630.89 ($20,000.00), Minor Water System Improvements - 635.09 ($20,000.00), Water Extension For Public Health - 635.90 ($50,000.00).

FUNDING: A total of seven project accounts are impacted by this bid.
WATER AND SEWER CIP 2071 - Street Main Extension Program - Sewer (633.79) - $4,900,000.00; Street Main Extension Program - Water (635 79) - $2,871,661.23; Sewer Extensions for Public Health Protection (633.90) - $113,769.38, Water Extensions for Public Health Protection (635.90) - $421,541.13, Minor Water Main Repair (635 09) - $400,256.45. (Total Available - $9,263,907.38)

Description: This project consists of approximately 8,000+ linear feet of 8-inch sewer pipe, 1,150+ linear feet of 12-inch water pipe, 2,150+ linear feet of 8-inch water pipe, 3,150+ linear feet of 6-inch water pipe, 2,150+ linear feet of 2-inch water pipe, 30 four foot manholes, 6 fire hydrants and various other appurtenances to be performed within rights-of-way of the North Carolina Department of Transportation and/or Charlotte Department of Transportation and other public road rights-of-way or 15-foot sanitary sewer right-of-way acquired from individually owned properties with varying temporary construction easements throughout the City of Charlotte and Mecklenburg County

Justification: Construction of these projects will extend sewer and water service to residences which have been determined to be public health hazards, where private wells are faulty, and/or to residences/businesses which have requested connection to the City’s water/sewer system.

Advertised: October 9, 1993 Bids Rcvd: November 2, 1993 Bids Expire: January 2, 1994
Summary of Bids:

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<td>McDaniel Construction Contractors</td>
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<td>Dellinger, Inc</td>
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<td>Propst Construction Company</td>
<td>Concord, NC</td>
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<td>W. M. Pans &amp; Associates</td>
<td>Charlotte, NC</td>
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<td>B.R.S., Incorporated</td>
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<td>Rea Brothers, Inc.</td>
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MWBE Status: WBE PRIME CONTRACTOR

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<td>WBE</td>
<td>$956,467.75</td>
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<td>3%</td>
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Compliance: Yes - The Utility Department has reviewed the Contractor’s good faith efforts to meet the project goals and determined that she has complied with the requirements of the MWBE Program. The Contractor has met and will exceed the project goal for WBE participation.

Program Director Concur: Yes

Est. Cost: $997,065.00  % Difference 4.07%  $ Difference $40,597.25

Consequences If Item Deferred: We would be unable to provide service within the six month period outlined in the extension policy.

Recommend Award to Low Bidder: Yes - McDaniel Construction Contractors

Submitted By: ___________________ Approved: ___________________

Contact & Phone If Questions: Kathy Freeze - 391-5104
CONSENT I AGENDA ITEM

Council Agenda: 11-22-93

Project: Autos & Light Trucks User Dept: Various

FUNDING: See Attached list.

Description: Police cars, staff cars and other light vehicles for various City departments.

Justification: Vehicles are worn out, have high maintenance costs and lower dependability.


Summary of Bids:

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<td>Young Ford</td>
<td>Charlotte, NC</td>
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<td>Town &amp; Country Ford</td>
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<td>Harrelson Ford</td>
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<td>Metrolina Dodge</td>
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<td>Southland Chevrolet</td>
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Compliance: Yes, requests for quotation were sent to 2 local MWBE vendors, one bid was successful on the section bid

Program Director Concur: Yes

Est. Cost: % Difference $ Difference: $
Consequences If Item Deferred: Vehicles will continue to have high maintenance costs and low dependability.

Recommend Award to Low Bidder: Yes

Submitted By: __________________ Approved: ___________________
Contact & Phone If Questions:
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<td></td>
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<td>402 47</td>
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<td>37.962</td>
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<td></td>
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<td>Police - Urban</td>
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<td>402 48</td>
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<td></td>
<td></td>
<td>1,651.850</td>
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</table>

| 7101     | Utilities Operating         | 529 00     | McAlpine Creek WWTP | 8.980  | 11.000 |
|          |                             | 819 00     | Remote Water Facilities | 12.548  | 25.000 |
|          |                               |            |         | 22.716  | 25.500 |
| 2074     | Utilities Capital Equipment | 529 00     | Sugar Creek WWTP | 8.980  | 8.700  |
|          | (Lease Purchase)            | 818 00     | Wastewater Collection | 9.733  | 10.800 |
|          |                             | 827 00     | Sewer Lift Stations | 9.733  | 10.900 |
|          |                             | 811 00     | Customer Service | 50.932  | 42.400 |
|          |                             | 829 00     | Sugar Creek WWTP | 9.840  | 10.800 |
|          |                             | 529 00     | McAlpine Creek WWTP | 29.840  | 31.800 |
|          |                             | 814 00     | McDowell Creek WWTP | 9.840  | 10.800 |
|          |                             | 829 00     | Mallard Creek WWTP | 9.840  | 10.800 |
|          |                             | 818 00     | Franklin WWTP | 10.980  | 11.000 |
|          |                             | 502 00     | Engineering | 54.900  | 53.000 |
|          |                             | 811 00     | Customer Service | 11.090  | 12.000 |
|          |                             | 818 00     | Wastewater Collection | 15.405  | 18.500 |
|          |                             | 824 00     | Irwin Creek WWTP | 12.856  | 17.000 |
|          |                             | 819 00     | Wastewater Collection | 17.610  | 24.000 |
|          |                             | 829 00     | Odor Monitor/Control | 17.256  | 15.800 |
|          |                             | 818 00     | Wastewater Collection | 16.858  | 19.400 |
|          |                             | 610 00     | Water Distribution | 81.067  | 85.800 |
|          |                               |            |         | 350.023  | 344.500 |

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<td>2,781.640</td>
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<tr>
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<td>2,720.078</td>
<td>2,781.640</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 1
**********

6 ea. - Staff Cars

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Metrolina Dodge, Charlotte, NC, in the amount of $55,010.28 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>Metrolina Dodge</th>
<th>Charlotte, NC</th>
<th>$55,010.28</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>56,274.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>56,682.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>58,548.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>58,790.00</td>
</tr>
</tbody>
</table>

SECTION 2
**********

3 ea. - Compact Station Wagon

Recommendation: By Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $29,874.00 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>City Chevrolet</th>
<th>Charlotte, NC</th>
<th>$29,874.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>32,292.00</td>
</tr>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>38,526.00</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 3
**************

21 ea - Unmarked Police Staff Cars

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $244,713.00 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>$244,713.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>249,858.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>263,067.00</td>
</tr>
</tbody>
</table>

SECTION 4
**********

128 ea - Marked Police Cars

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $1,766,262.00 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>$1,638,272.00</td>
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<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>1,643,520.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>1,650,688.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>1,740,800.00</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 5
***********

4 ea. - Unmarked Police Cars

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Harrelson Ford, Charlotte, NC, in the amount of $51,128.00 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>$51,128.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>51,532.00</td>
</tr>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>52,132.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>54,320.00</td>
</tr>
</tbody>
</table>

SECTION 6
*******

2 ea - Standard Mini Pickup

Recommendation: By Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $19,526 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>$19,526.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>19,898.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>20,170.00</td>
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<tr>
<td>Southland Chevrolet</td>
<td>Charlotte, NC</td>
<td>20,524.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>20,858.00</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 7
**********

11 ea - Heavy Duty Mini Pickup
Depts.

Recommendation. By the Purchasing Director and Equipment Services Director that the low
bid, Young Ford, Charlotte, NC, in the amount of $108,680 00 be accepted for award of
contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
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<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>109,197.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
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</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
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</tr>
<tr>
<td>Southland Chevrolet</td>
<td>Charlotte, NC</td>
<td>112,882 00</td>
</tr>
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</table>

SECTION 8
**********

6 ea - Mini Pickup, Extended Cab
Various Depts

Recommendation. By Purchasing Director and Equipment Services Director that the low bid,
Town & Country Ford, Charlotte, NC, in the amount of $65,918 16 be accepted for award of
contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town &amp; Country Ford</td>
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<td>Charlotte, NC</td>
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<td>Harrelson Ford</td>
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<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>70,158 00</td>
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ATTACHMENT

BID SECTION 9

1 ea. - Mini Cab & Chassis

** Recommendation:** By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $9,584.20 be accepted for award of contract on a unit price basis.

**Bid Summary:**

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
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<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
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<td>Harrelson Ford</td>
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<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>9,880.00</td>
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<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>10,003.00</td>
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SECTIONS 10 & 11

8 ea - Full size Pickup

** Recommendation:** By Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $88,640.00 be accepted for award of contract on a unit price basis.

**Bid Summary:**

<table>
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<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
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<td>Young Ford</td>
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<td>94,568.00</td>
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<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>94,864.00</td>
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<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>98,680.00</td>
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ATTACHMENT

BID SECTION 12
***********

1 ea. - 8600 GVW Pickup

Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $12,503.38 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>Town &amp; Country Ford</th>
<th>Charlotte, NC</th>
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<td>Charlotte, NC</td>
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<td>Harrelson Ford</td>
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<td>13,219.49</td>
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<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>13,294.00</td>
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SECTION 13
***********

1 ea. - 8600 GVW Pickup with Liftgate

Various Depts

Recommendation: By Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $13,958.38 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>Town &amp; Country Ford</th>
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<td>City Chevrolet</td>
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<td>14,831.00</td>
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ATTACHMENT

BID SECTION 14

2 ea - 10,000 GVW Crew Cab Pickup

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $15,405.00 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
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<tr>
<th>Young Ford</th>
<th>Charlotte, NC</th>
<th>$30,810.00</th>
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<td>30,874.76</td>
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<td>Harrelson Ford</td>
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<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>37,992.00</td>
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</table>

SECTION 15

3 ea. - 10,000 GVW Cab & Chassis

Recommendation: By Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $12,838.38 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>Town &amp; Country Ford</th>
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<td>Young Ford</td>
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<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>38,862.00</td>
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<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>39,846.00</td>
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ATTACHMENT

BID SECTION 16

1 ea - 10,000 Gvw Diesel Cab & Chassis

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $16,155.00 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
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<tr>
<th>Equipment Services</th>
<th>City Chevrolet</th>
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<tbody>
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<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>18,410.00</td>
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<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>19,014.83</td>
</tr>
</tbody>
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SECTION 17

3 ea - 8600 Gvw Pickup

Recommendation. By Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $38,944.14 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th>Various Depts</th>
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</thead>
<tbody>
<tr>
<td>City Chevrolet</td>
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</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>13,044.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>13,109.00</td>
</tr>
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ATTACHMENT

BID SECTION 18

1 ea. - 10,000 GVW Crew Cab

Recommendation. By the Purchasing Director and Equipment Maintenance Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $17,610.38 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Town &amp; Country Ford</th>
<th>Charlotte, NC</th>
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</thead>
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<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>17,753.00</td>
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<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>18,782.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>19,656.00</td>
</tr>
</tbody>
</table>

SECTION 19

3 ea - 8600 GVW Cab & Chassis

Recommendation. By Purchasing Director and Equipment Maintenance Director that the low bid, Young Ford, Charlotte, NC, in the amount of $38,919.00 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Young Ford</th>
<th>Charlotte, NC</th>
<th>$38,919.00</th>
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</thead>
<tbody>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>40,431.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>46,242.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>46,461.00</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 20

2 ea. - Sport Utility Vehicle, 2 dr, 2 WD

Various Depts

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, Southland Chevrolet, Charlotte, NC, in the amount of $31,567.18 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southland Chevrolet</td>
<td>Charlotte, NC</td>
<td>$31,567.18</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>31,694.00</td>
</tr>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>33,056.00</td>
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<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>33,130.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>34,178.00</td>
</tr>
</tbody>
</table>

SECTION 21

2 ea. - Sport Utility Vehicle, 2 dr., 4 WD

Various Depts

Recommendation. By Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $34,530.00 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>$34,530.00</td>
</tr>
<tr>
<td>Southland Chevrolet</td>
<td>Charlotte, NC</td>
<td>35,136.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>36,106.00</td>
</tr>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>36,278.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>37,614.00</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 22
*************

1 ea - Full Size Sport Utility Vehicle

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $18,557.80 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th></th>
<th>Charlotte, NC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Town &amp; Country Ford</td>
<td></td>
<td>$18,557.80</td>
</tr>
<tr>
<td>Harrelson Ford</td>
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<td>18,748.00</td>
</tr>
<tr>
<td>Young Ford</td>
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<td>18,817.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td></td>
<td>20,219.00</td>
</tr>
</tbody>
</table>

SECTION 23
*************

2 ea. - Sport Utility Vehicle, 4 dr, 4 WD

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $37,592.00 be accepted for award of contract on a unit price basis.

Bid Summary:

<table>
<thead>
<tr>
<th></th>
<th>Charlotte, NC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>City Chevrolet</td>
<td></td>
<td>$37,592.00</td>
</tr>
<tr>
<td>Young Ford</td>
<td></td>
<td>37,996.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td></td>
<td>38,070.00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>39,140.00</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 24
************

1 ea - Mini Cargo Van Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $12,359 00 be accepted for award of contract on a unit price basis

Bid Summary.

<table>
<thead>
<tr>
<th>City Chevrolet</th>
<th>Charlotte, NC</th>
<th>$12,359.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southland Chevrolet</td>
<td>Charlotte, NC</td>
<td>12,492 08</td>
</tr>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>13,150 00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>13,190 70</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>13,390 00</td>
</tr>
</tbody>
</table>

SECTION 25
************

2 ea. - Police Mini Vans Police Dept

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $27,777.26 be accepted for award of contract on a unit price basis

Bid Summary.

<table>
<thead>
<tr>
<th>Town &amp; Country Ford</th>
<th>Charlotte, NC</th>
<th>$27,777.26</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>28,412 00</td>
</tr>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>28,460 00</td>
</tr>
</tbody>
</table>
ATTACHMENT

BID SECTION 27
***************

1 ea. - 8600 GVW Cargo Van

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Harrelson Ford, Charlotte, NC, in the amount of $14,715.00 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>$14,715.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>14,730.00</td>
</tr>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>15,690.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>16,188.65</td>
</tr>
</tbody>
</table>

SECTION 28
***************

3 ea - 14,500 GVW Cab & Chassis

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Harrelson Ford, Charlotte, NC, in the amount of $51,087.00 be accepted for award of contract on a unit price basis.

Bid Summary.

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harrelson Ford</td>
<td>Charlotte, NC</td>
<td>$51,087.00</td>
</tr>
<tr>
<td>Town &amp; Country Ford</td>
<td>Charlotte, NC</td>
<td>53,918.88</td>
</tr>
<tr>
<td>Young Ford</td>
<td>Charlotte, NC</td>
<td>54,624.00</td>
</tr>
<tr>
<td>City Chevrolet</td>
<td>Charlotte, NC</td>
<td>55,674.00</td>
</tr>
</tbody>
</table>
RESOLUTION IN SUPPORT OF CITIZENS CHALLENGING STATE INMATE RELEASE STATUTE.

WHEREAS, the City Council is reliably informed that a class action law suit has been filed by citizens, from various parts of North Carolina, who challenge the constitutionality of the so-called Inmate Release Statute; and

WHEREAS, the Inmate Release Statute, North Carolina General Statutes §148-4.1, generally requires that, whenever the prison population reaches 90% of a stated capacity for a prescribed period of time, State officials must release on parole a sufficient number of inmates to reduce the prison population to a 97% level; and

WHEREAS, the named plaintiffs in the law suit appear to be citizens who have suffered serious injury or citizens who have had family members murdered, by persons who were released from prison, pursuant to the Inmate Release Statute, before serving their full sentence; and

WHEREAS, the release of prisoners pursuant to the Inmate Release Statute has contributed to the appearance of a "reversing door" where persons convicted of often serious crime are sentenced to imprisonment but often appear on the street, soon after incarceration, as a result of compliance with the Inmate Release Statute; and

WHEREAS, this appearance of a revolving door within the criminal judicial system causes serious deterioration in the public's confidence in the ability of government to maintain law and order; and

WHEREAS, the citizens who have filed the class action law suit, to which reference is made above, represent not only those persons who have suffered injury or loss at the hands of a criminal who was returned prematurely to the streets under the Inmate Release Statute, but also that larger population of citizens who are justifiably frustrated and angered by government's seeming inability to keep criminals off the streets, until their sentences have been served, for reasons related solely to the statutorily imposed prison population cap prescribed by the Inmate Release Statute;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURHAM, CHARLOTTE

First, the City Council does hereby express its concern and frustration with the continued release of inmates from prison prior to the completion of the inmates' sentences, for reasons related solely to the requirements of the Inmate Release Statute.
Second, the City Council commends those citizens who, through their time and effort, have brought the question of the constitutionality of the Inmate Release Statute before the court, where that important question may be resolved.

Third, the City Council calls upon the Governor and the General Assembly to continue their efforts to deal with the revolving door problem in our criminal justice system which allows persons who, by their conduct, have demonstrated that they are a threat to the public safety and welfare, to be returned to the streets.

Fourth, the City Clerk is directed to forward a certified copy of this Resolution to the Governor, the Attorney General, the members of the General Assembly who represent Durham County, and to counsel for the citizens who have filed the class action law suit to which reference is made above.

Fifth, this Resolution is effective upon adoption.