AGENDA

Meeting Type:	BUSINESS
Date:	09/11/1995

City of Charlotte, City Clerk's Office

CHARLOTTE

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

Council Agenda

CITY COUNCIL MEETING
Monday, September 11, 1995

5:00 p.m. — **Conference Center**

- **Public Services Committee Recommendation Concerning Drug Free Workplace for City Contractors**
- **Annexation Study Areas**

6:30 p.m. — **Meeting Chamber**

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

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

CITY COUNCIL AGENDA
Monday, September 11, 1995
TABLE OF CONTENTS

Item No.		Page No.	Attachment No.
	MINUTES AND CONSENT		
1.	Approval of Minutes	1	
2	Consent Items	1	
	POLICY		
3.	City Manager's Report	1	
4.	Political Consolidation	1	1
5.	Public Services Committee Recommendation Concerning Drug Free Workplace for City Contractors	4	2
6.	Discuss Option of Sale of Coliseum	6	
	BUSINESS		
7.	Resolution of Consideration for Annexation Study Areas	7	3
8.	Public Arts Commission Appointment	8	4
9.	October 2 Workshop Agenda	9	

Item No.		Page No.	Attachment No.
	CONSENT I		
10.	Various Bids		
A	Oils and Lubricants	10	
B.	Crushed Stone	10	
C	Water and Sewer Main Construction - FY96 Contract #6 - Street Main Extensions	11	
D	Minor Curb Replacement: The Plaza, Castlerock Drive, and Nancy Drive	11	
E.	Wingate Neighborhood Reinvestment, Phase 1	11	
F	Hydrant Refueling Carts	12	
G	Kenlough Drive Storm Drain Improvements	12	
11.	Resolution of Intent to Abandon Street and Set Public Hearing: Two Alleyways Between Church and Tryon Streets at Liddell Street	12	5
12.	In Rem Remedy		6
A	1236 Louise Avenue	13	7
B.	616 Herrin Avenue	14	8
C	2421 Rozzelles Ferry Road	14	9
D	5302-04-06-08 Airline Street	14	10
E.	2626-28 Kenhill Drive	14	11
F	2741 Mayfair Avenue	15	12
G	404 E Todd Lane	15	13
H	1614 N Davidson Street	15	14
I	1729-31 Parson Street	15	15
J	1604 Harrill Street	16	16
K	908 Harrill Street	16	17
L.	1210 Harrill Street	16	18
M.	1521 Pegram Street	16	19
N.	804 E 20th Street, Apts 1 & 2	17	20
O	1628 Umstead Street	17	21
P	1632 Umstead Street	17	22
Q	3036 Georgia Avenue	17	23
R	1504 St. George Street	18	24
S	1507 St George Street	18	25
T	1515 Newcastle Street	18	26
U	3603 W Sugar Creek Road	18	27

Item No		Page No.	Attachment No.
V	1709 Pegram Street	19	28

CONSENT II

13.	Replacement Housing Loan - 1833 Pegram Street	21	29
14.	Replacement Housing Loan - 6028 Carver Boulevard	21	30
15.	Replacement Housing Loan - 6815 Rockwell Boulevard	22	31
16.	Replacement Housing Loan - 6204 Carver Boulevard	22	32
17.	Replacement Housing Loan - 5625 Patton Street	23	33
18.	Replacement Housing Loan - 5809 Greene Street	23	34
19.	Replacement Housing Loan - 3213 LaSalle Street	24	35
20.	Charlotte Transportation Center: Environmental Cost Reimbursement	24	
21.	Residential Sound Insulation Construction Contracts	25	
22.	Resolution Accepting FAA Grant	27	
23.	Airport Master Plan Update, Noise Program Update and Environmental Impact Study	28	
24.	Neighborhood Reinvestment Project - Reid Park - Engineering Services - Amendment #1	31	

Item No.		Page No.	Attachment No.
	CONSENT II CONTINUED...		
25.	Joint Funding Agreement for the Development of a Water Quality Model for the Upper Catawba River in South Carolina	32	
26.	Steele Creek Parallel Sewer Trunk - Professional Services Contract	34	
27.	Property Transactions	35	

Item No.

CONSENT ITEMS

1. Approval of Minutes:

2. Consent agenda items 10 through 27 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.

Staff Resource: Julie Burch

POLICY

3. City Manager's Report

4. Political Consolidation

Action:

A. Consider a joint resolution adopting the charge for the Charlotte-Mecklenburg Charter Commission. The charge to the Commission includes:

1 publicizing the proposed charter throughout the County;

2. holding a series of public hearings;

3 presenting the three representation plans considered by the Charter Drafting Committee (8 districts/3 at large; 6 districts/5 at large; and 6 districts (with 2 each)/6 at large);

4. making appropriate changes to the charter and companion legislation;

5. presenting any revisions to the City Council and County Commission; and

6. once those two bodies have approved the same version of the charter, calling for a referendum on either May 7, 1996 or November 5, 1996.

B. Adopt a budget ordinance appropriating $34,000 (County $17,000; City - $17,000) to fund the work of the Commission; and

C. Make further nominations and appoint 10 members to the Commission.

Staff Resource: Pam Syfert

Focus Area: Restructuring Government

Explanation of Request:

- At the May 8 joint meeting with the Mecklenburg County Commission, the Council received the report of the Charter Drafting Committee.

- On May 22 Council adopted a charge to the Charter Commission and made the following preliminary nominations:

  - Dan Bishop by Councilmember Wheeler
  - Rev. Coleton by Councilmember Scarborough
  - Bob Davis by Councilmember McCrory
  - Diane Long by Councilmember Scarborough

Item No.

- Ralph McMillan by Councilmember Wheeler
- Joe Miller by Councilmember Reid
- Rev Conrad Pridgen by Councilmember Scarborough
- Terry Rhodes by Councilmember Majeed
- Sam Smith by Councilmember Spencer
- Ed Woodall by Councilmember Jackson

- On June 26 Council adopted a resolution requiring the Charter Drafting Committee to continue its work and include a process to require a mandated $4,000,000 savings each year for 5 years, in accordance with action of the Mecklenburg County Commission on June 20.

- In August, the Charter Drafting Committee completed this additional charge and reported back to the Council and County Commission.

- The Mecklenburg County Commission will be considering this issue on September 19, 1995.

- The budget ordinance appropriates $17,000 in County funding and the City match of $17,000 from General Fund Contingency (balance $150,000) In May the Council appropriated $17,000 for the Charter Commission, but later asked the Charter Drafting Committee to continue to operate. These funds have been used to cover the additional Committee expenses of approximately $9,200 as well as continue preparation for a workshop on consolidation planned in November 1995 Any expenditure will be jointly shared with the County.

Attachment 1
Resolution
Schedule
Budget
Communications Plan
August 28 Report of Charter Drafting Committee

5. Public Services Committee Recommendation Concerning Drug Free Workplace for City Contractors

Action: **Approve the Public Services Committee recommendation to:**

A. Establish a policy requiring City service and construction contractors to provide a drug-free workplace; and

B. Continue to evaluate on a case-by-case basis whether contracted "safety-sensitive" positions should be subject to drug testing.

Committee Chair: Don Reid

Staff Resource. David Cooke

Policy. One of the goals of the Community Safety Plan is to decrease the rate of substance-abuse related crime in our community. In addition, the City, as an employer, maintains a drug-free workplace.

Explanation of Request:

- The Public Services Committee recommends that Council adopt a policy requiring all City service and construction contractors to provide a "drug-free workplace " A "drug-free workplace" would be achieved through measures that meet or exceed the requirements of the Federal Drug-Free Workplace Act of 1988

- Under the standards established by the Federal Drug-Free Workplace Act of 1988, contractors would have to take the following steps.

1. Adopt a statement that illegal drugs are prohibited in the workplace and stating the actions that will be taken for any violation. A copy of the statement must be provided to employees engaged in the performance of the contract.

2 Establish a drug-free awareness program.

3 Inform employees that they are required to comply and must notify the employer of any conviction for a drug crime committed in the workplace.

4 Notify the City within 10 days after receiving notice that an employee has been convicted of a drug crime

5 Impose a sanction on an employee convicted of a drug crime or require the employee to participate in a drug rehab program.

6. Make a good faith effort to continue to maintain a drug-free workplace.

- In addition, the Committee recommends that the question of whether to require contractors to conduct drug-testing of employees engaged in "safety-sensitive" positions should be determined on a case-by-case basis

- In order to allow time to develop implementation tools and to inform the contracting community about the requirement, the policy would become effective January 1, 1996

Background:

- Council referred this issue to the Public Services Committee last winter. The Committee considered this issue at meetings on May 15 and August 23.

- Staff surveyed the Chamber of Commerce, major companies and the school system and determined that most large employers do require their construction contractors to maintain a drug-free workplace

- The Committee considered alternative approaches to ensuring that its contractors maintain a drug-free workplace and concluded that the model established by the Federal Drug-Free Workplace Act of 1988 is the most appropriate. Specifically, the provisions of the Act impose little if any cost on contractors and can be easily implemented by the City.

- If the policy is adopted, staff will take steps to inform the contracting community of the requirement and provide information that will assist contractors in achieving a drug-free workplace.

- Finally, at the Committee's request, the members of the Privatization/Competition Advisory Committee and the Minority and Women Business Development Advisory committee have been notified that this policy is pending before the City Council.

Attachment 2
August 18 Staff Memo to Public Services Committee

6. Discuss Option of Sale of Coliseum

At the August 28 meeting, Council requested this item be placed on the agenda for discussion.

BUSINESS

7. Resolution of Consideration for Annexation Study Areas

Action: Adopt a Resolution of Consideration for each of the 10 Annexation Study Areas. A series of official maps of each study area will be adopted as formal boundaries and will be on file with the City Clerk.

Staff Resource. Dick Black

Policy The Planning Commission's charge is to study and identify areas for future annexations every two years.

Explanation of Request

- An individual Resolution of Consideration is to be adopted for each of 10 study areas. Detailed studies will be conducted in the coming year to determine what part (or all) of each study area is eligible Those areas will then be submitted for annexation. Areas identified would likely become part of the City on June 30, 1997

Background:

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

- The Planning Commission staff has identified 10 areas which appear likely to qualify for annexation during the two-year life span of the resolution All or part of these areas will eventually be proposed for annexation, depending on the results of eligibility studies

- The following is a generalized timetable of major steps in the annexation process:

  - September 1995 - Adopt Resolution of Consideration, outlining general areas that may be eligible

  - September 1996 - Adopt Resolution of Intent, giving specific boundaries of proposed annexation areas

  - October 1996 - Approve Annexation Reports

  - November 1996 - Hold Public Hearings

  - January 1997 - Adopt Annexation Ordinances

  - June 30, 1997 - Effective Date of Annexation

Attachment 3
Resolution of Consideration
Map of the Annexation Study Areas

8. Public Arts Commission Appointment

Action:	**Approve recommendation of Arts and Science Council for the appointment of David Walters, Urban Planner at UNCC, to serve on the Public Art Commission.**
Explanation of Request.	On October 11, 1993, Council approved the slate of officers for the Public Arts Commission in compliance with the ordinance that restructured this group.

The two year appointment of Esther Hill in the education category has expired and Council is asked to approve the appointment of David Walters to fill this position.

Attachment 4

9. October 2 Workshop Agenda

Action: **Approve the following topics for the October 2 Workshop:**

- **1997 Annexation Areas**
- **Focus Area Plans**
- **Annual Financial Report**
- **Northeast District Plan**

Introduction to CONSENT I and II

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

Consent I consists of routine items that have been approved in the budget, are low bid, and have met MWBD criteria.

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

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

CONSENT I

10. Various Bids

A. Oils and Lubricants — Equip. Svcs., Fire, Aviation

Recommendation. Purchasing Director recommends the low bid of $67,815, by F&R Oil Company of Charlotte, NC

MWBD Status:	Amount	% of Project	Project Goals
WBE	$67,815	100%	9%

Compliance Yes. Recommended low bidder is a WBE.

B. Crushed Stone — CDOT, Street Maint.

Recommendation: Purchasing Director recommends the low bid of $290,415 by Vulcan Materials Company, Charlotte, NC.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$8,712.45	3%	3%
WBE	$2,904.15	1%	1%

Compliance: Yes

C. **Water and Sewer Main Construction - FY96 Contract #6 - Street Main Extensions** **CMUD**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $756,614.93 by Rea Brothers, Incorporated of Pineville, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$ 5,000	.07%	2%
WBE	$28,350	3.8 %	3%

Compliance: Yes, the Contractor has met the established goal for WBE participation and made good faith efforts to meet the goal for BBE participation

D. **Minor Curb Replacement: The Plaza, Castlerock Drive and Nancy Drive** **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $94,179.80 by KIP Corporation of Charlotte, NC

MWBD Status: According to the Council-approved MWBD Plan, subcontracting goals are not set on projects estimated at less than $100,000. Efforts are made to involve MWBD firms in projects as prime bidders

E. **Wingate Neighborhood Reinvestment, Phase** **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $516,001.50 by United Construction Company of Charlotte, N.C

MWBD Status:	Amount	% of Project	Project Goals
BBE	$ 49,000	9.5%	5%
ABE	$446,001.50	86.4%	0
WBE	$ 21,000	4.1%	4%

Compliance: Yes.

Item No.

F. **Hydrant Refueling Carts** **Aviation**

Recommendation: Aviation Director recommends the low bid of $840,770 by Garsite, Inc., Kansas City, MO.

MWBD Compliance: Yes. No Known MWBD vendors for this equipment.

G. **Kenlough Drive Storm Storm Drain Improvements** **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $1,271,947 65 from Blythe Development of Charlotte, N.C.

MWBE Status:	Amount	% of Project	Project Goals
BBE	$39,000	3.1%	3%
WBE	$29,000	2.3%	2%

Compliance: Yes.

11 **Resolution Of Intent To Abandon Street And Set Public Hearing: Two Alleyways Between Church and Tryon Streets at Liddell Street**

Action: **A** **Adopt the Resolution of Intent to abandon two alleyways between Church and Tryon Streets at Liddell Street; and**

B. **Set a Public Hearing for October 9, 1995.**

Attachment 5
Vicinity Map

12. In Rem Remedy

For In Rem Remedy Items #A - #V, the public purpose and policy is outlined here

Public Purpose:

- Eliminate a blighting influence in a City Within a City neighborhood
- Reduce the proportion of substandard housing from 2.3% to 1% by 1997 (One of the goals of City Within a City is to continue housing preservation efforts)
- Increase tax value of property by making land available for potential infill housing development.

Policy·

- City Within a City
- Community Safety Plan

The attached charts break down the In Rem Remedy and the Replacement Housing items by neighborhood and indicate how each case was initiated.

Attachment 6

A. 1236 Louise Avenue

Action. Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1236 Louise Avenue (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 7

B. 616 Herrin Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 616 Herrin Avenue (North Charlotte Neighborhood), located in the City Within a City boundaries.

Attachment 8

C. 2421 Rozzelles Ferry Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2421 Rozzelles Ferry Road, (Smallwood Neighborhood), located in the City Within a City boundaries.

Attachment 9

D. 5302-04-06-08 Airline Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 5302-04-06-08 Airline Street (West Boulevard Neighborhood), located in the City Within a City boundaries.

Attachment 10

E 2626-28 Kenhill Drive

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2626-28 Kenhill Drive (Wingate Neighborhood), located in the City Within a City boundaries.

Attachment 11

F. 2741 Mayfair Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2741 Mayfair Avenue (West Boulevard Neighborhood), located in the City Within a City boundaries.

Attachment 12

G. 404 E. Todd Lane

Action Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 404 E. Todd Lane (Todd Park Neighborhood), located in the City Within a City boundaries.

Attachment 13

H. 1614 N. Davidson Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1614 N. Davidson Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 14

I. 1729-31 Parson Street

Action Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1729-31 Parson Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 15

J. 1604 Harrill Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1604 Harrill Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 16

K. 908 Harrill Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 908 Harrill Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 17

L. 1210 Harrill Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1210 Harrill Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 18

M. 1521 Pegram Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1521 Pegram Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 19

N. 804 E. 20th Street, Apts. #1 and #2

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 804 E. 20th Street, Apts. #1 & #2 (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 20

O 1628 Umstead Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1628 Umstead Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 21

P. 1632 Umstead Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1632 Umstead Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 22

Q. 3036 Georgia Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3036 Georgia Avenue (Plaza Hills Neighborhood), located in the City Within a City boundaries.

Attachment 23

R. 1504 St. George Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1504 St. George Street (Commonwealth/Morningside Neighborhood), located in the City Within a City boundaries.

Attachment 24

S. 1507 St. George Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1507 St. George Street (Commonwealth/Morningside Neighborhood), located in the City Within a City boundaries.

Attachment 25

T. 1515 Newcastle Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1515 Newcastle Street (Lincoln Heights Neighborhood), located in the City Within a City boundaries.

Attachment 26

U. 3603 W. Sugar Creek Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3603 W. Sugar Creek Road (Hemphill Heights Neighborhood), located in the City Within a City boundaries.

Attachment 27

Item No.

V. 1709 Pegram Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1709 Pegram Street (Belmont Neighborhood), located in the City Within a City boundaries.

Attachment 28

CONSENT II

For Demolition/New Construction Loan items #13 - #19, the public purpose and policy is outlined here.

Public Purpose:

- *Eliminate a blighting influence in a City Within a City neighborhood.*
- Reduce the proportion of substandard housing from 2.3% to 1% by 1997. (One of the goals of City Within a City is to continue housing preservation efforts.)
- Recycle funds being repaid by homeowners from previous replacement housing loans. (Forty-four loans have been made since 1987 for a total of $2,540,597.)
- Increase tax value of the property with construction of a new house.

Policy:

- Persons being displaced from their house due to code enforcement or other government action are eligible for relocation local option benefits if:
  - persons earn 80% or less of median income and,
  - the house is not feasible to rehabilitate.

  The City's Local Option Policy provides relocation benefits in the form of a replacement housing loan when a homeowner chooses to continue as a homeowner
- Persons receiving a replacement housing loan are required to set aside a monthly maintenance reserve of $40 to provide for future home maintenance items. Also, persons are required to attend a home maintenance course.

13. Replacement Housing Loan - 1833 Pegram Street

Action:

A. Approve a $63,962 permanent loan to David and Mattie Austin for the purchase of a new house to be built at 1833 Pegram Street (Belmont Neighborhood) and the demolition of their existing house;

B. Approve a Tri-Party Agreement between the City, New Vision Homes and David and Mattie Austin to demolish the existing house and construct a new one; and

C Of the $63,962, approve $62,962 to be used as a construction loan to New Vision Homes to construct a new house for David and Mattie Austin at 1833 Pegram Street

Attachment 29

14. Replacement Housing Loan - 6028 Carver Boulevard

Action:

A Approve a $65,162 permanent loan to Edith Neal for the purchase of a new house to be built at 6028 Carver Boulevard (Rockwell Park Neighborhood) and the demolition of her existing house;

B Approve a Tri-Party Agreement between the City, New Vision Homes and Edith Neal to demolish the existing house and construct a new one; and

C Of the $65,162, approve $62,962 to be used as a construction loan to New Vision Homes to construct a new house for Edith Neal at 6028 Carver Boulevard.

Attachment 30

15. Replacement Housing Loan - 6815 Rockwell Boulevard

Action:

A. Approve a $68,207 permanent loan to Madge Sloan for the purchase of a new house to be built at 6815 Rockwell Boulevard (Rockwell Park Neighborhood) and the demolition of her existing house;

B. Approve a Tri-Party Agreement between the City, New Vision Homes and Madge Sloan to demolish the existing house and construct a new one; and

C. Of the $68,207, approve $62,962 to be used as a construction loan to New Vision Homes to construct a new house for Madge Sloan at 6815 Rockwell Boulevard.

Attachment 31

16. Replacement Housing - 6204 Carver Boulevard

Action:

A. Approve a $68,207 permanent loan to Golie Brewer for the purchase of a new house to be built at 6204 Carver Boulevard (Rockwell Park Neighborhood) and the demolition of her existing house;

B. Approve a Tri-Party Agreement between the City, New Vision Homes and Golie Brewer to demolish the existing house and construct a new one; and

C. Of the $68,207, approve $62,962 to be used as a construction loan to New Vision Homes to construct a new house for Golie Brewer at 6204 Carver Boulevard.

Attachment 32

17. Replacement Housing Loan - 5625 Patton Street

Action:

A. Approve a $68,207 permanent loan to Benjamin Davis for the purchase of a new house to be built at 5625 Patton Street (Hemphill Heights Neighborhood) and the demolition of his existing house;

B. Approve a Tri-Party Agreement between the City, New Vision Homes and Benjamin Davis to demolish the existing house and construct a new one; and

C. Of the $68,207, approve $62,962 to be used as a construction loan to New Vision Homes to construct a new house for Benjamin Davis at 5625 Patton Street.

Attachment 33

18. Replacement Housing Loan - 5809 Greene Street

Action:

A. Approve a $63,962 permanent loan to Everrett Wallace for the purchase of a new house to be built at 5809 Greene Street (Hemphill Heights Neighborhood) and the demolition of his existing house;

B. Approve a Tri-Party Agreement between the City, New Vision Homes and Everrett Wallace to demolish the existing house and construct a new one; and

C. Of the $63,962, approve $62,962 to be used as a construction loan to New Vision Homes to construct a new house for Everrett Wallace at 5809 Greene Street.

Attachment 34

19. Replacement Housing Loan - 3213 LaSalle Street

Action:

A. Approve a $63,962 permanent loan to Charles Brown for the purchase of a new house to be built at 3213 LaSalle Street (University Park Neighborhood) and the demolition of his existing house;

B. Approve a Tri-Party Agreement between the City, New Vision Homes and Charles Brown to demolish the existing house and construct a new one; and

C. Of the $63,962, approve $62,962 to be used as a construction loan to New Vision Homes to construct a new house for Charles Brown at 3213 LaSalle Street.

Attachment 35

20. Charlotte Transportation Center: Environmental Cost Reimbursement

Action: Approve reimbursement in the amount of $147,243.37 to R. J. Leeper Company (RJL), NationsBank's contractor, for environmental clean-up costs associated with the Charlotte Transportation Center site.

Explanation of Request:

- The Pledge Agreement for the Transportation Center between the City and NationsBank was approved by the City Council in September 1994. The agreement provides that the City is responsible for costs associated with the removal or remediation of all "contaminants, pollutants and other toxic or hazardous substances, materials and wastes" in accordance with applicable federal, state, or local statutes/ordinances in order to provide a "clean" site

- On August 7, 1995, Council was advised about several oil tanks that were unearthed during site preparation The tanks and petroleum contaminated soil surrounding them were removed from the site and remediated.

- In keeping with the Pledge Agreement our environmental consultant has audited the contractor's costs for removal/remediation of these items and our engineering expert agrees that RJL should be reimbursed a total of $147,243 37 for these costs.

Funding: Leaking Underground Storage Tank Program Fund

21 Residential Sound Insulation Construction Contracts

Action.

A The Aviation Director recommends the low bid of $65,365 by Bass & Jones Construction of Winston-Salem be accepted for Contract B; and

B. The low bids of Bass & Jones for Contracts A, C and D be rejected and the second lowest bids of $70,680 for Contract A and $49,200 for Contract C and $39,559 for Contract D by Moretti Construction of Charlotte be accepted.

Explanation of Request

- Bass and Jones submitted bids for Contracts A, B, C and D Since the requested work will be performed inside an occupied residence, the bid packages specify several prequalifications including the requirement that a company must have previously completed an airport sound insulation project

- Bass and Jones has not completed an airport sound insulation project Additionally, their required financial submittals indicate they do not have the financial capability to accomplish all four contracts at the same time.

- Due to these conditions, and in order to qualify Bass and Jones for future sound insulation projects, it is recommended that Contract B be awarded to Bass and Jones and Contracts A, C and D be awarded to the second lowest bidder, Morretti Construction.

Background

- 1987 - City Council approved Part 150 Noise Program that specifies sound insulation of homes, schools and churches

- To date, 33 houses and three schools have been insulated. There are currently 57 participants in the sound insulation program

- These contracts will provide storm windows, storm doors, additional insulation, storm baffling and minor refurbishing of 11 residences participating in the sound insulation program.

Contract A

Bass & Jones	$ 68,120
Moretti	$ 70,680
Sierra	$111,450
DBE participation	**10%**

Contract B

Bass & Jones	$ 65,365
Moretti	$ 68,516
Sierra	$112,645
DBE participation	**100%**

Item No.

Contract C	
Bass & Jones	$ 46,966
Moretti	$ 49,200
Sierra	$ 98,470
DBE participation	**10%**
Contract D	
Bass & Jones	$ 37,000
Moretti	$ 39,559
Sierra	$117,955
DBE participation	**10%**

22. Resolution Accepting FAA Grant

Action: **Adopt a resolution authorizing the Aviation Director to accept Federal Aviation Administration (FAA) Grant to provide the federal share for new taxiway construction.**

Explanation of Request:

- We expect the FAA to offer a grant of approximately $5 million to provide the federal share of the Taxiway Capacity Enhancement. This grant is FY95 Discretionary Funds and will reimburse the City for 75% of the costs associated with the construction of a taxiway.

- The grant must be accepted by the City on or before September 30, the end of the federal fiscal year. Since this is the only Council business meeting in September, there will not be an opportunity to bring the actual grant to Council for acceptance before the end of the federal fiscal year

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

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

- The FAA grant will be appropriated at a later Council meeting once the final amount is determined. The Airport's share will be appropriated.

Background: Under the FAA Airport Improvement Program, the Airport is entitled to federal grants based on number of passengers boarded.

23. Airport Master Plan Update, Noise Program Update and Environmental Impact Study

Action:

A. Adopt a resolution accepting a Federal Aviation Administration (FAA) Grant in the amount of $1,200,000;

B. Adopt an ordinance appropriating $1,600,000 (grant plus $400,000 from Discretionary Fund) to provide funding for the planning work associated with development of an Airport Master Plan and Part 150 Noise Compatibility Program Update, and Environmental Impact Statement for a proposed Third Parallel Runway;

C. Award a contract in the amount of $925,000 to Landrum & Brown for the Master Plan and F A.R. Part 150 Program Update;

D. Award a contract in the amount of $675,000 to Landrum & Brown for Environmental Impact Study for a proposed Third Parallel Runway; and

E. **In the event that the FAA has not approved the grant before the September 11 Council Meeting, adopt a resolution authorizing the Aviation Director to accept the grant and make the appropriation and contract awards (B, C and D) contingent on receipt of the Grant.**

Explanation of Request:

- This long range planning study for the Airport is divided into two contracts in order to meet the requirements of the FAA.

  (1) The Airport Master Plan and Noise Compatibility Planning will be the sole responsibility of the City; however, it must be carried out in accordance with FAA guidelines in order to be eligible for federal funding.

  (2) The Environmental Impact Study for a proposed Third Parallel Runway will be the responsibility of the FAA in accordance with a Memorandum of Understanding with the City, approved by City Council on June 26, 1995

  Although the contract is with the City, FAA selects the consultant and provides 75% of the funding

- The FAA has offered a grant for $1,200,000 to provide the federal share of these contracts The City has previously received approximately $9.9 million in Entitlement and Discretionary FAA Funding through the Airport Improvement Program. This grant is all FY95 Discretionary funding.

- Landrum & Brown, a nationally recognized Airport planning firm, was selected by the Airport Master Plan Selection Committee following interviews with four planning firms. The FAA also selected Landrum & Brown for the Environmental Impact Statement work based upon the Selection Committee's recommendation. Contract negotiations with Landrum & Brown have brought the total project cost to the budgeted figure of $1.6 million. The FAA concurs in the scope and total project costs.

- Landrum & Brown's project team includes seven other firms, three of which are local. Additionally, three of the firms qualify as Disadvantaged Business Enterprises (DBEs). The total DBE participation for this professional planning effort is 11 8% of the total contract amount.

- In the event that the FAA has not approved the grant prior to the September 11 Council meeting, staff requests that Council adopt a resolution authorizing the Aviation Director to accept the grant and make the appropriation and contract awards contingent on receipt of the grant.

Funding:

- This Ordinance appropriates anticipated proceeds from a Federal grant and $400,000 from the Airport Discretionary Fund for a total of $1,600,000 to the Project Account.

Background:

- The current Airport Master Plan Update and F.A.R. Part 150 Noise Compatibility Program were prepared during 1985 and 1986 using 1984 data. Both plans were adopted by City Council in 1987. City Council authorized the Airport to proceed with the current Master Planning Process at the workshop on April 3, 1995.
- On June 29, 1995, the Airport Master Plan

Consultant Selection Committee and FAA representatives held interviews with four nationally recognized airport planning firms The firms interviewed were Landrum & Brown, the LPA Group, Howard, Needles, Tammen & Bergendoff (HNTB) and Greiner The Selection Committee unanimously selected Landrum & Brown. They have recently performed similar studies at major hub airports such as Detroit and Cincinnati, in addition to their experience at Chicago, Seattle, Dallas-Ft. Worth, and a number of other major airports worldwide

24 Neighborhood Reinvestment Project - Reid Park - Engineering Services - Amendment #1

Action: **Approve Amendment #1 to the Agreement for Engineering Services with Woolpert Consultants for $60,888 bringing the contract total to $211,975**

Explanation Request:

- Neighborhood Development, in partnership with Engineering and Property Management and other key businesses, has developed an aggressive work program to coordinate the Neighborhood Reinvestment Program with priorities established in City Within A City Neighborhood Action Plans. This agreement will allow us to meet the goals of the work plan.

- Woolpert was selected through the Council-approved selection process to provide engineering services for Neighborhood Reinvestment Program The original agreement included the planning and design of neighborhood improvements for the Belmont Neighborhood Phase III Project.

- This Amendment will allow Woolpert to design the necessary roadway and drainage improvements to the Reid Park Neighborhood Area.

- The fees charged by Woolpert are comparable to the fees charged by other firms for similar services.

Background:

- On May 26, 1992, City Council approved the agreement for Engineering Services with Woolpert Consultants for $151,087.

25 **Joint Funding Agreement for the Development of a Water Quality Model for the Upper Catawba River in South Carolina**

Action: **Approve a Joint Funding Agreement totalling $268,547 for Water Resources Investigations with the Geological Survey, United States Department Of the Interior in the Upper Catawba River Basin in South Carolina.**

Explanation of Request:

- This request for Council action meets two priority area objectives in the CMUD FY96 Business Plan. They are to:

  - enter into a contract to develop a stream model on the Catawba River in South Carolina; and

  - continue joint activities with Lancaster County Water and Sewer District to plan for a regional wastewater treatment plant.

- The Bureau of Water Pollution Control of the South Carolina Department of Health and Environmental Control (DHEC) informed the participants of the Catawba Basin Regional Wastewater Management Study in 1994 of three issues to be addressed prior to the filing of a discharge permit application for a regional wastewater treatment plant.

  - Update of the 208 Water Quality Management Plan
  - A Nutrient Study of Lake Wateree
  - Development of a Stream Model

- In 1995, the Board of the Lancaster County Water and Sewer District asked CMUD to join them in funding the stream model development. The basis of participation would be Lancaster County Water and Sewer District at 30% and the City of Charlotte at 70%. The basis reflected the percentage of flow assigned to each in the regional plant as designated in the 1994 Catawba Basin Regional Wastewater Management Study

- Both participants sought advice from their respective sources on the development of the model and agreed to pursue a joint funding agreement with the Geological Survey (USGS)

- The joint funding agreement totals $767,276 with the following distribution:

USGS	$383,638
Lancaster County Water and Sewer District	$115,091
City of Charlotte	$268,547

The model development will require two years and the matching funds required by the City will be·

FY96	$210,000
FY97	$ 58,547

Background:

- September 24, 1990 - City Council approved a Resolution for cooperation in developing a plan for a Regional Utility System among Charlotte, Rock Hill, Fort Mill, York County, and Lancaster County

- March 22, 1994 - A joint meeting was held of all North and South Carolina participants in Rock Hill for the presentation of the Catawba Basin Regional Wastewater Management Study The study was funded entirely by the City. Cost. $580,000.

- January 9, 1995 - Council Workshop on Wastewater Treatment Alternatives. Council directed CMUD to proceed with all three options presented.

  1. Move forward with planning for a regional plant

  2 Continue to explore Mecklenburg alternatives.

  3. Begin a process to evaluate the merits of selling McAlpine.

26. Steele Creek Parallel Sewer Trunk - Professional Services Contract

Action: **Approve a Professional Services Contract with Ralph Whitehead Associates, Inc. for the surveying and design of the Steele Creek Parallel Sewer Trunk for $175,000**

Item No.

Explanation of Request:

- The project provides for an outfall to be constructed along Steele Creek from Westinghouse Boulevard to the Steele Creek Lift Station. The need is based on current demand that is exceeding capacity and restricting growth to a portion of Westinghouse Boulevard and the upper Steele Creek Basin

- The professional services contract with Ralph Whitehead Associates, Inc. is for surveying and design of the sanitary sewer.

- The consultant was selected by a competitive process based on qualifications and experience, according to the City's approved consultant selection process.

Background.

- This sanitary sewer trunk was identified in the Camp, Dresser and McKee Sewer Facility Study Funding was included in the FY96 CIP.

27. Property Transactions

Action. Approve the following property acquisitions.

For acquisitions A and B, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific size and condition of the house. The tax value is determined on a more generic basis and will be higher or lower for houses with certain features Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. The owners are eligible for relocation benefits. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.

Acquisitions: A. Project: F. A. R. Part 150 Land Acquisition
Owner(s): Mr and Mrs. Robert Montaperto
Property Address: 2400 Eatonton Street
Property to be acquired: .729 acres
Improvements: 4 bedroom, 2 bath, ranch
Tax Value· $40,600
Purchase Price: $45,000

Acquisitions: B. Project: F. A. R. Part 150 Land Acquisition
Owner(s): Mr. and Mrs. Thomas Byrd
Property Address: 4308 McKinley Drive
Property to be acquired: .271 acres
Improvements: 3 bedroom, 1 bath, ranch
Tax Value· $44,580
Purchase Price· $51,000