AGENDA

Meeting Type:	BUSINESS
Date:	02/14/1994

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Richard Vinroot	*Mayor Pro Tem Patrick McCrory*
Charles Baker	*Hovle 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, February 14, 1994

5:00 p m — **Conference Center**

- **Tenant-Based Rental Assistance Program and ~~Contractual~~ Code Enforcement** CONCENTRATED
- CONVENTON CENTER
- **UNCC-Urban Institute Housing Report**
- **Roll-Out Container Bids**

6:30 p m. — **Meeting Chamber**

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

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

CITY COUNCIL AGENDA
Monday, February 14, 1994
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Approve Consent except 15 A, 19 AND 15 B, 15 J, 22 - Scar/McC - unanimous

Item No.

CONSENT ITEMS

1. Agenda items 11 through 22 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

2. City Manager's Report

Boyd Cauble staff

- NC Special Legislative Session on Crime

3. Development Standards for CWAC Neighborhoods

Action: Approve in concept the proposed amended Development Standards in City Within A City areas for street rights-of-way and set public hearing for March 21, 1994 for the necessary text amendments

To Approve Whit/Scar unan

Staff Resource: Walter Fields

Policy: The City of Charlotte and Mecklenburg County adopted a policy known as the "Comprehensive Street Classification System" in 1982. The policy provides a uniform method for public and private sector planning of streets. It contains definitions of the various street types, typical cross sections, and right-of-way standards that guide street construction

Explanation of Request

- As discussed at the February 7 Workshop, the Transportation Department and Planning Staffs have jointly recommended reducing certain street rights-of-way in many of the CWAC neighborhoods

Planning Comm

- The existing policy is over 12 years old and experience has revealed a need for more of an "urban" standard for certain streets

- The present standards may make economic development, redevelopment, and neighborhood preservation more difficult in CWAC areas

- Revising the standard preserves the City's ability to meet its transportation needs within CWAC areas

- Detailed cross-sections will be developed and added to the Land Development Standards Manual

- Zoning and Subdivision Ordinance text amendments will be prepared to implement change

Proposed Changes to Right-of-Way Widths

Present Standard
Class III Major Thoroughfare - 100 feet
Class IV Minor Thoroughfare - 70 feet

Proposed Urban Standard
Class III Major Thoroughfare - 80 feet
Class IV Minor Thoroughfare - 60 feet

BUSINESS

4. Emergency Shelter Grant Application

Action:

To approve Scar/ Wh unan

(A) Approve an Emergency Shelter Grant Program Application for $130,000 to provide homeless assistance;

(B) Adopt a budget ordinance to appropriate the $130,000 Federal grant; and

Ord #2 #3790-X B-VS P-165

(C) Authorize the City Manager to enter into contracts with the 5 Homeless Services Network providers.

Staff Resource J W Walton

Policy: **The Comprehensive Housing Affordability Strategy (CHAS) approved by City Council on October 25, 1993 stated as one of its priorities that the City and other local housing providers would be addressing the homeless problem by providing funds for shelter and prevention**

Explanation of Request:

- The City must apply for FY94 Emergency Shelter Grant (ESG) funds by March 4, 1994, and the application and appropriation of these funds must be approved by City Council
- Failure to apply by the deadline may result in the reallocation of the ESG funds by HUD to other cities
- On January 19, 1994 HUD notified the City that its Emergency Shelter Grant allocation would be $130,000
- This fiscal year's ESG allocation of $130,000 is $71,000 more than last year's allocation of $59,000 This is due to a national increase in the appropriation of ESG funds by Congress

- Last year's recipients of the ESG funds, as recommended by the Homeless Services Network, were as follows
  - Uptown Shelter/George Shinn Center
  - Salvation Army
  - Charlotte Emergency Housing
  - Traveler's Aid Society
  - Crisis Assistance Ministry

- These agencies, which are part of the Homeless Services Network, and eligible to receive ESG funds will be advised of the FY94 $130,000 allocation and will be asked to submit their requests for funding as they did last year After a review of the requests to ensure the eligibility of agencies activities, funds will then be distributed to these agencies via contracts between the City and each individual agency Contracts will be monitored in accordance with Federal regulations

Attachment 1

mc / scar **5. Housing Appeals Board Appointments**

B-45 P-164 #3791 Ord #3

Action:

To approve 5A - To have an interim Board that will serve until the Housing Committee makes its recommendations concerning this Board - unan

(A) Adopt an Ordinance amending the procedures for appointment of members to the Housing Appeals Board, and

(B) Adopt a resolution appointing three current Housing Appeals Board members to the Board under the newly amended procedures.

B-32 P

to Rev Pat Harvey Hilbert

Staff Resource: Henry W Underhill, Jr

Policy:

- **Charlotte's Housing Code adopted by City Council on December 14, 1970 Subsequent amendments have been adopted by City Council**

CD

- N. C General Statutes 160A-446 requires the creation and organization of a housing appeals board. The purpose of the Housing Appeals Board is to hear appeals to decisions and orders issued by the Community Development Department regarding enforcement of the Housing Code.

Explanation of Request:

- The City Attorney is recommending that City Council adopt the attached Ordinance removing the current categories for membership on the Housing Appeals Board Therefore, no categories will be designated for membership on the Board

- In order to minimize disruption of Board activities, and since the three current Council appointees (Hattie Harris, Yvonne Pettis and Anthony Hunt) have served on the Board for less than one year, Council is also requested to adopt a resolution appointing these 3 members to the Board under the amended procedures for staggered terms ending in 1997, 1998 and 1999 respectively

- Upon approval of the Ordinance, the Mayor will be requested to reappoint his current appointees, William Hart and Patricia Anderson

- The City's Housing Code currently stipulates that the Housing Appeals Board shall consist of 5 members

  - two tenants (one with family income less than $6,000)
  - a licensed realtor
  - a public health professional
  - a building contractor

- These specific criteria have made it more difficult to fill appointments with eligible persons in recent years

- Balance on the Housing Appeals Board can be established by the Mayor and City Council as they make appointments. This is also done with other Council-appointed boards

Background: At a recent hearing before the Housing Appeals Board, an attorney for a party appealing a City code enforcement action called into question some Council and Mayoral appointments to the Housing Appeals Board

The challenge was based upon the fact that the current Board members did not meet the specific categories for appointees as spelled out in the City's Housing Code

After the challenge, one Board member resigned and another disqualified himself from further participation in Board business Therefore, the City Attorney's Office is recommending that the procedures for appointing members to the Housing Appeals Board be amended and that Council adopt a resolution appointing 3 current members to the Board under the amended procedures

Attachment 2

6. 328 E. Worthington Avenue - Demolition/New Construction Loan

Action:

To Approve Scar / Mart (2nd Don m.p.)

Sub. to deny / Pleid Jackson / VOTE on Sub. / Wise, Pond, Don FK / others NO

(A) Approve a $72,344 permanent loan to Charles Jones and wife, Charlee, for the purchase of a new house to be built at 328 East Worthington Avenue and the demolition of their existing house;

(B) Approve a Tri-Party Agreement between the City, New Vision Homes, Inc. and Charles Jones and wife, Charlee, to construct the new house; and

(C) Of the $72,344, approve $65,004 to be used as a construction loan to New Vision Homes, Inc. to construct the new house for Charles Jones and wife, Charlee at 328 East Worthington Street.

Staff Resource: J W Walton

Policy:

- At the July 12, 1993 Housing Workshop, City Council reviewed, affirmed and refined the City's current housing policies, programs and priorities

- City Council approved a policy for local option relocation benefits on July 22, 1991. Persons eligible for benefits are:

  - those families earning 80% or less of median income and being displaced from their homes due to governmental action such as code enforcement or locally-funded capital improvement projects, and

  - those families whose houses are not feasible to rehabilitate

Explanation of Request:

- These actions are needed in order to provide Mr and Mrs Charles Jones with affordable, standard housing and also comply with the Charlotte Historic District Commission's standards since this house is located in the Dilworth Historic District

- Mr and Mrs Jones house at 328 East Worthington Avenue was originally inspected on October 22, 1991 as a result of a field observation The house was ordered to be demolished because the cost to repair the house exceeded the tax value of the house by more than 65%.

CD

- Because their house was ordered to be demolished, Mr and Mrs Jones came on the relocation workload in November 1991

- The City's Local Option Policy provides relocation benefits in the form of a replacement housing loan when a homeowner wants to continue as a homeowner

- Mrs. Jones has lived in the house at 328 East Worthington Avenue since around 1920 The Joneses wish to remain homeowners and remain on their current site

- On June 14, 1993 City Council was requested to approve the construction of a new house for Mr and Mrs Jones and approve a replacement housing loan to them to purchase the house This item was deferred for further information regarding the feasibility of rehabilitation vs new construction

- Based on the additional information obtained from a structural engineer and staff's analysis, new construction is still the most cost efficient approach to provide Mr and Mrs Jones standard, affordable housing (Additional information obtained and staff's analysis is found in the Background)

- New construction will

  - remove the "slum and blight" from the neighborhood

  - address the many requests from neighbors and other concerned citizens about the condition of the house

  - add to the neighborhood's property values

Item No.

- Breakdown of Total Costs

- Construction Cost	$60,404
- Demolition Cost	4,600
Sub-Total (Construction Loan)	$65,004
- Refinance 1st Mortgage	3,790
- Closing Costs	1,800
- Debris Removal (needed so structural analysis could be done)	1,250
- Structural Analysis	500
Total Loan Amount	$72,344

- The $72,344 permanent mortgage loan to Mr and Mrs Jones will be financed by the City The loan will be at a 2% interest rate for a term of 30 years

  Of the $72,344, a construction loan of $65,404 will be made to New Vision Homes, Inc The loan will be at 0% interest and will be repaid to the City through the permanent financing of the house New Vision Homes, Inc will be required to provide the City with an Irrevocable Letter of Credit for $65,004 to guarantee the construction of the house

Attachment 3

7. **Appropriation of Police Assets Forfeiture Funds**

Ord # 3792-X
B-45
P-167

Action: **Approve a budget ordinance appropriating $559,685.00 in Police Assets Forfeiture funds.**

To Approve

Staff Resource: Chief Boger

Sum | wke
Lmw

Item No.

Explanation of Request:

The Police Department wishes to appropriate $559,685.00 in assets forfeiture funds to finance purchases that will enhance productivity, officer safety, and outreach to the community Assets forfeiture funds are those monies confiscated from drug dealers and subsequently awarded to the Police Department by the courts The requested purchases are as follows

(1)	Encryption board for surveillance van radios	$ 749
(2)	Currency counter for Vice and Narcotics Section	1,295
(3)	Eleven personal computers for Felony Investigations, Vice and Crime Analysis	40,000
(4)	Video Equipment for Felony Investigations (to be used to video tape crime scenes)	3,096
(5)	Improvements to Chiefs computer system (narcotics intelligence)	3,160
(6)	50 Mobile Radios and Installation	227,750
(7)	GIS Workstation for computer mapping	12,000
(8)	Improvements to AS400 Word Processing system	5,095
(9)	Drug Interdiction Command Post Vehicle	75,000
(10)	Forward looking Infrared radar system for helicopter	127,340
(11)	Kids Are Special Program	40,000
(12)	Police Department contribution to Emergency Management Vehicle	10,000
(13)	Stroboscope (binoculars) for helicopter	4,200
(14)	Reward money for "Kid With A Gun, Call 911" program	10,000
	TOTAL	$559,685

Police

Highlights of these purchases are 50 additional mobile radios to enhance officer safety in the field and the purchase of an infrared radar system which enables us to use the helicopter for tracking suspects in the dark, low light, or through dense foliage Ten thousand dollars of these funds will be used to reorder cars, baseball cards, stickers, comic books, etc which are given to children as part of the "Kids are Special" program The reorder will enable the Police Department to expand the program to the Suburban Division

8. Council of Governments Charter Amendment

Res. #5 B-32 p-101

Action. **Adopt a resolution approving an amendment to the Centralina Council of Government's charter, allowing the Council of Governments to conduct its business when either a majority of the delegates are present or, when there is not a majority of delegates, but one-half of the county members are represented and thirty percent of the municipal delegates are represented**

To Approve Spen - Wh - Bak - Mart - Mec - Jack - Cas No - Comp - Scar Rede - MAJ -

Staff Resource: Boyd Cauble

Explanation of Request:

- This change reduces by one (from 5 to 4) the number of counties which need to be represented and reduces by five percent (from 35% to 30%) the number of municipal delegates that need to be present
- The change is requested because the Council of Governments (COG) failed to reach a quorum at two bi-monthly meetings within the last year
- Amendment was approved unanimously by the member delegates

Note - Cannon participate not praise so a did not vote as his is per BRF

Mgr's Office

Attachment 4

9. Interlocal Agreements for Roll-Out Containers

Action: Approve Interlocal Agreements for the Cities of Gastonia and Monroe to purchase Universal Mobile Plastic Containers under the City of Charlotte's contract

Staff Resource: Greg Spearman

Explanation of Request:

What not know.

- The Cities of Gastonia and Monroe requested to be and were included as a party to the invitation for bids to the City of Charlotte's bid on Universal Mobile Plastic Roll Out Containers

- Toter has agreed to extend (in their invitation to bid) prices quoted to the Cities of Gastonia and Monroe Toter has further agreed to contract independently with Gastonia and Monroe pursuant to the invitation to bid

- The City of Charlotte is not obligated by or bound to the contractual obligations of either Monroe or Gastonia The governing bodies of Monroe and Gastonia have approved the interlocal agreements

Background. The Cities of Gastonia and Monroe will be implementing a smaller scale roll out collection program similar to the City of Charlotte Each entity decided it would be to their advantage to become a party to the City of Charlotte's contract and benefit from the prices and covenants of the City of Charlotte's contract These interlocal agreements will also save the Cities of Gastonia and Monroe the time and expense of formal competitive bidding Toter has agreed to extend to Gastonia and Monroe the bid prices under the City of Charlotte's bid with the same terms, conditions and warranties

Purchasing

10. Nominations for Boards and Commissions

See attached

1) Charlotte Uptown Development Corporation, Board of Directors

Councilmember to replace Dan Clodfelter One year term beginning immediately and ending December 31, 1994

2) Competition Advisory Committee

Seven appointments Initial terms will be staggered Applicants should be knowledgeable in the fields of management, accounting, human resources, marketing and customer service and have experience in the areas of work management, cost accounting, customer relations, performance measurement, employee relations, quality assurance, asset divestment and procurement and bidding processes

Attachment 5

3) Stormwater Advisory Committee

Two appointments in the following categories Initial terms will be staggered

One member to be employed full time by a school, college, hospital, church or to be a board member or officer of that institution

One member to be a member of a generally recognized organization involved in environmental issues

Attachment 6

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 MWBE 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

11. Various Bids

A. New Law Enforcement Center Site Demolition — Engineering & Property Management

Recommendation: The City Engineer recommends that the low bid of $148,000 by D H Griffin Wrecking of Charlotte be accepted Demolition should start within 10 days of bid award Project should last no longer than 120 days.

MWBE Status	Amount	% of Project	Proj Goals
MBE	$40,000	27%	15%
WBE	$35,000	24%	4%

B. Seversville Neighborhood Reinvestment, Phase II — Engineering & Property Management

Recommendation: The City Engineer recommends that the low bid of $299,910 60 by United Construction Company be accepted The low bidder is a certified MBE

Scan/Mc Unow

Item No.

Scan/Inc Unit

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$271,910 60	91%	9%
WBE	$ 28,000 00	9%	5%

C. Raw Water Intake on Lake Norman — CMUD

Recommendation· The acting Utility Director recommends that the low bid of $841,182 30 by Crowder Construction Company of Mooresville, NC be accepted.

MWBE Status	Amount	% of Project	Proj Goals
MBE	$11,194	1 3%	8%
WBE	$17,700	2 1%	3%

D. Beatties Ford Road Area Improvements — Engineering & Property Management

Recommendation The City Engineer recommends that the low bid of $877,846.63 by Ferebee Corporation of Charlotte be accepted

MWBE Status	Amount	% of Project	Proj Goals
MBE	$ 9,775	1 1%	6%
WBE	$38,000	4 4%	4 %

E. Franklin Water Treatment Plant-Belt Filter Press — CMUD

Recommendation· The Acting Utility Director recommends that the low bid of $309,065 by the Ashbrook Corporation of Houston, TX be accepted

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

Due to the specialized nature of this work, there are no known MWBE firms available to supply this equipment.

F. Approach Clearing for Runway 36R-Phase II — Aviation

Recommendation: The Aviation Director recommends that the low bid of $76,877.85 by Wes-Ben Company, Inc of Charlotte for the approach clearing for Runway 36R - Phase II be accepted

Ord #1
#3289-X
B-45
P-164

12. In Rem Remedy - 6000 Johnette Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 6000 Johnette Drive (Four Seasons Neighborhood) which is not located in the City Within a City boundaries.

Scarlette McEwen

CD

Attachment 7

13. Special Officer Permit - Airport

Action: Approve application for Special Officer Permit to James Gregory Wilson for use on the premises of the Charlotte Douglas International Airport

Scarlette McEwen

14. Refund of Certain Taxes

Res #1
B-33
P-94

Action: Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $35,828 62.

Scarlette McEwen

Attachment 8

Mve to approve
MARTIN / MAJ
Sub. to award to Otto
Scan / Reid
2 votes for the Sub. motion Reid + Scan
Vote on original motion
9 - 2 Reid + Scan voted NO

CONSENT II

15. Various Bids

A. Roll-Out Containers

Recommendation: The Director of Solid Waste Services recommends that the lowest responsive bid of $5,470,850 by Toter Incorporated of Statesville, NC be accepted

Summary of Bids·

Toter Incorporated	**Statesville, NC**	**$5,470,850.00**
Zarn Incorporated	Reidsville, NC	$5,065,865.00
Zarn Incorporated (ALT)	Reidsville, NC	$5,422,536 00
Otto Industries (ALT)	Charlotte, NC	$5,605,845 00
Otto Industries	Charlotte, NC	$6,259,505 00

MWBE Status	**Amount**	**% of Project**	**Proj Goals**
MBE	$363,000	7%	5%
WBE	$175,000	3%	3%

Explanation of Bid Award The low bidder, Zarn Incorporated, did not list the City's automated and semi-automated lifters in their bid as compatible lifters with the Zarn cart Zarn stated in their bid that the semi-automated lifters specified by the City damaged Zarn's carts

Also, the specimen warranty insurance policy provided by Zarn is an annual policy which stipulates a $25 00 deductible per claim and a deductible of $15,000 for any one loss, disaster or casualty and in the aggregate. The City's specification required a renewable five (5) year policy with no deductibles

Background City Council made the decision to change from backyard refuse collection to curbside refuse collection on June 16, 1993 This change in refuse collection will save the City of Charlotte an estimated $40,000,000 00 over a ten year period

Purchasing

On August 27, 1993, Solid Waste Services and Purchasing developed a set of draft specifications which were mailed to all prospective vendors for review and comments Vendors' comments along with staff changes in the specifications were reviewed before the Public Service Committee on October 4, 1993. The Public Service Committee recommended that the specifications be sent to City Council for approval Council approved the Specifications which were finalized as a formal bid The bids were issued and a pre-bid conference was conducted Bids were received November 5, 1993 at 2 00 PM

Upon review of bid responses received on November 5, 1993, the City rejected bids and revised the specifications to more accurately reflect the type of cart compatible with the City's existing equipment On December 13 1993, staff presented to Council the justification for rejecting bids and showed a video presentation which demonstrated staff concerns Revised specifications were issued December 14, 1993 Bids were received December 30, 1993

B. Belmont Neighborhood Reinvestment, Phase III **Engineering & Property Management**

Mc/ whe unan

Recommendation: Waive irregularities in Jones Grading Bid as a technicality and award contract to Jones for their contract bid of $1,099,298 30

Factors Affecting Bid ·

The low bid has been protested by the second low bidder, Showalter Construction Company due to irregularities in Jones' bid The Invitation to bidders states that the City reserves the right to waive informalities or technicalities as it may deem to be in its best interest Similar situations have occurred numerous times in the past and have been waived by Council as technicalities The Attorney's office has reviewed and concurs in the recommendation

The irregularities consist of

1 Unit price changes not initialed by bidder,
2. Used "white-out" to change bid amount,
3 Entered bid amount in pencil,

However, bid is mathematically correct and complete in all other respects

Explanation of Cost Difference:

Several addenda were issued on this project which added work to the project that was not included in the original estimate.

Summary of Bids:	Jones Grading	$1,099,298 30
	Showalter Const	$1,127,640 54
	Blythe Develop.	$1,169,959 47
	Crowder Const	$1,262,579 91
	Ferebee Corp	$1,269,743 34
	Rea Const	$1,322,210 63
	Sherrill & Asso	$1,314,521 79

MWBE Status	**Amount**	**% of Project**	**Proj Goals**
MBE	$1,060,798 30	96%	8%
WBE	$ 38,500 00	4%	4%

C. Radio Equipment **Various**

Scalpmc
Unan
Purchasing

Recommendation: The Director of Support Services recommends that the new open contract establishing pricing for 800 MHZ radio equipment purchase by Motorola Electronics of Charlotte be accepted Only Motorola submitted a bid There are no known MWBE vendors for this equipment.

D. Gasoline **Various**

Recommendation: The Purchasing Director recommends that the low bid of $916,650 by Carolina Petroleum Distribution of Charlotte be accepted

Summary of Bids:

Carolina Petroleum Distribution, Charlotte, NC	$916,650 00
Amerada Hess, Woodbridge, NJ	$926,400 00
BP Oil, Atlanta, GA	$933,300 00
Ryder Energy, Miami, FL	$973,500 00
Metro Petroleum, Atlanta, GA	$988,200 00
F & R Oil, Charlotte, NC	$1,257,750 00

Scalpmc
Unan

Purchasing

Item No.

MWBE Status:	Amount	% of Project	Proj. Goals
MBE	0	5%	
WBE	0	3%	

Compliance: Yes. Eight (8) bids were sent to MWBE's Two responded but were not competitive

E. Gasoline **Equip Ser., Utility, CTS, Fire, Aviation**

Recommendation: The Purchasing Director recommends that the low bid of $106,760 by Carolina petroleum Distribution of Charlotte be accepted

Scarborough

Summary of Bids

Carolina Petroleum Distribution, Charlotte, NC	$106,760 00
BP Oil, Atlanta, GA	$124,355 00
Metro Petroleum, Atlanta, GA	$128,996 00
F & R Oil, Charlotte, NC	$155,500 00

MWBE Status:	Amount	% of Project	Proj. Goals
MBE	0	5%	
WBE	0	3%	

Purchasing

Compliance: Yes Eight (8) bids were sent to MWBE's Two responded but were not competitive

F. #1 Diesel Fuel **Transit**

Recommendation: The Purchasing Director recommends that the low bid of $709,700 by Carolina Petroleum Distribution of Charlotte be accepted

Summary of Bids

Carolina Petroleum Distribution, Charlotte, NC	$709,700 00
Ryder Energy, Miami, FL	$739,500 00
Amerada Hess, Woodbridge, NJ	$747,200 00
Metro Petroleum, Atlanta, GA	$792,000 00

MWBE Status:	Amount	% of Project	Proj Goals
MBE	0	5%	
WBE	0	3%	

Compliance: Yes. Eight (8) bids were sent to MWBE's Two responded but were not competitive

Purchasing

G. #2 Diesel Fuel **Various**

Scott/McC

Recommendation: The Purchasing Director recommends that the low bid of $338,400 by Carolina Petroleum Distribution of Charlotte be accepted

unan

Summary of Bids.

Carolina Petroleum Distribution, Charlotte, NC	$338,400 00
Amerada Hess, Woodbridge, NJ	$339,800 00
BP Oil, Atlanta, GA	$343,300 00
Ryder Energy, Miami, FL	$347,000 00
Metro Petroleum, Atlanta, GA	$358,800 00

MWBE Status:	Amount	% of Project	Proj Goals
MBE	0	5%	
WBE	0	3%	

Purchasing

Compliance: Yes Eight (8) bids were sent to MWBE's Two responded but were not competitive.

H. #2 Diesel Fuel **Various**

Recommendation: The Purchasing Director recommends that the low bid of $52,027 50 by Carolina Petroleum Distribution of Charlotte be accepted

Summary of Bids:

Carolina Petroleum Distribution, Charlotte, NC	$52,027 50
BP Oil, Atlanta, GA	$59,595 00
Metro Petroleum, Atlanta, GA	$61,132 50

MWBE Status:	Amount	% of Project	Proj. Goals
MBE	0	5%	
WBE	0	3%	

Purchasing

Compliance Yes. Eight (8) bids were sent to MWBE's Two responded but were not competitive

I. #2 Fuel Oil **Various**

Recommendation. The Purchasing Director recommends that the low bid of $45,520 by Carolina Petroleum Distribution of Charlotte be accepted

Summary of Bids

Carolina Petroleum Distribution, Charlotte, NC	$45,520 00
BP Oil, Atlanta, GA	$57,100 00
Metro Petroleum, Atlanta, GA	$58,610 00

MWBE Status:	Amount	% of Project	Proj Goals
MBE	0	5%	
WBE	0	3%	

Purchasing

Compliance Yes Eight (8) bids were sent to MWBE's Two responded but were not competitive

J. Oversize Conveyor Subsystem **Aviation**

mc/wbe lenar

Recommendation: The Aviation Director recommends that a contract in the amount of $141,582 be awarded to the low responsive bidder - CCC Conveyors, Inc of Charlotte for installation of a 48 inch Oversize Conveyor Subsystem accepting Alternate #1 and #2

This project is a critical add-on to the conveyor system already under construction Continuation of other construction projects associated with "Terminal Expansion" will be delayed if this project is not completed on schedule

The low bidder, G & T Conveyor Co , failed to submit any of the required DBE solicitation forms, and did not meet good faith efforts

Summary of Bids·

*G&T Conveyor Co.	$ 119,166 00
CCC Conveyors, Inc	$ 141,582 00
Sterns, Inc	$ 146,280 00

*The bid submitted by G & T Conveyor Co was non-responsive to the Airport's DBE requirements

MWBE Status	Amount	% of Project	Proj Goals
MBE	- 0 -	- 0 -	N/A
WBE	$49,554	35%	N/A
DBE TOTAL	$49,554	35%	3%

Compliance: CCC Conveyors, Inc was deemed the lowest responsive bidder at bid opening and is recommended for award of contract The low bid of G&T Conveyor, Co was non-responsive because they did not comply with the Airport's FAA approved DBE Program requirements at the time of bid Hence, it is recommended that the contract be awarded to the lowest responsive bidder - CCC Conveyors, Inc

16. NFL Practice Field Environmental Cleanup - Amendment #5

Action: **Approve Amendment #5 with HDR Engineering Inc. of North Carolina (HDR) for $150,000.00 to provide engineering services for the environmental cleanup of the NFL practice field site**

Explanation of Request:

- Per the development agreement between the City and Richardson Sports, the City must provide environmentally clean land for practice fields adjacent to the stadium site The land requires environmental clean up before being turned over to Richardson Sports

- Amendment #5 is for additional design of the environmental cleanup for NFL practice field site Additional design is required for changes to the remediation method which will result in a net savings in the overall cleanup

Attachment 9

17. Convention Center Masonry Work Change Order #2

Action: **Approve Change Order #2 to the contract with Pompano Masonry for $65,000 to perform additional masonry work on the new Convention Center. Approval of this change order will increase the contract amount from $3,178,783 to $3,243,783**

Item No.

Explanation of Request:

- City Council approved the award of the masonry package to Pompano Masonry on June 14, 1993 Cost reduction efforts on several packages were underway at that time
- This change order is to cover the installation of 9,000 steel reinforcement dowels to support masonry walls throughout the facility. These dowels were not included in the original masonry package, and are required to meet building code for seismic conditions

Background:

On June 14, 1993, City Council approved the contract with Pompano Masonry in the amount of $3,081,583 for masonry within the new Convention Center

On August 23, 1993, City Council approved Change Order #1 for additional costs associated with the replacement of precast concrete panels with masonry

Attachment 10

18. Water Main Along Vance Road - 5 Year Reimbursable Contract

Action:

Approve contract with First Colony Group, Ltd. for the design and construction of approximately 3,750 linear feet of 16-inch water main along Vance Road.

Policy:

CMUD Extension Policy - 5-Year Reimbursement Program Project is included in the Capital Improvement Program approved by Charlotte City Council and is therefore eligible for the reimbursement program.

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CMUD

Item No.

Explanation of Request: This is a 5-year reimbursable contract with First Colony Group, Ltd for the design and construction of approximately 3,750 linear feet of 16-inch water main along Vance Road to serve the Wedgewood Development The estimated cost of this project is $185,000.

Background: The 5-Year Reimbursement Program allows applicants to accelerate projects which are included in the Capital Improvement Program approved by Charlotte City Council The applicant has deposited 10% of the estimated project cost with the remaining 90% to be deposited prior to construction

19. CWAC Loan/Equity Pool Program - Ms Karen Shaw

Action:

(A) Amend an existing $54,800 City Within a City (CWAC) loan made to Ms Karen Shaw for the Precious Child Day Care Academy by extending the beginning repayment date;

(B) Change the borrowing entity's from Karen Shaw to Cureton Miller Associates, Inc , a newly formed corporation of which Ms. Shaw is the sole owner

Policy:

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- **On October 28, 1991 City Council approved the use of City Development and Revitalization funds to create the CWAC Loan/Equity Pool Program, a public/private venture with local participating banks aimed at creating jobs for low income citizens.**
- **Under the CWAC Loan/Equity Pool Program, participating banks commit 80% of the total loan amount and the City commits 20%.**

Explanation of Request:

- The City has been asked by the borrower, Karen Shaw, and NationsBank, the CWAC participating bank, to

CD

- extend the starting repayment date for the City's $54,800 CWAC loan from February 14, 2004 to March 30, 2007, and

- change the borrowing entity's name from Karen Shaw to Cureton Miller Associates, Inc

- On February 8, 1993, City Council approved the $54,800 CWAC loan to Ms. Shaw The City loan was used as 20% matching funds for a 80% CWAC loan made by NationsBank to Ms Shaw for the Precious Child Day Care Academy in the amount of $219,200

- NationsBank has increased its loan by $76,098 to provide additional funds for

  - unforeseen cost overruns

  - additional legal fees

  - working capital

- NationsBank permanent loan will now be $295,298 The loan will be funded on April 30, 1994 and mature on February 28, 2007

- City CWAC loans are deferred until after the participating bank loan is repaid, therefore, the City loan repayment date will need to begin on March 30, 2007 Once repayment begins the City loan will still be repaid in 19 months (September 30, 2008)

- Since Ms Shaw has incorporated and is the sole owner of the corporation, Cureton Miller Associates, Inc , she is requesting the City CWAC loan be in the corporation's name Ms Shaw is guaranteeing the bank and City loans

- This request represents no change in the amount of the City's CWAC loan, only a change in the beginning repayment date and a change in the borrowering entity's name

Attachment 11

20. Purchase of Microcomputers

Action: **Purchase under existing contract. Microcomputers**

Approve purchase of microcomputers in the amount of $131,070 00 from Gateway 2000, North Sioux City, South Dakota

Explanation of Request: In September of 1992, bids were sent to sixty companies Seven bids were received Gateway 2000 was the low bidder

- The contract stated that it could be extended for an additional one year,

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- The contract includes a price de-escalation clause which allows us to purchase computers at lower prices vs the market dictates

- Purchasing under the existing contract saves time and the expense of soliciting bids

Purchasing

- Microcomputers will be used by various departments within the City as a part of our Rightsizing strategy to improve productivity and efficiency

21. Terminal Expansion - Phase II Change Order

Action:

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Approve Change Order # 6 in the amount of $170,243.00 to the Mechanical Construction Contract for the Terminal Expansion-Phase II with Mechanical Industries, Inc Upon approval of this

Change Order, the contract amount will increase to $2,112,998.00.

Explanation of Request:

- This Change Order provides supplemental heating and air conditioning for proposed restaurant spaces in the terminal expansion The Change Order is necessary because original plans for use of the space changed from retail merchandising to restaurant, which requires supplemental heating and air conditioning

- The City is required to provide the conditioned air to the lease premises for Host-Marriott, the food and beverage concessionaire

Background:

In 1987, City Council approved the Airport's Master Plan, which included a 186,000 sq ft terminal expansion This expansion provides additional concessionaire leasing space, new connectors and moving walkways to B and C Concourses, and additional baggage handling facilities for the tenant airlines

In June, 1992, City Council awarded contracts totaling $15,238,825 00 for Phase II of this terminal expansion Mechanical Industries was the low bidder for the mechanical construction contract

After the contract was bid, the use of several spaces in the new terminal expansion was changed from retail merchandising to food and beverage facilities. Food & beverage facilities require greater capacity for heating and air conditioning in order to maintain a comfortable environment

Costs associated with this work will be paid through concession revenues

Aviation

22. Property Transactions

Acquisition:

Do approve 22 A, B, C, D Scar/Wh Lanar

A. **Project:** F A R Part 150 Land Acquisition
Owner(s) Mr I C. Morris, Jr
Property Address 3126 East Willow Lane
Property to be acquired 25 acres
Improvements 3 bedroom, 2 bath ranch
Tax Value n/a
Purchase Price $38,000 00
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 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

Aviation

B. **Project** F A R Part 150 Land Acquisition
Owner(s) Mr and Mrs C E Allred
Property Address 3425 West Maple Lane
Property to be acquired 25 Acres
Improvements 1 Bedroom, 1 5 Baths, Ranch
Tax Value N/A
Purchase Price $32,000 00
Remarks The purchase price was determined by an independent appraiser and reviewed by a second appraiser Each appraisal takes into consideration specific quality and quantity of the house Residential property 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

Aviation

Item No.

COUNCIL IS APPROVING RESOLUTIONS FOR CONDEMNATION ON C + D

reimbursement

Condemnation:

C A. Res # 2

Res. # B-32 P-97

Project Annexation FY93 - Old Plank Road, Parcel No 30
Owner(s). Calvin D. McClure & heir(s) of Billy Don McClure Estate and any other parties of interest
Property Address 29 20 acres Brookshire Blvd
Property to be Condemned: 22,764 ± sq ft (0 522 ac)
Improvements: None
Price: $300 00
Reason for Condemnation: This property is being condemned to clear title One owner is deceased and the other partner has declared bankruptcy This has left 11 outstanding judgements against the property

Zoned R-3 Use Vacant Land

Tax Value $36,690
Tax Code 033-021-06

D A. Res # 3

Res # B 32 P-99

Project Carmel Road Widening, Parcel No 97
Owner(s): Gary H Watts & wf , Sharon I Watts and any other parties of interest
Property Address 4515 Carmel Road
Property to be Condemned 2,664 65 sq ft (0 0612 ac) of fee plus, 5,770 52 sq ft (0 1325 ac) of Temporary Construction Easement
Improvements: Landscaping, trees and shrubs
Price: $11,000 00
Reason for Condemnation Condemnation is recommended in order for the City to get clear title to the area needed for widening of Carmel Road Property owner has numerous lawsuits and judgments filed against him and his Realty Company makes it difficult to secure clear

Item No.

title.

Total area: 45,868.72 sq.ft. (1 0530 ac)
Acquisition area 2,664 65 sq ft (0 0612 ac)
Temp Const Easement 5,770 52 sq ft (0 1325 ac)
Area remaining 43,204 07 sq ft (0 9918 ac)

Zoned· R-3 Use Residential
Tax Value $282,610 00
Tax Code: 211-173-15