AGENDA

Meeting Type:	BUSINESS
Date:	09/26/1994

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Richard Vinroot *Mayor Pro Tem Patrick McCrory*

Charles Baker
Stan Campbell
Patrick D Cannon
Mike Jackson
Nasif Rashad Majeed
Hoyle H Martin
Don D Reid
Ella Butler Scarborough
Sara Spencer
Lynn M Wheeler

Council Agenda

CITY COUNCIL MEETING
Monday, September 26, 1994

5:00 p.m. — **Conference Center**

- **Kumasi, Ghana Sister City Task Force**
- **Storm Water - Impact of August Storms**

6:30 p.m. — **Meeting Chamber**

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

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

CITY COUNCIL AGENDA
Monday, September 26, 1994
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then go back in put in approve

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MINUTES

1. **Approve Minutes of:** August 22 Regular Meeting

Scarborough/Wheeler
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CONSENT ITEMS

2 **Agenda items 13 through 21 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

PUBLIC HEARING

3. **Voluntary Annexation - Public Hearing**

Action: **Hold a public hearing for a voluntary annexation of the IBM and YMCA properties.**

Staff Resource: Dick Black

Policy: **Voluntary Annexation Procedures**

Explanation of Request: The purpose of this annexation is to bring the entire IBM private street (IBM Perimeter Road) into the City and thus, make it eligible for maintenance by the City A portion of the IBM street was annexed on June 30, 1994 as part of the University Research Park Annexation

The next step in the process is the adoption of the annexation ordinance. The earliest Council date at which the ordinance could be adopted is November 14, 1994 (The Sphere of Influence Agreement requires a 60-day notice). November 14 is the recommended date for the annexation to become effective The property would generate about $3,500 yearly in property tax revenue

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Wheeler/Scarborough
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Planning

Background:

IBM and the YMCA are the owners of the property proposed for voluntary annexation. The property contains approximately 75 acres and is located on the south side of W T Harris Boulevard West adjacent to the recent University Research Park Annexation (June 30, 1994) The IBM property is presently undeveloped, except for an existing private street The YMCA property is developed.

Attachment 1
Proposed Annexation Map

POLICY

4. City Manager's Report

5. Resolution to Support USAir

This item will be sent in the Friday, September 23rd Council-Manager Memo

6. Mayor's Alternative Proposal to Creation of a "Housing Focus Group"

Action:

Direct Planning Commission to include within their FY96 work program the development of a mechanism for regularly and openly advising the Elected Officials of City, County and School Board on the following:

A) Trends and conditions in other major cities that are weakening their livability and economic strength;

Mgr's Office/Planning

Item #5

Copy to Belinda

Res #8 Bk 33, pg 42-43

Request for Council Action

5. **Resolution to Support USAir**

Action: Adopt a resolution in support of USAir as a valued corporate citizen and vital force to the economy of the Charlotte Region.

Staff Resource: T. J. Orr

Explanation of Request: Throughout the recent tragedies experienced by USAir coupled with the adverse conditions of the aviation industry, USAir has continued to provide the Charlotte Region with safe and efficient air service.

This resolution expresses Charlotte's continued support of USAir.

Background: At the request of Council Member Don Reid, a resolution has been prepared to recognize USAir for their dedication and service to the Charlotte community.

USAir has been operating in Charlotte since 1989 and currently operates 500 flights a day. They have 7000 employees in Charlotte and contribute over $350,000,000 annually to the region's economy

Attachment __
Resolution

Martin | McCrory
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B) Public decisions being considered, regarding public investments, zoning and others that may result in a more segregated community, or actions that should be considered that will reduce that prospect, and

C) Ways to sustain our older non-suburban neighborhoods by addressing patterns of neglect, deterioration or abandonment.

Staff Resource: Martin Cramton

Explanation of Request: The Planning Commission will be expected to prepare a work program description and have it approved by the elected officials The FY96 work program will include a study process and schedule as well as specific public decisions to be considered for ongoing advice and comment by the Planning Commission

The County Commission and School Board are requested to endorse this proposal

Background Mayor's Memorandum dated 9/14/94 is attached

This action will replace the School Board request and the Planning Liaison Committee proposal

Attachment 2

7. Bond Advisory Committee's Recommendation and Resolution Concerning Bond Financing

This item will be sent in the Friday, September 23rd Council-Manager Memo

Res #9

BUSINESS

8 **Grant Request for the Purchase of Electric Cars**

Action.

Ord # 0 ?
145-X, BK. 46, pg. 43

A) Approve a grant application to the State of North Carolina's Department of Environment, Health, and Natural Resources; and

B) Adopt a budget ordinance appropriating a $30,000 donation from Duke Power and a $52,800 grant from the NC Department of Environment, Health, and Natural Resources.

Staff Resource. David C Cooke

Policy: The "Committee of 100" Steering Committee has adopted a recommendation promoting the use of alternative fuels, particularly by government fleets in Charlotte-Mecklenburg

Explanation of Request:

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& Scarborough
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Martin/Wheeler
app.
unan.

- The Equipment Services Division of Business Support Services has prepared a grant proposal to the State of North Carolina for partial funding to purchase and support three electric vehicles for use in active service by selected City key businesses

- Duke Power Company and York Technical College (U.S. Department of Energy-sanctioned Research Facility) have agreed to cosponsor the project by providing financial assistance through donations of both monies and maintenance services for the vehicles. City funds will be contributed to the project from existing monies already designated to replace three vehicles in the FY95 budget ($41,900).

Business Support Services

Copy to send to MOR's office

Item #7

REQUEST FOR COUNCIL ACTION

Res #9 Bk. 33 pg 44-46

Action Requested

Consider adoption of a resolution recommended by the 1994 Bond Committee which addresses financing options for proposed capital improvements of $69,110,000 in Water Projects, $59,730,000 in Sewer Projects and $25,000,000 in Storm Water Projects

Explanation of Request.

The 1994 Bond Committee recommends that the City Council adopt a resolution affirming the importance of the proposed infrastructure improvements, and further stating that the projects should be undertaken with either general obligation or other methods of financing, such as revenue bonds, depending upon the outcome of the upcoming November referendum on the general obligation bonds

Wheeler/Martin
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unan.

The Bond Committee recommends this approach for the following reasons

1 Based on current market conditions, the difference between using the City's AAA G O Bonds and alternative financing, such as AA Revenue bonds, would cost the City an additional $4 4 million over a 25 year period (about $175,000 per year)

2 The revenues of the water, sewer, and storm water utilities, not general tax revenues, will be used to retire the debt of any financing method for these projects

3 The planned water, sewer and storm water drainage projects to be funded by the proposed bonds are essential to the community Therefore, the real question for the voters to decide is the most economical way to finance these essential projects

The Bond Committee will focus it's campaign on the cost effectiveness of using General Obligation bonds to fund these projects

Background

- City Council included in the FY95 Capital Improvement Program water, sewer, and storm water drainage projects considered vital for the City to meet existing and forecast infrastructure needs

- In order to insure timely completion of these projects, bond financing was approved, with all debt to be paid from the water, sewer, and storm water rates charged to the customers of each utility

- Utility capital projects have been financed as General Obligation bonds in order to obtain the more favorable rates.

- The City has used other methods of capital program financing since 1985 For example, we have issued approximately $183 million in Airport Revenue Bonds

List Attachments Resolution Affirming the Essentiality of Water, Sewer, and Storm Water Drainage Projects on the November Ballot

- In return for their support, the City has agreed to provide Duke Power and York Tech with technical information regarding vehicle performance as well as access to them for demonstration projects. The same will also be available to the State, Mecklenburg County Department of Environmental Protection, Charlotte-Mecklenburg Schools, and any other interested organizations

- Because of the multi-party partnership and the practical use of the vehicles, the chances for approval of this grant are very good However, if the grant is not awarded, the City plans to continue with the project but limit the purchase to only two vehicles, for which adequate funds have already been donated and/or identified The participation of Duke Power and York Tech is not subject to receipt of the grant

Funding:

Grant Request	$ 52,800
City "In-Kind"	41,900
Duke Power Donation	30,000
York Tech "In-Kind"	3,900
Wells Fargo "In-Kind"	1,000
Total Project Cost	$129,600

Background: In the fall of 1991, the Equipment Services Division, Duke Power Company, and York Technical College formed an informal partnership to pursue the feasibility of placing one or more electric vehicles into "real life" service by City key businesses. The vehicle assignments, based upon opportunities for actual daily use and public exposure, were planned for Fire Prevention, Storm Water Services, and the Equipment Services' Pool Fleet. The Pool vehicle will be used on a rotating basis by many different key businesses in order to obtain feedback on the concept's potential use and

to offer greater visibility of the project to the public The Pool vehicle will also be available for demonstration projects such as Earth Day, alternate fuel conferences, school programs, etc

9. Modification to Economic Development Loan - H. J. Properties, Inc.

Action:

Approve modification of an existing loan agreement with H. J. Properties, Inc. to:

A) Refinance a $184,263 loan balance and restructure the terms of the existing loan; and

B) Approve an additional $21,000 for upfitting leased office space.

Scarborough | Martin
aff.
no Reid

Staff Resource. Steve Washington

Policy: On October 2, 1978 City Council adopted an ordinance establishing the Economic Development Revolving Loan Fund The fund provides loans to minority individuals and businesses located primarily in designated Community Development target areas There have been three subsequent amendments to the loan program.

Explanation of Request:

- On August 23, 1994 the Economic Development Revolving Loan Fund Committee unanimously approved the modification to an existing Economic Development loan with H J Properties, Inc

CP

- The modification includes·
  - refinancing an existing loan balance of $184,263 and
  - providing $21,000 in new loan funds to assist in financing the upfitting of office space being leased to Central Piedmont Community College (CPCC) for its Adult Basic Literacy Education Program

- The original loan to H J Properties, Inc for $197,000 was approved by City Council on March 27, 1989 The loan was for the construction of a medical/office building at 3607 Beatties Ford Road to provide needed medical services to Westside residents

- H. J Properties, Inc consisted of William H Hart, who was President, Glenda Jenkins and Dr Jerry Jones

  - Each of the three shareholders had 1/3 equity interest in the corporation
  - Each contributed a 1/3 share of the amount needed for corporation expenses
  - Mr William Hart was responsible for making all payments, including the City loan payment.

- The original $197,000 City loan was for 5 years with monthly payments of $1,662 42 and a balloon pay-off due December 1994 Monthly payments on the loan became delinquent in April 1992 because Mr Hart failed to make the payments Also, the first mortgage loan with United Carolina Bank became delinquent

- When Dr Jones realized that the funds he was contributing to the corporation account were not being used for their intended purpose, he took over responsibility for the City and bank loan payments.

- Dr Jones has been a responsible shareholder of the corporation and has now taken over full responsibility of the corporation

  - He has bought out Mr Hart's interest in the corporation and is working to acquire Ms. Jenkins' interest
  - He used his personal funds to bring the bank loan current
  - He resumed making payments on the City loan in January 1993 and has continued making regular monthly payments.
  - The former vacant space in the building has been upfitted and leased to CPCC for its Adult Basic Literacy Education Program
  - The building is now fully leased and occupied
  - The income from the CPCC lease and earnings from Dr Jones' practice is sufficient to cover the debt service on the bank and City loans

- Dr. Jones wants to modify the existing City loan to refinance the $184,263 loan balance and to add $21,000 to assist in the upfitting costs.

  - The $184,263 loan balance includes the City loan delinquency of $27,705 (Delinquency amount includes principal, interest and late charges)
  - The $21,000 in new loan funds is for part of the upfitting costs H J Properties, Inc incurred to modify the building to meet specifications required by CPCC (Total upfitting cost was $62,000)

- The medical and educational services provided in this development are needed services that benefit Westside residents

Item No

Funding: Economic Development Revolving Loan Fund

Attachment 3
Pictures
Background

10. November Calendar Changes

Action: **Consider options for the November 7 Workshop and change the November Zoning Meeting from November 21 to November 22, 1994.**

Explanation of Request: The November 7 Workshop is four days before the City Council Retreat on November 11 and 12, and the day before Election Day Staff had planned to present, at the workshop, financial information in preparation for the upcoming retreat It would not be a long workshop, but because it is scheduled the evening before the election, Council needs to discuss whether or not they wish to hold the workshop.

Scarborough/Martin
Cancel Nov 7
Workshop + move
Zoning to 11/22/94
unan.

If it is cancelled, the financial information will be presented at the retreat as part of the resources discussion

The Criminal Justice Commission has invited Council and other elected officials to Pinehurst, N.C for their summit on November 20 and 21 This conflicts with Council's regularly scheduled Zoning Meeting on November 21 In order to allow Council to attend this Summit, staff suggests moving the Zoning Meeting to Tuesday, November 22

Manager's Office

Item No.

11. October 3 Workshop Agenda

Action: Approve the following topics for the October 3 Workshop agenda:

Scarborough/Wheeler app. unan

A) Re-use of Old Convention Center; – Jon O'Brien Fred Klein out of town

B) Term Limits for City Council;

C) Apartment and Small Business Garbage Collection; and

D) 2010 Vision Report

Managers Office

12 Executive Session

Action: Adopt a motion to hold an executive session at the conclusion of the meeting for the purpose of conferring with the City's Attorneys concerning potential litigation against the City, as permitted by the State's Open Meeting Law.

Martin/Scarborough app. Exec. Sess. unan

Recess for Exec. Session 8:35
Reconvene at 9:45
Martin/Wheeler adjourn unan. 9:45

Item No Pull 14F & 21F Speakers 14D & 18 questions Scarborough/Wheeler app Rect. unan.

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 MWBE criteria.

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

CONSENT I

13 Various Bids

A South Boulevard Business Corridor, Phase II — **Engineering and Property Management**

Recommendation· The City Engineer recommends award to the low bidder, Sherrill & Associates, of Charlotte, North Carolina, for $220,175 55

CHANGES MADE PER CANDY LEYVAS 11/2/94 BRJ

MWBE Status·	Amount	% of Project	Proj Goals
MBE	$6,819	~~3%~~ 3 3%	~~3 3%~~ 3%
WBE	$4,740 30	~~2%~~ 2.3%	~~2.3%~~ 2%

Compliance· Yes The Contractor has complied with the requirements and intent of the MWBE Program by **exceeding** the established contract goals

B. Charlotte-Mecklenburg Police Department Project Site Excavation — **Engineering and Property Management**

Recommendation: The City Engineer recommends award to the low bidder, Hall Contracting Corporation of Charlotte, North Carolina for $674,583

Item No

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$130,000	20 1%	9%
WBE	$0	0%	7%

Compliance: Yes Contractor has complied with the requirements and intent of the MWBE Program by exceeding the overall contract goal

14 In Rem Remedy Action

A. 3340 Amay James Avenue

Ord # 1
135-X, BK. 46, Pg. 33

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3340 Amay James Avenue (Reid Park Neighborhood) which is located in the City Within a City boundaries.

Attachment 4

CP

B. 2302 & 2303½ Tate Street

Ord # 2
136-X, BK. 46, Pg. 34

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2303 & 2303½ Tate Street (Biddleville Neighborhood) which is located in the City Within a City boundaries.

Attachment 5

CP

C. 131 Goff Street

Ord # 3
137-X, BK. 46, Pg. 35

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 131 Goff Street (Hoskins/Thomasboro Neighborhood) which is located in the City Within a City boundaries

Attachment 6

CP

D. 328 Tuckaseegee Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 328 Tuckaseegee Road (Seversville Neighborhood) which is located in the City Within a City boundaries

Ord #4 138-X, BK. 46, Pg. 36

Searborough/McCrory aff. No-Spencer & Campbell

Attachment 7

E. 402 A & B Jones Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 402 A & B Jones Street (Lakewood Neighborhood) which is located in the City Within a City boundaries.

Ord #5 139-X, BK. 46, Pg. 37

Attachment 8

F. 4021 Grove Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 4021 Grove Avenue (Derita Neighborhood) which is located in the City Within a City boundaries.

Ord #6 140-X, BK 46, Pg. 38

Attachment 9

G. 2119 Haines Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2119 Haines Street (Lincoln Heights Neighborhood) which is located in the City Within a City boundaries.

Ord #7 141-X, BK. 46, Pg 39

Attachment 10

H. 2351 Olando Street

ORD #8
142-X, BK. 46, pg 40

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2351 Olando Street (Druid Hills Neighborhood) which is located in the City Within a City boundaries.

Attachment 11

CP

I. 2624 Milton Road

Scarborough/McCrory
Aff.
Subst. Reid/Martin
Defer for 90 days to see if we can work out to buy
Mary Odom for Day Care
No Scarborough, Wheeler & McCrory

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2624 Milton Road (Oak Forest Neighborhood) which is not located in the City Within a City boundaries

Attachment 12

CP

15. Refund of Certain Taxes

Action: Recommend adoption of a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $40,635 86

Res #1
Bk. 33, pg 28-29

Attachment 13

Finance

16 Street Maintenance Resolution

Action: Adopt a resolution to transfer maintenance responsibility for 31 streets from the North Carolina Department of Transportation (NCDOT) to the City of Charlotte.

Res #2
BK 33, pg. 30-32

Staff Resource: R N Pressley

DOT

Policy: The City accepts State maintained streets upon request and mutual agreement and/or when the streets are within an annexed area and not part of the NCDOT primary road system

Explanation of Request:

- On June 30, 1994, the City annexed areas in south and northwest Mecklenburg County which includes 31 streets previously maintained by NCDOT
- These streets are not on NCDOT's primary road system and qualify for maintenance under the City's Street Maintenance Policy
- The attached resolution requests NCDOT transfer of maintenance responsibility for these streets to the City.

17 Municipal Agreement - Railroad Grade Crossing - Tipperary Street

Action:

A) Approve the Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for improvements to the Aberdeen, Carolina, and Western Railroad grade crossing with Tipperary Street; and

B) Adopt the Resolution to authorize the Director of the Department of Transportation to execute the Municipal Agreement

Res #3
Bk. 33, Pg. 33

Staff Resource: R N Pressley

Explanation of Request The Aberdeen, Carolina, and Western Railroad grade crossing with Tipperary Street requires certain crossing protection improvements, and a Municipal Agreement between the City and NCDOT is required before all crossing related improvements can proceed

DOT

CONSENT II

18 **Landlord-Tenant Mediation and Reimbursement Program Budget Ordinance**

ORD #9
143-X, BK 46, PG 41

Cannon/Martin
app. a - unan
Scarborough/Cannon
app B and Budget Ord.
No - McCrory & Reid

Action: **Adopt an ordinance appropriating the following funds as previously authorized by City Council on April 11, 1994:**

A) $40,000 for the Landlord-Tenant Mediation Program (as modified with mandatory referral from Small Claims Court); and

B) $110,000 to provide rental property owners with access to a one-time per tenant loan of up to $1,500 for reimbursement of repairs where:

- **the mediator finds that violations were due to tenant abuse rather than owner neglect,**
- **the landlord agrees not to evict the tenant for six months provided no other lease provisions are violated, and**
- **the loan is forgivable if the tenant completes a counseling course at Family Housing Services designed to alter destructive behavior patterns.**

Staff Resource: J W Walton

Policy: Charlotte's Comprehensive Housing Affordability Strategy (CHAS) approved by City Council on October 25, 1993 states that the City of Charlotte and local housing providers will pursue programs and activities which address the following priorities

- Preservation of existing housing
- Strengthening neighborhoods and community-based organizations
- Promoting self-sufficiency
- Promoting housing affordability
- Expanding affordable housing

Item No

Explanation of Request:

- On April 11, 1994 City Council authorized the Landlord-Tenant Mediation and Reimbursement Program as recommended by the Community Development and Housing Committee

- Appropriation of the funds was inadvertently omitted from the year-end wind-up budget ordinance, making this action necessary to implement the program

- Funds are available in the City Housing Fund

- The Landlord-Tenant Mediation and Reimbursement Program is designed to

  - Preserve the housing stock by minimizing and correcting tenant-caused property damage,
  - Distinguish tenant-caused damage from cases of owner neglect and encourage destructive tenants to alter their behavior patterns;
  - Prevent evictions and the imposition of judgments against tenants who sincerely wish to make restitution for damage they have caused,
  - Lower landlords' perceptions of risk in operating affordable rental housing, and
  - Encourage landlords and tenants to settle their disputes outside the Court system

- A staff person has been hired for one year to implement the program The staff person will work in the Office of the Clerk of Courts However, Community Development supervises the position

Item No.

19 **Street Main Extensions - Professional Services Contracts**

Action: Contract

Approve three Professional Services Contracts not to exceed the amount of $150,000 each with various consultants as shown below. These contracts will provide surveying and design services for water and sanitary sewer main extensions.

Summary of Recommendation:

East Area:

Ogden Environmental & Engineering Services Co , Inc

West Area:

Woolpert Consultants

South Area·

W K Dickson & Company, Inc

Staff Resource: Doug Bean

Policy: The Street Main Extension policy was adopted May 1992, and revised March 1993. The revision made water and sewer service more affordable to applicants.

Explanation of Request:

- The demand for water and sewer service increased dramatically due to adoption of the Street Main Extension Policy
- CMUD's goal is to provide service to an applicant within six months after application With three in-house teams, CMUD cannot meet this goal on a consistent basis
- In order to meet the six month service objective, several consultants have been selected to assist in providing design/survey services

CMUD

- Award of these contracts will allow CMUD to assign the surveying and design of some water and sewer street main extensions to the applicable consultant

- All three consultants were selected by a competitive process based on qualifications and experience, according to the City's approved consultant selection process

Background: On June 14, 1993, City Council approved a professional services contract with Concord Engineering and Surveying to provide surveying and design services for water and sanitary sewer street main extensions

The professional services contract with Concord was successful in helping to achieve the six month goal However, it would be beneficial to have several consultants working in designated areas

To maximize efficiency and productivity, staff divided Mecklenburg County into three sections East, West, and South This division is used not only for design and surveying services but is used to prepare construction contracts, also. This enables a contractor to work consistently in one area, less travel time for inspection and management staff, etc

20. Resolution Accepting FAA Grant, Budget Ordinance and Contracts

Action: A) Adopt a resolution accepting a Federal Aviation Administration (FAA) Grant in the amount of $10,023,116.

Res # 4
BK. 33 Pg 34-35

ORD #10
144-X, BK. 46, PG. 42

B) Adopt an ordinance appropriating $11,593,034 to provide funding for the second phase of the FY94 Airport Improvements Projects, including Air Cargo Center - Phase 2; Site Preparation and Paving, FBO Expansion - Paving Taxilane and High Speed Taxiway Exits, Part 150 Noise Program, and Master Plan Land Acquisition;

C) Award a contract in the amount of $3,067,923.42 to the low bidder APAC-Georgia, Inc. of Augusta, Georgia for the Air Cargo Center - Phase 2 - Site Preparation and Paving and FBO Expansion - Taxilane Paving, and

D) Award a contract in the amount of $2,736,746.43 to the low bidder APAC-Georgia, Inc. of Augusta, Georgia for the High Speed Taxiways.

Staff Resource: T J Orr

Policy: Airport Master Plan

Explanation of Request

The FAA has offered a grant for $10,023,116 to provide the Federal share of FY94 Airport Improvements Projects and on-going Part 150 Noise Program and Master Plan Land Acquisition This grant includes the remainder of the Airport's FY94 entitlements monies and $6,274,426 in discretionary funds for noise programs and airfield capacity

Additionally this ordinance appropriates $816, 931 of Airport discretionary and $752,987 of excluded centers undesignated monies (i.e Airport Fund Balances) to fund the City's share of these FY94 Airport Construction Projects. Council has previously appropriated the City's share of funding for Part 150 Noise Program and Master Plan Land Acquisition

AVIATION

Funding: The ordinance appropriates funds as follows.

	Federal	Airport
Construction Control	$ 4,709,752	$1,569,918
Part 150 Land	$ 3,034,038	
Church of God	$ 1,933,388	
Master Plan Land	$ 345,938	
TOTAL	$10,023,116	$1,569,918

Background: On June 27, 1994, Council accepted a FAA Grant, in the amount of $7,764,439, the initial funding that Congress appropriated, for high priority airport improvement projects The June grant represented a portion of the FY94 funding. Congress has now authorized the remainder of this year's funding This current action accepts the first grant for FY95 (City's fiscal year)

In order to be eligible for the available FAA funding, the remainder of the Airport's entitlements must be committed by September 30, 1994 (end of federal fiscal year)

The Airport Advisory Committee has approved the adoption of this resolution, the appropriation of funds, and the award of construction contracts to the low bidders

APAC-Georgia, Inc. - Air Cargo Center and Taxilane
MWBE Status

	Amount	% of Project	Project Goals
MBE	$386,200	12 6%	NA
WBE	$227,384	7 4%	NA
DBE Total	$613,584	20%	20%

Compliance Yes

APAC-Georgia, Inc. - High Speed Taxiways
MWBE Status.

	Amount	% of Project	Project Goals
MBE	$		NA
WBE	$562,000	20%	NA
DBE Total	$562,000	20%	18%

Compliance Yes

21. Approve property acquisitions #A-C and adopt condemnation resolutions #D-F.

For Aviation property transactions A-C, the purchase was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal considers the specific quality and quantity of the house The tax value is determined on a more generic basis and will be higher or lower for houses with certain attributes 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 Collin Robinson
Property Address· 3332 East Willow Lane
Property to be acquired 25 acres
Improvements 3 bedroom, 2 bath, 1½ story
Tax Value n/a
Purchase Price: $34,000

Aviation

B. Project: F A R Part 150 Land Acquisition
Owner(s) Mr. and Mrs Earl Lee
Property Address 4408 Pebblebrook Drive
Property to be acquired 241 acres
Improvements 3 bedroom, 1 bath, ranch
Tax Value. $45,180
Purchase Price $51,000

AVIATION

C. Project Annexation FY93 Trunk to Old Plank Road Area 7, Parcel No 68
Owner(s) Pine Island Country Club, Inc.
Property Address 1701 Stoneyridge Drive
Property to be acquired. 58,848 sq ft of Permanent Easement plus 116,041 sq.ft (2 663 AC) of Temporary Construction Easement
Improvements Large trees, three sodded fairway crossings
Tax Value· $2,054,860
Purchase Price $65,000

Eng | Real Estate

Remarks. This sanitary sewer line follows the natural drainage path throughout the golf course causing considerable damage to three sodded fairways, numerous trees and landscaping as well as disruption to the golf course operation for 22 working days The settlement was based upon two appraisal reports and reviewed by a third appraisal

Zoned. R-3 Use Golf Course
Tax Code Part of 031-103-63,031-093-10

Condemnations

Res # 5
BK. 33, Pg 36-37

D. **Project:** Carmel Road Widening, Parcel No 100
Owners. Edward R McHenry, Jr & wf , Jane L McHenry & any other parties of interest
Property Address 4443 Carmel Road
Property to be acquired 3,857 30 sq ft (0 08855 AC.)
Improvements Trees and landscaping
Tax Value $227,770
Purchase Price $4,200
Remarks This property fronts on Carmel Road The road widening project will cause a loss of approximately eight feet in depth plus a temporary construction easement causing the loss of trees and landscaping The owners have countered our offer in the $50,000 range The counter offer was not substantiated by an appraisal Total Area 40,000 sq ft (0 9183 AC), Area to be Acquired 1,254 70 sq ft (0 0288 AC), Temporary Construction Easement 2,602 60 sq ft. (0.0597 AC.); Area Remaining 38,745 30 sq ft (0 8895 AC)

Zoned R-3 Use Residential
Tax Code 211-173-02

Eng | Real Estate

Item No

Res #6
BK 33, Pg. 38-39

E. **Project**: Mallard Creek Tributary Outfall, Parcel No 1
Owner(s) Susan Burr Alexander Boone, James F Alexander, John William Alexander, Stella Alexander Harman & other parties of interest.
Property Address: 52 68 acres off I-85 at Mallard Creek Road
Property to be acquired: 28,907 6 sq.ft. (0.66 AC)
Improvements None
Tax Value. $228,260
Purchase Price $3,100
Remarks· The proposed sewer line will be installed as part of the Capital Improvement Program The line is to meet the forecasted needs of the Mallard Creek area There are four owners involved in the settlement, and we are not able to reach an agreement. Condemnation is therefore being requested Acquisition price as determined by an independent appraiser is $3,100. Total Area 2,294,740 80 sq ft , Permanent Easement 13,673 60 sq ft , Temporary Construction Easement: 14,493.80 sq ft ; Area Remaining 229,360.60 sq.ft.

Eng/RE

Zoned: R-3 Use Vacant
Tax Code 047-181-14

Res #7
BK 33, Pg. 40-41
McCrory/Martin
App. Recommendation
Unan

F. **Project**: Dedham Place Sanitary Sewer Right of Way, Parcel No 2
Owner(s) Michael J Zupon & wf , Lorraine S Zupon, and any other parties of interest
Property Address 1805 Clematis Drive
Property to be acquired 3,717 sq ft (0 08 AC) of Permanent Easement and Temporary Construction Easement
Improvements· Trees, shrubbery, and plants
Tax Value $344,600
Purchase Price. $6,350

Item No.

Remarks The subject parcel is located on Clematis Drive The project requires the acquisition of a 15' wide Sanitary Sewer Permanent Easement and 15' Temporary Construction Easement along the rear portion of the parcel causing the removal of trees, shrubbery, and plants. After numerous meetings and phone conversations, the property owners refused the City's appraised offer for the needed areas Total Area ~~21,039~~ sq.ft (0 ~~483~~ AC.), Permanent Easement to be Acquired ~~1,845~~ sq ft (0 042 AC.), Temporary Construction Easement ~~1,872~~ sq.ft. (0 042 AC.), Remaining Area ~~19,194~~ sq ft (0 441 AC.)

TOTAL 24,000 SF

Zoned: R-3 Use Residential
Tax Code· Part of. 183-111-48

Eng/R.E.

DO NOT CHANGE PFR
TIM O'BRIEN + CRAIG
LAWING 9/26/94
2:00 PM