AGENDA

Meeting Type:	BUSINESS
Date:	11/28/1988

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Al Rousso*

John A (Gus) Campbell *Roy Matthews*
Stanley M Campbell *Cynthia Patterson*
Dan Clodfelter *Ella Butler Scarborough*
Charlie S Dannelly *Richard Vinroot*
Gloria Fenning *Velva W Woollen*

Council Agenda

Monday, November 28, 1988

12:00 noon . . . . . Council-Manager luncheon with Charlotte Housing Authority (CMGC)
2:00 PM . . . . . Citizens Hearing
2:30 PM . . . . . Council Meeting

ITEM NO.

1. Invocation by Father Constantinides of Holy Trinity Greek Orthodox Cathedral.

2. Consider approval of minutes of Council Workshop on November 7 and Regular Meeting of November 14, 1988.

POLICY

3. Choose one of the following options relating to the housing project being developed by Carolina Capital/McDevitt & Street (1) Authorize the City Manager to enter into a loan agreement with the Housing Authority in the amount of up to $2,000,000 to be used as rent subsidy for low income families for 15 years and authorize the City Manager to determine the payment and method of rent subsidy of not more than $200,000 per year or (2) Defer action until the December 19, 1988 zoning meeting when the down zoning petition for this property will be considered.

Housing Policy Plan — On April 6, 1987, City Council adopted a Housing Policy Plan which advocated development of housing using public/private partnerships. Subsequently, Council appropriated a total of $6 million in an Innovative Housing Fund to produce this housing.

Housing Proposal

Consistent with Council's goals, Community Development staff responded to a request from Carolina Capital Group/McDevitt & Street to discuss their housing proposal (known as McAlpine Terrace/Glen Cove) to build housing units for low-income families. The McAlpine Terrace/ Glen Cove Project has met all required criteria and has been reviewed by the Innovative Housing Fund Review Committee, chaired by Assistant City Manager Julie Burch. A description of the project, features of the proposal and the developers' background are attached for your information.

Action

- Authorize a loan not to exceed $2 million to be payable at the end of 15 years at 0% interest.
- That City funds would be used to reduce rent payments so that moderate and low income people would qualify.

The project will meet the City goals by providing 20 three-bedroom units for persons at 35% of median income. These persons are expected to be placed from the Housing Authority's waiting list. It is known that the need for 3-bedroom units is the largest demand.

Funds

The City's Innovative Housing Fund.

Clearances

The loan was approved by the Innovative Housing Review Committee on November 14, 1988. All criteria for qualifying for financial assistance has been met by the applicant in accordance with the requirements outlined in the Housing Policy Plan.

Attachment No. 1

4. Consider City's 1989 Legislative Items.

1. Seek local legislation that would permit the City to require the installation of fire sprinklers in new multi-family residential buildings of woodframe construction. At the present time, the North Carolina State Building Code does not require sprinklers in this type of construction. The City sought an identical bill in the 1987 Legislative Session and although the bill was introduced, it was not enacted. Information from the Fire Chief is attached.

2. Seek authority to enable the City to establish conservation districts and to form a conservation district commission if needed. This item was in both the 1987 and 1988 Legislative Packages, but no bill has ever been actually introduced. Attached is a memorandum from Martin Cramton that provides a brief explanation of the conservation district concept.

3. Seek authority that would enable the City to levy an admissions or seat tax. As background, an admissions tax was one of the additional revenue sources studied by the joint City-County Citizens Review Committee in 1986. The pertinent portion of the Committee report is attached.

4. Seek a local act that would enable the City, in its discretion, to establish a code enforcement board that would have jurisdiction over animal control violations, community improvement violations, sanitation violations and the like. Such a board could serve as an alternative to criminal district court and would be given full power to conduct hearings, to issue orders and levy fines as necessary to bring a violation into compliance.

5. Seek an amendment to the City Charter to permit the City to exercise the power of eminent domain to acquire property to provide housing for low-and moderate-income persons. This measure would permit the acquisition of either vacant property for such purposes or the acquisition of existing housing units which could be rehabilitated for low-and moderate-income use.

6. Seek a local act that would enable the City, in its discretion, to establish a local housing court which would hear all housing code enforcement cases, render decisions and levy penalties for violations. Establishment of such a court could provide an alternative means of landlord-tenant disputes.

7. Seek a local bill clarifying the City's authority to require the reservation of public facility sites as part of the subdivision and zoning ordinance process. Under existing state law, it is clear that cities are empowered to require developers to reserve land for schools and park and recreational purposes. However, the authority of a municipality to require reservation of land for such things as fire stations, public housing sites and other similar public facilities is unclear.

8. A bill enabling notice by publication only, rather than notice by mail to individual property owners, for the adoption of new comprehensive zoning maps or a total revision of the zoning ordinance.

9. A bill authorizing the City Council to transfer the responsibility for rezoning hearings and major planned development hearings to the Planning Commission, with the Planning Commission submitting to the City Council as recommendation for action and a summary of comments made at the hearing. Attached is an executive summary of the Planning and Public Works Committee minutes of November 10, 1988. The Planning Committee of the Planning Commission discussed this bill but took no action.

10. A bill providing clearer authority for the City to build the proposed "planned development" permit process into the zoning ordinance. This will accommodate the need to subject particular types of development to a discretionary review and approval procedure different from the existing conditional district rezoning and special use permit procedures.

11. A bill enabling the City to condition approval of a rezoning petition on the dedication of recreational space to the public.

    Attached are two memorandums from Planning Director Martin Cramton explaining Planning staff's position on each of the following bills.

12. A bill requiring, in the event that the City has approved a development permit subject to special conditions, that the property owner record a notice of those conditions with the Register of Deeds for the information of subsequent purchasers of the property.

13. A bill authorizing the City to create a code enforcement board as a tribunal for hearing cases regarding violations of zoning, subdivision, and other development regulations.

14. A bill authorizing the City, in the event that a person has zoning ordinance violations outstanding from the same project or other projects, to withhold permits or other approvals applied for by that person until all violations are remedied.

15. A bill authorizing the City to change the Zoning Board of Adjustment voting requirement from "four-fifths" vote to a simple majority.

    Attachment No. 2

5. Consider various options regarding the management of historic needs and resources.

Joint Report Recommendations

On December 7, 1987, Charlotte City Council unanimously adopted a resolution endorsing the implementation of three recommendations presented in the Joint Report of the Historic Needs Task Force members and staff representatives. This report was the principal product of a comprehensive evaluation and analysis, begun on October 27, 1986, of historic preservation and historic programming needs in Charlotte and Mecklenburg County.

The three recommendations in the report were:

1. The formation of a Charlotte-Mecklenburg History Council
2. The establishment of a private historic preservation foundation, and
3. The development of a historic resources comprehensive plan for Charlotte-Mecklenburg

The City Council, in its December 7, 1987 action, created the Historic Needs Task Force, and directed them to determine whether consolidation could occur and to submit a report and recommendations.

On November 14, 1988, the report was presented to City Council. The following recommendations were included in the report:

Historic Needs Task Force Recommendations

Recommendation 1: The phased consolidation of the Charlotte-Mecklenburg Historic Properties Commission, the Charlotte-Mecklenburg Historic District Commission, and of all other historic resources and agencies funded or administered by the City of Charlotte or Mecklenburg County into a single, City/County agency, to be known as the Charlotte-Mecklenburg Historic Resources Commission (HRC).

Recommendation 2: The appointment of a Transition Team, consisting of a staff member and a board member each of the Charlotte-Mecklenburg Historic Properties Commission and the Charlotte-Mecklenburg Historic District Commission, a staff member and a citizen representative each of the Hezekiah Alexander Homesite and History Museum, Latta Place, and the Dowd House, and an Assistant City Manager and an Assistant County Manager, to oversee the consolidation of the Historic Properties Commission and the Historic District Commission into the Charlotte-Mecklenburg Historic Resources Commission by December 15, 1988, and the consolidation of the other constituent members into the HRC by July 1, 1989.

Recommendation 3: That the Charlotte City Council and the Board of Commissioners of Mecklenburg County jointly pass a resolution endorsing the establishment of a Charlotte-Mecklenburg History Council and that the Historic Resources Commission assume the leadership in securing the establishment of same.

Recommendation 4: That the Charlotte City Council and the Board of Commissioners of Mecklenburg County jointly pass a resolution endorsing the establishment of a Private Historic Preservation Foundation in Charlotte-Mecklenburg and that the Transition Team assume the role of recommending a procedure for establishing same.

Recommendation 5· That the development of a Historic Resources Comprehensive Plan await the creation of the fully-formed Historic Resources Commission.

Recommendation 6: Until July 1, 1989, administration of the Hezekiah Alexander Homesite and History Museum shall remain with the Parks and Recreation Department of the City of Charlotte.

Recommendation 7: Until July 1, 1989, administration of the other historic sites owned or administered by the City of Charlotte or Mecklenburg County shall continue under their present arrangements.

Recommendation 8: Upon the adoption by the Charlotte City Council and the Board of Commissioners of Mecklenburg County of the recommendation submitted by the History Needs Task Force regarding the phased creation of the Charlotte-Mecklenburg Historic Resources Commission (HRC), a special Transition Team shall be established at each of the following historic sites: Hezekiah Alexander Homesite and History Museum, Latta Place, and Dowd House. Each special Transition Team shall consist of a staff person from the site (where available), three representatives selected by the support group for the site (in the case of the Hezekiah Alexander Homesite, one by the Hezekiah Alexander Auxiliary, and one by the Hezekiah Alexander Docents), and two members selected by the larger Transition Team which shall be overseeing the establishment of the HRC.

Recommendation 9: Each special Transition Team, until the comprehensive HRC is established on July 1, 1989, shall make recommendations regarding policy for its particular site to the body or agency which currently administers each site and shall make recommendations to the HRC Transition Team regarding the budget and staff needs for each particular site for FY90, and when

necessary, for FY91. Each special Transition Team shall also recommend for each particular site a definition of the roles of the support groups and their relationships to one another and to the professional staff at the site.

Recommendation 10: On July 1, 1989, the administration of all historic sites owned or administered by the City of Charlotte or Mecklenburg County shall be placed with the HRC, assuming that the HRC has sufficient funds and staff and access to in-kind services to assure that all constituent agencies and programs shall continue at an undiminished level of operation.

Recommendation 11: On July 1, 1989, a Board of Advisors shall be established at each of the following historic sites: Hezekiah Alexander Homesite and History Museum, Latta Place, and Dowd House. Additional local public historic sites shall establish Boards of Advisors when and if the HRC determines that a duly constituted support group exists for a specific additional historic site. Each Board of Advisors shall consist of up to six representatives selected by the support group for the site (in the case of the Hezekiah Alexander Homesite and History Museum, two representatives selected by the Hezekiah Alexander Foundation, two by the Hezekiah Alexander Auxiliary, and two by the Hezekiah Alexander Docents), and up to three members selected by the HRC. The HRC shall not appoint a majority of members on any Board of Advisors. The chief administrative officer of the HRC shall select one staff representative from each particular historic site to serve as an ex-officio, non-voting member of the Advisory Board for each particular historic site. Each Advisory Board shall select one member to the HRC. Each Advisory Board shall make recommendations regarding policy, budget and staff needs for its particular historic site to the HRC. Each Advisory Board shall select one member of the HRC Search Committee for the principal staff person for its particular historic site. Each Advisory Board shall recommend an artifacts policy for its particular historic site, and shall recommend overall policies which, once adopted by the HRC, shall govern its particular historic site. The recommendations of each Advisory Board, because the members have special interest, knowledge, and expertise concerning each particular historic site, shall receive the most serious consideration by the HRC.

Recommendation 12: All private monies raised for each particular historic site or other constituent program of the HRC, including donations, admission fees and profits from sales of goods and services, shall be used for that

particular historic site or program and shall not be co-mingled with the general operating funds of the HRC. Exceptions to this rule must be approved by the HRC, the Board of Advisors for the particular historic site, and by all support groups for the particular historic site or other constituent program.

Historic Properties Commission Endorsement

The Historic Needs Task Force recommendations have been endorsed by the Historic Properties Commission only if the consolidation is comprehensive. A letter from the Commission is attached as well as the Historic Needs Task Force report.

Options

Should Council choose to adopt the Task Force recommendations, arrangements and management for the Hezekiah Alexander Homesite and Museum will be settled and no further action would be needed.

However, if Council wishes to treat the Hezekiah Alexander Homesite and Museum as a separate action, the information below includes additional options for arrangements and management of the Homesite and Museum.

A. Council is asked to consider adoption of the recommendations of the Joint Report of the Historic Needs Task Force.

B. There are two groups involved in the operation of the Hezekiah Alexander Homesite: the Hezekiah Alexander Foundation and the Hezekiah Alexander Auxiliary. The Foundation does not endorse the recommendations of the Task Force and would like to be treated as a separate entity. The Hezekiah Alexander Foundation has stated its endorsement and recommendation of Option 1. (See below).

The Hezekiah Alexander Auxiliary and Docent presidents have stated their support for the Historic Needs Task Force recommendations.

Hezekiah Alexander Homesite/Museum

In 1986 the Hezekiah Alexander Foundation requested that they be transferred from under the operation of the Mint Museum. After a study by a Task Force, appointed by the Mayor, a decision was made to make the Homesite and Museum a division of the Parks and Recreation Department. Under that arrangement, the Parks and Recreation Department was to operate the facility and the Foundation and its Auxiliaries were to provide funding for programs. This arrangement went into effect in January, 1987.

This arrangement proved to be unsatisfactory for the Foundation, and resulted in conflicts over funding, fund keeping, management, and programs.

In late winter this year, the City Manager's Office began working with the Foundation to propose a solution.

These meetings resulted in the following proposed options.

Option 1: The City provides an operating contribution only. Under this option, the City would terminate its lease with the Methodist Home. The Hezekiah Alexander Foundation may pursue a lease directly with the Methodist Home for the use of the property. Each year, the Foundation can request from City Council an operating contribution for funding the operation of the Hezekiah Alexander Homesite.

Examples of this financing alternative include the Nature Museum and the Youth Involvement Council.

Option 2: The City maintains the buildings and grounds, but does not provide staff nor program support. Under this option, the City would retain its lease with Methodist Home and with its cooperation, sublease to the Hezekiah Alexander Foundation. City staff would maintain the buildings and grounds, but no City staff will be assigned to the Homesite. Each year, the Foundation can request from the City Council additional funding support for the operation of the Homesite.

An example of this alternative is the City's arrangement with Discovery Place.

Option 3: The City maintains the buildings and grounds and provides staff to administer the facilities and programs, but does not provide funds for exhibits and programs.

An example of this alternative includes the present Hezekiah Alexander agreement.

Attachment No. 3

6. Consider recommendation of Planning and Public Works Committee to confirm existing practice regarding implementation of sidewalks, street trees and planted medians as part of major transportation projects including implementation of a planting strip.

Recommendation

On November 10, 1988 the Planning and Public Works Committee considered the attached report which describes the City's current process for implementation of sidewalks, street trees and planted medians as a part of major transportation projects. The committee concurred unanimously with the current practice. The Committee also indicated a preference for the implementation of a planting strip between curb and sidewalk where appropriate.

Current Practice

The attached report describes the current practice, capital costs, maintenance cost and benefits regarding implementation of sidewalks, street trees and planted medians in conjunction with major roadway projects.

Current Practice:
Sidewalks - A five-foot sidewalk is installed on both sides of the roadway if adjacent to curb; a four-foot sidewalk if separated from curb by planting strip. Meander sidewalk to avoid specimen trees. Replace sidewalk if existing and requires relocation.

Medians - Typically installed for safety reasons in portions of the road which would otherwise be asphalt with pavement markings; provide space where future through or turn lanes could be implemented. Landscaping and planted medians routinely recommended in streetscape plans. If conflicts arise at time of neighborhood meetings, bring back to Council for decision.

Landscaping Adjacent Roadway - Trees (40 feet on center) within planting strip between curb and sidewalk or on easements behind sidewalk on private property. Intensify at intersections. In commercial areas where cost of right-of-way or easements is high, may omit landscaping altogether. Supplement existing trees rather than replace where possible. Landscaping in easements becomes maintenance responsibility of property owners.

Trees planted within the right-of-way and planted medians become a maintenance responsibility of the City. These streetscape features provide safety, aesthetic, land use and urban planning benefits as well as assist in neighborhood and property owner acceptance of roadway projects. Where informal policies conflict, such as the provision of sidewalks versus saving mature trees at reasonable cost, staff will involve Council in the decision making process.

Funds — None required for this action. However, if approved, funds for construction will continue to be included in capital budgets and maintenance costs included in Parks and Recreation Department operating budget.

Clearances — Planning, CDOT, Parks and Recreation, and Engineering Departments concur in the request.

Attachment No. 4

7. Workshop agenda for Thursday, December 8, 1988 Council workshop.

Council is requested to review and decide if any of the proposed workshop topics should be referred to Council committee.

Airport Advisory Committee, presentation of annual report
Cultural Arts Funding Policy Options
Streamlining building permits process report
Transit Corridor Study Status Report

BUSINESS

8. Recommend installation of sidewalks on both sides of Rama Road from McClintock School to Monroe Road.

Sidewalks Recommended — Rama Road between Monroe Road and McClintock School is scheduled for widening. At its April 25, 1988 Council meeting, Council approved the widening with no sidewalks with the condition that the Transportation Department monitor pedestrian usage. Transportation Department staff monitored pedestrian usage and recommends that sidewalks be installed on both sides of Rama Road in this location.

City Council is requested to approve the installation of sidewalks on both sides of Rama Road from McClintock School to Monroe Road as described below.

- Install 4 ft. sidewalk between trees and houses 9 ft. to 14 ft. behind the curb using reinforced sidewalk to bridge root system and minimize root damage. While presenting more risk for tree health, this option gives adequate potential for the trees to survive. The sidewalk location varies from 43 ft. to 62 ft. from the houses; minimum zoning setback varies from 25 ft. to 30 ft.

- Approve planting of a 4 ft. high planting screen between the sidewalk and the houses only if all property owners grant an easement for installation, and agree to assume ownership and maintenance responsibilities two years following installation. Cost of the planting screen is estimated to be $8,000.00 which is available in the project account.

Clearances — Planning, Engineering, Parks & Recreation, and Transportation staffs.

9. Appointments/Nominations to Clean City Committee.

A. The following nominations for appointment have been made to fill two vacancies created by resignations. One term will expire June 30, 1989, the other in 1990.

a) John Wall, nominated by Councilmember Matthews.
b) John B. Tomlinson, nominated by Councilmember Vinroot.
c) Nora Kuester, nominated by Councilmember Woollen.

B. Nominations for appointment to fill two vacancies created by enforcement of the attendance policy. One term will expire June 30, 1990, the other in 1991. Appointees may reside anywhere in Mecklenburg County.

Attachment No. 5

10. Nominations for Appointment to Tree Advisory Commission

Two appointments for three-year terms. The terms of Martha Washam and Walter Fields will expire December 13, 1988. Both are completing their second full term and are not eligible for reappointment.

Attachment No. 6

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The City Attorney advises that agenda items no. 11 through 21 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

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BUDGET ORDINANCE

11. Recommend adoption of an Ordinance appropriating $25,000 in private contributions and interest earnings to the Crimestopper Program.

$25,000 Appropriation — This action will appropriate $25,000 from the Crimestopper Fund fund balance to the Crimestopper Program. $107,929 is available in fund balance from private contributions and interest earnings. This appropriation will fund the program for the remainder of the fiscal year. Beginning in FY90, a Crimestopper appropriation will be included in the annual ordinance.

Funds — Unappropriated Fund Balance of the Crimestopper Fund.

Clearances — Budget and Evaluation; Finance; Police.

ACCEPT GRANT/BUDGET ORDINANCE

12. Recommend acceptance of a grant of $30,200 from the Governor's Crime Commission to fund initiatives against property crimes and adoption of a budget ordinance to appropriate the funds.

Grant — The Governor's Crime Commission had unexpended FY87 grant funds which they have recently made available to police departments experiencing increases in property crimes.

Clearances — Budget and Evaluation, Grants Review Committee.

BID LIST

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

A. Plant Mix Asphalt, Hot Mix — Operations Dept., Street Division
90,100 (est.) Tons

Recommendation: By Purchasing Director and Operations Director that the low bidders for each section be accepted for award of contracts as follows:

Blythe Industries, Inc.	Sec. 1	Total Amount..$ 312,546.00
Rea Construction Company	Sec. 2&3	Total Amount..$1,227,111.00
Asphalt Assoc. of Char.	Sec. 4	Total Amount..$ 359,656.00
Crowder Construction Co.	Sec. 5	Total Amount..$ 261,689.00

Project Description: Plant mix asphalt is used for needed street repairs and to resurface City streets.

The bid proposal was arranged in five sections, each geographically surrounding one of the five local asphalt plants. The section distinction allows the City to consider the location of each asphalt plant when reviewing the bids for each section.

The recommendations reflect the City's estimated cost of hauling asphalt from the various plants to the midpoint of the respective sections. The midpoints were selected by the Street Maintenance Division as the most central location within each section. They represent an arbitrary job site location from which the hauling cost within each section from all prospective plant locations were determined. The cost includes both the contractor's bid price, the City's estimated cost for labor and equipment to haul the material, and the estimated cost of crew downtime resulting while material is being obtained.

Source of Funding: Powell Bill Fund - (Resurfacing by City Forces).

B. Sidewalk Bond Program Phase 14 — Engineering
512-88-263

Recommendation: By the City Engineer that the low bid of $587,705.43, as submitted by Crowder Construction, be accepted for award on a unit price basis.

Project Description: This project consists of concrete sidewalk construction at the following locations: The Plaza from Barrington Dr. to Plaza Ln., E. Third St. from S. Caldwell and extends for 100', Tuckaseegee Rd. from bridge at creek to bridge at railroad tracks, Country Club Dr. from Matheson Ave. to Shamrock Gardens Elementary School, Rea Rd. from 3850 to 3610, Hartford Ave. from Applegate Rd. to Scaleybark Rd., Everett Pl. from Pickney Ave. to Drummond Ave., Meadow Ln. from McMillian St. to Dead End, Norland Rd. from Independence Blvd. to Eastway Jr. High School, Palm Ave. from Shamrock Dr. to Eastway Dr., Woodland Dr. from Independence Blvd. to Eastway Drive.

M/WBE - The contractor has complied with the M/WBE contract provisions which allows performance of all the work with his own forces.

Source of Funding: General Capital Improvement Fund - (Sidewalk Construction Program - Street Improvement Bonds).

C. Sanitary Sewer Construction 8-Inch Sanitary Sewer To Serve Southeast Senior High School — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by McChesney Brothers of Charlotte, North Carolina, in the amount of $46,093.95 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend sewer service to the newly constructed Southeast (Providence) Senior High School located on Highway 51.

M/WBE - The contractor has complied with the M/WBE contract provisions which allows performance of all the work with his own forces.

Source of Funding: Water and Sewer Construction Fund - (Charlotte-Mecklenburg Schools).

D. General Construction Contract for Renovation of Piedmont, Delta, Eastern Cargo Building — Airport

Recommendation: The Airport Manager recommends that the low bid from Bob Popino, Inc. in the amount of $525,000.00 be accepted for the award of contract on a lump sum basis.

Project Description: When the City extended the lease for the cargo building, it was agreed to renovate the building to extend the useful life of the facility another 15 years. Increased rental rates will repay the cost of construction over the term of the lease.

M/WBE - A DBE goal of 15 percent was established for this contract. The low bidder's proposal was considered responsive in that the minimum requirements were met at the bid opening.

Source of Funding: Airport Capital Improvement Fund - (Air Cargo Development).

E. Electrical Construction Contract for Renovation of Piedmont, Delta, Eastern Cargo Building — Airport

Recommendation: The Airport Manager recommends that the low bid from Watson Electric in the amount of $42,175.00 be accepted for the award of contract on a lump sum basis.

M/WBE - A DBE goal of 5 percent was established for this contract. The low bidder's proposal was considered responsive in that the minimum requirements were met at the bid opening.

Source of Funding: Airport Capital Improvement Fund - (Air Cargo Development).

F. Mechanical/Plumbing Construction Contract for renovation of Piedmont, Delta Eastern Cargo Building — Airport

Recommendation· The Airport Manager recommends that the bid from Sanders Brothers, Inc. in the amount of $54,240.00 be accepted for the award of contract on a lump sum basis.

M/WBE - A DBE goal of 5 percent was established for this contract. The low bidder's proposal was considered responsive in that the minimum requirements were met at the bid opening.

Source of Funding· Airport Capital Improvement Fund - (Air Cargo Development).

G. AIP-09 Project Vehicle Access Road and Security Fencing in Runway 36L Approach — Airport

Recommendation: The Airport Manager recommends that the low bid from Dakota Contracting Company in the amount of $150,464.00 be accepted for award of contract on a unit price basis.

Project Description: This project provides security fencing around F.A.A. navigational aids on Runway 36L and an all-weather crash-fire-rescue vehicle access road off the end of the runway.

M/WBE - A DBE goal of 22 percent was established for this contract. The low bidder's proposal was considered responsive in that the minimum requirements were met at bid opening.

Source of Funding: 1985 Airport Construction Fund - (Airfield Improvements FY88 - 1985 Airport Revenue Bonds).

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14. Recommend purchase of computer equipment from Source Technology, Memorex Telex, and IBM Corporation to replace existing computer equipment currently leased from CIS Leasing Corporation.

Background — In 1982 the City entered into a lease agreement with CIS Leasing Corporation for mainframe computers and associated displays and printers. Based on our experience over the last six years, we have learned that it is more economical to purchase certain types of computer equipment, (equipment that has a life expectancy of seven years or more such as display terminals and printers), and continue to lease other computer equipment (central computer equipment).

$514,259 Savings — The recommended bid awards are for replacement equipment that we recommend be purchased. Purchasing the equipment rather than leasing it for the next seven years will yield savings of $514,259 after a pay back period of less than three years.

Bid Recommendation — It is recommended that the bids be awarded to the lowest responsible bidder by item taking into consideration unit price, delivery time, warranty, and maintenance cost after warranty. These factors are used in a seven year plus life expectancy of the equipment in determining lowest responsible bidder as follows:

Source Technology -	31 Table Top Printers	$ 71,145.00
Memorex Telex -	84 Display Terminals	
Memorex Telex -	2 Medium Speed Printers	
Memorex Telex -	6 Terminal Controllers	$129,172.00
IBM Corporation -	2 High Speed Printers	
IBM Corporation -	1 Medium Speed Printer	$ 46,033.00
	Total	$246,350.00

Funds — Capital equipment fund.

CONTRACT

15. Recommend approval of a contract for quality control testing for the East Terminal Expansion and Concourse D with Law Engineering and Testing Company on a unit price basis not to exceed $40,000.

Quality Control Testing: On October 24, 1988, City Council approved contracts for construction of the East Terminal Expansion and Concourse D. This contract with Law Engineering not to exceed $40,000 will provide materials quality control testing for these contracts. Proposals were received from Law Engineering, Inc., Froehling and Robertson, Inc. and Soil and Materials Engineers, Inc. The proposal from Law Engineering had the most favorable rates for this project.

Funds: 1987 Airport Revenue Bonds.

Clearances: Odell Associates, Inc. (architect) and Day and Zimmermann, Inc. (project manager) concur with this request.

AGREEMENT

16. Recommend approval of an agreement with Woolpert Consultants of Charlotte for $35,200.00 to perform a feasibility study and develop cost estimates for implementing the Master Plan for Improvements to Freedom Park.

Freedom Park Master Plan: Earlier this year, the Planning staff developed a master plan recommending various improvements to Freedom Park. Improvements recommended are·

. reconfiguration of parking areas.

. implementation of methods to improve the water quality and lessen shoreline erosion of the existing lake.

. construction of walkways, dams and erosion control measures to enhance the appearance and water quality of Little Sugar Creek.

. construction of the following facilities:
a. Nature Museum
b. Conference Center
c. Maintenance Center
d. Concessions/Restrooms
e. Picnic Shelters
f. Tennis Hut
g. Gazebo

. provisions for temporary facilities such as a band shell/stage, electrical service access, and overflow parking areas.

Woolpert Recommended

On May 9, 1988, Council approved $50,000.00 in funding to provide for a feasibility study of the Freedom Park master plan. Using the Council-approved selection procedure, a committee composed of staff from the Planning, Parks and Recreation, and Engineering Departments recommends that Woolpert Consultants perform a feasibility study and develop cost estimates for the above improvements.

Upon completion of the study, Planning staff will present the concept to the public. Since extensive community input was incorporated into the development of the proposed master plan, major changes to the master plan following the public presentation are not anticipated. Woolpert's cost estimates will be used to prepare a budget for presentation to Council to approve the proposed master plan and provide funding for design and construction of the project to be phased over the next 10 years.

Funds

Improvements to Existing Parks Capital Account.

Clearances

Planning, Engineering and Parks and Recreation Departments.

CONTRACT AMENDMENT

17. Recommend approval of an amendment for engineering design services with HDR Engineering, Inc. of North Carolina for $43,600.00 for the design of improvements to the Providence Road/Alexander Road/Rea Road Intersection.

July 11 Contract Award

On July 11, 1988, Council awarded a contract for engineering design services for $61,100.00 for the Providence Road/Alexander Road/Rea Road Intersection Project to HDR Engineering, Inc. of North Carolina.

Change Scope/ Amendment

As the design of the project progressed, the scope of work changed as follows:

1. A lane was added to Alexander Road and Rea Road at the Charlotte Department of Transportation's request.

2. The City's Project Manager for this project left the City for a job in private industry. The Consultant will now be required to prepare right-of-way plats due to the loss of a critical City staff member.

3. The project limits were increased by 458'± along both legs of Providence Road and by 101'± along Alexander Road.

4. The Consultant is now required to perform bidding phase services.

This amendment to the contract compensates the engineer for the project changes and additions.

Funds: TSM Intersection Improvement Capital Account.

Clearances: The contract has been reviewed by the City Attorney and CDOT staff, and approved by the Engineering Department.

CHANGE ORDER

18. Recommend approval of a change order for $70,698.00 to the contract with Crowder Construction Company for the expansion and upgrading of the McAlpine Creek Wastewater Treatment Plant.

Change Order: During construction, four of the secondary clarifiers at the McAlpine Plant were drained in order to clean and paint their mechanisms, as called for in the contract. Inspection revealed that the weirs* in all four of the clarifiers were not level, which is essential for most efficient operation. Leveling the weirs was not anticipated and could not have been determined while the clarifiers were in continuous operation. (*Weirs control the flow of water from one compartment to another; the flow must be equal and constant at all times.)

Contract: Expansion of McAlpine Creek Wastewater Treatment Plant
Contractor: Crowder Construction Company
Date of Award: March 28, 1988
Original Contract Amount: $17,278,000.00
Change Order: $ 70,698.00

Funds: Water and Sewer Capital Improvement Fund; McAlpine Creek Wastewater Treatment Plant Capital Account.

Clearances: The Utility Director recommends approval of this contract.

TAX REFUND

19. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $15,932.55 which were assessed through clerical error or illegal levy against 76 tax accounts.

UTILITY CONTRACTS

20. Recommend approval of contracts between the City of Charlotte and the applicants listed below.

These are extension contracts for new development in accordance with the Water/Sewer Extension Policy. The applicants are to construct the entire systems at their own proper cost and expense. The City is to retain all revenue. There is no cost to the City and no funds are needed. Utility and Planning Directors recommend approval.

1. NCF Financial Corporation, to construct 4,015 linear feet of 12-inch water main to serve Moss Road Extension, located north of York Road and east of Steele Creek Road, outside the Charlotte City Limits. Estimated Cost - $120,000.00. Water Contract No. 100-88-193.

2. WRA/LVG Partnership, The Howey Company, The Charlotte Building Group, L.P., and T.C. Homes Charlotte-Wynfield, L.P., to construct 5,490 linear feet of 8-inch water main and 40 linear feet of 6-inch water main to serve Wynfield Creek Parkway, located north of Gilead Road and west of Ranson Road, outside the Charlotte City Limits. Estimated Cost - $130,000.00. Water Contract No. 100-88-052.

3. WRA/LVG Partnership, The Howey Company, Trammell Crow Homes, and Waddell-Rubin Associates, to construct 3,649 linear feet of 15-inch sanitary sewer main to serve Torrence Creek Tributary No. 1 Outfall, located north of Gilead Road and west of Ranson Road, outside the Charlotte City Limits. Estimated Cost - $145,960.00. Sanitary Sewer Job No. 100-88-572.

4. The Howey Company, Inc., to construct 3,218 linear feet of 8-inch sanitary sewer main to serve Middlethorpe at Wynfield Subdivision, located north of Gilead Road, west of Ranson Road and east of Torrence Creek Tributary No. 1, outside the Charlotte City Limits. Estimated Cost - $112,630.00. Sanitary Sewer Job No. 100-88-618.

5. Charlotte Building Group, A North Carolina General Partnership, to construct 1,583 linear feet of 8-inch sanitary sewer main to serve Abberley at Wynfield Subdivision, located north of Gilead Road, west of Ranson Road and east of Torrence Creek Tributary No. 1, outside the Charlotte City Limits. Estimated Cost - $55,405.00. Sanitary Sewer Job No. 100-88-625.

6. Crosland Land Company, to construct 3,702 linear feet of 8-inch sanitary sewer main to serve Brookstone Subdivision, located south of W.T. Harris Boulevard, north of Mallard Creek and east of Cheshire Road, outside the Charlotte City Limits. Estimated Cost - $132,860.00. Sanitary Sewer Job No. 100-88-665.

7. CIAH Corporation, to construct 1,045 linear feet of 8-inch sanitary sewer main to serve Willow Pond Subdivision, Phase I, located south of N.C. Highway 73, east of I-77 and west of Floral Lane, outside the Charlotte City Limits. Estimated Cost - $36,575.00. Sanitary Sewer Job No. 100-88-658.

8. Torrence Crossing Associates, to construct 6,280 linear feet of 8-inch sanitary sewer main to serve Torrence Crossing Subdivision, located south of Gilead Road, north of McIlwaine Road and west of McCoy Road, outside the Charlotte City Limits. Estimated Cost - $219,800.00. Sanitary Sewer Job No. 100-88-689.

9. William Trotter Development Company, to construct 2,808 linear feet of 8-inch sanitary sewer trunk to serve Weddington Road, located north of McKee Road and south of Cross Country Road, outside the Charlotte City Limits. Estimated Cost - $98,280.00. Sanitary Sewer Job No. 100-88-673.

PROPERTY TRANSACTIONS

21. Recommend approval of the following property transaction.

Project: South Boulevard Lane Addition at Hebron Street
Owner(s): C-D-P Properties
Property address: 8200 South Boulevard
Property to be acquired: 9,645.80 sq. ft. of permanent easement, 1,350 sq. ft. of permanent drainage easement, 5,188.09 sq. ft. of temporary construction easement, 40.00 sq. ft. of permanent utility easement, $8,500.00 for the relocation of a business sign, and the loss of a considerable amount of trees.
Improvements: N/A
Price: $25,414.00

- ANNOUNCEMENTS -

In meeting on Monday, December 12, 1988, City Council will make nominations for appointment to the following:

1. COMMUNITY RESOURCES BOARD - One appointment for a three-year term. The incumbent is eligible for reappointment.

2. SAFETY ACTION COMMITTEE - Three appointments for two-year terms. Two of the incumbents are eligible for reappointment.

SCHEDULE OF MEETINGS
November 28 - December 9, 1988

Monday, November 28	TOUR OF WALLACE ROAD HOUSING SITE Housing Authority Office 1301 South Boulevard	10:00 a. m.
	LUNCHEON WITH HOUSING AUTHORITY Meeting Chamber Conference Room, CMGC	12:00 Noon
	CITIZENS HEARING	2:00 p. m.
	COUNCIL MEETING Meeting Chamber, CMGC	2:30 p. m.
Saturday, December 3 through Wednesday, December 7	65TH ANNUAL CONGRESS OF CITIES Boston, Massachusetts	
Thursday, December 8	COUNCIL WORKSHOP Conference Center	5:00 p. m.