

AGENDA

Meeting Type:	B
Date:	11-08-1982

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte North Carolina 28202
704/374 2395

Meetings in November '82

THE WEEK OF NOVEMBER 1 - NOVEMBER 6

- | | | |
|-----|-----------------------------------|--|
| 1-2 | Monday - Tuesday | N.C. LEAGUE OF MUNICIPALITIES - Greensboro, North Carolina |
| 2 | Tuesday, 6 30 a.m. -
7 30 p.m. | ELECTION DAY Polls Open |
| 3 | Wednesday, 10 00 a.m. | CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber |
| | Wednesday, 4 00 p.m. | CITY COUNCIL TRANSPORTATION COMMITTEE - City Hall, Second Floor Conference Room |
| | Wednesday, 6 00 p.m. | CHARLOTTE ADVISORY PARK COMMITTEE - Park Center, 310 N. Kings Drive, Director's Office |
| | Wednesday, 7 30 p.m. | PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room |
| 4 | Thursday, 4 00 p.m. | PLANNING COMMITTEE/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room |

THE WEEK OF NOVEMBER 7 - NOVEMBER 13

- | | | |
|----|----------------------|---|
| 8 | Monday, 12 Noon | PLANNING COMMISSION/Work Session - Cameron-Brown Building, First Floor Conference Room |
| | Monday, 2 00 p.m. | EXECUTIVE COMMITTEE/PLANNING COMMISSION & REPRESENTATIVES OF HISTORIC DISTRICT COMMISSION - Cameron-Brown Building, First Floor Conference Room |
| | Monday, 2 00 p.m. | CITIZENS HEARING - City Hall, Council Chamber |
| | Monday, 3 00 p.m. | CITY COUNCIL MEETING - City Hall, Council Chamber |
| 9 | Tuesday, 7 30 a.m. | AD HOC COMMITTEE ON PLANNING/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room |
| | Tuesday, 8 00 a.m. | AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Airport Conference Room |
| | Tuesday, 9 00 a.m. | HISTORIC DISTRICT COMMISSION - Edwin Towers, First Floor Conference Room |
| | Tuesday, 2 00 p.m. | TAXICAB REVIEW BOARD/Hearing - City Hall, Council Chamber |
| | Tuesday, 3 30 p.m. | PLUMBING ADVISORY BOARD - City Hall Annex, Building Inspection Conference Room |
| 10 | Wednesday, 7 30 p.m. | HISTORIC PROPERTIES COMMISSION - City Hall, Second Floor Conference Room |
| 11 | Thursday | VETERANS DAY HOLIDAY All City Offices Closed. |

(Continued on next page)

MEETINGS IN NOVEMBER '82 CONTINUED

THE WEEK OF NOVEMBER 14 - NOVEMBER 20	
15	Monday, 6 00 p m CITY COUNCIL MEETING/Zoning Hearings - Education Center, Board Room
16	Tuesday, 2 00 p.m. HOUSING AUTHORITY - 1301 South Boulevard
	Tuesday, 3 00 p m COMMUNITY FACILITIES COMMITTEE - Utility Department Conference Room, 5100 Brookshire Boulevard
	Tuesday, 7 30 p.m. CHARLOTTE TREE COMMISSION - Park Operations Conference Room, 701 Tuckasegee Road
17	Wednesday, 8 30 a.m. CIVIL SERVICE BOARD - City Hall, Third Floor Conference Room
	Wednesday, 9 30 a.m. CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber
	Wednesday, 4 00 p m MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Building, Third Floor Conference Room
	Wednesday, 4 00 p m. EMPLOYMENT & TRAINING ADVISORY COMMITTEE - Belmont Regional Center, 700 Parkwood Avenue
18	Thursday, 8:00 a.m. CLEAN CITY COMMITTEE - Cameron-Brown Building, Fifth Floor Conference Room
	Thursday, 3 00 p.m. ADVISORY ENERGY COMMISSION - City Hall, Third Floor Conference Room
	Thursday, 4 00 p.m. CITY COUNCIL OPERATIONS COMMITTEE - City Hall, Second Floor Conference Room
19	Friday, 11 00 a.m. AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY - Civic Center, Conference Room
20	Saturday, 8 30 a.m. PLANNING COMMISSION/Retreat - Sheraton Center, 555 S. McDowell Street
THE WEEK OF NOVEMBER 21 - NOVEMBER 27	
22	Monday, 2 00 p m. CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p.m. CITY COUNCIL MEETING - City Hall, Council Chamber
	Monday, 7 30 p.m. SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE - City Hall, Third Floor Conference Room
23	Tuesday, 2 00 p m. TAXICAB REVIEW BOARD/Hearing - City Hall, Council Chamber
24	Wednesday, 12 Noon INSURANCE & RISK MANAGEMENT AGENCY - Cameron-Brown Building, Sixth Floor Conference Room, Finance Department
	Wednesday, 4 30 p m. COMMUNITY RELATIONS COMMITTEE - Covenant Presbyterian Church, 1000 E. Morehead S
25	Thursday THANKSGIVING HOLIDAY All City Offices Closed.
27- Dec 2	Saturday - Wednesday NATIONAL LEAGUE OF CITIES - Los Angeles, California
NOVEMBER 28 - NOVEMBER 30	
30	Tuesday, 3 00 p m. ZONING BOARD OF ADJUSTMENT - City Hall, Council Chamber

Charlotte

IN MEETING ON MONDAY, NOVEMBER 8, 1982

- 12:00 Noon - Council-Manager Luncheon
Training Center
- o Trade Street Boulevard Project Presentation
 - o Preview of City Council Annual Retreat
- 2:00 PM - Citizens Hearing
- 2:30 PM - Council Discussion
- 3:00 PM - City Council Meeting
Council Chamber
City Hall

ITEM NO.

1. INVOCATION BY REVEREND JERRY COOKE OF HOSKINS AVENUE BAPTIST CHURCH.
2. CONSIDERATION OF APPROVAL OF MINUTES OF OCTOBER 18 AND OCTOBER 25, 1982.
3. ADOPTION OF A RESOLUTION DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM HELD IN THE CITY OF CHARLOTTE ON NOVEMBER 2, 1982 UPON THE QUESTION OF APPROVING \$3,500,000 MUSEUM BONDS

PUBLIC HEARINGS

4. A. HOLD PUBLIC HEARINGS ON REDEVELOPMENT PLANS FOR REDEVELOPMENT AREAS 1, 2, 3, AND 4 LOCATED IN THE CHARLOTTE UPTOWN AREA.

The City Attorney advises that a separate public hearing must be held on each particular Redevelopment Area.

council agenda

Mayor Eddie Knox

Mayor Pro Tem Harvey B Gantt

Dave Berryhill
Charlie S Dannelly
Laura Page Frech

Ron Leeper
Ralph Reiss McMillan
Pamella G Patterson
Edwin B Peacock, Jr

George K Selden Jr
Herbert Spaugh, Jr
Minette Conrad Trosch



4. (continued)

B. ADOPT RESOLUTION^X APPROVING REDEVELOPMENT PLANS FOR REDEVELOPMENT AREAS 1, 2, 3, AND 4 IN THE CHARLOTTE UPTOWN AREA.

On May 24, 1982 the Chairman of the Charlotte Uptown Development Corporation (CUDC) wrote to Mayor Knox and proposed that the City Council create a tax exempt loan program to encourage owners of older buildings to improve and rehabilitate their properties in the uptown area. On July 12, 1982, the Mayor and City Council approved this request and authorized the Charlotte-Mecklenburg Planning Commission to initiate a blight survey of the uptown area with the objective of certifying certain areas as Redevelopment Areas.

The Planning Commission has completed its blight survey of the uptown area and at its September 7, 1982, meeting certified four (4) areas as "rehabilitation, conservation and reconditioning areas", as defined by the N. C. Urban Redevelopment Law - Article 22, Chapter 160A-503(21).

The Planning Commission staff has prepared Redevelopment plans for Redevelopment Areas 1, 2, 3 and 4. Copies of these Redevelopment plans are on display for public inspection in the offices of the City Manager at City Hall, the Charlotte-Mecklenburg Planning Commission, Cameron Brown Building and the Charlotte Uptown Development Corporation at One Tryon Center.

The redevelopment plans provide for a below market interest rate loan program that will make funds available in the four redevelopment project areas for the purpose of encouraging building owners to rehabilitate the older commercial buildings and make them more attractive, remove the functional obsolescence and generally improve the uptown environment. The primary objectives of the loan program are as follows:

1. To eliminate appearances and conditions of blight which adversely affect the economic development potential of an area;
2. To renovate existing buildings so as to make them functionally efficient and competitive in the marketplace;
3. To improve existing non-residential properties so as to be compatible with other properties and complementary to public investment in the area;
4. To increase the tax base of the area by encouraging property owners to make needed repairs and major renovations to their properties;

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- 5. To increase employment in the area by bringing existing buildings up to standard so they can be occupied by firms seeking uptown locations;
- 6. To preserve and maintain those structures which are architecturally and/or historically significant.

The redevelopment plans anticipate no demolition of structures and no relocation of families, or individuals. The land use regulations and controls are in accordance with the City of Charlotte zoning ordinance.

The cost of renovating buildings within the redevelopment area is estimated to be several million dollars. The actual cost will depend upon the total number of buildings and extent of their improvements. The proposed method of financing is contingent upon funds being loaned to the City by a banking consortium through the cooperation of the Charlotte Uptown Development Corporation. The first such pool of capital is anticipated to be \$2 million for the four redevelopment areas. The City of Charlotte would then relend these funds to property owners at below market interest rates to encourage rehabilitation projects.

Under this proposal, the Charlotte Uptown Development Corporation would be designated by the City Council as the local public agency responsible to act for the City in securing and establishing a line of credit with one or more banks and/or savings and loan associations, to review all applications for rehabilitation loans and to manage and administer the redevelopment plans for redevelopment areas 1, 2, 3, and 4 for the City of Charlotte. A memorandum is attached from the Attorney for CUDC which outlines the duties, responsibilities, and participation by the City and the CUDC under the plan.

Attachment No. 1

POLICY AGENDA

- 5. CONSIDER RECOMMENDATIONS FROM THE PLANNING AND PUBLIC WORKS COMMITTEE CONCERNING THE REQUEST OF THE NORTH MECKLENBURG COUNTY TOWNS FOR A SINGLE SEWER RATE.

- o TO NOT LINK THE QUESTIONS OF UTILITIES (RATES) AND SPHERES OF INFLUENCE (ANNEXATION). (4 - 1 VOTE)

- o TO MAINTAIN THE CURRENT DOUBLE RATE OUTSIDE THE CITY. (3 - 2 VOTE)

The request of the Mecklenburg County towns for a single rate was referred to the Planning and Public Works Committee. At its initial

5. (continued)

meeting the Committee reviewed the background of this problem including the City proposal to buy the systems. Under this proposal, it was anticipated that an individual customer's monthly bill would be reduced since some duplication of effort such as meter reading and billing would be eliminated and there would be some economies of scale. In addition, rates would be reduced until the purchase of each system was paid.

Staff and representatives of the Community Facilities Committee (CFC) attending this meeting indicated that the small towns had not responded favorably to this idea. The Planning and Public Works Committee then requested, and the CFC representatives agreed, that the CFC attempt to work out a compromise. The basic features of the subsequent CFC proposals were:

- o a declining rate over a three year period to single rates for the towns (maintaining double rates in the unincorporated areas)
- o a required Sphere of Influence Agreement
- o a unified system - CMUD would acquire both water and sewer systems.

A number of questions were discussed during the Committee meetings. These included:

- o How much would it cost City customers? A single rate in the incorporated towns would increase rates approximately 1½%. A single rate throughout the County would increase rates approximately 7½%.
- o Could the towns be given a single rate and maintain a double rate in the unincorporated areas? The City Attorney's office suggested wording to the CFC to support this but has considerable concern about the chances of a court agreeing with this position.
- o Is a Sphere of Influence Agreement legally enforceable? No. This would at best be a moral commitment - a public statement which hopefully would be in everyone's best interest.

While a number of difficult legal, financial and policy questions were discussed, the basic concern of the Committee was whether the advantages of acquiring these systems would offset the disadvantages to the City. It appeared that the advantages were largely intangible including reduced friction within the Mecklenburg County community and the presumed, but difficult to quantify, advantages of a unified County-wide water/sewer system. The dis-

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advantages included the possibility that an agreement would make it easier for towns to annex and the financial impact on Charlotte customers of a 1 1/2% to 7 1/2% increase in rates.

Action on this agenda item was deferred at the meeting on October 25, to the next regular business meeting in order for Councilmembers to receive a response from the City Attorney on the request made by the Community Facilities Committee. A confidential memorandum regarding the Acquisition of Utility systems of Mecklenburg Towns was trans- mitted to Mayor and City Council on October 27.

6. CONSIDER THE FOLLOWING ACTIONS FROM THE CITY COUNCIL MINORITY/WOMEN BUSINESS ENTERPRISE COMMITTEE:

- A. APPROVE A VOLUNTARY M/WBE PROGRAM PROPOSAL FROM THE CHAMBER OF COMMERCE AD HOC COMMITTEE ON MINORITY/WOMEN BUSINESS ENTERPRISE.
- B. ADOPT AN ORDINANCE APPROPRIATING \$11,750 FROM THE GENERAL FUND CONTINGENCY TO FUND THE PROGRAM.
- C. AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE GREATER CHARLOTTE CHAMBER OF COMMERCE FOR PROGRAM IMPLEMENTATION.

At its meeting of October 27, the M/WBE Committee of City Council received a proposal from an ad hoc task force working on a voluntary M/WBE plan. The plan is designed to stimulate broader participation by minority and female entrepreneurs in the economy of the Charlotte community. The Committee unanimously recommended approval of the proposal to establish a central coordinating Minority/Women's Business Enterprise staff office (2 persons) at the Greater Chamber of Commerce. Goals of the program are:

- o promote growth of existing minority/woman owned businesses
- o increase number of minority/woman owned suppliers
- o create additional jobs for minorities/women
- o stimulate diversification of minority/woman owned firms

The program would also create an advisory task force to design the work program and monitor the accomplishments. The task force would be representative of the following institutions:

- o Greater Charlotte Chamber of Commerce
- o City of Charlotte
- o Mecklenburg County
- o Mecklenburg County Women's Commission

6. (continued)

- o Charlotte Business League
- o Metrolina Minority Suppliers Development Council
- o Associated General Contractors
- o Charlotte-Mecklenburg Community Relations Committee

If approved, a start-up date of January 1983 is projected. Funding for the program is being requested for the program for two years (1983 - \$70,500, 1984 - \$74,335) jointly shared by the City, the County and the private sector. The City's portion for Fiscal 1983 (6 months) is \$11,750, and staff recommends that this amount be drawn from the General Fund Contingency. This action would create a balance of \$136,332 in that account.

Attached for City Council review is a copy of the Chamber of Commerce Ad hoc Committee proposal.

Attachment No. 2

7. CONSIDER APPROPRIATION OF A \$25,000 MATCHING GRANT TO SCIENCE MUSEUMS OF CHARLOTTE, INC. TO FUND PHYSICAL IMPROVEMENTS AT DISCOVERY PLACE FOR THE PURPOSE OF HOUSING THE STUART INGRAM COLLECTION OF MOUNTED ANIMAL SPECIMENS.

Science Museums of Charlotte, Inc. has requested City assistance for a minor construction project within the Discovery Place building to display approximately twenty-two (22) life-size mounted animal specimens from the Ingram collection. Stuart Ingram is donating the entire collection to Science Museums of Charlotte on the stipulation that it be properly displayed. The collection is judged to be of outstanding museum quality with an estimated value of \$100,000.

The original proposal introduced during the Fiscal 1983 budget process was to build a Wilderness Exhibit Hall at the Nature Museum to house the collection. At an estimated cost of \$1,085,000, this project received a low priority because of the costs for inclusion in the Fiscal 1983 Capital Improvement Program budget. The proposal before City Council today represents a smaller investment that would serve to keep the collection in Charlotte.

To provide adequate space for the collection, it will be necessary to relocate a wall presently found within the building at Church Street level, and open an area that was previously used for storage. Work to be accomplished includes removing the wall and constructing glass cabinetry with necessary lighting and electrical systems at an estimated cost of \$25,000. The City is being asked to provide this amount which represents only the cost of the actual physical improvements. Science Museums of Charlotte will find private donors to finance the cost of final preparation for exhibition, in the amount of \$25,000, for a total exhibit cost of \$50,000.

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The General Services Department/Central Services has inspected project plans and believes that the work will have no adverse effect on the building and can be completed within the proposed budget. Funds have been identified remaining in the Discovery Place account (\$15,000) and in the Landscape Maintenance Facility account (\$15,000) to use for this match. After Discovery Place has raised their \$25,000, City Council will be asked to approve a budget ordinance and contract. Science Museums of Charlotte has indicated that the space needs must be completed by April 1, 1983 under the terms of the agreement with Ingram.

8.

CONSIDER ADOPTION OF A RESOLUTION GRANTING MS. ROSE BURRIS A SPECIAL EXEMPTION TO THE CITY REHABILITATION PROGRAMS AND MAKING AVAILABLE A LOAN IN THE AMOUNT OF \$21,950 TO MS. BURRIS FOR THE REPAIR OF HER HOME LOCATED AT 313 EAST TODD STREET IN THE CITY OF CHARLOTTE.

Two areas of the City are eligible for rehabilitation loans and grants through the Community Development Programs. The first is the existing Neighborhood Strategy Areas where the rehabilitation loans and grants have been funded since FY 77. Second, beginning this fiscal year, City Council approved a new program that authorized \$500,000 for rehabilitation loans and grants to property owners in certain qualifying census tracts outside existing Neighborhood Strategy Areas.

On December 15, 1981, the house owned by Ms. Rose Burris at 313 East Todd Street was badly burned and suffered heavy smoke, fire and water damage throughout the structure. The fire losses were not covered by insurance and Ms. Burris does not have any financial resources to complete the repairs.

Ms. Burris is a single parent, has a limited income, and had demonstrated a desire and willingness to bring her house back into livable condition through her own efforts. Although her house is not located within an approved census tract under the City Council policy for rehabilitation loans and grants, Ms. Burris is eligible for assistance under Department of Housing and Urban Development regulations (Section 570.202 (c) (2) which state that "Block grant funds may be used to finance the rehabilitation of privately owned residential...properties. (1) Such financing may be provided either: (A) within areas designated in the application for comprehensive treatment, such as a NSA; (B) for persons of low and moderate income; or (C) to eliminate conditions detrimental to public health and safety, provided that the rehabilitation assistance is limited to the extent necessary to correct the conditions that are detrimental to public health and safety."

Because the house is located outside an existing Neighborhood Strategy Area or approved rehabilitation census tract, City Council has to authorize an exception to the Rehabilitation Programs. The loan term would be 25 years at an interest rate of 3%. The loan amount is based upon a contractor's bid estimate which remains valid for 60 days. A delay in the consideration of this item may cause the contractor's bid to expire.

9. CONSIDERATION OF NOMINATIONS TO TAXICAB REVIEW BOARD.

One position is open on the Taxicab Review Board for appointment by City Council. The term is for three years and should be an Operating Permit Holder. A second term by Mr. William J. King, whose appointment expired September 1, 1982, is permissible.

Attachment No. 3

BUSINESS AGENDA

10. THE FOLLOWING CONTRACT PROPOSALS ARE RECOMMENDED BY THE CITY COUNCIL COMMUNITY DEVELOPMENT & HOUSING COMMITTEE AND THE COMMUNITY DEVELOPMENT DEPARTMENT.

- A. RECOMMEND APPROVAL OF A CONTRACT PROPOSAL WITH MOTION, INC., TO CONSTRUCT AND REHABILITATE ONE HUNDRED AND THIRTY-EIGHT (138) HOUSING UNITS, AT A COST NOT TO EXCEED \$653,375. THIS AMOUNT IS DIVIDED INTO \$203,375 FOR ADMINISTRATION AND \$450,000 FOR HOUSING ACQUISITION AND REHABILITATION.

On September 13, 1982, the Mayor and City Council referred to the Community Development and Housing Committee for review and consideration an offer from Motion, Inc., to provide new and rehabilitated housing units for relocatees. In a meeting on October 5, 1982, following a review of the City's overall housing needs for low and moderate citizens, the Committee recommended unanimously that the City contract with Motion to construct and rehabilitate 138 housing units at a cost not to exceed \$653,375. The housing units include two (2) Section 8 New Construction projects involving 60 units currently under construction.

Motion, Inc., offers as a "Scope of Services" in a performance contract for a one (1) year period, December 1, 1982 through November 30, 1983, to provide the following:

1. Acquire and rehabilitate
 - a. Six (6) City-owned residential units
 - b. Ten (10) privately owned residential units
 - c. A 47-unit privately owned apartment complex financed through the N. C. Housing Finance Agency.

2. Provide new construction housing
 - a. Build 15 single family units on in-fill lots acquired from the City with financing through the N. C. Housing Finance Agency.

b. In cooperation with the Westminster Company, complete the construction and occupancy at the Grier Park and Victoria Townhouse Section 8 projects comprising 60 housing units.

Approval of this contract will require General Revenue Sharing (GRS) at a grand total of \$653,375. This amount is divided into \$203,375 for administration and \$450,000 for housing acquisition and rehabilitation. This is the first Motion contract to be fully funded by GRS monies. Prior contracts made use of block grant funding for rehabilitation projects.

A copy of the proposed contract with Motion, Inc., and the evaluation of its current contract can be obtained through the City Clerk.

B. RECOMMEND APPROVAL OF PROPOSED CONTRACT WITH THE COMMUNITY REVITALIZATION SERVICES, INC., A NORTH CAROLINA NONPROFIT CORPORATION-FOUNDED BY THE CHARLOTTE BOARD OF REALTORS, TO PROVIDE REHABILITATED HOUSING FOR LOW AND MODERATE INCOME FAMILIES, IN THE AMOUNT OF \$100,000.

The Community Revitalization Services, Inc. (CRS) was founded in 1981 by the Charlotte Board of Realtors for the purpose of making a contribution to the community by providing low cost owner occupied housing for people who might not otherwise be able to afford decent, safe, sanitary housing. After considering many approaches and target areas, the CRS selected to become active in Villa Heights, an area that showed signs of deterioration but with basically sound housing stock that could be resold at affordable prices after rehabilitation. Through its own efforts, the CRS acquired and rehabilitated one structure but has been unable to sell the property without some form of low interest loan assistance to potential purchasers. Therefore, CRS has requested City assistance to meet this need and to provide similar services in the Villa Heights community.

The Community Development and Housing Committee is recommending that the City contract with the Community Revitalization Services, Inc., to acquire and rehabilitate four (4) single family detached housing units for resale to low and moderate income families.

The Charlotte Board of Realtors/Community Revitalization Services, Inc., offers as a "Scope of Service" in a performance contract for a one (1) year period, December 1, 1982 through November 30, 1983, to provide the following:

1. Acquire and rehabilitate four (4) residential units in the Villa Heights area for resale to low and moderate income families or individuals with priority given to City relocates.

10. (continued)

2. Assist the selected buyers, all approved by the City, to assume permanent loans originally provided by the City to CRS as acquisition and rehabilitation loans.

The Contract will not require any administrative costs to be paid by the City. A three percent commission for the agent(s) executing the sale of each structure shall be a part of the total sales price. Loan limits will not exceed \$25,000 per structure.

Approval of this contract will require General Revenue Sharing (GRS) funds in the amount of \$100,000 for the acquisition and rehabilitation of four (4) single family detached housing units.

A copy of the proposed contract is attached for your review.

Attachment No. 4

11. CONSIDERATION AUTHORIZATION OF THE FOLLOWING CONDEMNATION ACTIONS:

- A. Acquisition of 16,610 ± square feet, at 317-19 North College Street, from Lottie I. Hastings, Fred F. Hastings, Jr. and wife, Peggy L. Hastings, for \$119,900.00 for Spirit Square Land Acquisition.
- B. Acquisition of 9,375 square feet, at 325 North College Street, from Charles W. Glick and Stanley M. Steinberger, for \$84,400.00, for Spirit Square Land Acquisition.

As part of their Capital Improvement Program request for Fiscal 1983, Spirit Square asked the City to fund acquisition of two parcels of land being used for parking. Ownership of this land is a condition of receiving the Kresge Grant for renovation of the Sawtooth Building. Spirit Square also asked for funds to renovate the heating and air conditioning plant which was a very high priority for operation of the building.

In discussions with Spirit Square representatives, City staff expressed the opinion that the City could not commit to funding both the heating plant rehabilitation and acquisition of land for parking. The staff suggested that Spirit Square as part of their fund raising for the Sawtooth Renovation put up the money equal to the appraised value of the land and ask the City to begin negotiations to acquire the parcels.

If Council approves condemnation the City would own the land and lease it back to Spirit Square. Any other construction or operating costs associated with the parcels would be covered by the funds raised for the Sawtooth renovation and would not be the responsibility of the City.

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Spirit Square agreed to commit funds equal to the appraised value but could not assume financial liability if the parcels had to be condemned. In the discussions, the staff recommended an alternative which was to identify City funds to cover the difference between the appraised value and any final court award if condemnation became necessary.

We are now at the point where negotiations have failed and the land would have to be acquired through condemnation. City Council has only approved negotiation for the parcels using Spirit Square funds (\$205,900, (June 14, 1982). If Council approves initiation of condemnation proceedings, the City would be responsible for the difference between appraisal and final court award and the additional funds, if necessary approved at that time. Without prejudging the final outcome, this financial commitment should be available from close-out of other General Revenue Sharing projects or from accumulated interest earnings in the General Revenue Sharing fund balance.

The City Attorney advises that Agenda Items No. 12 through No. 23 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

* * * * *

12. RECOMMEND APPROVAL OF ATTACHED BIDS AS SHOWN:

A. Item: Work Clothing, Orange Operations, Utility, Engr. & Park & Rec. Depts.

Recommendation: By Various Departments and Purchasing Director that the low bid, Fligel's Uniform Company, Charlotte, NC, in the amount of \$26,474.31, be accepted for award of contract on a unit price basis.

Bid Summary:

Fligel's Uniform Co.	Charlotte, NC	\$26,474.31
The Hub Uniform Co.	Charlotte, NC	28,314.16
Uniform Mfg. Company	W. Bloomfield, Mr.	28,907.60
Sears, Roebuck & Co.	Greensboro, NC	29,774.05

12. (continued)

Project Description:

This clothing will be used to replace worn out garment by various user departments and divisions and for initial issue to new employees. Employees that perform services for the public are provided with orange work clothing not only for a uniform appearance but also as a safety measure.

Source of Funding:

Various City Departments, Uniforms and Protective Clothing Account.

B. Item: 4,171 - Shirts, Short Sleeve, Knit General Services, Operations, Transportation, Parks & Rec. Engr. and Utility Depts.

Recommendation: By Various Department Heads and Purchasing Director that the low bid, The Hub Uniform Company, Charlotte, NC, in the amount of \$23,941.54, be accepted for award of contract on a unit price basis.

Bid Summary:

The Hub Uniform Co.	City	90 days	\$23,941.54
Fligel's Uniform Co.	City	60 days	24,985.24
Eastern Uniform Co., Inc.	Norwell, Ma.	45 days	26,485.85

Project Description:

These shirts will be used by City of Charlotte employees as a part of summer uniform wear.

Source of Funding:

Various City Departments, Uniforms and Protective Clothing Account.

C. Item: Water Bill Envelopes Finance Dept., Water/Sewer Accounts Div.

Recommendation: By Manager of Water/Sewer Accounts Division and Purchasing Director that the low bid meeting specifications, Westvaco Envelope Company, Charlotte, NC, in the amount of \$25,204.56, be accepted for award of contract on a unit price basis.

Bid Summary:

Westvaco Envelope Co.	Charlotte, NC	\$25,204.56
Unijax	Charlotte, NC	25,695.12
Liberty Press	Rutherfordton, NC	26,790.00
Coleman Envelope & Printing	Greensboro, NC	29,400.24

Project Description: These envelopes are necessary for mailing bills and receiving payments on water/sewer service accounts.

Source of Funding: Water and Sewer Operating Funds - Water and Sewer Accounts, Printing and Publishing.

D. Item: Pruning of Public Trees Park & Recreation Dept.

Recommendation: By Park & Recreation Director and Purchasing Director for that the low bid, Davey Tree Expert Company, Inc., Charlotte, NC, in the amount of \$28,972.50, be accepted for award of contract on a unit price basis.

Bid Summary:

Davey Tree Expert Company Inc.	Charlotte, NC	\$28,972.50
Asplundh Tree Expert Company	Charlotte, NC	30,397.50

Project Description:

In the past City employees have pruned trees on City public streets. Under this contract, a portion of work will be done by the Davey Company and another portion by City workforce in a test to evaluate potential cost savings through contracting out.

Source of Funding:

Parks & Recreation - Operations, Fees Account.

E. Item: Automotive Batteries

General Services Dept.,
Motor Transport Div.,
Fire Dept. and Transit
System Dept.

Recommendation: By Director and General Services and Purchasing Director that the low bid, Baucom Battery Service, Charlotte, NC, in the amount of \$45,572.08, be accepted for award of contract on a unit price basis.

Bid Summary:

Baucom Battery Service	Charlotte, NC	\$45,572.08
Sears, Roebuck & Company	Charlotte, NC	57,688.84

ITEM NO.

12. (continued)

Project Description:

This proposed purchase represents 1,165 various type automotive batteries.

Source of Funding:

Various User Departments - Auto Maintenance Equipment, Repair Parks and Supplies.

F. Item: Tires & Tubes General Services Dept.

Recommendation: By General Services Director and Purchasing Director that the low bidders for the various sections be accepted for award of contract on a unit price basis as stated below:

B. F. Goodrich	(Sec. 1 & 2) - Pass. Car Tires	\$122,829.95
Goodyear	(Sec. 3) - Truck Tires & Tubes	177,568.35

Bid Summary:

<u>Section 1 & 2 - Passenger Car Tires</u>		
B. F. Goodrich	City	\$122,829.95
Firestone	City	126,967.36
Goodyear	City	139,261.36
 <u>Section 3 - Truck Tires & Tubes</u>		
Goodyear	City	\$177,568.35
Firestone	City	201,779.79
B. F. Goodrich	City	Incomplete bid

Project Description:

The purpose of this bid was to establish annual contract for the City's requirement of Tires and Tubes.

Source of Funding:

General Services - Motor Transport Inventory Purchases, Stores.

G. Item: Tennis Court Color Coating Parks & Recreation Dept.

Recommendation: By the City Engineer that the low bid of \$49,428.24 as submitted by Howard B. Jones, & Son, Inc. be accepted for award on a unit price basis.

Bid Summary:

Howard B. Jones & Son, Inc.,	Columbia, SC	\$49,428.24
Dougherty Contractors, Inc.,	Palmetto, GA	55,810.08
H & L Paving, Inc.,	Charlotte, NC	61,344.00
Gillingham Courts Constr. Co.,	Mathews, NC	62,073.00
Nathaniel Jones Fencing & Grading,	Charlotte, NC	88,398.00

Project Description:
 This project will include minor surface repair and installation of new color coating of forty-eight tennis courts located in the following City Parks:

1. Park Road Park
2. Freedom Park
3. Sugar Creek Park
4. Hornets Nest Park
5. Veterans Parks
6. Tuckaseegee Park

This work was approved as a part of the 1978 Park Bond program which included improvements to existing parks.

Source of Funding:

General CIP Fund - Improvements to Existing Parks.

H. Item: Sanitary Sewer Construction Charlotte-Meck. Utility Dept. Little Rock Road at Tuckaseegee Dept. Road

Recommendation: By Acting Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Sanders Brothers, Inc., of Charlotte, NC in the amount of \$26,382.50 be accepted for award of contract on a unit price basis.

Bid Summary:

Sanders Brothers, Inc.	Charlotte, NC	\$26,382.50
Lockwood Construction Company	Plneville, NC	30,305.00

Project Description:

This project would extend sewer service to the Little Rock - Tuckaseegee Road Area. This project is being 50% funded by Realty Investment Buyers with the remaining 50% funded by the Charlotte-Mecklenburg Utility Department consistent with standard policy and procedures.

Source of Funding:

Water and Sewer Operating Fund - Sewer Tapping Privilege Fees, Sewer Mains - Construction.

Contracts, Service Agreements, and Change Orders

13. RECOMMEND AUTHORIZATION TO ENTER INTO A CONTRACT WITH CIS LEASING CORPORATION FOR THE LEASE OF IBM WORD PROCESSING EQUIPMENT AT A RATE OF \$9,352.00 PER MONTH FOR 48 MONTHS.

In a prior action City Council authorized the lease of word processing equipment from the IBM Corporation. City Council is now being asked for authorization to convert those lease agreements to a lease with CIS Leasing Corporation in order to realize an immediate savings of approximately \$600.00 per month in lease costs. If approved, CIS would purchase current IBM equipment in place and lease it back to the City. Because of corporate tax laws, CIS is able to buy the depreciation allowance from the manufacturer and pass the savings on to the City. This action would guarantee the City a stable monthly lease rate for the 48 month term of the contract since the leases with IBM Corporation are subject to annual rate increases which in recent years have averaged over 10%. IBM price increases have traditionally been announced in December and it is likely, that another price increase will soon take place. The lease with CIS can be expected to result in increasing savings over the term of the contract. The word processing equipment involved is that supporting the City Hall and Cameron Brown Building complexes and the Law Enforcement Center.

Funds to pay for the lease of word processing equipment are included in the budget appropriations for MIS and Police Departments and in the Productivity Account.

14. RECOMMEND APPROVAL OF A SUPPLEMENTAL AGREEMENT WITH LAWRIMORE COMMUNICATIONS, INC., ENABLING THE CITY TO EXTEND BY ONE YEAR THE PRESENT CONTRACT WHICH EXPIRES NOVEMBER 18, 1982, AT A COST NOT TO EXCEED \$75,000.

Lawrimore Communications, Inc., was retained in 1981 to assist in the implementation of the Transportation Marketing Program. During this time, they have developed an advertising campaign for the Charlotte Transit System which includes radio, television and outdoor boards.

The present contract with Lawrimore expires on November 18, 1982 and would have cost the City an estimated \$96,726. Staff is recommending a one-year extension of the Lawrimore contract with a full evaluation of the total scope of the Marketing Program to be conducted at that time in order to maintain the successful flow of information and services that has been established between Lawrimore and City staff during this first contract year. The contract extension will cost an estimated \$75,000.

Lawrimore renders all services on a project basis with each project and its costs approved by City staff in advance.

15. RECOMMEND APPROVAL OF AN ELECTRIC SERVICE AGREEMENT WITH DUKE POWER COMPANY FOR SUPPLYING POWER TO THE PAW CREEK PUMP STATION, AT A MINIMUM MONTHLY BILLING FEE OF \$561.00.

A new 3,250 gallons per minute sewage pump is being added to the Paw Creek Pump Station to provide adequate reserve pumping capacity, and an electric service agreement must be entered with Duke Power Company for the additional permanent power installation and for the ongoing monthly purchase of electric power.

This agreement is an annual contract and is renewable thereafter from year to year upon the condition that either party can terminate the contract by giving at least sixty (60) days notice in writing. The agreement fixes the minimum monthly billing for the installation at \$561.00.

Funds are available within the Utilities Department budget to cover this service agreement.

16. RECOMMEND APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT WITH ATLANTA TESTING AND ENGINEERING COMPANY TO PROVIDE CONTINUED QUALITY CONTROL IN TOTAL CONTRACT AMOUNT.

Eastern Airlines and Piedmont Airlines have requested that additional materials, testing and quality control services be performed prior to acceptance of the fueling system. This additional work is estimated on a unit price basis at \$40,000 and can be accomplished without exceeding the total contract budget of \$250,000.

Atlanta Testing and Engineering has performed all material testing and quality control services for construction work at the new terminal facility, therefore it is beneficial for the City to maintain this continuity in testing responsibility for quality control services. The Aviation Fueling Facility is funded by 1981 Airport Revenue Bonds. The debt service of all project costs, including quality control testing, are guaranteed to the City by the airlines through long-term leases.

Resolutions

17. A. RECOMMEND ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND THE MAYOR TO EXECUTE A RIDESHARE GRANT, IN THE AMOUNT OF \$22,616.

On August 9, 1982, City Council approved a functional consolidation agreement of various City and County services. This included consolidation of the Mecklenburg County Rideshare program into the Charlotte Department of Transportation. On September 27, 1982, City

17. (continued)

Council appropriated \$56,998 into the Charlotte Department of Transportation budget to fund the RideShare program. A portion of this \$56,998 was \$22,616 in anticipated revenues from the North Carolina Department of Transportation.

On October 7, 1982, the Charlotte Department of Transportation received grant contracts from the North Carolina Department of Transportation awarding \$22,616 for the RideShare program. These funds will reimburse the City for approximately 40 percent of fiscal year 1983 RideShare expenses. To enable execution of these grant contracts and associated application documents, a resolution must be adopted which authorizes the City Manager to execute a grant application and the Mayor to execute grant contracts for a fiscal year 1983 RideShare grant from the North Carolina Department of Transportation.

B. RECOMMEND ADOPTION OF A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ENABLING THE CITY TO BE REIMBURSED IN THE AMOUNT OF \$15,800.

1. 3-PHASE FULLY ACTUATED SIGNAL AT I-77 WEST RAMP AND TYVOLA ROAD (\$5,750)
2. 2-PHASE FULLY ACTUATED SIGNAL AT I-77 WEST RAMP AND CLANTON ROAD (\$4,050)
3. 3-PHASE FULLY ACTUATED SIGNAL AT I-85 ACCESS ROAD AND SUGAR CREEK ROAD (\$6,000)

Periodically, the City of Charlotte installs traffic signal equipment on State maintained streets. While many of the installations are considered maintenance and are covered under an ongoing municipal agreement, some are new installations and therefore require a separate municipal agreement.

All traffic control devices described above have been placed. The municipal agreement is a bookkeeping mechanism for reimbursement of \$15,800 already expended.

C. RECOMMEND ADOPTION OF A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUPPLEMENTAL MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ENABLING THE CITY TO BE REIMBURSED FOR MAINTENANCE OF SEVEN AND NINE-PHASE TRAFFIC CONTROLLERS LOCATED AT SEVERAL CHARLOTTE INTERSECTIONS.

On January 13, 1981, the City of Charlotte entered into a municipal agreement with the North Carolina Department of Transportation for the maintenance of traffic control devices on State System streets

within the City. Under this contract, the City is reimbursed a mutually agreed upon amount for traffic signal maintenance on State roads. However, the January 13, 1981 municipal agreement did not provide for maintenance of seven and nine-phase controllers located at several Charlotte intersections.

This resolution authorizes the Mayor and the City Clerk to execute a supplement to the January 13, 1981 municipal agreement allowing the City to be reimbursed for maintenance of seven and nine-phase controllers.

D. RECOMMEND ADOPTION OF RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF FISCAL YEAR 1983 URBAN MASS TRANSPORTATION ADMINISTRATION TRANSIT OPERATING ASSISTANCE GRANT, IN THE AMOUNT OF \$2,589,114.

Each fiscal year, the City of Charlotte applies for an Urban Mass Transportation transit operating assistance grant under Section 5 of the Urban Mass Transportation Act of 1964, as amended. This grant program will pay up to one-half of the Charlotte Transit System's operating deficit based on the amount of funds apportioned to Charlotte.

Until Charlotte's fiscal year 1981, transit operating assistance funds apportioned to Charlotte paid exactly one-half of the transit operating deficit. However, due to rising operating costs and reduced federal funding Charlotte's fiscal year 1982 grant did not pay the full fifty percent of Charlotte's transit operating deficit. This trend is expected to continue in fiscal year 1983 up until the complete phase-out of federal transit operating assistance in fiscal year 1985.

In fiscal year 1983, Charlotte will apply for \$2,589,114 in Urban Mass Transportation Administration Section 5 transit operating assistance. This amount represents one-half of the projected transit operating deficit for fiscal year 1983. It is anticipated, however, that Charlotte's 1983 transit operating assistance grant will be less than this amount and will be based on United States Congressional action currently under consideration. The Charlotte Department of Transportation fiscal year 1983 budget shows an estimate of \$1,250,000 to be derived from Urban Mass Transportation Administration transit operating assistance.

E. RECOMMEND ADOPTION OF A RESOLUTION CALLING FOR A PUBLIC HEARING ON DECEMBER 13, 1982 AT 3:00 PM IN THE CITY COUNCIL CHAMBER TO CONSIDER A PROPOSAL BY MOTION, INC. FOR THE PURCHASE OF CITY-OWNED LAND LOCATED AT 915 GREENLEAF AVENUE IN THE THIRD WARD NEIGHBORHOOD STRATEGY AREA.

ITEM NO.

17. (continued)

The Redevelopment Plan for Third Ward, as approved by City Council, provides for the disposal of acquired land for development by public or private parties. Motion, Inc., a non-profit organization, has presented to the City a proposal to purchase Block 27, Parcel 3A located at 915 Greenleaf Avenue consisting of 2,788 square feet of land at a total price of \$600.00 for driveway purposes which is in accordance with the Redevelopment Plan for the project. Motion, Inc. purchased from the City the adjoining property, Block 27, Parcel 4; rehabilitated the existing structure located thereon and sold it to its present owners for their personal residence. Motion, Inc. intends to sell the parcel of land to the adjoining property owners to remedy their driveway problem.

- F. RECOMMEND ADOPTION OF RESOLUTIONS AUTHORIZING THE REFUND OF CERTAIN TAXES IN THE TOTAL AMOUNT OF \$2,975.63 WHICH WERE ASSESSED THROUGH CLERICAL ERROR OR ILLEGAL LEVY AGAINST 27 TAX ACCOUNTS.

Third Ward Loan Program

18. RECOMMEND APPROVAL OF LOANS FOR PERMANENT FINANCING TO PURCHASE PROPERTY IN THE THIRD WARD AREA UNDER THE THIRD WARD LOAN AGREEMENT, AS SHOWN BELOW:

- a. Henry A. Brown, III at Unit #4, Cedar Street Commons, in the loan amount of \$65,800 at an appraised value of \$69,500.
- b. Walter B. Mather, IV at Unit #13, Cedar Street Commons, in the loan amount of \$45,650, at an appraised value of \$48,060.

These loan applications have been reviewed by the City Loan Officer, Community Development Department, and contain sufficient information to form the basis for approval.

Property Transactions

19. RECOMMEND APPROVAL OF RIGHT-OF-WAY ACQUISITIONS AS SHOWN BELOW:

1. Acquisition of 10,342.50 square feet plus temporary construction easement of 6,926.04 square feet, at 8908 Mount Holly Road, from Mattox Parts Supply, Inc., for \$2,300.00, for 1980 Annexation Sewer - Coulwood Area. (Easement)
2. Acquisition of 3,786.90 square feet, at the 1900 block of Village Lake Drive, from Mar-Bet Industries, Inc., for \$1.00, for Sanitary Sewer on Trunk to Pebblestone Drive. (Easement)

3. Acquisition of 4,000 square feet of land and 1 single family frame structure, at 1501 Montgomery Street, from Joseph L. Butler and Charlie D. Butler, for \$7,800.00, for Five Points Area - Low income housing sites. (Option)
4. Acquisition of 2,831 square feet of vacant land at Mill Road, from Dezarene McCaskill, for \$450.00, for Five Points Area - Expansion of Johnson C. Smith University. (Option)
5. Acquisition of 8,668 square feet of land and 1 single family frame structure, at 641 and 635 Mill Road, from Dezarene McCaskill, for \$6,000.00, for Five Points Area - Expansion of Johnson C. Smith University. (Option)
6. Acquisition of 9,409 square feet of land and 1 single family frame structure, at 633 Mill Road, from Mamie M. Sharpless, for \$8,000.00, for Five Points Area - Expansion of Johnson C. Smith University. (Option)
7. Acquisition of 2,100 square feet of land and 1 single family frame structure, at 1409 Vine Street, from Frank A. Polak, for \$7,500.00, for Five Points Area - Low income housing sites. (Option)
8. Acquisition of 3,965 square feet of vacant land at 225 Frazier Avenue, from Margaret E. McLean, for \$2,000.00, for Five Points Area - Low income housing sites. (Option)
9. Acquisition of 1,950 square feet of land and 1 single family frame structure, at 206 Frazier Avenue, from Josephine Lish, for \$10,712.00, for Five Points Area - Low income housing sites. (Option)
10. Acquisition of 4,109 square feet plus temporary construction easement, at 6520 Sardis Road, from Wesley O. McGee and Judith W. McGee, for \$18,050.00, for Sardis Road Widening. (Option)
11. Acquisition of 2,055 square feet plus temporary construction easement, at 501 King Edward Road, from Richard E. Gebert and wife, Loretta M., for \$10,500.00, for Sardis Road Widening. (Option)

19. (continued)

ITEM NO.

19. (continued)

12. Acquisition of 179.76 square feet plus temporary construction easement, at 311 Skyland Avenue, from Mary A. Cathey and husband, Hugh A. Cathey, for \$ -0-, for Grier Heights Area - Skyland/Neely Drainage Project. (Permanent Drainage Easement)

Petition for Street Name Change

20. RECOMMEND DENIAL OF A STREET NAME CHANGE PETITION - STACY BOULEVARD TO LINDER LANE.

Mr. Dan F. Linder, 4215 Stacy Boulevard, has requested that the name of an unopened portion of Stacy Boulevard, off the 800 block of Woodlawn Road, be changed to LINDER LANE.

The Planning Commission staff has reviewed the request and recommend that the petition be denied because it is a phonetic duplication of an existing "Lander Street" and it failed to consider other adjacent parcels under development.

Utility Contracts

21. RECOMMEND APPROVAL OF WATER AND SEWER MAIN CONSTRUCTION PROJECTS AS SHOWN:

- A. Contract with the John Crosland Company for the construction of 927 linear feet of 8-inch sanitary sewer mains to serve Chestnut Lake XI Subdivision, located south of Lawyers Road, north of Idlewild Road and west of McAlpine Creek, inside the the Charlotte City Limits, at an estimated cost of \$20,394.00, at no cost to the City.
- B. Contract with the Walsh Corporation for the construction of 1,468 linear feet of 8-inch sanitary sewer outfall to serve the Cedars Apartments, located north of Albemarle Road, west of Delta Road and east of Regal Oaks Drive, inside the Charlotte City Limits, at an estimated cost of \$44,040.00, at no cost to the City.

Condemnation Settlement

22. RECOMMEND APPROVAL OF PROPOSED SETTLEMENT IN CONDEMNATION ACTION AGAINST BLANCHE C. KING, ET AL., FOR THE TOTAL AMOUNT OF \$112,180.00 IN THE INDEPENDENCE PLAZA PARK PROJECT (PARCEL 4).

22.

(continued)

On October 14, 1982, the City condemned in fee simple a rectangular parcel of property located at 102 South Tryon Street, containing 1,234 square feet for the Independence Square Park Project. The property has a three story masonry building which is currently leased to two small commercial businesses. The building fronts 22.18 feet on South Tryon Street. At the time of condemnation, the City deposited \$94,500.00 in court as the estimate of fair market value of this property. The defendant, by and through its attorney, takes the position that the property is worth substantially more than the deposit, but is willing to settle for a total of \$112,180.00. This figure represents the present city/county tax value assigned to the parcel. Furthermore, the defendant claims that the property was recently assessed for state tax purposes in the amount of \$129,862.00.

The proposed settlement calls for the additional payment of \$17,680.00 above the amount already deposited. The City's high appraisal for the property was \$98,000.00. A settlement at this point will avoid further expenses to both the City and the property owners. A settlement would preclude a hearing before commissioners and also a hearing in Superior Court before a jury. The City will be responsible for paying the costs of these hearings, including the City's real estate appraisers, the commissioners' fees and the property owners' real estate appraisal witnesses. The cost of these proceedings would be substantial, as would the risk involved in having a jury determine the value of this property located in the heart of downtown Charlotte. For these reasons, it is believed that this settlement is in the City's best interest and that this action should be settled for the total amount of \$112,180.00.

There are sufficient funds in the Capital Improvement Program Independence Plaza Park Project to cover the additional deposit of \$17,680.00.

Application for Special Officer Permit

23.

RECOMMEND APPROVAL OF APPLICATION FOR SPECIAL OFFICER PERMIT FOR USE ON THE PREMISES OF THE CHARLOTTE PARK & RECREATION DEPARTMENT TO SANDRA PLUMMER SAMUELS.

SCHEDULE OF MEETINGS
NOVEMBER 8 - 12, 1982

Monday, November 8	Council/Manager Luncheon Training Center	12:00 Noon
	Citizens Hearing	2 00 p. m.
	Council Discussion	2 30 p. m.
	CITY COUNCIL MEETING	3 00 p. m.
	Council Chamber, City Hall	
Thursday, November 11	VETERANS DAY HOLIDAY All City Offices Closed	

11 25 11-11-82

In meeting on Monday, November 22, 1982, City Council will make nominations to fill one position on the Charlotte Housing Authority Mr. M. W. Peterson's term expires December 17, 1982. He was originally appointed March 16, 1973 and reappointed December 28, 1977.

- PENDING MATTER -

Attachments

11-11-1

J CARLTON FLEMING
RUSSELL M ROBINSON II
ROBERT W BRADSHAW JR
ROBIN L HINSON
ROBERT C SINK
A WARD McKEITHEN
G BSON L SM TH JR
CARL E JOHNSON JR
RICHARD A VINROOT
JACK M KNIGHT
WILLIAM T GRAVES
JOHN R WESTER
ROBERT S L LIEN
JOHN R MILLER
PETER C BUCK
ROBERT M BRYAN
ROBERT G GRFFIN
EDWIN F LUCAS III
MOLLY B BARRY
J DICKSON PHILLIPS III
THOMAS B HENSON
EVERETT J BOWMAN
DAN T COENEN
ROBERT E BEACHAM

FLEMING ROBINSON BRADSHAW & HINSON

PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

2500 FIRST UNION PLAZA

CHARLOTTE NORTH CAROLINA 28282

October 29, 1982

TELEPHONE
(704) 377 2536

TELECOPIER
(704) 376 2226

TELEX
602046

City Council
City of Charlotte
301 S. McDowell Street
Charlotte, North Carolina 28204

Re: Charlotte Uptown Development Corporation - Uptown
Redevelopment Loan Program

Dear Ladies and Gentlemen:

Our firm is general counsel to Charlotte Uptown Development Corporation. In that capacity, we have been retained to structure the Urban Redevelopment Tax Exempt Loan Pool currently under discussion for the central business district in Charlotte. We have had several meetings with virtually all of the lending institutions in Charlotte and are currently drafting all of the documents necessary to organize and operate the loan pool.

As part of this loan pool plan, the Charlotte Uptown Development Corporation is currently requesting that the city designate CUDC as its agent for administering the loan program. This letter is intended to briefly outline the intended structure of the program and the duties, responsibilities, and participation of the city or the city's designate in that plan.

The loan pooling plan is structured much the same as an industrial revenue bond. A group of banks and other lending institutions will commit to loan up to some maximum amount to the City of Charlotte and the City of Charlotte will then make those funds available for loans to property owners in the urban redevelopment area (such area as designated by the Planning Commission and the City Council). The repayment of the bank loans by the city would be completely dependent upon the payments that the city will receive from the "end borrowers" (i.e., the property owners who have borrowed funds to rehabilitate their business properties). The city would have absolutely no obligation to repay the loans from general revenues, reserves, or any other sources of funds other than the amounts collected from the "end borrowers."

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It is envisioned that CUDC would fulfill several functions of the city in the loan program. First, CUDC would review each loan application to make sure that each "end loan" was to be used for a purpose which was in accordance with the redevelopment plan for the redevelopment area. This redevelopment plan is the same plan which the City Council will soon be asked to approve along with the redevelopment area itself. CUDC would also be charged with the responsibility for making recommendations to City Council with respect to the approval or disapproval of each loan application on any grounds which CUDC felt to be relevant. FINAL APPROVAL OF EACH LOAN APPLICATION WOULD REST WITH CITY COUNCIL. However, no loan would be recommended to City Council for approval unless CUDC and at least 75% of the participant banks had already approved the loan as to credit worthiness, other business criteria, and compliance with the redevelopment plan.

Neither the City of Charlotte nor CUDC has the operational capability of servicing the loans made by the city to the "end borrowers." Therefore, on the basis of competitive bidding, one lending institution will be selected to service the end loans. That institution would collect payments from the end borrowers and would make payments to the lending institutions on the loan from the lending institutions to the city. CUDC would be responsible to see that the lending institution which is chosen as the servicing agent properly perform its duties and functions under the loan pooling agreement.

CUDC, as agent for the city, will not be given the power to borrow money from the banks on behalf of the city or to grant final approval to the loan pool documents on behalf of the city. City Council is specifically reserved the sole and exclusive right to borrow funds from the lending institutions and to give final approval to the loan pool documentation. Again, by way of emphasis, the City of Charlotte will in no way be obligated to repay the loans to the lending institutions except from the proceeds received by the city from repayments of the end loans by the end borrowers. CUDC, along with the City Attorney would be responsible for negotiating and reviewing the loan pool documentation and presenting it to City Council for final approval.

Under the law, the rate at which the funds are lent to the end borrowers cannot exceed by more than one and one-half percent the rate at which the city borrows from the participating lenders. It is currently anticipated that the funds would be lent to the end borrowers at approximately the same rate at

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City Council
Page Three
October 29, 1982


which they are borrowed from the participating lenders by the city. The only additional charges would be those sufficient to compensate the servicing agent for its loan servicing and to compensate CUDC for its expenses in accepting applications, reviewing applications, and handling the other operational matters outlined in this letter. It is conceivable that these expenses will be approximately one-eighth of one percent to three-eighths of one percent of the loan.

While the loan pooling agreement has obviously not yet been finalized, this letter is an attempt to outline the loan program, and specifically the proposed participation of CUDC. Please note that final approval of both borrowing and lending is reserved to the City Council.

If you have any questions, we would be more than happy to address them for you.

Yours very truly,

FLEMING, ROBINSON, BRADSHAW & HINSON, P.A.



Robert S. Lillien

RSL:slp

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October 26, 1982

Memorandum

To Mayor H Edward Knox
Charlotte City Council Members
O Wendell White, City Manager

W Thomas Ray, Chairman,
Mecklenburg County Commission
Mecklenburg County Commissioners
Gerald G Fox, County Manager

From James G. Babb, *JGB*, Chairman, Ad Hoc Committee on Minority/Women's
Business Enterprise

Subject Proposal for Minority/Women's Business Enterprise Program

In June, 1982 an ad hoc committee was formed to develop a Minority/Women's Business Enterprise program for the public and private sectors in Charlotte Mecklenburg. This committee is comprised of broad based representation of the interests to be affected by a minority/women's enterprise program, as follows

Mecklenburg County Women's Commission
Greater Charlotte Chamber of Commerce
Charlotte Business League
Associated General Contractors
Metrolina Minority Suppliers Development Council
City of Charlotte
U.S. Small Business Administration

After several months study, the committee has finalized a proposal, designed to stimulate broader participation by minority and female entrepreneurs in the economy of our community. A copy of this proposal is attached for your review and consideration. Our objective is to implement this program January 1, 1983. In order to do so, approval by the City and County is needed at a very early date.

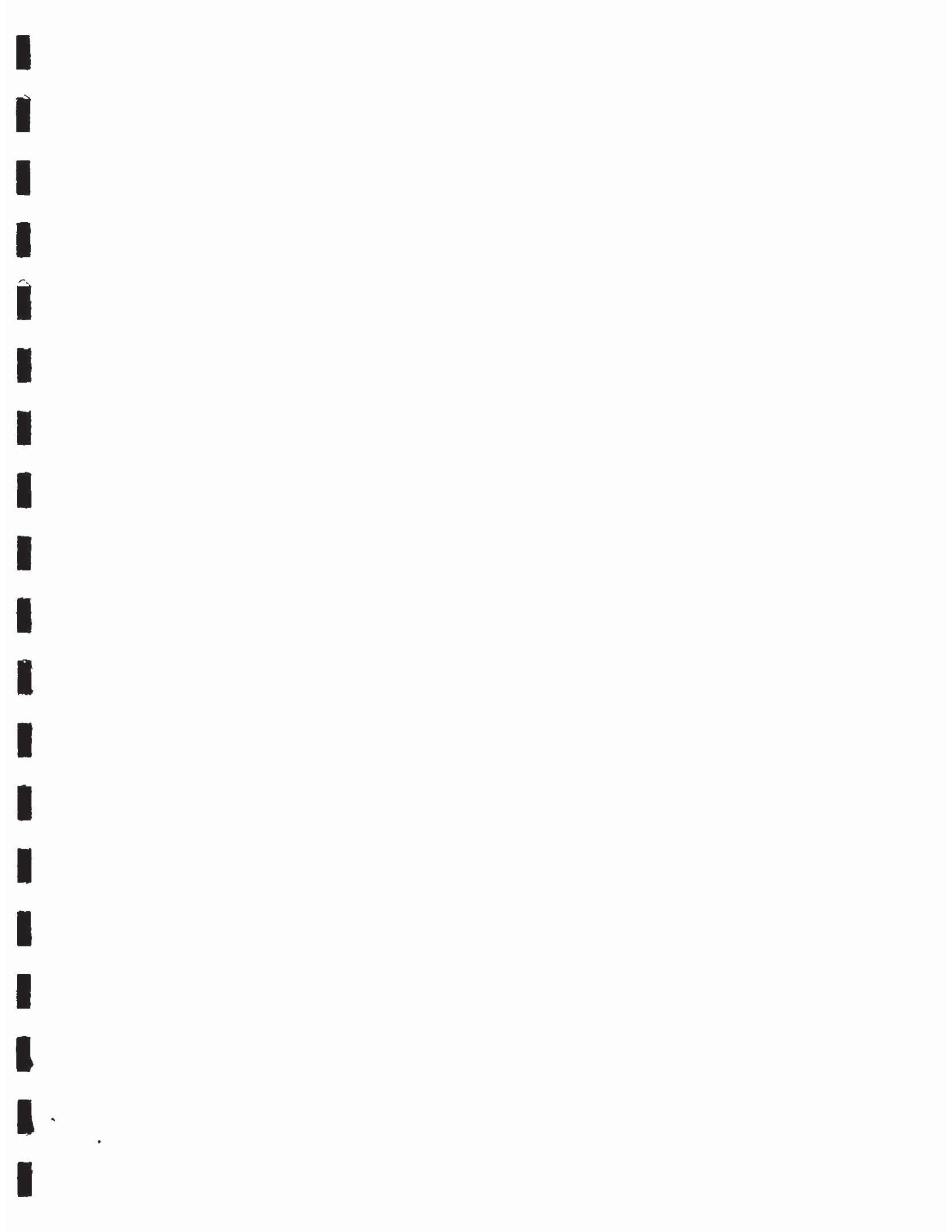
The crux of this proposal is the establishment of a central coordinating Minority/Women's Business enterprise staff office to be located at the Greater Charlotte Chamber of Commerce. This staff would assist in opening doors to minority and woman-owned businesses by utilizing relationships accessible through the Chamber. Location of this function at the Chamber is essential to ensure adequate participation by the business community.

In order for a minority/women's business enterprise program to achieve optimum success in Charlotte Mecklenburg, participation by the private sector and the City and County governments is essential. Our committee encourages and urges you to adopt the attached proposal and to participate actively in the implementation of a viable program for our community.

JGB, Jr /mr
Attachments

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PROPOSAL FOR
MINORITY/WOMEN'S BUSINESS ENTERPRISE
PROGRAM CENTRAL COORDINATING OFFICE
TO BE LOCATED AT THE
GREATER CHARLOTTE CHAMBER OF COMMERCE



Background

The Greater Charlotte Chamber of Commerce has traditionally played a significant role in assisting in the development of minority and woman owned business in the community. In 1972 the Chamber created the Business Resource Center. In 1974 the Business Resource Center became a free standing organization. Subsequently, it merged with the U S Department of Commerce, Minority Business Development Organization, evolving into a Business Development Center.

In 1981 the Chamber worked closely with the City of Charlotte in developing a Minority Business Role Proposal. This proposal sought to establish a task force and staffing within the Chamber to stimulate minority business. However, it was not implemented due to an inability to obtain partial State funding for the program.

In 1982, the Chamber's Minority Development Action Council has worked jointly on an ad hoc committee with representatives of the City of Charlotte, Mecklenburg County, Charlotte Business League, Associated General Contractors, Women's Commission, Minority Suppliers Development Council, Charlotte/Mecklenburg Community Relations Committee, and Small Business Administration to develop a minority/women's business enterprise program for the private and public sectors in Charlotte/Mecklenburg. Also, in 1982 the Chamber has prepared a mini-directory entitled *Metrolina Minority Vendors*, as extracted from the Buyer's Guide to Minority Business prepared by the Carolinas Minority Suppliers Development Council.

Proposed Minority/Women's Business Enterprise Assistance

The ad hoc committee believes that minority and woman owned businesses can effectively participate in the economy of Charlotte/Mecklenburg. This participation can be accomplished through the use of a catalyst to match up majority businesses with minority/woman owned firms providing products and services which majority businesses seek.

A properly staffed function within the Chamber of Commerce can offer unique and



effective expansion of existing efforts. The key is the access to and prestige of the Chamber in the majority business community. These assets will result in the strong support of the business community and will engender success.

The Chamber is a broad spectrum business organization. Its membership includes men and women, whites and blacks, self-employed and salaried, large and small firms. It seeks to serve all constituents by enhancing the economic vitality of the community. In short, the ad hoc Committee believes that a program located at the Chamber of Commerce, offers the best mechanism to effectively stimulate interaction between majority owned firms and minority/woman owned businesses.

Goals of the Program

The Committee believes that a successful program will accomplish the following:

- promote growth of existing minority/woman owned businesses
- increase number of minority/woman owned suppliers
- create additional jobs for minorities/women
- stimulate diversification of minority/woman owned firms

Accountability

An advisory task force will be created, consisting of one representative from each of the following institutions:

- Greater Charlotte Chamber of Commerce
- City of Charlotte
- Mecklenburg County
- Mecklenburg County Women's Commission
- Charlotte Business League
- Metrolina Minority Suppliers Development Council
- Associated General Contractors
- Charlotte Mecklenburg Community Relations Committee



The advisory task force will design a program of work to meet program goals. The task force will report its findings semi annually to the Board of Directors of the Chamber of Commerce, the Charlotte City Council and the Mecklenburg County Board of Commissioners.

Staffing would initially include one professional and one administrative assistant. The staff will be located at the Chamber of Commerce, will be employees of the Chamber of Commerce, and will be accountable to the Chamber management staff for fiscal and personnel matters. The staff will report the results of efforts to carry out the program of work to the task force. The staff, with assistance from the task force and other volunteers will

- Identify and select a manageable number of minority/woman owned businesses which would benefit from majority "adoption". Through this process, successful companies would share their expertise as needed with a few adopted minority/woman owned firms. A collateral effort would be the solicitation of majority firms which would agree to offer such service. Staff would assure a continuing, beneficial relationship between firms so matched.
- Produce specialized publications that assure minority/woman owned businesses optimum opportunity to compete in the marketplace. Special emphasis would be placed on producing directories of minority/woman owned businesses and directories of majority companies and the goods and services they buy.
- Assist in opening doors to minority/woman vendors by appropriate use of relationships accessible through the Chamber. Chamber volunteers would provide counsel and direction.

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- Attempt to insure that the minority and female communities are represented to businesses being recruited and that the minority and female communities are kept apprised of business and job opportunities with majority firms being recruited, and encourage local firms recruiting new companies outside the Chamber to use Chamber information packets to be designed to establish similar links between incoming business and the local minority/female business communities and labor markets.
- Play an advocacy role for needs of minority/woman owned businesses, emphasizing development of non-traditional, high technology, energy, and electronics manufacturing business
- Serve as an intermediary with other organizations assisting minority/woman owned businesses by attending meetings and other special activities that relate to minority/women's activities.

The staff will report activity and results to the task force monthly. Standards used to measure performance will be developed and may include such items as: dollar volume, expansion, employment, and interaction with local majority firms.

The staff will utilize the resources available through programs and services of community institutions such as the Central Piedmont Community College Small Business Center, Boone Young & Associates, Inc., (Business Development Center, U.S. Dept of Commerce, Minority Business Development Center contracting agency), City of Charlotte Economic Development Program, U.S. Small Business Administration, and the Metrolina Minority Supplier Development Council. For example, data bank statistics, certification data, and other available information will be utilized.

Funding

It is recommended that the initial funding commitment be for two years with a January 1, 1983 starting date. It is the committee's objective to make the program self-sustaining after a two year period.

The following is a projected two year program budget:

<u>Item</u>	<u>1983</u>	<u>1984</u>
Payroll (staff of two)	\$38,000	\$41,800
Fringe Benefits	7,000	7,200
Travel & Meals	2,600	2,860
Telephone	2,000	2,000
Printing & Publishing Expenses	2,000	2,500
Publications & Subscriptions	700	225
Supplies	2,000	2,000
Professional fees-technical assistance	8,500	9,250
Education	1,000	1,000
Postage	2,000	2,500
Equipment-desks, chairs, etc.	2,700	500
Contingency	<u>2,500</u>	<u>2,500</u>
TOTAL	\$70,500	\$74,335

The initial two year commitment is \$144,835.

It is proposed that the City of Charlotte, Mecklenburg County, and the private sector fund the \$144,835 two year budget on a one third each basis. Funding allocations from the three entities on a fiscal year basis are broken down as follows:

	<u>Private Sector</u>	<u>City of Charlotte</u>	<u>Mecklenburg County</u>
FY1983	11,750	11,750	11,750
FY1984	24,139	24,139	24,139
FY1985	12,389	12,389	12,389

This funding schedule assumes a January 1, 1983 startup date.

- 1 Appointed by Mayor
- 2 Appointed by City Council
- 2 Appointed by City Manager

TAXICAB REVIEW BOARD

(5 Members)

Membership - Appointments made for three-year terms, and no member may serve more than two consecutive terms. Of the City Council's appointments, one is to be an Operating Permit Holder, or his designee. The Mayor's appointment is to be an Individual Owner-Driver. The City Manager is to designate one of the members as chairman.

Responsibilities - To hear appeals from denials, revocations or suspensions of Operating Permits or Driver's Permits and any other determinations or prohibitions imposed by the Inspector or the Airport Manager.

To promulgate rules and regulations to affect its exercise of authority, keeping such rules and regulations on file with the City Clerk, and any other responsibilities assigned by the City Council or the City Manager

MEMBER	BUSINESS/ PROFESSION	ORIGINAL APPTMT	RE- APPTMT	TERM	EXPIRATION
(M) Steve Davis	Business Mgr.	9/10/79		3 yrs.	9/01/82
(C) David Hunter	V. P. - CPCC	9/10/79	9/13/82	3 yrs.	9/01/85
(C)				3 yrs.	9/01/85
* (C/M) Andrea Huff	Police Sgt.	9/13/82		Unexp	9/01/84
(C/M) Gene Carney	Airport	11/01/82		Unexp	9/01/83

* Chairman

Charlotte Taxicab Industry
Operating Permit Holders

James R. Graham
Queen City Cab Company
2221 Berryhill Road
Charlotte, North Carolina 28208
372-1166

William J. King
Charlotte Metrolina Cab Company, Inc
924 West Trade Street
Charlotte, North Carolina 28202
376-4155

Cliff Passons
Checker Cab Company, Inc.
216 E. Worthington Avenue
Charlotte, North Carolina 28203
334-2875

Tom Steele
Yellow Cab Company of Charlotte, Inc.
315 East Seventh Street
Charlotte, North Carolina 28202
332-8107

Jay Ward
Victory Cab Company
400 East Fourth Street
Charlotte, North Carolina 28202
375-2561



Request for Council Action

Charlotte

To the City Council

From the City Manager

Action Requested Request City Council at its November 8, 1982 meeting consider a recommendation from the Council CD and Housing Committee to contract with the Community Revitalization Services, Inc., a North Carolina nonprofit corporation founded by the Charlotte Board of Realtors, to provide rehabilitated housing for low and moderate income families.

Responsible Department Community Development

This request should be organized according to the following categories Background Explanation of Request Source of Funding Clearances, Bibliography

Background: The Community Revitalization Services, Inc., (CRS), was founded in 1981 by the Charlotte Board of Realtors for the purpose of making a contribution to the community by providing low cost owner occupied housing for people who might not otherwise be able to afford decent, safe, sanitary housing. The idea being that Realtors know-how should be utilized for the betterment of the community. With Realtors working together, new and rehabilitated housing can be provided to low and moderate income families at affordable prices.

After considering many approaches and target areas, CRS decided to become active in an area that showed signs of deterioration but with basically sound housing stock that can be resold at affordable prices after rehabilitation. The area finally selected for the project is Villa Heights.

Through its own efforts, CRS has acquired and rehabilitated one structure but has been unable to sell the property without some form of low interest loan. Therefore, CRS has requested City assistance to meet this need and to provide similar services in the Villa Heights community.

Based on a report about these developments, including a request for assistance, and following a thorough review of the City's overall housing needs for low and moderate income citizens, on October 5, 1982, the Community Development and Housing Committee is recommending that the City contract with the Community Revitalization Services, Inc., to acquire and rehabilitate four (4) single family detached housing units for resale to low and moderate income families.

Explanation of Request: The Charlotte Board of Realtors/Community Revitalization Services, Inc., offers as a "Scope of Service" in a performance contract for a one (1) year period, December 1, 1982 through November 30, 1983, to provide the following:

1. Acquire and rehabilitate four (4) residential units in the Villa Heights area for resale to low and moderate income families or individuals with priority given to City relocatees.
2. Assist the selected buyers, all approved by the City, to assume permanent loans originally provided by the City to CRS as

For Office Use Only

Date Submitted October 25, 1982

Agenda Date Requested November 8, 1982

Consequences if Agenda Date is Delayed or Action is Deferred Delay in securing needed

housing.

Contact Person for Questions J. W. Walton

Authorized by *[Signature]*
Harry L. Jones, Sr.

Department Head

Approved by _____

Assistant City Manager

List Attachments

Contract

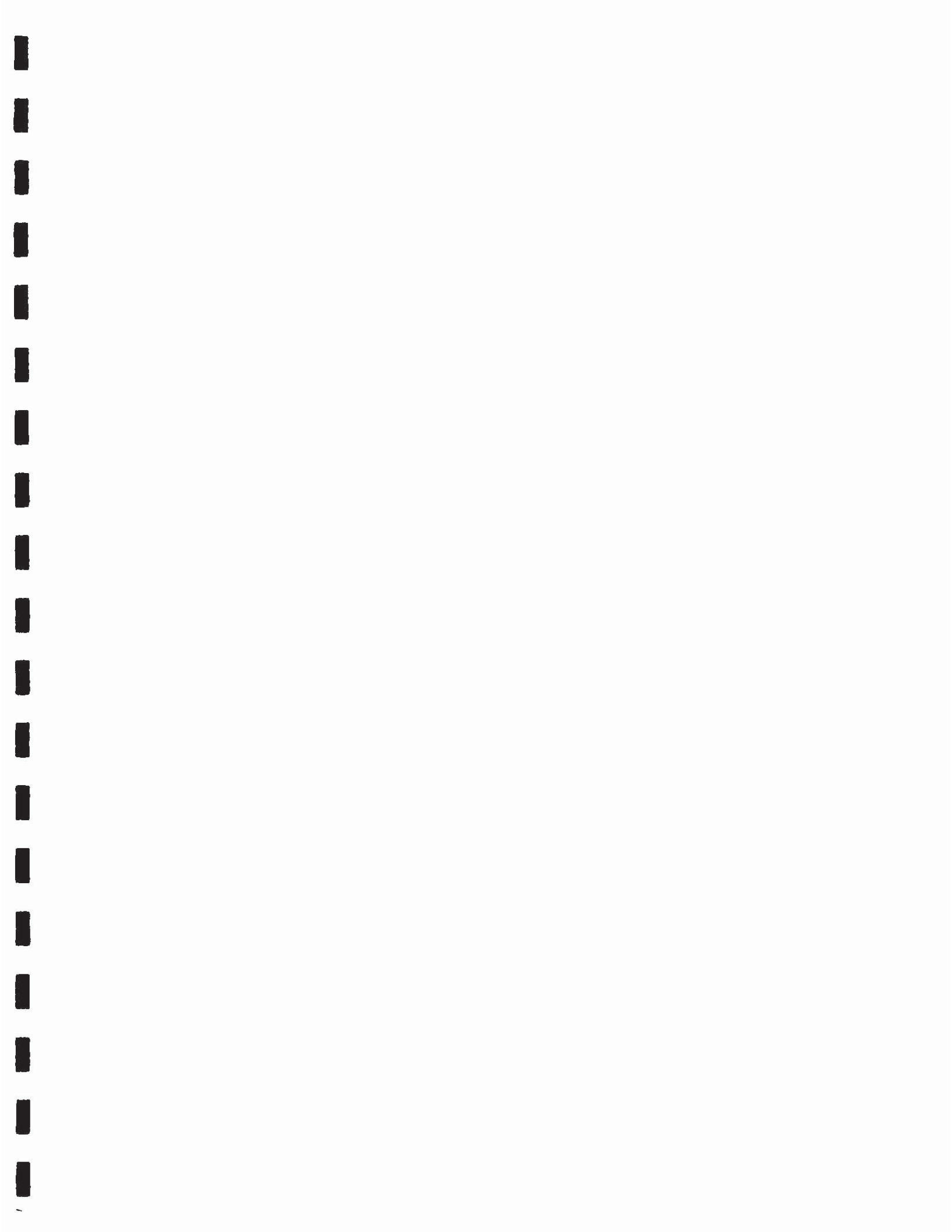
acquisition and rehabilitation loans. Principal and interest payments on the original loans shall be deferred until the loans are assumed by the buyers.

This Contract will not require any administrative costs paid by the City. A three percent commission for the agent(s) executing the sale of each structure shall be a part of the total sales price. Loan limits will not exceed \$25,000 per structure.

Source of Funds: The Contractor's request would require General Revenue Sharing (GRS) funds in the amount of \$100,000 for the acquisition and rehabilitation of four (4) single family detached housing units.

Clearance: Action by the Mayor and City Council.

Bibliography: Copies of the proposal presented by the Charlotte Board of Realtors/Community Revitalization Services, Inc. are on file with the CD Department.



CONTRACT FOR TECHNICAL OR
PROFESSIONAL SERVICES ("CONTRACT")

PART I - STATEMENT OF PURPOSE

THIS AGREEMENT, entered into this 1st day of December, 1982, by and between the CITY OF CHARLOTTE, North Carolina (hereinafter called the "City of Charlotte" or City") and the Community Revitalization Services, Inc., a North Carolina nonprofit corporation founded by the Charlotte Board of Realtors, (hereinafter called the "Contractor").

W I T N E S S E T H T H A T :

WHEREAS, the City of Charlotte has received General Revenue Sharing Entitlement Funds from the United States Department of Treasury pursuant to the State and Local Fiscal Assistance Act of 1972 (Public Law 92-512), as amended by the State and Local Fiscal Assistance Amendments of 1976 (Public Law 94-488); and

WHEREAS, the cooperation of the City of Charlotte and the Contractor are essential for the successful planning and use of General Revenue Sharing Entitlement payments; and

WHEREAS, it is the desire of the parties that the Contractor engage in certain planning and execution of activities directly related to the current Housing Assistance Plan for the City of Charlotte.

NOW, THEREFORE, the parties hereto do mutually agree to the requirements and provisions of this Contract as follows:

PART II - SCOPE OF SERVICES

A. Rehabilitation

1. The Contractor shall acquire a total of four (4) single family dwelling units from private sources in the Villa Heights area as shown on Exhibit A attached hereto for rehabilitation and resale with priority given to displacees identified by the City's Community Development Department. The City, through its Community Development

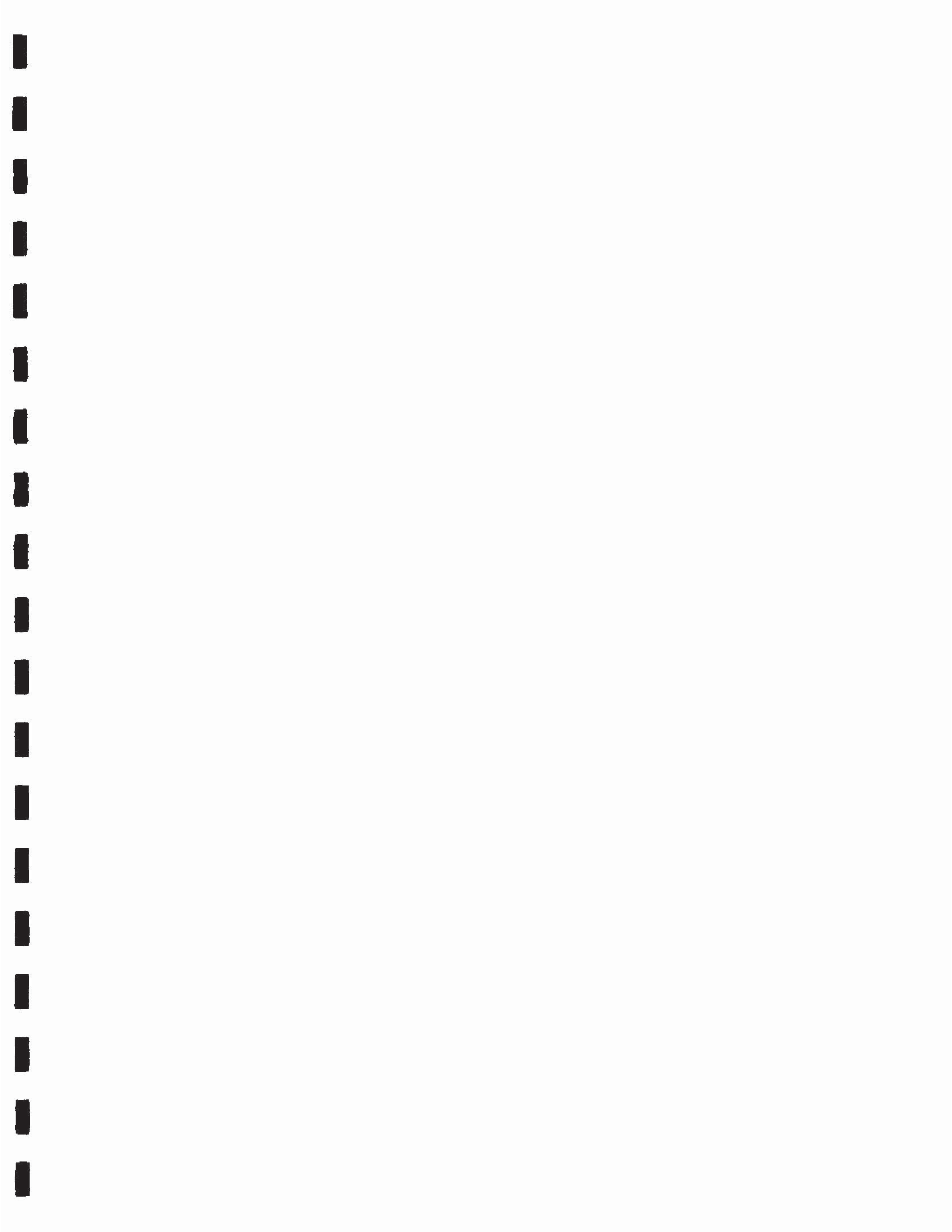
- Department shall make funds available to the Contractor to use for acquisition and rehabilitation of residential properties. Prior to the acquisition of each property or properties, the Contractor shall:
- a. request preliminary approval to negotiate acquisition and resale for the property; and
 - b. develop and submit to the City a schedule for the acquisition, rehabilitation and sale of each structure.
2. The Contractor shall request loan(s) from the City sufficient to cover the cost of acquisition, rehabilitation and related costs.
 - a. The interest on these loans shall be three percent for 20 years and shall be assumed by the buyers of the structures based on guidelines of the CD Rehab loans.
 3. Contractor shall substantially complete the rehabilitation of each structure within one hundred twenty (120) days from the date of acquisition of the same from a private source.
 4. Approximately thirty (30) days prior to completion of rehabilitation, the Contractor shall begin to identify potential purchasers for each structure and arrange for the sale of each structure. In selecting purchasers, priority will be given, where possible, to relocatees.
 5. Families or individuals selected by the City for referral to the Contractor as potential buyers shall meet the following criteria:
 - a. be a Community Development target area resident eligible for relocation benefits or code displacees;
 - b. have the ability to use 30 percent of their annual gross income for housing costs including a mortgage, taxes, insurance and utilities;
 - c. have a good credit rating based on City guidelines.
 6. If the City's Community Development Department is unable to identify a potential buyer from within its relocation workload within sixty (60) days after rehabilitation is complete, the Contractor may place the unit on the open market with the City retaining the right to give final

approval to all potential buyers.

7. A 3% commission for the agent executing the sale to a buyer shall be made a part of the sales price on each structure.

B. Management and Administrative Responsibilities

1. A copy of the Contractor's corporate charter and bylaws, as the same have been amended from time to time, shall be attached to and made a part of this Contract as Exhibits C and D, respectively.
2. At the City of Charlotte's option and prior to the execution of this Contract or hereafter (during business hours and in a manner which does not adversely affect the business operation of the Contractor), the Contractor shall submit its books and recording procedures to an internal audit (City) to assure compliance with City policies on the recording of expenditures for housing rehabilitation. The City reserves the right to audit the Contractor's records as it may be deemed necessary, but in a time and manner convenient to the Contractor.
3. The Contractor shall on a monthly basis throughout the term of the Contract provide the City of Charlotte with a report based on the content of Exhibit E and recorded on the form attached as Exhibit F in order that the City may have data to evaluate the program described in the Contract.
4. The Contractor shall provide all Administrative and supervisory services and coordinate planning, implementation and budget control for the program described in this Contract.
5. The Contractor shall exercise appropriate monitoring and control procedures with regard to its responsibilities under this Contract, for the purpose of insuring that provisions of this Contract are properly and adequately fulfilled. The Contractor shall notify the City in the event that the Contractor is unable to provide services in such sequence and in such manner as to fulfill its obligations under this Contract; this notification shall include a written request for contract renegotiations,



which shall specify the problem or problems encountered. The City shall conduct renegotiations for the purpose of determining what, if any, modifications to the program can be made to facilitate the Contractor's ability to provide services as required by this Contract.

6. The Contractor shall retain qualified personnel, either as paid staff or as volunteers, to perform the services required by this Contract.
7. Non-reconcilable disputes between Contractor and the City of Charlotte relating to Contract performance (except architectural, building and construction matters) shall be resolved by the C/D Director and the President of the Contractor. If such issue, or issues, still are irreconcilable, the same shall be referred to the City Manager, the Council CD and Housing Committee or a third party arbitrator in that order before seeking legal action.
8. Questions and disputes of a technical nature regarding building and construction standards and matters (such as rehab costs, work write-up language and substantial completion) shall be resolved by a third party architect retained by the City and Contractor. These architectural services shall be included in the construction costs.

PART III - SCHEDULE OF PERFORMANCE

- A. This Contract shall begin on December 1, 1982, and shall end one year after that date on November 30, 1983. The Contractor shall undertake its obligations herein in such sequence and in such manner as to maximize the Contractor's opportunity for success, in light of the purposes of this Contract and the City of Charlotte Comprehensive Community Development Program. Should the Contractor materially default in its performance hereunder and the same shall not be cured after thirty (30) days written notice thereof (provided that said cure shall require more than thirty (30) days,) City shall not hold Contractor in default if Contractor diligently continues to pursue said cure after thirty (30) days, then in that event the City may after sixty (60) days

written notice terminate this Contract. In the event of such a termination of this Contract, the City of Charlotte shall be liable for only such expenses as were necessary in order to permit the operation of this Contract from execution to termination date.

- B. Progress reports and reports of program expenditures will be properly submitted by the Contractor to the Community Development (C/D) Monitor within the specified reporting period.
- C. The Contractor shall provide a monthly progress report to the City of the form shown on Exhibit F. The monthly report shall be submitted not later than ten (10) working days after the first of each month. A final progress report, and a copy of the most recent independent audit, shall be submitted by the Contractor to the City within ten (10) working days after the expiration date of this Contract (or any extension thereof).

PART IV - COMPENSATION AND LOAN ARRANGEMENTS

- A. The City of Charlotte shall forward to the Contractor a sum not to exceed \$100,000 for the performance of this Contract as outlined in PART II - SCOPE OF SERVICES and PART III - SCHEDULE OF PERFORMANCE. The method of administration and payments to the Contractor shall be as follows:
 - 1. The City of Charlotte shall utilize an escrow account to pay to the Contractor in accord with PART II - SCOPE OF SERVICES and the following procedure:
 - a. The Contractor shall make available to the City documented evidence of ownership and the costs of acquisition, rehabilitation and related expenses of the structure identified in Exhibit A.
 - b. The City shall:
 - (1) transfer to the Contractor an amount equal to the total cost of the items identified for the property identified in Exhibit A.
 - (2) within sixty (60) days identify one or more potential buyers from its relocation workload

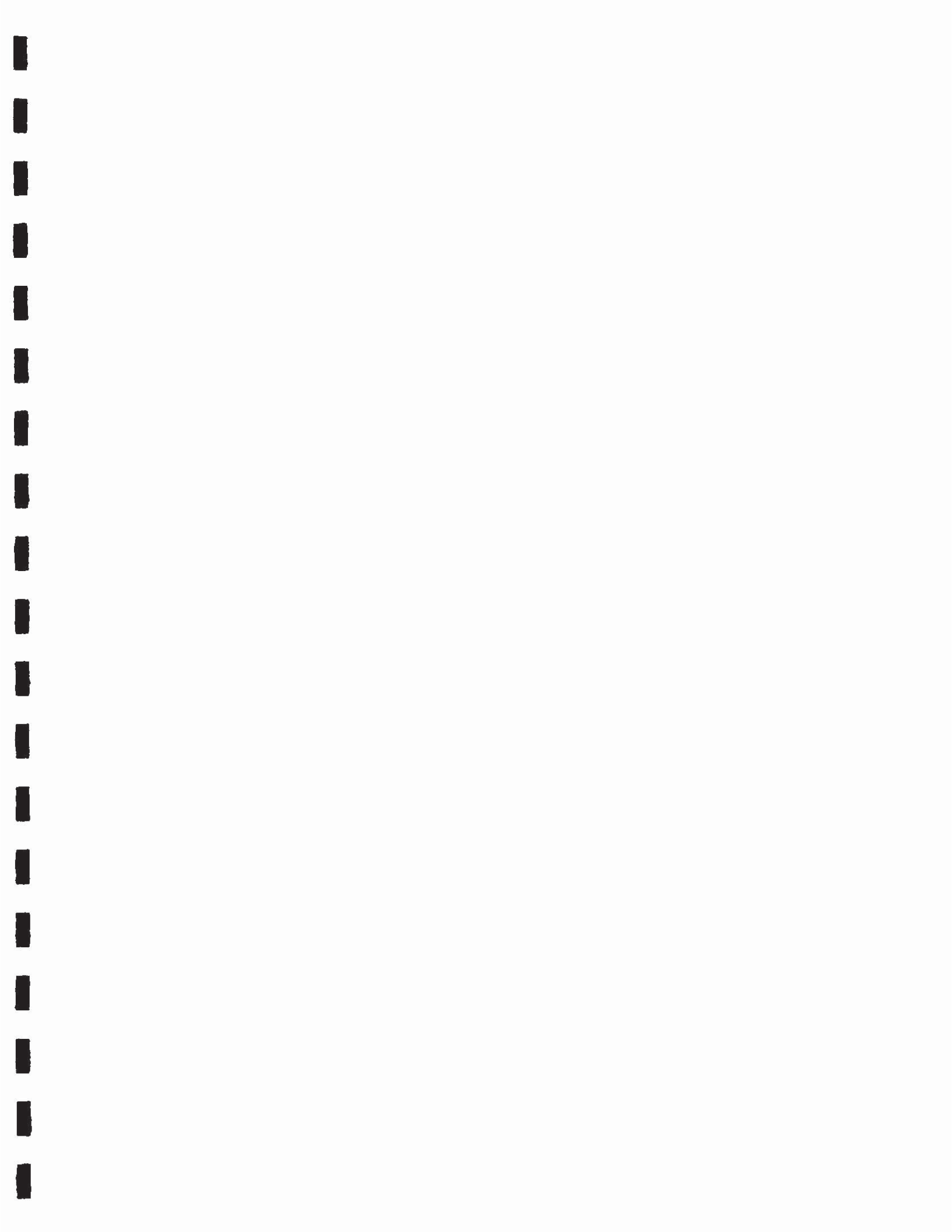
based upon the selection criteria listed in Part II A. 4; and

- (3) be prepared to review and accept or reject the application or applications of the individual(s) selected and approved by the Contractor to purchase the structure.
 - c. The Contractor shall:
 - (1) review, screen and select an applicant or applicants from those referred by the City or, if none have been referred within sixty (60) days after the execution of this Contract, from the open market;
 - (2) determine a sales price approved by the City;
 - (3) assist the selected buyer(s) in arranging a loan assumption on the property.
 - d. The principal and interest payments on the loan(s) to the Contractor shall be deferred for six (6) months or until the loan is assumed by the buyer, whichever occurs first.
2. The Contractor shall acquire not less than three (3) properties in the Villa Heights area as identified in Exhibits A and B and, in accord with PART II - A.1.a.b. and 2. and rehabilitate each under the following general procedures:
- a. the Contractor shall identify a structure(s) to be acquired for the purpose of rehabilitation pending an approved feasibility study conducted by City Community Development Department Construction Advisors:
 - b. the Contractor shall arrange to secure a loan from the City to acquire each property on an individual basis;
 - c. the Contractor shall secure a subcontractor who will:
 - (1) develop a work write-up and cost estimate on the structure(s)
 - (2) consult with a City Construction Advisor to assure

- that costs are reasonable and that the planned rehabilitation will cover all code violations;
- d. the Contractor shall apply to the City for loans on each property to cover the costs of rehabilitation, refinancing the first mortgage and related expenses. At the "Loan Settlement", the Contractor may request up to 25 percent of the rehabilitation bid amount to begin rehabilitation work;
 - e. rehabilitation work shall begin followed by City Construction Advisor reviews of all work completed and in place prior to the availability of financial draw-downs in accord with the City's established rehabilitation loan policies;
 - f. sixty (60) days or less into the rehabilitation process the Contractor shall begin to identify qualified buyers in accord with PART II A.3;
 - g. upon completion of the rehabilitation of the structure, a City Housing Inspector shall inspect the property and issue a "standard card." No agreement with a prospective buyer shall be binding in the absence of a "standard card";
 - h. upon receiving notice that the structure is "standard", the Contractor shall proceed to finalize the sale to the buyer in accord with PART II A.4.5.
3. Loans in this Contract shall be limited to \$25,000 per structure.

PART V - NONDISCRIMINATION AND LABOR STANDARDS

- A. No person in the United States shall, on the ground of race, color, national origin, sex, age, handicap or religion be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity funded in whole or in part with entitlement funds made available pursuant to the Contract as provided in Section 112 of the State and Local Fiscal Assistance Act of 1972 as amended in 1976. The nondiscrimination provisions of this Contract and the State and Local Fiscal Assistance Act apply equally to third party



contractors and subcontractors engaged by the Contractor pursuant to the performance of this Contract. It shall be the obligation of Contractor to exercise its best efforts to insure the compliance of third party contractors, subcontractors, and other involved parties.

- B. The provisions of the Davis-Bacon Act shall apply to any and all construction contracts where 25% or more of the project costs are paid from funds provided by this Contract. In situations where the Davis-Bacon standards are clearly applicable, it shall be the obligation of Contractor to exercise its best efforts to insure that laborers and mechanics employed by third party contractors or subcontractors will be paid wages at rates not less than those prevailing on similar construction in the Charlotte-Mecklenburg areas as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

PART VI - TERMS AND CONDITIONS

- A. Contractor agrees that its staff shall immediately terminate any relationship or interest they may individually presently have with any person, firm or organization engaged in either the real estate or construction business (it being understood that Contractor as an entity may have such relationships in the furtherance of the objects of this Contract) if the same constitutes a legal conflict of interest. Contractor shall not assign, transfer, pledge or in any other manner alienate any of its rights or obligations established by this Contract, without the prior, written consent of the City of Charlotte (which consent shall not be unreasonably withheld.)
- B. Failure of the City of Charlotte to exercise or enforce any right that it has under this Contract shall not be deemed a waiver of its prerogative to exercise or enforce such right in the future.
- C. Contractor shall require its subcontractors under this Contract to hold Contractors and the City of Charlotte harmless from all liability and claims of liability arising from the subcontractors negligence or alleged negligence in performing services contemplated by the Contract. Such hold harmless agreement shall

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obligate the subcontractors to defend any lawsuit or other claim advanced against Contractor or the City of Charlotte and arising from the subcontractors' negligence or alleged negligence. In furtherance of its obligations under this section, Contractor where feasible shall require its subcontractors to obtain liability insurance in amounts to be set by the Contractor in reasonable reliance on the nature and quantity of work to be performed.

- D. Should Contractor be delayed in the performance of any of its duties or responsibilities under this Contract by an act of God, storm, strike, warfare, warranty of labor and or materials or any other act beyond the reasonable control of Contractor, then in that event, the time for performance shall automatically be extended by a period of time reflective of such act.
- E. It is understood by both parties that the effective date of this Contract shall not be valid until such time as the City Council of the City of Charlotte formally approves this Contract for execution.
- F. This CONTRACT is subject to and incorporates all provisions specified in Exhibit G, General Provisions, attached hereto and made a part hereof by this reference.

IN WITNESS WHEREOF, the City and the Contractor have entered into this Contract as of the date first above written.

ATTEST:
(SEAL)

CITY OF CHARLOTTE, NORTH CAROLINA

City Clerk

By: _____
Mayor
("CITY")

ATTEST:
(SEAL)

CHARLOTTE BOARD OF REALTORS

Asst. Secretary

President
("CONTRACTOR")

COMMUNITY REVITALIZATION COMMITTEE, INC

Chairman

Approved as to form:

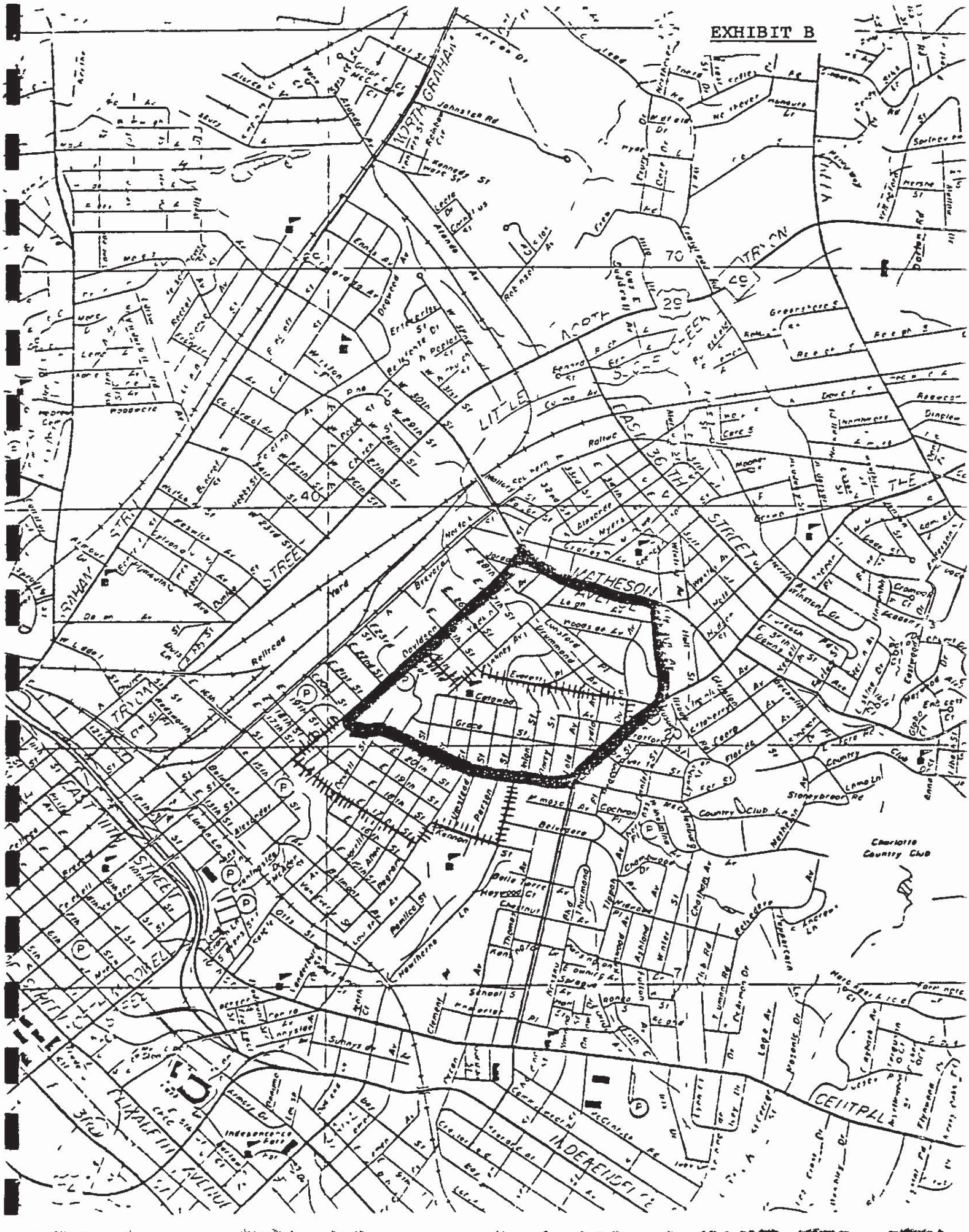
EXHIBIT A

STRUCTURES FOR REHABILITATION

<u>Block & Parcel</u>	<u>Address</u>	<u>Units</u>
095 - 10	1009 Grace Street	1

In addition, the Contractor shall arrange to acquire not less than three (3) residential properties in the Villa Heights area generally within the boundaries of Matheson, Clemson and Parkwood Avenues and Davidson Street as identified on Exhibit B.

EXHIBIT B



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