AGENDA

Meeting Type:	B
Date:	12-10-1984

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall 600 E Trade Street
Charlotte North Carolina 28202
704/336-2395

Meetings in December '84

THE WEEK OF DECEMBER 2 - DECEMBER 8

4	Tuesday, 7 30 a.m.	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg., 1st Floor Conference Room
	Tuesday, 4 30 p.m	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg., 3rd Floor Conference Room
	Tuesday, 7 30 p.m.	PLANNING COMMISSION - Cameron-Brown Bldg., 1st Floor Conference Room
5	Wednesday, 10 00 a.m.	CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber
	Wednesday, 7 00 p.m.	CHARLOTTE-MECKLENBURG YOUTH INVOLVEMENT COUNCIL - Chamber of Commerce
6	Thursday, 8 00 a.m.	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg , 1st Floor Conference Room
	Thursday, 6 00 p.m.	PARKS ADVISORY COMMITTEE - Park Center, 310 N. Kings Drive
	Thursday, 7 30 p.m.	CHARLOTTE TREE COMMISSION - Park Operations, 701 Tuckaseegee Rd.
7	Friday, 10 00 a.m.	ECONOMIC DEVELOPMENT STUDY COMMITTEE - Cameron-Brown Bldg., Community Development, 5th Floor Conference Room
7-8	Friday-Saturday	MAYOR/CITY COUNCIL RETREAT - Southern Pines, North Carolina

THE WEEK OF DECEMBER 9 - DECEMBER 15

10	Monday, 11 30 a.m.	ANNUAL CHRISTMAS TREE LIGHTING CEREMONY - City Hall, Lobby
	Monday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg., 1st Floor Conference Room
	Monday, 12 Noon	COUNCIL/MANAGER LUNCHEON (Discussion of Legislative Program & Police Report on Activities at the Coliseum) - City Hall Annex, Training Center
	Monday, 2 00 p.m.	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p.m.	CITY COUNCIL MEETING - City Hall, Council Chamber
11	Tuesday, 9 00 a.m.	HISTORIC DISTRICT COMMISSION - Edwin Towers, 201 W. 10th St , 1st Floor Conference Room
	Tuesday, 11 00 a m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center Conference Room
12	Wednesday, 8·00 a.m.	PRIVATE INDUSTRY COUNCIL - Chamber of Commerce, Action Room A
	Wednesday, 9 00 a.m.	CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber
	Wednesday, 3 00 p.m.	CITIZENS ADVISORY COUNCIL FOR HAZARDOUS CHEMICALS - City Hall Annex, Fire Dept., 3rd Floor Conference Room
	Wednesday, 7 30 p.m	HISTORIC PROPERTIES COMMISSION - City Hall, 2nd Floor Conference Room
13	Thursday, 7 30 a m.	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room
	Thursday, 8 00 a m.	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg., 1st Floor, Small Conference Room
14	Friday, 7 30 a.m.	PLANNING COMMISSION/Planning Liaison Committee - Cameron-Brown Bldg., 1st Floor Conference Room

THE WEEK OF DECEMBER 16 - DECEMBER 22

17	Monday, 3.30 p.m.	ADVISORY BOARD FOR CITIZENS WITH DISABILITIES - St Mark's Center, 601 N. Graham St.
	Monday, 5 00 p.m.	CITY COUNCIL/PLANNING COMMISSION/SCHOOL BOARD (2005 Plan Update) - Education Center, Rooms 237-239
	Monday, 6 00 p.m.	CITY COUNCIL MEETING/Zoning Hearings - Education Center, Board Room
18	Tuesday, 7 30 a.m.	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg., 1st Floor Conference Room
	Tuesday, 12 Noon	INSURANCE & RISK MANAGEMENT AGENCY - County Office Bldg., 4th Floor, Commissioner's Conference Room
	Tuesday, 1 00 p.m.	HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard
19	Wednesday, 8 00 a.m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
	Wednesday, 8 30 a.m.	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
20	Thursday, 8 00 a.m	CLEAN CITY COMMITTEE - Cameron-Brown Bldg., 5th Floor Conference Room
	Thursday, 3 00 p.m.	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 4 00 p.m.	PLANNING COMMISSION (Rezoning Petitions) - Cameron-Brown Bldg., 1st Floor Conference Room

THE WEEK OF DECEMBER 23 - DECEMBER 29

25	*Tuesday*	*CHRISTMAS HOLIDAY. All City Offices Closed.*

Charlotte

CITY COUNCIL MEETING
Monday, December 10, 1984

12:00	-	Council/Manager Luncheon Discussion of Legislative Program Utility Extension in Six Mile Creek Basin
2:00 PM	-	Citizens Hearing and Council Discussion Report from Community Development & Housing Committee on Housing Authority Request
3:00 PM	-	City Council Meeting City Hall Council Chamber

ITEM NO.

1. Invocation.

2. Consider approval of minutes of the regular meetings on October 22, and November 5, 1984.

PUBLIC HEARINGS

3. A. Conduct a Public Hearing to consider the abandonment of a portion of Westpark Drive located off the 400 block of Tyvola Road serving West Park Shopping Center.

   B. Consider adoption of a resolution abandoning a portion of Westpark Drive.

Petitioner. William B. Scott, Sr.

This portion of Westpark Drive is a paved, City maintained right of way 60-feet wide and approximately 490-feet long. The petitioner owns all the abutting property and it is his intent to relocate Westpark Drive, creating an improved intersection with Tyvola Road.

council agenda

Mayor Harvey B Gantt Mayor Pro Tem Minette Conrad Trosch

Charlie S Dannelly
Laura Page Frech
Ann Hammond

Paul Francis Juneau
Ron Leeper
Sue Myrick
Pamella G Patterson

Herbert Spaugh, Jr
Richard Vinroot
Velva W Woollen

The new construction will involve closing an existing median opening on Tyvola Road, constructing a new median opening at the proposed intersection and constructing a left turn lane for Tyvola Road.

The effective date of the closing would be delayed to coincide with City Council acceptance of the relocated street.

All City Departments and private utility companies were notified and there are no objections to the abandonment. The Department of Transportation supports the relocation of Westpark Drive and the proposed intersection due to the resulting benefits to traffic on Tyvola Road. Elimination of the present median opening is opposed by Spaulding & Slye, the owner of the property across Tyvola Road, because it will affect future access to their site. However, they are negotiating with a third property owner for access to the proposed intersection.

All new street construction except asphalt paving on Tyvola Road is at the expense of the property owners. In accordance with the Street Improvement and Maintenance Policy, the City will provide the pavement for the proposed left turn lane on Tyvola Road.

Attachment No. 1

4. A. Conduct a public hearing with respect to housing, development, and low-income housing assistance which the City of Charlotte will follow in issuing qualified mortgage bonds.

B. Adopt a policy statement on tax-exempt financing for 1985.

The Tax Reform Act of 1984 requires governmental units to adopt a policy statement with respect to housing, development, and low-income housing assistance in order to be eligible to enter into any new tax-exempt financing programs during calendar year 1985. On November 30, 1984, a legal notice announcing the public hearing on the proposed policy for the City of Charlotte was published in the Charlotte News.

The basis for the proposed policy is the present policy on tax-exempt financing adopted by Council on January 23, 1984. The only changes to the 1984 policy are to modify one provision to make it in conformance with the Tax Reform Act of 1984 and to clarify another provision. The recommended policy statement is attached.

No City funds are involved.

This policy statement has been reviewed and approved by Counsel for the lending institutions involved in existing and proposed programs and the City Attorney's office.

Attachment No. 2

POLICY AGENDA

5. A. Consider a recommendation from the Housing Authority to waive the Housing Assistance Plan (HAP) Locational Policy to allow for the construction of a 50-unit housing project on Arrowood Road.

In a letter dated October 3, 1984 to Mayor Harvey Gantt from W. Donald Carroll, Chairman of the Housing Authority Board of Commissioners, the City was advised that at a special meeting of the Commissioners on October 3, action was approved to request that the City waive the Housing Assistance Plan (HAP) 3/4 mile distance locational policy to allow for the development of a 50-unit housing project on Arrowood Road. The HAP locational policy requires that a new construction low income housing site of 25 or more units be not less than 3/4 mile from a similar site. The Arrowood site is inconsistent with the HAP in that its south-eastern boundary is approximately 2/5 mile from the northwest boundary of the Muddy Pond Lane 35-unit public housing site. The Housing Authority has entered into an option for the purchase of the approximately 6.056 acres of the site for $160,000. The site is zoned multi-family and is approved for 64 units.

As directed by City Council at its November 5th meeting, the Council's Community Development and Housing Committee met on November 20, 1984 to review the Housing Authority's request to waive the HAP locational policy. After considerable discussion, the Committee decided to make no recommendation, but identified the following pertinent points for Council to consider on this decision.

(1) While the Arrowood site is in violation of the HAP's 3/4 mile distance rule, its distance from the Muddy Pond Lane public housing site is offset by the physical division of South Boulevard and thus may minimize the impact of the violation. It was recommended that Councilmembers visit the site to help in this judgment.

(2) The racial composition of the census tract (58.02) where the project is to be located is consistent with the HAP. However, because of the possible racial impact of the project on the public school in the area, Committee Chairman Ron Leeper and Housing Authority Commission Chairman Don Carroll will discuss the issue with Dr. Jay Robinson, Superintendent of

the Charlotte-Mecklenburg Schools, and report their findings to City Council.

(3) Whether the area is going to be impacted racially regardless of the action taken on the Arrowood Road site.

Committee Chairman Ron Leeper, Housing Authority Chairman Don Carroll, and School Superintendent Dr. Jay Robinson met on November 30. Mr. Leeper expressed the committee's concern about the impact of this site on accelerating the percentage of blacks in the neighborhood and the impact on Nations Ford School. Dr. Robinson and Mr. Carroll expressed their agreement that they did not want to contribute to an accelerating black population in this neighborhood. They also expressed their feeling of not being certain that this action would have this negative impact. Dr. Robinson also explained his support of this site from a school perspective. He would prefer a more even distribution of the minority population. However, the fast growth in the south which is overwhelmingly white means that any increase of black school age children in the southern part of the county assists the school in meeting its racial balance goals.

Attached are the November 20 Committee minutes.

Attachment No. 3

B. Consider recommendation from the Housing Authority to approve an "Agreement for Housing" funded at the $1.8 million level to build a 50-unit housing project on Arrowood Road.

The Housing Authority requests and recommends the approval of an "Agreement for Housing" between the City and the Housing Authority to build a 50-unit housing project on Arrowood Road at a cost not to exceed $1.8 million. The proposed Contract Agreement requires the following:

The City of Charlotte shall:

a. reimburse the Authority for all actual cost incurred in the acquisition of the land and in the planning, design, construction and inspection of the housing units in an aggregate amount not to exceed $1,800,000;
b. provide reasonable cooperation and assistance to the Authority and its representatives in connection with the design, construction and inspection of the housing units;
c. approve a tenant admissions and rent subsidy policy; and
d. provide rent subsidies as may be necessary following occupancy of the units.

The Housing Authority shall:

a. acquire a suitable tract of land;
b. cause 50 housing units to be designed and constructed under contract with the Authority;
c. own, operate, manage and rent the units for the benefit of eligible low-income families;
d. develop a tenant admissions and rent subsidy policy;
e. have the right to terminate the Agreement if the Authority is unable to acquire land, notwithstanding its best efforts to do so; and
f. have the right to terminate the Agreement if, within 30 days after notifying the City that all bids for construction of the project exceed the grant amount of $1,800,000, the City has not agreed to amend the contract to increase the grant amount sufficient to cover the estimated cost and reasonable contingency.

Funds for this housing project in the amount of $1,800,000 have been allocated in the CIP/GRS Housing Account.

6. A. Recommend adoption of a resolution amending current City policy of giving one-year notice to annexed areas, to coincide with changes in the state annexation law.

In February, 1983, the Mayor's Annexation Study Committee recommended that the effective date of annexation be delayed "for approximately one year from the decision by City Council to annex an area." The intent was to "provide ample notice to all concerned and give property owners time to prepare for annexation." (Previously, the effective date generally occurred within a few months after adoption of the ordinance.)

Subsequent changes in state law made this one-year notice mandatory, but gave municipalities the option of giving the notice prior to annexation proceedings. It is proposed that City Council amend its annexation procedures accordingly, to coincide with the changes in state law. It is believed that this amended policy will continue to serve the intent of the committee's recommendation of advance notice to affected areas.

B. Recommend adoption of a Resolution of Consideration for each of the seventeen proposed Annexation Study Areas. The report contains generalized boundaries of each study area; a series of official maps, to be on file with the City Clerk, will be adopted as formal boundaries.

Under new state law, areas being considered for annexation must be identified at least one year before the beginning of formal annexation proceedings. This is accomplished through adoption of

a Resolution of Consideration which delineates the geographical area under consideration. City Council must then wait one full year (but no more than two years) before initiating formal annexation proceedings.

Accordingly, the Planning Commission staff has identified seventeen areas which appear likely to qualify for annexation during the two-year life span of the resolution. All or part of these areas will eventually be proposed for annexation, depending on the results of eligibility studies. If additional areas should qualify during this time, the law permits additional resolutions, each with its own life span requiring action no earlier than one year nor later than two years after adoption.

In determining preliminary study area boundaries, staff generally attempted to follow past annexation practices and omit vacant land unless it appeared necessary to qualify the area as a whole. One significant exception should be noted in the Park Road-Quail Hollow area, where over 400 acres of vacant land have been included. This land, east of Park Road and north of Johnston Road, appears to qualify because of the large concentration of population surrounding it. The concern is that a "hole" could be created in the City boundary and, therefore, it has been included for study purposes, although the option remains to omit it when the final annexation boundaries are proposed next year.

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

December 1984	-- adopt Resolution of Consideration, outlining general areas that may be eligible
December 1985	-- adopt Resolution of Intent, giving specific boundaries of proposed annexation areas
January 1986	-- approve Final Plan for each annexation area
February 1986	-- begin public hearings
March 1986	-- adopt Annexation Ordinance
June 30, 1986	-- Annexation Ordinance becomes effective

An individual Resolution of Consideration is to be adopted for each of the 17 study areas proposed in the accompanying report. The maps indicate the maximum geographical area likely to meet qualifying criteria for annexation. Detailed studies will be conducted in the coming year to determine what part (or all) of each study area is eligible, and those areas will then be submitted for annexation. Areas identified would likely become part of the city on or about June 30, 1986.

Attachment No. 4

7. A. Consideration of change in priorities with regard to improvements to Memorial Stadium.

In April of 1983, Grier-Fripp Associates completed a study which outlined needed improvements to Memorial Stadium. These improvements included new restrooms and concession stands on both north and south concourses, upgrading of locker rooms, field widening, press box replacement and various other improvements. Plans for construction of new concessions and toilets on the south and north sides of the concourse were designed and advertised. Bids were received and were in excess of funds available for construction. Improvements to just the south concourse have now been readvertised and bids will be received on December 6, 1984. It is anticipated that there will be approximately $100,000 available if Council awards the contract for just the south concourse since the funding was originally set up for both concourses.

This provides Council the following alternatives for use of the approximately $100,000:

1. Allow the funds over the amount necessary for the south concourse improvements to lapse to the GRS Fund Balance for future appropriation to a GRS-eligible project;
2. Use the funds to reduce the amount of new funds Council could appropriate next year for north concourse improvements (approximate cost, $700,000);
3. Use the funds to meet other smaller needs identified by the Grier-Fripp report.

If Council selects the last alternative, the prime users of the stadium (soccer and football franchise) have identified a list of improvements in priority order. We would work with them to accomplish as many improvements as possible with the funds available including any private contributions of materials or funds. The primary implications of such a decision are: it moves the priority of smaller improvements ahead of concourse improvements; renovates rather than replaces press boxes (renovation, however, would be of a long-lasting nature and would eliminate the need for future replacement); and already-established departmental goals could be affected because of the extremely tight timetable and the probability that extensive use of in-house and/or part-time employees would be necessary. Any major changes would be brought to Council's attention.

	Improvement	Cost Estimate
1.	Impvts. to existing press boxes.	$58,000.
2.	Impvts. to locker room.	$80,000.
3.	General clean-up and painting of facilities used by teams, public & media.	Normal start up costs.

Request for Council Action

Charlotte

To the City Council

From the City Manager

Action Requested _____

_____

_____

_____

Responsible Department _____

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

For Office Use Only

Date Submitted _____

Agenda Date Requested _____

Consequences if Agenda Date is Delayed or Action is Deferred _____

_____

_____

_____

Contact Person for Questions
from the City Manager's Office _____

Authorized by _____
Department Head

Approved by _____
Assistant City Manager

List Attachments

4.	Additional concession areas.	Contract concessions can be used until impvts.to north and south concourses are complete.
5.	Upgrade identification of stadium.	Football group stated they would assist City forces on this item.
6.	Improve PA system.	Temporary rental of a more complete system can be worked out. Long term solution has not been estimated.
7.	Improve Scoreboard.	Temporary impvts. can be made. Long term solution has not been estimated.
8.	Improvement & widening of field.	$100,000.

B. Recommend approval of the following actions to allow two USFL Exhibition Games to be played in Memorial Stadium: 1) Waiver of the Memorial Stadium Contract Schedule of lease fees approved by Council in 1981; 2) Authorization for the Parks & Recreation Director to negotiate a one-time lease agreement with the sponsors of the USFL exhibition games.

In 1981, Council adopted a standard contract for rental of American Legion Memorial Stadium. As part of that contract a schedule of lease fees was developed for four primary classes of users: public schools; colleges and universities; long term lessees of six or more dates; and short term lessees of fewer than six dates. All fees for rental of the stadium are based on the approved schedule, and all exemptions must be approved by City Council.

Long term lessees are provided, over a three year period, an exemption from the 12% of gate rent. This was to allow them time to build fan support. Mr. George Shinn has reserved two dates in February for USFL exhibition football games in his efforts to promote Charlotte for a future league franchise. Since the 12% of gate rent could be a disincentive to this effort, Council is asked to consider waiving the standard fee and authorizing the Parks & Recreation Director to negotiate a fee that would insure the City, at a minimum, breaking even on the cost of opening, operating, and cleaning the stadium after each game.

8. Consider Appointments and Nominations to Boards and Committees.

A. Appointment to Certified Development Corporation.

One position for an unexpired term in the Business Organization category. Appointee may be any local businessman/woman - any owner, partner or employee of a local business or industry. L. J. Stanley, whose term expires April 30, 1985, has resigned.

1. Karen Harris was nominated by Councilmember Patterson.

2. A. Ray Biggs was nominated by Councilmember Spaugh.

B. Appointment of Council Representative/Uptown Development Corporation.

The City Council position (Class D) presently filled by Councilmember Patterson expires December 31, 1984. Appointment is for a one-year term.

Attachment No. 5

C. Nominations to Committees.

1. Safety Action Committee - Two positions for two-year terms. The terms of Pat Locke Williamson and J. Cary Findlay expire on December 31, 1984. They were both originally appointed in February 1982 for full terms, and reappointed in October of 1983 for one-year terms in order to stagger the expiration dates of the committee membership.

Mrs. Williamson is eligible for reappointment since she has not completed two full terms. The past term was for one year in order to stagger the terms of various committee members.

Mr. Findlay requests that he not be considered for reappointment. This is a five-member committee, and the terms will be for two years.

2. Zone Wrecker Review Board - One position for a three-year term. The term of William J. Costner expires December 31, 1984. He is completing his second full term, and is not eligible for reappointment.

3. Zoning Board of Adjustment - Richard Heckenbleikner has resigned from the Board effective December 31, 1984. Appointment will be for his unexpired term which ends January 30, 1986.

Attachment No. 6

9. Consider a recommendation from the Private Industry Council (PIC) for approval of an ordinance amending the Employment and Training Department's Organizational Chart and appropriating $125,000 to operate a year-round jobs program.

City Council appropriated $250,000 in the FY 85 budget for a City funded jobs program. As part of that appropriation, Council designated $75,000 to support the Urban League's Job Training Program. The remaining $175,000 can fund a year-round job placement program.

Approval of this Ordinance would authorize spending $125,000 for the proposed Arrowood jobs and the Mayor's Summer Youth Program. It would also authorize 8 positions (4 permanent and 4 temporary) to operate these two programs. The goal for the first year would be set at 133 year-round jobs and 300 summer youth placements.

There would remain $50,000 in this account that would be available for funding bus service to Arrowood in support of the Jobs Program.

In recommending these actions, the PIC advises that work should begin immediately to develop job sites for summer youth employment. It would also allow work to begin on job development in Arrowood.

The City Manager will present a plan to Council in January for transit service to the Arrowood Industrial Area. Service is projected to begin not later than the end of February.

10. Consider adoption of a Resolution for the participation of the N. C. Housing Finance Agency in privately owned housing development in the City of Charlotte under an agency bond financed program.

The Pasquinelli Company, the builder of over 8,000 single and multi-family dwelling units in the Chicago metropolitan area, is in the process of seeking bond financing through the N. C. Housing Finance Agency (NCHFA) to build 204 multi-family housing units on a 16.0 acre site. The proposed site, zoned O-15, is located approximately 2/5 of a mile west of the Archdale Drive/Nations Ford Road intersection joined by the I-77 northbound ramp. Under the "pipe-line" policy of the N. C. Housing Finance Agency, developers may submit proposals at any time requesting financing for multi-family housing development following the Agency's next bond sales program. Tentative plans call for the Agency to go to the bond market in the spring of 1985. Also under the Agency's policies, 20 percent of the units are required to have market rate rents to assure occupancy by households with annual incomes of 80 percent or less of the Charlotte-Gastonia median income for the current year. Therefore, for projects at this time (1984), the Agency defines annual income for 20 percent of the units to mean not more than 80 percent of $26,200 or $20,960. The developer

proposes to build 12.75 units per acre on the 16.0 acre site. Bedroom units for the complex will range from 540 to 672 square feet for 1-bedroom units to 864-970 square feet for 2-bedroom units. Rental rates will average $418 per unit per month.

The 204 unit 16.0 acre development will be Phase One of the developer's planned intent to construct a total of 356 "adult apartments" on 29.5 acres (average of 12.1 units per acre). The plan comprises 33 two story apartment buildings ("garden type" units) with 346 parking spaces, a swimming pool, tennis courts, and a lakeside cabana. The development will abut the 128 unit Lexington Green Apartments complex, the Pine Lakes Estates single family subdivision, and a small lake. The development's only access to a major thoroughfare, Archdale Drive, will be via Fernhill Drive, a road going through a part of the Pine Lakes single family subdivision neighborhood.

The Planning Commission and Community Development Department staffs' review of the developer's proposal notes by comparison the following existing multi-family complexes off Archdale Drive between I-77 and Old Providence Road:

Developments	Units	Density (Units Per Acre)	Location
Alpine Lodge	176	10.24	601 Archdale Dr.
Carriage House	149	15.17	1223 Archdale Dr.
Kings Creek	128	6.6	604 Archdale Dr.
Highlands Apts.	176	13.0	6619 Montcrest Dr.
Lexington Green Apts.	128	N/Av.	636 Archdale Dr.
Woodwinds	250	10.01	6608 Montcrest Dr.
Proposed Housing:			
N. C. Hsg. Fin. Ag.	204	12.75	End Fernhill Dr.
Near Future	152	12.1	Off Archdale
	356		

The City's Department of Transportation (DOT) has advised that the 204 unit development would generate 1,200 to 1,800 automobile trips per day or about 100 to 150 peak hour trips. This increased traffic will add significantly to the existing congestion at the intersection of Nations Ford Road and the I-77 north ramp since the area is now operating at a maximum capacity level. However, as a part of their Minor Intersection Improvement Program, DOT has requested funds in next year's CIP to make needed improvements at the intersection. If this CIP request is approved and the intersection improvements made, the added traffic from the development will have no negative impact on the area's traffic flow. The Charlotte-Mecklenburg Schools have advised that elementary school age children from the 204-unit development would add to the need to reassign more children away from the Nations Ford School.

ITEM NO.

Pursuant to the N. C. General Statutes Section 122A-5(1), participation by the N. C. Housing Finance Agency in a housing program can only occur following the request and approval of the governing body of the City in which the project is to be located.

The proposed resolution would allow the sponsors to be eligible for consideration of NCHFA's below-market interest rate bond financing.

The proposed housing development involving 204 units of housing is consistent with the local Housing Assistance Plan as approved by HUD. The Planning Commission staff has reviewed the developer's preliminary site plan and is currently processing their normal administrative plan review. It is their opinion at this point that the plan will be approved upon completion based in part on these facts:

(1) The Plan conforms to the required zoning.

(2) The Plan's proposed two-phased 356 housing unit development is 30% less than the total 511 allowed under existing zoning.

(3) The Plan responds to neighborhood concerns about cut-through traffic by using only Fernhill Drive and in providing no access to adjoining property.

BUSINESS

11. A. Recommend approval of a budget ordinance for start-up costs associated with the coliseum project in the amount of $3,500,000.

B. Recommend approval of an architectural contract with Odell Associates for the design of a new coliseum to be located on Billy Graham Parkway.

On November 6, 1984, a $47.4 million bond referendum was approved for the construction of a new coliseum on Billy Graham Parkway.

The budget ordinance for $3,500,000 will provide funding for the architectural contract, subsurface investigation, start-up costs and project administration costs incurred by City staff. This negotiated fee has been compared to other similar coliseum projects and was found to be below the percentage established on the other projects.

Requests for proposals for design services were sent to all local architects on the City's approved list. Seven firms responded and four firms were selected for oral interviews. The selection committee unanimously agreed that a contract should be negotiated with Odell Associates and Council was informed of this in a

Council/Manager memo dated September 14, 1984. This contract includes all design services necessary for the project and also provides for full-time construction administration by the architect. The breakdown of the fee is as follows:

Basic Services	$2,100,000
Reimbursable Expenses (Maximum - all expenses must be approved)	175,000
Special Consultant Fees (traffic engineering, acoustical engineering, construction estimating, etc.)	400,000
Contingency for Additional Services (Only used at City request)	100,000
Full-Time Project Administration	100,000
Total	$2,875,000

Each major phase of the design will be presented to City Council for review. The first presentation will be the schematic design in May, 1985. Final construction plans are expected to be ready for Council review in January, 1986. Construction is anticipated to be complete in January, 1988. Additional appropriations will be necessary when construction contracts are awarded.

Funding will be from unappropriated fund balance from Municipal Debt Service Fund, pending issuance of bonds for permanent financing.

12. A. Recommend adoption of a budget ordinance in the amount of $2,200,000 for start-up costs associated with the Tyvola Road Extension Project.

B. Recommend approval of an agreement with Ralph Whitehead and Associates for engineering services for the Tyvola Road Extension Project, in the amount of $937,785.

On November 6, 1984, $16 million in Street Improvement bonds were approved for the Tyvola Road Extension Project.

Because of the magnitude of the Tyvola Road project it is necessary to contract for the design in order that it may be designed and constructed in time to meet the opening date of the proposed Coliseum.

On October 18, 1984, a Selection Committee chaired by C. D. Readling, City Engineer, and including G. E. Wells, Manager of Roadway Design, North Carolina Department of Transportation, M. F. Billups, Jr., Director of Parks and Recreation Department, and P. F. Beaver, Director of Operations Department, interviewed three local engineering firms and selected Ralph Whitehead & Associates for the design services. Council was informed in the October 24, 1984 Council/Manager memo.

The scope of services and the consultant fee for each item are listed below. The fee was negotiated by reviewing the expected manhours required for each part.

Public Involvement	$ 70,184
Surveying	144,005 Max
Basic Design Services (including right of way maps and all reimbursable expenses)	535,542
Mapping (for Tyvola Road, Coliseum, York Road Park & other adjacent City property)	88,385 Max
Landscape Design	42,000 Max
Subcontract Administration (for subsurface investigations, mapping)	7,669
Additional Services (by City request only)	50,000 Max
TOTAL ENGINEERING FEE	$937,785

The consultant will begin work immediately upon Council approval. It is anticipated that Council will have an opportunity to review the project and to receive citizen input at two public hearings which will be scheduled in late February, 1985 and late May, 1985. The proposed schedule for the project is as follows:

Project design and right of way acquisition complete	January, 1986
Begin construction	April, 1986
Construction substantially complete and project open to traffic	January, 1988
Final project completion including landscaping	April, 1988

The requested funding of $2,200,000 represents the start-up costs necessary to get the project underway and includes the following:

Total Engineering Fees (Whitehead & Associates)	$937,785
Subsurface Investigation	55,000
Right of Way	990,000
Project Administration	105,000
Contingency	112,215
TOTAL	$2,200,000

Funding will be from unappropriated fund balance, Municipal Debt Service Fund, pending issuance of bonds for permanent financing.

13. Recommend approval of a $21.0 million Uptown Residential Loan Agreement for seven redevelopment areas in uptown Charlotte.

Since January 1976, the City Council has established nine separate residential loan programs with local financial institutions to create a pool of below market mortgage funds. The total value of all residential programs is $47.6 million. The areas currently eligible are Third Ward, Fourth Ward, Five Points and Plaza-Midwood.

Over $35 million has been loaned to date. The programs are successful and have resulted in the revitalizing of inner-city neighborhoods. The funds, however, are running out. The development currently underway in Third Ward will use up the bulk of the funds remaining for Third Ward. No funds are currently available for Fourth Ward or First Ward.

Several months ago, the Charlotte Uptown Development Corporation appointed a CUDC Housing Committee. Chaired by Mr. Rolfe Neill, the Committee was to formulate recommendations or approaches which would stimulate housing uptown. From the outset, it was recognized that attracting developers to build owner-occupied housing units uptown and interested buyers to purchase units would require an assortment of public and private initiatives. Given the experience of the past, the Committee focused on the availability of financing at below market rates as a major incentive to both the builder and the buyer. It has been demonstrated that when long-term mortgage rates are 3% - 4% below the conventional lending rate, the developer is usually more confident in building because there is a larger market of prospective and qualified buyers. In this regard, below market rate financing serves as both an inducement to the developer as well as stimulus to the buyer. The level of that subsidy in the past depended upon the willingness and commitment of the financial community to encourage the construction of additional housing uptown. The Committee made two financial recommendations which were subsequently adopted by the CUDC Board of Directors. They are:

1) The creation of a new residential loan program to be available for the construction of 300-400 owner-occupied units in various redevelopment areas uptown. The financing is to be arranged by CUDC through local lenders at tax-exempt floating interest rates. The monies are to be advanced by the financial consortium of all local banks and two savings and loan associations to the City of Charlotte who would lend it to the homeowner or end borrower.

2) The extension of the loan assumption period on mortgages issued in Fourth Ward from the present five year period through the life of the fifteen year loan at variable rates of interest. Such action is intended to insure greater residential stability in the Fourth Ward Area. (Council is being asked to consider approving the extension of the loan assumption period as a separate agenda item.)

The $21.0 million Uptown Residential Loan Program provides below-market interest rate mortgage funds for credit-worthy individuals buying a home as their principal residence in seven redevelopment areas: First, Third Ward and Fourth Wards and Uptown Redevelopment Areas 1, 2, 3 and 4. The borrower must be a first-time homeowner, i.e., not having owned a principal residence in the past 3 years. The first time homeowner restriction is not applicable if the

residence is in a "targeted area". A "targeted area" is required by federal tax law and includes First and Third Wards. The types of loans under the Program are to finance the purchase of a new or substantially rehabilitated residence or to finance the substantial rehabilitation of an existing residence. The loans will be for 95% of the lesser of the appraised value or purchase price. The interest rate is set initially at 9.75% and will be adjusted, up or down, annually at 90% of the interest on 1 year U. S. Treasury Bills. The monthly payments will be on a 30-year amortization, adjusted annually, with a balloon payment in 15 years. The Loan Program also establishes a 7 member Design Review Committee. Five members will be appointed by the City Manager - a staff member from Community Development and the Planning Commission and a resident from each residential area, First, Third, and Fourth Wards. One member will be appointed by the lenders. The seventh member will be appointed by the CUDC.

It is very important that this program and its accompanying documents be approved prior to December 31, 1984. The $21 million of mortgage bonds must be officially allocated by the North Carolina Housing Finance Agency. The Agency can issue no more than $30 million worth of bonds per year as directed by the state legislature. In 1985, other cities will initiate similar programs amounting to approximately $100 million. It is doubtful that the Agency would allocate to Charlotte $21 million in 1985. However, in 1984, the monies are available and the City can expect the $21 million allocation.

In accordance with Council's Policy for Tax Exempt Financing in Redevelopment Areas, the Uptown Residential Loan Program has been reviewed by staff from Legal, Finance, Community Development Departments, and the Planning Commission. The Program has also been approved by the lending institutions, the CUDC Board of Directors, and the CUDC Housing Committee.

No City funds are involved. All mortgage funds to be loaned under the program will be provided by the participating lenders.

14. Recommend approval of a Resolution authorizing a Municipal Agreement with the North Carolina Department of Transportation to accomplish supplemental Planning, Environmental, and Engineering studies for the proposed US 74 Project.

Alternative studies for improvements to Independence Boulevard resulted in a recommendation to build a combined expressway/busway to serve this corridor. Because of the significant cost of such a project, and because of the busway, the Urban Mass Transportation Administration (UMTA) was asked to participate. Before design and

construction plans can begin, UMTA requires that additional supplemental environmental, planning, and engineering studies be conducted.

In November, 1984 UMTA approved a grant to undertake these studies. This Municipal Agreement will allow the North Carolina Department of Transportation to employ a consultant to accomplish this UMTA requirement. The North Carolina Department of Transportation will monitor the work and administer the contract.

Total estimated cost is expected to be $700,000 with UMTA funding 80% ($560,000), the City 10% ($70,000), and the North Carolina Department of Transportation 10% ($70,000). The City's share will come from 1983 Transportation Bonds.

15. A. Recommend adoption of a Resolution concerning design and development of the Independence Plaza Park.

Independence Plaza Park was approved in April, 1981, by the voters as a park project and funded through the 1981 Recreation Bonds. Since none of the properties could be acquired through acquisition, condemnation actions were filed. Plans were made for the development of the Park. Two of the condemnation actions were contested, and in October 1984, Superior Court Judge, Frank W. Snepp, ruled that the taking of the Defendants' property was not for a public use and dismissed both condemnation actions. As a result of the Court's action, it is necessary for Council to reconsider the design and development of the Park.

City Council is asked to approve the attached Resolution directing the City Manager to proceed with all steps reasonably necessary to design the Independence Plaza Park in conformance with the Resolution, the above-referenced Judgment, and other applicable law. The Resolution allows for design elements, including a plaza or open space area with a sculpture(s), and/or water feature(s), trees, space for public entertainment or gathering, seating, landscaping, facilities to provide refreshments, and other facilities typical of public parks.

Funding will be from Public Land Acquisition Account (Two-Thirds Bonds).

Attachment No. 7

B. Recommend adoption of a Budget Ordinance in the amount of $241,000 to purchase property for the development of Independence Plaza Park.

In December of 1982, condemnation actions were approved by City Council for the acquisition of the Rousso and Cavalaris properties. During the next two years, various negotiations and court actions were held, and the North Carolina Superior Court judge ruled that the condemnation actions were invalid due to the proposed commercial development on the park site. Since that ruling, City Council decided to eliminate the commercial uses. Since the original appraisals are outdated, the properties have been reappraised for their current market value. The original condemnation action on the Rousso property was $80,300 and the Cavalaris property was $116,900. These funds were deposited with the Clerk of Superior Court and remain in escrow. As a result of the reappraisals, additional funds are needed to cover the current market values of these projects. A Budget Ordinance in the amount of $241,000 will provide funds to file the new condemnation actions. The funds from this ordinance will be dispersed as follows:

Rousso Property:	$ 71,700 (To be added to the $80,300 remaining in escrow, bringing the total escrow to current market value of $152,000)
Cavalaris Property:	$122,100 (To be added to the $116,900 remaining in escrow, bringing the total escrow to current market value of $239,000)
Estimated Appraisal Fees/Court Appearances/ Related Costs	$ 47,200
Total	$241,000

Funding will be from Public Land Acquisition Account (Two-Thirds Bonds).

C. 1. Recommend adoption of a resolution of condemnation for 1,125 square feet - total take, at 108 South Tryon Street, from Albert S. Rousso and wife, Doris H. Rousso, for $152,000.00, for Independence Plaza Park.

2. Recommend adoption of a resolution of condemnation for 1,769 square feet - total take, at 109 West Trade Street, from Zoe Cavalaris and husband, Thomas Cavalaris, for $239,000.00, for Independence Plaza Park.

16. Recommend approval of contract between Air Quality Citizens Advisory Committee and Powell and Jones, Inc. to assist in the Air Quality Awareness Campaign.

The Air Quality Citizens Advisory Committee was appointed in January, 1983 by the Charlotte-Mecklenburg Metropolitan Planning Organization to implement the Air Quality Citizen Participation Program. Funding for all the Air Quality Citizen Participation Program is from the U. S. Environmental Protection Agency (EPA), through Section 175 grant funds. No city general fund money is allocated for the program. The overall goal of the program is to achieve and maintain widespread public awareness and consensus on the nature of the air quality problem and on the Transportation Control Measures (TCM's) (i.e. vehicle inspection & maintenance, intersection improvements, transit, ridesharing) necessary for its solution.

The TCM's and this committee's efforts are required to conform to the State's Air Quality Implementation Program which is designed to achieve the National Ambient Air Quality Standards. Charlotte-Mecklenburg is currently in violation of those standards and is classified as a non-attainment area for carbon monoxide. Charlotte-Mecklenburg is the only area in the two Carolinas that has been declared a non-attainment area. Successful execution of the TCM's and the Air Quality Program will ensure attainment of the National Ambient Air Quality Standards by 1987.

Since January, 1983, the Air Quality Committee has been working to obtain final approval of a Citizen's Participation Program from EPA. Once that approval was received in July, 1983, the Air Quality Committee began to implement the program. To date major efforts have included: (1) an education of the committee members through presentations and interaction with representatives of EPA, Mecklenburg County Environmental Health Department, Charlotte Department of Transportation and the North Carolina Department of Natural Resources and Community Development; (2) funding of a survey conducted by the Urban Institute to identify public awareness of the air quality problem; and (3) purchase of the Urban Transportation Planning Package from the Census Bureau to obtain statistical data for Air Quality and Transportation Planning purposes.

The results of the survey concluded that citizens are unaware and unmotivated with regard to the air quality problems. The Air Quality Committee then began to search for a way to increase awareness and motivation of citizens of Charlotte-Mecklenburg towards air quality.

Through discussions with the Public Service and Information Department and the Charlotte Department of Transportation (CDOT) the Air Quality Committee became aware of the Ernest P. Worrell character suggested to CDOT by their marketing consultants, Powell

and Jones, Inc. Ernest P. Worrell is a character created by Carden and Cherry Associates. Looking into "Ernest" more carefully the Air Quality Committee found that his success in creating awareness of products as well as public service messages is phenomenal across the country. After reviewing many of his commercials the Air Quality Committee determined that "Ernest" would be the ideal spokesperson for the Air Quality Awareness Campaign.

Air Quality Committee representatives began discussions with CDOT towards a coordinated marketing effort using "Ernest". The rationale behind a cocrdinated program are three-fold. First, the messages of Air Quality, Transit and Ridesharing are interrelated and could be supportive of each other through a coordinated program. This could be accomplished through commercials which combine messages of Air Quality and Transportation, and through the coordinated placement of these commercials on television to be more effective in reaching the audience.

Secondly, by coordinating the marketing efforts, certain economies can be realized. Costs can be reduced in the production of television commercials by doing more commercials thus reducing the per commercial cost. Professional fees involved in conference and planning between the marketing consultants, CDOT and the Air Quality Committee would be reduced as a result of joint meetings. In addition, by piggy-backing the necessary market research, additional cost savings will be realized.

Third, the research, conducted by CDOT through the Urban Institute, Lebowitz Associates and WBTV, of the Charlotte-Mecklenburg market indicates the citizens hold similar attitudes towards transportation and air quality issues. The major stumbling block to achieving increased awareness or usage is an understanding of what the effect will be on the individual, i.e. cost, convenience and health. The target market for both are the same, both in demographics and attitudes.

The Air Quality Committee wishes to contract with Powell and Jones, Inc. for the reasons of coordination mentioned above and because they have already secured the use of "Ernest" for CDOT. The use of Powell and Jones, Inc. is intended for the duration of the Ernest Campaign and does not include any additional advertising strategies that the Air Quality Committee may pursue later.

The contract includes $15,671 for professional fees of Powell and Jones, Inc. and $63,704 for reimbursable expenses which include Ernest P. Worrell, Cardin and Cherry, the UNCC Urban Institute and placing the television media buy. A breakdown of the budget is attached.

Funds for the Air Quality Citizen Participation Program have been provided solely by the Environmental Protection Agency (EPA) through Section 175 grants. No city general fund money is needed for the program.

Attachment No. 8

17. Recommend approval of 15-year lease agreements with Eastern Air Lines, Inc., Delta Air Lines, Inc. and Piedmont Aviation, Inc. for Cargo Building at Airport.

The City constructed an air cargo facility in 1966 to meet airlines' requirements for cargo operations. This 29,502 square foot facility, located in the old passenger terminal area, is a steel structure with metal roof and metal siding.

Approximately 20% of the gross space is office space with the remainder being warehouse type space for sorting and handling air freight shipments.

Although the original lease agreements expired some months ago, Eastern, Delta and Piedmont continue to occupy and lease the facility at an annual rental rate of approximately $69,370 while discussions were held to determine whether it would be more feasible to renovate the old building or build a new one. These airlines requested the City to make certain improvements estimated at $320,000 to upgrade the building so that they may continue to use the premises for their air freight business.

The Airport Manager and Finance Director, have been working with the airlines to finalize a new air cargo building lease agreement with terms satisfactory to both parties. Discussions were recently concluded with the signing of the proposed 15-year lease agreements with authorized representatives of the airlines.

Council is therefore requested to approve Airline Cargo Building Lease Agreements with Piedmont Aviation, Inc., Eastern Air Lines, Inc. and Delta Air Lines, Inc. Important provisions of the proposed leases are as follows:

1. City agrees to finance and make improvements to the air cargo facility which will permit the airlines to continue to utilize these premises for their air freight business.

2. Airlines agree to lease the air cargo facility for a term of 15 years at an annual rate of approximately $118,000. The lease payments will reimburse the City for the cost of improvements throughout the lease term as well as paying the City a reasonable rate of return

for its initial investment. The terms are consistent with the City's policy that the airport be self-sustaining.

3. City is responsible for maintenance of the basic building structure, including exterior walls and roof. Airlines are responsible for their own utilities and for maintenance of the remainder of the building, including interior walls, electrical and plumbing fixtures, heating and air conditioning and truck loading docks.

Construction will be financed from the unappropriated balance of the Airport Operating Fund.

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THE CITY ATTORNEY ADVISES THAT AGENDA ITEMS NO. 18 THROUGH 44 MAY BE CONSIDERED IN ONE MOTION. HOWEVER, ANY MEMBER OF COUNCIL MAY REQUEST THAT AN ITEM BE DIVIDED AND VOTED ON SEPARATELY.

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PERSONNEL ACTIONS

18. A. Recommend approval of an amendment to the budget ordinance and table of organization for the purpose of consolidating the Office of Emergency Management with the Charlotte Fire Department.

Currently, the Charlotte-Mecklenburg Office of Emergency Management is a City/County department administered by the City and reporting directly to an Assistant City Manager. The major functions of the Office of Emergency Management are to develop and to maintain comprehensive plans for coordinated response to disasters and major emergencies within the City and County. The office has four allocated positions, and costs are shared among the federal government (50%), City (25%), and County (25%).

Under this consolidation, the Emergency Management Office will become a division of the Fire Department. This arrangement will provide the City and County with a more efficient and effective way to handle disasters. The Fire Department is the City department most directly affected by emergency situations, and thus the appropriate group to work directly with emergency planning and the emergency warning system.

This consolidation arrangement has been approved by the County Manager, the Citizens Advisory Council on Hazardous Materials, and the State Emergency Management Office.

There will no change in the funding of Emergency Management.

B. Recommend approval to grant one-time payment in retirement benefits to firemen who were retired as of June 30, 1984, or to the heirs of eligible retired firemen who have deceased since June 30, 1984, as recommended by the Board of Trustees of the Charlotte Firemen's Retirement System, in the amount of $121,859.90.

The Board of Trustees of the Charlotte Firemen's Retirement System requests authority to dispense $121,859.90 to firemen who were retired as of June 30, 1984, or to the estate of eligible retirees who are deceased. Funding is provided through an accrued, one-year surplus, which totaled $487,800 as of June 30, 1984, as reflected in the actuarial study done by Mercer-Meidinger, Inc. The payments to the retired firemen will be a one-time payment and not a permanent increase in the regular monthly benefits.

Funds will be distributed on a formula basis that will incorporate the number of years each fireman has been retired and the Cost of Living Index.

C. Recommend adoption of a Resolution amending the Pay Plan to change the pay range assignments for the classifications of Zoning Coordinator, Pay Range 25 to 26; Planner III, Pay Range 24 to 25; and Planning Assistant, Pay Range 14 to 16; add the classification of Land Development Administrator, Pay Range 23; and delete the classification of Advance Planning Supervisor, Pay Range 26.

The Personnel Department has reviewed the impact of some organization changes for the Planning Commission staff, implemented in July 1984. Based on increased responsibilities which have been assumed, it is recommended that pay range assignments be increased for the classes of Zoning Coordinator, Planner III and Planning Assistant. It is also recommended that a new classification of Land Development Administrator, Pay Range 23, be added and the classification of Advance Planning Supervisor, Pay Range 26, be deleted.

With the position trade-off, no additional funds will be needed.

D. Recommend adoption of a Resolution amending the pay plan to add the classification of Airport Electrician, Pay Range 16 ($17,587-$22,447).

The Airport Department's FY85 budget includes a new position, which has the responsibility for maintenance of Airport and airfield electrical systems. The Personnel Department has identified a need to establish a new classification of Airport Electrician to assume these responsibilities.

ITEM NO.

A survey of salaries paid to electricians locally and salaries paid to similar positions at other regional airports indicates that Pay Range 16 should allow the City to recruit and retain a qualified individual for this position. Comparisons to other City positions with similar technical and supervisory responsibilities also indicates that assignment to Pay Range 16 is appropriate.

The FY85 cost of establishing this position is approximately $12,800 which can be funded from Airport revenues.

E. Recommend adoption of a Resolution amending the pay plan to add the classes of Traffic Electronics Technician I and II, Pay Ranges 15 and 17; and Traffic Electronics Supervisor, Pay Range 20; and to delete the classes of Traffic Signals Technician, Pay Range 15 and Traffic Signals Supervisor, Pay Range 17.

The Personnel Department has completed a review of the seven positions in the Technical Support Section of the Department of Transportation's Electronic Systems Division. This section is responsible for the maintenance, repair and modification of traffic signal controllers and peripheral equipment. In recent years, the City has begun to replace its electromechanical and solid state traffic controllers with digital microprocessor devices. The maintenance of microprocessor controllers requires higher level technical skills and a more comprehensive knowledge of electronic theory and practice by employees in this section. The review indicates a need to add the class of Traffic Electronics Supervisor, Pay Range 20 and the classes of Traffic Electronics Technician I and II, Pay Ranges 15 and 17 respectively. These new class titles and accompanying pay range assignments will better describe the duties of these positions and more adequately compensate the employees for the work performed. As a result of these changes, it is proposed that the class titles no longer used be deleted from the Pay Plan.

With the position trade-offs, the FY85 cost of implementing these changes is $3,600, which can be accommodated within the current departmental appropriation.

F. Consider granting Monday, December 24, 1984 as an extra Christmas holiday for all City employees.

Traditionally, City Council has granted an additional employee holiday at Christmas. If Council chooses to do this, we propose that the extra day be on Monday, December 24.

AGREEMENT - JENKINS DRIVE

19. Recommend approval of an agreement with Walsh Corporation, Inc. and Charles Allison, Jr. Family Trust concerning Jenkins Drive.

The agreement between the Walsh Corporation, Inc. and Charles Allison, Jr. Family Trust commits the $222,000 private contribution and requires the City to use its "best effort" to complete the Jenkins Drive project within one year of receipt of the developer's contribution. The City is entitled to make reductions in the scope of the project as necessary to bring the project within available funding ($128,000 City plus $222,000 contribution, or $350,000 total). The agreement also requires the installation of a traffic signal at the intersection upon certification that 275 of Walsh's multi-family units have been occupied. The unspent portion of the $350,000, if any, is to be returned to Walsh Corporation, Inc. and Charles Allison, Jr. Family Trust. Design of the realignment project has been completed. A property transaction for the major parcel involved is on the agenda under Property Transactions.

WAIVER

20. Recommend approval of Waiver, Section 16-8 of the Charlotte City Code for the proposed Lynton Place Subdivision.

Section 16-8 of the Charlotte City Code requires a cut-off valve at the property line, behind the city water meter, which is to be used by the property owner or tenant to cut off the water in case of a service line break or other emergency, thereby eliminating the necessity of using the city curb stop located inside the meter box. The usefulness and cost of this valve, along with several other Charlotte-Mecklenburg Utility Department and Engineering Department standards and practices, have been addressed by the Housing Cost Task Force in an attempt to reduce land development costs. These reductions would presumably be reflected in lower priced dwelling units.

The John Crosland Company has proposed the Lynton Place Subdivision as a test case for several variations, including elimination of the private cut-off valve. CMUD has reached agreement with Crosland on the specifics of those within our jurisdiction and is in agreement with their proposal. However,

since the private cut-off valve is required by the City Code, a waiver must be granted by Council if it is to be eliminated.

No City funds are required.

RESOLUTIONS

21. Recommend adoption of Resolution amending the Redevelopment Plan for Redevelopment Area 3 in the Charlotte Uptown Area.

On November 8, 1982, City Council adopted redevelopment plans for the Charlotte Uptown Redevelopment Areas 1, 2, 3, and 4. On May 14, 1984, the City Council held a public hearing to consider amending the boundaries of Redevelopment Areas 1, 3 and 4 in the Charlotte Uptown Area. Areas 1 and 4 were amended. However, Council deferred action on Area 3 because the expansion of Area 3 would conflict with plans for a mixed-use development associated with a downtown coliseum. The coliseum issue has been resolved and is no longer an impediment to expanding Area 3.

City Council is now being asked to adopt the amended Redevelopment Plan for Area 3. The area that will be added is the block bounded by Davidson, Caldwell, Fourth and Fifth Streets except for the LaPointe Chevrolet property. The redevelopment plan anticipates no demolition of structures and no relocation of families, or individuals.

There is no cost or liability to the City to implement this resolution. Projects within the redevelopment area will be funded by the Tax-Exempt Loan Program administered by the Charlotte Uptown Development Corporation.

22. Consider adoption of a Resolution endorsing SpringFest '85 and authorizing the City of Charlotte to enter into an agreement with SpringFest, Inc. for SpringFest to be held April 26-28, 1985.

Adoption of the resolution authorizes:

1. The execution by the City of Charlotte of an agreement with Springfest, Inc.;

2. The temporary closing of segments of six City streets;

3. The use of City sidewalks within the boundaries of the closed streets;

4. The use of Fourth Ward Park, Settler's Cemetery, and other designated public open space within the boundaries of the closed streets for various activities;

5. The issuance of a permit for the consumption of beer and/or wine on public property during the event; and

6. The power for SpringFest to levy certain fees for vending and display privileges.

SpringFest, Inc. is a private, non-profit corporation formed and organized to create a spirit of goodwill and fellowship among the people of the area which underscores to guests and visitors the attractiveness of Charlotte for the expansion of social, cultural, and economic relationships.

Scheduled for April 26, 27, and 28, 1985, SpringFest '85 will consist of events including, but not limited to, a juried original fine arts, crafts, and photography festival; performers and live entertainment; children's activities; food vendors; arts and crafts exhibits; and participation by artists, merchants, vendors and others active in uptown promotion.

The geographic area for SpringFest, 1985, shown on the attached map in yellow, will include the area from Pine Street to College Street and Fourth Street to Seventh Street. In addition, the streets marked in blue, which include Poplar and Church Streets extending from Seventh to Tenth Street, will be available for the bike race scheduled for April 28, 1985.

Except for a slight change in the street boundaries of SpringFest (Tryon Street could not be used in 1984 because of Mall construction), the resolution is the same as the one Council adopted for SpringFest '84. Adoption of this resolution will allow ample time for SpringFest to organize and coordinate anticipated events and activities with affected property and business owners and potential participants.

Attachment No. 9

23. A. Recommend adoption of a Resolution authorizing the City of Charlotte to accept State grant offer in the amount of $232,353 for the construction of additions and alterations to the Sugar Creek Wastewater Treatment Plant.

B. Recommend adoption of a Resolution authorizing the City of Charlotte to accept State grant offer in the amount of $285,075 for the construction of additions and alterations to the Irwin Creek Wastewater Treatment Plant.

On March 12, 1984, Council authorized the City of Charlotte to submit applications requesting federal and state grant assistance for additions and alterations to the Sugar Creek and Irwin Creek Wastewater Treatment Plants. The projects, as recommended in a Supplemental 201 Study and approved by the State, would increase the plants' wastewater treatment efficiencies to levels required to meet North Carolina effluent limitations.

24. Recommend the adoption of a Resolution extending the expiration date of the land sales agreement between the City and the Third Ward Neighborhood Development Association from December 15, 1984 to December 31, 1985.

On August 24, 1981, City Council approved an agreement to sell the Third Ward Neighborhood Development Association 15.312 acres of undeveloped land in Third Ward. The Phase I transfer, consisting of approximately 3.59 acres of land, occurred shortly after the contract was approved. The balance of the property, Phase II, would be transferred to the Association in a series of closings to be held prior to June 30, 1983. On June 13, 1983, the City Council approved a resolution extending the time period for completion of the land transfer from December 15, 1983 to December 15, 1984.

The Third Ward Neighborhood Development Association now requests another extension to December 31, 1985 to purchase from the City any property that has not yet been acquired under the agreement. To this point, over eleven acres of land have been transferred to the Association and are under development. Slightly over four acres of land are yet to be conveyed and developed.

No additional funds are required.

STORM DRAINAGE IMPROVEMENTS

25. A. Recommend approval for construction of Storm Drainage Improvements on private property at 6133-6139 Bent Tree Court in accordance with the Storm Drainage Repair Policy; and that one-fifth of the cost be assessed to the Four Seasons Condominiums Homeowners Association.

In March, 1984, the Engineering Department evaluated a drainage problem on the property of the Four Seasons Condominiums at Bent Tree Court and found the need for improvements. A petition was received in October, 1984, requesting the City make improvements necessary to alleviate the problem and assess one-fifth of the cost to the Four Seasons Homeowners Association. The work required to correct the problem is entirely on private property and involves

installing approximately 170-feet of 42-inch reinforced concrete pipe and associated drainage structures at an estimated cost of $29,200. In accordance with the Storm Drainage Repair Policy, the City will pay four-fifths of the cost ($23,360) and the involved property owners will share the remaining one-fifth ($5,840).

The source of funding is the $1.5 million 1978 Storm Sewer Bond.

B. Recommend approval for construction of Storm Drainage Improvements on private property from 7008-7016 Queensberry Drive to 7041-7049 Foxworth Drive in accordance with the Storm Drainage Repair Policy; and that one-fifth of the cost be assessed to the four property owners involved.

In October, 1982, the Engineering Department received a request for study of a drainage problem affecting properties on Queensberry Drive and Foxworth Drive. Assistance was offered through the City's Storm Drainage Repair Policy. On October 26, 1984, a petition was received requesting the City make the necessary storm drainage improvements and assess one-fifth of the cost to the four property owners involved. The work required to correct the problem is entirely on private property and involves installation of approximately 176-feet of pipe and associated drainage structures at an estimated cost of $17,300. In accordance with the Storm Drainage Repair Policy, the City pays four-fifths of the cost ($13,840) and the involved property owners share the remaining one-fifth ($3,460).

The source of funding is the $1.5 million 1978 Storm Sewer Bond.

BUDGET ORDINANCE

26. Recommend adoption of a budget ordinance appropriating $1,180,000 from 1984 Airport Revenue Anticipation Notes to provide funding for renovations to the East Concourse at the Airport.

This action is necessary to provide funding for East Concourse Renovations listed below in the Bid List.

BID LIST

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

Fuel bids have been split in our continuing effort to make bidding more attractive to small and minority enterprises. Low bidders meet all requirements, including EEOC requirements. The price per gallon for fuel used in on-the-road vehicles (as opposed to mowers and tractors) includes .12c tax which is refunded quarterly to the City.

Source of Funding: Each contract establishes a unit price for fuel. Total unencumbered balance in all funds for fuels and lubricants: $3,110,695.

A. Gasoline, Section 1 All Departments

Recommendation: By General Services Director, Transportation Director and Purchasing Director that the low bid, Langham-Hill Petroleum Company, Norcross, Ga., in the amount of $1,398,750.00, be accepted for award of contract on a unit price basis.

Project Description: Gasoline is used for City owned and operated vehicles. This proposed purchase includes 625,000 gallons of regular grade gasoline and 875,000 gallons of unleaded regular gasoline which will be delivered by transport truck.

Price per gallon.....Regular Gasoline..... .9150
Price per gallon.....Unleaded Regular Gasoline.... .9450

B. Gasoline, Section 2 All Departments

Recommendation: By General Services Director, Transportation Director and Purchasing Director that the low bid, E. P. Nisbet Company, Charlotte, N. C., in the amount of $156,148.00, be accepted for award of contract on a unit price basis.

Project Description: Gasoline is used for City owned and operated vehicles. This proposed purchase includes 60,000 gallons of regular grade Gasoline and 100,000 gallons of Unleaded Regular Gasoline which will be delivered by tank-wagon truck.

Price Per Gallon.....Regular Gasoline..... .9543
Price Per Gallon.....Unleaded Regular Gasoline..... .9889

C. Diesel Fuel, Section 3 All Departments

Recommendation: By General Services Director, Transportation Director and Purchasing Director that the low bid, Langham-Hill Petroleum Company, Norcross, Ga., in the amount of $1,568,815.00, be accepted for award of contract on a unit price basis.

Project Description: This fuel is necessary for the operation of vehicles in the Charlotte Transit System and the Operations Department Sanitation Fleet. This proposed purchase includes 1,170,000 gallons of #1 Diesel Fuel and 470,000 gallons of #2 Diesel Fuel which will be delivered by transport truck.

Price Per Gallon.....#1 Diesel Fuel ..... .9725
Price Per Gallon.....#2 Diesel Fuel ..... .9170

D. Diesel Fuel, Section 4 All Departments

Recommendation: By General Services Director, Transportation Director and Purchasing Director that the low bid, Scottland Oil Company, Laurel Hill, N. C., in the amount of $77,222.50, be accepted for award of contract on a unit price basis.

Project Description: This fuel is necessary for use in diesel powered trucks and construction equipment used in City operations. This proposed purchase includes 79,000 gallons of #2 Diesel Fuel which will be delivered by tankwagon truck.

Price Per Gallon.....#2 Diesel Fuel..... .9775

E. #2 Fuel Oil, Section 5. All Departments

Recommendation: By General Services Director, Transportation Director and Purchasing Director that the low bid, Langham-Hill Petroleum Company, Norcross, Georgia, in the amount of $23,595.00, be accepted for award of contract on a unit price basis.

Project Description: #2 Fuel Oil is used for heating City owned facilities. This proposed purchase includes 30,000 gallons of #2 Fuel Oil which will be delivered by tankwagon truck.

Price Per Gallon.....#2 Fuel Oil..... .7865

F. #2 Fuel Oil, Section 6. All Departments

Recommendation: By General Services Director, Transportation Director and Purchasing Director that the low bid, Scottland Oil Company, Laurel Hill, N. C., in the amount of $42,875.00, be accepted for award of contract on a unit price basis.

Project Description: #2 Fuel Oil is used for heating City owned facilities. This proposed purchase includes 50,000 gallons of #2 Fuel Oil which will be delivered by transport truck.

Price Per Gallon.....#2 Fuel Oil..... .8575

G. 27,500 GVW Dump Truck W/Crew Cab Operations Department

Recommendation: By Operations Director and Purchasing Director that the low bid, Tar Heel Ford, Charlotte, N. C., in the amount of $27,370.00, be accepted for award of contract on a unit price basis.

Project Description: This truck will help in the newly annexed areas of Providence/Raintree to patch and repair streets.

Source of Funding: Capital Improvement Fund.

H. Repair of Detroit Diesel Engine Charlotte-Mecklenburg Utility Department

Recommendation: By Utility Director and Purchasing Director that the low bid, Covington Diesel, Inc., Charlotte, N. C., in the amount of (not to exceed) $47,850.00, be accepted for award of contract on a unit price basis.

Project Description: The diesel power generator set supplies emergency power to McAlpine Creek Wastewater Treatment Plant. The plant is currently operating without this emergency power capability.

This bid is based on a "not to exceed" basis because a truly accurate cost of repairing the engine cannot be determined until the engine is removed and disassembled.

Source of Funding: Water and Operating Furd, McAlpine Creek Treatment Plant.

I. Computer System, Section 1., Software — Engineering Department

Recommendation: By City Engineer and Purchasing Director that the low bid, Digital Design Group, Charlotte, N. C., in the amount of $10,950.00, be accepted for award of contract.

Project Description: This software in conjunction with the micro computer in section J will perform surveying type calculations, draw boundary maps, calculate and draw contour maps more efficiently, and allow greater productivity by Engineering Department personnel.

Source of Funding: General Fund, Engineering Department, Lease/Purchase.

J. Computer System, Section 2., Hardware — Engineering Department

Recommendation: By City Engineer and Purchasing Director that the low bid, Hewlett-Packard Company, Charlotte, N. C., in the amount of $43,713.07, be accepted for award of contract.

Project Description: This micro computer will perform surveying type calculations, draw boundary maps, calculate and draw contour maps more efficiently, and allow greater productivity by Engineering Department personnel.

Source of Funding: General Fund, Engineering Department, Lease/Purchase.

K. Office Furniture, As Specified — Various Departments

Recommendation: By Purchasing Director that the low bid, O. G. Penegar Company, Gastonia, N. C., in the amount of $25,507.00, be accepted for award of contract on a unit price basis.

Project Description: This requirement is for Office Furniture consisting of desks, credenzas, chairs, files and etc. to be used by various departments within the City.

Source of Funding: This contract is for office equipment in various departments. General Fund, Utility Fund and Airport Fund.

L. 65 - 4-Door Sedans, Police Special Police Department

Recommendation: By Police Chief and Purchasing Director that the low bid, Harrelson Ford, Charlotte, N. C., in the amount of $697,411.65, be accepted for award of contract on a unit price basis.

Project Description: These vehicles are needed to replace the approximately one-third of the Police Department's fleet that are nearing the end of their useful life.

Source of Funding: General Fund, Police Department Lease/ Purchase.

M. 20 - 4-Door Sedans, Standard Unmarked Police Vehicles Police Department

Recommendation: By Police Chief and Purchasing Director that the lowest responsive bidder, Harrelson Ford, Charlotte, N. C., in the amount of $210,026.00, be accepted for award of contract on a unit price basis.

The low bid of LaPointe Chevrolet Company, Charlotte, NC did not meet the specifications for engine size. The bid specified a minimum of 302 CID (cubic inch displacement), 8 cylinder engine. LaPointe offered a smaller 262 CID, 6 cylinder engine.

Project Description: These vehicles are needed to replace the approximately one-third of the Police Department's fleet that are nearing the end of their useful life.

Source of Funding: General Fund, Police Department, Lease/ Purchase.

N. Sanitary Sewer Construction Campbell Creek Outfall, Phase III Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by C.F.W. Construction Company of Fayetteville, Tennessee in the amount of $77,097.25 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend sewer service to a proposed subdivision located on Gaynelle Drive.

Source of Funding: Construction Fund. Porta Brook Homes, Inc.

O. Sanitary Sewer Construction
Sewer To Serve: I. Newell-Hickory Grove Road, 1623 Carmel Road, II. Coulwood Drive, III. Harri-Ann Drive, And IV. Stuart Andrew Boulevard

Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by C.F.W. Construction Company of Fayetteville, Tennessee in the amount of $181,286.25 be accepted for award of contract on a unit price basis. These projects are all in accordance with approved City extension policies.

Part I - Construction of these sewer lines will extend sewer service to the Newell-Hickory Grove Road Area and the Carmel Road Area. (standard extensions)

Part II - Due to a health hazard problem a sewer line needs to be extended to serve Coulwood Drive.

Part III - Construction of this sewer line will extend sewer service to Harri-Ann Drive. (annexation area)

Part IV - Due to the deteriorated condition of the existing sewer line at Stuart Andrew Boulevard, repairs are necessary.

Source of Funding: Water and Sewer Tapping Privilege Expense.

P. Sanitary Sewer Construction
Long Creek Outfall, Phase III

Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low base bid and Alternate B by Culp Brothers, Incorporated of Gold Hill, North Carolina in the amount of $332,659.00 be accepted for award of contract on a unit price basis.

Bidders were asked to bid on three alternatives for preventing inflow during flood conditions. Alternate B provides sealing the joint between the concrete section of the manhole and the frame and cover by a rubber seal held with stainless steel expansion.

Project Description: Construction of this project would extend sewer service to the Beatties Ford and Oakdale Road Area.

Source of Funding: Water and Sewer Capital Improvement Fund, Long Creek Outfall.

Q. Reedy Creek Park Well & Wellhouse — Parks & Recreation Department

Recommendation: By the City Engineer that the low bid of $26,210.80, as submitted by Lassiter Well Co., be accepted for award on a lump sum basis.

Project Description: This project includes the drilling of a well and construction of a wellhouse to house pumps, a 1,000 gallon pressurized storage tank and equipment to provide the potable water supply for the entire first phase of the park, to serve the restroom facilities, concession stands, water fountains and necessary irrigation.

Source of Funding: General Capital Improvement Fund - Reedy Creek Park.

R. East Concourse Construction — Airport Department

General Construction
Recommendation: Airport Manager recommends that the low bid by E. L. Jones and Son, Inc. of Charlotte, North Carolina, in the amount of $749,800.00 be accepted for award of contract on a lump sum basis.

Electrical Construction
Recommendation: Airport Manager recommends that the low bid by Driggers Electric and Controls Co. Inc. of Charlotte, North Carolina, in the amount of $75,694.00 be accepted for award of contract on a lump sum basis.

Mechanical Construction
Recommendation: Airport Manager recommends that the low bid by Piping Plumbing Mechanical Contractors, Inc. of Charlotte, North Carolina, in the amount of $108,831.00 be accepted for award of contract on a lump sum basis.

Plumbing Construction
Recommendation: Airport Manager recommends that the low bid by Piping Plumbing Mechanical Contractors, Inc. of Charlotte, North Carolina, in the amount of $66,516,00 be accepted for award of contract on a lump sum basis.

Project Description: Construction of this project will provide additional space at the passenger terminal to properly accommodate the general public and to alleviate congestion and inconveniences currently being experienced by passengers. This construction is part of Airport Terminal Expansion authorized by Council and is in accordance with the City's commitment with Piedmont.

Source of Funding: Airport Capital Improvement Fund (Airport Terminal Building Expansion - Phase I).

S. Word Processing System Airport Department

Recommendation: By MIS Director and Airport Director that the bid of $41,169.78 of IBM Corporation be accepted for purchase of word processing system at Charlotte/Douglas Municipal Airport.

In 1982, IBM was selected through a competitive bid process as the City's equipment vendor for a City-wide word processing system. This system has improved office worker and management productivity and has permitted sending memos, reports, etc. electronically from one office to another at considerable reduction in cost and communication time.

State law requires equipment purchases over $20,000.00 to be bid. IBM was the low responsive bid since neither Wang ($30,685.00) nor Lanier ($36,600.00) was able to provide the essential ability to electronically transmit documents to the other City systems.

Funds to support this request are contained in the FY85 Airport Department budget.

BID WITHDRAWAL REQUEST

28. Recommend the consideration of requests by the first and second low bidders to withdraw their bids on Discovery Place Addition Plumbing Contract, as allowed by G.S. 143-129.1.

The following bids were received on October 18, 1984, for the Discovery Place Addition Plumbing Contract:

R. L. Walker Plumbing Co.	$16,800.00
R & L Plumbing Co.	$17,928.00
Tri-Meck Mechanical	$25,200.00
Thompkins Johnson	$25,807.00
PPMC	$30,657.00
Alpha Mechanical	$52,829.00

Immediately after the bid opening, the first and second low bidders, R. L. Walker Plumbing Co. and R & L Plumbing Co. notified the Architect that their bids contained an error in the form of an omission of the sprinkler system, estimated at $9,100.00. Subsequently, the bidders provided written requests to withdraw their bids as allowed by G.S. 143-129.1.

The City Attorney's office has reviewed the actions by the first two bidders in this case, and has rendered an opinion that the provisions of G.S. 143-129.1 have been met, and that their bids may be withdrawn and their bid securities returned.

CONTRACT

29. Recommend approval of a contract for $75,000 with the Water Resources Research Institute in association with North Carolina State University, with Dr. H. R. Malcom as prinicipal investigator, to develop a comprehensive Stormwater Management Program for Charlotte.

In the November 16, 1984 Council/Manager memo, we provided information on a proposal to improve the City's stormwater management efforts, specifically detention requirements. Our goals are to formulate a comprehensive stormwater management program which:

1. Responds to the desire of City Council and the citizens of Charlotte for a more effective and organized approach to storm drainage improvements;

2. Responds to the desire of developers for regulations based more on actual need, allowing for the best (i.e. most cost effective) solution at each location; and

3. Establishes an equitable schedule for financing drainage improvements among developers, property owners and the City.

Attached is a recap of that information.

The total budget for the project is $75,000. The North Carolina Water Resources Research Institute has agreed to sponsor the project and provide one-third funding ($25,000). The City would fund the remaining $50,000 from the storm drainage bond account. Dr. Malcom will begin work January 1, 1985 and complete the project by December 31, 1985.

Attachment No. 10

CONTRACT AMENDMENT

30. Recommend approval of a contract amendment to extend the Metrolina Independent Living Center's Services from January 10, 1985 through June 30, 1985.

On January 10, 1984, the City executed a 12-month, $100,000 contract with the Metrolina Independent Living Center (MILC) to provide housing modifications for 40 to 65 housing units occupied by one or more physically handicapped persons in order to increase the occupants' opportunity for independent living and to retain their existing places of residence. The Contract was approved by City Council based on a 1981 survey conducted by MILC which confirmed 1980 census data indicating that there are approximately 14,512 housing units that have one occupant who is handicapped. Approximately 11,500 of these households (79%) with a handicapped occupant have annual median family incomes that are less than 80% of the City-wide median and/or are below the poverty level. Evidence of the need has been further demonstrated by the fact that MILC has met 121 percent of its goal for the first nine months of operation.

The relative success of MILC's program efforts and the strong evidence of a need for housing modifications in our community suggests the need to continue the services provided by MILC past its contract ending date of January 9, 1985. MILC will be expected to modify a minimum of 17 additional units during this six month extension. It is, therefore, recommended that $50,000 in General Revenue Sharing funds be approved to continue the Agency's contract services through the end of fiscal year 1985.

This contract is a part of Council's housing efforts funded through the CIP.

Funds for the $50,000 contract extension are available in the appropriations for the housing support agencies in the GRS Housing Account.

CHANGE ORDERS

31. A. Recommend the approval of Change Orders to expand inflight Catering Facilities at the Airport by increasing total contract amounts by $13,092.21.

On February 13, 1984, Council awarded contracts totaling $1,004,730 to expand inflight catering facilities for Dobbs. The current change orders to these contracts provide additional or revised work as requested and/or approved by Dobbs. These costs will become project costs, which are to be debt serviced by Dobbs under the terms of their lease with the City.

1. Contract - General Construction
   Beam Construction Company, Inc.
   Award Date: February 13, 1984
   Contract Amount to Date: $720,562
   Change Order No. 2: $5,852

These changes from the original contract include installation of dock bumpers, steel handrails, and a vertical ladder at the existing loading dock, miscellaneous concrete removal and installation to accommodate operational requirements, and furnishing and installing an additional refrigeration unit.

2. Contract - Electrical Construction
   Howell Electric Company
   Award Date: February 13, 1984
   Contact Amount to Date: $118,914
   Change Order No. 2: $5,601

These changes include installation of electrical service for in-flight buffet equipment, snack food conveyor belt, entree conveyor belt, and other miscellaneous equipment and relocation of existing electrical panel to new location to meet current code requirements.

3. Contract - Plumbing Construction
   Beta Construction, Inc.
   Award Date: February 13, 1984
   Contract Amount to Date: $137,312
   Change Order No. 2: $1,639.21

These changes include installation of aluminum covers on exposed water and steam piping, shut-off valves on supply water pipes, and new 3/8" airline from new air compressor to new portable

silverware wrap unit and removal of existing exposed piping from floor area and modifying existing floor drains.

Funds are available in project contingency to cover these change orders. Council previously appropriated $1,800,000 in Airport Revenue Issues to fund this project.

B. Recommend approval of change orders to contracts to construct aircraft storage facilities for general aviation at Airport by increasing total contract amounts by $5,231.

On March 12, 1984, Council awarded contracts totaling $969,750 to construct covered aircraft storage facilities on a five acre site reserved by the City in the new general aviation area. These public facilities are available for lease to airport based aircraft owners at monthly rental rates, which are comparable with similar facilities at other airports and which maintain the airport's self-sustaining financial requirements.

The current change orders to the construction contracts provide additional or revised work as requested by the City to provide additional flexibility in accommodating larger aircraft and to meet code requirements.

1. Contract - Aircraft Storage Facilities - General Construction
   Myers & Chapman, Inc.
   Award Date: March 12, 1984
   Contract Amount to Date: $906,850
   Change Order No. 1: $4,920

This change order provides additional or revised work in two basic areas. The first area amounting to $3,950 covers installation of two 49 feet bi-fold doors in lieu of the 44 feet doors specified to accommodate aircraft with a longer wing span. The second area amounting to $970 covers installation of an access manhole on the inlet to the oil separator as required by building inspection.

2. Contract - Aircraft Storage Facilities - Electrical Construction
   Port City Electric Co.
   Award Date: March 12, 1984
   Contract Amount to Date: $62,900
   Change Order No. 1: $311

This change order provides for relocation of light switch and wiring to conform to as-built location of personnel door in one of the hangar buildings.

Funds are available in project contingency to cover these changes.

C. Recommend approval of change order number one in the amount of $69,040 to the contract awarded to Gannett, Fleming, Corddry and Carpenter, Inc. on April 25, 1983 for the design of additions and alterations to the Irwin Creek and Sugar Creek Wastewater Treatment Plants.

Upon completion of the design for the additions and alterations to the Irwin Creek and Sugar Creek Wastewater Treatment Plants, the Utility Department staff reviewed both the design work and the estimated cost of the construction and determined that inadequate funds were available to accomplish the entire project as designed. In order to proceed with the EPA/State orders to begin upgrading construction in FY 85, the design firm was requested to revise the designs to delete those facilities which cannot be initially constructed. The total compensation for this additional work and service is not to exceed $54,300.

It is further recommended that a sum not to exceed $14,740 be part of the Change Order to have the design firm perform engineering work and services during the bidding phase for the upgrading work at the Irwin Creek and Sugar Creek Wastewater Treatment Plants as required by EPA.

1. Contract - General Contract
   Gannett, Fleming, Corddry and Carpenter, INC.
   Award Date: April 25, 1983
   Contract Amount to Date: $557,447
   Change Order: $69,040

Utility Director recommends approval and funds are available.

LEASE AGREEMENTS

32. Recommend approval of sublease of aircraft hangar and storage area at Airport from Thurston Aviation, Inc. to McDevitt & Street Company.

Council is requested to consent to sublease of aircraft hangar and storage area at the Airport from Thurston Aviation, Inc. to McDevitt & Street Company. The Consent is necessary for Thurston to provide hangar and storage services to McDevitt & Street. The Consent simply fulfills the requirement of the Thurston lease that there be approval of any sublease by the City.

Approval of the Consent does not involve expenditure of City funds.

33. Recommend approval of a ten year lease between the City and Spirit Square Arts Center for the parking lots adjoining the Center on College Street.

During the past two years, the City has acquired two parcels behind Spirit Square for parking. Approximately $206,000 of the $313,000 cost was provided by Spirit Square. The recommended 10 year lease, using the $206,000 contributed by Spirit Square as the lease payment, formalizes the arrangement between the City and Spirit Square concerning this property and is patterned after a similar situation at Discovery Place.

LOAN AGREEMENT AMENDMENTS

34. A. Recommend approval of the Third Amendment to Loan Agreement (Five Points) extending the terms of the loan program for the Five Points Neighborhood Strategy Area.

On December 14, 1981, the City entered into a Loan Agreement with City National Bank (now Branch Banking and Trust Company) for a $800,000 loan program for the Five Points Neighborhood Strategy Area. On May 23, 1983, City Council approved the First Amendment to the Loan Program and extended the program from June 1, 1983 to June 1, 1984. On January 9, 1984, Council approved the Second Amendment to the Loan Program and extended the program to December 1, 1984.

This Third Amendment to the Five Points Loan Agreement will extend the deadline for advancing funds under the loan program to January 1, 1985. This amendment is necessary in order to allow one remaining loan to be closed.

B. Recommend the approval of amendments to the Fourth Ward Loan Agreements.

Beginning in January, 1976, City Council has approved four loan agreements with local financial institutions to provide a source of below-market interest rate mortgage funds for prospective home buyers in Fourth Ward. The total mortgage funds provided by these four loan programs is $25 million.

It is recommended that City Council approve amendments to each loan program to extend the period of loan assumption from five to 15 years, to establish an interest rate of 9.75 percent for 1985 loan assumptions, and a method to adjust the interest rate annually. This is consistent with action Council recently took on the Third Ward loan program.

No City funds are involved. Mortgage funds are provided under the Master Note Agreements from the participating financial institutions.

C. Recommend approval of the First Amendment to Loan Agreement (Plaza-Midwood) for the Plaza-Midwood Redevelopment Area.

On August 30, 1983, the City entered into a Loan Agreement with First Union National Bank in the amount of $3,000,000 for the Plaza-Midwood Redevelopment Area.

The Loan Agreement states that the deadline for advancing funds under the program is June 30, 1985, to fund commitments issued on or before December 31, 1984. At the present time, there is one loan commitment pending approval by City Council; this loan appears elsewhere on this agenda. There will be additional loans submitted by First Union National Bank to the City for approval through June 30, 1985.

This first amendment to the Plaza-Midwood Loan Agreement will extend the deadline for advancing funds under the loan program to December 31, 1985, to fund commitments issued on or before June 30, 1985.

This amendment will also increase the 'average area purchase price' of a new or previously occupied residence and authorizes the Community Development Director to approve future amendments to the average area purchase price as they are issued by the federal government. The average area purchase price for the Charlotte area is set and periodically updated by the Internal Revenue Service. The periodic adjustments establish the limits on the size of the mortgage available to borrowers in Plaza-Midwood. This action is similar to action Council recently took regarding the Third Ward loan program.

The proposed amendment has been reviewed by officials of First Union National Bank, the staff of the Legal Department and the Community Development Department. No City funds are required to implement this amendment.

HOUSING LOANS

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

A. Recommend approval of a loan of $42,750 for permanent financing to purchase property in the Plaza-Midwood Redevelopment Area under the Plaza-Midwood Loan Program.

The Plaza-Midwood Loan Agreement between the City and First Union National Bank in the amount of $3,000,000 was entered into on August 30, 1983. The interest rate on loans under the program is 9-7/8%.

Borrower	Property Address	Loan Amount	Appraised Value
Brian Keith Capron	1721 Thomas Avenue	$42,750	$45,000

B. Recommend approval of a loan totaling $129,000 for permanent financing to purchase property in the Third Ward Area under the Third Ward Loan Program.

The Third Ward Loan Agreement between the City and North Carolina National Bank in the amount of $15,000,000 was entered into on December 14, 1981, and amended December 19, 1983. The interest rate on loans under the program is 9-3/4%.

Borrower	Property Address	Loan Amount	Appraised Value
Ernest W. Harwell	300-8 South Cedar Street	$47,850	$50,400
Kenneth Parker	809D Cates Street	43,700	46,000
William H. McGee, Jr.	300-4 South Cedar Street	37,450	40,300

C. Recommend approval of a loan totaling $36,010 for permanent financing to purchase property in the Five Points Neighborhood Strategy Area under the Five Points Loan Agreement.

The Five Points Loan Agreement between the City and City National Bank (now Branch Banking & Trust Company) in the amount of $800,000 was entered into on December 14, 1981, amended August 8, 1983 and December 30, 1983. The interest rate for loans under the program is 9-1/4%.

Borrower	Property Address	Loan Amount	Appraised Value
Linda D. Thompson	303 French Street	$36,010	$37,160

D. Recommend approval of a new loan of $47,200 to Vernon L. Foster for permanent financing to purchase property in the Third Ward Area under the Third Ward Loan Program.

On July 11, 1983, City Council approved a loan amount of $46,050 to Vernon L. Foster for permanent financing of property located at 224-2 South Cedar Street under the Third Ward Loan Program. The Community Development Department has received a request from NCNB National Bank to increase the previously approved loan amount of

ITEM NO.

$46,050 to a new loan amount of $47,200 a difference of $1,150. The difference in the loan amount is a result of added options to the unit Mr. Foster is purchasing.

REHABILITATION LOAN

36. Recommend approval of a loan agreement for $40,000 with T. V. Properties under the Rental Rehabilitation Program Demonstration.

The Rental Rehabilitation Program Demonstration is different from the City-wide rehabilitation program in that it is 1) a public/private partnership designed to encourage private reinvestment; 2) primarily for the rehabitation of occupied rental units and thus reduces the need for tenant displacement and 3) allows the participation of corporations and partnerships as well as individuals.

In the FY83 and FY84 Community Development Block Grant applications, $500,000 and $200,000 respectively in program funds were approved for use in the Rental Rehabilitation Program Demonstration with the primary objective of rehabilitating up to 124 low to moderate income rental units. To date, loans for 60 housing units totaling $313,800 have been approved with construction nearing completion. It is requested that City Council approve a loan agreement in the amount of $40,000 for use in the partial rehabilitation of 8 residential units with T. V. Properties, a partnership consisting of Mr. Joseph C. Vandevere, President of Key Realty, Inc. and Mr. Steven L. Tinsley, C.P.A. Mr. Vandevere is a member of Dundeen Court Associates with whom City Council approved a similar loan agreement in the amount of $135,000 on March 26, 1984. Twenty one of the twenty-seven units in the Dundeen Court project are now complete. Excellent workmanship and total compliance with the terms of the agreement have characterized this project.

The loan application has been reviewed by the Community Development Staff Proposal Selection Committee, and the City Loan Officer, and all criteria for qualifying for financial assistance have been met by the applicant in accordance with the requirements outlined in the Rental Rehabilitation Program Demonstration.

HOUSING CODE ENFORCEMENT

37. A. Recommend the adoption of an ordinance to demolish and remove the house located at 655 Pennsylvania Avenue declared unfit for human habitation using the In Rem Remedy and authorize the City Manager to approve contract for such work.

This house was inspected on September 4, 1984 and found to be unsafe and unfit for human habitation. The owners were notified

on September 5, 1984 that a hearing would be held on October 3, 1984 where the owners were ordered to demolish the house. The owner is unwilling to demolish the house. The estimated value of the house is $4,840, and the estimated repair cost is $15,000 which is more than 65% of the value of the house. Repairs include: installing heating system, repairing holes in floors, replacing bathroom floors, installing commode in bathroom, replacing rotten floor joists, replacing defective electrical wiring, repairing fire damaged walls, repairing fire damaged ceilings, painting all interior walls, painting all interior ceilings, replacing roof shingles, installing vinyl floor covering, kitchen floors, replacing hot water heater, painting exterior wood. The structure is open and unoccupied posing unsafe and dangerous conditions to the public.

Funds for this action are available, and a lien will be placed against this property for costs incurred.

B. Recommend the adoption of an ordinance to demolish and remove the house located at 2216 West Boulevard declared unfit for human habitation using the In Rem Remedy and authorize the City Manager to approve contract for such work.

This house was inspected August 31, 1984 and found to be unsafe and unfit for human habitation. The owners were notified on September 7, 1984 that a hearing would be held on September 24, 1984 where the owners were ordered to demolish the house by November 16, 1984. The owners are unwilling to demolish the house. The estimated value of the house is $2,055 and the estimated repair cost is $20,000 which is more than 65% of the value of the house. Repairs include replacing bathroom flooring, sills, joists, replacing roof shingles, installing screen door front, installing screen door rear, repairing foundation wall, installing window screens on all windows, replacing decayed roof sheathing, replacing decayed foundation sill, replacing defective plumbing in bathroom, repairing cracks on ceilings, repairing cracks on walls, painting all interior walls, painting exterior siding, replacing decayed kitchen flooring, repairing loose bricks in chimney top, replacing interior doors, repairing roof rafters to eliminate roof sagging. The structure is open and unoccupied, posing unsafe and dangerous conditions to the public.

Funds for this action are available, and a lien will be placed against the property for costs incurred.

C. Recommend the adoption of an ordinance to demolish and remove the house located at 2220 West Boulevard declared unfit for human habitation using the In Rem Remedy and authorize the City Manager to approve contract for such work.

This house was inspected August 31, 1984 and found to be unsafe and unfit for human habitation. The owners were notified on September 7, 1984 by Certified Mail that a hearing would be held on September 24, 1984. The owners were ordered to demolish the house by November 16, 1984. The owners were unwilling to demolish the house. The estimated value of the house is $2,055 and the estimated cost to repair the house is $15,000 which is more than 65% of the value of the house. Repairs include: replacing rotted ceiling joists, replacing rotted roof, replacing rotted floors, replacing rotted sills, replacing rotted walls, replacing rotted studs, installing missing ceilings in most rooms, installing heating equipment, repairing defective foundation walls, replacing defective foundation walls, replacing defective exterior siding, painting all interior walls, painting all interior ceilings, painting all exterior siding. The structure is open and unoccupied posing unsafe and dangerous conditions to the public.

Funds for this action are available, and a lien will be placed against the property for costs incurred.

STREET NAME CHANGE

38. Recommend renaming the portion of Plank Road that lies within the Charlotte City Limits to Old Plank Road.

Mrs. Evelyn D. Todd has submitted a request to rename the portion of Plank Road that lies within the Charlotte city limits to Old Plank Road. For years this road, which is within both the City and the County, has been known as Plank Road and Old Plank Road.

On September 4, 1984, the Board of County Commissioners approved the naming of the portion that lies in the county Old Plank Road.

Following Council's procedure for renaming streets/roads, Mrs. Todd wrote to all 20 property owners who live along the road that is in the City. She received answers from 13 agreeing with the designation of Old Plank Road. There was no response from the remaining 7.

Council's approval will provide continuity in the name of Old Plank Road.

SPEED LIMITS

39. Recommend adoption of an ordinance lowering the speed limit on seven neighborhood streets from 35 miles per hour to 25 miles per hour.

1. Covedale Drive in Sardis Woods
2. Dana Court in Slatewood
3. David Avenue in Forest Pawtuckett
4. Elsinore Place in Birnam Woods
5. Holbrook Drive in Holbrook
6. Pierson Drive in Holbrook
7. Mullens Ford Road in Foxcroft

On May 14, 1984, City Council approved a policy to permit a lowered speed limit on residential streets. The policy requires that the residents submit a petition signed by 75 percent of the residents or property owners on the street and that an engineering evaluation be conducted by the Department of Transportation to determine if the lowered speed limit is appropriate.

TAX REFUNDS

40. A. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $1,780.26 which were assessed through clerical error or illegal levy against 12 tax accounts.

B. Recommend approval of payment of interest in the amount of $3,602.38 on refund of taxes paid to the handleman Company.

UTILITY CONTRACTS

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

These are extension contracts for new subdivision development in accordance with the Water/Sewer Extension Policy.

Items 1 - 17 are to construct the entire systems at their own proper cost and expense. The City is to retain all revenue. There is no cost to the City and no funds are needed.

The Utility and Planning Directors recommend approval.

1. Investment Mortgage Company, to construct 8,105 linear feet of 8-inch sanitary sewer main to serve Quail hollow No. 4, located east of Park Road, north of Gleneagles Road and west of Quail Hollow Road, inside the City Limits of Charlotte. Estimated Cost - $202,625.00. Sanitary Sewer Job No. 621-84-104.

2. University Research Park, to construct 6,634 linear feet of 12-inch water main to serve University Research Park, Phase IC, located north of Research Drive and west of I-85, outside the Charlotte City Limits. Estimated Cost - $160,500.00. Water Contract No. 84-009.

3. John Crosland Company, to construct 1,960 linear feet of 8-inch water main, 280 linear feet of 6-inch water main and 2,640 linear feet of 2-inch water main to serve Heather Glen IV - VI Subdivision, located north of Tuckaseegee Road and east of Mulberry Church Road inside the Charlotte City Limits. Estimated Cost - $58,000.00. Water Contract No. 84-043.

4. John Crosland Company, to construct 4,986 linear feet of 8-inch sanitary sewer main to serve Old Oaks Subdivision, Section 7, located east of Idlewild Road North, south of Country Oaks Road, and north of Idlewild Road, inside the Charlotte City Limits. Estimated Cost - $124,650.00. Sanitary Sewer Job No. 621-84-147.

5. John Crosland Company, to construct 3,953 linear feet of 8-inch sanitary sewer main to serve Wessex Square, Section 6 Subdivision, located east of Rea Road, north of N.C. Highway 51 and south of Rea Branch, outside the Charlotte City Limits. Estimated Cost - $98,825.00. Sanitary Sewer Job No. 621-84-149.

6. John Crosland Company, to construct 4,978 linear feet of 8-inch sanitary sewer main to serve Somersby II Subdivision, located south of N.C. 51, east of Reverdy Lane and west of Elizabeth Lane, outside the Charlotte City Limits. Estimated Cost - $124,450.00. Sanitary Sewer Job No. 621-84-111.

7. John Crosland Company, to construct 2,866 linear feet of 8-inch sanitary sewer main to serve Heather Glen IV - VI Subdivision, located north of Tuckaseegee Road, east of Little Rock Road and west of N.C. 27, inside the Charlotte City Limits. Estimated Cost - $71,650.00. Sanitary Sewer Job No. 621-84-115.

8. John Crosland Company, to construct 2,391 linear feet of 8-inch sanitary sewer main to serve Wessex Square Subdivision, located east of Rea Road, north of N.C. Highway 51 and south of Rea Branch Road, outside the Charlotte City Limits. Estimated Cost - $59,775.00. Sanitary Sewer Job #621-84-110.

9. John Crosland Company, to construct 2,278 linear feet of 8-inch sanitary sewer main to serve Touchstone, Section II Subdivision, located south of N.C. Highway 51, west of Elm Lane West and north of Four Mile Creek, outside the Charlotte City Limits. Estimated Cost - $56,950.00. Sanitary Sewer Job No. 621-84-143.

10. Deer Hill Limited Partnership, to construct 1,365 linear feet of 8-inch sanitary sewer main to serve Deer Hill Partnership Property, located on U.S. Highway 21, north of Gilead Road, east of U.S. Highway 21 and south of Stumptown Road, outside the Charlotte City Limits. Estimated Cost - $34,125.00 Sanitary Sewer Job No. 621-84-136

11. Carmel Land Company, to construct 6,483 linear feet of 8-inch sanitary sewer main to serve Belingrath, Section I Subdivision, located east of Quail Hollow Road, north of McMullen Creek, and south of Sharon View Road, outside the Charlotte City Limits. Estimated Cost - $162,075.00. Sanitary Sewer Job No. 621-84-134.

12. Wexford Associates, to construct 3,163 linear feet of 8-inch sanitary sewer main to serve Wexford Section II Subdivision, located north of N.C. Highway 49, east of Harris Houston Road and south of Mallard Creek, outside the Charlotte City Limits. Estimated Cost - $79,200.00. Sanitary Sewer Job No. 621-84-141.

13. Derita Properties, Inc., to construct 2,220 linear feet of 8-inch water main, 3,365 linear feet of 6-inch water main and 1,605 linear feet of 2-inch water main to serve Poplar Springs Subdivision, located south of Gibbon Road and east of Garvin Drive, outside the Charlotte City Limits. Estimated Cost - $91,000.00 Water Contract No. 84-059.

14. Crow-Childress-Klein #8, to construct 2,135 linear feet of 12-inch water main to serve Site At 5100 West W.T. Harris Boulevard via David Cox Road, located east of N.C. Highway 115 and north of Gibbon Road, outside the Charlotte City Limits. Estimated Cost - $51,000.00. Water Contract #84-058.

15. James E. Body & Associates, to construct 10,981 linear feet of 8-inch water main and 85 linear feet of 2-inch water main to serve Touchstone Subdivision, located south of Highway 51, east of Carmel Road, outside the Charlotte City Limits. Estimated Cost - $175,000.00. Water Contract No. 84-052.

16. Carolina Fincorp, to construct 5,973 linear feet of 8-inch sanitary sewer main to serve Silverwood Subdivision, located north of Robinson Church Road, east of Plott Road and west of Alanbrook Drive, outside the City Limits of Charlotte. Estimated Cost - $179,190.00. Sanitary Sewer Job No. 621-84-121

17. Carolina Fincorp, to construct 1,345 linear feet of 6-inch water main, and 2,485 linear feet of 2-inch water main to serve Silverwood Subdivision, located east of Plott Road, north of Robinson Church Road and west of Alanbrook Drive, outside the Charlotte City Limits. Estimated Cost - $40,500.00. Water Contract No. 84-072.

Item 18 is a 15-year reimbursable contract with the applicant to deposit 10% of the estimated cost now and the remaining 90% will be deposited prior to construction. No funds are needed from the City.

18. Davis H. Robinson, to construct 1,600 linear feet of 10-inch sanitary sewer trunk to serve Rumple Road, located north of High Ridge Lane, south of Mallard Creek Road and east of Sugar Creek Road, outside the Charlotte City Limits. Estimated Cost - $80,000.00. Sanitary Sewer Job No. 621-84-155.

PROPERTY TRANSACTIONS

42. Recommend approval of the following right of way acquisitions.

A. Acquisition of 252 square feet for a radius improvement at 201 Walnut Avenue, from Luther D. Grissett and Pinkie Mae Grissett, for $350.00, for Proposed Right of Way - Walnut Avenue at Sumter Avenue. (Right of Way Agreement)

B. Acquisition of 25 square feet, at 1501 East Third Street, from International Automobile and Travel Club, Inc., for $1.00, for Sidewalk Easement - East Third and South Torrence Streets. (Permanent Easement)

C. Acquisition of 2,464 square feet plus a temporary construction easement, at 7820 Idlewild Road, from Sara H. Wright, for $1.00, for Proposed Right of Way - Ware Road. (Right of Way Agreement)

D. Acquisition of 84 square feet for a permanent utility easement, at 5925 Albemarle Road, from The Firestone Tire and Rubber Company, for $500.00, for Jenkins Drive Realignment. (Permanent Utility Agreement)

E. Acquisition of 911 square feet of permanent drainage easement plus a temporary construction easement, at 1900 Nassau Boulevard, from Yvonne Parnell Hawes, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

F. Acquisition of 209 square feet of permanent drainage easement, at 1836 Nassau Boulevard, from Rosa M. Simpson, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

G. Acquisition of 701 square feet of permanent drainage easement plus a temporary construction easement, at 1910 Thurmond Place, from James T. Conder and wife, Evelyn S. Conder, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

H. Acquisition of 3,051 square feet of permanent drainage easement, at 1840 Nassau Boulevard, from Brenda J. Thornburg and Sharon K. Sapp, for $1.00, for Nassau Boulevard Storm Drainage. (Permanent Easement)

I. Acquisition of 371 square feet of permanent drainage easement plus a temporary construction easement, at 1908 Nassau Boulevard, from Bruce Harkey and wife, Betty Harkey, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

J. Acquisition of 626 square feet of permanent drainage easement plus a temporary construction easement, at 1914 Nassau Boulevard, from Melanie S. Bussard, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

K. Acquisition of 1,868 square feet of permanent drainage easement plus a temporary construction easement, at 1920 Nassau Boulevard, from J. Kenneth Nimblett, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

L. Acquisition of 1,499 square feet of permanent drainage easement plus a temporary construction easement, at 1945 Thurmond Place, from John D. Jones and wife, Pauline D. Jones, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

M. Acquisition of 181 square feet of permanent drainage easement, at 1939 Thurmond Place, from Ruth H. Blake, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

N. Acquisition of 1,279 square feet of permanent drainage easement plus a temporary construction easement, at 1933 Thurmond Place, from Richard G. Canady, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

O. Acquisition of 1,519 square feet of permanent drainage easement plus a temporary construction easement, at 1927 Thurmond Place, from William R. Teague, Jr. and wife, Charlotte D. Teague, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

P. Acquisition of 2,122 square feet of permanent drainage easement plus a temporary construction easement, at 1921 Thurmond Place, from Louvera B. Fowler, for $1.00, for Nassau Boulevard Storm Drainage Improvements. (Permanent Easement)

Q. Acquisition of 1,752.72 linear feet, at vacant land on Plott Road, from The Mathisen Company, for $1.00, for Sanitarv Sewer Right of Way to Serve Mill Valley - Section III. (Easement)

R. Acquisition of 41,799 square feet of land, at 2200 Monument Street and 2140 Remount Road, from Louise Cook Lawing, for $42,500.00, for the Dowd House Land Acquisition. (Option)

CONDEMNATIONS

S. Recommend adoption of a resolution of condemnation for 17,629 square feet plus various easements, at 5933 Albemarle Road, from W. A. H., Inc. and any other owners of record, for $195,000.00, for Jenkins Drive Alignment.

T. Recommend adoption of a resolution of condemnation for an entire parcel, at Reservoir Street and Condon Street, owner unknown, for $1.00, for Five Points Neighborhood Strategy Area.

BID REJECTION

43. Recommend rejection of the bid of $19,572.39 for the sale of land known as Block 22, Parcel No. 1, located at 614 E. 9th Street to Bishop W. McCullough, Trustee of the United House of Prayer for all People in the First Ward Urban Renewal Area and return their good faith deposit of $1,957.24.

On August 11, 1982, a bid was received from the House of Prayer for the purchase and development of 20 rental apartment units at Block 22, Parcel No. 1, located at 614 East 9th Street in the First Ward Urban Renewal Area. The Lane/Frenchman Plan, as approved by Council on August 8, 1983, recommended townhouse condominiums be developed on this site with a density of 10 dwelling units per acre. The developer came before Council at its November 14, 1983, meeting and offered a proposal to build a high-rise building for the elderly instead of his original proposal. Action was deferred on approving the sale until questions could be resolved regarding the proposal.

Subsequently, a detailed staff analysis by the Planning Commission concluded that a high-rise building would be out of scale with the existing surrounding residential neighborhood and noted the "negative impact that a tall building would have on the relocated and renovated single family houses" in the immediate vicinity on the site. It should also be noted that the site is not properly zoned to allow for a high-rise structure and therefore is inconsistent with the Lane/Frenchman Plan.

Engineering/Real Estate and the Community Development Department concur in this request.

ENCROACHMENT AGREEMENT

44. Recommend that City Council authorize the Mayor to execute an Encroachment Agreement between CTHL Properties and the City for the construction of curb, gutter, and sidewalk on North College Street.

CTHL Properties, a Partnership, is currently rehabilitating the building located at 324 North College Street which is at the corner of East 7th Street. In the remodeling process, CTHL desires to also improve the curb, gutter and sidewalk contiguous to the building. The improvements consist of a 6" vertical curb in accordance with Charlotte-Mecklenburg Standard No. 10.18 and a handicap ramp at the corner of Seventh and College Street. CTHL Properties will construct and maintain these improvements at their expense and keep in force a general liability insurance policy as required and approved by the Insurance and Risk Management Agency. Plans and graphics have been submitted to and approved by the City Engineering staff. There are no City funds involved with this request.

- SCHEDULE OF MEETINGS -
December 10 - December 14, 1985

Monday, December 10	Council/Manager Luncheon Discussion of Legislative Program Utility Extension in Six Mile Creek Basin Training Center	12 00 noon
	Citizens Hearing and Council Discussion Report from Community Development & Housing Committee on Housing Authority Request	2 00 p m
	City Council Meeting City Hall Council Chamber	3·00 p.m.