AGENDA

Meeting Type.	BUSINESS
Date:	07/27/1987

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Harvey B. Gantt *Mayor Pro Tem Al Rousso*

Charles S. Dannelly *Cyndee Patterson*
Gloria Fenning *Pamella G. Patterson*
Ann Hammond *Minette Conrad Trosch*
Ron Leeper *Richard Vinroot*
Roy Matthews *Velva W. Woollen*

Council Agenda

Monday, July 27, 1987

12:00 - 1:15 PM. . . . . Council-Manager luncheon/agenda and Council discussion
1:15 PM . . . . . Airport landscape master plan
2:00 PM . . . . . Citizens Hearing
2:30 PM . . . . . Awards and employee service pins
3:00 PM . . . . . Council Meeting

ITEM NO.

1. Invocation by the Rev. Thomas R. Walsh of St. Gabriel's Catholic Church.

2. Consider approval of minutes of the Regular Meetings on April 27 and May 11, 1987; Zoning Meeting on May 18 and Special Meeting on June 2, 1987.

PUBLIC HEARINGS

3. A. Conduct a public hearing to abandon a portion of Wensley Drive.

B. Recommend adoption of a resolution to close a portion of Wensley Drive.

The Archdale Church of Christ submitted a petition to abandon a portion of Wensley Drive off the 2500 block of Archdale Drive. The portion in question is not maintained; it is approximately 228 feet long and 50 feet wide. The property on either side is owned by the church and the City of Charlotte, respectively. The intent is to incorporate the right of way into the abutting parcels to provide for a second entrance/exit on Archdale Drive for the church. The church is negotiating with the City to purchase the land adjoining Wensley Drive. The abandonment will provide the church with a single tract for possible expansion.

All City departments, private utility companies and the Montclaire South Neighborhood Organization were notified and concur with the abandonment.

No City funds are involved.

A map is attached.

Attachment No. 1

4. A. Conduct a public hearing on the sale of land to Wall's Welding and Fabrication Inc., in West Morehead Neighborhood Strategy Area known as Block 32, Parcel No. 9, located at 1105 South Graham Street.

B. Recommend approval of the negotiated sale of land to Wall's Welding and Fabrication Inc., in West Morehead Neighborhood Strategy Area known as Block 32, Parcel No. 9, located at 1105 South Graham Street for a price of $18,216.00.

N. C. General Statute 160-A 457 (4) permits the City to negotiate a private sale of land; however a public hearing must first be held prior to approval of the sale.

The Redevelopment Plan for West Morehead provides for the disposal of acquired land for development by public or private parties. The appraised value of the property as determined by the review appraiser was $18,216.00. A proposal was received at the Real Estate Division on May 4, 1987 from Clarence W. Wall, D/B/A Wall's Welding and Fabrication, Inc., in the amount of $18,216.00 for 15,840 square feet of land. The proposed development is for a 4500 square foot metal building to accommodate Mr. Wall's Welding and Fabrication operations at a construction cost of $60,000.00. It is expected that two additional permanent employees will be employed after the project is completed. The remainder of the property will be utilized for parking and adequate landscaping provided. The disposal of this parcel will assist in meeting the objectives as set forth in the Redevelopment Plan for West Morehead.

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

A map is attached.

Attachment No. 2

5. Conduct a public hearing to obtain the views of citizens on three proposed ordinances to amend the Charlotte Housing Code.

At its April 6, 1987 meeting, Council adopted the Housing Policy Plan. As a part of this plan, Council agreed to consider the following amendments to the Housing Code:

1. Civil Penalties
2. Insulation Requirement
3. Unsafe Dwellings

The proposed Housing Code changes would strengthen the City's housing preservation efforts and provide disincentive to property owners who are not complying with the Code.

Summaries of the amendments are attached for your information.

On June 22, 1987 Council took action to set the public hearing date and in accordance with State law, a notice was published in The Charlotte Observer on July 17 and July 24, 1987. Also, numerous organizations, including the Board of Realtors, Charlotte Chamber, Homebuilders Association and Apartment Association, have been notified of the public hearing.

Attachment No. 3

POLICY

6. Consider a report from the Budget Advisory Committee concerning Mayor and Council compensation.

Information on this item will be sent in the July 24, 1987 Council-Manager memorandum.

7. Recommend authorization to proceed to conduct a bond referendum on November 3, 1987.

After review and discussion of the proposed Capital Improvement Program in March and June, Council approved the FY88-92 Capital Improvement Program resolution on June 22, 1987. The five-year financing plan recommends that voter approval be sought in November, 1987 for General Obligation bonds totalling $101,973,000. Actions necessary for the issuance of these bonds need to be implemented according to an established bond calendar. This calendar is in conformance with requirements of the Local Government Commission.

Council is requested to authorize the City Manager to proceed to implement actions required for a November 3, 1987 bond referendum.

Attached is the bond referendum calendar and descriptions of the proposed capital projects.

Attachment No. 4

8. A. Recommend approval of Airport Master Plan Update, and F.A.R. Part 150 Airport Noise and Land Use Compatibility Program.

The Federal Aviation Administration requires that Airport Master Plans be updated periodically as a basis for on-going Airport improvement projects and Federal participation in the funding of these programs. The most recent complete master plan for the Airport was prepared in 1968, with partial updates and revisions in the period through 1978. In March, 1985, the City hired a nationally recognized airport planning firm, Howard, Needles, Tammen & Bergendoff, to update the Airport Master Plan. This update was conducted in accordance with FAA's requirements and has been funded with 75% Federal participation. The objective of a master plan is to provide guidelines for long-term development which will accommodate future aviation demand, while addressing environmental and socio-economic issues.

An important element of planning programs for airports is noise compatibility planning. Technical information gathered during the Airport Master Plan process provides a data base from which the impacts of noise on the airport environs can be determined and integrated into community planning decisions. Noise compatibility programs which are developed in accordance with Federal Aviation Regulations (F.A.R. Part 150) and approved by the FAA are eligible for 80% Federal funding.

The Airport Master Plan Advisory Committee was established to monitor and assist in the planning work. This group has a broad base including airport, city, county, business, and neighborhood representation. Also, seven public meetings and five open house workshops were held during the study to brief interested citizens and to receive their comments and input.

On February 5, 1987, a public hearing on the Airport Master Plan was held before City Council at West Mecklenburg High School. Subsequently, three workshops were held with Council to resolve several policy issues. At the most recent workshop on July 2, Council gave policy direction on issues which have been raised during the master planning process.

Council is requested to take the following actions:

1. Approve the Airport Master Plan update as a general guideline to future development of the Airport. Approval of the plan by City

Council does not approve funds or initiate any individual projects associated with the Master Plan. Each project will have to be evaluated on its merits at the time the need for the project becomes imminent. Certain projects will require environmental assessments including public hearings as well as detailed financial analysis.

2. Approve submission of Airport Noise and Land Use Compatibility (F.A.R. Part 150) program to the Federal Aviation Administration.

Below is a summary of the policies informally approved by Council on July 2 and for which formal approval is now being requested.

Airport Master Plan Issues
Informal City Council Decisions of July 2, 1987
Recommended for Final Approval July 27, 1987

Issue #1: Airport Master Plan/Part 150 Goals

Decision Point: Does the Council support the original goals set forth prior to the master plan planning process?

- Goal summary: to continue meeting the needs of the airport by providing for all future expansion opportunities. (Attached: detailed goals and objectives presented at a Council luncheon prior to beginning the master planning process).

Decision Point: If not, does Council want to consider a goal of limiting growth to supporting only the economic development needs of the community?

- Process:
  1. define community/regional economic development needs
  2. define airport expansion required for needs
  3. reevaluate master plan proposal
  4. renegotiate airline leases
- Time: Approximately 12-18 months for economic projections and planning study utilizing 2005 planning information: 6-12 months for airline negotiations.

Recommendation: Reaffirm the original goal while adding the statement "and developing processes to ensure neighborhood and community awareness and involvement in the implementation of these expansions and recognize the need to

accommodate growth while reconciling noise and land use issues."

July 2 Council Decision:
The Council supports the original goals set forth prior to the master planning process. Further, the Council supports the following additional goals for the airport master planning process:

A. That effective, progressive noise abatement be a City priority.

B. That developing appropriate land use for noise sensitive and noise impacted areas be a City priority.

C. That active involvement of Westside airport neighbors in the airport decision making process is desirable and should be sought.

D. That an annual report be made to City Council detailing community relations achievements and status of noise abatement and land use compatibility efforts.

Issue #2: A Process for Reviewing the Implementation of the Master Plan and Part 150 Program

Decision Point: Expand the charge of the Airport Advisory Committee to include:

- monitor and advise Council on implementation of Master Plan and Part 150 Program;
- monitor and advise Council on a staff developed neighborhood relations program to provide information, education, and opportunities to discuss issues, and
- evaluate the process to address noise issues and make recommendations to council.

Decision Point: Expand the size of the Airport Advisory Committee to twelve members:

4 representing four specific neighborhoods,
1 from the Charlotte Chamber,
1 from the airline,
1 from a concessionaire,
1 from an airport related industry,
1 Planning Committee member,
1 at-large citizen,
1 fixed-base operator and
1 air cargo user.

Decision Point: Add a senior planner to the Planning staff to be funded by the Airport Fund through departmental charges whose responsibility would be to deal with issues that relate to the airport's impact on land use on the west side. This person and the Airport staff person would be staff to the Airport Advisory Committee.

Recommendation:

1. Based on Council recommendation that the Airport Advisory Committee stay at its current size and that they be given the authority by Council to appoint subcommittees of citizens that report to the Airport Advisory Committee on specific issues and concerns.
2. That the charge be expanded to include:
   - o monitor and advise Council on implementation of Master Plan and Part 150 Program;
   - o monitor and advise Council on a staff developed neighborhood relations program to provide information, education, and opportunities to discuss issues, and;
   - o evaluate the process to address noise issues and make recommendations to Council.
3. That a senior planner be added to the Planning staff and assigned to the airport to look at the airport's impact on land use and to be funded through departmental charges by the airport.
4. That the City Council make use of the tools available to them, including executive sessions and the number of vacancies currently on the committee to make appointments so that the committee's overall makeup will represent competing interests and understanding of the Council intent for airport development through their approved actions through the master plan.

July 2 Council Decision:

The Council expands the charge of the Airport Advisory Committee to read as follows:

1. Monitor and advise Council on implementation of Master Plan and Part 150 program and actively seek state of the art improvements to the Charlotte noise abatement program.

2. Monitor and advise Council on a staff developed neighborhood relations program to provide information, education, opportunities to discuss issues and opportunities to address and correct problems.

3. Evaluate the process to address noise issues and make recommendations to Council regarding the betterment of the overall noise environment.

Further, the Council directs the following actions·

The Airport Advisory Committee be expanded from seven to nine members, with two members representing Westside community interests, two members representing aviation interests, and five members with community-wide interests. The majority of all members will be residents of Charlotte.

The City Council will make use of the tools available to them, including executive sessions and the number of vacancies currently on the committee, to make appointments so that the committee's overall makeup will represent competing interests and understanding of the Council intent for airport development through their approved actions through the Master plan.

Specific issues, e.g., impact on schools, land use and impact of airport expansion on land use, transportation and urban design, will be addressed by an Airport Technical Committee, which would evaluate alternatives and report to the Airport Advisory Committee for recommended actions to City Council. This committee would be made up of representatives from Airport, Planning, Transportation, County, School Board, FAA, and Airlines and appointed by the City Manager.

A senior planner be added to Planning Staff and assigned to the Airport to look at the airport's impact on land use and advise the Airport Advisory Committee on land use issues. This position would be funded through departmental charges by the airport.

Issue #3: Wilkinson Boulevard Intersection with Entrance Road

Decision Point: Should there be a major entry point to the airport from Wilkinson Boulevard?

Recommendation:

1. That the Transportation Technical Coordinating Committee should develop a concept for the airport entry road's intersection with Wilkinson Boulevard with the pros, cons, and cost of such a concept.
2. That City Council would consider and decide whether to recommend to the MPO for approval an amendment to the Thoroughfare Plan, and that such a recommendation should be received by January 1, 1988.

July 2 Council Decision

The City Council supports the staff recommendations outlined above.

Issue #4: Airport Urban Design Considerations

Decision Point: Is there a need to develop a landscaping program for all the airport's edges which will buffer adjacent land uses and improve the image of the airport?

Decision Point: If so, who should develop the program and monitor the implementation of the program?

Decision Point: If so, should landscaping include features such as berms, buffers and barriers to reduce ground noise?

Decision Point: If so, should the plan include increased maintenance of edge areas, including ground maintenance and litter pickup at a higher level than current?

Decision Point: If so, should the plan include the development of airport properties for such activities as observation parks, golf course, picnic parks, etc?

Recommendation: That the Airport staff and, if approved, Airport Planner from the Planning staff be given the charge to develop a process for involving citizen review and comment on proposed landscaping, park, and maintenance plans. That this be reviewed and a recommendation made by the Airport Advisory Committee and that Council take final action on such plans. Plans should be developed during FY88.

July 2 Council Decision

The Council supports the following statements with regard to airport urban design considerations:

The Airport staff and the Airport Planner from the Planning staff is charged with the responsibility to develop a landscaping and maintenance program for all airport edges which will buffer adjacent land uses and improve the image of the Airport, urban design features of the airport terminal and adjacent parking areas and the Airport gateway image. This program will involve a process for citizen review and comment on proposed landscaping, park, berms, buffers, and barriers to reduce ground noise and will be reviewed by the Airport Advisory Committee for recommendations to Council during FY88.

Issue #5: Airport Noise Monitoring Program

Decision Point: What type of noise monitoring program does Council want to implement?

1. Systematic monitoring by noise consultants.
2. Airport purchase portable units to respond to complaints, to verify noise contours and to establish ongoing measurements at West Mecklenburg High School or other schools as required.
3. Combination of (1) and (2).
4. Install a permanent monitoring system.

Recommendation: The Airport should purchase portable noise monitoring equipment which would be used in a frequent and random manner to verify noise levels and to respond to individual complaints and would be used to provide an ongoing reading of noise at West Mecklenburg High School initially and other sites as recommended in the future. Systematic semi-annual noise monitoring by noise experts should also be implemented to evaluate total noise contours to check their validity. This program should be reviewed periodically by the Airport Advisory Committee for evaluation and recommendation to Council. (#3 above)

July 2 Council Decision

The Council supports the staff recommendation outlined above.

Issue #6: Noise Abatement Program

Decision Point: Does Council support the consultants' recommendations for noise abatement which include:

- Extend 36R by 1000 feet to the South.
  Issue: Impact on Whipporwill Hills subdivision to South, however provides significant benefit to residential areas north of 36R.
- Use of SW turn of 10,000 ft. Runway.
  Issue: Impact on Garrison Road area, Southwest, however, provides significant benefit to residential properties south and schools to the south.
- Encourage greater user of Stage III aircraft by economic and operational incentives.
  Issue: Impact on institutions and residents at night, however, provides significant incentives for airlines to increase percentage of Stage III aircraft.

Recommendation: That the Airport Manager pursue implementation of the consultants' recommendations and, in addition, that a goal be established that the Airlines operating at Charlotte be encouraged to achieve the national percentage of Stage III operations by 1992. If goal is achieved by 1992, Council may allow flexibility in present abatement procedures such as Sunday morning landing privileges for Stage III aircraft and later landings at night for Stage III aircraft.

July 2 Council Decision

The Council supports the staff recommendation outlined above without taking a position on the use of the southwest turn from the 10,000 foot runway. It is with the understanding that implementation of the southwest turn from the 10,000 foot runway and extension of Runway 36R by 1,000 feet to the South will require extensive environmental evaluation with public hearings prior to a decision to implement these actions.

Issue #7: Land Use Management

Decision Point: Does Council support the consultants' recommendations for land use management in order to manage growth in areas impacted by Airport noise?

A summary of the emphasis of the consultants' recommendations with projected cost is listed below:

75Ldn+	Emphasize acquisition 64 SF and 8 MF dwelling units Projected Cost: $3,600,000
70 - 75 Ldn	Emphasize corrective measures i.e., sound insulation, purchase assurance, avigation easements 233 SF and 184 MF dwelling units Projected Cost: $6,000,000
65 - 70 Ldn	Does not provide cost for soundproofing Emphasize preventive measures Land Use Planning, zoning, programming public improvements, etc.

It should be noted that the recommended corrective measures are programmed based on availability of Federal funds at the rate of $1 Million annually.

Recommendations: That Council support the consultant and Planning Committee's policy recommendation as follows:

A. Ldn 65-70 Noise Zone

Policy: Noise exposure in this zone is a negative factor for residential development as stated in the Airport Master Plan. However, this noise zone affects an enormous amount of land, much of which is already developed residentially. Therefore, residential development should be allowed in this area at lower densities using noise attenuation measures in the construction of new homes. Soundproofing existing homes should be considered in this zone.

1. Land Use Planning

2. Zoning for Compatible Development
3. Zoning Performance Standards
4. Dedication of Avigational Easements
5. Farm Land Preservation
6. Programming Public Improvements
7. Public Information Program
8. Soundproof Public Buildings

B. Ldn 70-75 Noise Zone

Policy: The Land Use Policy for this zone should be to encourage compatible new development while reducing existing non-compatible land uses. Measures other than land use controls will be necessary to modify existing development in this noise zone.

1. Purchase Assurance Program
2. Soundproof Private Residences
3. Purchase Avigational Easements
4. Acquire Developed Property

C. Ldn 75+ Zone

Policy: The Land Use Policy in this noise zone is to ensure compatible land uses such as commercial, industrial or open space.
Non-compatible properties should be acquired for airport use and control. Land use measures applicable to this noise zone are listed below.

1. Airport Acquisition
2. Compatible Zoning

Implementation of the land management program will begin after the approval of the Part 150 study by the FAA. This is anticipated to take up to a year. Implementation will then depend on the level of funding available. When FAA approval has been received, a priority ranking will be set for implementation. Land use recommendations will be implemented through the Dixie/Berryhill plan, a re-working of the Steele Creek plan and through the Southwest District plan to be initiated during FY/88.

July 2 Council Decision:

The Council supports the recommendations outlined above. Further, the Council wishes to pursue soundproofing of residential properties in the 65 - 70 Ldn and directs staff, through the Airport Technical Committee and Advisory Committee process, to come back with financial options for soundproofing these properties. The Council also desires accelerating the 10 year soundproofing program schedule to 6 years, if possible.

The Council supports planning of the total airport area.

Issue #8: Airport Master Plan

Decision Point: Does Council support approval of the Airport Master Plan Update as a general guideline to future development of the Airport? Approval of the plan does not approve funds or initiate projects, etc.

A list of projects by time frame follows:

1987 - 1990

Extend Runway 18L/36R by 1000 feet to the South

Taxiway improvements
Construction of an International Facility with 2 boarding gates
Extension of Concourse B
Reconfiguration of terminal loop roadway
Expansion of FBO and Air Cargo Facilities
Acquisition of 323 acres of land

1991 - 1995

Additional taxiway improvements
Extension of Concourse A
Additional automobile parking, FBO and Air Cargo Facilities
Acquisition of 276 acres of land

1996 - 2005

Construction of a new 8000 foot north/south runway
Additional extension of Concourse A and D
Additional automobile parking, FBO and Air Cargo Facilities

Decision Point: If not, does Council wish to modify some or all of the Master Plan recommendations?

- Land Acquisition - Property owners are concerned property will be unsaleable until the Airport decides to buy it.
- Construction of Fourth Runway - Neighbors are concerned that 4th Runway will have significant impact on westside land use.

Recommendation: That Council approve the Airport Master Plan as general guidelines for future development of the Airport.

- That Council support a policy for the expenditure of airport funds but is based on the following priorities subject to the availability of funding and the need of property for physical development at the Airport:
  1. Residental property located above 75 Ldn
  2. Property owners are willing to negotiate based on "fair market value" established in accordance with City and FAA requirements. (Present policy is that 2 appraisals are made by a MAIB appraiser selected from the city's list. A third appraiser is retained to make a recommendation on price and then a sale is negotiated.)
  3. Meets staging requirements within the appropriate 5 year period
  4. Property in the 70-75 Ldn
  5. Property in the 65-70 Ldn
- That the Airport Advisory Committee make recommendations to Council on the timing for construction of 4th Runway and at that time an extensive evaluation be conducted to evaluate the need, involve citizens and meet environmental requirements.

July 2 Council Decision:

The Council supports the staff recommendations. The Council wishes to emphasize that no decision on the 4th Runway is being made at this time and that the Airport Advisory Committee is to make recommendations on the timing of the construction and that extensive evaluation and citizen involvement will be part of the decision making process.

B. Recommend adoption of a resolution expanding the membership of the Airport Advisory Committee and specifying the committee's duties.

In discussions of the Airport Master Plan and Part 150 Program, Council identified the need to establish a process for reviewing the implementation of these programs and a process to address specific issues outside of the scope of the Master Plan. At the Council

workshop on July 2, Council informally approved expanding the charge of the Airport Advisory Committee to include:

1. Monitor and advise Council on implementation of Master Plan and Part 150 program and actively seek state of the art improvements to the Charlotte noise abatement program.

2. Monitor and advise Council on the staff developed neighborhood relations program to provide information, education, opportunities to discuss issues, and opportunities to address and correct problems.

3. Evaluate the process to address noise issues and make recommendations to Council regarding the betterment of the overall noise environment.

As part of the review process, Council requested that an annual report be made detailing community relations achievements and noise abatement and land use compatibility efforts.

Additionally it was suggested that the size of the Airport Advisory Committee be expanded from seven to nine members, with two members representing westside community interests, two members representing aviation interests, and five members with community wide interests. Currently two members are appointed by the Mayor and five members are appointed by Council. The majority of the members are to be residents of Charlotte. With the expanded committee, it is recommended that three members be appointed by the Mayor and six members be appointed by the City Council. Initially,the terms of the appointments should be staggered in order to maintain a continuity to the committee. This can be accomplished by Council appointing five members, one with a one-year term, two members with a two-year term and two members with a three-year term.

In order to address specific issues, e.g. impact on schools, land use and impact of airport expansion on land use, transportation and urban design, an Airport Technical Committee would be established which would evaluate alternatives and report to the Airport Advisory Committee for recommendations to City Council. This committee would be chaired by the Airport Manager and made up with representatives from Planning, Transportation, County, School Board, FAA and airlines, and appointed by the City Manager.

C. Recommend: (1) approval of an additional Planner II position (airport planner) as per the Airport Master plan recommendations, and (2) adoption of a resolution amending the Planning Department table of organization to add the Planner II.

In the discussions of the Airport Master Plan and Part 150 program, Council on July 2 identified the need to add an airport planner

position to the Planning staff to address airport related land use and noise issues.

The request would place an additional Planner II position in the Planning staff. The planner position would deal with issues that relate to the airport's impact on land use on the west side. Specifically, this planner would be responsible for the southwest district plan which will include all areas impacted by airport noise, advising Planning Commission and the Airport Advisory Committee on land use issues, and function as secretary to a new Airport Technical Committee.

Funding would come from the Airport Fund through departmental charges.

9. *Consider redefining the charge of the Special Transportation Advisory Committee.*

In 1979, the Special Transportation Advisory Committee (STAC) was created by Council, and given charges to:

- consolidate all City controlled vehicles performing human service transportation under the Special Transportation Services (STS) coordinator, and

- encourage other public and private service agencies to participate in STS.

Members of the Committee recently contacted Charlotte Department of Transportation (CDOT) staff expressing concern about these roles. The STAC has developed a proposed new charge, and requests that Council review and adopt the following:

The STAC proposes to act in an advisory capacity to the City Council, County Commission and Human Resource Board, recommending program and means to accomplish specific policies. To this end, the Committee will:

1. Review, analyze and recommend policies relating to eligibility and service delivery.

2. Monitor and analyze Special Transportation Service budget, activities and accomplishments.

3. Identify community needs, and develop recommendations for measures to garner political and fiscal support to meet those needs.

4. Interact with target populations, encouraging their active participation.

5. Report regularly to individual appointing agencies regarding STS effectiveness.

This charge has not been reviewed yet by the County Commission or Human Resource Board. The STAC, however, would like to receive City Council approval prior to pursuing this change with the other agencies.

10. Recommend approval of a two-year contract for bond counsel services to be provided by Brown & Wood and Kennedy, Covington, Lobdell & Hickman.

Background

On March 9, 1987 Council approved a process to select bond counsel for the City using a Request for Proposal (RFP). That agenda item is attached. Responses were received from the following three groups as a result of the RFP process: Brown & Wood jointly with Kennedy, Covington, Lobdell & Hickman; Smith, Helms, Mullis & Moore jointly with Chambers, Ferguson, Watt, Wallas, Adkins and Fuller, P.A. and Womble, Carlyle, Sandridge & Rice. Background information on the firms is attached.

Evaluation

The following eight elements were listed in the RFP as evaluation criteria: (1) professional experience and ability; (2) general reputation; (3) adequacy of response to RFP; (4) ability to provide necessary services; (5) quality of presentation; (6) cost to the City and availability; (7) minority/women participation in the engagement; and (8) local office or affiliate.

All of the firms involved have excellent general reputations and extensive professional experience and abilities. Some firms obviously have more specialized bond experience than others, but all have some bond experience. Brown & Wood was the leader in experience and depth of knowledge in bond law and also in North Carolina bond law.

The Manager appointed a committee of five to review the responses to the RFP: Greg C. Gaskins, Deputy Finance Director, Chairman; Henry W. Underhill, Jr., City Attorney; W. Carey Odom, City Treasurer; Jim G. Humphrey, Assistant City Engineer; and Dave Cook, Budget Department. In addition Pamela A. Syfert, Assistant City Manager, and Richard D. Martin, Finance Director, participated in the review, presentations and deliberations with the Committee.

The three proposals all responded adequately to the RFP and provided the information requested. It was for this reason that all three

groups were given the opportunity to make oral presentations. While admittedly subjective, the review group rated the Brown-Kennedy consortium the highest on the quality of presentation and performance in the oral interview segment. The number two and three groups had more difficulty with some of the questions designed to elicit comments on certain specifics concerning the municipal finance industry and potential City problems to be encountered.

All three groups gave evidence indicating they could provide the type of services the City would need. However, it appeared to the reviewers that the Brown-Kennedy consortium offered the greatest depth in coverage and, therefore, offered the greater potential for being able to provide the services in the most timely and effective manner on extremely short notice. In fact, from time to time events do occur that require immediate response. For example, if a technical error is discovered in a bond that would prohibit its sale unless some action is taken. In such situations even a short delay could cause some concern.

The RFP was not designed to distinguish the potential proposers on the basis of actual costs. This will be a professional services contract and we are looking for quality representation. However, the firms were asked to discuss their cost structures and methodology. All three proposers indicated that costs would vary according to the particular complexity, time and characteristics of the issue. All three firms were willing to discuss amounts and methods of compensation with the City.

The review group acknowledged that all three proposals did meet the evaluation criteria concerning a local office or affiliate. It was also evident from the responses that all three of these proposers would have a minority or woman member heavily involved in the engagement. Only one, however, is a minority firm - Chambers-Ferguson.

Recommendation

It was the unanimous recommendation of the seven staff members who reviewed these firms to request Council approve the joint proposal of Brown & Wood and Kennedy, Covington, Lobdell & Hickman to serve for two years as the City's bond counsel. The Committee agreed that the oral and written proposal of the Brown-Kennedy consortium was superior to that of the other proposers. Brown & Wood has a reputation and experience record second to none in the area of municipal finance law. They also have a depth of knowledge not yet available in any local firm. They have contacts on a national level which allow them to have direct input on issues like the regulations to be adopted on tax-reform legislation. They also have first-hand knowledge of most techniques and innovations in municipal finance and, thus, are able to provide assistance on evaluating these concepts beyond the legal aspects. Members of this firm are and continue to be prime drafters of State laws on municipal finance and as such they

can provide tremendous insight into the theory and practice of these laws and can help in getting them amended when needed.

The addition of Kennedy, Covington adds a great deal to this proposal. This is a strong local firm which is willing to make a commitment to upgrading its bond counsel capabilities. It will be able to benefit greatly from its relationship with Brown & Wood while at the same time adding its local knowledge. This proposal calls for Kennedy, Covington to be an active participant in this process with its members increasing their responsibilities as time moves forward.

All three proposals indicated that the firms involved are capable and competent. In fact any of these proposers could possibly serve as Charlotte's bond counsel. However, it was the collective opinion of the review group that the Brown-Kennedy consortium offers the best alternative for the City in keeping the special experience and ability of Brown & Wood while offering a strong local firm a chance to participate in providing these necessary services.

Attachment No. 6

11. Consider an appropriation of $45,000 from the General Fund - Contingency to finance a market analysis and administrative planning support for Discovery Place Phase II Expansion.

Since completion of the existing portion of Discovery Place in 1980, Phase II has been identified as a capital need. The FY88-97 Capital Needs document assessed Phase II as a need which should be funded in FY88. Due to other competing capital projects and limited revenues, Phase II was not included in the FY88-92 Capital Improvement Program. The project is currently ranked as a high priority unfunded need.

In September, 1986, an architectural firm donated time for preliminary drawings and cost estimates for Phase II. Planning and design were estimated at $1.1 million and the total project cost (including a parking deck and exhibits) was estimated at $18 million.

The following information was provided by Discovery Place: A major part of Phase II is a 360 degree domed space theatre. The projection and sound systems for the space theatre need to be supplied by Imax Systems of Toronto, Canada because there are no alternative projection and sound systems which match the quality of Imax Systems. Imax Systems has committed to sell Discovery Place an Omni-Max System through June, 1992. After this date, an Omni-Max System may be sold to another City in this region and Imax Systems would not sell Charlotte an Omni-Max System due to market saturation. In order to maintain Discovery Place's competitive edge with respect to other science museums, the Omni-Max System is necessary.

Council is requested to consider an appropriation of $45,000 from the General Fund - Contingency to finance a market analysis and administrative planning support for Discovery Place Phase II Expansion. The market analysis would be conducted to determine the level of community support for Phase II. Administrative planning support is necessary to research appropriate exhibits and to organize a fundraising campaign.

Funding will be from General Fund - Contingency (Balance: $350,722).

BUSINESS

12. Recommend that City Council reject all bids received for construction of the new baseball stadium.

In August, 1986, City Council approved a contract with Clark, Tribble, Harris and Li Architects to develop a schematic design for the new baseball stadium. In December, Council approved a contract for the architect to complete the design of a 5,000 seat, two-tier Stadium, expandable to 15,000 seats. The resulting design was endorsed by the Chamber of Commerce, the County, and the Charlotte O's.

In the spring, several local contractors expressed the opinion that if the project could be bid as a single prime contract, it could be constructed more economically and quicker than if it were bid as multi-prime contracts. Consequently, the City was successful in having the General Assembly approve legislation which exempted the project from State bidding requirements. This allowed the City to accept proposals and negotiate directly with prospective contractors. The City accepted proposals from Metric Constructors, McDevitt & Street, and F. N. Thompson.

When bids were received on July 9, 1987, the low bid was over budget by approximately $478,000. The architect has negotiated with the low bidder, Metric Constructors, and they have developed an option which would allow the stadium to be built within the $3,910,000 construction budget. The option basically includes changes in scope and a reduction in quality, the most significant being: elimination of a building which houses approximately one-third of the concessions and one-half of the men's toilets; the use of concrete block in lieu of precast concrete bands in the facade; deletion of seating benches in the upper deck; the substitution of benches for individual chair seating in the lower deck; and a reduction in site grading. Because the scope and quality of this option is less than that approved earlier, Council is requested to reject all bids received for construction of the stadium. If additional funding becomes available in the future, the City could determine the feasibility of constructing the stadium at that time.

If Council were to proceed with the $3,910,000 negotiated option, the existing lease agreement with the Charlotte O's would be invalid and, therefore, would need to be amended. Also, the agreement with the County requires their approval of the construction plans. The County Commissioners have not reviewed the negotiated option. The architect and the contractor advise that to meet the April 1, 1988 opening day deadline, the contract would need to be awarded by July 27, 1987.

This action has been cleared by the City Engineer and the City Attorney. Also, the president of the Charlotte Chamber and the County Manager have been notified of this action.

Attachment

13. Recommend approval of a management contract with American Golf for operation of York Road Renaissance and Revolution Golf Courses.

In reviewing management options for both the Revolution Park golf course and the new York Road Renaissance Park golf course, scheduled to open in the spring of 1988, City staff determined that private management would be the best approach to the operation of both golf courses. With private management, the City would not be required to expend for start-up costs and the ongoing personnel required, and we will get a good return on our investment.

Proposals were requested and six were received from interested management firms. Interviews were held with three and a contract negotiated with American Golf. The interview team was made up of departmental representatives from Finance, Budget & Evaluation, Parks and Recreation, Legal, and City Manager's Office. The recommended contract with American Golf runs for a term of ten years and guarantees the City a minimum of over $2 million during its life.

The fee structure for the first three years is attached as is the breakdown of the City's minimum payments and percentage payments the City will receive during the life of the contract.

Attachment No. 7

14. Recommend approval to continue agreement to participate in the Pre-Admission Review (PAR) Program without a penalty.

In June 1986, the City contracted with the Council on Health Costs, Inc. to administer the PreAdmission Review (PAR) Program in conjunction with our group health insurance plan. The PAR Program is a cost containment program designed to eliminate unnecessary hospitalization and encourage efficient use of time during the hospital stay. The current agreement was approved by Council with a one year limitation

for a non-penalty provision. It was City Council's feeling that after the plan had been in effect for a reasonable period of time such as the first year, there should be a penalty imposed on employees who failed to comply with the program.

It is recommended that the City continue the PAR program on a voluntary basis without penalty for non-compliance. The reasons for this recommendation are as follows:

- The Council on Health Costs, Inc. recommends against imposing a penalty with the program. The PAR program has been successful on a voluntary basis because of its unique close working relationship with area physicians and hospitals. Local physicians developed the criteria and therefore have a great interest in the program's success.

- Other major area employers who also have the PAR program and have determined PAR's non-punitive stance increase employee satisfaction and provider cooperation include, Mecklenburg County, NCNB, Piedmont Natural Gas, Ivey's Carolinas, Sandoz Chemicals and Bowater Carolina Co./Catawba Timber Co.

- Employees and their physicians have responded and complied very favorably towards the PAR program during the first year of operation. This is attributed to education employees receive about the program, employee insurance cards identifying PAR procedures, and daily follow-up by PAR staff with hospitals regarding City admissions. The Council on Health Costs, Inc. has estimated that of all hospital admissions of City employees and dependents during FY87, 85% to 90% were approved on a pre-admission basis. Many of the unreviewed cases were admissions for pregnancy, often outside of normal business hours and accomplished through the hospital emergency room. A second category of unreviewed cases involves "urgent" hospital admissions, serious but non-life threatening illness usually for non-specific medical conditions (pain, fever, etc.) and also accomplished through the emergency room. Both of these categories involve short and relatively inexpensive hospital services; longer, more expensive admissions which are unreviewed are extremely rare.

- Effective July 1, 1987 there was no rate increase in the group health insurance program. This is a significant accomplishment when average increases in premiums for most groups are ranging between 11% and 17%. The City realized an 11% increase at the beginning of FY86-87. The stabilization in renewal rates can be largely attributed to implementation of the PAR program.

- The entire employee group insurance program will be rebid during FY88. From an employee morale standpoint and as a cost effective measure, it is recommended that the overall PreAdmission Review Program be evaluated during this process.

For the reasons stated above and based on favorable experience during the past year as well as the projected negative impact on employee morale, it is recommended that the PAR program be continued without a penalty for the current fiscal year. We will reevaluate the program again during this year to determine the necessity of implementing a penalty.

The rate to participate in the PAR program will remain at .60 per month through June 30, 1988. This program will continue to be funded from the City's self insurance account.

15. Recommend approval of contract with the Housing Authority to continue Crime Prevention Program in Piedmont Courts, Earle Village and Boulevard Homes.

The Housing Authority's Crime Prevention Program was established in 1979 with federal HUD funds in an effort to lower the disproportionately high crime rate in local housing projects through a coordinated community effort. The program expanded from one site in FY80 to three sites in FY83 to six sites in FY86. In FY85, federal funds for this program were no longer available and the City appropriated $75,000 to continue the program. Objectives were developed to measure program success.

During FY86, it was evident that the program had over-extended itself in the six sites and that the staffing was not large enough to impact crime rates or to effectively deliver the crime prevention programs in the six locations.

In the FY86 contract evaluation report, four major findings were cited as the principal reasons for failure to achieve contract objectives. Significant progress on each of these problem areas has been made.

1. Inadequate supervision: To address the supervisor problem, two changes were made. One program aide position was assigned to the Central Office and designated as the Crime Prevention Program Field Coordinator. In addition, the Housing Authority has created and filled a position titled Director of Resident Safety who is responsible for more closely supervising the program activities under this contract.

2. Incomplete Records: More complete records have been maintained. Some problems continue to exist with the program aides working at the three sites completing and turning in forms. The trade-

off of a program aide for a records clerk position and use of a micro-computer have greatly improved the timely receipt of crime data records from the Police Department.

3. Over-Extension of Staff: This finding was addressed with the reduction of program sites from six to three.

4. Lack of Communication with Police Departments: Communication efforts with the Police Department have improved greatly. One sergeant and one officer assigned to the Crime Prevention Unit have been meeting on a weekly basis with the Housing Authority crime prevention staff. Many cooperative programs have been implemented using Police Department resources.

It is recommended that the contract with the Housing Authority be renewed. There were 14 objectives in the FY87 contract. Based on interviews, historical data and quarterly progress reports provided by the Housing Authority, ten of these objectives or 71% were achieved.

The Police Department concurred with the recommendation for renewal. In a June 8, 1987 memo from the Chief of Police to the Budget and Evaluation Director, the Police Chief stated: "An evaluation of the Housing Authority's program indicates that significant progress has been made towards achieving the objectives outlined in their report. Although much remains to be done, I am confident that together the Housing Authority and Police Department can continue the efforts to make public housing sites a safe environment for the citizens of our City. Accordingly, it is my recommendation that these efforts continue."

Contract objectives for FY88 reflect continuation of the current program with primary emphasis to continue in Piedmont Courts, Earle Village and Boulevard Homes.

Funding for this contract renewal was included in the FY88 budget as a non-departmental account.

The Budget Director and the Police Chief concur in this recommendation.

An evaluation report is attached and includes FY88 objectives.

Attachment No. 8

16. Recommend approval of Arthur Young, Certified Public Accountants, to provide audit services to the City to include the financial and accounting records and annual financial report for the fiscal year ending June 30, 1987 for a fee of $44,500.

State law requires that the City engage a certified public accountant at the end of each fiscal year to audit the accounting records, evaluate internal control and audit the annual financial report. It is recommended that City Council approve a contract with the audit firm of Arthur Young for the fiscal year ending June 30, 1987 at a fee of $44,500.

A policy was adopted by City Council in 1979 which provides that the City allow for contractual agreements with independent auditing firms to provide audit services on a rotating basis for periods not to exceed four years pursuant to the taking and evaluation of audit proposals. The firm of Arthur Young was selected by this process in 1984. Arthur Young provided audit services for the fiscal years ended June 30, 1984, 1985 and 1986 at fees of $33,000, $37,000 and $42,000, respectively. Price increases reflect standard industry audit increases.

The audit firm will audit all funds and programs for the year ending June 30, 1987 and will render an unqualified opinion as to the annual financial statements prepared by the Finance Department. This contract does not include special audits which are required either by federal government regulations or other agreements (such as the airport audit required for compliance with the revenue bond order).

17. Recommend approval of automobile rental concession agreements with Hertz Corporation, Avis Rent-a-Car Systems, Inc., National Car Rental System, Dollar Rent-a-Car Systems, Inc. and Budget Rent-a-Car at the Airport.

On July 13, 1981, City Council approved automobile rental concession agreements with five rent-a-car companies. Each concession involved two leases, one for counter space in the terminal and the other for a site on which the concessionaire would construct offices, pick-up and return areas, and automobile maintenance facilities. The concession lease had a term of five years and the maintenance facility lease had a term of 25 years because of the concessionaire's requirement to construct facilities at their expense and amortize those facilities over an extended period of time. The concession agreement which requires the concessionare to pay 10% of revenues from automobile rentals at the airport or a minimum annual guarantee was only five years so that the City would be able to solicit competitive bids for the right to operate a rental car concession at the airport every five years. This philosophy is an accepted method of determining concessionaires for rental cars at airports throughout the country.

Solicitation for five automobile rental car concessions at the airport were publicly advertised and solitication documents were sent to twelve firms who had indicated interest in operating a rent-a-car concession at the airport. On May 28, 1987 competitive bids were received in the Airport Manager's Office. These proposals are:

Name of Firm	Total Minimum Annual Guarantee For Five Year Period
The Hertz Corporation	$3,191,700.00
Avis Rent-a-Car Systems	2,314,000.00
National Car Rental	2,225,676.00
Budget Rent-a-Car	1,380,000.00
Dollar Rent-a-Car	783,795.00
Alamo Rent-a-Car	600,000.00
Value Rent-a-Car	326,250.00

Council is requested to approve automobile rental car concession with Hertz, Avis, National, Budget and Dollar. These five firms currently operate the rental car concessions at the airport. A sixth concession is operated by General, an MBE, but the lease is not up for renewal at this time.

Rents and fees to the City from the automobile rental concessionaire will be based upon 10% of their gross receipts from automobile rentals at the airport. The minimum guarantees bid by the concessionaires whose leases are recommended for approval are quite substantial. Collectively, the minimum guarantees for the five year lease terms total $9,895,171. Comparison of this total with the minimum guarantees of automobile rental concessionaires for the last five year term, May, 1982 through May, 1987, indicates that the present bids represent a significant increase. The total amount guaranteed in 1982 for a five year lease term equaled $6,362,400.

18. Recommend adoption of: (a) an agreement for professional services with Ashley L. Hogewood, Jr., attorney, to provide the necessary legal work for the Coliseum Center project for $45,000; and (b) an ordinance appropriating $50,000 to support the contracted legal services ($45,000 for Coliseum Center project and $5,000 for legal services provided to finalize the Trade Mart Project).

The City Attorney's office has in the past provided either in-house legal services in direct support of major economic development negotiations or contracted out for such services. In the case of the Cityfair Project, in-house attorneys were used; in the case of the Trade Mart project, a contract attorney was retained to provide the necessary legal work. Negotiations on the Coliseum Center project will begin shortly at the very time that the City Attorney's office is experiencing an extremely heavy workload due to a large number of condemnation actions, ordinance violation enforcement proceedings and similar litigation.

It is estimated that the Coliseum project may require as much as 300 hours of legal services to attend the negotiating sessions and to draft the necessary documents involved in a complex project of this type.

Because of the current workload, the City Attorney therefore recommends that the City retain the services of Ashley L. Hogewood, an attorney with the firm of Parker, Poe, Bernstein, Gage & Preston, to provide the legal work necessary for the Coliseum Center project. Mr. Hogewood is an experienced attorney, having been in private practice for approximately 24 years with an emphasis on commercial real estate transactions. The work will be conducted and paid for on an agreed upon hourly basis. Mr. Hogewood will be the principal attorney involved with the right to involve other firm members if required. While it is difficult to estimate the number of hours necessary to perform the professional services required, the City Attorney believes that an appropriation of $45,000 will be sufficient to cover all anticipated expenses for legal work.

It is requested that City Council approve an ordinance appropriating a total of $50,000 from the Municipal Debt Service fund balance to support the following contracted legal services:

. Coliseum Center	$45,000
. Trade Mart	5,000*
	$50,000

*Represents cost of legal services provided to finalize the Trade Mart project.

The Finance and Budget and Evaluation Departments concur in this recommendation.

19. Recommend adoption of a resolution authorizing the setting of the Department of Transportation's Disadvantaged Business Enterprise (DBE) and Women's Business Enterprise (WBE) 1988 goals for projects funded by the Urban Mass Transportation Administration.

Since 1984 the Charlotte Department of Transportation has been required to submit goals to the Urban Mass Transportation Administration (UMTA) on the percentage of contract dollars that will be awarded to Disadvantaged Business Enterprises (DBE) and Women's Business Enterprises (WBE) for UMTA-funded projects. Using data from past achievement, vendor availability, and procedurement opportunities, it is recommended that the FY88 goals be set at 10% DBE and 3% WBE.

Council-approved goals for FY87 were 10% DBE and 3% WBE. Current year-end projections for FY87 indicate an achievement of 8% for DBE and 3.5% for WBE. Pending UMTA regulations will combine Disadvantaged Business Enterprise and Women's Business Enterprise into one 10% goal, but separate goals are to be submitted until the regulation is final.

The City Attorney has approved the resolution as to form, and the Purchasing Department recommends approval.

20. Recommend approval to submit a grant application for $30,775 to the Governor's Highway Safety Program to fund the tuition of a police captain at Northwestern University's Traffic Institute.

This grant of $30,775 will be funded by the Governor's Highway Safety Program and will fund the tuition and expenses for a police captain to attend a nine-month course in traffic enforcement at Northwestern University's Traffic Institute. Upon his return, the police captain will develop a traffic enforcement program for the Police Department in keeping with some of the recommendations from the recent productivity study conducted by the Public Administration Service. There are no matching City funds. The Police Department will continue to pay the salary of the captain selected to attend the school.

The grant application has been approved by the Grants Review Committee.

21. Recommend adoption of an ordinance lowering the speed limit on 13 neighborhood streets from 35 miles per hour to 25 miles per hour.

In accordance with Council's approved policy, 13 streets in 12 neighborhoods have had petitions validated and are determined by the engineering study to be appropriate for a 25 mile per hour speed limit. The streets are:

Braewick Place (Braewick)
Briar Ridge Drive (Greenbriar)
Eagle Peak Drive (Pawtuckett)
Fairway Ridge Road (Wellington Square)
Kemp Street (Mecklenburg Acre)
Leland Street (Paw Creek)
Lynridge Road (Idlewild)
Plantation Road (Providence Plantation)
Sardis Road North Alternate (Sardis Park)
Sulkirk Road (Beverly Woods)
Tarrington Avenue (Eastway/Sheffield)
Turnbridge Road (Old Farm)
Ware Road (Idlewild)

22. Nominations for Appointment to Boards and Commissions.

1) Historic Properties Commission - Two positions for three-year terms. The terms of Richard Huffman and James P. Hammond expired July 16, 1987. Mr. Huffman is completing his second full term and is not eligible for reappointment. Mr. Hammond is completing an unexpired term. Records indicate that he is in compliance with the attendance policy.

2) Mint Museum Board of Trustees - One position for a three-year term. Willa Cline's original one-year term will expire July 31, 1987. She does not wish to be reappointed.

3) Charlotte Uptown Development Corporation - Five positions for three-year terms. Present terms will expire August 31, 1987. In the Business category, Fred Klein, Leroy Robinson and Douglas Booth are eligible for reappointment. In the Non-Profit Organizations category, James Polk is completing his second term and is not eligible for reappointment. In the Residents category, Dr. Mildred B. Davis has served since 1978; however, the limitation on terms applies only to terms commencing after September 17, 1981, making her eligible for another term. All have complied with the attendance policy.

Attachment No. 9

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The City Attorney advises that agenda items no. 23 through 57 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

23. A. Recommend adoption of a resolution amending the Pay Plan to add to the Exempt Pay Plan the classifications of Real Estate Agent III, Pay Range 323 ($27,834 - 39,165 annually) and Assistant Survey Supervisor, Pay Range 319 ($22,899 - 32,221 annually).

Increased work load and involvement with special projects have affected the level of supervision within the Engineering Real Estate and Survey Divisions. Consequently, two new positions were approved for FY88 to assist the Real Estate Supervisor and Survey Supervisor positions with the day-to-day supervision of their divisions.

The Real Estate Agent III position will assume responsibility for daily supervision of the Real Estate Division and coordination of the Real Estate Agent I and II positions. This position will also handle the more complex and sensitive projects, will review the decisions made by the other agents, and will also be responsible for administrative responsibilities including preparation of the divisional budget, administrative reports and performance appraisals. The incumbent will represent the division in the absence of the supervisor.

The position of Assistant Survey Supervisor will be responsible for reviewing and coordinating the work of survey party chiefs to ensure adherence to project plans and specifications. In addition, this position will establish line and grade for all curb and gutter on City streets, perform surveys of CIP budget estimates, serve as a relief party chief as needed, and coordinate surveying work of City contractors. This added level of supervision will allow the Survey Supervisor to concentrate more on the progress of capital projects and will result in reducing delays and in better cooperation with contractors.

The total cost for these two positions was allocated in the Engineering Departmental budget and no additional funding is required to implement this request.

B. Recommend adoption of a resolution amending the Personnel Rules and Regulations to allow departments to more effectively administer the sick leave policy.

The current provision of the City's Personnel Rules and Regulations regarding sick leave with pay does not specifically address how departments should handle situations where abuse of sick leave is suspected.

To facilitate administering the City's sick leave policy, several of the larger departments have implemented attendance monitoring policies. These policies allow departments to identify serious attendance patterns, and also provide equitable and consistent disciplinary measures to resolve unacceptable attendance problems. The City Attorney has recommended that Rule IV, Section 2, Sick Leave with Pay, be amended to formally provide departments the authority to establish attendance monitoring policies and/or take disciplinary action if abuse of sick leave is suspected. The Personnel Department will continue to review such policies to insure that they are developed in a fair and consistent manner.

There is no additional cost associated with this change.

BUDGET ORDINANCE

24. Recommend adoption of a budget ordinance to appropriate $650,000 to Account 636.46 (Major Water Feed to Southeast Charlotte).

The November, 1985 bond referendum authorized $18,000,000 for the construction phase of the 54-inch feeder water main from northwest to southeast Charlotte. The low bid of $11,500,000, based on unit prices for estimated quantities, was submitted by Ruby Collins, Inc., Smyrna, Georgia.

During construction the quantities of rock to be excavated, pavement to be replaced, and several other unit price items have exceeded original contract estimates made by the engineers. Pursuant to the contract, the contractor is due payment for these additional quantities based on the unit prices bid. The additional cost is approximately $650,000.

Adoption of this budget ordinance will transfer $650,000 from the unappropriated 1985 Water Bond Fund Balance (43271) to Account 636.46 (Major Water Feed to Southeast Charlotte).

The Utility Department recommends approval of this budget ordinance.

25. Recommend adoption of an ordinance to appropriate $348,000 in HUD grant funds for the FY87 Rental Rehabilitation Program in order to make rehabilitation loans to private owners for approximately 70 substandard low-income rental housing units.

This action will appropriate $348,000 in Department of Housing and Urban Development grant funds for the FY87 Rental Rehabilitation Program in order to make rehabilitation loans to private owners for approximately 70 substandard low income rental housing units. Council approved submission of the grant application on May 11, 1987; we were notified in a letter dated July 1, 1987 of the grant approval.

Funding is from the Federal Rental Rehabilitation Grant.

The Community Development and Budget and Evaluation Departments concur in this recommendation.

26. Recommend adoption of an ordinance to amend the FY87-88 budget ordinance, No. 2198-X, providing for supplemental appropriations to the Airport Operating Fund and the Airport Debt Service Funds.

The series resolution for the Airport Revenue Bonds, Series 1987 approved by City Council on April 6, 1987 and the Special Facility Revenue Bonds, Series 1987 approved on May 11, 1987 and amended on June 8, 1987 contain provisions that provide for annual debt service payments beginning in FY88, requiring an amendment to the FY87-88 budget ordinance.

Adoption of this budget ordinance is a bookkeeping requirement and will authorize the following:

- Appropriate $150,600 to the Contribution to Debt Service from the Airport Operating Fund, Fund Transfers Account.
- Appropriate $5,352,600 to the Airport Revenue Bonds - Series 1987 Debt Service Fund.
- Appropriate $4,520,000 to the Airport Special Facility Bonds - Series 1987 Debt Service Fund.

The Airport and Finance Departments concur in this recommendation.

ACCEPT GRANT/BUDGET ORDINANCE

27. Recommend: (A) acceptance of the grant of $62,776 from the Governor's Crime Commission for a Comprehensive Drug Enforcement Program and (B) adoption of a budget ordinance of $82,295 for grant ($62,776) and local match ($19,519) for the program.

On April 6, 1987, Council approved submission of a grant application to the Governor's Crime Commission for a grant to be used by the Police Department to initiate a Comprehensive Drug Enforcement Program that would include advanced training for vice officers and patrol task forces, training in drug education programs for crime prevention, school resource, and other departmental personnel, films and printed matter to be used in drug presentations, and a Crime Analyst and a Criminalist to be devoted exclusively to drugs.

The grant application had been approved and this action will accept the grant award and appropriate $82,295 for the program.

Three fourths of the funds for the grant comes from federal funds appropriated for narcotics control and administered by the Governor's Crime Commission. The City's matching funds will be taken from the Police Department's Drug Forfeiture Sanction account (5692-115).

28. Recommend adoption of: (A) a resolution accepting an EPA grant of $5,336,072 for the construction of alterations and additions to the McAlpine Creek Wastewater Treatment Plant and (B) a budget ordinance for $5,336,072 appropriating the funds.

On July 8, 1987, the U.S. Environmental Protection Agency made a grant offer of $5,336,072 to aid in the construction of the McAlpine Creek Plant project. The resolution authorizes the acceptance of this offer.

Total estimated construction cost of the project is $20,189,844.00 of which $9,701,949 is eligible for 55% EPA funding. Local funding for this project is available from bonds approved during the November 1983 bond referendum.

BID LIST

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

A. Hydrant Valves for Fuel System — Airport

Recommendation: By Airport Manager and Purchasing Director that the low bid, J. B. Systems, LaGrange, Georgia, in the amount of $52,080.00, be accepted for award of contract on a unit price basis.

Project Description: Hydrant valves are used in the refueling process of aircraft at Charlotte Douglas International Airport.

Source of Funding: Airport Capital Improvement Fund - (Fuel Farm Expansion - 1985 Revenue Bonds).

B. 10,664 - Water Meters — Charlotte-Mecklenburg Utility Department

Recommendation: By Utility Director and Purchasing Director that the low bidders meeting specifications, for each item be accepted for award of contracts as follows:

Carolina Meter & Supply, Inc. (For 10,000 Water Meters - 5/8")	Mauldin, S. C.	$169,000.00
* Less Trade-In Allowance for 7500 Junk Meters		22,500.00
Total Contract Amount		$146,500.00

Neptune Water Meter Company	Atlanta, Ga.	$54,500.00
(For 600 Water Meters - 1", 1 1/2", and 2")		
* Less Trade-In Allowance for 350 Junk Meters		3,650.00
Total Contract Amount		$50,850.00
Hersey Products, Inc.	Cleveland, N. C.	$72,976.00
(For 64 Water Meters - 3", 4", 6", and 8")		
* Less Trade-In Allowance for 30 Junk Meters		360.00
Total Contract Amount		$72,616.00

Project Description: Water meters are used by the Charlotte-Mecklenburg Utility Department to measure volumes of water used which determine water/sewer charges for each customer.

Meters of various sizes are needed for new service installations and as replacements for worn and obsolete meters. The present contract for water meters has expired and new contracts are needed to assure systematic delivery of water meters. Water meters will be purchased as the need arises.

Source of Funding: Water and Sewer Fund - (Customer Service) - Water and Sewer Fund - (Water Shop Inventories).

C. Charlotte-Mecklenburg Government Center - Furnishings — Engineering

Recommendation: By the City Engineer, based upon the recommendation of the Architect, J. N. Pease Associates, that the following low bids be accepted for award on a unit price basis.

Bid Summary:		Base Bid	With Alt. A-1
Desk Chairs:	Faciliplan Charlotte, NC	$139,995.70	$149,871.37
			With Alt. B-1
Side Chairs:	Faciliplan Charlotte, NC	$ 8,905.32	$ 9,614.07
Files:	Miller Services Charlotte, NC	$149,895.90	No Alternates
Drafting Tables:	Faciliplan Charlotte, NC	$ 42,032.92	No Alternates

Project Description: This contract will provide chairs and files necessary for the open, landscaped offices. All regular offices will use existing furniture.

Alternates A-1 and B-1 represent a higher quality fabric on desk chairs and side chairs.

Source of Funding: General Fund - (Charlotte-Mecklenburg Government Center) - Lease Purchase.

D. Charlotte-Mecklenburg Government Center - Millwork — Engineering

Recommendation: By the City Engineer, based upon the recommendation of the Architect, J. N. Pease Associates, that the negotiated low bid of $530,000.00 as submitted by Moretti Construction, Inc., be accepted for award on a lump sum basis.

Project Description: This contract will provide for architectural woodwork in the Charlotte-Mecklenburg Government Center including the Council Chambers and Action Line Desk.

Negotiations to reduce the cost included value engineering items such as reduction of the level of finishes and elimination of some millwork items considered to be non-essential for the operation of the building.

Source of Funding: General Fund - (Charlotte-Mecklenburg Government Center) - Lease Purchase.

General Capital Improvement Fund - (Construction of Office Building - 1984 Public Building Bonds).

E. Charlotte-Mecklenburg Government Center - Landscaping — Engineering

Recommendation: By the City Engineer, based upon the recommendation of the Architect, J. N. Pease Associates, that the negotiated low bid of $189,223.00, as submitted by Banner Nursery, be accepted for award on a lump sum basis.

Project Description: This contract will provide landscaping and irrigation of the Plaza and streetscape for the Charlotte-Mecklenburg Government Center.

Source of Funding: General Capital Improvement Fund - (Construction of New Office Building - 1984 Public Building Bonds).

F. Veteran's Park Improvements — Engineering

Recommendation: By the City Engineer that the low bid of $89,250.00, as submitted by Moretti Construction, be accepted for award on a unit price basis.

Project Description: This project, which includes installation and relocation of the playground and site improvements to Veteran's Park, is part of an ongoing program to improve and enhance existing City parks. Veteran's Park was one of the parks designated for improvements in the 1982 review. This is a continuation of Park Playground Improvements - Phase I.

Source of Funding: General Capital Improvement Fund - (Improvements to Existing Parks).

G. Sidewalk Bond Program Phase 9 — Engineering

Recommendation: By the City Engineer that the low bid of $207,148.49, as submitted by Crowder Construction, be accepted for award on a unit price basis.

Project Description: This project is the ninth under the sidewalk bond referendum and will include construction of concrete sidewalks at the following locations:

1. Celia Avenue from Beatties Ford Road to Onyx Street.
2. Wabash Avenue from Hovis Road to Ranch Road.
3. Windyrush Road from Rea Road to Lancer Drive.
4. Drummond Avenue from the Plaza to Pinckney Avenue.

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

H. Water Distribution Project
Water Mains To Serve 1986
Annexation - Area 1 - Autumnwood

Charlotte-Mecklenburg
Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Dellinger, Incorporated of Monroe, North Carolina in the amount of $567,397.44 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend water service to the Rocky River Road - Old Concord Road areas which was annexed in 1986.

Source of Funding: Water and Sewer Capital Improvement Fund-(Autumnwood).

I. Sanitary Sewer Construction
Gutter Sputter Branch Outfall and
Sputter Branch Outfall

Charlotte-Mecklenburg
Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Rea Brothers, Incorporated of Pineville, North Carolina in the amount of $654,300.42 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend sewer service to Long Creek - Oakdale Road area.

Source of Funding: Water and Sewer Capital Improvement Fund - (Gutter Branch Outfall).

J. Sanitary Sewer Construction
Upper Sugar Creek Outfall II

Charlotte-Mecklenburg
Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Sanders Brothers Incorporated of Charlotte, North Carolina in the amount of $635,198.37 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project will complete the rehabilitation of Upper Sugar Creek Outfall, Phase II from Craighead Road to Sugar Creek Road. This project provides for replacement and realignment of the current sewer line which is undersized and which overflows into nearby residential areas

and businesses. The Environmental Protection Agency and State Health Department have made replacement of this line a high priority.

Source of Funding: Water and Sewer Capital Improvement Fund - (Sanitary Sewer Line Replacement).

Airport Parking Deck and Commercial Vehicle Lane Construction

The following four bids relate to the a 2,700-space automobile parking deck on three levels that is to be constructed in front of the airport terminal building on the site of the existing short-term parking lot. This project includes revision of the roadway network; construction of a commercial vehicle lane adjacent to the terminal for hotel vehicles, rental cars, buses, and taxis; and extensive landscaping.

The proceeds from the sale of the 1985 bonds that were earmarked for the parking project are to be used for the expanded project. Estimated costs of this project are $22,500,000, to be funded as follows:

1985 Bonds	$15,500,000
1987 Bonds	7,000,000
Total	$22,500,000

This project is to be completed by July, 1989.

K. General Contract for Parking Structure, Charlotte/Douglas International Airport. — Airport

Recommendation: The Airport Manager recommends that the low bid from Metric Constructors Inc. in the amount of $16,490,700.00 be accepted for award of contract on a lump sum basis.

Project Description: This contract provides all labor, material and equipment for general construction work for proposed parking structure, commercial vehicle lane and connecting roads.

Source of Funding: 1985 Airport Construction Fund - (Parking Deck/Commercial Vehicle Lane - 1985 Airport Revenue Bonds).

Airport Terminal Capital Project Fund - (Short-Term Parking Structure - 1987 Airport Revenue Bonds).

L. Electrical Contract for Parking Structure, Charlotte Douglas International Airport — Airport

Recommendation: The Airport Manager recommends that the lowest responsive bid from Electricon, Inc. in the amount of $1,168,000.00 be accepted for award of contract on a lump sum basis. The low bid of Bryant Durham Electric Co. could not be accepted as it was not responsive to minimum MBE requirements at bid opening.

Project Description: This contract provides all labor material and equipment for electrical construction work for proposed parking structure.

Source of Funding: 1985 Airport Construction Fund - (Parking Deck/Commercial Vehicle Lane - 1985 Airport Revenue Bonds).

M. Mechanical Contract for Parking Structure, Charlotte Douglas International Airport — Airport

Recommendation: The Airport Manager recommends that the low bid from Mechanical Industries in the amount of $137,950.00 be accepted for award of contract on a lump sum basis.

Project Description: This contract provides all labor material and equipment for mechanical construction work for proposed parking structure.

Source of Funding: 1985 Airport Construction Fund - (Parking Deck/Commercial Vehicle Lane - 1985 Airport Revenue Bonds).

N. Plumbing Contract for Parking Structure, Charlotte Douglas International Airport — Airport

Recommendation: The Airport Manager recommends that the low bid from Alpha Mechanical in the amount of $304,989.00 be accepted for award of contract on a lump sum basis.

Project Description: This contract provides all labor, material and equipment for plumbing construction work for proposed parking structure.

Source of Funding: 1985 Airport Construction Fund - (Parking Deck/Commercial Vehicle Lane - 1985 Airport Revenue Bonds).

CITY CODE AMENDMENT

30. Recommend adoption of an ordinance amending Section 15-69 and 15-70 of the Charlotte City Code (Noise) to better conform with current practice in granting permits to exceed required decibel limits on operation of sound amplification equipment.

This ordinance will switch the administrative process from the City Clerk's office to the Noise Control Officer in the Police Department.

The proposed ordinance changes are:

- Places permitting authority with the City's Noise Control Officer.
- Changes the definition of persons to be notified from owners of properties within a 1,000 foot radius to occupants in order to better protect apartment dwellers and to make it easier for the permit applicant to comply with the notice requirement by hand delivering instead of mailing.
- Requires the advance notice to be given 72 hours before the event.
- Does not change the level or hours of permissible decibels for amplified sound.

Thirteen permits have been requested and granted since the ordinance was amended in 1983. The noise control program appears generally to be working well, and fewer noise complaints have been received since the noise control officer position was created.

There is no funding associated with this change.

The Police Department concurs in this recommendation which has been reviewed by the City Attorney's office.

CHARLOTTE-MECKLENBURG GOVERNMENT CENTER

31. A. Recommend adoption of a budget ordinance of $250,000 for costs associated with upfit of two additional floors in the Charlotte-Mecklenburg Government Center.

The original goal was for the new CMGC to take care of our office space needs through 1992. The rapid growth in the community has required adding more employees than anticipated in departments such as Engineering, Planning and Finance.

In September, 1986, City Council approved $3.2 million to add two shelled-in floors to the Charlotte-Mecklenburg Government Center in order to maintain this goal. In June, 1987 City Council approved $750,000 that was estimated for the upfit of these two added floors.

After the two floors were added to the building, we reviewed the existing space with all City departments to insure that we would most efficiently utilize the added space. This review resulted in moving several departments to make expansion space available to those departments whose need was greatest. The expansion space is now in smaller segments near these departments that need it. The most efficient space utilization would be for these smaller sized expansion areas to be totally upfitted at this time, including constructing and finishing interior walls, lights, heating and cooling systems, carpet and ceiling.

Firm bids based on actual space needs require approximately $250,000 over the early estimates. This upfitting construction can be most appropriately and cost efficiently done at this time, rather than doing a portion now and coming back later. It is therefore recommended that this money be appropriated.

Funding will be by transfer of capital funds from City Hall renovation project to Allotment 286.00 Fund 2010.

B. Recommend approval of change orders to the contracts with Algernon-Blair, Watson Electric, and Alpha Mechanical, on the Charlotte-Mecklenburg Government Center.

Previous to this action, City Council has approved $527,000 in change orders for upfit of the two new floors to the Government Center.

Some pricing information has been received on upfit from these contractors. However, pricing is not yet complete or reviewed. In order to provide them with a timely notice to proceed on the upfit, we request that City Council approve change orders in amounts not to exceed the following:

Contractor	Amount This Change Order	New Contract Amount
Algernon-Blair	$202,000.00	$16,472,524.46
Alpha Mechanical	$189,000.00	$ 3,573,004.00
Watson Electric	$ 72,000.00	$ 2,876,650.00

Sufficient funds for this change were placed in Allotment 286.00 Fund 2010 by the previous Council action.

These change orders will be reviewed and recommended by the architect, the construction manager and Engineering Department staff prior to being sent to the Mayor for execution.

C. Recommend approval of a change order for $60,825 with Algernon-Blair for rock and unsuitable soil removal on the Charlotte-Mecklenburg Government Center.

In April, 1987, City Council approved a budget ordinance allocating $491,000 to this project which included $80,000 for excavation of rock and unsuitable soil. The general contractor, Algernon-Blair, has now completed excavation of his portion of the rock and unsuitable material. The quantities and unit prices for this work were reviewed and have now been accepted by the architect, construction manager and Engineering Department staff. This change will increase the contract with Algernon-Blair from $16,072,936.41 to $16,133,761.41.

Sufficient funds for this change are in the project account (Allotment 274.00, Fund 2010).

CHANGE ORDER

32. A. Recommend adoption of a budget ordinance for $85,000.00.

B. Recommend approval of Change Order No. 1 to the 1987 resurfacing contract for $45,150.00.

Romeg Development Corporation is developing a tract of land on Carmel Road as a single family subdivision. The proposed alignment for extension of Colony Road as proposed on the City's Thoroughfare Plan traverses this tract of land. City of Charlotte Subdivision Regulations require the developer to dedicate right-of-way necessary for the thoroughfare. In some cases, the developer can develop the remaining portions of his property without constructing the thoroughfare. However, in this case the developer chose to construct a street along the thoroughfare alignment to serve as the primary access to the single family homes. Normally the developer would construct a "collector" street to provide this access. However, the City's policy is to encourage the developer to construct the future thoroughfare roadway by providing the difference in cost between the two street types. In this case, the difference is calculated to be $85,000.00 and the City's portion was to be provided through asphalt pavement.

Council is requested to approve a budget ordinance of $85,000.00 and Change Order No. 1 for $45,150.00 to pave a portion of Colony Road Extension and Charnay Terrace which adjoins the extension. The developer has some sections of Colony Road ready for paving now so the City may fulfill part of its obligation at this time. The remaining portion of the City's obligation will be met on a future resurfacing contract. FY88 Powell Bill appropriations did not include funds for this work. The $85,000.00 budget ordinance will provide the necessary funding.

Funding is from the Powell Bill Fund Balance.

The Operations, Budget & Evaluation and Engineering Departments concur with this request.

33. Recommend that work be deleted from Embree-Reed's plumbing contract and approve a change order in the general trades contract with Algernon-Blair, Inc. for the same work at the new Coliseum.

In December, 1986, Council awarded a change order for additions to the under slab drainage system to the Coliseum plumbing contractor. However, because of an ambiguity in the request for proposal, all items in the change were not included in the plumber's quote and he requested an increase to his change order. As part of the construction manager's review, the general contractor was also asked to price the change. Algernon-Blair, Inc., the general contractor, submitted a price lower than the plumber's all inclusive revised price. Council is asked to delete change order #2 to the plumber's contract and to increase the general trades contract by the cost of the added work, $44,389.

The deletion will decrease the plumbing contract from $1,100,618.00 to $1,059,341.00.

The added change order of $44,389.00 will increase the Embree-Reed general trades contract from $13,848,600.00 to $13,892,989.00. Funds are currently available in the project budget. (Fund #2010, Account 255.00).

The proposal has been reviewed and recommended for award by the construction manager and the architect. The Engineering Department and Attorney's Office have reviewed and approved this action.

34. Recommend approval of Change Order No. 2, Contract No. One; Dickerson Utility, Inc., for the additions and alterations to Irwin Creek Wastewater Treatment Plant for an increase of $67,596.13.

During recent additions and alterations at the Irwin Creek Treatment Plant, it was determined by the consulting engineer, Gannett, Fleming, Corddry and Carpenter, Inc., and the Utility Department staff that several alterations of the plans and specifications should be made to provide a more workable finished product. The changes will increase the contract amount by $67,596.13 for a revised contract price of $4,006,866.60.

Adequate funds for the additional expense are available in project contingency 2071-632.01.

35. A. Recommend adoption of a budget ordinance to transfer $10,000 from the unappropriated water and sewer fund balance to account 635.21 (Franklin Water Treatment Plant - Filter Units).

B. Recommend approval of Change Order No. 2 with Lee Construction Company to provide for removal of gravel, installation of underdrain liners, and the replacement of underdrain spheres for $33,522.50.

On January 12, 1987, City Council awarded a contract to Lee Construction Company to rehabilitate one of the filters at the Franklin Water Plant, and along with CMUD staff, to make an inspection and determine the repairs necessary for the other three filters. Extensive repairs to all filters were required, and Council approved Change Order No. 1 on March 9 to provide for the additional scope of work and compensation to the contractor.

Change Order No. 2 is necessary because three of the filters required 1,666 pyramidal liners instead of 500 as originally estimated.

These repairs to the Franklin plant will provide an increased capacity of approximately eight million gallons per day to assist in meeting the peak demands of our water system.

Council is requested to adopt the budget ordinance of $10,000 which will cover the cost of Change Order No. 2 plus a small contingency, and approve Change Order No. 2. The funds will be transferred from the Water/Sewer Operating Fund Balance to Account 635.21 (Franklin Water Treatment Plant - Filter Units).

CONTRACT

36. Recommend approval of a contract with the Pitometer Associates, Inc. for an engineering study of the water distribution system serving Charlotte-Mecklenburg, for $95,000.

In 1983-84 the Pitometer Associates made a thorough engineering study of the entire water distribution system operated by the Charlotte-Mecklenburg Utility Department. One of the products of this study is a computer model of the system which analyzes pressure/flow conditions anywhere in the system instantaneously. CMUD has found this model to be an invaluable tool not only for system analysis, but for trouble-shooting and for planning capital improvements.

Completion of the 54-inch water main will cause drastic changes in the water distribution system (flow reversals, different filling patterns of storage tanks, etc.) such that much of the computer model will become inaccurate.

This contract for $95,000 will update the Pitometer Associates engineering study and computer model to reflect actual system conditions after the 54-inch main is placed in service.

Sufficient funds are available in Water/Sewer Capital Reserve, Center 635.66, Fund 2071.

AGREEMENT

37. Recommend approval of an agreement with Black & Veatch for professional services related to the upgrade and expansion of the Mallard Creek and McDowell Creek Wastewater Plants at a not-to-exceed figure of $75,000.

Both the Mallard Creek and the McDowell Creek Wastewater Plants, capacity three million gallons per day each, were originally put into service in approximately January, 1980. At the present time, both facilities are approaching a loading of about 50% of their capacities. Considering the growth that is occurring in the northeast, served by the Mallard Creek, and North Mecklenburg and Lake Norman, served by the McDowell Creek, it is time to begin the process of upgrading and enlarging both facilities.

The approved five-year Capital Improvement Program provides for the Mallard Creek work to be done in FY87-88 and 88-89 and for the McDowell Creek work to be done in FY88-89 and 89-90. The funds for the construction have been partially provided from prior year bonds, with $9,000,000 to be included in the November 1987 bond referendum.

Due to the similar nature in the present design of the two facilities and the likelihood that the upgrade will also have similar features, it is economical to retain the same engineer for both projects.

The consultant selection procedure was used in the solicitation of proposals for this project and the firm of Black & Veatch, with their North Carolina office in Asheboro, N. C., was selected as the most responsive firm. The firm has indicated its intent to meet the goals of the City M/WBE policy applicable to construction contracts in conducting business with the City. Compensation for engineering services for the study portion of this project (Phase I) will be on a cost plus basis at a not-to-exceed figure of $75,000. At the conclusion of this phase, a contract amendment will be negotiated for the design and construction phase services associated with both plants.

The Utility Department Director recommends approval of this agreement.

38. Recommend approval of agreement with Bio Gro Systems, Inc., for land application of digested sludges from wastewater treatment facilities onto agricultural lands.

The Charlotte-Mecklenburg Utility Department operates five wastewater treatment facilities in Mecklenburg County, all of which produce wastewater sludge as a solids by-product of the treatment process. The ultimate disposal of these sludges has been a major problem for several years. Until December, 1982, the sludge was nominally sold to individuals or organizations for use as a soil fertilizer. At that time the state prohibited that method of disposal and required that the sludge be landfilled. In late 1985 another state agency prohibited the landfilling of sludge, thus leaving CMUD with no approved disposal plan. Since that time we have stockpiled sludge while working with engineers in the study and design of an ultimate treatment and disposal technique.

As an interim solution to the sludge problem, and perhaps a permanent solution depending on the effectiveness of the system, we have solicited proposals for agricultural land application of our waste sludges. In addition to being a method to dispose of sludge, this technique provides for the environmentally sound, beneficial utilization of sludge. This method of disposal has been approved by the state and is in use by other municipalities.

The proposed agreement provides for the stockpiled and current production sludges to be handled on a unit cost basis in a dewatered condition. The proposed unit cost is $10.21 per cubic yard for all sludge that is trucked and land applied by Bio Gro Systems, Inc.

This project was approved in the current year's budget and is programmed for funding as an operating expense of the Utility Department. Total cost for 1987-88 is estimated at $1.2 million. The cost in subsequent years will be $500,000 - $600,000 annually since the stockpile will have been eliminated.

The Utility Director recommends approval of this agreement.

39. Recommend approval of a street lighting agreement between the City of Charlotte and Duke Power for the installation of Fourth Ward-Phase V decorative street lighting.

The Charlotte Department of Transportation requested a street lighting agreement from Duke Power Company to install decorative street lighting as part of the Fourth Ward-Phase V improvements. The agreement was received on April 19, 1985 and was approved by Council on May 13, 1985. The original agreement was never fully executed because of changes including a reduced number of lights, at the

City's request, and a revised lower unit price from Duke resulting in an overall reduction in cost. Council is requested to reapprove the revised agreement.

This is recommended by the Charlotte Department of Transportation and the City Attorney has approved the lighting agreement as to form.

AGREEMENT/BUDGET ORDINANCE

40. A. Recommend approval of an agreement with Trammell Crow Company to provide funding for revisions to the intersection improvements NC Hwy 51 & NC Hwy 16 Project.

B. Recommend adoption of a budget ordinance in the amount of $234,595.00.

On November 10, 1986, the construction contract for intersection improvements for NC Hwy 51 & NC Hwy 16 was awarded to Blythe Industries, Inc. for $2,294,711.24. Construction began on the project on November 24, 1986.

Subsequently, the Engineering Department was approached by Trammell Crow Company regarding revisions to the intersection of NC 51 & NC 16 which would be necessary due to some major property development they had planned for that area. Trammell Crow Company commissioned Kimley-Horn & Associates, the project designer, to design revisions to the intersection to accommodate the proposed development.

On February 23, 1987, a zoning request on the Trammell Crow property was approved by City Council. As a condition of the rezoning, Trammell Crow agreed to pay the cost of the improvements to the intersection. The cost of these improvements includes the following:

Real Estate Costs	$ 5,480.00
Construction of Trammell Crow Revisions	$229,115.00
TOTAL:	$234,595.00

Change Order No. 1 has been negotiated through the use of existing unit prices and adjustments to other lump sum items. Trammell Crow has reviewed the construction plans for the changes requested, and is in agreement with the cost.

The Trammell Crow Company contribution is supported by an irrevocable letter of credit already provided to the City.

The City Attorney's office has reviewed this change order and the agreement with Trammell Crow Company.

AGREEMENT AMENDMENT

41. Recommend approval of an amendment to agreement for the sale of land in the Third Ward Neighborhood Strategy Area between the City of Charlotte and the Third Ward Neighborhood Development Association.

On August 24, 1981, Council approved the agreement for the sale of land in the Third Ward Neighborhood Strategy Area. Pursuant to the agreement, the land was sold by the City to the Third Ward Neighborhood Development Association on July 13, 1984. The agreement provided that a portion of the land (Phase II) could be sold to another redeveloper for the construction of 58 condominium units to be known as Phase II of Cedar Square.

The Phase II land was sold by the Third Ward Development Association to Cedar Square Associates, but because of changes in market conditions and other reasons, the construction has never occurred. Pursuant to the terms of the agreement and deed from the City, the City has a right of re-entry and reverter if the improvements are not completed in accordance with the contract. The redeveloper (Third Ward Development Association) has requested that the City not exercise this right. Instead, it has requested that the City amend the contract to allow them to repurchase the land from Cedar Square Associates and to construct the 58 condominium units in accordance with the original plans and specifications previously approved by the City, or under plans to be approved. The Third Ward Neighborhood Development Association has requested that it be given 24 months to start construction on these units, with an additional 12 months thereafter to complete construction.

This request has been reviewed by the City Attorney's office, and Engineering/Real Estate and Community Development concur in this recommendation.

A map is attached.

Attachment No. 10

42. Recommend approval of an amendment to the agreement for architectural services with Middleton, McMillan Architects for the design of renovations for the Spirit Square Arts Center.

The 1987 CIP budget approved up to $2,700,000 from lease purchase proceeds to be allocated in a fifty percent matching grant for renovations to the Spirit Square Arts Center. Spirit Square had originally planned to utilize $2,403,500 of the grant and established the project budget at $4,807,000. In November, 1986, City Council approved an agreement for architectural services with Middleton,

McMillan Architects in the amount of $514,000 based on a fixed limit of construction of $4,000,000. Administrative costs were budgeted in the amount of $293,000.

In March, 1987, the Spirit Square Board of Directors requested revisions be made to the previously approved schematic plans for the project. The revised schematics require that the project budget be increased.

On June 8, 1987, Spirit Square requested that the project budget be increased to $5,400,000 to fully utilize the City's $2,700,000 commitment. Subsequently, the Engineering Department revised the budget and negotiated an amendment to the agreement with the architect. The amendment increases the total fee from $514,000 to $576,000 and contains a fixed limit of construction of $4,494,000. Administrative costs have increased from $293,000 to $330,000. It is requested that Council approve this amendment.

The City's portion of the project cost is funded through a Capital Facilities Lease Purchase Agreement approved by Council in August of 1986. The cost to the City will not exceed the approved amount of $2,700,000.

Spirit Square's portion of the project cost is funded through private contributions and grants. Private contributions will be secured by a either an irrevocable letter of credit or an irrevocable loan commitment with an approved financial institution.

Funding for the amendment to the architect's agreement is currently available in account number 370.00.

This contract amendment was negotiated by the Engineering Department and has been cleared by the Legal Department, Finance Department and Spirit Square.

LEASE AMENDMENT

43. Recommend approval of a second amendment to a lease agreement between the City of Charlotte and Charlotte Office Tower Associates to extend the term of the lease and to increase the monthly rental rate.

The City presently leases space for nine transmitters and a microwave dish antenna at the Charlotte Plaza Building. The five-year lease is expiring and it is recommended that the lease be extended to terminate September 30, 1988 which will coincide with the completion date of the new radio tower presently under construction. A cancellation clause in the lease permits the City to terminate the lease upon a 60-day notice at any time after January 31, 1988.

This amendment to the lease also includes a rate increase from $1700 a month to $2600 a month. An investigation of market rates at comparable nearby locations revealed this to be below the market rate. Other sites were not explored because they would not be suitable for transmission purposes and there would be extensive interim relocation costs.

General Services/Radio Division funds will be used for this lease agreement.

44. Recommend approval of a supplemental agreement with Burlington Air Express, Inc. to extend their air freight facility lease for an additional five year period.

On March 6, 1981, the City executed a lease to rent 12,763 square feet of warehouse/office space to Burlington Northern Air Freight, located in a 22,000 square foot warehouse building at the Airport. The initial term of the lease was for a five year period, with Burlington having the option of extending the lease for an additional five year period, with proper notice to the City. The renewal term rental, pursuant to the terms of the lease, is to be adjusted to reflect rent being charged by the Airport for comparable space let by it on or about the renewal date. However, if comparable space had not been let within a reasonable time preceding the renewal date, the rent would be adjusted to reflect a fair rental at that time, considering all relevant factors to such a determination. All of the other terms of the original agreement will remain in effect. Burlington has notified the Airport of its desire to exercise its renewal option. Accordingly, Burlington has agreed to pay an annual rental of $79,768.80, which represents approximately 24% increase in rent.

Council is requested to approve a Supplemental Agreement with Burlington Air Express, Inc. extending their air freight facility lease for an additional five year period, to be effective concurrently with the expiration of the original five year term of their lease.

RESOLUTION

45. Recommend adoption of a resolution authorizing the Purchasing Director to sell the Police Department's Drug Dog "Choc" for a negotiated price, in accordance with Statutes 160A-267.

ITEM NO.

JAZZCHARLOTTE 1987

46. Recommend adoption of a resolution endorsing JazzCharlotte 1987 and authorizing the City of Charlotte to enter into an agreement with SpringFest, Inc. and take other necessary action for JazzCharlotte 1987 to be held September 12-13, 1987.

Adoption of the resolution authorizes: (1) the City Manager to execute the agreement with SPRINGFEST, INC.; (2) the temporary closing of segments of City streets; (3) the use of City sidewalks within the boundaries of the closed streets; (4) the use of 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 which will be used only if the proper liquor liability insurance is procured; and (6) the power to levy certain fees.

This arrangement for JazzCharlotte 1987 is patterned on previous ones for holding SPRINGFEST. The City's support activities will be coordinated through the Operations Department. This JazzCharlotte agreement is basically the same as approved by Council last year except the active site will be removed from Tryon Street because of construction constraints. A map of the site is attached.

JazzCharlotte 1987, sponsored by SPRINGFEST, Inc., will be a two-day outdoor music festival to celebrate this area's historical and cultural heritage by providing a showcase for local, regional and national jazz, blues and gospel artists. Scheduled for September 12 and 13, 1987, JazzCharlotte 1987 will consist of a variety of planned activities and events including, but not limited to, performers and live entertainment; food vendors; sale of jazz-related souvenirs; and participation by artists, vendors and others active in uptown promotion. The proposed site plan calls for portions of Fifth and Sixth Streets and portions of Trade Church, Poplar and Pine Streets to be closed from Friday evening to Sunday evening. Free public performances will be held in Fourth Ward Park, and two other locations within the site.

Attachment No. 11

ECONOMIC DEVELOPMENT LOAN

47. A. Recommend approval of a loan agreement for $120,000 between the City and Paul A. McGill d/b/a Paul A. McGill, D.D.S., P.A., for the purchase and renovation of an existing structure and purchase of equipment, furniture and fixtures to operate an orthodontic facility.

Dr. Paul A. McGill, d/b/a Paul A. McGill, D.D.S. P.A., started his practice in 1982 and has experienced substantial growth during his five years of operation. He currently has an orthodontic practice located at 1028 W. 5th Street and is renting this space. The purchase of the land and building located at 1404 Beatties Ford Road and an adjacent lot will afford Dr. McGill ownership rights and the opportunity to expand his fast growing business. It will also give him the opportunity to locate his business in an area that will be just as convenient to his current client base and make his services available to a greater segment of the community.

Project Description:
The project involves the purchase of two lots and a brick building located at 1404 Beatties Ford Road. The building contains 5,040 sq. ft. on two levels and has an additional 2,520 sq. ft. in a basement area that may be renovated for use at a later date. Dr. McGill plans to occupy approximtely 2,500 sq. ft. of the renovated area to operate his orthodontic practice and lease the other space to retail and/or service businesses.

Sources of Funds:

North Carolina National Bank	$150,000	(50%)
City of Charlotte	120,000	(40%)
Cash contribution by Borrower	30,000	(10%)
Total	$300,000	

Terms of the Loans:
The $150,000 loan from NCNB will be at an interest rate equal to 2% over NCNB's prime rate of interest for a term of five years.

The loan applicant is requesting a loan from the City of Charlotte in the amount of $120,000 at 6% interest per annum for a term of five years amortized on a basis of 30 years. The entire unpaid balance will be due in a "balloon" payment at the end of the fifth year. It is being requested in this manner to keep the monthly payments at a manageable level.

Security:
The NCNB loan will be secured by a First Deed of Trust on the two lots and building located at 1404 Beatties Ford Road, which will have an after renovated value of $232,500, and a second Deed of Trust on Dr. McGill's personal residence located at 6630 Long Meadow Road, Charlotte, N. C. which has a current value of $94,000.

The City loan will be secured by a Second Deed of Trust on the two lots and building located at 1404 Beatties Ford Road and a First Lien on the new and existing equipment. The equity in the two lots and building after NCNB's first Deed of Trust is $82,500, and value of the new and existing equipment is $49,000. This yields a total of $131,500 which secures the City's loan of $120,000.

Public Purpose:
It has been determined that the proposed project is eligible for City financial participation as it meets the City's objectives of job creation, revitalization of a blighted area, provides a needed service to low and moderate income households, and expansion of the tax base. Four jobs will be created within five years and will be made available to individuals from low to moderate income households. The jobs will increase Dr. McGill's workforce to a total of eight persons. The jobs will be as follows·

1 Receptionist
2 Dental Assistants
1 Business Clerk
4 Total

Funding will be from the Economic Development Revolving Loan Fund.

The Economic Development Revolving Loan Fund Committee approved this loan on June 18, 1987.

B. Recommend approval of a loan agreement for $67,860 between John E. Granger and Valeria A. Granger d/b/a Faith Adult Day Care/Day Health Center to provide funds for startup costs, equipment purchase, and allowance for working capital.

Faith Adult Day Care/Day Health Center is a new business that will be located at 1014 Dilworth Road, also known as the Temple Israel Education Building. The business will be owned by John E. Granger and Valeria A. Granger. Valeria Granger is a registered nurse and has a Doctor of Education (Ed.D.) degree. Dr. Granger has an extensive background in education, administration, and health care having worked as a staff nurse and serving as an instructor at Central Piedmont Community College, Gaston College, and UNC-C as well as Dean of Nursing at Gaston College. Also, both Mr. and Mrs. Granger have business backgrounds that can be utilized in the successful operation of this proposed venture.

Project Description:
The project involves the rental of 7,990 sq. ft. to operate as a day health/day care center. Adult day health services is a program for aging, disabled, and handicapped adults who need a structured day program of activities and services with nursing supervision. Participation in adult day health can enable such persons to achieve and maintain their optimum level of independence and can support family members and other caretakers who are providing full-time care to frail adults living at home.

ITEM NO.

An adult day health services program is a family centered approach to the care of adults in the community. It can work to strengthen the relationship between the program participant and his family, to support the current care giving arrangement, to assure that the participant is receiving the appropriate type and amount of care, and to prevent any unnecessary removal or separation of the dependent adult from this home, family and community.

Sources of Funds:		
City of Charlotte	$67,860	(90%)
Cash Contribution by Borrowers	7,540	(10%)
Total	$75,400	

This loan is structured differently from the Economic Development guidelines which require 50% participation from a private lender, 40% from the City and 10% from the prospective borrower. However, private lender participation could not be obtained for this project because it is a new business with a concept that is not well known at this time. City staff considers the project eligible for the reasons outlined in "Public Purpose" and the Economic Development Revolving Loan Fund Committee considered the level of financing acceptable since it was meeting those objectives.

Term of the Loan:
The City loan will be in the amount of $67,860 at 6% interest per annum for a term of five years.

Security:
The City loan will be secured by a second Deed of Trust on Mr. and Mrs. Granger's personal residence located at 932 Squirrel Hill Road, a first Deed of Trust on unimproved property located in Brazilia Park (off Beatties Ford Road), and a first lien on all equipment, furniture and fixtures for the new business. The properties have equity amounting to approximately $46,000 and the cost of equipment, furniture, and fixtures will total approximately $31,500. This yields security of $77,500 which covers the City loan of $67,860.

Public Purpose:
It has been determined that the proposed project is eligible for City financial participation as it meets the objectives of job creation and provides a needed service to low to moderate income households. The jobs to be created are as follows:

1	Director
4	Assistants
5	Total

Funding will be from the Economic Development Revolving Loan Fund.

The Economic Development Revolving Loan Fund Committee approved the loan on February 6, 1987. It was approved with several conditions which were just recently agreed to by the Grangers. Prior

to the Grangers' agreement, they made counter proposals to the Loan Fund Committee, which were considered and rejected by the Committee at two subsequent meetings. The Economic Development Revolving Loan Fund Committee last reviewed the loan at its July 2, 1987 meeting and again confirmed their position which the Grangers accepted.

HOUSING LOANS

48. Recommend approval of loans for permanent financing to purchase property under the Uptown Residential Loan Agreement between the City of Charlotte and a consortium of banks and savings and loan associations.

Approval of the loans is necessary in order to proceed with the closing of the loans under the Uptown Residential Loan Agreement.

Borrower	Property Address	Loan Amount	Appraised Value
Gregory T. and Dixie K. Queen	404 Clarkson Green	$89,650	$94,400
Janet Barringer Sweet Phase III #9	Springfield Square,	$57,850	$61,000
William G. Seifts Phase II-A #2	Springfield Square,	$52,700	$56,000

The loan applications have been reviewed by the City loan officer in the Community Development Department, and the loan applications contain sufficient information to form the basis for approval of the loans.

HOUSING CODE ENFORCEMENT

49. A. Recommend adoption of an ordinance authorizing the use of the in rem remedy to demolish and remove the dwelling at 518 East Todd Street.

Date of inspection: March 18, 1987
Owner(s) notified of hearing: April 13, 1987
Hearing held: May 15, 1987
Owner(s) ordered to demolish dwelling by: June 26, 1987
Estimated value of dwelling: $510
Estimated repair (which exceeds 65% of estimated value): $12,750

The dwelling is open and unoccupied. The repairs include: installing sheetrock on ceilings; painting exterior; replacing broken and missing window glass; repairing holes in walls throughout dwelling; installing bathtub, lavatory, commode in bathroom; installing kitchen

sink; repairing holes in interior floors; installing heating equipment water heater, and front and rear doors; replacing defective electrical wiring and defective wall switch; repairing holes in foundation walls; replacing defective and broken window sash; painting all interior walls and ceilings.

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

B. Recommend adoption of an ordinance authorizing the use of the in rem remedy to demolish and remove the dwelling at 301 Dixon Street.

Date of inspection: January 27, 1987
Owner(s) notified of hearing: March 17, 1987
Hearing held: April 10, 1987
Owner(s) ordered to demolish dwelling by: June 5, 1987
Action appealed to Housing Appeals Board; Board met June 2, 1987 and upheld order to demolish.
Estimated value of dwelling: $2,390
Estimated repair (which exceeds 65% of estimated value): $16,575

The dwelling is unoccupied, open to vagrants, and a fire hazard to adjoining property. The repairs include: replacing roof rafters and roof sheathing and ceiling joists and roofing; replacing interior studs; installing sheetrock on ceilings and walls; painting interior; and exterior; installing bathtub and lavatory and commode in bathroom; installing water heater; replacing rotted flooring; installing heating equipment; replacing rotted floor joists; installing missing windows and window screens and interior doors; and exterior doors; replacing rotted front porch flooring; replacing rotted porch column and base; installing access door.

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

C. Recommend adoption of an ordinance authorizing the use of the in rem remedy to demolish and remove the dwelling at 314 Dixon Street.

Date of inspection: January 27, 1987
Owner(s) notified of hearing: March 18, 1987
Hearing held: April 15, 1987
Owner(s) ordered to demolish dwelling by: June 15, 1987
Estimated value of dwelling: $10,760
Estimated repair (which exceeds 65% of estimated value): $15,025

The dwelling is open and unoccupied and a fire hazard to adjoining properties. The repairs include: installing front door and front and rear screen doors; repairing ceilings; painting interior; replacing rotted flooring; installing interior doors; installing water heater; removing wood stiff knees; installing access door;

replacing window sash; replacing defective electrical outlets; replacing electrical light fixtures and switches; replacing defective handrail at rear steps; installing screens on windows; painting exterior; installing foundation vents; installing heating system.

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

EASEMENT

50. Recommend approval of an easement to Southern Railway Company over certain City-owned property located in Woodland Park.

When Woodland Industrial Park was developed, certain rights-of-way were dedicated to the City of Charlotte, as well as certain utility easements. Crow-Childress-Klein #2 constructed some railroad tracks on property which it owned which it now intends to sell to Southern Railway. In connection with that transaction, Crow also intends to grant an easement over a strip of land on which the tracks were laid for purposes of access for Southern Railway to facilitate the operation, maintenance, repair, renewal and removal of the tracks. Southern has agreed in principle to the sale and grant of easement, but has requested that the City join in the deed of easement.

The City has been requested to grant an easement to Southern Railway over a portion of what is known as Woodpark Boulevard. Additionally, the City is being requested to grant an easement to Southern Railway over a portion of a sanitary sewer right-of-way granted by Crow-Childress-Klein #2 to the City. In both instances, the City would reserve the right to operate and maintain any utility lines which run under or across the easements, but if in the exercise of its rights it should be necessary for railroad tracks to be removed, the City would bear all costs connected therewith or with the reinstallation or relocation of said tracks. Southern Railway would agree to indemnify and hold the City harmless for any claims arising from the Grantee's use of the easements granted.

No funding is required.

The Utility, Real Estate, Engineering, Charlotte Transportation, and Legal Departments concur in this recommendation.

ENCROACHMENT AGREEMENT

51. Recommend adoption of a resolution authorizing the Mayor to execute an encroachment agreement with Norfolk Southern Corporation and approve a one time fee of $50.00 for administrative cost for the installation of a 12-inch water main along Industrial Drive.

Norfolk Southern Corporation has requested that the City execute an encroachment agreement for the construction and maintenance of a 12-inch water main located 1130 ± feet west of old Pineville Road. A one time fee of $50.00 is required by Norfolk Southern Corporation to cover administrative cost.

Funds are provided by the Capital Improvement Program.

Charlotte-Mecklenburg Utility Department, Insurance & Risk Management Agency, Engineering/Real Estate Division and the Legal Department concur in this request.

SURPLUS PROPERTY

52. Recommend that the City-owned property at 403 Wayt Street be declared surplus and advertise it for sale.

By returning this parcel to private ownership, additional tax revenues are anticipated and the maintenance of the vacant parcel released from the City's responsibility. The Engineering/Real Estate Division proposes that City Council declare this parcel surplus and advertise it for sale. This parcel, Tax Code 075-105-23, has been used as a park. Because of its underutilization, the Parks and Recreation Department is recommending that the park be closed and the property sold. The removal of the park from the park system will not deprive the neighborhood of a recreational area for there are four neighborhood parks in the immediate vicinity: Double Oaks, Oaklawn, Greenville and Anita Stroud.

The parcel contains 6300 square feet, is level with street elevation and is zoned R6MF. The People That Love Community Out Reach Center has expressed an interest in purchasing the property. The Outreach Group currently owns two adjacent parcels to the park. The group would like to expand their operation by constructing a community activities center on the Wayt Park property. The Outreach Group's improvements to the Wayt Park property would have a positive impact on the area.

All City departments have been canvassed, with none expressing an interest in retaining this parcel for City use. The Planning Commission has reviewed and recommends the mandatory referral.

A map is attached as well as the mandatory referral report.

Attachment No. 12

COUNCIL MEETING SCHEDULE

53. Recommend that the regular Council meeting scheduled for December 14 at 3:00 p.m. be moved to December 7, 1987, 3:00 p.m. in the Council Chambers.

This action is recommended so that Councilmembers may attend the National League of Cities convention which was originally set for December 5-9, but has now been moved to December 12-16.

TAX REFUND

54. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $25,207.48 which were assessed through clerical error or illegal levy against 50 tax accounts.

UTILITY CONTRACTS

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

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

1. Eastern Sunbelt, Inc., to construct 560 linear feet of 8-inch water main, 1,755 linear feet of 6-inch water main and 770 linear feet of 2-inch water main to serve Wellsley Village Phase II Subdivision, located west of Highway 115 and south of Highway 73, outside the Charlotte City Limits. Estimated Cost - $46,000.00. Water Contract No. 100-87-053.

2. Firstmark Development Corporation, to construct 1,930 linear feet of 6-inch water main and 1,505 linear feet of 2-inch water main to serve Martin Lakes Subdivision, Phase III, located west of Almond Lane, east of Martin Lake Road and north of Albemarle Road, outside the Charlotte City Limits. Estimated Cost - $43,000.00. Water Contract No. 100-87-022.

3. Oaklawn Associates, c/o Vern Parrish, to construct 1,768 linear feet of 8-inch water main, 2,947 linear feet of 6-inch water main and 2,727 linear feet of 2-inch water main to serve Cedarfield Plantation, located west of McCoy Road, south of Gilead Road and north of McIlwaine Road, outside the Charlotte City Limits. Estimated Cost - $112,000.00. Water Contract No. 100-87-060.

4. Oaklawn Associates, A North Carolina Joint Venture, to construct 8,989 linear feet of 8-inch sanitary sewer main to serve Cedarfield Plantation, located west of McCoy Road, south of Gilead Road and north of McIlwaine Road, outside the Charlotte City Limits. Estimated Cost - $314,615.00. Sanitary Sewer Job No. 100-87-569.

5. Standard Properties, Ltd./Devesco Pacific Corporation, to construct 5,749 linear feet of 8-inch sanitary sewer main to serve Hembstead Phase IV Subdivision, located east of Providence Road, west of Hugh Forest Road and south of N.C. Highway 51, outside the Charlotte City Limits. Estimated Cost - $201,215.00. Sanitary Sewer Job No. 100-87-571.

6. Devesco Pacific Corporation, to construct 6,202 linear feet of 8-inch sanitary sewer main to serve St. George Place, located south of N.C. Highway 51, west of Hugh Forest Drive and north of Four Mile Creek, outside the Charlotte City Limits. Estimated Cost - $217,070.00. Sanitary Sewer Job No. 100-87-561.

7. Derita Properties, Inc., to construct 2,120 linear feet of 8-inch sanitary sewer main to serve Olde Whitehall Subdivision, Phase II, located south of Shopton Road, west of York Road and east of Coffey Creek outside the Charlotte City Limits. Estimated Cost - $63,600.00. Sanitary Sewer Job No. 100-87-590.

8. Carmel Land Company, to construct 4,770 linear feet of 8-inch sanitary sewer main to serve Hampton Green, Phase III, located south of N.C. Highway 51, west of South Trade Street, and north of Four Mile Creek, outside the Charlotte City Limits. Estimated Cost - $167,160.00. Sanitary Sewer Job No. 621-86-209.

9. Firstmark Development Corporation, to construct 2,574 linear feet of 8-inch sanitary sewer main to serve Martin Lakes Subdivision, Phase II, located west of Almond Lane, east of Martin Lake Road and north of Albemarle Road, inside the Charlotte City Limits. Estimated Cost - $90,090.00. Sanitary Sewer Job No. 100-87-539.

10. UDC Homes, to construct 6,585 linear feet of 8-inch sanitary sewer main to serve Cameron Wood Subdivision, Phase IV, located east of Park Road, south of Sharon Road West and west of McMullen Creek, inside the Charlotte City Limits. Estimated Cost - $197,550.00. Sanitary Sewer Job No. 621-86-191.

11. UDC Homes, to construct 3,810 linear feet of 8-inch sanitary sewer main to serve Cameron Wood IV Trunk, located east of Park Road, west of McMullen Creek, and north of Johnston Road, inside the Charlotte City Limits. Estimated Cost - $133,350.00. Sanitary Sewer Job No. 621-85-153.

ITEM NO.

12. UDC Homes, to construct 3,039 linear feet of 8-inch sanitary sewer main to serve Cameron Wood Subdivision, Phase V, located east of Park Road, west of McMullen Creek and north of Johnston Road, inside the Charlotte City Limits. Estimated Cost - $106,365.00. Sanitary Sewer Job No. 100-87-586.

13. Miller Newton, to construct 2,470 linear feet of 8-inch sanitary sewer main to serve Amity Place, located west of Sharon Amity Road, south of Milton Road and east of Meadowcliff Road, inside the Charlotte City Limits. Estimated Cost - $98,800.00. Sanitary Sewer Job No. 621-86-172.

14. Colvard Park Limited Partnership, to construct 7,997 linear feet of 8-inch sanitary sewer main to serve Colvard Park, located west of Mallard Creek Road, north of Mallard Creek, and south of Prosperity Church Road, outside the Charlotte City Limits. Estimated Cost - $279,895.00. Sanitary Sewer Job No. 100-87-577.

15. First Colony Group, Ltd., to construct 5,482 linear feet of 8-inch sanitary sewer main to serve Sunstone Subdivision, located east of Milhaven Lane, west of Statesville Avenue and north of Burmith Avenue, outside the Charlotte City Limits. Estimated Cost - $191,870.00. Sanitary Sewer Job No. 100-87-564.

16. First Colony Group, Ltd., to construct 1,640 linear feet of 8-inch sanitary sewer main to serve Brightmoor Subdivision, Phase I-B, located east of Pleasant Plains Road, west of Monroe Road and south of Four Mile Creek, outside the Charlotte City Limits. Estimated Cost - $49,200.00. Sanitary Sewer Job No. 621-86-182.

17. Carolina Developers, Ltd. II, to construct 1,811 linear feet of 8-inch sanitary sewer main to serve York Road Commerce Center, located north of N.C. Highway 49, east of Steele Creek and west of John Price Road, outside the Charlotte City Limits. Estimated Cost - $72,440.00. Sanitary Sewer Job No. 621-86-116.

18. Zaremba Charlotte Associates, A North Carolina Limited Partnership, By: Centerpoint Southern, Inc., to relocate 403 linear feet of 36-inch sanitary sewer main and 606 linear feet of 8-inch sanitary sewer main along Campbell Creek at Independence Boulevard and Margaret Wallace Road, inside the Charlotte City Limits. Estimated Cost - $65,585.00. Sanitary Sewer Job No. 100-87-601.

19. Elm Lane Development Company, to construct 2,356 linear feet of 8-inch sanitary sewer main to serve Elm Lane West Subdivision, located south of Four Mile Creek, north of Endhaven Lane and west of Elm Lane West, outside the Charlotte City Limits. Estimated Cost - $82,460.00. Sanitary Sewer Job No. 621-86-179.

20. Piper Glen Development, to construct 295 linear feet of 21-inch sanitary sewer main, 3,514 linear feet of 10-inch sanitary sewer main and 495 linear feet of 8-inch sanitary sewer main to serve Piper Glen Drive And Rea Road, located east of Elm Lane West, south of Four Mile Creek, and north of Providence Road West, outside the Charlotte City Limits. Estimated Cost - $217,700.00. Sanitary Sewer Job No. 100-87-575.

21. Piper Glen Development, to construct 7,713 linear feet of 8-inch sanitary sewer main to serve Piper Glen Drive and Governor's Row, located east of Elm Lane West, north of Providence Road and south of N.C. Highway 51, outside the Charlotte City Limits. Estimated Cost - $269,955.00. Sanitary Sewer Job No. 100-87-594.

22. Piper Glen Development, to construct 2,800 linear feet of 8-inch sanitary sewer main to serve Piper Glen Drive, located east of Elm Lane West, south of Four Mile Creek, and north of Providence Road West, outside the Charlotte City Limits. Estimated Cost - $98,000.00. Sanitary Sewer Job No. 100-87-589.

PROPERTY TRANSACTIONS

56. Recommend approval of the following property transactions.

A. Acquisition of 7.73 acres for construction of water storage tanks, at 297 Sardis Road, Matthews, North Carolina 28105, from Albany N. Martin, for $220,000.00, for the Water Storage Tank on N. C. Hwy 51 and Sardis Road. (Option)

B. Acquisition of 95,823.32 square feet (2.2 acres) of land for the new reservoir, at 1200 Auten Road, from Donald William Haverlah and Yvonne Grass Haverlah, for $29,200.00, for the Proposed Acquisition for New Reservoir at Franklin Water Plant. (Option)

The property is zoned R9-MF and the property owners live on the property. The City is purchasing the back 200 feet of lot.

C. Acquisition of 58,806 square feet (1.35 acres) of land for the new reservoir, at 1110 Auten Road, from Mildred Grass Self, for $17,641.00, for the Proposed Acquisition for New Reservoir at Franklin Water Plant. (Option)

The property is zoned R9-MF and the property owner lives on the property. The City is purchasing the back 200 feet of these lots.

D. Acquisition of 43,568 square feet (1 acre) of land for a fire station, at 6800 Pleasant Grove Road, from Dorothy L. Abernethy, for $22,656.00, for the Coulwood Annexation Area Fire Station Site. (Option)

The property is zoned R-12.

E. Acquisition of 97,649 square feet (2.243 acres) of land for a fire station, at 6800 Pleasant Grove Road, from J. Hugh Howell, Elnora Abernethy, Martha A. Tyson Richards, Jerry Richards, Richard H. Abernethy, Helen M. Abernethy, Walter C. Abernethy, Jacqueline M., Dorothy Abernethy, John William Abernethy, Pauline M. Abernethy, and Laura A. Howell, for $50,777.48, for the Coulwood Annexation Area Fire Station Site. (Option)

The property is zoned R-12.

F. Acquisition of 40,946.4± square feet (.94 acre) of land plus 18,000 square feet access road, at 8925 York Road, from 49 South Limited Partnership, A North Carolina Limited Partnership, for $204,700.00, for the Arrowood Annexation Area - Fire Station Site. (Option)

The property is zoned I-1 which is light industrial. The owner will grant an additional 18,000 square feet to be used as a public access road.

G. Acquisition of 1,179 square feet (.039 acre) of right of way plus 1,673.43 square feet of temporary construction easement, at 4611 Independence Boulevard, from Pajis Equities Company, A New York Partnership, for $28,321.00, for Intersection Improvements-Sharon Amity Road at Independence Boulevard. (Option)

The property is zoned B-2 and is presently being used as a retail clothing store occupied by Kuppenheimer Clothiers.

H. Acquisition of 2,373.53 square feet (.054 acre) of right of way and 1,365 square feet of temporary construction easement, underground wiring for flood lights, signal mast, landscaping and asphalt, at 4600 Independence Boulevard, from Johnny C. Phifer and Yvonne H. Phifer, for $44,000.00, for Intersection Improvements - Sharon Amity Road at Independence Boulevard. (Option)

The property is zoned B-2 and is presently being used as a service station.

CONDEMNATIONS

I. Recommend adoption of a resolution of condemnation for 432.5 square feet (.009 acre) plus temporary construction easement of 3,774 square feet, at southwest corner - intersection of Nations Ford Road and Arrowood Road, from James Douglas McQueen and any other parties of record, for $2,000.00, for the Nations Ford at Arrowood Road project.

Property owner contacted five times. Refuses to negotiate and will not submit a counteroffer.

J. Recommend adoption of a resolution of condemnation for 670 square feet (.015 acre) plus 181 square feet of permanent drainage and utility easements, at 720 Arrowood Road, from Dennis Strickland and any other parties of record, for $1,000.00, for the Arrowood Road Minor Street Widening project.

Property owner refused to accept the appraisal value of $1,000.00. His counteroffer was $4,200.00. The property is improved with a one story 1,600 square foot brick structure. The property is zoned R-9 and presently used as a single family residence. The use of the property as zoned will be unaffected by the acquisition.

K. Recommend adoption of a resolution of condemnation for 73,319 square feet (1.68 acres), at the 7100 block of Lawyers Road, from Charles Leighton and Edwina O. Leighton and any other parties of record, for $179,300.00, for the Park-n-Ride Lot/ Idlewild Road North and Lawyers Road project.

Property owners refused to accept City's offer based on appraisals; their counteroffer was $588,690.78.

L. Recommend adoption of a resolution of condemnation for two utility easements, 75 square feet and 32 square feet, plus temporary construction easement of 844 square feet, at corner of Rama Road at Monroe Road, from Charles M. Carroll and any other parties of record, for $300.00, for the Idlewild Road Widening project.

There are several outstanding judgments on this parcel. The City Attorney's office recommends condemnation for clear title. Attorney for property owner stated they couldn't accept offer; no counteroffer given.

M. Recommend adoption of a resolution of condemnation for 5,279 square feet (.121 acre) of right of way plus four square feet utility easements and 2,738 square feet temporary construction easement, at 5525 Independence Boulevard at Idlewild Road, from Masco Inc., Mr. Townsend Harris, and any other parties of record, for $71,000.00, for the Idlewild Road Widening project.

Property owners, through their attorney, refused to accept City's offer based on appraisals; their counteroffer was $150,000.00. Property zoned B-2 and used as a D'Lite Restaurant.

N. Recommend adoption of a resolution of condemnation for 899 square feet (.021 acre) plus construction easement 390 square feet, at 2318 Rama Road, from Joe M. Caldwell and wife Louise Caldwell, and any other parties of record, for $1,500, for the Idlewild Road Widening project.

Property owners through their son, attorney Thomas Caldwell, refused to accept City's offer based on appraisal; his counteroffer was $15,000.00.

O. Recommend adoption of a resolution of condemnation for 1,159 square feet (.027 acre) plus permanent easement of 519 and 572 square feet and temporary construction easement of 1,660 square feet, at 6000 Monroe Road, from Rama Oaks Office Partners and any other parties of record, for $4,175.00, for the Idlewild Road Widening project.

Property owners, through their attorney, refused to accept City's offer based on appraisal; their counteroffer was $11,250.00.

EXECUTIVE SESSION

57. Recommend adoption of motion to hold an executive session immediately upon the conclusion of this meeting for the purpose of considering an Airport lease matter in accordance with the State Open Meetings Law.

SCHEDULE OF MEETINGS
July 27 - August 14, 1987

Monday, July 27	COUNCIL/MANAGER LUNCHEON	12:00 Noon
	CITIZENS HEARING	2:00 p. m.
	COUNCIL DISCUSSION	2:30 p. m.
	COUNCIL MEETING Council Chamber, City Hall	3:00 p. m.
Monday, August 3	COUNCIL WORKSHOP Training Center, City Hall Annex	4:00 p. m.