AGENDA

Meeting Type:	BUSINESS
Date:	06/13/1988

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Al Rousso*

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

Council Agenda

Monday, June 13, 1988
District 6 Council Meeting
Sedgefield Junior High School
2700 Dorchester Place

6:00 PM. . . . . Council-Manager dinner
7:00 PM. . . . . Citizens Hearing
7:30 PM. . . . . Council Meeting

ITEM NO.

1. Invocation by Dr. Cliff Wood of Calvary Church.

2. Consider approval of Minutes of Zoning Hearings of May 16, and Regular Meeting of May 23, 1988.

PUBLIC HEARINGS

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

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

Petitioner: Surgical Care Affiliates, Incorporated, SCA-Mecklenburg Development, Limited and Charlotte Surgery Properties, Limited.

Street to be Abandoned: Portion of Sandlewood Drive; non-maintained right of way 60 feet wide and approximately 716 feet long.

Location: Off Drenan Street and Orange Street in the Grier Heights neighborhood.

Reason: To incorporate right of way into the abutting parcels to sell in accordance with the purchase agreement; abandonment will provide for necessary parking for medical complex.

4. A. Recommend adoption of the 1988-89 appropriation and tax levy ordinance and a resolution approving the capital improvement program for fiscal years 1989-1993.

On May 2, 1988, the City Manager presented the amended FY89 Operating Budget and the FY89-93 Capital Improvement Program to the Mayor and City Council. The Mayor and City Council held several work sessions, as well as all required public hearings, prior to this requested Council action.

Attached is the FY89 Annual Appropriation and Tax Levy Ordinance recommended for adoption by City Council. Also attached is a resolution approving the five-year Capital Improvement Program. The following is an explanation of the major features of the ordinance as well as changes incorporated since the preliminary budget was presented.

Property Tax Levy

The property tax levy for FY89 is a total of $0.6275 per $100 assessed valuation. The following distribution incorporates a transfer of one-half cent from the General Fund to the Municipal Debt Service Fund for the capital program. The FY89 assessed value for the City is an estimated $17,504,826,467 and an estimated rate of collection of 98.75%.

General Fund	$ .5125
Municipal Debt Service Fund	.0700
Pay-As-You Go Capital	.0450
Total City Wide	$ .6275

General Fund

The General Fund budget totals $159,935,990, a decrease of $870,195 from the preliminary budget estimate. The decrease includes the operating changes approved by Council based on a phased implementation, the transfer of property tax levy to the capital program and routine adjustments necessary between the preliminary and final budget. The following are highlights of the changes that have occurred in the General Fund from the preliminary budget:

Revenues

1. One-half cent (½¢) of the General Fund Property Tax levy was transferred to the Municipal Debt Service Fund Property Tax levy for a decrease of $916,797 in General Fund revenue.

2. A fee for funeral escort service was included for an increase in revenue of $27,519.

3. A charge to the small towns for the full cost of the additional animal control officer to enforce local ordinances for an increase in revenue of $14,000.

Expenditures

1. One position in the Police Department recruitment function was reduced for a reduction of $27,519.

2. One-half of the cost of the Parks and Recreation landscaping crew will be charged to the capital program for Improvements to Existing Parks for a reduction of $64,296.

3. The maintenance of medians at subdivision entrances was eliminated for a reduction of $110,500.

4. The contribution to the United States Youth Games for coaches salaries was eliminated for a reduction of $29,145.

5. The enforcement of a local sedimentation and erosion control ordinance was eliminated for a net reduction of $48,268. This reduction is based on a implementation no later than December, 1988.

6. The daytime custodian at the Police-Fire Training Academy was eliminated for a reduction of $13,837.

7. The cost of 50% of a Planner I position and interns dedicated to staff support for the Art Commission will be charged to the Capital Projects Art account for a reduction of $38,478.

8. The contracts with the Army National Guard and Air National Guard were eliminated for a reduction of $10,000 and $6,000 respectively.

9. The contract with Citizens Safety Association was reduced by half for a reduction of $10,000.

10. Three Vice Officers were added to the Police Department for an additional cost of $102,000.

11. A contract with our Washington representative for part-time services was added for an additional cost of $15,000.

12. A contract with Senior Centers was added to the Neighborhood Centers Department for an additional cost of $15,000.

13. A contract with Youth Involvement Council was funded at a cost of $47,500.

14. An expansion of the Victims Assistance Program to include a program for victims of misdemeanors was funded for an additional cost of $55,714.

15. Additional overtime hours have been added to the Police Department's budget in order to implement increased traffic enforcement as part of the CUTRATE program for an additional cost of $250,000.

16. The Contingency line-item has a net reduction of $1,022,500 from a preliminary recommendation of $1,547,500 to $525,000 as a result of the above detailed changes.

17. Several departments' budgets changed due to realignment of vehicle maintenance costs and routine adjustments necessary for recalculation of salaries.

18. The City has received two grants totalling $31,000. The grant from Lechmere will assist in the North Charlotte summer recreation program; the grant from the National Park Services will assist with developing a park master plan.

Other Funds

The other funds are each balanced on the revenues received through enterprise fees, charges and grants. The following is a description of each fund and an explanation of adjustments made to the final budget, if any:

1. Water and Sewer Fund - The Water and Sewer revenue estimate for FY89 reflects a total of $52,242,132. The rate for FY89 will support all operating and capital costs. A rate increase for City residents of 4.61% in included in the FY89 revenue estimate.

2. Transit - The FY89 Transit Revenues and Expenditures reflect a total of $15,256,056. The budget includes route expansions, no fare increase and the continued dedication of 50% of the increased Auto Tax to the Transit Fund.

3. Airport - The FY89 Airport Revenues and Expenditures reflect the steady growth at the Airport. The Airport organizational study will include recommendations concerning staffing levels and should be available in late Fall 1988. The total Airport budget for FY89 is $31,073,080.

4. Community Development - The FY89 Community Development Revenues and Expenditures reflect continued General Fund support for the Housing Inspection and Code Enforcement Program and a contribution from the General Fund for support of the Family Housing Services contract for a total of $1,937,357.

5. Employment and Training - The FY89 Employment and Training Revenues and Expenditures include the continuation of a General Fund contribution. The FY89 budget is $2,780,256 which includes a General Fund contribution of $745,216.

6. Municipal Services Districts - The tax rate for District 1 remains at 1.63¢ per $100 valuation. Total revenues include property tax and a State rebate for loss of inventory of $231,679 and fund balance of $66,321 for a total of $298,000.

   The tax rate for District 2 remains at 1.50¢ per $100 valuation. Total revenues include property tax and State rebate for loss of inventory $44,437 and fund balance of $15,413 for a total of $59,850.

   The tax rate for District 3 remains at 3.0¢ per $100 valuation. Total revenues include property tax and State rebate for loss of inventory of $215,339 and fund balance of $76,871 for a total of $292,210.

7. Debt Service Funds - The ordinance incorporates the estimated interest earnings in the appropriate debt service funds. Further, the capital program for FY89-93 is based on the Municipal Debt Service financing assumptions reviewed by Council during the budget workshops including the use of Municipal Debt Service Fund balance to finance pay-as-you-go capital projects and maintaining a Municipal Debt Service Fund balance adequate to cover at least 50% of current and future debt service costs.

Capital Improvement Program

The FY89 Budget Ordinance includes appropriation of funds scheduled in the first year of the five-year capital program. Excluded from appropriation in the General Government and the Water and Sewer Program categories are capital projects funded by bonds to be authorized. Appropriations for these projects will be effective pending voter approval in the proposed bond referendum. Also, appropriations for Transit and Airport are contingent upon federal grants and airline lease agreements and are addressed during the year.

The following changes are incorporated in the Capital Improvement Program:

1. Coliseum Land Acquisition - The City has been notified that the option for the purchase of the Coliseum property can be exercised. Consideration of this option will be placed on a Council agenda this summer.

2. Statesville Road Community Park Development Planning - This project has been accelerated from FY91 to FY89 and is funded by Pay-As-You-Go funding previously allocated to the Coliseum Land Acquisition and an advance from Improvements to Existing Parks. The advance will be repaid in the FY90 capital program.

3. Spirit Square - The FY89 capital program includes $100,000 for Spirit Square asbestos removal and is funded from Pay-As-You-Go Fund Balance.

Pay-As-You-Go Fund

The FY89 budget includes property tax levy of $.045 to continue a Pay-As-You-Go fund dedicated to the Capital Improvement Program. Based on the estimated valuation, the Pay-As-You-Go fund tax levy will total $8,351,499 in FY89.

Capital Program Summary

The FY89 capital project appropriations total $91,523,713 and are listed below by program area:

Program	Amount
Transportation	$21,379,000
Housing	8,409,750
Government Facilities	4,580,000
Economic Development	6,828,587
Parks and Recreation	6,519,240
Neighborhood Improvements	2,000,000
Cultural Facilities	375,000
Water and Sewer	41,382,136
Airport	50,000
Total	$91,523,713

Also attached is a resolution endorsing the Capital Improvement Program for FY89-93. The Five-Year Program includes:

Program	Amount
Transportation	$170,504,500
Housing	42,448,700
Government Facilities	19,701,600
Economic Development	11,914,464
Parks and Recreation	25,519,240
Neighborhood Improvements	21,000,000
Cultural Facilites	23,775,000
Water	88,762,936
Sewer	129,776,200
Transit	9,912,000
Airport	94,771,700
Total	$638,086,340

The resolution does not commit funds and can be amended by City Council at any time.

B. Recommend adoption of a resolution amending the pay plan and employee group insurance plan.

The resolution provides for the following adjustments or revisions effective July 6, 1988:

- An increase of 3.5 percent to the pay rates in the City's pay plans.
- Pay range adjustments for job classes identified in the recommendation report.
- Recommended job class additions, deletions and title changes.
- Revisions to the group insurance plan as described in the recommendation report.

The additional cost of the proposed salary and benefit adjustments is $4,818,868 and is reflected in the FY89 budget ordinance.

Attachment No.

Clearances: All City departments, private utility companies and the Grier Heights Improvements Organization were notified and concur with the abandonment.

Funding: No City funds are involved.

A map is attached.

Attachment No. 1

POLICY

4. Recommend adoption of the 1988-89 appropriation and tax levy ordinance and a resolution approving the Capital Improvement Program for fiscal years 1988-1993.

This item will be included in Friday's Council-Manager memorandum.

5. Consider alternative alignments for the Northwest Circumferential.

The Metropolitan Planning Organization (MPO) will vote on an alignment for the Northwest Circumferential July 20. Three alternative alignments are presented for Council's consideration in directing our MPO representative on this issue. Alignment 3 is recommended by the Technical Coordinating Committee (TCC). A map and a table showing impacts of the three alternatives are attached.

The Northwest Circumferential:

- major thoroughfare proposed to link I-77 north with I-85 south in northwestern Mecklenburg County;
- will serve expected growth and connect major radial thoroughfares in the area;
- minimum right of way will be 100 feet; four lanes with median and sidewalks.

A circumferential roadway similar to the proposed Northwest Circumferential has been shown on the adopted Thoroughfare Plan since 1977. During public meetings held for the 2005 Transportation Plan in 1986, citizens expressed concern over possible alignments for the Northwest Circumferential and the North Charlotte Outer Loop. In response to these concerns, the MPO directed the TCC to perform an alignment analysis for this roadway.

Alignment analysis:

Study began in January 1987 by transportation staff from City and County Engineering, CDOT and Planning.

Six preliminary alignments presented at October 21, 1987 public meeting attended by 122 people. Citizens' comments used to refine alternative alignments; discussed with Oakdale Action Committee on December 16, 1987.

Revised alignments reviewed at second citizen meeting on February 4, 1988 attended by 350 people. Majority opposed roadway and advocated that resources be directed to planning and construction of Outer Loop. (Because of projected growth in this area, there is a need for a major thoroughfare in addition to the Outer Loop.) Northwest Circumferential perceived as dividing Oakdale community and adversely impacting existing rural character of area.

Alignment 3 recommended by TCC:

On February 17, 1988, the TCC considered the three reasonable and feasible alternatives shown on attached map. The TCC recommended Alignment 3 as the preferred alignment for the following reasons:

- Overall impacts to homes in the area are lower.
- Will achieve a better intersection with NC 16.
- Provides a better spacing relationship to other circumferential facilities on the Thoroughfare Plan in the northwest.
- Provides more flexibility in roadway design.

Council is requested to direct their MPO representative on this issue for the MPO vote to be taken on Wednesday, July 20, 1988.

Attachment No. 2

6. Consider the Neighborhood Through Traffic Study (NTTS) Program.

At the June 1 budget workshop, City Council indicated a desire to review the Neighborhood Through Traffic Study (NTTS) program. Based on the complexity of this issue, Council may wish to spend some time discussing the NTTS program in order to give staff further direction, or you may wish to refer it to Council committee.

History: As a result of public interest in protecting neighborhoods from the impact of through traffic, on October 24, 1977 City Council adopted a resolution authorizing staff to study and implement traffic

controls to decrease through traffic in neighborhoods. The Traffic Engineering Department (now the Department of Transportation) immediately received approximately 20 petitions, each of which were evaluated. Due to the need, however, to give priority to the major through traffic problems, on April 2, 1980, Council amended the NTTS process to limit treatment to major problem areas. Previously, petitions were received to control traffic on streets carrying only a few hundred vehicles per day. Changes to the program included requirements that a study cannot be initiated unless a neighborhood street carries at least 4,000 vehicles per day, with 40% of the vehicles being through traffic. Copies of both Council resolutions are attached.

Since the beginning of the program, 23 neighborhoods have been studied (portions of some more than once), with traffic controls implemented in twelve of the neighborhoods. A list of the neighborhoods, along with any controls tested, is attached.

Traffic controls implemented as part of the neighborhood through traffic study are separate and distinct from those implemented by CDOT engineers to improve traffic flow on thoroughfares. These types of controls include turn restrictions, medians, signals and other devices which do not involve neighborhood input.

Myers Park study: Over the past two years, staff has been working with the residents of Myers Park neighborhood. The study was initiated by petitions submitted separately by the residents of Chilton Place, off Sharon Road, and Westfield Road, off Queens Road West. Both petitions represented 75%* of the households of each street. Both streets had 4,000 vehicles per day, and at least 40% of the vehicles using the street was through traffic. Subsequent study indicated that although no other thoroughfare met the 4,000 vehicle criteria, many of the streets in the neighborhood had through traffic which exceeded 40%, and as high as 80%.

In coordination with the Myers Park Homeowners Association, a steering committee worked with staff to develop remedies to address the problems identified in data collection. The remedies, composed of turn restrictions and median changes, were presented to the neighborhood at the May 10, 1988 neighborhood meeting, attended by approximately 500 persons representing 251 households. The neighborhood voted to implement only those controls involving turn restrictions. Staff is preparing to install the necessary signing, but will not order installation until Council's review is complete.

*Petition process originally required 2/3 petition, but was changed administratively, and with advisement from Council, in 1985 to 75% petition in order to define a stronger consensus and make the program consistent with other departmental procedures.

Discussion Points:
The NTTS program presents a number of issues which Council may wish to discuss:

1. Should traffic controls be used to decrease through traffic?

2. If displacing through traffic adds additional burden on the thoroughfare system (it is presumed by design not to impact other neighborhood streets), should the controls be implemented?

3. Who should initiate requests for through traffic studies - individuals, streets, or neighborhoods?

4. Who should decide where controls are to be installed - an individual street, a whole neighborhood, the impact area, CDOT, or Council?

5. Is the 75% neighborhood confirmation too stringent?

6. If a neighborhood (or impact area) makes the decision, should it be by ballot, or petition? What percentage of the neighborhood should make the final decision?

7. If the procedure continues, what role does Council wish to play?

There are a number of alternatives Council may wish to consider:

1. Rescind the Council resolutions of 1977 and 1980, to discontinue the program.

   a. Remove all restrictions previously implemented including Colony and Reddman Roads.

   b. Leave current restrictions

      (1) "Grandfather" Myers Park proposals
      (2) Do not "grandfather" Myers Park proposals

2. Alter the program procedure in one of the areas listed:

   a. Council review
   b. Percentage consensus required
   c. Type of controls available
   d. Decision-making process

3. Leave as is.

Attachment No. 3

7. Recommend approval of a Request for Proposal for local advertising/ public relations agencies to develop a comprehensive communications plan for the City of Charlotte.

At the May 2, 1988 monthly Council workshop, we discussed with Council the process that has been followed in reviewing our current communication programs, looking toward a comprehensive plan for communicating with citizens on capital programs, City services, and for internal communication with employees. At that workshop, Council approved development of a Request for Proposal with the understanding that the RFP would be brought back for Council approval.

Request for Proposal: The attached RFP has been reviewed by the Ad Hoc Communications Advisory Committee. (A list of the committee members is attached.) The RFP will be sent to local agencies; six semi-finalists will be selected to make presentations to a selection committee made up of representatives of the Ad Hoc Committee and City staff. We will then come back to Council with a recommendation for approval of a contract.

Purpose of comprehensive communications plan: The plan will focus on strategies and informational products needed to keep the community well informed about transportation and other capital construction projects that will affect residents over the next few years, as well as about services of City government. The Public Service and Information Department will work closely with the agency in the development and implementation of the plan.

Funding: Total funds for the communications program will be limited to $225,000 or less and when appropriate, costs will be charged to capital construction projects. The program would include research, development of a comprehensive communications plan, creative/ production costs, and media placement (time or space in a commercial advertising medium).

For any media placed for the City (radio, television, print, outdoor boards, etc.), the agency will place it at net cost and will not receive a commission.

Clearances: Public Service and Information Department; members of the Ad Hoc Communication Advisory Committee.

Attachments: RFP, list of Committee members, and some information included with the May 2 workshop agenda.

Attachment No. 4

8. Recommend adoption of a resolution to approve a one-year extension of the policy for optional coverage relocation benefits until June 30, 1989.

Background: The HUD Community Development Block (CDBG) regulations permit a City, at its discretion, the option of extending relocation eligibility and benefits beyond what is required by federal relocation regulations. The regulations provide this "local option" so that a city may be more responsive to local needs and housing conditions. This local option is used by a small percentage on the relocation workload, but is important because it is the only way some cases can be done.

Local Option Policy: The Local Option Policy, which has been renewed on a yearly basis since 1982, makes housing opportunities affordable to persons who are being displaced by governmental action by the following means:

1. Local option rental assistance up to $7,000 for a four-year period based on the difference in the old and new housing cost.

2. Downpayment assistance benefits up to a maximum of $8,000.

Use of local option benefits:

Since policy was expanded in 1982:
Relocated households which were eligible for benefits: 601
Used local option rental assistance: 50 @ average cost of $4,516.69
Used local option downpayment assistance: 35 @ average cost of $7,107.30
Average local option benefit payment: $5,583.41 (low of $50; high of $8,000.

Current fiscal year's use of local option: seven households; cost of $40,572.28 or an average of $5,796.04 per household.

Relocation projection for FY89: 78 households which would be eligible for benefits. Maximum possible cost: $546,000. Based on usage in past five years, it is estimated that 14 households will actually use local option benefits at an estimated cost of $78,168.

The Local Option Coverage needs to be extended because:

- Federal relocation regulations require displaced persons be given the opportunity to select from replacement housing resources available on the private market.

- The income of some displaced persons continues to be too low to enable them to afford housing on the private market without optional relocation benefits. A displaced person is one who must move because 1) the City has acquired the property where they are residing, or 2) as a result of the enforcement of the housing code the house has to be demolished or cannot be repaired with them in place.

- HUD encourages the relocation of displacees within 6-12 months.

A summary of Last Resort Assistance is attached.

Funding: Community Development Block Grant Funds.

Clearances: Community Development Department.

Attachment No. 5

BUSINESS

No. 9 and No. 10 are requests to refinance two economic development loans previously approved bv Council. The new loan agreements were approved by the Economic Development Revolving Loan Fund Committee on May 12, 1988.

9. Recommend approval of a loan agreement for $76,217 between the City of Charlotte and Grover Flood, Jr. and Geneva C. Flood d/b/a Tiger and NuBee Day Care Center to provide funds for the addition to and renovation of 1019 Pryor Street, the purchase and renovation of 1015 Pryor Street, the purchase of new equipment, allowance for working capital and project cost overruns.

On October 12, 1987, City Council approved a loan of $60,000 to Grover and Geneva Flood for the purchase and renovation of a structure to operate a day-care center, the purchase of new equipment, and funds for working capital. The business, operating as the Tiger and NuBee Day Care Center, is located at 1015-1019 Pryor Street which is in the Pocket of Poverty area. A copy of the approved agenda item is attached.

During renovation, the Floods experienced cost overruns totaling $32,434 due to changes/additions in plumbing, heating and electrical, and additional costs for construction-related items and equipment. The Floods have exhausted their personal capital, are unable to fund these overruns, and are requesting assistance from the City and the private lender. In order for the City to assist the Floods, we must refinance the current loan of $60,000 and increase the loan amount to $76,217. This increase of $16,217 reflects 50% of the total cost of the overruns; the other 50% is being funded by the private lender.

Attached are details on the revised project costs, source of funds, loan terms, security, and public purpose. Also attached is a summary that explains the Economic Development Revolving Loan Fund.

Funding: Economic Development Revolving Loan Fund.

Attachment No. 6

10. Recommend approval of a loan agreement for $83,300 between the City and Leonard B. and Linda Johnson to provide funds for the construction of a mini shopping center, the purchase of equipment and inventory, allowance for working capital and installation of sewer service.

On April 6, 1987, City Council approved a loan of $73,400 to Leonard B. and Linda Johnson for construction of a mini shopping center at the corner of West Boulevard and Clanton Road which is located in the Pocket of Poverty. A copy of the approved agenda item is attached.

The Johnsons initiated construction of the building in June 1987 and in January 1988 learned that sewer service was not available to the property. The area is fully developed so it was thought that sewer service would have been available; however, the closest line was 300 feet away. According to the Building Standards Department, sewer service did not have to be available to the property prior to issuance of the building permit, but must be connected in order for a certificate of occupancy to be granted.

The cost to extend the sewer line will be $20,000 as estimated by the Charlotte-Mecklenburg Utility Department (CMUD). According to the City's standard extension policy, one half of this cost will be absorbed by CMUD and the remainder must be paid by the Johnsons. The Johnsons have limited personal capital and are requesting the City to assist them with the payment of this additional $10,000. The $10,000 needed by the Johnsons has already been paid by the private lender from funds that had been previously allocated for inventory and working capital. This payment was made so that preliminary and design phases for the sewer lines could commence thereby negating additional delays in opening the store.

The Johnsons will also have to pay a tap-on fee of $1,000. In order for the City to assist the Johnsons, we must refinance the current loan of $73,400 and increase the loan amount to $83,300 to provide for the additional funds needed for the sewer extension and connection.

Attached are details regarding the revised project costs, source of funds, loan terms, security, and public purpose.

Funding: Economic Development Revolving Loan Fund.

Attachment No. 7

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

In accordance with Council's approved policy, four streets in four 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:

Elm Tree Lane (Chestnut Lake) between Walnut Creek Lane and Walnut Oak Lane
La Gorce Drive (Town and Country) between Sharon View Road and Town and Country Drive
Scotland Avenue (Myers Park) between Cherokee Road and Providence Road
Windyrush Road (Olde Providence) between Abbotswood Drive and Rea Road

12. Nominations for Appointment to Boards and Commissions.

A. Clean City Committee - Six positions for three-year terms. Robert Washington, Jo Lammonds, Eric Peterson, Ann Gillon and Jeanne Trexler are eligible for reappointment and have complied with the attendance policy. One position is open due to the resignation of Hugh Lewis.

One position to fill the unexpired term of Ed Robertson who has resigned. The term expires 6/30/90.

B. Historic District Commission - One position for a three-year term. Tolley Kennon's second term expires June 30. He is not eligible for reappointment.

C. Planning Commission - One position for a three-year term. R. Stanley Vaughn is completing his first full term and is eligible for reappointment. He has complied with the attendance policy.

D. Spirit Square Board of Directors - One position for a three-year term. Lawrence Davidson's term expires June 30. He is completing his first full term, having originally been appointed to an unexpired term, and is eligible for reappointment. He has complied with the attendance policy.

E. Tree Advisory Commission - Two positions - one term will expire December 31, 1989, the other in 1990. The revised tree ordinance which becomes effective June 30, 1988 provides for the addition of two new members.

Attachment No. 8

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The City Attorney advises that agenda items no. 13 through 29 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

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BUDGET ORDINANCE

13. Recommend adoption of an ordinance to appropriate $104,400 in HUD grant bonus funds for the FY86 and FY87 Rental Rehabilitation Programs in order to make loans to private owners for rehabilitation of substandard low-income rental housing units.

City receives $104,000: The HUD area office has advised the City of Charlotte that it will receive Rental Rehabilitation grant bonus funds for $104,400. The HUD letter advising of these bonuses says, "This is the result of the excellent manner in which the program has been administered and the timely use of Rental Rehabilitation funds." This action appropriates the grant funds.

Rental Rehabilitation Program: Provides low interest loans to rehabilitate rental housing to be primarily occupied by lower income families; loans must be matched with private funds. Provides rehabilitation funds up to 50 percent of the total rehabilitation cost of a dwelling unit or up to a maximum of $8,500 whichever is less. Federal Section 8 voucher rent subsidies administered through the Charlotte Housing Authority are available for a limited number of qualified tenants. The end result is to provide affordable "standard" housing to lower income persons without the need for displacement.

Previous grant funds received: Charlotte has received $1,234,800 in program grant funds and bonuses to date.

Funding: Federal Rental Rehabilitation Grant funds.

Clearances: Community Development Department and Budget and Evaluation.

BID LIST

14. 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. Intersection Improvements — Engineering
Central Avenue at The Plaza

Recommendation: By the City Engineer that the low bid of $153,656.48, as submitted by Ferebee Corporation, be accepted for award on a unit price basis.

Project Description: This project was funded in the FY84 CIP. Intersection improvements include aligning and widening Central Avenue to provide for five lanes with four through lanes and a left turn lane onto the Plaza from each direction.

Source of Funding: General Capital Improvement Fund - (TSM Intersection Improvements - Capital Reserve and Auto Privilege Tax).

B. Sanitary Sewer Construction — Charlotte-Mecklenburg
Davidson Treatment Plant Conversion — Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Evans, Eller & Associates, Inc., of Statesville, North Carolina in the amount of $125,585.25 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would rehabilitate the pump station at the Davidson Wastewater Treatment Plant.

Source of Funding: Water and Sewer Capital Improvement Fund - (Pump Station Improvements).

C. Fire Station #7 - Asbestos Removal

Fire Department

Recommendation: By the General Services Director that the project be awarded to Hepaco, Inc. of Winston-Salem, N. C. at the low bid amount of $32,068.00.

Project Description: General Services is completely renovating Fire Station #7 using in-house forces and small construction contracts with a projected construction cost of $102,000.00. Construction preparation revealed asbestos in thermal insulation, caulking material, and floor tiles throughout the building. Asbestos removal will comply with OSHA and the Environmental Protection Agency health safety regulations, and will allow the General Services Department to proceed with the scheduled renovation project upon the removal of asbestos.

Source of Funding: General Capital Improvement Fund - (Building Improvements - Pay-As-You-Go Funding).

CONTRACT

15. Recommend approval of a contract for $43,240.000 with Metric Constructors for construction management services for the completion of the Charlotte-Mecklenburg Government Center.

Background: Metric/Polote contract: In June 1985 Council approved a contract with Metric/Polote for construction management services for the Government Center project. The contract was for the duration of construction only.

Proposed Metric Constructors contract: The proposed contract will provide construction management services during final construction work, punchlists and contract close-out, etc. This work will be done by the same construction management personnel who have been involved in the construction of the project. The contract allows for the City to request and pay for construction management services up to the amount approved on an as-needed basis since the extent of close-out services is not clear at this time.

Clearance: The contract has been reviewed by the City Attorney's office and is recommended by the Engineering Department.

Funding: Charlotte-Mecklenburg Government Center Capital account.

AGREEMENT

16. Recommend approval of an agreement for surveying services with Hobbs and Associates of Raleigh, North Carolina for $135,000.00.

Contract: This contract will establish 110 "geodetic control points" at strategic locations in the City and surrounding area.

Geodetic control points:

- Used in surveying as reference points of established and recorded geographic location.

- Will be utilized in surveys for upcoming transportation projects, water and sewer projects and proposed annexation areas.

- Once established, the points will become a permanent part of the N.C. Geodetic Control Network.

- Will expedite surveying for the City in areas where projects or growth is expected, will result in cost savings, and will provide for more accurate surveys.

Funds were approved in the FY88 operating budget for the MIS Department to begin development of computerized mapping capability for the City. Funding included the purchase of computer software and hardware and the contract to establish the control points on which to base the computerized mapping system.

Consequently, if further development of a computerized mapping system is approved in the future, the points will provide the initial groundwork necessary for development.

The State and the United States Geological Survey Department are not establishing these points because they do not need controls in the areas where the City needs the points.

Proposals: Proposals were solicited from 18 engineering and surveying firms. Using the Council-approved selection process, a selection committee, composed of representatives of the MIS and Engineering Departments, and the State of North Carolina, recommends Hobbs and Associates.

Funding: MIS Department operating budget.

Clearances: Engineering and MIS Departments.

AGREEMENT AMENDMENT

17. Recommend approval of an amendment to the agreement with Trammell Crow Company for $88,944.00 for sidewalks and landscaping for the NC Highway 51 and NC Highway 16 Intersection Improvement Project.

Background: In May, 1984, a zoning application was approved by the Mecklenburg County Board of Commissioners which provided for a Mixed-Use Center to be constructed within the four quadrants of the intersection at NC51 and NC16.

At that time, discussions were also under way concerning the widening of NC51, which would include intersection improvements at NC51/NC16. Rather than spend funds to construct intersection improvements which would later have to be removed for construction of the NC51 widening project, the concept plan called for developers of the properties lying in the four quadrants to contribute funds to be applied toward the cost of design and construction of the NC51/NC16 intersection improvements which would meet requirements of both projects.

On July 27, 1987, City Council adopted a budget ordinance appropriating $234,595.00 by which Trammell Crow provided funds for the improvements to the intersection to accommodate their development which is now under way.

New plan for sidewalks and landscaping: Trammell Crow Co. has approached the City with a plan to provide sidewalks and landscaping for the City right-of-way that borders their development. The plan calls for a scheme of sidewalks and landscaping that meanders from the City's right-of-way onto the Trammell Crow development. This is a more elaborate design than the City's standard sidewalks, which were called for in the original construction contract. Along with the sidewalks and landscaping, Trammell Crow will provide a maintenance agreement to run in conjunction with the ownership of the property. The sidewalks will be constructed according to City standards.

$88,944.00 to Trammell Crow: This amendment will provide Trammell Crow with a credit of $88,944.00 against their $234,595.00 letter of credit for the amount the City would otherwise have spent in the construction of the original sidewalks and landscape for this part of the intersection improvement project. In return, the City will receive an intersection with significantly more landscaping than originally budgeted, and save the cost of maintenance of the landscaping and sidewalks.

Funding: Developer's irrevocable letter of credit through Wachovia Bank and Trust Company in the amount of $234,595.00.

Clearances: The contract has been reviewed and approved by appropriate City staff including the City Attorney.

CHANGE ORDERS

18. A. Recommend approval of Change Order No. 1 for mechanical construction contract of fuel farm expansion for $37,344.00.

Contract: Fuel Farm Expansion, Mechanical Construction Contract
Contractor: ROW Industrial Service, Inc.
Date of Award: August 24, 1988
Contract Amount to Date: $849,700.00
Change Order No. 1: $ 37,344.00
New Contract Amount: $887,044.00

Removed and approved 5/23

This change order provides for the following:

1. Cathodic protection for the two new 30,000 barrel tanks to provide rust protection - $20,592.00.
2. Insulating flange kits as required by the project engineer.
3. Deletion of two underground concrete valve pits and modification of 20" suction header piping - $5,216.00.

Funds: Funds are available in the project contingency to cover this change order. This cost is included in project costs and is debt-serviced by rents and charges from the users of the fuel storage facility.

Clearances: Talbert Cox and Associates, project engineer, and Day and Zimmermann, Inc., project manager, concur in this change order.

B. Recommend approval of change orders totalling $112,321.20 to contracts for construction of Dobbs House in-flight catering kitchen addition at the Airport.

Contract: Dobbs House In-Flight Catering Kitchen Addition General Construction Contract
Contractor: Beam Construction Company
Date of Award: October 12, 1987
Contract Amount to Date: $1,095,527.00
Change Order No. 2: $ 81,355.00
New Contract Amount: $1,176,882.00

Contract: Dobbs House In-Flight Catering Kitchen Addition Electrical Construction Contract
Contractor: Howell Electric, Inc.
Date of Award: October 26, 1987
Contract Amount to Date: $194,104.00
Change Order No. 2: $ 30,966.20
New Contract Amount: $225,070.20

At Dobbs' request, the change orders will modify the current expansion plans to provide for the unanticipated addition of first class service on 116 daily flights by Piedmont and an unanticipated increase from four to 12 daily Boeing (wide-body) 767 aircraft operations by the end of 1988.

Funds: Funds are available in the project contingency to cover this work. The cost of these change orders, as well as all other project costs, are repaid by Dobbs through facility rentals.

Clearances: Dobbs House, Inc., Paul Tuggle Associates (architect) and Day and Zimmermann, Inc., project manager, concur in this change order.

C. Recommend approval of Change Order No. 2 structural steel and steel erection contract of Piedmont/USAir aircraft maintenance hangar for $194,664.00.

Contract:	Piedmont Maintenance Facility Structural Steel Contract for Aircraft Maintenance Hangar
Contractor:	Owen Steel Company of North Carolina, Inc.
Contract Award Date:	September 14, 1988
Original Contract Amount:	$6,640,000.00
Previous Change Order:	155,938.00
Change Order No. 2:	$ 194,664.00
New Contract Amount:	$6,990,602.00

This change order will provide and install metal decking in hangar building mezzanine area. This change order is not an addition to the overall project cost. It simply removes this work from general construction contract (yet to be awarded) and adds it to the ongoing steel erection contract which results in better overall scheduling.

Funds: City Council has previously appropriated the proceeds of the Special Facility Revenue Bonds which are guaranteed by revenue commitments from Piedmont/USAir. Funds are available in the project budget to cover this work.

Clearances: Odell Associates, Inc., Day and Zimmermann, Inc. and Piedmont/USAir concur with this request.

D. Recommend approval of Change Order No. 1 for $417,110.00 with Blythe Industries for the installation of a subdrain system and additional subgrade modifications for the Delta Road Extension, Phase I Project.

Contract:	Delta Road Extension - Phase I
Contractor:	Blythe Industries
Date of Award:	October 26, 1987
Contract Amount:	$1,314,366.14
Change Order No. 1:	$ 417,110.00
New Contract Amount:	$1,731,476.14

This project was designed by a private engineering firm, and using normal industry practices, their design and contract quantities were based on subsurface investigation which showed a minimal amount of unsuitable material requiring removal.

However, this spring after the site was cleared, a high ground water table, numerous stump burial pits which were unmarked and unrecorded, and extensive unsuitable soils were encountered which have required substantial additional subsurface modifications; e.g. a subdrain system to lower the water table, excavation of unsuitable materials, and replacement with structural fill to support the proposed roadway.

Existing unit prices have been utilized where possible. New unit prices for the remaining items have been negotiated with the contractor. The Engineering Department feels these prices are reasonable for the work involved.

Funding: Delta Road Extension Capital account.

Clearances: Engineering Department.

REHABILITATION LOAN

19. Recommend approval of a rehabilitation loan agreement with Mary L. Meadows for $32,661 to rehabilitate her home at 1525 Kennon Street.

Mary L. Meadows' home is in violation of the City's Housing Code; it will cost $32,661 to bring her house into compliance. Under the Council-approved rehabilitation program, a homeowner is to pay no more than 35% of their household income toward housing expense. Based on Ms. Meadows' income, she qualifies for a deferred payment loan (DPL) of $32,661 which will be repaid upon the death of the owner or the sale of the property. A lien will be placed on the property. This will regenerate our loan funds for future needs of lower-income families.

The rehabilitation assistance is as follows:

Borrower	Address	Loan	Term	Interest Rate	Type of Assistance
Mary L. Meadows	1525 Kennon Street	$32,661	N/A	0%	DPL

Funding: Community Development Block Grant Funds.

Clearances: Community Development Department.

A summary of the Rehabilitation Loan Program is attached.

Attachment No. 9

RENTAL REHABILITATION LOAN

20. Recommend approval of a loan agreement with Lloyd M. Lambeth under the Rental Rehabilitation Program of $45,000 to rehabilitate nine units located at 1205 & 1209 Pegram Street.

Project Description
The loan will be used to rehabilitate seven one-bedroom and two two-bedroom units which are or will be rented to low income families. The total rehabilitation cost is $119,865.

Source of Funds

First Charlotte Bank		$150,000
Refinancing	$ 80,135	
Rehabilitation Money	69,865	
City of Charlotte		45,000
Rental Rehabilitation		
Borrower's Contribution		5,000
Total Project Funds		$200,000
Less Refinancing Costs		80,135
Total Rehabilitation Cost		$119,865

Terms of the Loan
1) First Charlotte Bank
   Rate - 11%
   Term - 25 Years

2) City of Charlotte
   Rate - 5% fee
   Term - Due and payable in 15 years

Security
1) First Charlotte Bank -
   First mortgage on the property at 1205 and 1209 Pegram Street

2) City of Charlotte -
   Second mortgage on above property

Value and Equity Position

Appraisal indicates the after rehabilitation value of the property to be $200,000. The planned total indebtedness after rehabilitation, including the private first mortgage and the second mortgage with the City, will be $195,000. Therefore, the value of the property after rehabilitation will be sufficient to cover the total indebtedness. The owner has a pre-rehab equity in the property of $14,000.

Public Purpose

The project is consistent with the aims of the Housing Policy Plan by meeting the following four objectives:

1. Stimulate public/private partnerships in an effort to reduce the City's per unit cost by leveraging private dollars.
2. Preserve and rehabilitate rental units for occupancy by lower income families. The seven one-bedroom units will rent for $240 and the two-bedroom units will rent for $260.
3. Revitalize neighborhoods and minimize displacement.
4. Ensure compliance with the Housing Code.

With the City's participation, the project will result in rents that are affordable to lower income renters while also yielding an adequate return to the investor owner. A summary of the Rental Rehabilitation Program is attached.

Funding: Rental Rehabilitation Program HUD Grant Funds.

Clearances: Community Development Department.

Attachment No. 10

HOUSING CODE

21. A. - G. authorize the in rem remedy to correct code violations. H. authorizes a demolition. Funds are available and liens will be placed against the properties for the costs incurred. A summary of the in rem remedy is attached.

A. Recommend adoption of an ordinance authorizing the use of the in rem remedy to correct code violations at 6439 Montpelier Road.

Date of inspection: May 21, 1987
Owner(s) notified of hearing: August 12, 1987
Hearing held: September 9, 1987
Owner(s) ordered to repair dwelling by: December 8, 1987
Estimated value of dwelling: $33,710.00
Estimated repair (which is less than 65% of estimated value): $1,600.00

This dwelling is unoccupied; some of the needed repairs were made. The remaining repairs include: replacing rear screen door; replacing window screens; painting exterior wood trim.

B. Recommend adoption of an ordinance authorizing the use of the in rem remedy to correct code violations at 616 Norris Avenue.

Date of inspection: April 4, 1987
Owner(s) notified of hearing: April 15, 1987
Hearing held: May 6, 1987
Owner(s) ordered to repair dwelling by: July 1, 1987
Estimated value of dwelling: $23,590.00
Estimated repair (which is less than 65% of estimated value): $3,190.00

This dwelling is unoccupied; some of the repairs were made. The remaining repairs include: painting interior walls and ceilings; painting exterior wood; repairing kitchen and bath floors; repairing defective electrical wiring, switches, receptacles and fixtures; repairing interior and exterior door hardware; installing weather-stripping at exterior doors; repairing broken window panes; replacing window screens; repairing screen door; repairing roof leak; replacing decayed facia boards; replacing decayed back porch; repairing awning and repairing defective plumbing.

C. Recommend adoption of an ordinance authorizing the use of the in rem remedy to correct code violations at 937 Holland Avenue.

Date of inspection: March 19, 1988
Owner(s) notified of hearing: April 11, 1988
Hearing held: April 21, 1988
Owner(s) ordered to repair dwelling by: May 11, 1988
Estimated value of dwelling: $13,960.00
Estimated repair (which is less than 65% of estimated value): $4,460.00

This dwelling is occupied. The repairs include: installing window screens; repairing hole in kitchen ceiling; replacing damaged electrical fuse box; replacing defective electrical outlets and missing switch plates; installing sheet vinyl floor covering on bath floor; install lock on front door; replacing wood stiff knee piers at crawlspace; replacing defective access door; installing heating equipment; and replacing burned and decayed rear stoop covering.

ITEM NO.

D. Recommend adoption of an ordinance authorizing the use of the in rem remedy to correct code violations at 1320 North Caldwell Street, Apt. A & B.

Date of inspection: April 7, 1988
Owner(s) notified of hearing: April 11, 1988
Hearing held: April 21, 1988
Owner(s) ordered to repair dwelling by: May 7, 1988
Estimated value of dwelling: $16,780.00
Estimated repair (which is less than 65% of estimated value): $8,905.00

This dwelling is unoccupied. The repairs include: repairing rotted kitchen floors; replacing electrical wall switches and light fixtures; installing sheet vinyl floor covering in kitchen; installing window screens; installing screen door at front and rear; installing heating system; painting interior walls & ceilings; replacing lavatory faucets; installing sheet vinyl floor covering in bathroom; installing access door; and painting peeling exterior.

E. Recommend adoption of an ordinance authorizing the use of the in rem remedy to correct code violations at 1024 West Fourth Street.

Date of inspection: August 6, 1986
Owner(s) notified of hearing August 7, 1986
Hearing held: August 26, 1986
Owner(s) ordered to repair dwelling by: November 14, 1986
Estimated value of dwelling: $20,270.00
Estimated repair (which is less than 65% of estimated value): $5,500.00

The dwelling is occupied. The remaining repairs include: replacing rotted boxing and facia board; replacing decayed shingle mould; replacing damaged roofing on front and rear porches; replacing defective window screens; painting exterior; replacing wood stiff knees; and replacing defective screen door wire.

F. Recommend adoption of an ordinance authorizing the use of the in rem remedy to correct code violations at 1925 North Harrill Street.

Date of inspection: July 20, 1987
Owner(s) notified of hearing: July 24, 1987
Hearing held: August 3, 1987
Owner(s) order to repair dwelling by: September 6, 1987
Estimated value of dwelling: $9,240.00
Estimated repair (which is less than 65% of estimated value): $5,245.00

This dwelling is occupied. The repairs include: repairing rotted kitchen floor; installing sheet vinyl floor covering in kitchen; replacing improper wiring to water heater; replacing loose tile in tub alcove; repairing defective light fixtures and switch in bathroom; repairing holes in walls and ceilings; replacing defective window screens; replacing defective screen wire at front porch; replacing front screen door; painting interior walls and ceilings; and painting exterior woodwork.

G. Recommend adoption of an ordinance authorizing the use of the in rem remedy to correct code violations at 1517 Kennon Street.

Date of inspection: April 7, 1988
Owner(s) notified of hearing: April 11, 1988
Hearing held: April 30, 1988
Owner(s) ordered to repair dwelling by: May 7, 1988
Estimated value of dwelling: $17,330.00
Estimated repair (which is less than 65% of estimated value): $2,250.00

The dwelling is occupied. The repairs include: replacing broken window glass and missing and defective window screens; installing screen wire on front and rear screen doors; replacing defective foundation wall; repairing front porch floor, sills and joist; installing access door; and painting exterior wood.

H. Recommend adoption of an ordinance authorizing the use of the in rem remedy to demolish and remove the dwelling located at 1827 North Harrill Street.

Date of inspection: April 7, 1988
Owner(s) notified of hearing: April 11, 1988
Hearing held: April 21, 1988
Owner(s) ordered to demolish dwelling by: May 22, 1988
Estimated value of dwelling: $7,140.00
Estimated repair (which exceeds 65% of estimated value): $16,500 00

This dwelling is occupied and the tenant is being placed on the relocation workload. The repairs include: replacing roof rafter, headers and rotted framing at collapsed front and rear roof; replacing rotted sills; replacing rotted flooring at front porch; installing heating system; replacing defective water heater; replacing broken window glass; installing R-19 insulation in attic; painting interior walls and ceilings; installing sheet vinyl floor coverings in kitchen and bathroom; painting exterior; replacing rotted soffit; and repairing loose and missing bricks in foundation walls.

Attachment No. 11

STORM DRAINAGE REPAIR

22. A. Recommend adoption of a resolution to repair the storm drainage system at 2604 Dantrey Place in accordance with the Storm Drainage Repair Policy and assess a portion of the cost to the involved property owner in accordance with the Storm Drainage Repair Policy.

Location of drainage problem: 2604 Dantrey Place

Ranking: High priority

Improvements to be made: Taking up and replacing approximately four joints of pipe; cleaning the remainder of the pipe.

Total estimated cost of repairs: $2,000.00

City's cost at four-fifths of cost of improvements on private property: $1,600.00

Involved property owner(s) cost at one-fifth: $400.00

No public hearing required since all involved property owners signed petition.

Funding: Storm Drainage Repair Account. $1,600,000 remains available for appropriation. Previously approved projects committed $22,000 of the proposed $1 million appropriation for FY89. Due to length of time associated with project design and competitive bidding, construction contracts will be awarded in FY89 when funds will be available.

B. Recommend adoption of a resolution to upgrade the storm drainage in the 200 and 300 block of Scofield Road and assess a portion of the cost to the involved property owner in accordance with the Storm Drainage Repair Policy.

Location of drainage problem: 200 and 300 blocks of Scofield Road

Ranking: High priority

Improvements to be made: Existing pipe system is undersized by City standards. Flooding of area has created public safety hazard and caused significant property damage. Existing storm drainage facilities will be replaced with approximately 600 feet of 42-inch and 48-inch reinforced concrete pipe and associated drainage structures.

Total estimated cost of repairs: $141,500.00

City's cost: City pays for all improvements in street right of way ($71,500) and four-fifths on private property ($56,000).

Involved property owner(s) cost at one-fifth: $14,000

No public hearing required since all involved property owners signed petition.

Funding: Storm Drainage Repair Account. $1,600,000 remains available for appropriation. Previously approved projects committed $22,000 of the proposed $1 million appropriation for FY89. Due to length of time associated with project design and competitive bidding, construction contracts will be awarded in FY89 when funds will be available.

A copy of the Storm Drainage Repair policy is attached.

Attachment No. 12

INDEPENDENCE BOULEVARD PROJECT RIGHT OF WAY

23. Recommend that City Council authorize the Mayor to execute a deed and accept $27,900.00 for right of way being acquired by North Carolina Department of Transportation for Independence Boulevard at the Coliseum.

Background: The North Carolina Department of Transportation is acquiring right of way for the widening of Independence Boulevard from Waterman Avenue to Eastway Drive. This is the first phase of the upgrading of Independence to a freeway status and is a Federal participation project.

Appraisal: As required by Federal Highways Administration standards, the State has had the City property appraised. The appraisal includes the needed right of way, temporary construction easement, two electric lights on metal poles, shrubs and a portion of the paved parking lot adjacent to the front of the Coliseum and has a value of $27,900.00.

Clearances: Department of Transportation, Engineering, Real Estate and Auditorium-Coliseum-Convention Center.

ENCROACHMENT AGREEMENTS

24. A. Recommend adoption of two resolutions authorizing agreements with Norfolk Southern Corporation for installation of safety and signalization equipment at South Boulevard and Arrowood Road.

Background: Private developers donated right of way and constructed the realignment of Arrowood Road just west of the railroad crossing adjacent to South Boulevard at Starbrook Drive. When the construction project is completed, the Old Pineville Road at South Boulevard railroad crossing will be closed. The Department of Transportation is proposing to install traffic signals in conjunction with the new grade crossing signalization.

Norfolk Southern Corporation has requested that the City execute two encroachments. The first is for the installation and maintenance of traffic signals on South Boulevard which will be connected to the grade crossing signals. The railroad will install the necessary equipment for $12,400.00, and the City will reimburse them for this expense. The second encroachment covers the installation of the grade crossing safety devices - flashing light crossing signals, bells, gates and other appurtenances. The cost to the City for these railroad devices is $74,850.00. These will be maintained by the railroad. The City is required by State law to pay for this equipment.

Funding: TSM Intersection Improvement Capital account.

Clearances: Department of Transportation, Insurance and Risk Management and Engineering/Real Estate.

B. Recommend adoption of a resolution authorizing an encroachment agreement with CSX Transportation, Inc. and approve a one-time fee of $400.00 for administrative cost for the installation of a 8-inch sanitary sewer main to serve 6800 block Rozzelles Ferry Road.

Background: The State is developing a new highway maintenance facility in the area of the 6800 block of Rozzelles Ferry Road. The sanitary sewer to serve this facility must cross the Seaboard Railroad (CSX Transportation, Inc.) tracks in the area of Old Mt. Holly Road. CSX has requested an encroachment agreement for the construction and maintenance of a 8-inch sanitary sewer main. A one-time fee of $400.00 is required by CSX Transportation, Inc.

Funding: ~~TSM Intersection Improvement Capital account.~~ Water & Sewer Operating and Citizen Contributions (50/50)

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

C. Recommend adoption of a resolution authorizing an encroachment agreement with CSX Transportation, Inc and approve a one-time fee of $1,050.00 for the railroad's cost for installation of a 12-inch sanitary sewer in the Crestdale community.

Background: As a part of the Community Development improvements in the Crestdale community, sanitary sewer lines are being improved and extended. A 12-inch sanitary sewer line is crossing CSX Transportation, Inc. tracks and the CSX has requested an encroachment agreement. A one-time fee of $1,050.00 is required by CSX Transportation, Inc. to cover administrative cost.

Funding: ~~TSM Intersection Improvement Capital account~~ County Bond Funding.

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

D. Recommend adoption of a resolution authorizing an encroachment agreement with CSX Transportation, Inc. and approve a one-time fee of $400.00 for the railroad's administrative cost for installation of a 30-inch water main along Rama Road.

Background: The Charlotte-Mecklenburg Utility Department is installing a 30-inch water main tying into the 54-inch water main distribution system. The 30-inch water main runs to a water pump station to be built at the corner of Monroe Road and Idlewild Road. CSX Transportation, Inc. has requested that an encroachment agreement. A one-time fee of $400.00 is required by CSX Transportation, Inc.

Funding: ~~TSM Intersection Improvement Capital account~~. Water & Sewer Capital Budget, Water Main along Rama Road

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

ACCEPT GIFT

25. Recommend approval to accept gift from the Queens Table.

Information and a presentation from representatives of the Queens Table will be made Monday.

TAX REFUND

26. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $24,933.11 which were assessed through clerical error or illegal levy against 85 tax accounts.

SPECIAL OFFICER PERMIT

27. Application for Special Officer Permit.

Recommend approval of application for Special Officer Permit to Tom Nash for use on the premises of Charlotte/Douglas International Airport.

UTILITY CONTRACTS

28. 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. All items below, (except Item 4) 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. Item 4 is a 15-year Reimbursable Contract. The Applicant deposited 10% of the estimated construction cost. The remaining 90% will be deposited prior to construction. Utility and Planning Directors recommend approval.

1. WRA/LVG Partnership, to construct 2,626 linear feet of 16-inch water main, 1,752 linear feet of 12-inch water main and 80 linear feet of 8-inch water main to serve McCoy Road/Gilead Road, located north of Beatties Ford Road, south of Sam Furr Road and east of I-77, outside the Charlotte City Limits. Estimated Cost - $200,000.00. Water Contract No. 100-88-051.

2. Braewood Development Corporation, to construct 2,418 linear feet of 12-inch water main and 7,289 linear feet of 8-inch water main to serve Westlake Business Park, located north of Westinghouse Boulevard, east of Highway 160 and west of Steele Creek, outside the Charlotte City Limits. Estimated Cost - $216,000.00. Water Contract No. 100-87-169.

3. Sardis North Associates, Ltd., to construct 1,393 linear feet of 8-inch water main and 195 linear feet of 6-inch water main to serve CrownCentre Executive Park, located west of Independence Boulevard, north of Matthews-Mint Hill Road and west of Monroe Road, inside the Charlotte City Limits. Estimated Cost - $35,000.00. Water Contract No. 100-87-202.

4. The Most Reverend John F. Donoghue, Bishop of the Roman Catholic Diocese of Charlotte, N.C., to construct 1,650 linear feet of 8-inch sanitary sewer trunk to Providence Road West - St. Matthews Catholic Church, located east of Elm Lane West and north of Providence Road West, outside the Charlotte City Limits. Estimated Cost - $103,000.00. Sanitary Sewer Job No. 400-88-576.

5. Piper Glen Limited Partnership, to construct 2,001 linear feet of 8-inch sanitary sewer main to serve Parcel 13 Piper Glen Development, located east of Elm Lane West, south of Four Mile Creek and north of Outer Belt Loop, outside the Charlotte City Limits. Estimated Cost - $75,035.00. Sanitary Sewer Job No. 100-87-598.

6. Sardis North Associates, Ltd., A North Carolina Limited Partnership, By: CrownPoint Associates, Inc., General Partner, to construct 1,108 linear feet of 8-inch sanitary sewer main to serve CrownCentre Executive Park, located west of Independence Boulevard, north of Sardis Road North and east of Monroe Road, inside the Charlotte City Limits. Estimated Cost - $38,780.00. Sanitary Sewer Job No. 100-87-728.

7. Combined American Properties, to construct 1,115 linear feet of 8-inch sanitary sewer main to serve Independence Boulevard From Beards Creek II (Windsor Square), located east of U.S. Highway 74 and south of Sam Newell Road, outside the Charlotte City Limits. Estimated Cost - $40,000.00. Sanitary Sewer Job No. 100-88-545.

8. Pace/Dowd Properties, Ltd., to construct 4,753 linear feet of 8-inch sanitary sewer main to serve Shelton, Section 2 Subdivision, located north of N.C. Highway 49 on Harris Houston Road, outside the Charlotte City Limits. Estimated Cost - $166,355.00. Sanitary Sewer Job No. 166,355.00.

9. Oaklawn Associates, to construct 2,893 linear feet of 8-inch sanitary sewer main to serve Cedarfield Plantation, Phase 4 Subdivision, located west of McCoy Road, north of McIlwaine Road and south of Gilead Road, outside the Charlotte City Limits. Estimated Cost - $101,255.00. Sanitary Sewer Job No. 100-88-551.

10. Harris Hill Associates, to construct 1,699 linear feet of 8-inch sanitary sewer main to serve Harris Hill Apartments, located east of Baucom Road, west of W. T. Harris Boulevard and north of Mallard Creek Road, outside the Charlotte City Limits. Estimated Cost - $67,960.00. Sanitary Sewer Job No. 100-88-529.

11. Squires Homes, Inc., to construct 2,965 linear feet of 8-inch sanitary sewer main to serve Shepherds Vineyard, Phase V Subdivision, located west of Old Statesville Road, east of U.S. Highway 21 and south of Stumptown Road, outside the Charlotte City Limits. Estimated Cost - $103,775.00. Sanitary Sewer Job No. 100-88-535.

12. R & L Development Company, to construct 1,947 linear feet of 8-inch sanitary sewer main to serve Oak Grove II Subdivision, located south of Robinson Church Road, west of Market Street and east of Newell-Hickory Grove Road, outside the Charlotte City Limits. Estimated Cost - $68,145.00. Sanitary Sewer Job No. 100-88-555.

13. Oaklawn Associates, to construct 4,096 linear feet of 8-inch sanitary sewer main to serve Cedarfield Plantation Phase 3 Subdivision, located west of McCoy Road, north of McIlwaine Road and south of Gilead Road, outside the Charlotte City Limits. Estimated Cost - $143,360.00. Sanitary Sewer Job No. 100-88-530.

14. Sarah Hall Associates, to construct 2,641 linear feet of 8-inch sanitary sewer main to serve Sarah Hall Subdivision, located east of Providence Road, north of Providence Road West and south of County Lane, outside the Charlotte City Limits. Estimated Cost - $92,435.00. Sanitary Sewer Job No. 100-88-510.

PROPERTY TRANSACTIONS

29. Recommend approval of the following transactions.

1. Acquisition of 1,243.62 square feet (.028 ac.) of right of way plus 9,532.51 square feet (0.219 ac.) temporary construction easement, at 6548 Carmel Road, from Phoenix Mutual Life Insurance Company, for $24,900.00, for NC Highway 51 Widening-Phase II (Option)

   Improvements include seeded lawn, shrubs, trees, sprinkler heads. Owner declined to donate right of way.

   CONDEMNATIONS

2. Recommend adoption of a resolution of condemnation for 507 square feet (0.012 acres) plus temporary construction easement at 2940 N. Graham Street, Charlotte, North Carolina 28206, from Larry J. Smith and wife, Beverly J. Smith and any other parties of record, for $600.00, for the Transit Radius Improvements-North Graham Street at Dogwood Avenue.

   Property owners refused to accept City's offer based on appraisals; declined to make any counteroffer.

3. Recommend adoption of a resolution of condemnation for 482,764.0 square feet (11.0830 acres), at 5320 Swearingan Road, from Charles J. Henderson and Juanita T. Henderson and any other parties of record, for $1,900.00, for the 1987 Annexation Sewer - Oakdale Area 16.

   Property owner was offered $1,900.00 for sanitary sewer easement and severance damages. The owner's counteroffer was $11,000.00. Owners will not consider any other offer. The rear area where the line is to be constructed is very low and not suitable for building sites; therefore, the damages he has alluded to are not caused by the sanitary sewer line.