AGENDA

Meeting Type:	B
Date	12-11-1989
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda December 11, 1989

FILE COPY

28. Recommend that the City Council (A) express their thanks and appreciation to the City and State employees who have worked 6 & 7 day weeks and 10 hour days in the Hugo clean-up, (B) express to private contractors collecting Hugo debris the Council's concern that they take extraordinary actions to speed up their efforts; and, (C) that staff continue to use appropriate administrative actions to facilitate Hugo debris clean-up in areas under private contract.

This recommendation would be used as an official Council concern to encourage quicker work by private contractors Additional back-up will be available at Monday's Council meeting

CHARLOTTE

Meetings in December '89

WEEK OF DECEMBER 1 - DECEMBER 2

THE WEEK OF DECEMBER 3 - DECEMBER 9

4	Monday, 12 Noon	**PLANNING COMMISSION/Work Session** - CMGC, 8th Floor Conference Room
	Monday, 5 30 p m	**OATH OF OFFICE CEREMONIES** - CMGC, Meeting Chamber
5	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 6 00 p m	**CHARLOTTE ADVISORY PARKS COMMITTEE** - CMGC, Room 267
6	Wednesday, 6 30 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118
7	Thursday, 7 30 a m	**ZONING STAKEHOLDERS COMMITTEE** - CMGC, 8th Floor Conference Room
	Thursday, 3 00 p m	**CITY COUNCIL ORIENTATION** - CMGC, Room 267

THE WEEK OF DECEMBER 10 - DECEMBER 16

11	Monday, 8 00 a m	**AIRPORT ADVISORY COMMITTEE** - Charlotte/Douglas International Airport, Conference Room A
	Monday, 6 30 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber
	Monday, 7 30 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber
12	Tuesday, 7 30 a m	**ZONING STAKEHOLDERS COMMITTEE** - CMGC, 8th Floor Conference Room
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
13	Wednesday, 7 45 a m	**PRIVATE INDUSTRY COUNCIL** - CMGC, Conference Center
	Wednesday, 8 30 a m	**CIVIL SERVICE BOARD** - CMGC, 7th Floor Conference Room
	Wednesday, 9 30 a m	**CIVIL SERVICE BOARD/Hearing** - CMGC, Room 270
	Wednesday, 2 00 p m	**CIVIL SERVICE BOARD/Hearing** - CMGC, Room 270
14	Thursday, 5 00p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
15	Friday, 7 30 a m	**PLANNING LIAISON COMMITTEE** - CMGC, 8th Floor Conference Room

(Continued on Back)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF DECEMBER 17 - DECEMBER 23

18	Monday, 10·30 a m	**AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY** - Convention Center, 4th Street & College
	Monday, 5.00 p m	**COUNCIL/MANAGER DINNER** - CMGC, Meeting Chamber Conference Room
	Monday, 6 00 p m.	**CITY COUNCIL/Zoning Hearings** - CMGC, Meeting Chamber
19	Tuesday, 11·30 a m	**HOUSING AUTHORITY** - 1301 South Blvd
	Tuesday, 4 30 p m	**COMMUNITY RELATIONS COMMITTEE** - CMGC, Room 267
20	Wednesday, 4 00 p m	**SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE** - CMGC, Room 271
	Wednesday, 6 30 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118
21	Thursday, 7 30 a m	**PLANNING COMMISSION/Zoning Work Session** - CMGC, Room 267
	Thursday, 7·30 a m	**ZONING STAKEHOLDERS COMMITTEE** - CMGC, 8th Floor Conference Room
	Thursday, 7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - CMGC, Room 270

THE WEEK OF DECEMBER 24 - DECEMBER 31

25	Monday	**CHRISTMAS DAY** - All City Offices Closed
26	Tuesday	**CHRISTMAS HOLIDAY** - All City Offices Closed

These organizations will <u>not</u> meet in '

Community Facilities Committee
Housing Appeals Board

Monday, December 11, 1989 City Council Agenda
Table of Contents

ITEM NO.		Page No.
	PUBLIC HEARINGS	
2	Street Abandonment	1
3	Voluntary Annexation - Westinghouse Boulevard	2
4	Voluntary Annexation - Byrum Drive	
	Voluntary Annexation - Hornets Nest Park	
	Voluntary Annexation - Statesville Road Park	
	Voluntary Annexation - Berryhill School	
	Voluntary Annexation - Reedy Creek Park	
	POLICY	
5	Sale of Land - Greenville Redevelopment Area	3
6	Civil Service Board	4
7	Carolinas Transportation Compact	6
8	Council Retreat Date and Central Area Plan Meeting	6
	BUSINESS	
9	Position for Charlotte-Mecklenburg Drug and Alcohol Commission	7
10	Contract Award - Charlotte Housing Authority	8
	CONSENT	
11	Bids	9
12	Contract Award - Statesville Road Park Master Plan	15
13	U S. Geological Survey Agreement	16
14	City Code Amendment - Fair Housing	17
15	City Code Amendment - Multi Material Recycling	19
16	City Code Amendment - Animal Control	19
17	Interlocal Agreement Amendment - Animal Control	20
18	Interlocal Agreement - Recycling for Cornelius Davidson and Huntersville	21
19	Sale of Land - Third Ward	21
20	Loan Release - Third Ward	22
21	Housing Code Enforcement - In Rem Remedy	23
22	Donate Surplus Traffic Signals to Charleston	23
23	Set Speed Limit	24
24	Sale of Land - Surplus Property	25
25	Tax Refund	26
26	Set Public Hearing	26
27	Property Transactions and Condemnations	26

CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Cyndee Patterson*

Stanley M Campbell *Hoyle H Martin*
Daniel G Clodfelter *Roy Matthews*
Ann Hammond *Ella Butler Scarborough*
Pat McCrory *Richard Vinroot*
Tom Mangum *Lynn M Wheeler*

Council Agenda

Monday, December 11, 1989

6:30 p m - Citizens hearing
7 30 p m - Council meeting

ITEM NO

1. Invocation by Rev Msgr Felix R Kelaher of St. Vincent dePaul Catholic Church

PUBLIC HEARINGS

2. A Conduct a public hearing to abandon a portion of Eargle Road.

B Recommend adoption of a resolution to close a portion of Eargle Road

Background
Petitioner The Mathisen Company
Right-of-Way to be Abandoned A portion of Eargle Road
Location Between Nevin Road and Manning Road
Reason To incorporate right-of-way into adjoining tracts for development of a residential community

Clearances· City Departments and private utility companies No objection Derita Woods/Tanglewood Association· No objection

Funding No City funds are involved

A map is attached.

Attachment No 1

3 Conduct a public hearing on the question of a voluntary Annexation of the Westinghouse Boulevard Extension Area No 1

A joint annexation petition was received by the Council at its meeting of November 14, 1989 for the annexation of certain property owned by the City and Lance, Inc This annexation is associated with the Westinghouse Boulevard Extension Project

Attached is the November 14, 1989 agenda item which set this public hearing and describes this annexation

Attachment No 2

4 (A) Conduct five public hearings on the voluntary annexation of property owned by the City and (B) adopt five ordinances to extend the corporate limits to include these five areas

Due to changes in the State law concerning voluntary annexations and the policy of annexing adjacent city-owned property, staff initiated a survey of all city-owned property not located within the Charlotte corporate limits The survey identified the following five areas as containing large tracts of city-owned land Byrum Drive, Hornets Nest Park, Statesville Road Park, Berryhill School, and Reedy Creek Park All the areas are contiguous to the City's corporate limits, except for Reedy Creek Park.

A Conduct a public hearing on the voluntary annexation of property owned by the City on Byrum Drive

B Conduct a public hearing on the voluntary annexation of property owned by the City on Hornets Nest Park

C Conduct a public hearing on the voluntary annexation of property owned by the City on Statesville Road Park.

D Conduct a public hearing on the voluntary annexation of property owned by the City on Berryhill School

E Conduct a public hearing on the voluntary annexation of property owned by the City on Reedy Creek Park

F Set the effective date of the annexations as January 2, 1990

G Adopt annexation ordinances for each of the annexation areas

A map is attached

Attachment No 3

POLICY

5 A Conduct a public hearing on the sale of four parcels of land totalling 15 41 acres in the Greenville Redevelopment Area to the Charlotte-Mecklenburg Housing Partnership for its appraised value of $261,791.

B. Recommend approval of the sale of four parcels of land totalling 15 41 acres in the Greenville Redevelopment Area to the Charlotte-Mecklenburg Housing Partnership for its appraised value of $261,791

35 Homes

On September 25, 1989, City Council authorized the Mayor/City Manager to enter into a Tri-Party Agreement between the Charlotte Housing Authority, the Charlotte-Mecklenburg Housing Partnership and the City of Charlotte to build thirty-five (35) single family, owner-occupied homes on an annual basis for the next three (3) years These units will be developed in three phases of approximately 35 units each on City-owned land in the Greenville Redevelopment Area that was acquired in the 1970's as part of a former Urban Renewal project

On November 3, 1989, the Board of the Housing Partnership selected a joint proposal by Crosland Properties and NCNB-Community Development Corporation to develop Phase I of the Greenville development which includes approximately 38 single family detached houses The houses range in size from two-bedroom bungalows (910 sq. ft.) to four-bedroom, 2-story houses (1379 sq ft.). The proposed sales prices range from $50,565 for the 2-bedroom bungalow to $64,815 for the 4-bedroom, 2-story with no additional closing costs being charged to the homebuyer

The Housing Partnership has indicated that potential buyers for these houses will be prioritized as follows. (1) first priority will be for current occupants of public housing making over 45% of the median income; (2) second priority will be for people in the Housing Authority's transitional housing programs, and (3) third priority will be for people on the Master List for Substandard Housing making less than 60% of the median income

The land is being sold in an "as is condition", however, questions have been raised regarding environmental concerns Therefore, the land is being sold with a contingency that if it or any portion thereof are found to be environmentally unsound as documented through appropriate testing procedures, the City will buy back all such parcels at the original sales price

Funding

Land acquisition and construction loans will be made from the Housing Authority's Turnkey III Loan Fund Permanent first mortgage loans will be made from a consortium of lenders established by the Housing Partnership Second mortgages will be provided by the Housing Partnership using funds provided by the City's annual contract with the Housing Partnership

Clearances

Approval of the sale is contingent upon approval of a Mandatory Referral by the Charlotte-Mecklenburg Planning Commission's Planning Committee which is scheduled for December 12, 1989 Required public notices for the public hearing were advertised in The Charlotte Observer on December 1 and 9, 1989

6 Consider several issues regarding the authority of the Civil Service Board and recommend referring the Board's request to the Council Operations Committee for review

Role of Civil Service Board

Over the past few months, there has been some discussion between the Civil Service Board, The City Manager's Office and affected City departments (Police and Fire) regarding the role of the Civil Service Board in hiring, promoting, disciplining, and terminating sworn police and fire personnel The powers of the Board are established in the City Charter but the wording of the Charter leaves room for interpretation The City has interpreted the Charter as giving the Board limited powers; however, the current Board feels that the Charter provides them more extensive power than used by previous Boards

Attached is a letter from the Civil Service Board

Operations Committee Review

The two issues that have been raised relate to the extent of authority of the Civil Service Board In order to review these actions it is recommended that this matter by referred to the Operations Committee with instructions to bring a recommendation to Council in time to include it in the legislative package

Issues:

The first issue relates to the Board's request that they approve promotions of top-level officers-Division Commanders and Assistant Chiefs in the Police Department and Division Chiefs and Assistant Chiefs in the Fire Department. The Manager feels that employees in these top positions should serve at the discretion of the department head and City Manager and that the Chief should have the flexibility to reassign those personnel should they not perform satisfactorily. When Council established the positions of Police Division Commander in 1978 and Assistant Police Chief in 1983, they specifically designated these as special pay classes not subject to Civil Service approval. The Fire Chief currently makes no appointments but the same principle regarding top-level management positions may also be applied.

The second issue pertains to the selection of applicants for the Police and Fire Departments Traditionally the departments have conducted their own extensive background investigations and the Manager, through the department head, submits final recommendations for hire to the Civil Service Board for approval The Board now wants to exercise broader powers and wants to screen and hire applicants for sworn police and fire positions This would remove the City Manager and the two Chiefs from the hiring process and give them no authority to determine who is hired for sworn police officer and firefighter positions.

Attachment No 4

7. Consider support of the Carolinas Transportation Compact and adopt a budget ordinance for $8,100 as the City's contribution to the County membership for the remainder of FY90.

Transportation Compact: Thirteen counties have adopted resolutions supporting the Carolinas Transportation Compact which is a part of the Carolinas Counties Coalition. As stated in the attached report, the mission of the Transportation Compact is "to serve the individual counties by establishing coordinated, continuing, comprehensive and proactive efforts to acquire federal, state and local resources for plannng, constructing, operating and maintaining adequate regional transportation facilities that enhance the quality of life in each county and the economic opportunity of the region "

Membership Costs: 50% of the County's membership cost would be $8,100 for FY90, $24,300 for FY91, and $36,450 in FY92.

Attachment: The attached report lists the counties which have agreed to become members of the compact, a budget statement, organizational structure and voting allocation for member counties, and a report dated July 31, 1989 "Report from the Transportation Task Force to the Carolinas Counties Coalition proposing the Carolinas Transportation Compact"

Funding: General Fund Contingency (Balance. $273,000)

Attachment No 5

8 Council is requested to approve (A) a date and location for the annual City Council retreat and (B) a joint City Council and County Commission meeting to discuss an update to the Central Area Plan Outlined below are four options on dates and locations for the Council retreat

A Background: Past retreats have usually been held on a Friday-Saturday morning schedule The Council last year met at the Hilton at University Place, the year before that the Council was scheduled to hold their retreat at Mid Pines, but met in town because of a snow storm We would recommend cancelling the regular Monday Council meeting if that option is selected Since Council usually has Mondays set aside for Council business, a Monday retreat may be a more convenient date

The dates and locations that were chosen for these options are the only times that the facilities are available or that there are no known conflicts with the Mayor/Council/City Manager's schedule.

OPTIONS

1. January 7-8, Sunday/Monday
   Hilton at University Place

2 January 8-9, Monday/Tuesday
   Hilton at University Place
   The January 8 Council meeting would be cancelled or rescheduled

3 January 22-23, Monday/Tuesday
   Mid Pines, Southern Pines, NC
   The January 22 Council meeting would be cancelled or rescheduled.

4. February 16-17, Friday/Saturday
   Hilton at University Place

B. The Planning staff requests that a joint City Council and County Commission meeting be held on January 8, 1990 at 12·15 in room 267. The purpose of this meeting will be to present the Urban Design Plan as an update to the Central Area Plan The Urban Design Task Force and Zoning Committee will be present at the meeting

BUSINESS

9 Consider a request from the Charlotte-Meckenburg Drug and Alcohol Commission for partial funding of a full time position and adoption of a budget ordinance for $15,000.

$15,000 Requested

Attached is correspondence from Cullie M Tarleton, Chairman of the Charlotte-Mecklenburg Drug and Alcohol Commission in which he requests funding from the City, County and United Way for a full-time staff position The three groups have been requested to fund $15,000 each.

On November 20, 1989, the County Commission approved $7,500 for a half year funding of the staff position Future funding will be considered during the County budget process

Recommendation: If Council wishes to fund this, we recommend participating for the remainder of the year at a cost of $7,500 and that at the end of the year this function be consolidated under the County or United Way.

Funding: General Fund Contingency (Balance· $273,000)

Attachment No. 6

10 Recommend approval of a contract for $500,000 with the Charlotte Housing Authority to administer 25 Local Housing Vouchers as part of the City Housing Assistance Payment Program (CHAPP).

$500,000 Approved for CHAPP: On September 11, 1989, Council approved a policy framework for expending innovative housing funds not allocated to the Housing Partnership. As described in the attached September 11 agenda item, $500,000 is to be used to fund the local voucher program, City Housing Assistance Payment Program (CHAPP), for 25 families This agenda item implements Council's action of September 11

Also attached is a comparison of the CHAPP to the Housing Authority's Operation Bootstrap program We recommended approval of the CHAPP because our program can be used to complement the Authority's Bootstrap program by providing more housing opportunities

Attachment No 7

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The City Attorney advises that agenda items no 11 through 27 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately

* * * * * * * * *

BID LIST

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

A Fall Resurfacing - 1989 Engineering

Recommendation: By the City Engineer that the low bid of $1,590,801.00 plus $26,400 00 in alternates totalling $1,617,201.00 as submitted by Rea Construction Co., be accepted for award on a unit price basis.

Project Description. This is one of two contracts let each year to resurface city streets. This work is performed to maintain the city's approximate 1,300 miles of streets These funds are allocated by the state from the gasoline tax revenue distributed annually to cities and towns

Based on evaluation of street conditions, this project will include the resurfacing of up to 60 miles of streets throughout the city with approximately 66,000 tons of asphalt Alternate #1 includes approximately 35,600 square yards of milling existing pavement.

Rea Construction has agreed to delay the date of availability until March 15, 1990, because of the damage caused by the hurricane Rea Construction also agreed to extend the expiration date for their bid

Source of Funding: Powell Bill - (Contracted Asphalt Street Resurfacing).

B Central Avenue/Eastway Drive Intersection Improvement Engineering

Recommendation. By the City Engineer that the low bid of $394,750.84, as submitted by Blythe Industries, Inc., be accepted for award on a unit price basis.

Project Description. This project will provide for dual left-turn lanes on both legs of Central Avenue and right-turn-only lanes on both legs of Eastway Drive.

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

C Monroe Road Widening Engineering

Recommendation: By the City Engineer that the low bid of $1,171,475.10, as submitted by Parker & Rogers Const. Co., be accepted for award on a unit price basis

Project Description. Monroe Road is a state road. This project ranks number three (3) out of eight (8) projects in the FY-88 Charlotte-Mecklenburg Transportation Improvement Program The project was approved in the November 1987 bond referendum with construction scheduled to begin in FY 1990.

This project will widen Monroe Road between Conference Drive and Village Lake Drive The project includes sidewalks, curb and gutter, storm drainage and landscaping Widening of this strip of roadway will complete a four-lane facility from uptown Charlotte to the Matthews city limits

Source of Funding. General Capital Improvement Fund - (Monroe Road Widening - 1987 Street Improvement Bonds)

D Fire Station #1 Engineering
General Contract

Recommendation. By the City Engineer, based on the recommendation of the consultant, Scott Garner Architects, P A., that the low bid of $1,196,970.00 as submitted by John M. Campbell Company, be accepted for award on a unit price basis

Project Description. This project provides for the construction of a two-story, five-bay fire station and communication center to replace the present facility that was built in 1925 and is too small and obsolete The new station will be located in First Ward at North Myers and Sixth Streets behind the post office

Source of Funding. General Capital Improvement Fund - (Fire Station No 1 Relocation - Pay-As-You-Go Tap Levy)

E. Fire Station #1 Engineering
Plumbing Contract

Recommendation. By the City Engineer, based on the recommendation of the consultant, Scott Garner Architects, P A , that the low bid of $202,246.00 as submitted by P. C. Godfrey, Inc., be accepted for award on a unit price basis

Source of Funding. General Capital Improvement Fund - (Fire Station No. 1 Relocation - Pay-As-You-Go Tap Levy).

F. Fire Station #1 Engineering
Mechanical Contract

Recommendation. By the City Engineer, based on the recommendation of the consultant, Scott Garner Architects, P A , that the low bid of $265,200.00 as submitted by Action Mechanical Contractors, Inc., be accepted for award on a unit price basis

Source of Funding: General Capital Improvement Fund - (Fire Station No. 1 Relocation - Pay-As-You-Go Tap Levy)

G. Fire Station #1 Engineering
Electrical Contract

Recommendation By the City Engineer, based on the recommendation of the consultant, Scott Garner Architects, P A , that the low bid of $190,943.00 as submitted by Ind-Com Electric Co., Inc., be accepted for award on a unit price basis

Source of Funding. General Capital Improvement Fund - (Fire Station No 1 Relocation - Pay-As-You-Go Tap Levy).

H Sanitary Sewer Construction
Irvins Creek Outfall, Phase I

Charlotte-Mecklenburg
Utility Department

Recommendation. Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Roanoke Construction Company, Inc., of Roanoke Rapids, North Carolina in the amount of $425,679.66 be accepted for award of contract on a unit price basis.

Project Description: In accordance with the Mecklenburg towns agreement, construction of this project would meet the needs by providing the first phase of sewer service extensions to the Mint Hill-Matthews area.

Source of Funding. Water and Sewer Capital Improvement Fund - (Irvins Creek Outfall)

I Sanitary Sewer Construction
Clarks Creek Tributary No. 1A
From Cheshunt Subdivision To
Davis Lake Subdivision

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 $195,780.91 be accepted for award of contract on a unit price basis.

Project Description. Construction of this project would extend sewer service to Davis Lake subdivision, which is currently under construction

Source of Funding: Water and Sewer Construction Fund - (Sanitary Sewer Construction)

J Catch Basin Frames,
Grates and Hoods

Operations Dept ,
St Maint. Div

Recommendation. By the Purchasing Director and the Operations Director that the low bid, Accucast, Waco, Texas, in the amount of $58,170.00, be accepted for award of contract

Project Description These castings will be used for catch basin and storm drainage systems.

Source of Funding. General Fund - (Street Maintenance Inventory Purchases).

K 10 - Transit Buses & Spare Parts D.O.T.

Recommendation By Purchasing Director and Director of Department of Transportation that the low bid, Transportation Mfg. Corporation, Roswell, New Mexico, in the amount of $1,909,926.25, be accepted for award of contract on a unit price basis.

Project Description: These 10 transit buses are needed to replace buses that are twelve years old or older The replacement of these buses is included in the Capital Budget and the Transit Five Year Financial Plan

Source of Funding. Public Transportation Capital Improvement Fund - (Purchase of Ten Replacement Buses and Spare Components - UMTA 80%, NCDOT 10%, and 1981 Transit Facility Bonds)

L 9 - 9,000 lbs. GVWR Full Size Paratransit Vans Transportation, Special Trans Div

Recommendation: By the Purchasing Director and the Transportation Director that the only bid received, Allen-Ashley, Inc., Evergreen, Alabama, in the amount of $241,803.00, be accepted for award of contract

Project Description. These vans will be used to transport the elderly and the handicapped. They are needed to meet federal service standard regulations which become effective in 1992

Source of Funding: 8 - Capital Equipment Fund - (Special Transportation and 1 - Public Transit Fund - (Special Transportation)

M 55 - Mobile Data Terminals Police Dept.

Recommendation. By the Purchasing Director and the Police Chief that the only bid received, MDI Systems, Inc., Schaumburg, Illinois, in the amount of $219,890.00, be accepted for award of contract

Project Description: These mobile data terminals will be installed in Police patrol cars to give officers access to law enforcement data systems.

The installation of these mobile data terminals continues a program begun in 1985 that will eventually equip every patrol vehicle with a terminal These terminals must match and intermember with the existing equipment which accounts for the single bid received.

Source of Funding. General Fund - (Police Department)

N. Plant Mix Asphalt, Hot Mix
91,056 (est) Tons

Operations Dept ,
Street Division

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

		Total Amount
Blythe Industries, Inc.	Sec. 1 & 4	$ 674,072.15
Rea Construction Company	Sec 2 & 3	$1,202,252 00
Crowder Construction Co	Sec. 5	$ 265,573 00

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

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

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

Source of Funding. Powell Bill - (Street Paving/City Forces - Construction Materials)

O Plant Mix Asphalt, Cold Mix, 4,000 (est) Tons — Operations Dept , Street Division

Recommendation: By Purchasing Director and Operations Director that the low bid in the amount of $150,000.00 by Rea Construction Company, be accepted for award of contract on a unit price basis

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

Source of Funding. Powell Bill - (Street Paving/City Forces - Construction Materials).

P. Baggage Conveyor Contract for Federal Inspection Service Facility — Aviation

Recommendation. The Aviation Director recommends that the low bid from Sterns Airport Equipment Inc. in the amount of $548,600.00 be accepted for award of a lump sum contract.

Project Description: This project is necessary to provide a baggage conveyor system for Concourse D, the international concourse. The conveyor system will deliver baggage which has cleared Customs to the baggage claim area in the main terminal building

Source of Funding: Airport Terminal Capital Project Fund- (Baggage Conveyor Contract for Federal Inspection Service Facility - International and Commuter Facilities)

AGREEMENT

12. Recommend approval of a contract for landscape architectural services with Edward D. Stone, Jr and Associates (EDSA) of Charlotte to provide a master plan for the Statesville Road Community Park in the amount of $126,945.00.

EDSA Contract — The recommended contract with Edward D Stone and Associates will provide.

1. an in-depth technical assessment of the site,
2. opportunities for public involvement in the master planning process,
3. a detailed master plan for park development, including cost estimates and a schedule for the phased construction of the park.

Funds of $5,000,000 00 were included in the 1988 Bond Referendum for construction of the park

The contract will include the services of a botanical garden design specialist to identify an area of the park for development of a botanical garden. Funds for construction of the botanical garden will be provided through private contributions raised by the Charlotte Botanical Garden Society.

Funding — Statesville Road Park Capital Account.

Clearances — The contract has been reviewed and approved by Engineering and Parks and Recreation staff

AGREEMENT

13 Recommend continuation of the agreement dated September 21, 1961 between the City of Charlotte and the U S Geological Survey for the period from July 1, 1989 through June 30, 1990

USGS Agreement — The City of Charlotte and Mecklenburg County have had approved an agreement with the U. S. Geological Survey since 1961 Under this agreement, local cooperative funds and direct expenditure items are matched by the U. S. Geological Survey

The services involved include the following

Services Provided by USGS

1 Stream flow measuring analyses to observe the effects of development on flood heights

2. Detailed investigations to determine the effects of landfills on the quality of both surface and groundwaters

3 Updating of floodway maps in the Charlotte-Mecklenburg area

Funding — Funds for these services are included in the Engineering and Operations Departments operating budgets

Clearances — Budget and Evaluation Department, Operations Department and Engineering Department

14. Recommend adoption of an ordinance amending Chapter 12, Article V of the Charlotte City Code entitled "Fair Housing" to bring it into compliance with the Federal Act.

The Charlotte-Mecklenburg Community Relations Committee administers the Charlotte Fair Housing Ordinance, which prohibits discrimination in housing because of race, color, religion, national origin and sex The Department of Housing and Urban Development (HUD) defers such complaints to the Committee for investigation and resolution, because the local ordinance is substantially equivalent to the federal Fair Housing Act.

On March 12, 1989, the federal law extended coverage of protected classes to families with children and handicapped persons. In order for the Committee to retain its status as a deferral agency, the local ordinance must be revised to include these groups as protected classes

The enactment of this ordinance will amend the Charlotte Fair Housing Ordinance to·

1. Include the handicapped and families with children in the classes currently protected against discrimination in housing practices

2. Replace the current prohibition against discrimination in financial practices related to real estate transactions or the repair or improvement of real property with a new section which includes those prohibitions and new prohibitions against discrimination in financial transactions secured by residential real estate and in the selling, brokering or appraising of such property. This amendment corresponds with a similar provision in the federal Fair Housing Act as amended (42 USC3605)

3 Provide that an aggrieved person may not initiate an action in an appropriate court before one year after the occurrence or termination of the alleged discriminatory practice which is the basis for the action.

4. Remove the $1,000 limit which courts may grant in punitive damages. The amendment corresponds with a similar change in the federal Fair Housing Act (42USC3613)

5 Provide that the Charlotte-Mecklenburg Community Relations Committee may apply directly to the courts for the enforcement of a subpoena or other lawful request for the production of evidence or for temporary or preliminary relief pending final disposition of a complaint Currently, the ordinance requires the committee to obtain the approval of City Council prior to applying to the courts for either of these purposes. This amendment is in compliance with the federal rule cited in 3 above

6 Extend the time for filing a complaint from 180 days to one year after the alleged violation occurred or terminated This amendment conforms to the federal Fair Housing Act as amended (42USC3610)

7 Require that the Charlotte-Mecklenburg Community Relations Committee complete the investigation of a complaint within 100 days after the receipt

8 Provide that any conciliation agreement resulting from the conciliation efforts of the Charlotte-Mecklenburg Community Relations Committee shall be made public, unless the complainant, the respondent and the committee otherwise agree

Funding

Enactment of this ordinance does not obligate the expenditure of any additional funds Current funding is provided through the annual operating budget and annual grants from the U. S. Department of Housing and Urban Development for the support of recognized deferral agencies

Clearances

The City Attorney has approved the ordinance as to form

The Charlotte-Mecklenburg Community Relations Committee approved the amendments to the ordinance at a regular meeting on October 17, 1989

Copies of the ordinance were sent to the Charlotte Board of Realtors, the Charlotte Apartment Association and the Home Builders Association of Charlotte for review and comment on November 3

CITY CODE AMENDMENT

15 Recommend adoption of an ordinance amending the City Code Chapter 10, "Health and Sanitation" for the multi-material recycling program.

City-wide Recycling: In accordance with Mecklenburg County's Solid Waste Management Plan approved by City Council in 1987, we will expand the voluntary multi material curbside recycling program city-wide on January 2, 1990. Materials to be recycled are glass, aluminum, newsprint and plastic soft drink and liquor bottles.

Amendment: The amendment establishes collection practices for the program including.

- defining recyclable materials
- designating the recycling container supplied by the City as proper collection container,
- regulating the container set out and removal times; i e., container should be at the curb by 7:00 AM and removed by midnight on the collection day
- establishing a $25.00 fine for each day recyclables are left at the curb. As with other sanitation violations, voluntary compliance is preferable. Community Improvement would issue fines only in rare situations.

16. Recommend adoption of an ordinance amending Chapter 3 of the City Code "Animals" to require the adopter of an animal to forfeit the money paid for the sterilization surgery and to surrender the animal, if surgery is not completed at the scheduled time

Spay/ Neuter: In July 1981, the City Council adopted an Animal Control Ordinance which included provisions for the mandatory spaying or neutering of all animals adopted from the Shelter Since this surgery is not performed until animals are 6 months old, adopters of puppies and kittens pre-pay the fee, agree to return the animal for surgery, and schedule an appointment If the animal is not returned for surgery, the adopter forfeits the fee and Animal Control may seize the animal.

When City Council considered revisions to the Animal Control Ordinance earlier this year, these provisions were inadvertently not included This amendment will correct that oversight.

Clearances The City Attorney's Office recommends approval

INTERLOCAL AGREEMENT AMENDMENT

17 Recommend adoption of a resolution authorizing an amendment to the interlocal agreement with Mecklenburg County on animal control pertaining to Animal Control's assistance to the Sheriff's Department in evictions.

Evictions Under State statutes, the Sheriff's Department is responsible for the removal of property in an eviction. Certain evictions conducted by the Sheriff's Department require the removal and housing of an animal The Animal Control Division routinely provides this assistance when requested While the State statute addresses the removal of property at the Sheriff's direction, the interlocal agreement does not refer to the Animal Control Division acting at the request of the Sheriff's Department.

Amendment The purpose of the proposed amendment is to establish clearly that the Animal Control Division is acting upon and at the direction of the Sheriff's Department in order to obtain, as much as possible, the protection of G.S 42-36.2 that the City is not liable for any claims unless it is the result of willful or wanton negligence

Clearances The City Attorney, Mecklenburg County Sheriff's Department and the Operations Department recommend this action.

18 Recommend approval of resolutions authorizing the execution of interlocal agreements with Cornelius, Davidson and Huntersville for the collection of recyclable materials.

Under an Interlocal Agreement with Mecklenburg County, we have been collecting recyclable materials in Cornelius, Davidson and Huntersville The interlocal agreement with Mecklenburg County for this service expires on December 31, 1989, when we will begin our citywide curbside recycling program

Each of the three towns wants to continue the curbside recycling program and wants to contract with us to provide the service Under this agreement, City equipment and personnel will be used to provide the collection service, the town will provide the container and pay $0 26 per pickup which is the same as the City's "bid" price for the citywide curbside multi-material program The pickup rate may be adjusted annually based on changes in the Consumer Price Index and/or the level of service provided.

Funding Equipment and personnel already authorized for the citywide program will be used to provide the service

LAND SALES AGREEMENT AMENDMENT

19 Recommend adoption of a resolution extending the expiration date of the land sales agreement between the City and the Third Ward Neighborhood Development Association from December 31, 1989 to December 31, 1991.

Third Ward Land Sale

On August 24, 1981, City Council approved the sale of approximately 15.312 acres of vacant land for $.66 per square foot to the Third Ward Neighborhood Development Association, a joint venture comprised of The Committee to Restore and Preserve Third Ward and the NCNB Community Development Corporation. The Phase I transfer, consisting of 3.589 acres of land, occurred shortly after the contract was approved. The balance of the property, Phase II, consisting of 11.723 acres, was to be transferred to the Association in a series of closings to be held prior to June 30, 1983. Since that time Council has approved several extensions, the latest of which expires December 31, 1989.

The Third Ward Neighborhood Development Association wishes to extend the completion date of the Phase II land sale The Association is requesting a two-year extension because it is not anticipated that the remaining land would be conveyed during 1990.

Approximately 12.5 acres of the 15 312 acres have been transferred to the Association and have either been developed or are under development Approximately two acres of land remain to be conveyed and developed. This extension will provide the Association the additional time to purchase the remaining property The Association is reviewing the possibility of new cluster housing or relocation of existing housing for renovation for this land

Clearances Community Development Department and Third Ward Neighborhood Development Association

LOAN RELEASE

20 Recommend release of Maurice Judson Sowell, Jr and Ninabeth G Sowell from liability on the loan for 244 South Clarkson Street under the Third Ward Loan Program

Loan Assumption On September 27, 1982, City Council approved a loan to Maurice Judson Sowell, Jr and Ninabeth G Sowell of $81,450 for permanent financing to purchase 244 South Clarkson Street under the Third Ward Loan Program.

This loan has now been assumed by Jeffrey Triplette. Mr and Mrs Sowell have requested that they be released from all liability on this loan because it has been assumed and is now the liability of Mr Triplette

The City Attorney has advised that City Council's approval of requests for release of liability is required.

Clearances North Carolina National Bank, as agent for the City, has recommended the granting of this release along with the concurrence of the Community Development Department

HOUSING CODE ENFORCEMENT

21 Funds for these actions are available and liens will be placed against the properties for the costs incurred Detailed information is attached.

A. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2305 Augusta Street (Lincoln Heights).

B Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2307 Augusta Street (Lincoln Heights)

C Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 2309 Augusta Street (Lincoln Heights)

D Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 1601 Tippah Avenue

E Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 421 E 17th Street (North Charlotte)

Attachment No 8

HUGO DONATION/CHARLESTON

22. Recommend adoption of a resolution to donate surplus traffic signal equipment to assist the City of Charleston

HUGO

Charleston was devastated by Hurricane Hugo on September 22 Restoring the City's traffic signal system is major step toward recovery

Equipment Donation

The Charlotte Department of Transportation has some obsolete traffic signal equipment that was removed from Independence Boulevard following HUGO and replaced with new state-of-the-art equipment Our inventory of obsolete equipment includes 21 pre-1970 controllers, a signal tester, four cables and ten conflict monitors The controllers might have a value of $1100 each, and the tester $2500, for a total of approximately $25,600

The City of Charleston still uses this type of equipment

Clearances Purchasing, the Charlotte Department of Transportation, and the City Attorney have reviewed this request and concur

SPEED LIMITS

23. A Recommend adoption of ordinances to lower the speed limit on three neighborhood streets from 35 miles per hour to 25 miles per hour

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

Brookview Drive (Windsor Park)
Card Street (North Charlotte)
Vail Avenue (Elizabeth)

Clearances The Charlotte Department of Transportation; City Attorney has approved the ordinance as to form

B Recommend adoption of an ordinance amending City Code Section 14-131(c) to set the speed limit on 13 Charlotte streets

Set Speed Limit on Annexed Streets The streets below are thoroughfare streets, proposed for a speed limit of 45 miles per hour, in accordance with the Council Thoroughfare Speed Limit Policy All of the streets involve areas of the City annexed June 30, 1989 Under State Statute, all municipal streets are 35 miles per hour unless otherwise posted, and approved by City Council Consequently, any existing speed limit previously set by the State other than 35 miles per hour is now automatically void The proposed speed limits are the same as already posted by the State, with exception of those streets marked with an asterisk (*) The portions of those streets outside the City previously had the State statutory 55 miles per hour rural speed limit

Beatties Ford Rd from LaSalle St. to Trinity Rd
Elm Lane West from Pineville-Matthews Rd. (NC 51) to Bevington Pl
* Gibbon Rd. in the vicinity of Garvin Dr
* Gibbon Rd from Perkins Rd. to Nevin Rd
Lakeview Rd from Reames Rd. to Trinity Rd.
Old Statesville Rd. from Statesville Rd to Gibbon Rd
Pineville-Matthews Rd from Providence Rd. to Park Rd.
Statesville Ave. from Irwin Creek to I-85
Statesville Rd from I-85 to Spector Dr.
Sunset Rd. from Beatties Ford Rd to Statesville Rd
Westinghouse Blvd from I-77 to Goodrich Dr.
York Rd from Arrowood Rd to Beam Rd
* York Rd from Sandy Porter Rd to Nevada Blvd

Clearances — The Charlotte Department of Transportation; the City Attorney has approved the ordinance as to form

SALE OF SURPLUS PROPERTY

24. Recommend accepting an offer to purchase from the high bidder, W. Vernon Simpson, City-owned property located at 303 East Palmer Street for $41,800.00 with the mandatory referral stipulation that the portion of the land needed for a turnaround be retained, or the purchaser be required to build a connector road between Carson Boulevard and East Palmer Street

303 East Palmer Street — On September 13, 1988, City Council declared the City-owned property located at 303 East Palmer Street surplus and authorized Engineering/Real Estate to offer it for sale This residual parcel was acquired by the City in September, 1953 for widening of Independence Boulevard. It contains 8,804 sq. ft. (0 202 acres) and is level with the adjoining streets.

The property was appraised October 12, 1988, for $41,800.00 based on the property being developed to its present zoning of I-2. A bid of $41,800 00 by Mr. W. Vernon Simpson was received on July 12, 1989. In accordance with N C G S 160-169, the property was advertised for upset bids on October 27, 1989, left open for ten (10) days and no further upset bids were received.

Clearances All City departments have been canvassed with no department expressing an interest in retaining this property for City use The Planning Commission has reviewed and recommends mandatory referral with a stipulation that the portion of the land needed for a turnaround be retained, or the purchaser be required to build a connector road between Carson Boulevard and East Palmer Street.

Mr Simpson is aware of the mandatory referral stipulation and has agreed to comply with it.

TAX REFUND

25 Recommend the adoption of a resolution authorizing the refund of certain taxes in the total amount of $11,169.34 which were assessed through clerical error or illegal levy against 23 tax accounts

SET PUBLIC HEARINGS

26 Recommend adoption of a resolution of Intent to abandon Old Dixie Road and set a public hearing for January 8, 1990

PROPERTY TRANSACTIONS

27 Recommend approval of the following property transactions and adoption of the condemnation resolutions

1. Project: Shamrock Drive
   Owner(s): Charles Michael Traylor and Jo Ann N Traylor
   Property Address: 3325 Shamrock Drive
   Property to be acquired. 32,011 sq ft (0.7349 ac)
   Improvements: House and workshop
   Price. $66,000 00
   Remarks: Purchase of total lot, house and workshop. Property is zoned R-9 and used as residential If City is unable to sell house then it will be demolished (Total Takes)

2 Project: Westinghouse Boulevard Ext - Phase II
Owner(s): Keely A Grice, Jr , Harriette Grice O'Hair, Richard H. O'Hair, and Paul Blackburn Seanor
Property Address. .180 ac. at South Blvd & Old Pineville Road
Property to be acquired: 4,265 sq ft. (0.0979 ac)
Improvements. Outdoor Advertising Sign
Price: $21,900 00
Remarks: Purchase price includes 1,100 sq. ft (0 03 ac) of fee simple acquisition, 568 sq ft. (0.01 ac.) of permanent sidewalk, planting, guardrail, and utility easement, 2,598 sq ft. (0.06 ac) of temporary construction easement, compensation for relocation of one (1) sign and damages to the remainder resulting from the taking Property is zoned BD and is vacant

3 Project. Sharon Road/Quail Hollow Intersection Improvements
Owner(s): Mildred F. Ruscito
Property Address: 5816 Sharon Road
Property to be acquired: 17,860 ± sq ft (.410 ac)
Improvements. 2 story residence with patio
Price: $95,000 00
Remarks: To acquire total parcel with residence and all improvements. Zoning is R-12 and is being used as residential If City is unable to sell house then it will be demolished. (Total Takes)

4. Project. Sharon Road/Quail Hollow Intersection Improvements
Owner(s). Eric C Bergelson
Property Address. 5810 Sharon Road
Property to be acquired: 10,716 sq ft (246 ac)
Improvements. Residence
Price: $85,000 00
Remarks: To acquire total parcel with residence Property zoned R-12 used as residential property. If City is unable to sell house then it will be demolished (Total Takes)

5 Project. Park/Johnston Road Widening - Phase I
Owner(s): John D Wagner
Property Address: 3701 Riverbend Road
Property to be acquired: 2,813 sq ft (064 ac) of fee simple acquisition plus 2,420 sq ft (0560 ac) temporary construction easement
Improvements. Entire area of landscaping including 36-large hollys, 1-maple, 4-white pines, fencing, driveway and turnaround.
Price $34,000.00

Remarks. The appraiser also noted that the property is adversely affected because of proximity to the dwelling This property is zoned R-12 and is used for that purpose

6 Project. Park/Johnston Road Widening - Phase I
Owner(s) Anglyn R Smith
Property Address. 3700 Riverbend Road
Property to be acquired: 3,136 sq ft. (0 072 ac)
Improvements. Chain link fence, driveway, wooden privacy fence, shade trees and landscaping
Price. $32,000.00
Remarks. Compensation is also for loss of sight and sound buffers as well as close proximity to Park Road widening Property is zoned R-12 and used as residential

CONDEMNATIONS

7 Project. Beatties Ford Road Widening
Owner(s): Larry W Kerr and wife, Barbara F Kerr, and any other parties of interest
Address of Property. 3640 Beatties Ford Road
Property to be condemned. 4,930 sq ft (0 113 ac) of fee simple acquisition, 12,626 sq ft (0 290 ac) of permanent drainage easement and 7,503 sq ft (0 172 ac) of temporary construction easement.
Improvements: Fences
Price. $39,700 00
Reason for condemnation. Property is zoned B-1, but is currently being used as I-2 under the Grandfather Clause The front portion of the property is presently used as residential rental property and restaurant Owner has been contacted numerous times He wants more than appraised amount and he does not want median in front of his property Condemnation is recommended so project will not be delayed.

8 Project. Beatties Ford Road Widening
Owner(s): Thomas Wesley Keller, and any other parties of interest
Address of Property. 74 97 acres on Beatties Ford Road
Property to be condemned. 49,014 sq ft (1 125 ac) of fee simple acquisition plus 1,388 sq ft (0 032 ac) of permanent drainage easement, 738 sq ft. (0 017 ac) of permanent down guy easement and 38,244 sq ft (0 878 ac) of temporary construction easement
Price $68,900 00
Reason for condemnation. Property owner has refused to accept our offer after numerous attempts Condemnation is recommended so construction will not be delayed Property is zoned R-9 and is vacant

9 Project: Park Road/Johnston Road Widening - Phase I
Owner(s): Alex D Speer and Kimberly L. Speer, and any other parties of interest
Address of Property. 3700 Monique Lane
Property to be condemned. 320 sq. ft. (0.0074 ac) of fee simple acquisition plus 1,764 sq ft (0.0405 ac) of temporary construction easement
Improvements: Brick wall, lattice fence, split rail fence, custom stucco mailbox, driveway, shrubs, trees and landscaping.
Price: $12,500 00
Reason for condemnation: Property owners will not accept City's offer based on appraisal Recommend condemnation to prevent delay in construction. Property is zoned R-12 and used as residential

10 Project: Park/Johnston Road Widening - Phase I
Owner(s): Melvin F. Graham and wife, Terri P Graham, and any other parties of interest
Address of Property: 7707 Park Road, Charlotte, N.C.
Property to be condemned: 6,166 sq ft (1415 ac) of fee simple acquisition plus 1,916 sq. ft. (0440 ac) permanent drainage easement and 9,280 sq ft (213 ac) of temporary construction easement.
Improvements· Brick security entrance gate, asphalt driveway and landscaping
Price: $61,000.00
Reason for condemnation. In view of damages to his property because of loss of screening from the road and the amount of land being acquired, property owner could not accept the City's offer, but did not make a counteroffer

11 Project. Park/Johnston Road Widening - Phase I
Owner(s). Thomas F Sheridan and wife, Betty J. Sheriden, and any other parties of interest
Address of Property. 5701 Surry Ridge Court
Property to be condemned: 322 sq ft (0 0074 ac) of right of way, 278 sq. ft (0 0064 ac) of permanent drainage easement and 2,513 sq. ft. (0 0577 ac) of temporary construction easement.
Improvements. Brick wall, driveway, shade trees and landscaping
Price: $14,700 00
Reason for condemnation: Property owners will not accept City's offer base on appraisal Condemnation is recommended to prevent delay in construction Property is zoned R-12 and used as residential

12 Project. Park/Johnston Road Widening - Phase I
Owner(s): Sally T. Honeycutt, and any other parties of interest
Address of Property: 7932 Park Road
Property to be condemned. 51 sq ft. (.0012 ac) of fee simple acquisition plus 7,212 sq. ft. (.165 ac) temporary construction easement
Improvements: Building (store)
Price: $57,200 00
Reason for condemnation: The building which needs to be demolished (now a convenience store) is presently partially situated in the existing right-of-way. Although attempts have been and are being made to settle this parcel, the owner must also negotiate with the tenant who occupies this building Therefore, it is necessary to exercise the right of eminent domain to reach an agreement

13 Project. Beatties Ford Road Widening
Owner(s). Michael Wayne Booker and wife, Carol Phyllis Booker, and any other parties of interest
Address of Property: 3664 Beatties Ford Road
Property to be condemned: 143 sq ft (0.003 ac) fee simple acquisition plus 1,726 sq. ft. (0 040 ac) of permanent drainage easement and 3,805 sq ft (0.087 ac) of temporary construction easement
Improvements: N/A
Price: $10,100 00
Reason for condemnation: Property owners want $40,000 00 for needed right-of-way Condemnation is recommended in order not to delay construction Property is zoned B-1 and used as business

- ANNOUNCEMENTS -

In its meeting on Monday, January 8, 1990, City Council will make nominations to fill vacancies on the following committees:

1. Area Fund Board of Directors - One appointment from City Council to replace Charlie Dannelly. Terms are duration of Council term.

2. Citizen's Advisory Committee-Convention & Visitor's Bureau - Eight appointments expiring March 26, 1990. Terms are for two years. The following five incumbents are eligible for reappointment; Cyrus M. Johnson, Jr., Fran Juneau, Catherine Thompson, Jan Beck, and Joan P. Maultsby. George Westerfeld, Laura Campbell, and Ange DeVivo are not eligible.

3. Citizen's Oversight Committee for Cable TV - Four appointments expiring March 31, 1990. Terms are for two years. All four incumbents, Earl Beam, Walter Kreiling, Dayna Lucas, and Arthur Perschetz, are eligible for reappointment.

4. Clean City Committee - Three unexpired appointments, one ending June 30, 1990 (Nora Kuester has resigned), and two ending June 30, 1992 (Nancy Garber has resigned, and Rickey Hall has been removed because of attendance). Normal terms are three years.

5. Housing Appeals Board - One appointment expiring April 4, 1990. Terms are for three years. The incumbent, James Alexander, Sr., is eligible for reappointment.

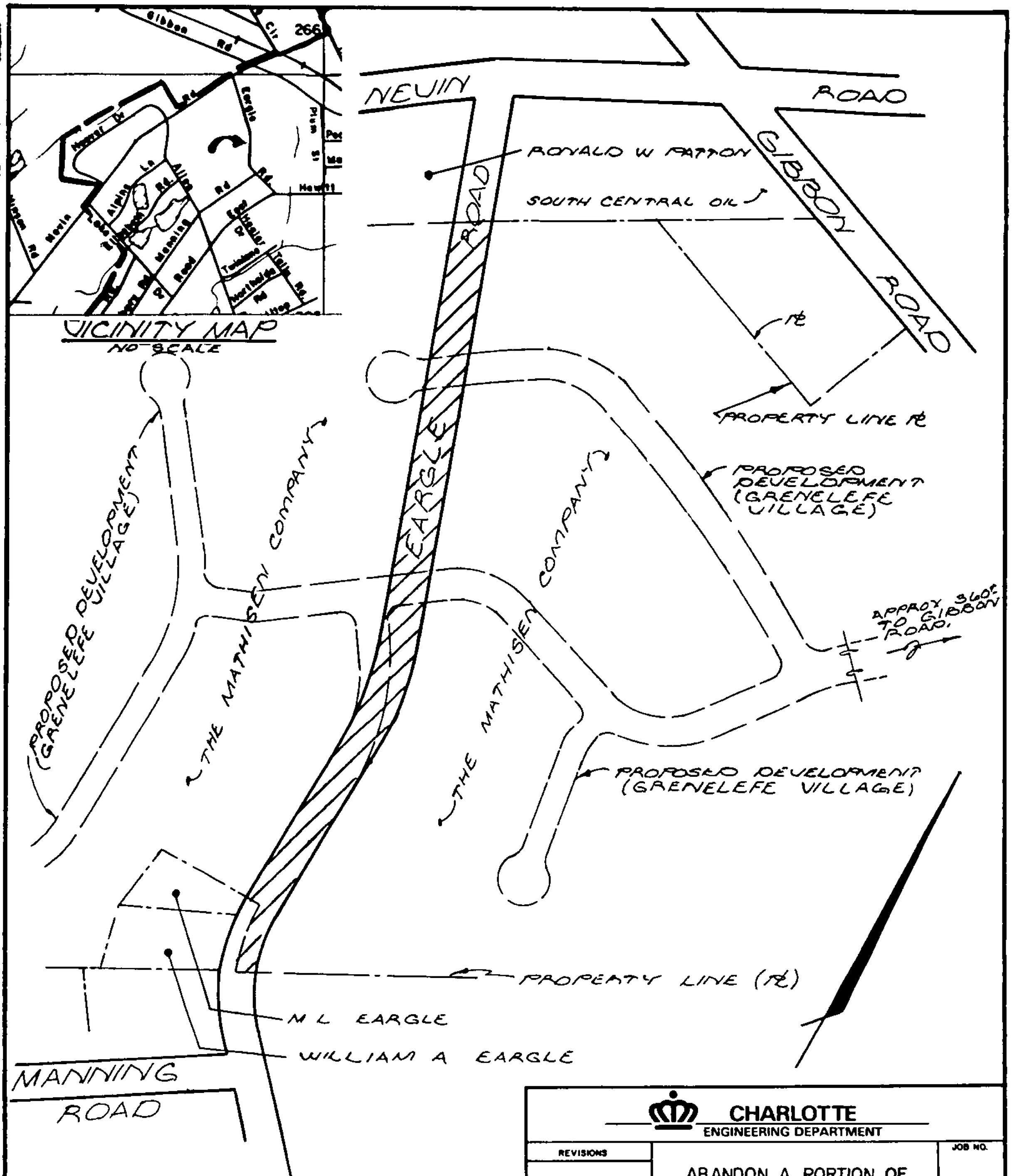
6. Parade Permit Committee - One appointment expiring March 1, 1990. Terms are for three years. Tom Baldwin is ineligible for reappointment.

7. Sister Cities Committee - Fourteen appointments expiring April 5, 1990. Terms are for two years. The following incumbents are eligible for reappointment; Carole Clark, Catherine Sanders, Helmut Renner, Douglas Mitchell, Linda Albright, Vincent James, Mary Wiggins, Paul Hatten, Douglas M. Martin, Jerald Melberg, and Robert M. Bryan. Jeanne P. Johnson, Wilson Edmunds, and Lee Major are ineligible for reappointment. Also, there are two unexpired terms ending April 5, 1990; Lyn R. Renwick resigned, and Doris McLaughlin was removed because of attendance. Appointments could be made to fill the unexpired terms and also the next full terms so that Council would not have to fill these positions again in the second quarter.

8. Tree Advisory Commission - One appointment expiring December 13, 1989 (Gayle Wardner is unable to serve). Terms are for three years.

9. Uptown Development Corporation - One appointment in Class D-City Council category to replace Gloria Fenning. The term expires December 31, 1989.

10. Waste Management Advisory Committee - RECOMMENDATION TO THE COUNTY COMMISSION for one unexpired term ending 2/20/92, to replace Robert L. Davis who resigned. Mr. Frank Emory has recommended that this replacement be the same person who replaces Lynn Wheeler on the Planning Commission (this is a County Commission appointment).



CHARLOTTE
ENGINEERING DEPARTMENT

REVISIONS	ABANDON A PORTION OF	JOB NO.
		FILE NO
DRAWN BY CCE	EARGLE ROAD	SHEET 1
CHECKED BY SBC		OF 1
CITY ENGINEER	DATE 10/23/89 SCALE NONE	

#2

B Recommend (1) adoption of a resolution authorizing the City to join with Lance, Inc in a joint annexation petition, (2) receive Clerk's certificate that the petition is sufficient, (3) set a public hearing for December 11, 1989 on the question of annexing the City and Lance property

Westinghouse Boulevard Extension — Westinghouse Boulevard Extension is proposed to link I-77 and South Boulevard Phase II of that project runs from South Boulevard to Old Nations Ford Road and is currently under construction While most of this initial phase is within the City limits, a substantial portion is not The City lacks the authority to build and maintain roads outside of the City The portion of the current construction on Westinghouse is located on property donated to the City by Lance, Inc

Lance — Lance, Inc has agreed to permit the annexation of all of its unannexed property north of the route for Westinghouse The proposed annexation includes over 150 acres of Lance property The balance of the area to be annexed is property needed for the construction, operation and maintenance of Westinghouse As a result of Lance's willingness to sign this annexation petition, the City will be able to establish a more uniform boundary and avoid the creation of a City limit which would otherwise jut outward from the existing corporate boundary to follow the road project

Clearances — The proposed annexation has been reviewed and approved by the Engineering Department, Planning and the Department of Transportation

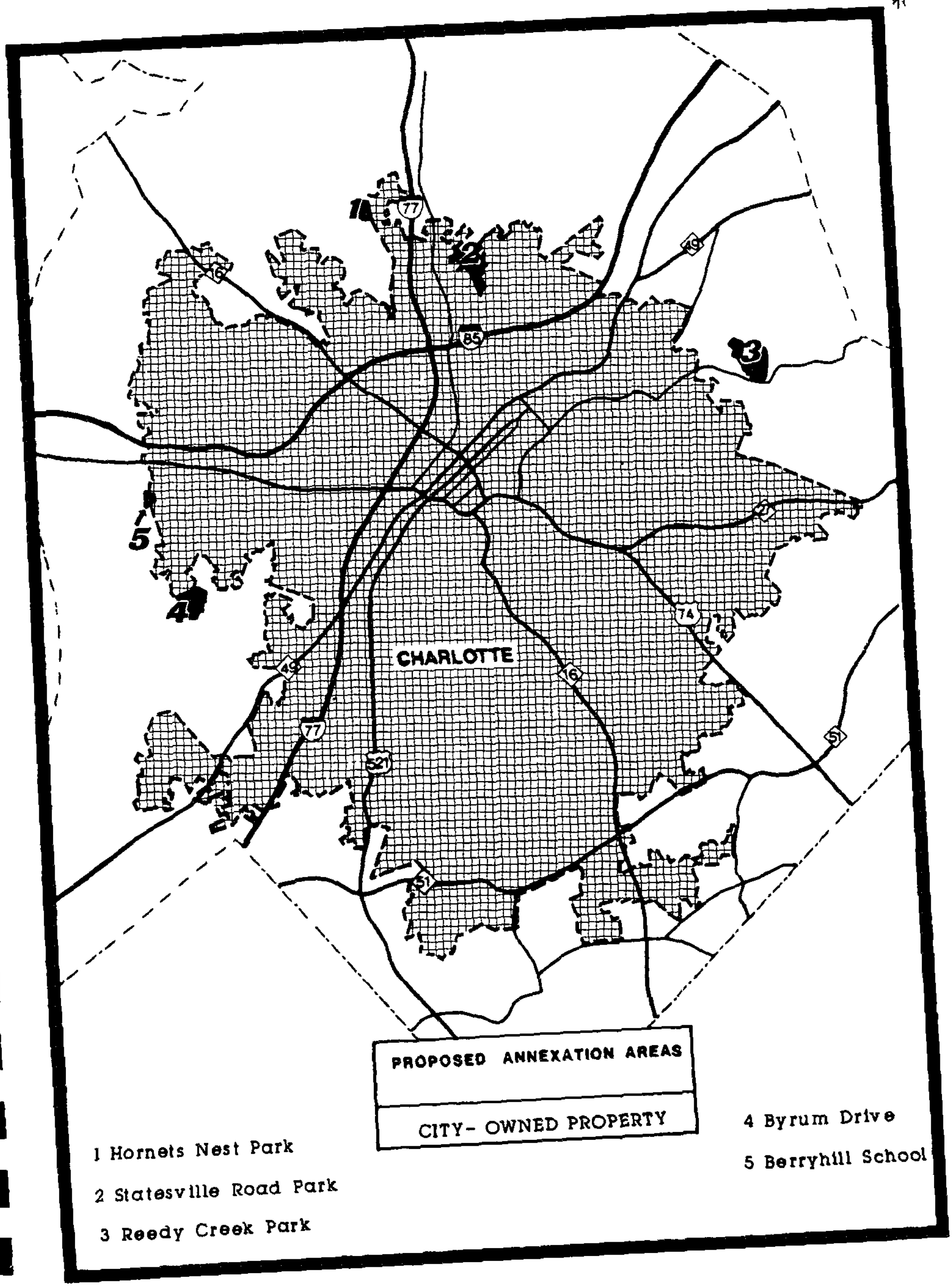
SET PUBLIC HEARINGS

30 Recommend adoption resolution of intent to abandon a portion of Eargle Road and set a public hearing for December 11, 1989

TAX REFUND

31 Recommend the adoption of a resolution authorizing the refund of certain taxes in the total amount of $5,650 83 which were assessed through clerical error or illegal levy against 41 tax accounts

#3


77
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74
CHARLOTTE
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77
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521
51
PROPOSED ANNEXATION AREAS
CITY- OWNED PROPERTY
1 Hornets Nest Park
2 Statesville Road Park
3 Reedy Creek Park
4 Byrum Drive
5 Berryhill School

#4

RECEIVED
NOV - 9 1989
OFFICE OF THE
CITY MANAGER

GEORGE DALY, P A
LAW OFFICES
SUITE 226 ONE NORTH MCDOWELL
101 NORTH MCDOWELL STREET
CHARLOTTE NORTH CAROLINA 28204
704 333 5196

November 6, 1989

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Mayor
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Charlotte, NC 28202

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Mayor Pro Tem
Classic Custom Detail, Inc.
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Ms. Ella Butler Scarborough
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Charlotte, NC 28217

Mr. Roy Matthews
5520 Sunfield Drive
Charlotte, NC 28215

Mr. Stanley M. Campbell
1320 Betsy Drive
Charlotte, NC 28211

Ms. Velva W. Woollen
1318 Queens Road West
Charlotte, NC 28207

Ms. Gloria Fenning
311 Canyon Trail
Charlotte, NC 28226

Dear Madam Mayor and Members of the Council,

I enclose a Request for Council Action, on behalf of the Charlotte Civil Service Board. The Board and the City Administration, including the Police and Fire Departments, have spent several months attempting to resolve this matter, but without success. The Board respectfully requests that the Council put this matter on the agenda for action at its earliest convenience.

Very truly yours,

George Daly
Chairman, Civil Service Board

GD:abp
Enclosure

cc: Wendell White, City Manager
Don Steger, Assistant City Mgr.
Pat Sharkey, City Clerk
Members of Civil Service Board

****

CITY OF CHARLOTTE, NORTH CAROLINA

CIVIL SERVICE BOARD

****

REQUEST FOR COUNCIL ACTION

The Civil Service Board requests that the Council direct the Police Department to submit to the Civil Service Board for approval, pursuant to Section 4.61(14) of the City Charter, all elevations of officers to the rank of Commander and Assistant Chief.

****

The City Charter, Sec. 4.61(14) provides:

> "The Chief of the Police Department and the Chief of the Fire Department shall have authority to make all promotions of officers of their respective departments, subject to majority approval of the Civil Service Board. Promotions are probationary for six (6) months from the date they become effective. Any demotions, except voluntary demotions, shall be made only after written charges are preferred and a hearing held before the Civil Service Board. Except as otherwise provided, demotions must be approved by a majority vote of the Board."

Officers of the Charlotte Police Department presently occupy these ranks:

Patrolman
Sergeant
Captain
Major
Commander
Assistant Chief
Chief

The Police Department submits all promotions through the rank of Major to the Civil Service Board for approval, but does

not submit promotions to Commander and Assistant Chief. The Police Department takes the position that elevating persons to Commander and Assistant Chief is not "promotion" within the meaning of the City Charter, but only "assignment." The Civil Service Board considers elevation to Commander or Assistant Chief to be a "promotion" which must be submitted to the Board for approval.

The Civil Service Board and the Police Department have sought to resolve this matter between themselves, but have been unable to do so.

The Board believes that both the language, and the purpose, of the City Charter lead to the conclusion that elevation to Commander or Assistant Chief is a "promotion." A Commander has the authority to issue an order to a Major. An Assistant Chief has the authority to issue an order to a Commander. Assistant Chief and Commander, in effect, are the military ranks of Colonel and Lieutenant Colonel. The Assistant Chief in fact wears an eagle, the insignia of a Colonel, and a Commander wears silver oak leaf, the insignia of a Lieutenant Colonel. Elevation from Major to a higher rank is a "promotion" in the ordinary sense of that term. It is an elevation to a position of higher authority.

This interpretation of "promotion" is in line with the apparent purpose of having a Civil Service Board, which is to provide some measure of civilian control over the Police Department. This control is exercised by granting a veto power over promotions to the Civil Service Board. The selection of the person to be elevated is vested initially in the Chief of Police,

with whom the employee will work, but confirmation must be obtained from another, civilian branch of city government.

The Board has never raised any substantial question about the qualifications of any person elevated to Commander or Assistant Chief, but nevertheless believes that the decision on the matter belongs to the Board.

The Board respectfully requests that the City Council instruct the Police Department to submit to the Board for approval, pursuant to Section 4.61(14) of the City Charter, all elevations of officers to the ranks of Commander and Assistant Chief.

CAROLINAS COUNTIES COALITION

The following counties have adopted a resolution supporting the Carolinas Transportation Compact and have agreed to become a member of the compact The counties' appointees to the compact are also listed

Anson	Henry Drake, County Commissioner Tommy Allen, Anson County Sheriff
Cabarrus	William G. Hamby, Jr., County Commissioner Lamar Barrier, Concord Alderman
Catawba	
Cleveland	William McCarter, Planning Director R. L. Alexander, County Manager
Gaston	Joe Carpenter, County Commissioner Conrad Pogorzelski, Traffic Engineer, Duke Power
Iredell	
Lancaster	
Lincoln	Harry Huss, County Commissioner
Mecklenburg	Jerry Blackmon, County Commissioner Richard Vinroot, Charlotte City Councilman
Rowan	Newton Cohen, Chairman, County Commission
Stanly	Ed Underwood, County Commissioner Jimmy Napier, Albemarle City Councilman
Union	Max Melton, County Commissioner
York	Peggy Upchurch, York County Councilmember Charles Powers, Mayor, Fort Mill

BUDGET STATEMENT - TRANSPORTATION TASK FORCE

A REVENUE

Nine counties agreed to support the work of the Urban Institute with the Transportation Task Force Each county contributed $1,000 and signed a contract with the University

Budgeted Revenue = $9,000
Revenue Received = $9,000

B EXPENDITURES

1. Personnel Costs* $6,375

* Program costs were primarily staff time associated with attending meetings, planning for meetings and preparing materials Activities and approximate staff hours are the following

o Seven Task Force meetings at an average of 2 1/2 hours each	54 hours
o Seven Executive Committee meetings at an average of two hours each	42 hours
o Preparation for meetings - average of four staff hours per meeting	56 hours
o Preparation of preliminary and final reports	12 hours
o Preparation for and attending meetings with congressmen, DOT staff and others	24 hours
o Telephone consultation with Executive Committee, other Task Force members, media, DOT personnel, congressional staff members, etc	12 hours
TOTAL PROFESSIONAL STAFF TIME	200 hours

Our usual and customary charge for professional staff is $50 per hour For the 200 hours of staff time, the cost is $10,000

In addition 40 hours of support staff time was utilized Our usual charge for support staff is $15 per hour

The support staff cost on the project is $600 Total personnel costs are $10,600 Of this amount, $6,375 is charged against the budget of the Task Force and $4,225 is contributed to the project.

2 OTHER COSTS

Office Supplies	$200
Postage	300
Travel	75
Printing	550
Food service, tokens	600
University overhead	900

3 TOTAL COSTS $9 000

4 This budget statement was compiled with expenditures up to the meeting of the Coalition in September We have continued to incur some costs, primarily staff time, up this this point

PROPOSED BUDGET

Funding shares for the current Compact members are

	Votes	Shares
o Mecklenburg	6	162
o Catawba, Gaston and York	3	081
o All other Counties and the DOTs	2	054

Allocations based on current membership are

	FY 1989-90 1/2 Year	FY 90 91	FY 91-92
o Mecklenburg	$8,100	$24,300	$36,450
o Catawba	4,050	12,150	18,225
o Gaston	4,050	12,150	18,225
o York	4,050	12,150	18,225
o Anson	2,700	8,100	12,150
o Cabarrus	2,700	8,100	12,150
o Cleveland	2,700	8,100	12,150
o Iredell	2,700	8,100	12,150
o Lancaster	2,700	8,100	12,150
o Lincoln	2,700	8,100	12,150
o Rowan	2,700	8,100	12,150
o Stanly	2,700	8,100	12,150
o Union	2,700	8 100	12,150
o NC DOT	2,700	8 100	12 150
o SC DOT	2,700	8,100	12,150
	$49,950	$149,850	$224,775

ORGANIZATIONAL STRUCTURE

Voting

Based on population

- Over 400 000 — 6 votes
- 300,000 - 400,000 — 5 votes
- 200,000 - 299,999 — 4 votes
- 100,000 - 199,999 — 3 votes
- Under 100,000 — 2 votes

In terms of current membership in the Compact, the voting allocation is as follows

	Votes	Population (1980)
Mecklenburg County	6	404,270
Catawba County	3	105,208
Gaston County	3	162,568
York County	3	106,720
Anson County	2	25,649
Cabarrus County	2	85,895
Cleveland County	2	83,435
Iredell County	2	82,538
Lancaster County	2	53,361
Lincoln County	2	42,372
Rowan County	2	99,186
Stanly County	2	48,517
Union County	2	70,435
NC DOT Board Member	2	
SC DOT Commission Member	2	
Total Votes	37	

REPORT

from the

TRANSPORTATION TASK FORCE

to the

CAROLINA COUNTIES COALITION

proposing the

CAROLINAS TRANSPORTATION COMPACT

July 31, 1989

Prepared by Staff

A. Introduction

The Transportation Task Force was formed by the Carolina Counties Coalition for the purpose of developing a framework for a regional transportation planning organization Tasks related to this goal included the development of a mission statement, goals statements, an organizational framework and an organizational budget including funding sources The Urban Institute at UNC Charlotte was chosen to provide facilitation services and staff assistance for the Transportation Task Force

This report and related documents constitute the findings of the Task Force Specifically, the Task Force by consensus agreed on a mission statement, goals statement, an organizational framework, name, host institution and funding level

The Task Force recommends that the Carolina Counties Coalition

- Approve this report
- Appoint a transition team
- Begin the appointment process for Compact members
- Request an appropriation from member counties to meet the funding requirements for the Compact

The Urban Institute and Transportation Center at UNC Charlotte are prepared to assist in the development of the Compact in any way that the Carolina Counties Coalition or the Transportation Task Force may request These services could range from assisting the transition team to providing interim housing and other support to the Compact

B. Task Force Accomplishments

1 The mission of an organization is the broadest definition of that organization s statement of purpose The following mission statement was adopted by the Task Force

MISSION STATEMENT

The mission of the Carolinas Transportation Compact is to serve the individual counties by establishing coordinated, continuing, comprehensive, and proactive efforts to acquire federal, state and local resources for planning, constructing, operating and maintaining adequate regional transportation facilities that enhance the quality of life in each county and the economic opportunity of the region

2 The next level of definition of an organization s purpose is usually found in the goals statement The following goals were adopted by the Task Force

GOALS STATEMENT

- Work with local, state and national elected and appointed officials to promote consideration and funding of regional transportation facilities
- Conduct an outer-outer-belt feasibility study and corridor plan
- Develop a regional highway investment plan
- Jointly with DOTs, COGs and MPOs, develop a regional highway network plan
- Jointly with cities and DOTs, develop coordinated regional plans for airport facilities, public transportation service, rail service, and carpool-vanpool systems
- Encourage and assist counties and cities in preparing and implementing coordinated thoroughfare plans
- Identify and encourage the preservation of right of-way for regional transportation (highway, rail, air) facilities
- Monitor, report and predict regional growth trends

3 The most specific definition of an organization s purpose is found in clearly worded and measurable objectives An organization's objectives translate into a work program While this level of definition was not undertaken by the Task Force, it did discuss some of the work activities that might be expected of the regional transportation planning organization

EXAMPLES OF ORGANIZATIONAL ACTIVITIES

Two levels of activity would occur The first of these relates to building an organization and other administrative functions Among these required activities are

- Select and hire an appropriate staff
- Develop a work program
- Write organizational bylaws
- Pursue an interstate compact

The other activities relate to the development of a research work program, which might include

- Study the feasibility of an outer-outer belt and tiered EIS
- Develop a regional highway investment plan
- Develop a regional strategic highway network plan
- Develop a multi-modal right-of-way identification and preservation plan
- Develop regional airport facilities siting plan
- Develop regional rail and carpool-vanpool systems plans
- Assess regional growth trends and develop a regional data base

After formation, the organization would establish its research plan which might include only one of these items initially or might include starting up a number of the options, understanding that each would be a multi year project because of funding limitations

4 If no organizational framework exists to carry out the goals and objectives, a new organization has to be developed The building blocks of a new organization - **CAROLINAS TRANSPORTATION COMPACT** - were approved by the Task Force

ORGANIZATIONAL STRUCTURE

NAME Carolinas Transportation Compact

OBJECTIVES
- At the outset, planning and coordination
- Capacity to expand later to be a funding and/or building and operating "Commission"
- Multi-modal (highways, rail, air, bus, carpools, vanpools)
- A strong, freestanding organization

VOTING Based on population

• Over 400,000	6 votes
• 300,000-400,000	5 votes
• 200,000-299,999	4 votes
• 100,000-199,999	3 votes
• Under 100,000	2 votes

In terms of current membership in the Task Force, the allocation is as follows

		Population (1980)
• Mecklenburg County	6 votes	404,270
• Gaston County	3 votes	162,568
• York County	3 votes	106,720
• Cabarrus County	2 votes	85,895
• Iredell County	2 votes	82,538
• Lancaster County	2 votes	53,361
• Lincoln County	2 votes	42,372
• Stanly County	2 votes	48,517
• Union County	2 votes	70,435
* NCDOT Board Member	2 votes	
* SCDOT Commission Member	2 votes	
Total Votes	28 votes	

Representation is based on 1980 census figures Votes will be reallocated after the 1990 census and every decennial census following After substantial growth has occurred in the region, the Compact will need to reassess the distribution of votes

Allocating the votes among the representatives from a county is to be determined at the direction of the county A bylaw statement will incorporate this self-determination doctrine into the governing rules of the organization One half plus one of the total votes will constitute a quorum A simple majority of votes present will determine outcomes

EX-OFFICIO	Among the ex officio (non-voting) members that might be considered are the other Board of Transportation (N C) members residing in the region, the other Highway Commission (S C) members residing in the region, NCDOT and SCDOT staff representatives, and representatives of COGs and MPOs in the region
NEW MEMBERS	Additional counties could join the Compact through a petitioning process or by invitation Procedures for adding new members will be incorporated into the Bylaws of the Compact
REPRESENTATIVES	Each county has *two* representatives appointed by the Board of County Commissioners (N C) or County Council (S C) with only one representing any governmental body within the county All representatives to the Compact, other than those representing the state highway authorities, are to be elected officials The Board of Transportation (N C) and the Highway Commission (S C) will have two votes each These respective bodies will appoint one of their members, who shall reside in the region covered by the Compact, to be members of the Compact The members of the Compact are to serve two-year, staggered terms In order to accomplish the staggering of terms, one of the initial appointees from each county will serve a one-year term and the other one will serve a two-year term The county has the discretion to determine which representative will serve the one-year term and which will serve the two-year term Compact members are eligible for reappointment as long as they meet the other criteria for serving The appointment procedure outlined above will be formalized in the bylaws of the organization

5 The development of the Carolinas Transportation Compact suggests a service enhancement for the counties that are members of the Compact Any service enhancement requires new budgetary allocations The Task Force approved the following as a suggested funding level and county allocation

PROPOSED BUDGET

The proposed funding level for the Carolina Transportation Compact is $225,000 The organization would start small and build capabilities as needed This funding would support planning activities, organizational development, consultant studies and skeleton staff Ultimate goal is a strong, freestanding activity

Funding shares for the current Task Force members are the following

	Votes	Shares
• Mecklenburg	6	215
• Gaston and York	3	107
• All Other Counties and the DOTs	2	071

Example Allocations	FY 1989-90 1/2 Year	90-91	91-92
• Mecklenburg	$10,714	$ 32,250	$ 48,214
• Gaston	5,357	16,125	24,107
• York	5,357	16,125	24,107
• Cabarrus	3,571	10,700	16,071
• Iredell	3,571	10,700	16,071
• Lancaster	3,571	10,700	16,071
• Lincoln	3,571	10,700	16,071
• Stanly	3,571	10,700	16,071
• Union	3,571	10,700	16,071
• NCDOT	3,571	10 700	16,071
• SCDOT	3,571	10,700	16,071
	$50,000	$150,100	$225,000

Some change in allocations may occur almost as soon as the organization begins its activities as additional counties ask to join or additional counties are invited to join Since beginning the organizational development process in February, the Task Force has not changed membership, and that original membership is the basis on which the allocation proposal was developed Other counties, however, have expressed an interest in being involved in the planning process The three counties that have expressed an interest in the Compact are Catawba Cleveland and Anson Rowan County may be a candidate for invitation to participate in the Compact

6 The Task Force desired that the Carolinas Transportation Compact be housed in an environment that supported the start-up organizational and research activities of the Compact In this regard, the Task Force requested proposals from organizations that could provide such an environment The Centralina Council of Government and the Urban Institute at UNC Charlotte responded to this request These proposals are attached to the report for your information

The Transportation Task Force, in executive session, recommended that the Urban Institute and Transportation Center at UNC Charlotte serve as the host for the Carolinas Transportation Compact

C. Summary

Organization building is a difficult process The Transportation Task Force, with this report, has executed its charge from the Carolina Counties Coalition The broad guidelines of a new regional transportation planning organization **CAROLINAS TRANSPORTATION COMPACT** - have been formulated after lengthy and informed discussions by Task Force members Not all questions have been answered to the satisfaction of all members, but that would continue to be true if the Task Force were to meet for another six months

If the Carolina Counties Coalition approves this report, the Executive Committee of the Task Force or a reformulation of the Executive Committee offers its services as a transition team until the time that the counties can make their appointments to the Compact

POLICY STATEMENT FOR CAROLINAS COUNTIES COALITION TRANSPORTATION TASK FORCE

The Transportation Task Force made a number of major policy decisions during the meetings and discussions that were held over the last six months These decisions are found, for the most part, in the report of the Task Force but are highlighted in the following policy statement for purposes of assisting members in explaining the concept to others

- The Coalition, the first Transportation Task Force and the second Transportation Task Force have all determined that an enhanced level of proactive planning for regional transportation facilities was needed

- No existing planning organization was thought to be able to provide the enhanced level of service with existing funding

- This determination resulted primarily from the definition of region A regional approach to transportation planning is desired, however, existing organizations either provide planning at the local level (MPOs and city transportation departments) or utilize regional delineations that do not cover the entire region (COGs and state DOTs)

- The Task Force also believed strongly that a pressing need existed to have a proactive force for change in transportation related allocations to the region The new organization is charged with being the regional transportation planning champion which will pursue improving communications, better planning and enhanced budgetary support.

- The purpose of the new organization was defined in such a manner that overlap with existing organizations and planning activities should not occur No infringement on local policy-making bodies need arise because the regional entity would be interested in the connectivity of roadways and other transportation facilities between counties and states but would not be involved in intra county transportation planning The new organization would support and enhance the regional planning activities of the State DOTs

- Among the activities of the new organization might be planning for an outer-outer belt, development of a regional strategic highway plan that would complement the statewide strategic highway plan, determination of a highway investment program, development of a regional airport facilities plan, development of transit and light rail planning programs for the region, and regional vanpool and carpool plans

- CAROLINAS TRANSPORTATION COMPACT was selected as the name of the organization This name is meaningful <u>Carolinas</u> indicates that it is a bi-state region, <u>Transportation</u> suggests that this is a single purpose and focused organization, and <u>Compact</u> denotes a cooperative arrangement among local governments and suggests a planning, coordinating, and persuading body rather than an authority <u>Compact</u> also implies that the organization is flexible and could change roles if the constituent units determine such a need

- The Carolinas Transportation Compact is to be a strong freestanding, independent organization and not a part of any existing organization Using this approach, the Compact clearly derives its authority from the Coalition and is directly answerable to the Coalition In addition, the mission of the compact remains focused and is not threatened by competing missions of other elements of an existing organization

- An annual budget of $225,000 is proposed for the Compact This budget will be phased with $50,000 for the first half year (Jan 1 to June 30, 1990), $150,000 for the second year (July 1 to June 30, 1991), and $225,000 for the third year (July 1 to June 30, 1992) The Task Force is proposing a service enhancement, and an increase in service will cost additional monies The Task Force believed that the proposed level of funding is consistent with the desired level of increased services

- A part of the budget will be utilized to employ a skeleton staff composed initially of an Executive Director The Task Force believes strongly that a person with an extensive background in transportation planning as well as substantial interpersonal skills is a necessity for this position

- Allocation of votes and funding is based on population and will fluctuate as population change occurs

- Because of the need to have the state DOTs fully involved in the planning and coordination functions of the Compact, the Task Force determined that an appointed member of the Transportation Board (N C) and the Highway Commission (S C) would be members of the Compact with two (2) votes each These members are to be residents of the region

- The charter members of the Compact are the counties represented on the Second Transportation Task Force and representatives of the DOTs Provisions allow other counties to petition to join and the Compact to invite other counties to join Therefore, membership in the Compact is somewhat flexible and allows a degree of self definition of the region to be covered by the Compact

- The Task Force sought to provide enough guidance for the start-up of the new organization A number of specific tasks have been left for the Compact and its staff a specific work program, organizational bylaws, development of legislation to obtain an interstate compact, and other organizational details

Q & A FOR THE CAROLINAS COUNTIES COALITION TRANSPORTATION TASK FORCE

Why was the Transportation Task Force formed?

In 1988 the Carolinas Counties Coalition asked the Centralina Council of Governments and the Catawba Regional Council to do a study on transportation in the region This study proved that we needed regional transportation planning The Transportation Task Force was formed so that county leaders could lend their expertise in determining who should be involved in a regional transportation organization and what its structure should be

How were Transportation Task Force member counties selected?

Counties which were contiguous to Mecklenburg and part of the CCC were asked to appoint members to the Task Force Stanly County also asked to be included, bringing the initial number of counties to nine, with three appointed members each

What was the timeframe of the Task Force?

The Task Force was charged with meeting between February and July 1989

What responsibilities was the Task Force charged with?

The Task Force was given the responsibility of developing Missions and Goals Statements, and deciding on the scope and structure of a regional transportation organization

How is the Transportation Task Force organized?

The Task Force is composed of 27 members, three from each of the nine counties The Task Force selected a Convenor, Peggy Upchurch of York County, and an Executive Committee, Peggy Upchurch, Jerry Blackmon of Mecklenburg County and Joe Carpenter of Gaston County The Task Force has met monthly since February 1989, with two meetings in July The Executive Committee also meets monthly between regular meetings The Task Force has been assisted in its efforts by faculty and staff from UNC Charlotte

How did the Transportation Task Force proceed with its appointed responsibilities?

The Task Force received information from its staff on other regional transportation organizations around the United States and discussed different options for scope and structure Based on this analysis, the Task Force developed the Mission Statement and Goals Statement for a new regional transportation planning organization These statements provided for the establishment of a new regional transportation organization which would work with existing organizations to provide comprehensive transportation planning for the region

What were the next steps taken by the Transportation Task Force?

Subsequent to approving the Missions and Goals Statements, they proceeded to develop an Organizational Structure and funding requirements The Organizational Structure delineated the number of votes per county, the number of members per county and provided for members from other organizations and ex officio members The funding requirements provided for the hiring of an executive director and staff and conducting studies

Other items which were discussed included whether or not the new regional transportation organization should be housed in an existing agency or be maintained as a free standing entity The Task Force voted in favor of a freestanding compact so that the organization could operate over a two state region and focus totally on transportation issues The Task Force also discussed the importance of obtaining a strong knowledgeable director for the compact who could provide the leadership necessary for an effective regional transportation organization

What did the Task Force conclude about the type of organization?

The Task Force found that a strong, freestanding entity was needed The Carolinas Transportation Compact, which was the name given to this new organization, should have as its mission proactive efforts to encourage, establish and maintain adequate regional transportation facilities for all modes Such a regional approach will enhance the quality of life in each county and the economic opportunities for the region

Why did the Task Force emphasize the need for a strong, freestanding organization?

The Task Force felt that no single existing agency in the region has the breadth of area coverage, expertise in multi-modal transportation planning and proactive stance needed to further broad scale regional transportation planning

How would the Carolinas Transportation Compact (CTC) relate to the North Carolina and South Carolina DOTs?

The CTC would complement the DOTs efforts and activities by encouraging regional interest at the state and national level The CTC is not being established as a funding, building or operating entity

How would the CTC relate to the area's Councils of Government and MPOs?

The CTC would complement the activities of these groups by studying and planning for the connective links between counties, smaller regions and states, and by regional planning in policy areas not presently being considered by other agencies The COGs and MPOs would have much information which would be useful to the CDC Transportation planning at all levels would be enhanced by a cooperative working relationship among all agencies involved in the planning function within the region

Senior Vice President
General Manager WBTV

Cullie Tarleton Company
Charlotte, North Carolina
Telephone 704 374 3650

DWW
bc

#6

Jefferson Pilot Communications

November 14, 1989

Agenda

Mrs. Carla E. DuPuy
Mecklenburg County Commissioners
Charlotte, NC 28202

Dear Carla

Thank you for your letter of November 7th. Let me address the specific questions you asked.

No, I do not intend to ask other groups such as the Junior League to help fund the position mentioned in my earlier correspondence I really think, Carla, that it's the responsibility of the city, the county and United Way to fund this particular position. You will recall in some of our earlier meetings last fall, we talked about funding for staff assistance coming from these three entities.

Secondly, I've talked with Don Sanders about the cost of the position and he thinks the high side estimate including cost of fringes is roughly $40,000. So if the three of you would budget say a maximum of $15,000, I think we would be more than covered. What we need, of course, is fulltime staff assistance. I'm trying to convince Don that Joyce Brooks be assigned to us on a fulltime basis since she has been our staff liaison form the very beginning. All of us ought to be grateful to Don and United Way for providing the staff support to date. They have done it at their expense and I can tell you, Joyce has been very, very busy. Understandably, Don is reluctant to let Joyce go because she was hired for some specific purposes at United Way, but I really hope he'll let us have her rather than causing us to bring someone on board at this point who is totally unfamiliar with what we are trying to do -- so any encouragement from you would be appreciated.

The important thing, of course, is that the three entities, the county, the city and United Way, each agree to jointly fund this position so that the commission can get on with its important work.

Thanks and best regards.

Sincerely yours,

Cullie M. Tarleton

CMT bc

c Mayor Sue Myrick, Mr. Don Sanders

#7

The project satisfies Council's capital budget policy of providing funds to cultural agencies for building renovations on a 50% matching basis.

Funding

Funding for this project is recommended from the Pay-As-You-Go Tax Levy Fund Balance. FY90 revenues are projected to exceed planned expenditures by $730,000. These funds were earmarked during the FY90 Budget for Convention Center Planning, Rosedale, and future government facility projects.

9/11/89

4. A. Recommend amendment of the Housing Policy Plan to provide for the use of funds in the sale of City property.

B. Recommend approval of a policy framework for expending Innovative Housing funds not allocated to the Housing Partnership.

Action in A.

Under the proposed change in the Housing Policy Plan (A.), all proceeds from the sale of real estate owned by the City and managed by the Community Development Department shall be appropriated to the Innovative Housing Fund to purchase land for future development of assisted housing for persons earning 40 percent or less of median income.

Innovative Housing History

On April 6, 1987, City Council adopted a Housing Policy Plan which advocated development of housing units using public/private partnerships. Since 1988, $10,500,000 has been appropriated for Innovative Housing as part of the pay-as-you-go capital budget projects and $5,774,583 has been expended to date. This leaves $4,725,417 in the Innovative Housing Fund remaining for FY90.

$2 Million to Housing Partnership

On June 26, 1989, City Council approved a contract between the City and the Charlotte-Mecklenburg Housing Partnership, Inc. and allocated $2 million to the Partnership to provide for the development of 100 additional housing units through public/private ventures targeted to families earning 60% or less of median income. Prior to the approval of the Partnership contract, Council approved several revisions to the Housing Policy Plan on May 22, 1989. These revisions affected the specific roles of the City, the Charlotte Housing Authority, and the Housing Partnership.

The City's mission was defined as "reducing the number of households living in substandard, overcrowded, or unaffordable housing conditions." The City's priority is to provide housing assistance to those households earning 40% and less of median income and to provide opportunities for economic self-sufficiency to assisted families.

$2.5 Million Innovative Housing Funds

Council is requested to approve a policy framework for spending $2.5 million from a total budget of $4.5 million per year to be allocated as follows:

1) $1,500,000 to be funded on the basis of competitive Request for Proposals being recommended by the Innovative Housing Committee and approved by City Council; these proposals will create 50 - 75 new housing units with preference being given to proposals complying with the RFP criteria established as part of the policy framework.

2) $500,000 to be used to fund a local voucher program, City Housing Assistance Payment Program (CHAPP), for 25 families. The Housing Voucher Program is a rental assistance program whereby a family relocated chooses a rental unit in the private market which:

   - Meets City Housing Code

   - The gross rent is not subject to the HUD fair market rent as in the Section 8 Certificate Program. The Housing Authority determines a payment standard to calculate the subsidy. The payment standard may be equal or less than the fair market rent. Families may choose housing that rents above the payment standard. If so, the family will have to pay more than 30% of its adjusted monthly income toward their housing cost.

Attached is a comparison of the CHAPP to the Housing Authority's Operation Bootstrap program. We recommend approval because our program can be used to complement the Housing Authority's Bootstrap program by providing more housing opportunities.

3) $500,000 to be a source of funding small housing proposals on a case by case basis for property owners, small businesses, or non-profit corporationson an optional basis.

Innovative Housing Committee

Request for Proposals (RFP's) will be sent to all known developers and ads will be run in local and regional newspapers. All RFP's and optional housing proposals will be reviewed by the Innovative Housing Committee. The composition of that Committee will include:

Assistant City Manager for Policy and Evaluation
Assistant City Manager for Development Services
Director, Community Development Department
Director, Planning Department
Director, Finance Department

This committee will provide a technical review of all proposals and RFP's and make recommendations to Council. The Community Development Department will continue to administer the Innovative Housing Fund through a RFP process.

RFP's

Competitive RFP's will be developed on a regular basis and as needed thereafter with the responding proposals being evaluated on the following basis:

1) Assistance is to be provided to families earning less than 40% of median income and living in substandard, overcrowded, or unaffordable housing, or are residing in public housing, or are listed on the Charlotte Housing Authority's master list needing housing;

2) Compliance with the Housing Assistance Plan and the Housing Policy Plan - the geographic disbursement of proposed projects and proximity to other assisted housing will be a major condition of the RFP;

3) The project effect on the School Board's pupil assignment plan and other impacts created on the school system in terms of total new students and current plans for the construction of new schools;

4) Land use and urban impact of projects on neighborhoods and commercial areas;

5) Neighborhood renewal and number of housing units;

6) Cost comparison to the City with other funded projects; this will require a financial analysis of the City's cost per unit, private funds leveraged in a ratio with total replacement cost and the term of the City loan in regard to payback of City funds for reuse within the Innovative Housing Fund;

7) Private funds committed with financial sources or tax credit allocation by the State Housing Finance Agency should be committed by letter;

8) Design compatibility with the neighborhood, and the provision of necessary amenities for children, available public transportation, and assurance of a good maintenance program.

Council Action: This item was originally considered at Council's July 25, 1989 meeting and was deferred to the August 7 workshop. It was then deferred until Council's September 5 workshop.

Funds: City Innovative Housing Fund

Clearances: City Council approved Housing Policy Plan on May 22, 1989 and concensus of the CD and Housing Committee.

Attachment No. 2

5. Continued discussion from the September 5, 1989 workshop on interpretation of the Housing Assistance Plan (HAP).

Attachment No. 3

Program Comparisons

Operation Bootstrap	CHAPP

Similarities

Operation Bootstrap	CHAPP
1 Payments are made to the owner.	1 Payments are made to the owner
2 Families pay no more than 30 percent of their adjusted monthly income toward their housing cost.	2 Families pay no more than 30 percent of their adjusted monthly income toward their housing cost.
3 The housing Authority must determine rent reasonableness.	3 The housing Authority must determine rent reasonableness
4 Annual rent increase are granted based HUD annual adjustment factors However, units must still meet rent reasonableness requirements.	4 Annual rent increase are granted based HUD annual adjustment factors. However, units must still meet rent reasonableness requirements
5 Special Claims: Under the certificate program an owner may be eligible to receive two months' contract rent minus the maximum permitted security deposit for damages and unpaid rent. In addition, an owner may receive 80 percent of one month's rent for vacancy loss.	5 Special Claims: Under the certificate program an owner may be eligible to receive two months' contract rent minus the maximum permitted security deposit for damages and unpaid rent In addition, an owner may receive 80 percent of one month's rent for vacancy loss.

Differences

Operation Bootstrap	CHAPP
1. HUD Commits to funding 200 units for a 5-year period which may be extended up to a total term of 15 years. HUD fully funds the subsidy program.	1 The City commits to the total funding for 25 units for a 5-year term only. There is no commitment to extend the funding.
2. The subsidy is tied to the family rather than to the unit occupied.	2. 50% of the program will have subsidies tied to the unit and 50 percent to the family.

3	The Housing Authority may not approve rents in excess of the HUD-approved Fair Market Rent (with a limited 10% exception authority).	The Housing Authority may not approve rents in excess of the HUD-approved Fair Market Rent, however, a 25% exception may be granted on a case by case basis
4	Eligibility requirements and the same definition of income and allowances (24CFR Part 813) are used.	Additional deductions, transportation allowances, and medical allowances are used for working families
5	The Security Deposit is limited to $50 or 30% of the monthly adjusted gross income	The Security Deposit paid by CHAPP is not to exceed 1 month's rent
6	The Self-Sufficiency Component will be coordinated by the existing Transitional Housing staff and the Executive and Advisory Boards of the Housing Authority. All major agencies contributing to the self-sufficiency component are already members of these boards and are providing services to nearly 150 families already enrolled in the transitional housing programs.	The Self-Sufficiency Component will be coordinated by the Housing Referral Section of the Community Development Department of the City of Charlotte
7	Three additional case coordinators will have to be hired to monitor the self-sufficiency efforts of 200 participants.	7. Current staff is sufficient for program requirements for the 25 families
8	Program operations must comply with HUD and other federal guidelines.	Program operations are determined locally resulting in greater flexibility of the program.
9	Preferences are given to families with dependents who are earning less than 50 percent of the median and who are paying more than 50 percent of their income for rent and utilities or are in-voluntarily displaced or live in substandard housing They must also commit to the self-sufficiency goals of the program.	The focus is on families earning less than 40 percent of the median income and with children under 15 years of age who reside in units which are overcrowded, substandard, and/or unaffordable This emphasis on families with younger children increases the likelihood of breaking the cycle of dependency

#8

HOUSING CODE ENFORCEMENT

A. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2305 Augusta Street (Lincoln Heights).

Reason for Inspection: Field Observance
Date of Inspection: 10/14/87
Owner(s) Notified of Hearing: 2/8/88
Hearing Held: 2/26/88
Owner(s) Ordered to Demolish Dwelling By: 3/30/88

The property was sold in early March, 1988.

Date of Reinspection: 3/21/88
Owner(s) Notified of Hearing: 4/5/88
Hearing Held: 4/29/88
Owner(s) Ordered to Demolish Dwelling By: 6/19/88
Supplemental Order Issued for Owner(s) to Repair Dwelling By: 7/10/88
Supplemental Extended To: 8/11/88

The owner did not repair the dwelling by the compliance date. A title search was ordered and received in mid-June, 1989. The title report revealed parties in interest.

Date of Reinspection: 6/14/89
Owner(s) Notified of Hearing: 6/20/89
Hearing Held: 7/20/89
Owner(s) Ordered To Repair Dwelling By: 8/20/89
The owner(s) stopped repair work on the dwelling.
Therefore, Order was issued to the owner(s) to demolish the dwelling.
Owner(s) Ordered To Demolish Dwelling By: 11/3/89

The title search was updated in early October, 1989 and it revealed that the property had been sold.

Date of Reinspection: 11/14/89
Owner(s) Notified of Hearing: 11/15/89
Hearing Held: 11/27/89
Owner(s) Ordered To Demolish Dwelling By: 12/1/89
Estimated Value of Dwelling: $0
Estimated Repair (Which Exceeds 65% of Estimated Value): $21,305

The repairs include: repairing walls & ceilings throughout; replacing plumbing fixtures; replacing bath floor cover; cleaning floors throughout; replacing electrical wall receptacles, switches & fixtures; replacing interior & exterior doors; replacing heating system; replacing water heater; replacing exterior siding; painting exterior; replacing windows; replacing window & door screens; replacing front porch; repairing rear porch; installing steps; replacing foundation vents; removing junk; installing water supply; and installing electrical service.

The dwelling is open and unoccupied.

The owner was notified of a Civil Penalty on December 4, 1989. The total penalty as of December 11, 1989 amounts to $200.00. The owner has also been notified of this December 11, 1989 Council action.

B. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2307 Augusta Street (Lincoln Heights).

Reason for Inspection: Field Observance
Date of Inspection: 10/14/87
Owner(s) Notified of Hearing: 2/8/88
Hearing Held: 2/26/88
Owner(s) Ordered to Demolish Dwelling By: 3/30/88

The property was sold in early March, 1988.

Date of Reinspection: 3/21/88
Owner(s) Notified of Hearing: 4/5/88
Hearing Held: 4/29/88
Owner(s) Ordered to Demolish Dwelling By: 6/19/88
Supplemental Order Issued for Owner(s) to Repair Dwelling By: 7/10/88
Supplemental Extended To: 8/11/88

The owner did not repair the dwelling by the compliance date. A title search was ordered and received in mid-June, 1989. The title report revealed parties in interest.

Date of Reinspection: 6/14/89
Owner(s) Notified of Hearing: 6/20/89
Hearing Held: 7/20/89
Owner(s) Ordered To Repair Dwelling By: 8/20/89
Owner(s) stopped repair work on the dwelling. Therefore, Order was issued to demolish the dwelling.
Owner(s) Ordered To Demolish Dwelling By: 11/3/89

The title search was updated in early October, 1989 and it revealed that the property had been sold.

Date of Reinspection: 11/14/89
Owner(s) Notified of Hearing: 11/15/89
Hearing Held: 11/27/89
Owner(s) Ordered To Demolish Dwelling By: 12/1/89
Estimated Value of Dwelling: $0
Estimated Repair (Which Exceeds 65% of Estimated Value): $21,305

The repairs include: repairing walls & ceilings throughout; replacing plumbing fixtures; replacing bath floor cover; cleaning floors throughout; replacing electrical wall receptacles, switches & fixtures; replacing interior & exterior doors; replacing heating system; replacing water heater; replacing exterior siding; painting exterior; replacing windows; replacing window & door screens; replacing front porch; repairing rear porch; installing steps; replacing foundation vents; removing junk; installing water supply; installing electrical service; repairing chimney; and repairing holes in floors.

The dwelling is open and unoccupied.

The owner was notified of a Civil Penalty on December 4, 1989. The total penalty as of December 11, 1989 amounts to $200.00. The owner has also been notified of this December 11, 1989 Council action.

C. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 2309 Augusta Street (Lincoln Heights).

Reason for Inspection: Field Observance
Date of Inspection: 10/14/87
Owner(s) Notified of Hearing: 2/8/88
Hearing Held: 2/26/88
Owner(s) Ordered to Demolish Dwelling By: 3/30/88

The property was sold in early March, 1988.

Date of Reinspection: 3/21/88
Owner(s) Notified of Hearing: 4/5/88
Hearing Held: 4/29/88
Owner(s) Ordered to Demolish Dwelling By: 6/19/88
Supplemental Order Issued for Owner(s) to Repair Dwelling By: 7/10/88
Supplemental Extended To: 8/11/88

The Owner(s) did not repair the dwelling by the compliance date. A title search was ordered and received in mid-June, 1989. The title report revealed parties in interest.

Date of Reinspection: 6/14/89
Owner(s) Notified of Hearing: 6/20/89
Hearing Held: 7/20/89
Owner(s) Ordered To Repair Dwelling By: 8/20/89
Owner(s) stopped repair work on the dwelling. Therefore, Order was issued to demolish the dwelling.
Owner(s) Ordered To Demolish Dwelling By. 11/3/89

The title search was updated in early October, 1989 and it revealed that the property had been sold.

Date of Reinspection: 11/14/89
Owner(s) Notified of Hearing: 11/15/89
Hearing Held: 11/27/89
Owner(s) Ordered To Demolish Dwelling By: 12/1/89
Estimated Value of Dwelling: $0
Estimated Repair (Which Exceeds 65% of Estimated Value): $22,450

The repairs include: repairing walls & ceilings throughout; replacing plumbing fixtures; replacing bath floor cover; cleaning floors throughout; replacing electrical wall receptacles, switches & fixtures; replacing interior & exterior doors; replacing heating system; replacing water heater; replacing exterior siding; painting exterior; replacing windows; replacing window & door screens; replacing front porch; repairing rear porch; installing steps; replacing foundation vents; removing junk; installing water supply; installing electrical service; and repairing chimney.

The dwelling is open and unoccupied.

The owner was notified of a Civil Penalty on December 4, 1989. The total penalty as of December 11, 1989 amounts to $200.00. The owner has also been notified of this December 11, 1989 Council action.

D. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 1601 Tippah Avenue.

Reason For Inspection: Petition
Date Of Inspection: 3/20/89
Owner(s) Notified of Hearing: 3/29/89
Hearing Held: 4/26/89
Owner(s) Ordered to Repair Dwelling By: 5/26/89

A title search was ordered and received in mid-July, 1989. The title report revealed parties in interest.

Date Of Reinspection: 8/8/89
Owner(s) Notified of Hearing: 8/25/89
Hearing Held: 9/14/89
Owner(s) Ordered to Demolish Dwelling By: 10/26/89

The second order was to demolish because the first order to repair was sent out incorrectly. Owner(s) appealed Order to the Housing Appeals Board. Housing Appeals Board met and upheld demolition order.
Compliance Date: 11/22/89

Estimated Value of Dwelling: $22,680
Estimated Repair (Which Exceeds 65% of Estimated Value): $18,890

The repairs include: repairing electrical wiring & fixtures; installing weatherstripping; repairing kitchen sink drain; repairing kitchen floor; repairing walls & ceilings; installing adequate heating system; repairing roof; repairing interior doors; installing attic insulation; replacing window glass; repairing front porch; replacing window & door screens; painting exterior wood surfaces; removing wooden stiff knee piers; replacing decayed door & frame at basement; repairing foundation walls; replacing loose & decayed facia boards; replacing decayed siding; and removing junk & debris from yard.

This dwelling is open and unoccupied.

The owner was notified of a Civil Penalty on 11/27/89. The total penalwy as of December 11, 1989 amounts to $280.00. The owner has also been notified of this December 11, 1989 Council action.

E. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 421 E. 17th Street (North Charlotte).

Reason for Inspection: Field Observation
Date of Inspection: 8/23/88
Owner(s) Notified of Hearing: 8/25/88
Hearing Held: 9/13/88
Owner(s) Ordered to Demolish Dwelling By: 10/19/88 (Extended to 11/14/88)

A title search was ordered and received on October 30, 1989, and there were no parties of interest to the property.

Estimated Value of Dwelling: $1,090
Estimated Repair (Which Exceeds 65% of Estimated Value): $3,815

It has been determined that it would not be feasible to acquire this property and rehabilitate the structure because the cost would prohibit it from being used as housing for low and moderate income persons.

The repairs include: replacing exterior wall covering, repairing sills and joist, painting exterior, replacing rear screen porch, installing window and door screens, installing missing cornice and soffitt, installing crawl access door.

The owner was notified of a Civil Penalty on November 15, 1988. The total penalty as of December 11, 1989 amounts to $3,770. The owner has also been notified of this December 11, 1989 Council action.