AGENDA

Meeting Type:	B
Date	09-11-1989
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda September 11, 1989

FILE COPY

CHARLOTTE

Meetings in September '89

THE WEEK OF SEPTEMBER 3 - SEPTEMBER 9

4	Monday,	**LABOR DAY** - All City Offices Closed
5	Tuesday, 2 00 p m	**SPECIAL USE PERMIT HEARING** - CMGC, 8th Floor Conference Room
	Tuesday, 3 00 p m	**CULTURAL STUDY COMMITTEE**- CMGC, Room 271
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 5 00 p m	**CITY COUNCIL WORKSHOP** - CMGC, Conference Center
6	Wednesday, 12 Noon	**PLANNING COMMISSION/Work Session** - CMGC, 8th Floor Conference Room

THE WEEK OF SEPTEMBER 10 - SEPTEMBER 16

11	Monday, 6 00 p m	**COUNCIL/MANAGER DINNER** - CMGC, Meeting Chamber Conference Room
	Monday, 6 30 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber
	Monday, 7 30 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber
	Monday, 7 30 p m	**HISTORIC PROPERTIES COMMISSION** - 1221 S Caldwell Street
12	Tuesday, 8 00 a m	**AIRPORT ADVISORY COMMITTEE** - Charlotte/Douglas International Airport, Conference Room A
	Tuesday, 2 30 p m	**HOUSING APPEALS BOARD** - CMGC, 5th Floor Conference Room
	Tuesday, 3 30 p m	**PLANNING COMMISSION/Planning Committee (N.E. District Tour)** - CMGC, 8th Floor Conference Room
13	Wednesday, 7 30 a m	**CENTRAL AREA DESIGN TASK FORCE** - CMGC, 8th Floor Conference Room
	Wednesday, 8 30 a m	**CIVIL SERVICE BOARD** - CMGC, 7th Floor Conference Room
	Wednesday, 4 00 p m	**HISTORIC DISTRICT COMMISSION** - CMGC, 8th Floor Conference Room
	Wednesday, 4 30 p m	**CITIZENS CABLE OVERSIGHT COMMITTEE** - CMGC, Room 119
	Wednesday, 6 30 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118
14	Thursday, 7 30 a m	**ZONING ORDINANCE STAKEHOLDERS COMMITTEE** - CMGC, 8th Floor Conference Room
	Thursday, 5 00 p 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 SEPTEMBER 17 - SEPTEMBER 23

17	Sunday, 10 00 a m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Ad Hoc Committee** - Public Library Main Branch, 310 North Tryon Street
18	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, 2 00 p m	**HOUSING AUTHORITY** - 1301 South Boulevard
	Tuesday, 3 00 p m	**CULTURAL STUDY COMMITTEE** - CMGC, Room 271
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
20	Wednesday, 7 30 a m	**ZONING ORDINANCE STAKEHOLDERS COMMITTEE** - CMGC, 8th Floor Conference Room
	Wednesday, 7 00 p m	**METROPOLITAN PLANNING ORGANIZATION** - CMGC, Conference Center
21	Thursday, 8 00 a m	**CLEAN CITY COMMITTEE** - CMGC, Conference Center
	Thursday, 7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - 701 Tuckaseegee Road, Park Operations Conference Room

THE WEEK OF SEPTEMBER 24 - SEPTEMBER 30

25	Monday, 1 00 p m	**COUNCIL/MANAGER LUNCHEON** - CMGC, Meeting Chamber Conference Room
	Monday, 2 00 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber
	Monday, 2 30 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber
	Monday, 4 00 p m	**PLANNING COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Monday, 4 30 p m	**PLANNING COMMISSION/Zoning Committee** - CMGC, 8th Floor Conference Room
26	Tuesday, 2 00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - Agricultural Extension Service, Large Conference Room, 700 North Tryon Street
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
27	Wednesday, 7 30 a m	**CENTRAL AREA DESIGN TASK FORCE** - CMGC, 8th Floor Conference Room
	Wednesday, 4 00 p m	**SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE** - CMGC, Room 271
	Wednesday, 6 30 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118
28	Thursday, 7 30 a m	**ZONING ORDINANCE STAKEHOLDERS COMMITTEE** - CMGC, 8th Floor Conference Room
	Thursday, 3 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Strategic Planning Workshop** - Days Inn Hotel, 230 North College Street

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

Advisory Board for Citizens with Disabilities
Community Facilities Committee

CMGC - Charlotte-Mecklenburg Government Center

September 11, 1989 City Council Agenda
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CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Al Rousso*

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

Council Agenda

Monday, September 11, 1989

5 00 PM	Council-Manager dinner
6 30 PM	Citizens hearing
7 30 PM	Council meeting

ITEM NO

1 Invocation by Rev Peter J Wuebbens of Good Shepherd Lutheran

POLICY

2 Consider Transportation Committee's recommendation in directing the City's representative to the Metropolitan Planning Organization concerning alignment selection for the eastern circumferential to (A) approve the Technical Coordinating Committee's recommended alignment within Charlotte's sphere of influence and concurrence of Mint Hill's preference within the Mint Hill sphere of influence, and (B) not use Charlotte's weighted vote

This item was deferred at the August 28, 1989 Council meeting The County Commission has requested its MPO member to discuss the alignment in Mint Hill with the Mint Hill MPO member If any additional information is available, it will be sent in Friday's Council-Manager memorandum or provided at the meeting on Monday

Eastern Circum-ferential

The eastern circumferential is a proposed major thoroughfare which will provide a connection between the UNCC/US 29 North area and US 74 East at its intersection with Sardis Road North As envisioned, this thoroughfare would be constructed primarily within a 100 foot right-of-way and be very similar to the cross section of Fairview Road between Sharon and Providence Roads

Spheres of Influence

The portion of the proposed thoroughfare from Mallard Creek Road to McAlpine Creek is within the City of Charlotte's sphere of influence This section is 75 percent (9 3 miles) of the total project distance The other 25 percent or 2 7 miles (from the Charlotte City limits southward) is within the Town of Mint Hill's sphere of influence

New Roadway Location

The original 1983 Charlotte-Mecklenburg Thoroughfare Plan proposed that the eastern segment of the Charlotte Outer Loop be located in the general corridor east of the Harris Boulevard/Newell-Hickory Grove Road/Delta Road thoroughfare and west of Mint Hill In March 1988, the Metropolitan Planning Organization (MPO) selected an alignment for the Outer Loop that was further east, while directing local transportation staff to continue protecting a 100 foot corridor along the western alignment This new roadway's location in the western alignment was to be refined using the design criteria of a major thoroughfare (which are substantially different than those for a freeway)

Transportation staff from the City Engineering Department, Charlotte Department of Transportation, Charlotte-Mecklenburg Planning Department, and County Engineering Department presented the various alignments for the roadway at a June 8, 1989 public workshop attended by about 300 citizens The MPO reviewed this same information at their July 19, 1989 meeting

Alternatives

Four alternatives were considered by the Technical Coordinating Committee for the Eastern Circumferential At its July 19, 1989 meeting, the TCC approved an alignment (Attachment 1) which includes segments from each of the four primary alignments The recommended alignment's impacts are shown in Attachment 2

The TCC's recommendation was discussed at the MPO's July meeting MPO members had few comments about the TCC's recommended alignment north of McAlpine Creek (within Charlotte's sphere of the influence) There was considerable discussion regarding the TCC's proposed use of Wilson Grove, Lebanon, and Margaret Wallace Roads rather than constructing a new segment through the Edinborough Woods and Bent Creek subdivisions Attachment 3

compares the impacts of Segments A7 and B9 (TCC's recommendation) and Segment C4 (supported by Mint Hill) Each of these segments is located within either Mint Hill's corporate limits or sphere of influence

Attachment No 1

3 Adoption of a budget ordinance appropriating $137,500 for the Historic Rosedale Foundation, Inc to renovate Rosedale and approve a contract to provide these funds

Use of Funds

The Historic Rosedale Foundation, Inc intends to renovate Rosedale, an historic house on eight acres in North Charlotte that is Charlotte-Mecklenburg's first property designated as an historic property The funding request of $137,500 would finance a portion of the cost (less than 50%) of renovating Rosedale Additional funds have been raised from the State of North Carolina and private sources

Contract

The contract between the City and the Foundation is required as a financial instrument to disburse public funds and to protect the City's investment Work to be undertaken by the Foundation includes interior and exterior renovations, improvements to the grounds, engineering services and purchase of furnishings and equipment The contract further requires that appropriate insurances be carried, that public access be maintained on a regular and routine basis, and, that disbursement of funds shall be made upon receipt of invoices totalling $275,000 for work performed

Funding Sources

If Council approves the funding request, the sources of secured revenue for the project will be as follows

Source	Amount	Percentage
Private Contributions	$ 275,000	41%
State of North Carolina	250,000	38%
City of Charlotte	137,500	21%
Total	$ 662,500	100%

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

4 A Recommend amendment of the Housing ~~Partnership~~ 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 ~~Partnership~~ 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

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 consideration,

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

BUSINESS

6 Consider approving an Innovative Housing Loan Agreement between the City of Charlotte and the Crosland Group, Inc for $1,275,000 to provide funds for the new construction of 60 units of multi-family housing for persons earning 40% and less of the Charlotte area median income

Crosland Proposal

On August 24, 1989, the Innovative Housing Committee met to reconsider its position for the Crosland Group, Inc proposal for 60 units at a cost of $2,705,000, to serve households earning 40% or less of median income The multifamily project is proposed to be located on 4 6 acres of Crosland-owned land at Fairmarket Place and Plaza Road

Issues

There are two issues that the committee felt were policy issues and need to be determined by Council They are as follows

- The Board of Education's professional staff has indicated that the proposed project will create an adverse impact on two schools in the project area in conjunction with the pupil assignment process and plan This is based on the assumption that additional black students will be added to the enrollment at Devonshire and Cochrane Schools, both of which are transferring black students to other schools to balance the predominately black student ratio The impact was determined to be adverse but manageable Attached are letters on this discussion with City staff and Crosland Company

- The second issue involves the definition of private funds The Crosland project construction cost is $2,705,000, and the financing breakdown is as follows

City Loan	$1,275,000
Equity (from sale of tax credits)	1,130,000
Energy Credits	300,000
Total Cost	$2,705,000

We know by prior projects that the tax credits were considered private funding. A question was raised about the energy funds and whether they are considered private funds If the energy funds are considered tax-initiated funds, then by policy Crosland must comply with the 5% owner equity contribution to the project cost. If the tax credits and energy credits are considered private funds, then this would be more than 50% of private funds in the project, and it would be exempt from the HAP Locational Policy The City Attorney was asked to research this question, his opinion, indicating that by our definition they can be considered private funds, is attached.

In summary, the committee felt the proposal to be a good project because it's serving families earning 40% or less of median income, a City Council goal; however, there are policy issues that need to be resolved by Council

Details of the project are attached.

Clearances — The loan request was approved by the Innovative Housing Loan Committee on August 24, 1989

Attachment No 4

7 Recommend (1) entering into an Loan Agreement with Potter Associates to commit $120,000 for individual second mortgage deferred payment loans not to exceed $24,000 to each buyer of five new single-family houses to be constructed in the Grier Heights Community and (2) authorize the use of $120,000 from the Innovative Housing Fund

Five Homes in Grier Heights — In 1987, City Council approved the sale of land in the Grier Heights neighborhood to Potter Associates for developing five affordable single-family houses

Potter Associates proposes to build five three-bedroom, two-bath houses of 1056 square feet each at the corner of Drenan Street and Skyland Avenue

The developer will use modular homes built by Muncy Homes of Ellenboro, North Carolina

The sales prices of the houses will be $56,900 each

Construction financing will be provided by First Union and permanent financing by NCNB Mortgage Corporation - FHA/HUD insured mortgages

Conditions of Approval

On July 6, 1988, the Innovative Housing Committee gave tentative approval to Potter Associates to provide up to $12,000 per unit with the following stipulations

(a) the houses would be sold to persons on the Housing Authority's waiting list or currently residing in public housing,

(b) the houses would have to be presold,

(c) buyers would be required to participate in a pre-purchase and post-purchase household management program administered by Family Housing Services, and

(d) houses would be sold to persons making less than 80% of the media income

Initially, Potter Associates attempted to market the houses but later contracted with a local realty firm On May 2, 1989, the Innovative Housing Committee approved the proposal after being advised that the developer had met the specified conditions Later Potter Associates requested that the second mortgage financing be increased from $12,000 to a maximum of $24,000 The Potter Associates proposal includes five sales contracts to persons earning from 50% to 58% of the Charlotte area median income and who are on the Housing Authority's waiting list On August 24, 1989 the Innovative Housing Committee gave final approval to provide up to $24,000 per unit for second mortgage financing

Loan Terms

The second mortgage deferred payment loans, not to exceed $24,000 each, will be for a term of 15 years at 3% interest The City's second mortgage loan will comprise up to approximately 42% of the total loan for each unit The combined first and second mortgages are supported by an average appraised value for these houses of $56,900

Funds

Innovative Housing Fund

Clearances The loan received final approval by the Innovative Housing Review Committee on August 24, 1989 All criteria for qualifying for financial assistance have been met by the applicant in accordance with the requirements outlined in the Housing Policy Plan

8. Consider adoption of a resolution to repair the storm drainage system in the 1700 block of Purser Drive in accordance with the Storm Drainage Repair Policy, and assess a share of the cost to seven of 18 affected property owners

Hearing Requirement. No public hearing is required to approve the petition as submitted

Location of Drainage Problem. 1700 block of Purser Drive

Ranking High Priority

Improvements to be Made· Installation of approximately 900 feet of 36-inch and 24-inch reinforced concrete pipe from 1778 Finchley Drive to 1806 Purser Drive to reduce flooding and to bring the capacity of the existing storm drainage system in this area up to City design standards.

Total Estimated Cost for Repairs $122,000

Cost to the City· For high priority projects, the policy provides that the City will pay 80 percent of the cost on private property ($50,400), any combination of property owners must share the remaining 20 percent ($12,600) The City pays 100 percent of the cost in street rights-of-way ($59,000)

Involved Property Owners' Cost The involved property owners have been unable to secure enough signatures and commitments to meet the 20 percent participation ($12,600) The petition has been submitted with seven signatures representing a commitment of $4,875 The matter was discussed in a memorandum from Roy Matthews to City Council (copy attached)

Options

1 Approve the petition as submitted, agreeing to pay the $7,725 shortfall in the property owner's share Funds are available in the Storm Drainage Repair Account

2 Find that the problem represents a significant hazard to life and/or property and assess 100 percent of the project cost to all property owners in the drainage basin This has

not been done before, the problem does not substantially differ from others throughout the City

3 Reject the petition as submitted for insufficient signatures

Funding· Storm Drainage Repair Capital Account

Attachment No 5

9 (A) Consider amending the ABC Special Project Plan to bring A, B, and C Avenue and Wilson Avenue to subdivision standards, (B) consider reimbursing McDonald's Hotel Corporation up to $25,000 for the cost of constructing certain street improvements, and (C) adopt a budget ordinance for $25,000 if reimbursement is approved

At the July 17 zoning meeting, Councilmember Charlie Dannelly requested, and Council approved, placing this item on an agenda for further consideration

Project History

This item was originally discussed by Council on April 11, 1988, at which time it was deferred pending Planning Committee action on amending the ABC Special Projects Plan On April 25, 1988, the Planning Committee approved an amendment to the plan, reading as follows "Improve Wilson, A, B, and C Streets to subdivision standards which will include sidewalks where necessary and curbs and gutter " The Planning Committee made no recommendation on reimbursement of McDonald's

At the April 25, 1988, Council meeting, the Council considered the Planning Committee's recommendations and whether to reimburse McDonald's for certain street improvements required by conditional zoning approval in December, 1986 The proposed plan amendment and reimbursement to McDonald's was not approved

Attached for additional background and reference are the original agenda item, minutes of the April 11 and April 25, 1988 Council meetings, and minutes from the April 25, 1988 Planning Committee meeting

An administrative amendment to McDonald's conditional rezoning petition will be required if Council approves the reimbursement

Funds General Fund Contingency (Balance $400,000)

Attachment No 6

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The City Attorney advises that agenda items no 10 through 15 may be considered in one motion However, any member of Council may request that an item be divided and voted on separately.

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PERSONNEL

10 A Recommend adoption of a resolution amending Rule 1, Section 6 (Residence) of the Personnel Rules and Regulations.

Residence Policy On September 13, 1988, the City Council amended the City's employee residence policy Prior to that date, all employees were required to be residents of Mecklenburg County The amended policy requires that new employees in positions at the department head level and above are required to live in the City Employees below the department head level are currently not covered by a residence requirement

Need for Amendment A specific instance has made us aware of the need for exceptions to the current policy, thereby requiring some management and supervisory employees below the department head level to be covered by a residence rule in order to quickly respond to emergencies outside normal work time In order to adequately respond, these employees need to live within a certain distance of their primary work locations

Recommendation It is recommended that Rule 1, Section 6 of the Personnel Rules and Regulations be amended by adding the following paragraph·

> The City Manager is authorized to identify the need for exceptions to the residence rule and to apply a residence requirement where

needed Such exceptions will be made in consideration of the need to maintain effective and efficient delivery of public service Such exceptions may result in employees below the department head level being required to reside in Mecklenburg County or within a designated distance of their primary work locations, in order to respond to critical situations

B Recommend adoption of budget ordinance amending the table of organization for the McAlpine Creek Wastewater Treatment Plant by adding staff to operate and maintain the expanded plant

12 Positions Requested	As part of the FY90-91 budget request, the Charlotte-Mecklenburg Utility Department requested 12 new positions for the McAlpine Creek Wastewater Treatment Plant All of the requested positions are related to the expansion of the McAlpine Creek Wastewater Treatment Plant Due to other priorities during the preparation of the FY90-91 budget, Budget and Evaluation was unable to fully evaluate the position requests for the 12 new positions. However, the FY90 budget included $180,000 for new staffing pending Budget's evaluation
Eight Positions Recommended	Budget and Evaluation has completed its review of the requested positions and recommends adding eight full-time employees at the McAlpine Creek Wastewater Treatment Plant
Cost	The first year cost of these positions totals $163,735, the FY91 cost is estimated at $198,009
Funds	Water and Sewer Fund (McAlpine Creek Wastewater Treatment Plant)

C Recommend adoption of budget ordinance adding an Internal Consulting Unit and a Performance Management Unit to the City organization

Workshop Approval	At the September 5, 1989 workshop, Council approved the City Manager's recommended action plans to the recommendations from the Organization Review Advisory Committee and the Advisory Committee on Performance Appraisal and Incentives Programs

Adoption of this budget ordinance will provide $231,600 for the establishment of these two units and will amend the table of organization adding eight full-time positions and one part-time position to the City organization

Internal Consulting Unit

Internal Consulting Unit
must realize savings equivalent to the cost of operating the unit,

the estimated FY90 cost of adding three full-time analyst positions and one permanent part-time clerical position is $97,600;

the estimated FY91 cost is $171,349.

Performance Management Unit

Performance Management Unit
addition of five full-time positions,

the unit will assist departments in the implementation of performance management and measurement systems;

the estimated FY90 cost of adding this unit is $134,000,

the estimated FY91 cost is $212,750

Funds

General Fund Fund Balance

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 Landscaping Contract for West Parking Deck — Aviation

Recommendation. The Aviation Director recommends that the lowest responsive bid from Commerical Landscape Systems in the amount of $146,338.10 be accepted for the award of the contract on a lump sum basis.

Project Description. This contract will provide landscaping for the second half of the 2700 space parking structure.

Source of Funding. Airport Terminal Capital Projects Fund - (Signs and Landscaping - 1987 Revenue Bonds)

B Reinforced Concrete Pipe — Operations Dept , Street Div

Recommendation By Operations Director and Purchasing Director that the low bid, Universal Concrete Products, Charlotte, N. C , in the amount of $61,763.78, be accepted for award of contract on a unit price basis

Project Description. Reinforced concrete pipe is used in the construction and maintenance of storm sewer systems

Source of Funding. Powell Bill Fund - (Operations - Street Maintenance)

Bids C - K are chemicals used for the treatment of water and wastewater by the Utility Department.

C 20 - Tons Aluminum Sulfate, (Ground Alum) — Utility Dept

Recommendation. By Purchasing Director and Utility Director that the low bid, Delta Chemical Corporation, Baltimore, Maryland, in the amount of $4,693 40, be accepted for award of contract on a unit price basis

Source of Funding. Water and Sewer Fund - (Franklin Water Treatment Plant), Water and Sewer Fund - (Vest Water Treatment Plant) and Water and Sewer Fund - (Davidson Water Treatment Plant)

D 580 - Tons Hydrated Lime, Chemical, Bags — Utility Dept

Recommendation. By Purchasing Director and Utility Director that the low bid, Virginia Lime Company, Ripplemead, Virginia, in the amount of $49,590 00, be accepted for award of contract on a unit price basis

Source of Funding. Water and Sewer Fund - (Franklin Treatment Plant), (Vest Treatment Plant), (Davidson Treatment Plant), (Sugar Creek Treatment Plant), (Irwin

Creek Treatment Plant), (McAlpine Creek Treatment Plant), (McDowell Creek Treatment Plant) and (Mallard Creek Treatment Plant)

E. 100 - Tons Activated Carbon Utility Dept.

Recommendation. By the Purchasing Director and Utility Director that the low bid, American Norit Company, Inc., Jacksonville, Florida, in the amount of $72,000.00, be accepted for award of contract on a unit price basis

Source of Funding: Water and Sewer Fund - (Franklin Treatment Plant), (Vest Treatment Plant) and (Davidson Treatment Plant)

F 540 - Tons Liquid Chlorine Utility Dept

Recommendation. By Purchasing Director and Utility Director that the low bid, Jones Chemicals, Inc., Charlotte, N. C , in the amount of $267,840.00, be accepted for award of contract on a unit price basis

Source of Funding. Water and Sewer Fund - (Franklin Treatment Plant), (Vest Treatment Plant), (Davidson Treatment Plant), (Sugar Creek Treatment Plant), (Irwin Creek Treatment Plant), (McAlpine Creek Treatment Plant), (McDowell Creek Treatment Plant) and (Mallard Creek Treatment Plant)

G. 140 - Tons Sodium Silicofluoride Utility Dept

Recommendation By Purchasing Director and Utility Director that the low bid, Lucier Chemical, Ltd., Jacksonville, Florida, in the amount of $66,864.00, be accepted for award of contract on a unit price basis

Source of Funding. Water and Sewer Fund - (Franklin Treatment Plant), (Vest Treatment Plant) and (Davidson Treatment Plant)

H 675 Tons Liquid Hydrogen Peroxide, 70% — Utility Dept

Recommendation By Purchasing Director and Utility Director that the low bid, FMC Corporation, Charlotte, N C., in the amount of $465,075 00, be accepted for award of contract on a unit price basis

Source of Funding Water and Sewer Fund - (Odor Monitoring and Control) and Water and Sewer Fund - (Sugar Creek Wastewater Treatment Plant)

I 900 - Tons Aluminum Sulfate, (Liquid Alum) — Utility Dept

Recommendation. By Purchasing Director and Utility Director that the low bid, Peridot Chemical Company, Inc., Agusta, Ga , in the amount of $109,710 00, be accepted for award of contract on a unit price basis

Source of Funding. Water and Sewer Fund - (Franklin Treatment Plant), (Vest Treatment Plant) and (Davidson Treatment Plant)

J 1,850 - Tons Hydrated Lime, (Chemical, Bulk) — Utility Dept

Recommendation: By Purchasing Director and Utility Director that the low bid, Virginia Lime Company, Ripplemead, Va , in the amount of $125,245.00, be accepted for award of contract on a unit price basis

Source of Funding. Water and Sewer Fund - (Franklin Treatment Plant), (Vest Treatment Plant), (Davidson Treatment Plant), (Sugar Creek Treatment Plant), (Irwin Creek Treatment Plant), (McAlpine Creek Treatment Plant), (McDowell Creek Treatment Plant) and (Mallard Creek Treatment Plant)

K 164 - Tons Sodium Bicarbonate — Utility Dept

Recommendation. By Purchasing Director and Utility Director that the low bid, Van Waters & Rogers, Inc., Charlotte, N. C , in the amount of $43,952.00, be accepted for award of contract on a unit price basis

Source of Funding. Water and Sewer Fund - (McAlpine Creek Wastewater Treatment Plant)

CONTRACT

12 Recommend approval of a contract with Post, Buckley, Schuh and Jernigan, Inc for $175,034 00 for engineering services for the Monroe/Wendover/Eastway intersection improvement project

TSM Intsection	The Monroe/Wendover/Eastway intersection has been identified as a TSM intersection due to high traffic congestion
Selection Process	Using the Council-approved consultant selection process, Post, Buckley, Schuh and Jernigan, Inc is recommended to perform engineering services for the improvement of the Monroe/Wendover/Eastway intersection
Improvements	As a part of the planning phase, the engineer will consider the following intersection improvements· o adding right and left turn lanes on Wendover Road and Eastway Drive o adding right turn lanes to both north bound and south bound approaches of Monroe Road Final design will be based on the results of the planning and public involvement process which will involve public meetings to receive comments from citizens and business representatives
Funds	General Capital Improvement Fund-TSM Intersection Improvements Capital Account
Clearances	The contract has been reviewed by CDOT Staff and the City Attorney and approved by Engineering

CONTRACT AMENDMENT

13 Recommend approval of Amendment #2 for $92,260 00 to professional services agreement with ADS Services, Inc

Contract Infiltration/Inflow Analysis, McAlpine Creek Treatment Plant
Contractor· ADS Services, Inc
Amount of Contract $125,000
Date of Award December 28, 1987
Amendment Amount $92,260

Current Contract

The current ADS contract is for sewer flow monitoring to measure the sewer flow and water infiltration in the pipes leading to the McAlpine Creek Treatment Plant from the McAlpine and McMullen Creek basins This work is necessary to respond to inquiries from State regulatory agencies concerning operation of the collection and treatment system

Short term monitoring involved 25 monitoring stations for 60 days to determine overall system patterns, this has been completed Long term monitoring consists of four more sophisticated installations on the major lines leading to the treatment plant This monitoring has been going for 18 months

Amendment

This will extend the long term monitoring for an additional 12 months and add four additional monitors This will allow further analysis of capacity and treatment requirements and lead to refinement of preliminary infiltration/inflow analysis

The amendment establishes unit prices for the work with the cost of the total work not to exceed $92,260 00

Funds

Water and Sewer Operating Fund

TAX REFUND

14 Recommend the adoption of a resolution authorizing the refund of certain taxes in the total amount of $1,413 74 which were assessed through clerical error or illegal levy against 13 tax accounts

PROPERTY TRANSACTION

15 Recommend adoption of the condemnation resolution

CONDEMNATION

1 Project Beatties Ford Road Widening
Owner(s) Zulle L Belk and any other parties of interest
Property Address 2912 Beatties Ford Road
Property to be condemned 4,154 sq ft (0 095 ac) plus 55 sq ft (0 001 ac) of permanent down guy easement and temporary construction easement
Improvements multi family apartments
Price. $5,900 00
Reason for condemnation· Agent cannot reach an agreement with guardian for Zulle L Belk The guardian, who is an attorney, is required to go through several lengthy steps to get court approval to accept our offer. Condemnation is recommended so project will not be delayed

- ANNOUNCEMENTS -

In meeting on Monday, October 10, 1989, City Council will make nominations to fill vacancies on the following committees:

1. Charlotte-Mecklenburg Advisory Energy Commission - Three appointments expiring December 31, 1989. Terms are for two years. One appointment is to be made in the Engineering/Technical Professional category; one appointment to be made in the Electric Utility category; one incumbent, Myra Dockery, is eligible for reappointment in the Consumer Advocate category. (The Mayor's appointment expiring December 31, 1989, is in the Petroleum Industry category.)

2. Community Resources Board - One appointment expiring December 31, 1989. Term is for three years.

3. Firemen's Relief Board of Trustees - One appointment expiring January 18, 1990. Term is for two years.

4. Parks Advisory Committee - One appointment for an unexpired term ending June 1, 1990; one appointment for an unexpired term ending June 1, 1992. Normal terms are for three years.

5. Safety Action Committee - One appointment expiring December 31, 1989; incumbent is eligible for reappointment. Term is for two years.

6. Tree Advisory Commission - Two appointments expiring December 13, 1989; one incumbent, Gwen M. Cook, is eligible for reappointment. Terms are for three years.

7. Uptown Development Corporation - One appointment for an unexpired term ending August 31, 1990, is in the Business Category. Normal terms are for three years.

8. Citizens Advisory Committee - Convention & Visitors Bureau - One appointment for an unexpired term ending March 26, 1990. Normal terms are for two years.

	Recommended Alignment
Segments	B1, B2, D2, A2, D3, B5-B6, D6, A5, B7-B9, A7, A8
Length	12.01 MI
Floodway Crossings	5
Dwelling Units Taken	20
Dwelling Units Impacted	123
Businesses Taken	3
Businesses Impacted	9
Churches Taken	0
Churches Impacted	2
Schools Impacted	2 (g, h)
Park/Natural Areas Impacted	1 (j)
Estimated Cost	$94,525,000

CHA.R/NPP51200

a) Includes historic "White Oak" property.

b) Includes Bentcreek Townhomes and Pence Road Public Housing.

c) Potential impact at proposed "University Crossing" apartment complex not included (development not yet constructed).

d) Includes Baucom's Nursery.

e) Includes Durable Wood Preservers, Inc. potential hazardous waste site.

f) Includes Fabricated Products, industrial site.

g) Centerline passes within 100' of J. H. Gunn Elementary School.

h) Centerline passes within 400' of Northeast Jr. High School.

i) Centerline passes within 300' of Reedy Creek Park.

j) Alignment passes along the edge of Back Creek Swamp.

k) Includes Cornerstone Baptist Church

l) Includes Bentcreek Townhouses

m) Lake to be taken.

n) 175' from landfill buffer.

o) Alpine Village and Rolling Wheels Trailer Parks

"Impacts" noted on the preceding page are defined as any property that will, in the judgement of real estate staff, receive compensation due to the location of the proposed thoroughfares.

EASTERN CIRCUMFERENTIAL

	Segments A7 and B9	Segment C-4
Length	2 49 mi.	2.12 mi.
Floodway crossings	1	1
Dwelling Units Residences Taken	4	33*
Dwelling Units Residences Impacted	34	53*
Businesses Taken	0	0
Businesses Impacted	2	1
Churches Taken	0	0
Churches Impacted	1	0
Schools Impacted	1	0
Parks/Natural Areas Impacted	0	0
Estimated Cost	$18,600,000	$21,310,000

* Includes Bent Creek Townhomes

"Impacts" noted on the preceding page are defined as any property that will, in the judgement of real estate staff, receive compensation due to the location of the proposed thoroughfares.

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).	3	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.	4.	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.	5	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.	6	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.	8	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.	9	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.

HOUSING ASSISTANCE PLAN UPDATE

The Housing Assistance Plan (HAP) was approved by City Council on September 13, 1988 with the provision that the locational criteria again come to Council for a vote at the end of a years time. There was also a statement in the agenda item, "The CD & Housing Committee requested that at the end of one year staff prepare a report on the impact of the changes in the Locational Policy criteria for Council's review'. The current HAP went into effect October 1, 1988 and runs through September 30, 1991. The following information provides an overview of the HAP and a summary of housing projects considered during this HAP period and their compliance with the current and previous ('86-'88) HAP.

SYNOPSIS OF THE HOUSING ASSISTANCE PLAN 1989-1991

The Housing Assistance Plan (HAP) is a narrative and statistical document that outlines the housing conditions, needs, goals and locations for various types of housing for lower income households through the five components indicated below. The HAP identifies all housing policies and housing programs for the City of Charlotte. Each City that receives a CDBG Entitlement Grant must have a three-year HAP approved in accordance with HUD regulations.

COMPONENT	DESCRIPTION	DATA '89-'91	
1	Housing Stock Condition	Standard Units	151,073
		Substandard Units	6,800
		TOTALS	157,893
2	Housing Needs of Lower Income Households	Elderly Households	2,707
		Family Households	15,972
		TOTALS	18,679
3	Three-Year Goal	Housing Rehab Units	1,074
		New Construction Units	436
		TOTALS	1,510
4	Annual Goal	Housing Rehab Units	358
		New Construction Units	236
		TOTALS	594
5	Locational Policy for Assisted Housing	See Attached Criteria	

COMPONENT 5

LOCATIONAL POLICY FOR ASSISTED HOUSING

OBJECTIVES OF LOCATIONAL STANDARDS

- oAvoid Concentration of Low Income Persons
- oLeveraging Private Dollars
- oGeographic Dispersal
- oEncourage economic/racial integration of Areas

	1986-1988			1989-1991	
APPLICABILITY OF LOCATIONAL STANDARDS	FED. OR CITY-BUILT PUBLIC HOUSING	FEDERALLY BUILT PUBLIC HOUSING	CITY-BUILT PUBLIC HOUSING	CITY/H.A. BUILT TRANSITIONAL HOUSING	LOANS/GRANTS PUBLIC/PRIVATE DEVELOPMENTS-RENTAL
A. INELIGIBLE AREAS.					
Areas within a 1/2 mile radius (property line to property line) of any 100% assisted housing project of 25 or more units are ineligible	This standard applies	Same	Same	Exempt from 1/2 mile radius standard, but ineligible census tracts standard will apply	Public/private ventures pursuant to the Housing Tax Credit Act of 1986, and/or utilizing the City's innovative housing fund are exempt, if the project is funded 50% or more by private funds or the project is funded 25% or more by private funds and the project has at least 5% owner equity and the project is 100% privately owned and managed
B LONG-TERM AVAILABILITY					City has first right of refusal to purchase public/private housing development, or the developer will provide the City with options on how the units can be maintained long term as low income housing units.
C INELIGIBLE CENSUS TRACTS	These standards apply	Same	Same	Same	
1 Where 50% or more of households earn 80% or less of the City-wide median income.					If 40% or less of units are reserved for households earning 60% or less of median, project is exempt.*
2 Where the black population exceeds 40%.					Exempt
3. Where the black population has increased by 15% or more between 1970-1980					Exempt

* For example, 60% of the local median income for a family of four in 1988 is $18,820 per year

APPLICABILITY OF LOCATIONAL STANDARDS	FED. OR CITY-BUILT PUBLIC HOUSING	FEDERALLY BUILT PUBLIC HOUSING	CITY-BUILT PUBLIC HOUSING	CITY/H.A. BUILT TRANSITIONAL HOUSING	LOANS/GRANTS PUBLIC/PRIVATE DEVELOPMENTS-RENTAL
D CENSUS TRACTS EXTENDING BEYOND CITY LIMITS	This standard applies	Same for all program approaches.			Exempt
Eligible or ineligible based upon entire tract's data.					
E. MAXIMUM UNITS					
Not more than 50 units per site	This standard applies	Same for all program approaches			Exempt
F POLICY EXEMPTIONS					
1 Elderly/handicapped housing	This standard applies	Same for all program approaches			Exempt
2. Single-family units under Section 234 Program, North Carolina Housing Finance Agency or similar below market housing.	This standard applies	Same for all program approaches			Exempt
3. Assisted housing within Community Development areas with an equal number made available outside of such areas within one year (Community Development areas are census tracts where 50% or more of the households earn 80% or less of the local median income.)	This standard applies	Same for all program approaches			Applies
4. Assisted units developed for homeownership.		Same for all program approaches			Exempt
G. NORTH CAROLINA HOUSING FINANCE AGENCY (NCHFA) BOND FINANCING					
Developers of any 80%/20% developments financed by the North Carolina Housing Finance Agency are required to provide that 30% of the 20% units for low income families be two and three bedroom units or to provide a justification as to why they cannot.	This standard applies	Same for all program approaches			Exempt

SUMMARY OF
ALL PROJECTS CONSIDERED SINCE ADOPTION OF HOUSING ASSISTANCE PLAN SEPTEMBER 13, 1988

PROJECT	UNITS	DATE COUNCIL APPROVED	HAP LOCATIONAL POLICY COMPLIANCE	PREVIOUS HAP LOCATIONAL POLICY '86-'88
Public/Private Projects				
Winman Park	17 Multi-Family	9-13-88	Complied	Complied
McAlpine Terrace/ Glen Cove Apt. (Stonehaven)	112 Elderly 50 Multi-Family	1-17-89	Complied Complied	Complied
Saratoga Park	20 Multi-Family	4-24-89	Complied	Complied
Spring Harbor (Amerifirst Delta Road Site)	Multi-Family (178 Units)	Turned Down	Complied	Complied
Subtotal	209			
Non-Profits Projects				
Habitat	75 SF Homes	4-24-89	Exempt	Exempt
Housing Partnership	100 Rehab/New Construction	6-26-89	Will Comply	
Wilmore NHS	23 Rehab/New Construction	7-24-89	Exempt	Exempt
Subtotal	198			
Public Projects				
Wallace Road Site (Wallace Woods)	14	Funds Remaining from FY87	Complied	Complied
Subtotal	14			
TOTAL	421			
Pending Public/Private Projects				
Jay Potter Grier Heights	5 Single-Family		Exempt	Exempt
John Crosland Fairmarket Square	60 Multi-Family		To be determined by Council	

There is basically 'no impact' of the changes that Council approved in the Locational Policy for the HAP last year. All of the projects that were approved would have complied under the previously adopted Locational Policy, '86-'88.

CHARLOTTE

August 7, 1989

7

Mrs. Charlotte Hampton, Director
Pupil Assignment Department
Education Center
701 E. Second Street
Charlotte, N. C. 28202

RE: Proposed Crosland Properties Multi-Family Apartments at Fairmarket and Plaza Road

Dear Mrs. Hampton:

I would like to confirm the findings of our meeting on July 24, 1989, and our phone conversations regarding the proposed low-income housing project on Fairmarket.

Our discussions are based on the Crosland Properties organization developing 60 units of apartments for families earning below 40% of Charlotte area median income being the family tenants of this project. Based on the proposed location of the new construction of 60 units, the following impacts would be created by this project on the pupil assignment projections for Charlotte-Mecklenburg Schools for 1989 - 1990.

Three (3) schools would be primarily impacted by this project as follows:

1) Devonshire (K-6) - this school is currently 63% black in a racial ratio, and 150 to 200 students are being transferred to alleviate the ratio;

2) Cochrane Jr. (7-9) - this school is currently 57% black in a racial ratio, and 90 students are being transferred to alleviate the ratio;

3) Garinger High - this school is currently 46% black and no transfers are being made from Garinger.

Future school development will possibly alleviate racial imbalance at Devonshire and Cochrane Jr. with a new school proposed on Lebanon Road in 1990 and a projected school in the UNCC area.

It is possible for the Pupil Assignment Department to devise a strategy to assign project students to another school.

In summary, the proposed Crosland project would, based on past history, adversely impact the racial balance of the Charlotte- Mecklenburg Schools and the reassignment process.

Thank you for your time and assistance with this project. I would request that you confirm back to me that what I have outlined in this letter is correct by noting on this letter and returning it or your comments.

Sincerely,

A. C. Shull, Supervisor
Neighborhood Development

August 21, 1989

Mrs. Charlotte Hampton, Director
Pupil Assignment Department
Education Center
701 E. Second Street
Charlotte, N. C. 28202

RE: Proposed Crosland Properties Multi-Family Apartments at Fairmarket and Plaza Road

Dear Mrs. Hampton:

In reference to our letter to you dated August 7, 1989, copy attached, we would very much appreciate your reply confirming what was outlined in our letter.

Sincerely,

A. C. Shull, Supervisor
Neighborhood Development

Enclosure

The following information is correct
Charlotte R. Hampton

Community Development Department 600 East Fourth Street Charlotte NC 28202-2859 704/336-2016

23 AUG 89 10:53
COPY INTRY DIV

Crosland Properties

135 Scaleybark Rd Charlotte North Carolina 28209
P O Box 11 9 Charlotte North Carol 28209

704 529 6098

August 21, 1989

Mr. Harold Diehl, Asst. Superintendent for Research & Planning
Mrs. Charlotte Hampton, Director for Pupil Accounting/Assignment
Charlotte-Mecklenburg Board of Education Education Center
P. O. Box 30035
Charlotte, N.C. 28230

Dear Charlotte and Harold

I appreciate you taking the time to meet with me so we could discuss Crosland Properties' Fairmarket Square. These sixty proposed two and three bedroom units are to be located at Fairmarket Place and the Plaza, not far from Devonshire Elementary, Briarwood Elementary and Cochrane Junior High Schools.

I understand from your comments that both Cochrane and Devonshire presently have more than ample capacity for additional students. However both schools presently have more black students than your targeted limit of 55%, Cochrane presently has 57%, Devonshire 63%, and Briarwood 53% black enrollment.

It was most encouraging to hear you say that because of Fairmarket Square's modest size of just 60 units, your system could readily manage any additional black enrollment which might result from Fairmarket Square. I understand that Fairmarket Square's potential enrollment would be just one factor you would consider in the already scheduled review of the pupil assignments for these schools. It was also encouraging to hear that new schools planned for the area north of this location will add further capacity in this part of Charlotte within a year or so. We'll take your advice and not promise potential residents that their children will attend Cochrane or Devonshire.

One comment you made surprised me - that you forecast not more than one elementary student per apartment, or only 60 total students from Fairmarket Square. Further, that the ratio of elementary students is often only about .4 students per apartment, or 24 students from the proposed Fairmarket Square. Therefore, it's appropriate to assume Fairmarket Square will only generate between 24 and 60 elementary school students.

I thought it would be interesting to compare this guideline with our current experience with Hollis House and Lakeside, two 50 unit "Section 8" communities which we own and/or manage in Mecklenburg County.

At Hollis House, our records show we average just .40 elementary aged child per apartment. At Lakeside, we show an average of .42 elementary students per apartment. In both instances, as you predicted for Fairmarket Square, the ratio of Junior and Senior high students was somewhat lower.

In summary, you thought that the potential impact on the school system from the proposed Fairmarket Square Apartments was readily manageable because of the small number of students who are expected to live in that community. Further, that Cochrane and Devonshire have already ceased being "walk to" schools and that you are about to reconsider pupil assignments to these and other North Charlotte schools due to the racial balance of their present student bodies.

If our proposed Fairmarket Square is approved by the Charlotte City Council, we will keep you posted regarding our construction progress and let you know if our completion will be other than in the Summer of 1990.

Thanks for your help and advice regarding our proposed Fairmarket Square.

Sincerely,

Roger M. Lewis

Roger M. Lewis
Development Manager

RL/jk

cc. A. C. Shull
J. W. Walton
Dan Clodfelter

MEMORANDUM

August 31, 1989

TO: Julie Burch
Assistant City Manager

Henry W. Underhill Jr.

FROM: Henry W. Underhill, Jr.
City Attorney

SUBJECT: Crosland Fairmarket Square Project

You have asked whether or not "energy credits" can be considered private financing for purposes of determining whether or not the above-subject project meets the City's Housing Assistance Plan location policy. The current City definition of private financing is: "Private financing includes any funds which are non-tax initiated dollars such as property tax, sales tax, etc " (As I mentioned to you, I find this definition poorly written and suggest that some thought be give to rewriting it.)

As you are aware, "energy credits" represents money generated through penalties and fines as a result of court action against overcharges by oil and gas companies. Since these funds come from penalties and fines, they are not taxes Furthermore, the City's definition provides that private financing includes <u>any</u> funds which are non-tax initiated dollars.. ." Since energy credits are not tax initiated dollars, by definition they can be used to meet the private funding requirement since our definition allows <u>any</u> funds from other sources.

I trust this is responsive to your request. If you need anything further, please contact me

HWUjr/ef

PROJECT DESCRIPTION

Fairmarket Square includes 60 apartment units in six two-story and three-story residential buildings as follows:

	No.	Sq. Ft.
2 Bedroom Units	36	832
3 Bedroom Units	24	982

Because the housing needs of low income elderly in this immediate neighborhood are accommodated at Crosland's adjacent Fairmarket Plaza property, this property is principally designed for family sized households. We expect no single person occupancy.

The elevations of the proposed units are attractive and functional. Floor plans are unusually liveable and conducive to stable and positive family life. These liveability features are not often seen in projects for low income households, yet they have been accomplished through superior design, not by an excess of square footage which would drive up costs.

Key features of these plans include:

1) A dining area which can accommodate a family-sized table so all household members can share meals together;

2) A comfortably-sized kitchen with adequate storage;

3) A utility/storage room with washer/dryer connection for each unit. The ability to do laundry "at home" is an important feature which yields more family time together;

4) Secondary (children's) bedrooms which will accommodate a pair of twin beds, a seldom-seen feature in low-income properties;

5) An excellent bathroom in the three bedroom plan with double sinks to facilitate family use;

6) Private entries which allow a greater sense of defensible space for each households.

Key elements of the Project Description are illustrated by the concept site plan, building elevation, and floor plans which follow.

Of special interest is the character of the surrounding neighborhood:

a) Presence of an adjacent neighborhood shopping center to facilitate shopping without reliance on private automobiles;

b) Presence of a commercial day-care facility less than a quarter mile from the proposed property to help with child care in households where all adults are working;

c) Presence of Fairmarket Plaza, an adjacent property for the elderly, a likely source of baby sitters and companions for children of residents of the proposed property;

d) Presence of both elementary and junior high schools within a half-mile of the site;

e) A location in an attractive, stable, middle-class neighborhood with the benefits of positive role models for children, and the obvious presence of "move-up" housing for adults;

f) Bus service along The Plaza, a four-lane boulevard with a bus stop within 100 yards of the site.

In this neighborhood the adjacent Hampshire Hills Shopping Center, the neighboring Fairmarket Plaza Apartments and the nearest single family subdivision were developed by the John Crosland Company. All are attractive and well maintained.

Overall, this neighborhood provides an excellent combination of support services and facilities for residents of the proposed Fairmarket Square, and in addition is the kind of neighborhood many would find desirable and accessible as their economic circumstances improve.

Features of the Proposal

1. Attract Private Investment -
The proposed City loan of $1,275,000 will attract $1,430,000 in other funds for a leverage ratio of 1.12 to 1.00. City funds will represent 47% of the funds required for the project.

2. Service to low and moderate income families -
All 60 units will be affordable to low-income families earning as little as 31% to 40% of the Charlotte area median income as shown on the attached Income/Rents Worksheet. Initial rents will be $200 for 2 bedroom apartments and $230 for the three bedroom apartments.

3. Service to City/Public Housing Authority Tenant Waiting List
Residents for this project will comply with the City's Housing Policy Plan and will require that project tenants be living in public housing or in housing that is substandard over-crowded or unaffordable or their names listed on the Housing Authority's Master List.

4. Long Term Affordability -
Given the conservative expectation that City household incomes will keep pace with inflation and operating costs, Fairmarket Square will continue to be available to residents at 31% to 40% of the Charlotte area median income for 15 years.

5. Long Term Management -
Crosland Properties, headquartered in Charlotte, will be the managing agent for Fairmarket Square. Crosland Properties has managed rental properties in the Carolinas for over 25 years, and currently manages over 2,900 units in two dozen properties. Included are Lakeside and Hollis House, both consisting of 50 units; both serving low-income residents and both in Mecklenburg County. Also, included are Fairmarket Plaza adjacent to the proposed site, and ARP Manor in Gastonia. Both properties serve low-income elderly. Crosland's relevant, local management experience gives assurance of management expertise in both serving the needs of residents and preserving Fairmarket Square's desirability as an appealing place to live.

6. Production Program -
This project adds 60 units of new construction to the available housing stock in our community.

7. Neighborhood Renewal -
The proposed Fairmarket Square utilizes a vacant parcel of land totaling approximately 4.7 acres. It is presently zoned B-1 consistent with this proposal. As noted earlier, this is an attractive and appealing neighborhood. It is likely that residents of Fairmarket Square will choose to remain in the area as their economic circumstances improve and as they seek "market rate" apartments or or purchase homes in the future.

8. Subsidy Mechanism -
No ongoing operating or other subsidies from the City or other sources are planned. The City loan of $1,275,000 is all that is being requested by the developer. The City's commitment is presently needed to obtain an approved allocation of tax credits through the N. C. Housing Finance Agency. Through the sale of the tax credits to a third party investor, Crosland will raise $1,130,000 in equity funds for the project cost. The State Housing Finance Agency has approved the tax credits contingent on the City's loan approval by September 19, 1989.

9. Compliance with the Housing Assistance Plan (HAP) -
A policy decision is required to determine the project compliance with the Housing Assistance Plan. The Crosland project construction cost is $2,705,000, and the financing breakdown is as follows:

City Loan	$1,275,000	(47%)
Equity (from sale of tax credits)	1,130,000	(42%)
Energy Credits	300,000	(11%)
Total	$2,705,000	

If the tax credits and energy credits are considered private funds, this would be more than 50% of private funds in the project, and it would be exempt from the HAP Locational Policy. It has been established by prior City funded housing projects that low income housing tax credits are considered private funding. The questionable source of funding is the energy credits. If the energy credits are considered tax-initiated funds, then by policy Crosland must comply with the 5% owner equity contribution to the project cost. The City Attorney has been asked to provide an opinion on this issue. (Attached)

The Crosland Group takes the position that the tax credits and the energy credits totaling 53% of the project cost are "private funds" as that term is defined in the HAP. Accordingly, they take the position that 5% or $135,250.00 is not required as owner equity to comply with the City's policy.

10. Project's Effect on Schools -
The project site is located within one mile of Devonshire (K-6) and Cochrane Junior High School (7-9). Community Development Department staff persons have met with Board of Education personnel and have been advised that an adverse impact would be created on Devonshire and Cochrane Junior High. The impact projected is based upon the assumption that additional black students from the Crosland project will adversely impact the Pupil Reassignment process in balancing both schools racial mixture. Devonshire is currently 63% black, and students are being reassigned to alleviate the racial ratio. Cochrane Junior High is currently 57% black, and students are being reassigned from that school. Garinger High School is within the the project area but the school is currently 46% black and no transfers are being made. Future school development will possibly alleviate racial imbalance at Devonshire and Cochrane Junior High with a new school proposed on Lebanon Road in 1990 and a projected school in the UNCC area. It is also possible for the Board of Education to devise a strategy to assign project students to another school as a special group. It has

been estimated by the Crosland Group that the project would generate between 24 and 60 elementary school students. The ratio of junior and senior high students is projected to be somewhat lower.

11. Financing and Loan Terms of the Project -

a. Project Cost

Item	Cost Per Unit	Project Cost
Land	$ 4,000	$ 240,000
Building Construction	32,139	1,928,368
Contractor; A & E Fees	2,633	158,000
Financing; Legal, etc.	2,977	178,632
Development Fee	3,333	$ 200,000
Totals	$ 44,082	$2,705,000

b. Project Financing
NCNB has committed to provide construction financing for the project. Financing is proposed for the project from these three sources:

	Amount	% Total
City of Charlotte Loan	$1,275,000	47%
Equity (via Low Income Housing Tax Credits	1,130,000	42%
Energy Credits	300,000	11%
Total	$2,705,000	100%

City of Charlotte loan is proposed for these terms:

Term:	15 years
Interest:	0%, deferred until completion of 15-year term

12. Cost Comparison -
Total cost per unit of the project is $45,083. Of this total, the City loan represents 47% or $21,250 per unit. This is a commitment which enables Fairmarket Square to serve residents with incomes as low as 31% to 40% of Charlotte median incomes.

In a comparison, the City's cost per unit of recent contracts with the Housing Authority for Robinson Church Road and Pence Road projects is $40,000 per unit for 50 units.

13. Land Use and Urban Consideration -
The project will consist of six garden apartment buildings constructed at a density of 12.9 units per acre. Significant green space is planned to surround each building. Near the project's entry is a small office, maintenance storage and launderette building.
A substantial play area is planned at the rear of the project away from streets and driveways. Access is from Fairmarket Place, a quiet residential street.

This land use is consistent with current zoning for the property.

14. Consistency with City's Housing Policy Plan -
The proposed improvements are consistent with the City's housing Policy Plan as revised by City Council on May 23, 1989. The proposal creates 60 new apartment units. They will be financially accessible to households earning 31% to 40% of the Charlotte area median income.

be Julie Burch
Jim Schumacher

#9

April 19, 1989

TO: Mayor and City Council

FROM. Roy Matthews

SUBJECT: Purser Drive Drainage Problem

I have a special circumstance concerning a drainage problem I have been trying to resolve. So far, I haven't resolved it. There are several residential properties on Purser Drive which are affected. Staff has looked into it and has determined that it qualifies for the City's participation under our regular drainage procedures. The problem is that the lower income residents can't come up with all of their 20% share, which is $12,600. They have $5,560, leaving a $7,040 shortfall.

There are three choices other than doing nothing· (1) The affected residents could attempt to obtain the participation of at least 50% of the properties in the entire drainage basin (over 100 parcels), and we could then assess 100% of the drainage basin for the 20% share. It is highly unlikely this could be done given the income levels and types of properties involved; (2) We could find that the drainage problem is a significant hazard to life and or property and assess all of the costs to properties in the basin Staff says we have never done this and that the problem is no more severe than many others in the city; (3) We could waive the 20% requirement and absorb the $7,040 shortfall or some portion of it. This is probably the only viable alternative under the circumstances. Of course, this is outside our standard procedures and precedent-setting to some degree, although small.

I might add that there will be some drainage work done in this vicinity by the City in the city right-of-way. This project would be an add-on if it is approved. I would appreciate some response from each of you on this. If enough of you want to act on it, I will bring it forward. If at least 6 of you feel you would say "no way", I'll just drop it.

Thanks.

ds

CC: Wendell White

RECEIVED
APR 21 PM 12:52
CITY CLERK

Request for Council Action

To the City Council from the City Manager

Action to be taken That Council (a) consider reimbursing McDonald's Hotel Corporation up to $25,000 for the cost of constructing certain street improvements, and (b) approve a corresponding budget ordinance in the amount of $25,000 if reimbursement is approved.

Responsible Department Engineering Department

This request should be organized under the following headings
Background and Explanation, Source of Funding, Clearances, Bibliography

Background
In December, 1986, John W. McDonald gained conditional zoning approval for development at the corner of Beatties Ford Road and Wilson Avenue. Development involved construction of a new 106-room hotel adjacent to the existing McDonald's Cafeteria. In May, 1987, the City entered into a loan agreement with McDonald's Hotel Corporation which provided the project $500,000 from the Development and Revitalization Fund (DARF).

Public improvements required in conjunction with the building permit included curb and gutter, sidewalk, storm drainage and street trees where needed on Wilson Avenue, Beatties Ford Road and A Avenue frontages.

Explanation of Request
Council is requested to consider reimbursing the developer for the actual cost of installing the public improvements mentioned in the background up to $25,000. Staff is aware of no instance in the past where a developer has been reimbursed directly for street improvements associated with the building permit process.

Because this would be a reimbursement and not a loan, Development and Revitalization Funds cannot be used. Reimbursement would be provided from the General Contingency Fund. Community Development has no available grant funds. C.D. Block money has been programmed for current Community Development activities.

Source of Funding:
General Contingency Fund. A budget ordinance accompanies this Request for Council Action.

Clearances:
Engineering, Community Development and Budget staff assisted in the preparation of this request.

Mr. Campbell stated if they grant a waiver in this instance, it is not setting a precedent as they have granted waivers before

Mr. Underhill stated it was the Charlotte Coliseum canopy contract, but he did not know the details

City Manager Wendell White stated that what Mr. Vinroot said previously is the issue, it is not an emotional question on the part of the City at all.

Mr. Matthews asked Mr. White what he hopes to accomplish with this, to which Mr. White stated they would send a message that they mean business to carry our Council's policy.

Mr. Underhill stated that the motion is to award it to Yates, and treat the failure to submit the information at the time of the bid as an irregularity

The vote was taken on the motion and failed as follows

YEAS Councilmembers Gus Campbell, S Campbell and Matthews.
NAYS Councilmembers Clodfelter, Dannelly, Fenning, Patterson, Rousso, Scarborough, Vinroot and Woollen.

[Motion was made by Councilmember Patterson, seconded by Councilmember]
[Vinroot, to award the contract to Sanders Brother as recommended.]

The vote was recorded as follows

YEAS Councilmembers Clodfelter, Dannelly, Fenning, Patterson, Rousso, Scarborough, Vinroot and Woollen.
NAYS Councilmembers Gus Campbell, S. Campbell and Matthews.

LEASE AGREEMENT BETWEEN THE CITY OF CHARLOTTE, AND WARDLOW, KNOW, KNOY AND FREEMAN FOR 3,750 SQUARE FEET OF SECOND FLOOR OFFICE SPACE AT 817 EAST TRADE STREET.

Councilmember Woollen asked why they would approve a 5 year lease for the Community Relations before they had discussed their role It looks as if it is an extended role and she thought they discussed this in budget

Mayor Myrick stated she had asked the same question and Mr White had stated that even if they had to sublet it they could do that and were not concerned about it.

Councilmember Scarborough stated she did not understand what they were questioning.

Ms. Woollen stated that each year they discuss the role of Community Relations and it seems that the County is using them more this year She asked if there was an overlap because the budget for Community Relations is approximately $40,000 and she feels that Council needs to know what that role is and what they are paying for. Since they are expanding their office space she wanted to say that at budget time when they review it, if they felt it did not need to be expanded, could they cut out some of the space.

Councilmember Dannelly stated he read somewhere why they were expanding the space and it was because of inadequate space and no handicapped facilities

[Motion was made by Councilmember Clodfelter, seconded by Councilmember]
[Patterson, and carried unanimously, to approve the subject least agree-]
[ment.]

X

REIMBURSE McDONALD'S HOTEL CORPORATION UP TO $25,000 FOR THE COST OF CONSTRUCTING CERTAIN STREET IMPROVEMENTS, DEFERRED.

Councilmember Dannelly stated he had discussed this with most of the Council and some indicated that they have no problem except they do not want to send a message that this is what Council will do. In talking with staff, they feel that if these are approved, then the vehicle to send the message that

Council is not going to reimburse in these kinds of situations. He stated that earlier he and Mr. Clodfelter were trying to see if they could extend the Beatties Ford Road corridor and get it from the corridor revitalization fund That more revitalization is going on around the hotel area than in any other place along Beatties Ford Road. It will also enhance that area tremendously and there are some great plans to make some other improvements around that facility.

Councilmember Fenning ask how much money was in the Beatties Ford Road Corridor Plan and have they planned for that money to be used in certain specific ways?

City Manager, Wendell White stated he feels the best option for Council in this instance, is to use the General Fund Contingency.

Ms. Woollen stated she had not talked with Mr Dannelly and asked why this is different than any other developer.

Mr. Dannelly stated that it is different because after they approved the first loan and they started looking at the area they recognized that first class facility going up and what was happening down the street from it and felt it needed some upgrading for many reasons. One being not to send a negative message to potential customers for the motel etc. and it is really a revitalization of what could easily be a target area

Ms. Woollen stated that is the reason they gave him the loan.

Councilmember Vinroot stated he understands the reasoning behind this, but he believes they are about to set a pretty rough precedent to get away from. They have in fact made a low interest loan for that reason which he feels was justified, but now to come back and do some of the work themselves which they would not normally do and have not otherwise done, seems to him to be opening a box that they will have a tough time getting out of. There will be others who will make the same good arguments.

Councilmember Clodfelter stated the question for him was not the money, but where to find a program home for this one precisely for the reason Mr Vinroot is talking about. Is there a program that fits this so they do not open the flood gates. He stated he had asked at dinner if any of these improvements were called for in the ABC street special project plan which is funded by the neighborhood improvements pot of money The improvements along Beatties Ford Road are, but the improvements along Wilson Avenue are not in that plan. He wonders if Mr Dannelly would agree to allow them to carry this over and see if they can satisfy themselves that there is a program in which to house this request that will not do jeopardy to the precedent issue.

Mr. White stated a simple amendment of the plan makes it right if this is what they want to do.

Ms. Fenning stated this came through so long ago and asked if they did not also grant a special zoning variance for this particular piece of property because of the way the building was situated.

[Motion was made by Councilmember Dannelly, seconded by Councilmember Patterson, and carried unanimously, to postpone this matter until the next business meeting in order to give staff a chance to draw up the amendment to the ABC Plan and to incorporate that.]

ADJOURNMENT

[On motion of Councilmember Patterson, seconded by Councilmember Rousso, and carried unanimously, the meeting was adjourned at 12.00 midnight.]

Pat Sharkey, City Clerk

Excerpt from minutes of Planning Committee meeting on April 25, 1988.

The Planning Committee met on April 25, 1988 at 4:00 p.m. in the Planning Commission Conference Room with Chairman Emory presiding and Commissioners Davis, Emory, Lassiter, Latham, Majeed and Vaughan present:

Absent: None

The Planning Commission considered at City Council's request, an issue relating to curb, gutter and sidewalks on Wilson Avenue.

The following three options were identified:

(1) Amend the ABC Special Project Plan by adding the following:

"Improve Wilson, A, B, and C Streets to subdivision standards which will include sidewalks where necessary and curbs and gutter".

(2) Consider reimbursement to Mr. McDonald for curbs, gutters and sidewalk improvements from the contingency fund up to $25,000.

(3) Adopt a budget ordinance for $25,000 if reimbursement is approved.

After discussion, a motion was made to recommend Option #1. Planning Commission took no action on #2 and #3. The motion carried unanimously.

Another motion was made by Commissioner Lassiter, seconded by Commissioner Latham and unanimously carried to convey to City Council that the Committee's consideration was limited to only land use planning - the City should evaluate buffer between hotel property and the Special Project Plan to determine whether buffer is adequate.

April 25, 1988

At our request, the Mint Museum Board of Trustees have agreed to "reimburse reasonable, incremental costs incurred by the City," provided there are sufficient revenues in excess of their current budgeted expenses. Attached is a letter from Tom Cox in this regard.

Funding: The source of funding will be FY88 property tax revenues.

Clearances: City Manager's Office, Mint Museum, Operations, Police, Fire, Transportation, General Services, Parks and Recreation, and Budget and Evaluation.

Attachment No. 10

17. (A) Consider recommendation of Planning Commission Planning Committee to amend the ABC Special Project Plan for street improvements; and (B) Consider reimbursing McDonald's Hotel Corporation up to $25,000 for the cost of constructing certain street improvements; and (C) Adopt a budget ordinance for $25,000 if reimbursement is approved.

The Planning Committee of the Planning Commission will consider an amendment to the ABC Special Project Plan for street improvements at its next meeting scheduled for 4:00 p.m., Monday, April 25. The committee's recommendation will be provided to the Council at the Council meeting. An administrative amendment to McDonald's conditional rezoning petition will be required if Council approves the reimbursement.

18. Nominations for Appointment to Boards and Commissions.

A. Community Resources Board - One appointment to fill an unexpired term which will end December 31, 19~~88~~ 89.

The following nominations were made at the April 11th meeting:

1. Michael Jones, nominated by Councilmember Dannelly.
2. Carol Lynn Hardison, nominated by Councilmember Vinroot.

B. Municipal Information Advisory Board - One appointment to fill an unexpired term ending April 30, 1989.

Attachment No. 11

[illegible] the bank. That is not going to budge so there will not be any underwriting of whatever these services are with the City except for the Museum itself to vouch for those. If the Museum does not make up the difference he believes they will have a very diminished operation for a long time to come. He stated it is too late to go back to those underwriters and redo that series of agreements because they are already drawing down that advance money in the loan.

Mayor Myrick asked if there was a possibility that they could find a new underwriter to cover that?

Mr. Block stated they could try that, but it is pretty late in the game.

Mr. Clodfelter stated the way it was structured before it got on the agenda was that the City was in effect being an underwriter. He does not recall ever being told that the City was going to underwrite a portion of the project. What they are saying is that they are not going to be an underwriter.

Mayor Myrick asked Mr. Gus Campbell to repeat the motion one more time just so everyone would understand what they are voting on.

Mr. Campbell stated his motion is:

[The City provide the services to the extent requested by the Mint, pro-]
[vided that the cost thereof is reflected in the Mint's budget and is]
[covered by the underwriting which the Mint has.]

The vote was taken on the motion and carried as follows:

YEAS: Councilmembers Gus Campbell, S. Campbell, Clodfelter, Dannelly, Fenning, Matthews, Scarborough, Vinroot and Woollen.
NAY: Councilmember Rousso.

AMEND THE ABC SPECIAL PROJECT PLAN IN ORDER TO REIMBURSE McDONALDS' HOTEL CORPORATION FOR COST OF CERTAIN STREET IMPROVEMENTS, DENIED.

Councilmember Dannelly stated he believes staff has passed around what was discussed at the previous meeting and it is very clear that the Planning Committee met that day and made a recommendation.

[Motion was made by Councilmember Dannelly, seconded by Councilmember]
[Scarborough, to amend the ABC Special Project Plan, to bring A, B and C]
[Avenues and Wilson Avenue to subdivision standards, and to consider the]
[reimbursement of $25,000 to McDonald and adopt the budget ordinance.]

Councilmember Vinroot stated he said at the previous meeting and will still think this is something that he cannot support. He loves Mr. McDonald and his place and he voted for the low interest loan which Council approved to help him, but they are about to do something that Council does not do. He stated it has never been Council's responsibility to build curb and gutter and in this case they are doing it in a location where they have already done something that is exceptional in making the low interest loan to help it happen. He feels this is the wrong precedent to set.

Councilmember Fenning stated the last time they talked about this there was some mention of the fact that this might be covered by the corridor improvements and asked if it was decided not to do it that way.

Mr. Dannelly stated there was some concern among Councilmembers that if they did it under the corridor improvement it would open Pandora's Box, but in this way it does not because anyone on a corridor could come and make this request. He stated if the McDonald's facility was not there, without a doubt

April 25, 1988

Wilson Avenue would have been included in the ABC Plan because of the nature of the entire area.

Ms. Fenning stated she has a hard time supporting this for the same reasons as Mr. Vinroot. It is going against Council policy and it opens doors for a lot of similar request.

Councilmember Scarborough stated she understands that they decide that there was a need for sidewalks and gutters to be put in the area at UNCC and they did it. She believes this would be done if they had done it under the ABC project and she hopes the Council will support it.

Mayor Myrick asked if anyone from staff can tell them what Council set precedent to at UNCC?

Deputy City Manager Tom Finnie stated when there is a small area plan, they have put curbs and sidewalks in the plan for the residential area, but not for commercial.

Mr. Clodfelter stated he believes they do where ever the small area plan recommends it. For instance they just let contracts for curb, gutter and sidewalks in Optimist Park. He stated he did not know that all the properties that are going to be fronted are strictly speaking residential and believes some of those may be industrial properties, but they do it as part of the small area plan improvement process.

The vote was taken on the motion and failed as follows:

YEAS: Councilmembers Clodfelter, Dannelly, Patterson, Rousso and Scarborough.
NAYS: Councilmembers Gus Campbell, S. Campbell, Fenning, Matthews, Vinroot and Woollen.

NOMINATIONS FOR APPOINTMENT TO BOARDS AND COMMISSIONS.

A. Community Resources Board - The following nominations were made at the April 11 meeting, and nominations were left open for further nominations at this meeting:

1. Michael Jones, nominated by Councilmember Dannelly.
2. Carol Lynn Hardison, nominated by Councilmember Vinroot.

The following nomination was made at this meeting:

1. Virginia Ryan, nominated by Councilmember Matthews.

B. Municipal Information Advisory Board - There were no nominations for this board, therefore it will be held over until the next meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS

A. Auditorium-Coliseum Convention Center Authority

[Motion was made by Councilmember Clodfelter, seconded by Council-]
[member Scarborough, and carried unanimously, to defer this matter]
[for discussion at the May 2 Executive Session, to be voted on at]
[May 9 regular meeting.]