AGENDA

Meeting Type:	B
Date	03-12-1990
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda

March 12, 1990

FILE COPY

CHARLOTTE

Meetings in March '90

THE WEEK OF MARCH 1 - MARCH 3

1	Thursday, 9 00 a m	CITY COUNCIL OPERATIONS AND PROCEDURES COMMITTEE - CMGC, Room 270
	Thursday, 12 Noon	DIVISION OF INSURANCE & RISK MANAGEMENT - CMGC, 10th Floor Conference Room
2	Friday, 9 00 a m	CIVIL SERVICE HEARING - CMGC, Room 118
3-6	Saturday - Tuesday	NATIONAL LEAGUE OF CITIES CONGRESSIONAL CITIES CONFERENCE - Washington, DC

THE WEEK OF MARCH 4 - MARCH 10

5	Monday, 12 Noon	PLANNING COMMISSION/Work Session - CMGC, 8th Floor Conference Room
6	Tuesday, 4 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Latta Park Equestrian Center Ad Hoc Art Advisory Committee - Latta Park Visitors Center, 5225 Sample Road, Huntersville
	Tuesday, 4 00 p m	PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room
7	Wednesday, 6 30 p m	YOUTH INVOLVEMENT COUNCIL - CMGC, Room 118
8	Thursday, 4 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - Mint Museum, 2730 Randolph Road
	Thursday, 5 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Board Meeting - Mint Museum, 2730 Randolph Road
	Thursday, 5 00 p m	COUNCIL/MANAGER DINNER - Meeting Chamber Conference Room
	Thursday, 6 00 p m	CITY COUNCIL/Zoning Meeting - CMGC, Meeting Chamber
	Thursday, 6 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Special Committee - Mint Museum, 2730 Randolph Road

THE WEEK OF MARCH 11 - MARCH 17

12	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 00 p m	CITY COUNCIL MEETING - CMGC, Meeting Chamber
13	Tuesday, 10 00 a m	POLITICAL CONSOLIDATION COMMITTEE - CMGC, 15th Floor Conference Room
	Tuesday, 12 Noon	JOINT CITY COUNCIL/COUNTY COMMISSION/SCHOOL BOARD LUNCHEON - CMGC, Room 267
	Tuesday, 4 00 p m	PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room
	Tuesday, 4 00 p m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
14	Wednesday, 8 00 a m	CLEAN CITY COMMITTEE - CMGC, Room 119
	Wednesday, 8 30 a m	CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room
	Wednesday, 10 00 a m	CIVIL SERVICE HEARING - CMGC, Room 118

(Continued on Back)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF MARCH 11 - MARCH 17 (Continued)

14	Wednesday, 2 00 p m	**CIVIL SERVICE HEARING** - CMGC, Room 118
15	Thursday, 8 00 a m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 267
	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Thursday, 7 30 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - CMGC, Room 270
16	Friday, 7 30 a m	**PLANNING LIAISON COMMITTEE** - CMGC, 8th Floor Conference Room
	Friday, 11 30 a m	**CHARLOTTE TREE ADVISORY COMMISSION** - Marshall Park

THE WEEK OF MARCH 18 - MARCH 24

19	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
20	Tuesday, 2 00 p m	**HOUSING AUTHORITY** - 1301 South Boulevard
	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
21	Wednesday, 7·45 a m	**PRIVATE INDUSTRY COUNCIL** - CMGC, Room 267
	Wednesday, 6 30 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118
	Wednesday, 7 00 p m	**METROPOLITAN PLANNING ORGANIZATION** - CMGC, Room 267
22	Thursday, 4 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Reedy Creek Park Nature Center Ad Hoc Advisory Committee** - CMGC, 8th Floor Conference Room

THE WEEK OF MARCH 25 - MARCH 31

26	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 Work Session** - CMGC, 8th Floor Conference Room
27	Tuesday, 2 00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - Hal Marshall Building, 700 North Tryon Street, Building Standards Training Room
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
28	Wednesday, 4 30 p m	**CITIZENS CABLE OVERSIGHT COMMITTEE** - CMGC, Room 119
29	Thursday, 4 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - Hal Marshall Center, 700 North Tryon Street
	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Board Meeting** - Hal Marshall Center, 700 North Tryon Street
	Thursday, 6 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Special Committee** - Hal Marshall Center, 700 North Tryon Street
30	Friday, 9 00 a m	**CHARLOTTE-MECKLENBURG ART COMMISSION/OmniMax Ad Hoc Art Advisory Committee** - CMGC, 8th Floor Conference Room

These organizations will <u>not</u> meet in March
Housing Appeals Board

March 12, 1990 City Council Agenda
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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, March 12, 1990

4 30 PM	-	City Clerk's evaluation
5 00 PM	-	Budget workshop/dinner
6 30 PM	-	Citizens hearing
7 00 PM	-	Council meeting

ITEM NO

1 Invocation by Rev Wilch Caldwell, Sr of Faith Memorial Baptist Church.

2 Consider approval of minutes of Joint Meeting on February 7 and Regular Meeting on February 12, 1990

PUBLIC HEARING

3 A Conduct a public hearing on the private sale of four City-owned parcels of land to Habitat for Humanity for $12,200

B Recommend approval of Option A for the sale of four City-owned parcels of land to Habitat for Humanity through a loan for $12,200

Public Hearing Required — The transfer of the land by a private sale is authorized by N C G S 160A-457 (4) and calls for a public hearing to be held to consider such a sale

Four City-Owned Parcels

In September 1989, Habitat asked the City to sell four parcels of City-owned land (see attached maps) One parcel is in the Belmont neighborhood, and three parcels are near Tuckaseegee and West 4th Street Habitat plans to combine the three parcels on Tuckaseegee with other land donated to Habitat for developing seven single-family owner-occupied homes for low to moderate income persons

On January 11, 1990, Habitat requested the City provide a grant to be used for purchasing the four parcels rather than a loan for the sale of the land

Staff recommends the land be sold to Habitat for its combined appraised value of $12,200

Options

City Council has two options concerning the sale of the four City-owned parcels of land to Habitat

Option A - approve the sale of this land through a $12,200 loan

1 On May 22, 1989, City Council revised the Housing Policy Plan to require that the 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 The funds are to be used to purchase land for future development of assisted housing for persons earning 40% or less of the median income

2 Federal government support to cities for housing is continually diminishing and cities' sources of funds for housing are limited Therefore, cities need to be regenerating their funds in order to assist more lower-income families

3 Selling this land rather than providing a grant is consistent with the policy of generating additional funds to enable us to assist more lower-income families through implementation of the programs within the City's Housing Policy Plan

4 The City is not making grants to any other non-profit organizations for land acquisition or housing development

Option B - approve the sale through a $12,200 grant

1 Reduces cost of land for Habitat housing

2 Provides additional resources for the Habitat program

Regardless of which option Council chooses, the source of funds would be either the $500,000 set aside in the Innovative Housing Fund or unencumbered Community Development Block Grant funds

Option A Recommended — Staff recommends Option A which would be an interest free $12,200 loan (principal repayment only) with the term to be negotiated with Habitat

Attached as information is a letter from Habitat dated February 14, 1990

Clearances — Community Development, Planning Commission approved a Mandatory Referral Report by staff March 6, 1990 meeting; a copy is attached

Attachment No 1

POLICY

4 Process for review of Criminal Justice System and Police consolidation models

Information on this item will be sent in the March 9, 1990 Council-Manager memorandum

3/12/90
Agenda

4. **Recommend approval of a process for planning for the Mecklenburg Criminal Justice System and consolidation of Police Services.**

Criminal Justice System

At the February 26 Council meeting, Council approved two steps related to the criminal justice system:

- become informed on the critical issues and problems in the Mecklenburg County Criminal Justice System. The goals would be 1) to develop a common vocabulary and knowledge with other system participants and 2) to determine the focus for City Council's mission statement on the criminal justice system.

- develop organizational models for the consolidation of City and County police services.

Recommendation

The attached process is designed to accomplish Council's direction. The first task of the process is an effort to understand how the system works. The research will produce a document that can be used as a resource for all groups. This will be supplemented by a roundtable discussion of system participants to identify problems and solutions. Concurrently, models will be developed on police services. This work will be done with the assistance of UNCC and coordinated by the Budget and Evaluation Department.

County Commission

The County Commission discussed Council's request to move forward on police consolidation outside the City/County Functional Consolidation Committee process. The Commission referred police consolidation to the Committee.

Under this recommendation, the process can move forward with either the Committee or the full Council and Commission.

Attachments

1) Processing Summary Chart
2) Process Description
3) Functional Consolidation Committee Process

Attachment #1

Mecklenburg Criminal Justice System and Police Services:

A PLANNING PROCESS

MARCH | APRIL | MAY | JUNE

CRIMINAL JUSTICE SYSTEM

Where Are We Now

Notify County/other participants

Information/Education Presentation

What Are Our Choices

Roundtable problems/ solutions

Making A Difference

Evaluate info and determine focus areas

Proceed With Improvements

Action steps for focus areas

POLICE SERVICES

Organizing Police Services

Develop options for consolidation

Sharing Information

Incorporate roundtable discussions/ and education presentation

Sharing Information

Meet with Commission, highlight criteria for consolidation

Refer to functional consolidation or pro - ceed

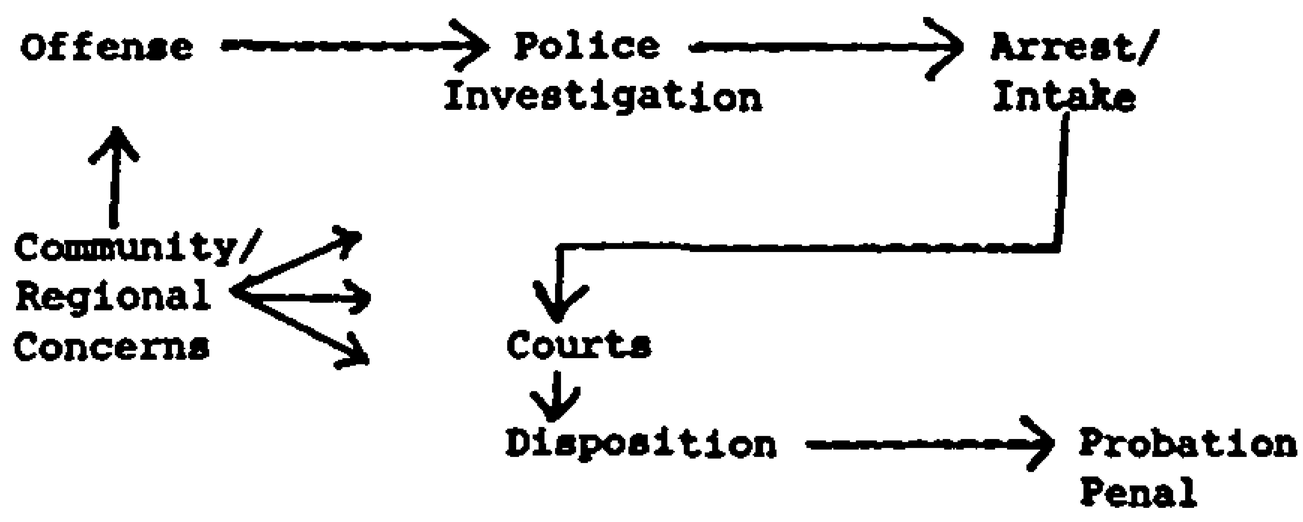
Closure

Evaluate options/ make proposals

A PROCESS FOR PLANNING FOR THE MECKLENBURG CRIMINAL JUSTICE SYSTEM AND POLICE SERVICES

CRIMINAL JUSTICE SYSTEM

1) WHERE ARE WE NOW	BENCHMARK	RESPONSIBILITY
o Notify Mecklenburg County Commission and other criminal justice system participants of intent to develop a presentation to better understand the Mecklenburg Criminal Justice System.	March	Council
* **NOTE: This process will not duplicate the existing studies and plans. This is a step that will benefit existing efforts with baseline research and can be used by other committees and resources.**		
o Develop a presentation that is designed to educate and inform the City Council on each segment of the Mecklenburg County Criminal Justice System, i.e.:	March/April	Budget and Evaluation/UNCC



This flow chart will include function, statutory authority, standards, budget, etc.

2) WHAT ARE OUR CHOICES		
o Using the educational component as a foundation, invite County Commission, District Attorney, Judges, organizational and criminal justice experts to brainstorm critical information on problems and solutions.	April	Council

CRIMINAL JUSTICE SYSTEM CONTINUED...

3) MAKING A DIFFERENCE	BENCHMARK	RESPONSIBILITY
o Evaluate brainstorming information; discuss and determine focus areas for problem solving.	June	Council
* NOTE: Council has already identified Police services as a focus area; other focus areas will be outlined as identified.		

POLICE SERVICES

1) HOW CAN IT WORK		
o Request City and County staff develop options for the consolidation of police services, i.e., 1) County Administration, 2) City Administration, 3) Police Authority, 4) Others.	March	Budget and Evaluation/UNCC/ County Staff

2) SHARING INFORMATION		
o Incorporate police issues from brainstorming session into models.	April	Budget and Evaluation/UNCC/ County Staff
* NOTE: The process can continue under the direction of the full Council and Commission or the Functional Consolidation Committee.		

Full Council and Commission		Functional Consolidation Committee
o Share information on the options for police consolidation between the Council and Commission; highlight essential criteria for consolidation.	May	o Follow approved Functional Consolidation Committee Process (attached).
o Staff summarizes the discussions and conclusions of the Council and Commission.	June	

3) BRING CLOSURE		
o Council and Commission evaluate options and make a proposal.	June	Council/Commission

ATTACHMENT #3

FUNCTIONAL CONSOLIDATION
COMMITTEE PROCESS

1) Consensus: What do you want to achieve by functional consolidation; what do you hope to gain?

2) Obtain background information on City/County roles (traditional and statutory), review of nontraditional service delivery systems; develop profile of common functions (i.e., cost, efficiency measures, organizational structures).

3) Determine criteria for consolidation, i.e., easiest to do, most cost effective; customer demand; method of financing; how many to do and at what interval.

4) Develop preliminary evaluation of background profiles and criteria.

5) Consensus: Proceed with more detailed refined work plan <u>or</u> stop.

6) Report to governing boards.

7) Propose model form of consolidation services and implementation timetable.

8) Consensus: Make recommendations.

9) Report to governing board.

Criminal Justice

CHARGE

On behalf of the citizens of Mecklenburg County, we will study and recommend how the County can participate with the State and City to improve the efficiency and effectiveness of the operation of the individual units of this community's Court System and the operations and coordination of the total criminal justice system.

Excerpts from the Strategy Team Report (please refer to the full report)

Key Issues

- What can Mecklenburg County do to determine what are legitimate public expectations of the criminal justice system and how can it establish standards to meet these expectations?
- What actions can Mecklenburg County take to improve the coordination, communication, and cooperation of the various units of the criminal justice system?
- What can the people of Mecklenburg County do to increase their ability to influence decisions at the State level?

Goals

- Development of a statement of vision for the criminal justice system.
- Development of methods and identification of resources for effective coordination of all components of the criminal justice system.
- Public education of citizens of Mecklenburg County of the existing system and its problems.
- Evaluation of current alternatives, expansion as appropriate, and development of new innovative alternatives to incarceration.

Strategies

- Develop methods for essential, effective communication between the various units of the criminal justice system by creating three specifically chartered groups (1) continue the Citizens Criminal Justice Commission and re-define its responsibilities, (2) create a group of senior level criminal justice officials to correlate and coordinate policy issues, and (3) make available second-level groups of key criminal justice staff to implement projects assigned by the senior level officials.
- These groups should, among other things, develop statistical data bases and management information systems; evaluate existing programs and develop innovative ones, develop public education programs; develop plans to elicit effective State support; and initiate ongoing planning for the system's facility, equipment, and operational needs.

Action Plan

Immediately convene the Chairperson of the Board of County Commissioners, the Ma and the head of the Legislative Delegation, in order to secure their support and agreem to:

RECOMMENDATIONS

1. **Support the Citizens Criminal Justice Commission, the Senior Criminal Justi Officials group, and the key staff group.** (By March 1, 1990)

2. **Review and revise the charge to the Citizens Criminal Justice Commission** t include review of all previous CCJC reports and the American University follow report, and work of the Strategic Planning Committee; overseeing the implemen tion of recommendations made in these reports; ongoing oversight of the monr ing and appraisal of the activities of the system-related units; participation in the mulation of short and long-term objectives and plans for the system and its individ units, continuing efforts to encourage and promote communication, coordinati and cooperation of the individual system units; an annual report on CCJC activi and pertinent information about the criminal justice system and its individual un (By March 1, 1990)

3. **Convene the Senior Criminal Justice Officials group** and direct them to commiss special teams to develop innovative approaches to address specific problems. (June 1, 1990)

4. **Provide necessary staff support** for the CCJC and the Senior Criminal Justice Officials Group (Ongoing)

5. Continue and increase, as appropriate, funding for the Mecklenburg County Crir **nal Justice Information System** (MCCJIS). (Ongoing)

6. Continue to support the **jail master planning project.** (Ongoing)

7. Request the Data Processing Committee to begin "brainstorming" our ability to crc reference all existing and developing **data bases,** so that families and children at ri may be identified and appropriate interventions initiated. (Report by June 1, 199

8. Request the Human Services Council to begin a listing and evaluation of resource agencies available to the criminal justice system. (Report by June 1, 1990)

9. Request the Human Services Council to formulate in collaboration with key actors in the criminal justice system a formal process for connecting with various elements of the criminal justice system to the end that the **human services sysytem and th criminal justice system may support each other** in the most coordinated and efficient manner (By June 1, 1990)

10. Request the Planning Commission to develop a list of facility and land needs for a criminal justice related agencies (both City and County) in conjunction with the cap tal needs process. (Report by June 1, 1990)

5 Recommend adoption of a resolution making on-street parking in uptown an expanded and on-going rather than experimental program

Uptown On-Street Parking

At its November 14, 1989 meeting, City Council adopted a resolution approving a 90-day experimental program of on-street parking in uptown Charlotte on selected streets between the hours of 6 00 pm and 5 00 am weekdays and all day on weekends City Council recognized in its resolution that parking regulations would need to be enforced, including the towing of illegally parked vehicles

The Charlotte Department of Transportation (CDOT) and the Charlotte Police Department have concluded a study of the experiment, determined it was successful, and CDOT recommends that the program be expanded and continued A copy of CDOT's report is attached

Council Action

City Council is asked to adopt a resolution making the experimental uptown on-street parking program a permanent program administered by CDOT under the authority granted the Director of Transportation through City Code Section 14-57 As outlined in CDOT's attached report, it plans to expand the program of nighttime and weekend parking in uptown by

Changing daytime, non-peak hour parking on North Tryon Street between 8th and 9th Streets to specifically allow nighttime and weekend parking Parking on Tryon Street in this block is feasible since Tryon Street has existing parking lanes, a remnant of the six lane roadway which existed before the Tryon Street Mall was constructed

Allowing nighttime and weekend parking on the north side of First Street between Mint and Church Streets, on the south side of Second Street between College Street and the Norfolk Southern Railway crossing, on the south side of Fifth Street between Poplar and Tryon Streets where a wide curb lane exists, on the west side of College Street between Seventh and Ninth Streets, and on the west side of Caldwell Street between Eighth and Tenth Streets

Converting the daytime, non-peak hour loading zone on the north side of Fourth Street between College Street and Tryon Street to specifically allow nighttime and all day weekend parking

These additions will add 70 spaces making the total available 220 However, we have found that people are actually parking much closer than we had anticipated, so the actual number of cars that can be parked is greater

Alternative Action for Council's Consideration

CDOT, in administering parking controls uptown, must balance competing goals such as operating an efficient transit system, reducing congestion, keeping Tryon Street Mall cleaned, and helping promote festivals and other events - all of which are more difficult to achieve with on-street parking CDOT (the Director of Transportation) is required by City Code Section 14-57 "to make or cause to be made, upon the basis of engineering and traffic investigations, the installations, removals, relocations, and changes of official traffic control devices in accordance with accepted traffic engineering principles and standards and in accordance with the procedures set out in Section 6 21 of the City Charter " He also may "carry out additional powers and duties imposed upon him by ordinances of this City "

Thus, City Council has the option of adopting a resolution (or resolutions) indicating where or how it would like to see additional parking provided Since uptown interests have expressed a desire for additional parking on Trade and Tryon Streets and on both sides of one-way streets, Council may wish to consider the following options, which when compared to CDOT's criteria, are rated as having major, minor, or no impact on transportation

Options

Options with Major Impact on Traffic Flow and Transit

Allow additional nighttime and weekend parking on both sides of Tryon Street between Stonewall and Eighth Streets and on Trade Street between Graham and McDowell Streets The major impact would be on transit operations, since the curb lane of each street would not be free of parked vehicles

and bus drivers would have to compete for space in the remaining through lane, maneuvering into and out of the curb lane to access bus stops Such manuevering raises the accident potential People getting on and off buses could also be subjected to greater accident potential if the bus driver is unable to pull up to the curb A second impact would be on the program to keep the Tryon Street Mall clean The street and sidewalks are washed each day, in the evening hours Vehicles parked on the Mall would interfere with the washing operation This option would add 125 spaces

Allow additional nighttime and weekend parking on both sides of the one-way pairs of College/Church Streets, Brevard/Caldwell Streets and/or Poplar/Mint Streets between Stonewall and Sixth Streets and the one-way pairs of Third/Fourth Streets and Fifth/Sixth Streets between Graham and Brevard Streets where they are three lanes wide The major impact would be to reduce these streets to a single, middle lane for traffic flow if parking occurred in both curb lanes A single lane would provide less than a third the capacity of a three lane street Under this scenario, a single, disabled vehicle could effectively close the entire street This option would add 150 spaces

Options with Minor Impact on Traffic Flow and Transit

Allow additional nighttime and weekend parking on both sides of four lane one-way streets in the central core of uptown where there are no exclusive turn lanes or ramp traffic entering the street The only street meeting these criteria is College Street between First and Third Streets The impact is minor since two lanes would remain open for moving traffic This option would add 20 spaces

Options with No Impact on Traffic Flow and Transit

Encourage the Central Charlotte Association to work with uptown parking operators to make nighttime and weekend parking available at a reasonable, hourly rate either for individuals or for businesses which want to subsidize parking for its customers

With any of the above options, CDOT and the Charlotte Police Department will exercise their responsibilities to install "Emergency No Parking" signs during festivals and events or to alter curb use when street improvements are made or building construction requires such changes

Clearances Charlotte Department of Transportation, the Chief of Police agrees with converting the experimental parking program to an on-going program

Attachment No 2

6 Recommend approval of proposed changes to the Housing Assistance Plan as shown in the attached Exhibit 3

HAP Background The current Housing Assistance Plan (HAP) was revised and approved by City Council on November 14, 1989 Prior to the last revision, City Council discussed and reviewed the HAP during Council workshops on September 5 and October 9, 1989 During these discussions, staff was directed to research options for concentration and size of assisted housing units Staff reviewed several Housing Assistance Plans from around the country and at Council's February 5, 1990 workshop proposed changes to the HAP Locational Policy regarding options for concentration and size of assisted housing were presented The proposed changes have been modified based on comments and discussion from City Council at the February 5, 1990 workshop (see attached)

HAP Changes The primary changes are

Adds three objectives to Locational Standards

Protect racially integrated neighborhoods
Pursue housing proposals responsive to the School System's Pupil Assignment Plan
Promote community development of selected neighborhoods

Reduces census tracts where black population exceeds 40% to 25% under Prohibited Areas (see Exhibit 3 - Criteria A 3) This change made the following five census tracts prohibited 15 01, 38 03, 38 04, 54 02 and 61 (see attached map) This proposed change meets the new objective to protect racially integrated neighborhoods

Stipulates how Request for Proposals will be evaluated (see Exhibit 3 - Criteria J)

Since the February 5, 1990 workshop, at City Council's direction, the following has occurred

February 16, 1990 - a HAP presentation was made to the Board of Education staff, the Housing Authority and the Housing Partnership

February 26, 1990 - a public hearing was held

February 27, 1990 - a HAP presentation was made to the Board of Education

As a result of the public hearing, additional changes are as follows

Permits a 5-10% ± variance in maximum number of units depending upon topography, site plan and design of units (See Exhibit 3 - Criteria G)

Adds the Assistant Superintendent for Planning and Research of the Charlotte-Mecklenburg Schools to the Innovative Housing Committee (See Exhibit 3, Criteria J 1)

Provides for Community Relations staff to review and comment on racial composition in the neighborhoods within census tracts of the RFP's prior to the Innovative Housing Committee's recommendations to City Council (See Exhibit 3, Criteria J 1)

Clearances Community Development Department

Attachment No 3

7 Recommend adoption of the City's 1990 Legislative Program

Attached is the proposed 1990 legislative program which was sent to Council in the February 21, 1990 Council-Manager memorandum. A legislative briefing and breakfast with the legislative delegation and County Commissioners is scheduled for Tuesday, March 27, 1990 in Room 267, CMGC

Attachment No 4

8 Recommend approval of members of the Advisory Committee on Charlotte-Meckenburg Utility Department Policies and amend the charge to include a review of the future role of the Community Facilities Committee

Citizens Committee On February 12, 1990, Council approved establishment of a new ad hoc citizens' advisory committee to review CMUD policies The charge is as follows

Charge To assist the City Council and City Manager in the review of Charlotte-Mecklenburg Utility Department policies by·

1 Soliciting developer and other customer feedback about the policies and services administered by CMUD,
2 Reviewing existing extension and other related utility policies,
3 Reviewing how the policies are interpreted, implemented and enforced by CMUD staff and if they are consistent and equitable,
4 Identifying potential changes to existing utility policies,

5 Recommending to City Council changes to existing policies including the perceived benefits (financial or otherwise) and the potential impact on water sewer rates

Charge Amendment — Council is requested to amend the committee charge to include

6 Review the charge and function of the Community Facilities Committee in order to recommend to Council how or if the committee should function on a permanent basis

Recommended Members — A list of recommended committee members and chairperson will be sent to Council in the March 9, 1990 Council-Manager memorandum

9 Consider Televising Regular City Council Business Meetings

Televised Council Meetings — The Citizens Cable Oversite Committee has written requesting that the City Council televise its regular business meetings live on cable

The new Meeting Chamber in the Government Center is wired for televised coverage in 125,000 City and County homes on the Cablevision and Vision Cable systems

The cost of televising meetings is approximately $450 per meeting or $9,000 annually

The expenses include three part-time camera operators and video tape for rebroadcast

If the City Council decides to telecast its meetings, the Public Service & Information Department would need 30 days to be ready, the first televised meeting would be April 9

Keeping the Community Informed — Televising Council meetings is one of several approaches to keeping the community informed about what's going on in local government We also send out a monthly flier in the water bills, provide continuous information to local print and broadcast media, use Cable Channel 32, and in April will begin airing a monthly public affairs program

10 Recommend approval of the FY91 Budget Calendar

Council is requested to approve the following calendar for consideration of the FY91 Operating Budget and the FY91-95 Capital Improvement Program

Presentation and General Discussion	Tuesday, May 1, 1990 5 00-7 00 p m
Budget Workshop (Operating)	Tuesday, May 8, 1990 5 00-7 00 p m
Budget Workshop (Operating)	Wednesday, May 9, 1990 5 00-7 00 p m
Public Hearing	Thursday, May 10, 1990 5 00-6 00 p m
Budget Workshop (Capital)	6 00-7 00 p m
Budget Workshop (Capital)	Tuesday, May 22, 1990 5 00-7 00 p m
Budget Hearing (Final Decisions)	Thursday, May 23, 1990 5.00-7 00 p m
Budget Workshop (Optional)	Thursday, May 24, 1990 5·00-7 00 p m
Budget Adoption	Monday, June 11, 1990 Regular Meeting

BUSINESS

11 Consider Montaldo's request for pull-out (curb cut) on Tryon Street.

Montaldo's Request

Montaldo's, 218 North Tryon Street, has requested a pull-out (or curb cut) approximately 55 feet long and and 10 feet deep that would be inset into the sidewalk in front of their store to allow valet parking Montaldo's has also requested that a left turn be permitted from Fifth Street onto Tryon Street so their valet can easily and quickly return cars to customers

Reason for Request

Montaldo's valet parking service was discontinued because of Cityfair construction and a shuttle service was expensive and inconvenient for customers Customers perceive the Cityfair parking deck to be insecure Montaldo's has experienced a loss of business

Staff Review

Pull-out would be major modification to transit mall concept and could set precedent for future requests, pull-out would narrow sidewalk for pedestrian use, potential conflict between vehicles using pull-out and traffic, particularly buses in the curb lane, traffic congestion expected in area because of current construction

Council Action

If Council approves the request for a pull-out, CDOT, Planning and Police will work with Montaldo's to refine the proposed design so it may operate as safely as possible and to minimize potential impact on traffic flow Once implemented, CDOT and Police will monitor the pull-out for safe operation Council may wish to request that Montaldo's agree to restoration of the curb line to its original condition should this pull-out be demonstrated to be unsafe in actual practice

Staff recommends that left turns from 5th Street to Tryon Street not be permitted at this time, but be reevaluated once completion of the new NCNB Corporate Center and Performing Arts Center is completed

A detailed report is attached for Council's information

Clearances Planning, CDOT, Transportation, Economic Development

Attachment No 5

12 Recommend approval of extension of Runway 36 Right 1000 feet to south in accordance with the Airport Master Plan

Council Action Council is requested to approve extension of Runway 36R 1000 feet to the south in accordance with the Airport Master Plan Extension of Runway 36R includes relocation of a portion of NC 160 (West Boulevard), closing a portion of Wilmont Road, extending Terminal Drive, acquisition of 55 acres of land, relocation of 15 businesses, and relocation of navigational aids Design and construction will cost approximately $19 million This high priority airfield improvement project is eligible for 75% Federal funding

If approved by Council, the runway extension would be bid this winter, with construction to start in the spring, 1991 We will apply for Federal funding immediately, so that we may begin receiving the Federal share once the project is bid

Background The Airport Master Plan Update, approved by City Council on July 27, 1987, recommended a 1000 foot extension to the south end of Runway 36R and its parallel taxiways This runway extension provides additional airfield capacity which will reduce aircraft delays From a noise abatement perspective, it will permit simultaneous Runway 36R landings and Runway 5 departures by large aircraft, which would prevent a significant increase in the noise north of Runway 36R

On March 14, 1988 City Council awarded a contract to Howard, Needles, Tammen & Bergendorf to prepare an environmental assessment of the proposed extension to Runway 36R This program included significant opportunity for public participation, including two public information meetings, briefings and two public hearings before the Airport Advisory Committee

In April, 1989 the environmental assessment, including all public comment, was submitted to the FAA for their review The Federal Aviation Administration approved a finding of "no significant impact" for the extension of Runway 36R at Charlotte/Douglas International Airport

Clearances The Airport Advisory Committee concurs in this recommendation by a vote of 6-2 Minutes of the meeting are attached

Attachment No 6

13 Recommend adoption of a budget ordinance to establish a new Solid Waste Services Department and Charlotte-Mecklenburg Animal Control Department resulting from the reorganization of the Operations Department, and also transfer Street Maintenance to the City Department of Transportation and to transfer the Tryon Street Mall Coordinator to the Economic Development Department

Operations Department Reorganization In September 1989, the City Manager announced a reorganization of the Operations Department The reorganization highlights include creating a separate Charlotte-Mecklenburg Animal Control Department, transferring Street Maintenance to the Department of Transportation, transferring the Tryon Street Mall Coordinator to the Economic Development Department, and establishing a new Solid Waste Services Department with a centralized focus on solid waste management, and a new division dedicated to public service (i e , customer relations) The new Solid Waste Services Department consists of the Sanitation Division, Special Services Division, Community Improvement, Solid Waste-Administration, and Public Service Division This reorganization results in a savings of $73,000 plus improved customer relations staffing

Council Action The budget ordinance effects the above changes and revises the amounts originally appropriated in the 1989-90 budget ordinance to reflect the reorganization.

Funding General Fund - Operations Department FY90 Appropriation.

Clearances Budget and Evaluation

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The City Attorney advises that agenda items no 14 through 30 may be considered in one motion However, any member of Council may request that an item be divided and voted on separately

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BUDGET ORDINANCE

14 Recommend adoption of a budget ordinance advancing $1,000,000 from the Water and Sewer equity cash pool to the 1989 Annexation Water Main Construction Capital Account

Transfer of Funds — In the November 8, 1988 bond referendum, $3 million was approved for construction of water main extensions included in the 1989 annexation areas Since those bonds are not scheduled to be sold for several months, it will be necessary for Charlotte-Mecklenburg Utility Department to borrow a portion of the authorized amount to meet contract award requirements

Funding — The funds will be returned to the source as soon as the 1988 bonds are issued

Clearances — Utility Director

BID LIST

15 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 Water Distribution Project 12-Inch, 8-Inch, and 6-Inch Water Mains To Serve 1989 Annexation I-77 North Corridor — Charlotte-Mecklenburg Utility Department

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by RDR, Incorporated, of Stanfield, North Carolina in the amount of $918,504.66 be accepted for award of contract on a unit price basis

Project Description. Construction of this project would provide basic water service to the I-77 North corridor area

Source of Funding. Water and Sewer Capital Improvement Fund - (Water Mains to Serve Annexation Areas - I-77 North Corridor)

B Sanitary Sewer Construction 1989 Annexation - Elm Lane And Rea Road Areas — 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 $151,375.98 be accepted for award of contract on a unit price basis

Project Description: Construction of this project would provide sewer service to the Elm Lane and Rea Road areas

Source of Funding. Water and Sewer Capital Improvement Fund - (Rea Road/Elm Lane West)

C 1 - 100 Ft Elevating Platform Ladder Truck — Fire Dept

Recommendation By the Purchasing Director and the Fire Chief that the lowest responsible bidder, Simon Ladder Towers, Inc , Ephrata, Pennsylvania, in the amount of $473,507 00, be accepted for award of contract

Project Description This ladder truck is to replace the one that was damaged beyond repair by Hurricane Hugo

Source of Funding Disaster Relief Fund (Hugo) - (Fire Operations - Automotive Vehicles and Self Propelled Equipment)

D Pavement Marking Material — D O T

Recommendation. By Purchasing Director and the Department of Transportation Director that the low bid, Linear Dynamics, Inc , Parsippany, New Jersey, in the amount of $86,985 00, be accepted for award of contract on a unit price basis

Project Description. This proposed purchase is for 135 tons of alkyd thermoplastic pavement marking material to be used to mark cross-walks, stop bars, arrows, and centerlines to make for safe and effective traffic control

Source of Funding. General Fund - (Transportation Operations - Maintenance and Construction Materials)

E 23 - 53,000 lbs. GVWR Tilt Truck Cab & Chassis — Solid Waste - 21, Special Services - 2

23 - 25 Cu Yard Rear Loading Refuse Collection Bodies

Recommendation. By the Purchasing Director and the Acting Director of the Solid Waste Services Department that the low bid for each Section be accepted for award of contract

Bid Summary

Tar Heel Ford Charlotte, N. C $1,192,941 00
(For 23 - Truck, Cab & Chassis, Section 1)

Quality Equipment & Supply Charlotte, N. C $482,471 00
(For 23 - Refuse Collection Bodies, Section 2)

Other Information. This item was re-bid at the direction of City Council.

A Pre-Bid Conference was held January 8, 1990

A Section 3 was included in this bid for those vendors wishing to bid a total unit (cab, chassis, and refuse body) Two bidders submitted bids for this section

	Unit Price	Total
Crane Carrier Tulsa, Ok	$ 73,708 00	$1,695,284 00
Nalley Carolina Charlotte, NC	$ 79,786 00	$1,835,078 00

These prices are higher than the combined lowest prices received for the truck (Tar Heel Ford - $51,867 00) and refuse body (Quality Equipment - $20,977 00) which total $72,844 00, per unit, for a total amount of $1,675,412 00

Source of Funding. General Capital Equipment Fund - (Sanitation - Refuse Collection and Special Services) General Capital Improvement Fund - (Annexation Start-Up Fund)

F Coach Rehabilitation D O T

Recommendation. By Purchasing Director and Department of Transportation Director that a service contract be accepted for award to the low bidder, Midwest Bus Rebuilders, Owosso, Michigan, in an amount not to exceed $970,000.00, for rehabilitation of ten articulated M A.N buses

Project Description. These high capacity buses will be used on routes that are currently over-crowded and would require additional buses and drivers to meet service standards The bid amount is within the budget estimate

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

BUDGET ORDINANCE/CONTRACT

16 A Recommend approval of an interlocal agreement between the City of Charlotte and Mecklenburg County allowing the County to house one medic unit at Fire Station 27

B Recommend adoption of a budget ordinance of $27,440 to appropriate Mecklenburg County's share of design costs of Fire Station 27

C Recommend approval of a contract with David Furman Architecture for $76,000 for architectural services for annexation Fire Station 27

Fire Station 27 — Fire Station 27 is an annexation fire station The County wants to place a County medic unit in the fire station A similar arrangement at Fire Station 21 has proven to be successful with both agencies agreeing that it has enhanced their service delivery in that area of the City This action approves the interlocal agreement allowing the medic unit to be housed at the fire station, appropriates the County's share of the money to design the station, and approves the contract with David Furman Architecture to provide architectural services to design and construct the two-bay fire station. The fire station will be located behind the Department of Motor Vehicles/Highway Patrol Station near Highway 29 and Harris Boulevard

Funding: University Research Park Fire Station Capital Account The County's share is 19% of design and construction costs This action appropriates the County's share for design; after bids are taken, the County's share for contribution will be appropriated. The City's funding for the project was appropriated in the FY88 Budget

Clearances: This agreement has been approved by the City Manager's Office, County Manager's Office, Fire Department and Medic with input from Engineering, Finance, Budget and Evaluation, Central Services and the Legal Department The Board of County Commissioners will approve this agreement at a future meeting

CONTRACT

17 Recommend approval of a contract with Gifford Nielson Associates, Inc for $166,800 00 for engineering and landscape architecture services for the Wilkinson Boulevard Business Corridor Improvement Project.

Wilkinson Boulevard Project: Using the Council-approved selection process, Gifford Nielson Associates was recommended to provide engineering and landscape architecture services for the Wilkinson Boulevard Business Corridor Improvement Project, and in July, 1989, the City Manager approved an informal contract for $50,000 with Gifford Nielson Associates to begin planning services on the project

Gifford Nielson Associates has completed the following items as part of the first contract (1) a public involvement meeting with property owners and neighborhood groups, (2) coordination with the City on the design of a landscaped median from the Steele Creek Road/Westerly Hills Drive intersection to Ashley Road, (3) coordination with utilities and City and State agencies, and (4) development of conceptual plans for the entire business corridor (from I-77 to Billy Graham Parkway)

Gifford Nelson Contract: The recommended contract of $166,800 00 with Gifford Nielson Associates, Inc will provide the remainder of the engineering and landscape architectural services to design the Wilkinson

Boulevard Business Corridor Improvements Once the design is complete, we will be coming back to Council with a recommended construction contract

Funding — Business Corridor Revitalization Capital Account

Clearances — The contract has been reviewed by appropriate City Engineering Department staff and the City Attorney's office

18 Recommend adoption of a budget ordinance for $550,000 and approval of a contract with HBH Investments for the construction of the widening of Sharon Road and Fairview Road adjacent to the Morrocroft Development

Rezoning Agreement — As part of the rezoning petition for the Morrocroft Development, HBH Investments committed to (1) constructing Colony Road through their property and (2) widening Sharon Road and Fairview Road by installing new curb and gutter and sidewalk HBH Investments donated the land for Colony Road Extension and donated additional right-of-way along Fairview Road and Sharon Roads

As outlined in the rezoning petition, and consistent with City policy, the City is responsible for the installation of pavement between the existing edge of pavement and the new curb and gutter on both Sharon Road and Fairview Roads

The scope of the pavement work, a 20-foot widening for approximately 2,000 feet on Sharon Road and a 10-foot widening for approximately 4,000 feet on Fairview Road, is well beyond the capacity of City forces to construct

The HBH Investments' contractor is under construction with the developer's portion of the improvements In order to eliminate coordination problems, limit inconvenience to the traveling public, and increase public safety by having one contractor perform all the work associated with the widening of these roads, the Engineering Department negotiated a contract with HBH Investments to install the pavement The prices are consistent with similar work included in a change order to the fall resurfacing contract

HBH Investments intends to complete construction by May 1, 1990

Funding — Powell Bill Fund Balance

Clearances — The contract has been reviewed and approved by Engineering staff and the City Attorney

CONTRACT AMENDMENT

19 A Recommend amendment of the Charlotte-Mecklenburg Government Center contract between the City and the County and authorize the execution of a restated contract which will include all amendments to the original contract

B Recommend amendment of the City-County parking deck contract between the City and the County

CMGC Contract — During construction of the Charlotte-Mecklenburg Government Center (CMGC), and particularly during the addition of the two floors, minor construction matters came up which need to be reflected in the final CMGC contract with the County The action in A formally revises the final contract to reflect those changes

Parking Deck — The action in B amends the parking deck contract to reflect the number of spaces controlled by the City, the County and the Courts based on actual construction of the deck and experience gained in operating the deck, and also provides some needed flexibility in regulations governing use of the deck

Clearances — Engineering, Finance, General Services and Legal Departments Mecklenburg County staff will recommend approval by the County Commission at its April 2, 1990 meeting

CONTRACT EXTENSION

20 Recommend extension of the contract between the City of Charlotte and G&L Building Services for $215,794 20 for custodial services at the Charlotte-Mecklenburg Government Center

CMGC Custodial Contract — The request is for approval to extend the contract between the City of Charlotte and G&L Building Services for one additional year This is the last allowable extension of the original contract and will provide a third year of service The $215,794 20 contract represents a 12% increase over the original contract approved on October 27, 1987. During that period there has been a 15% increase in minimum wage The per square foot cost of cleaning will remain competitive under the new contract G&L Building Services is a MWBE company and has provided a good level of service and quality during the first two years of this contract We will advertise for bids prior to the expiration of this contract

Funding — Charlotte-Mecklenburg Government Center Operating Budget

Clearances — Purchasing, Legal, and the General Services Departments.

AGREEMENT

21 Recommend approval of an agreement with Power Engineering Company, Inc for up to $175,000 00 to perform surveying services during 1990

Surveying Services Required — Using the Council-approved consultant selection procedure, Power Engineering Company, Inc is recommended to provide surveying services on an as-needed basis during 1990

Surveying services are required on virtually every project that the Engineering Department has underway or has proposed for construction Due to the unprecedented number of projects under design and construction in the Engineering Department, this surveying contract will allow us to provide the necessary survey services without having to delay the projects

Funding — Capital Improvement Program project accounts

Clearances — This contract has been reviewed by the Attorney's Office and reviewed and approved by the Engineering Department

AGREEMENT AMENDMENT

22 Recommend approval of a final amendment to the agreement for construction management services for the new Coliseum with Turner Construction Company for $94,244 76

Turner Contract — These expenses are associated with completion of the Coliseum and approval of this final amendment will provide funds necessary to close out the project

Funds — Adequate funds for the amendments are available in the project account

Clearances — The Engineering and City Attorney's offices have reviewed and approved this amendment

PERSONNEL - RESOLUTION

23 Recommend adoption of a resolution amending the City of Charlotte's Flexible Benefits Plan to allow employees of the Charlotte Firefighter's Retirement System the opportunity to participate in the City's Flexible Benefits Plan

Flexible Benefits Plan — The City of Charlotte's Flexible Benefits Plan requires that participants in the plan be permanent City employees This is an administrative action necessary to allow the administrator and secretary of the Charlotte Firefighter's Retirement System to participate in the City's flexible benefits plan

Funding — There will be no cost to the City in allowing these employees the option of participating in the Flexible Benefits Plan

Clearances — Personnel Department

RIGHT OF WAY LEASE/WAIVE LEASE FEE

24 Recommend approval of a right-of-way leasing agreement with Becon Construction Company for the Performing Arts Center for a period of approximately two years, and waive the lease fee of $163,783 62

Waive Lease Fee for Performing Arts Center

Becon Construction Company has requested use of public right-of-way as described below for construction of the Performing Arts Center It is recommended that City Council approve this right-of-way lease agreement and waive the lease fee since we would be essentially paying ourselves

Contractor Becon Construction Company

Description of Right-of-Way Sidewalk and travel lane of North College Street and East Fifth Street (right-of-way area that fronts Performing Arts Center property) A map is attached.

Time Period March 13, 1990 to February 12, 1992

Lease Amount· $163,783 62, to be waived since the project is partially funded by the City and will be a public facility Right-of-way lease fees for Cityfair were reduced by 50%, another project partially funded by the City The Cityfair project is the only other public project partially or totally funded by the City in which waiver of right-of-way lease fees has been requested

Temporary Street Closing Policy

The City Council adopted a temporary street closing policy on September 23, 1985 This policy requires the developer to make a written request to the Charlotte Department of Transportation to use public right-of-way, defining the proposed use and time schedule Temporary closings of less than one year are approved by the Department of Transportation. Closings of more than one year or in the Central Business District during the holiday shopping season must be approved by City Council

Clearances

Engineering Department, the Department of Transportation has approved the areas to be closed and the time period

Attachment No 7

HOUSING CODE

25. A Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 1830 Cummings Avenue, Apt A & B (Oaklawn Park)

B Recommend adoption of an ordinance authorizing the use of in rem remedy to correct code violations at 212 Martin Street

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

Attachment No 8

STORM DRAINAGE REPAIR

26 That City Council adopt a resolution to repair the storm drainage system between the 1800 block of North Harrill Street and the 1800 block of North Allen Street, and assess a portion of the cost to the involved property owners in accordance with the Storm Drainage Repair Policy

Location of Drainage Problem·
1819 North Allen Street
1823 North Allen Street
1816 North Harrill Street
1820 North Harrill Street
1821 North Harrill Street

Ranking High Priority

Improvements to be Made Install approximately 510' of 24-inch reinforced concrete pipe, 4 new drainage structures, rip-rap and rebuild 4 existing drainage structures

Total Estimated Cost of Repairs $60,500

City's Cost City pays for all improvements in the street right-of-way ($20,500), and four-fifths of cost of improvements on private property ($32,000)

Involved Property Owner(s) Cost One-fifth of improvements on private property ($8,000)

Hearing Requirements No public hearing is required since all involved property owners signed the petition

Funding Storm Drainage Repair Account

SPEED LIMIT

27 Recommend adoption of an ordinance amending City Code Section 14-131(c) to change the speed limit on one Charlotte street

35 MPH — The speed limit on Woodlawn Road between South Boulevard and Park Road is recommended to be lowered from 45 MPH to 35 MPH due to congestion in the area and as a safety precaution The remainder of Woodlawn Road is already 35 mph

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

TAX REFUND - DENIAL

28 Recommend denial of request for refund for 1988 property taxes -- Adams Outdoor Advertising

Refund Requested — Adams Outdoor Advertising has submitted a formal request for a refund of $18,619 16 for a portion of the taxes paid for the year 1988 assessed against its outdoor advertising signs Adams contends that it is entitled to a refund because of a "clerical error " In accordance with state law, all requests for refunds are required to be submitted to the governing body and refunds may be authorized only if the taxes were assessed by virtue of (a) clerical error, or (b) an illegal levy

Recommend Denial — Attached is a letter from John C Petoskey, City-County Tax Administrator, which recommends that the request for refund be denied In the opinion of the Tax Administrator's office, the issue is one of valuation, rather than a clerical error Ham Wade, City-County Tax Attorney, agrees with the opinion of the Tax Administrator's office

Attachment No 9

TAX REFUND

29 Recommend the adoption of a resolution authorizing the refund of certain taxes in the total amount of $13,680 38 which were assessed through clerical error or illegal levy against 122 tax accounts.

PROPERTY TRANSACTIONS

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

1. Project. Eastway Drive/The Plaza Intersection Improvements
   Owner(s). George Moya-Mendez
   Property Address 4320 The Plaza
   Property to be acquired. 800 sq ft (0 018 ac) plus temporary construction easement 2,436 sq ft (0 056 ac)
   Improvements. sign, light poles, landscaping, planters, flood light, gate posts
   Price: $14,000 00
   Remarks. Zoned B-1, used as business

2 Project. Sharon Road/Quail Hollow Road-Intersection Improvements
   Owner(s). John C. Carson and Janet C. Midkiff, Trustees
   Property Address. 5824 Sharon Road, Charlotte, N.C
   Property to be acquired. 21,867 ± sq. ft. (502 ac.)
   Improvements. house, 20 yrs old, brick veneer, one story, 1,604 sq. ft
   Price. $93,500 00
   Remarks. Property is zoned R-12 and is presently used as residential

3 Project: Eastway Drive/The Plaza Intersection Improvements
   Owner(s). James F Clardy and wife, Frances S Clardy
   Property Address. 4405 The Plaza
   Property to be acquired. 3,770 sq ft (0 087 ac) plus temporary construction easement-9,288 sq ft (0 213 ac)
   Improvements. asphalt paving, landscaping, sign
   Price. $27,500.00
   Remarks: Zoned B-1, used as business

4 Project. F A R Part 150 Airport Noise Compatibility Program - Residential
Owner(s). Robin D Wooten and Evelyn M Wooten
Property Address. 5020 Withrow Road, Charlotte, N C
Property to be acquired. 530 acres (23,072 sq ft)
Improvements. (1) 1,234 sq ft , 2 bedroom, 1 bath ranch house
Price. $44,200 00
Remarks Property purchased under Federal Guideline 49 CFR Part 24 of the 1970 Uniform Acquisition & relocation Act-Public Law 91-646 Property owners eligible for Federal relocation benefits Acquisition & Relocation disbursements eligible for Federal Aviation Administration reimbursement

5 Project. F A R Part 150 Airport Noise Compatibility Program-Residential
Owner(s). Charles Streit and wife, Norma B Streit
Property Address. 3500 Marshall Drive (Moores Park)
Property to be acquired. 850 acres (37,026 sq ft)
Improvements. 1,800 sq ft home w/full basement, 3 bedrooms
Price. $70,000 00
Remarks Property purchased under Federal Guidelines 49 CFR Part of the 1970 Uniform Acquisition & Relocation Act-Public Law 91-646 Property owners eligible for federal relocation benefits Acquisition & relocation disbursements eligible for Federal Aviation Administration reimbursement

6 Project. F A R Part 150 Airport Noise Compatibility Program-Residential Phase I
Owner(s): Horace E Earnest, Jr & wife, Phyllis Earnest
Property Address 6513 Virginia Circle, Charlotte, N C (Moores Park Subdivision)
Property to be acquired. 840 acres (36,590 sq ft)
Improvements. 1,720 sq ft 3 bedroom, 2 bath ranch home
Price $70,000 00
Remarks Property purchased under Federal Guidelines 49 CFR Part 24 of the 1970 Uniform Acquisition & Relocation Act-Public Law 91-646. Property owners eligible for federal relocation benefits Acquisition & relocation disbursements eligible for Federal Aviation Administration reimbursement

7 Project F A R Part 150 Airport Noise Compatibility Program-Residential
Owner(s). Columbus Brock, Jr Single
Property Address 5025 Withrow Road, Charlotte, N C
Property to be acquired. 564 acres (24,568 sq ft)
Improvements (1) 1,044 sq ft , 2 bedroom, 1 bath ranch house
Price: $43,300 00
Remarks Property purchased under Federal Guidelines 49 CFR Part 24 of the 1970 Uniform Acquisition & Relocation Act-Public Law 91-646 Property owners eligible for federal relocation benefits Acquisition & relocation disbursements eligible for Federal Aviation Administration reimbursement

8 Project: F A R Part 150 Airport Noise Compatibility Program-Residential
Owner(s). Hugh D Lemmons and Helen M Lemmons
Property Address. 4915 Withrow Road, Charlotte, N C
Property to be acquired. 991 acres (43,168 sq ft)
Improvements. (1) 1,512 sq. ft. 3 bedroom, 1 bath ranch house
Price. $52,200.00
Remarks. Property purchased under Federal Guidelines 49 CFR Part 24 of the 1970 Uniform Acquisition & Relocation Act-Public Law 91-646 Property owners eligible for federal relocation benefits Acquisition & relocation disbursements eligible for Federal Aviation Administration reimbursement

9 Project: F A R Part 150 Airport Noise Compatibility Program-Residential
Owner(s). David A Smoak & wife, Derann L Smoak
Property Address. 5014 Withrow Road, Charlotte, N C
Property to be acquired. 527 acres (22,956 sq ft)
Improvements. (1) 1,170 sq ft 2 bedroom, 1 bath ranch house
Price. $46,500 00
Remarks. Property purchased under Federal Guidelines 49 CFR Part 24 of the 1970 Uniform Acquisition & Relocation Act-Public Law 91-646 Property owners eligible for federal relocation benefits Acquisition & relocation disbursements eligible for Federal Aviation Administration reimbursement

10 Project. F A R Part 150 Airport Noise Compatibility Program-Residential
Owner(s) J W Byrd and wife, Ruth P Byrd
Property Address. 4902 Withrow Road, Charlotte, N C
Property to be acquired. 417 acres (18,164 sq ft)
Improvements. (1) 1,414 sq ft 2 bedroom, 1 bath ranch house
Price. $53,800 00
Remarks. Property purchased under Federal Guidelines 49 CFR Part 24 of the 1970 Uniform Acquisition & Relocation Act-Public Law 91-646 Property owners eligible for federal relocation benefits Acquisition & relocation disbursements eligible for Federal Aviation Administration reimbursement

11 Project. F A R Part 150 Airport Noise Compatibility Program-Residential
Owner(s) Barbara P Gregg & Sandra P Montgomery
Property Address 6700 Virginia Circle, Charlotte, N C (Moores Park)
Property to be acquired. 645 acres (28,096 sq ft)
Improvements. (1) 1,451 sq ft 3 bedroom, 2 bath ranch house
Price. $65,000 00
Remarks. Property purchased under Federal Guidelines 49 CFR Part 24 of the 1970 Uniform Acquisition & Relocation Act-Public Law 91-646 Property owners eligible for federal relocation benefits Acquisition & relocation disbursements eligible for Federal Aviation Administration reimbursement

CONDEMNATIONS

12. Project Sanitary Sewer To Serve McKee Road Elementary School
Owner(s). Patti Claire Bazzell & John Mills Freeman, and any other parties of interest
Property address 3920 McKee Road
Property to be condemned 6,517 7 sq ft (149 ac) of permanent easement
Improvements. large shade trees
Price $5,000 00
Reason for condemnation. Owner had given a right-of-entry to complete the sanitary sewer work with resolution of compensation to occur after construction Construction is complete but a reasonable settlement could not be reached

13 Project Eastway Drive/The Plaza Intersection Improvements
Owner(s): B P Oil, Inc. and any other parties of interest
Property address. 601 Eastway Drive
Property to be condemned. 466 sq ft (.011 ac) plus 2,164 sq. ft as temporary construction easement
Improvements. landscaping, curbing, asphalt paving
Price. $4,200 00
Reason for condemnation. Corporation is in agreement with the settlement offer but cannot provide proper title and signatures to the deed within the acquisition phase due to corporate mergers.

14 Project. Eastway Drive/The Plaza Intersection Improvements
Owner(s). North Carolina National Bank, Trustee Mary A Heafner, and any other parties of interest
Property address. 4400 The Plaza
Property to be condemned. 3,625 sq ft of permanent easement and 13,984 sq ft of temporary construction easement.
Improvements. cart paths, tee box, paved road
Price. $2,600 00
Reason for condemnation: Owners contend business damages of $60,000 (which are not compensable) even though access to their property will be maintained throughout construction period

APPOINTMENTS TO BOARDS AND COMMISSIONS

31 A Waste Management Advisory Committee - RECOMMENDATION TO THE COUNTY COMMISSION for one unexpired term ending 2/20/92 to replace Robert McGrath, the present representative in the Clean City Committee category The Clean City Committee has recommended Mr John Spegal, a current member of the Committee, to replace Mr McGrath

Attachment No 10

- ANNOUNCEMENTS -

In its meeting on Monday, April 9, 1990, City Council will make nominations to fill vacancies on the following committees:

1. Auditorium-Coliseum-Convention Center Authority - One appointment beginning April 25, 1990. The incumbent, Edwin Peacock is not eligible for reappointment. Terms are for 3 years.

2. Certified Development Corporation - Five appointments beginning April 30, 1990. Gus Psomadakis, Jerry W. McMurray, and David R. Krug are eligible for reappointment. L. R. Miller, Jr. in the Private Lending Institution category, and Clayton Lovell in the Business Organization category are not eligible for reappointment. Terms are for three years.

3. Civil Service Board - One appointment beginning May 15, 1990. The incumbent, Elloree M. Erwin is eligible for reappointment. Terms are for three years.

4. Charlotte Clean City Committee - Five appointments. Four are full terms beginning June 30, 1990, and Mable Cunningham, Jack Corbell, Maxine Eaves, and Linda Matney are eligible for reappointment. One appointment is for an unexpired term expiring June 30, 1991. Ann Gillon resigned February 1, 1990 . Normal terms are for three years.

5. Firemen's Relief Board of Trustees - One appointment for an unexpired term replacing Donald M. Jones, ending January 18, 1992. Mr. Jones has not complied with the attendance requirements. Normal terms are for two years.

6. Historic District Commission - One appointment beginning June 30, 1990. The incumbent, Melody Burgess, is eligible for reappointment. Terms are for three years.

7. Charlotte Parks Advisory Committee - Four appointments beginning June 1, 1990. Mr. Robert Pennington has resigned, so one appointee will need to begin serving immediately. Mr. Edward McDowell and Mahlon Adams are eligible for reappointment and Roy Alexander is not eligible. Terms are for three years.

8. Charlotte-Mecklenburg Planning Commission - One appointment beginning June 30, 1990, and the incumbent, Sara Spencer, is eligible for reappointment. Terms are for three years.

9. Spirit Square Board of Directors - One appointment beginning June 30, 1990. The incumbent, Joseph P. Lacher, is eligible for reappointment.

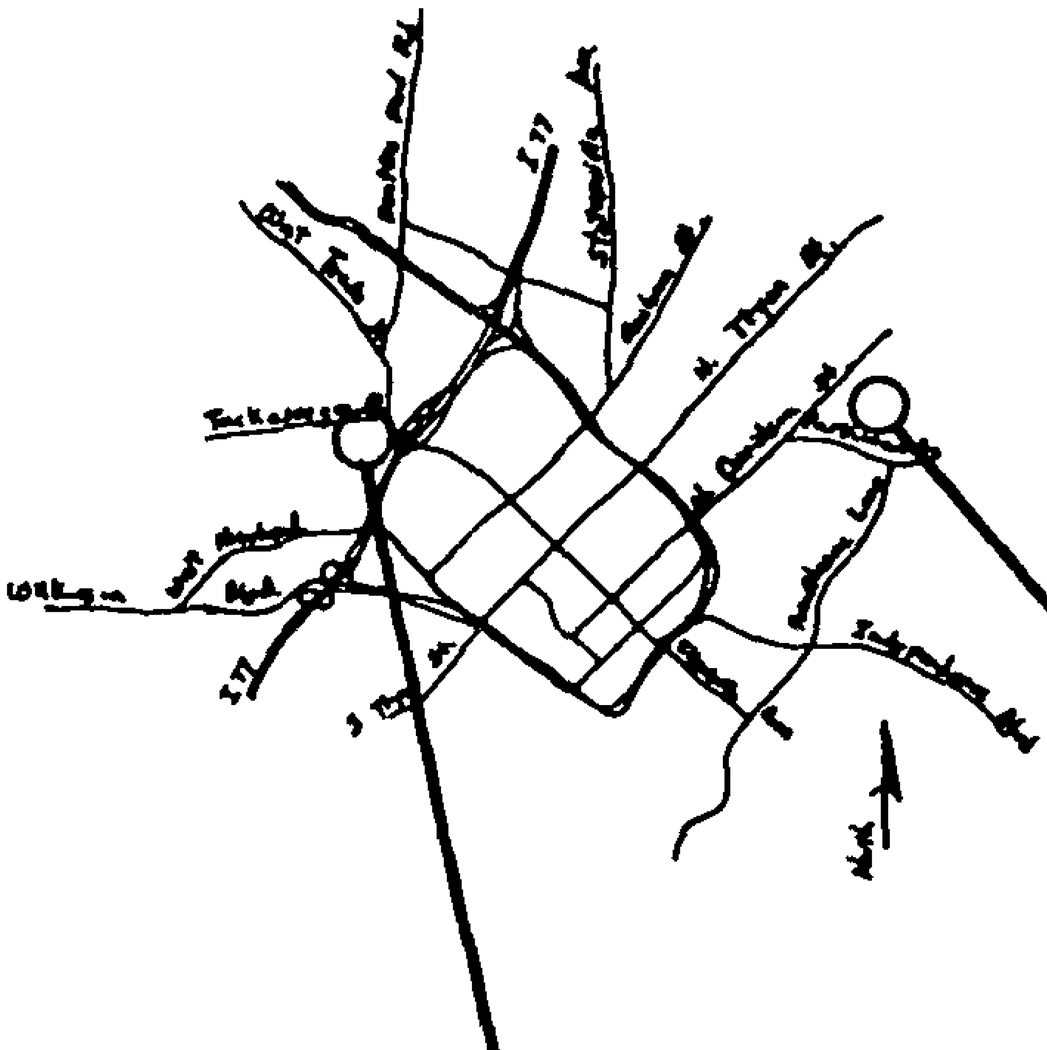
10. Waste Management Advisory Committee - ONE RECOMMENDATION TO THE COUNTY COMMISSION for an unexpired term ending September 30, 1992, in the Governmental Legal Category. Mr. Thurston Frazier has resigned. Normal terms are for 3 years.

11. Zoning Board of Adjustment - One appointment beginning January 30, 1990. The incumbent, Evan Webster, does not want to be reappointed. Terms are for three years.

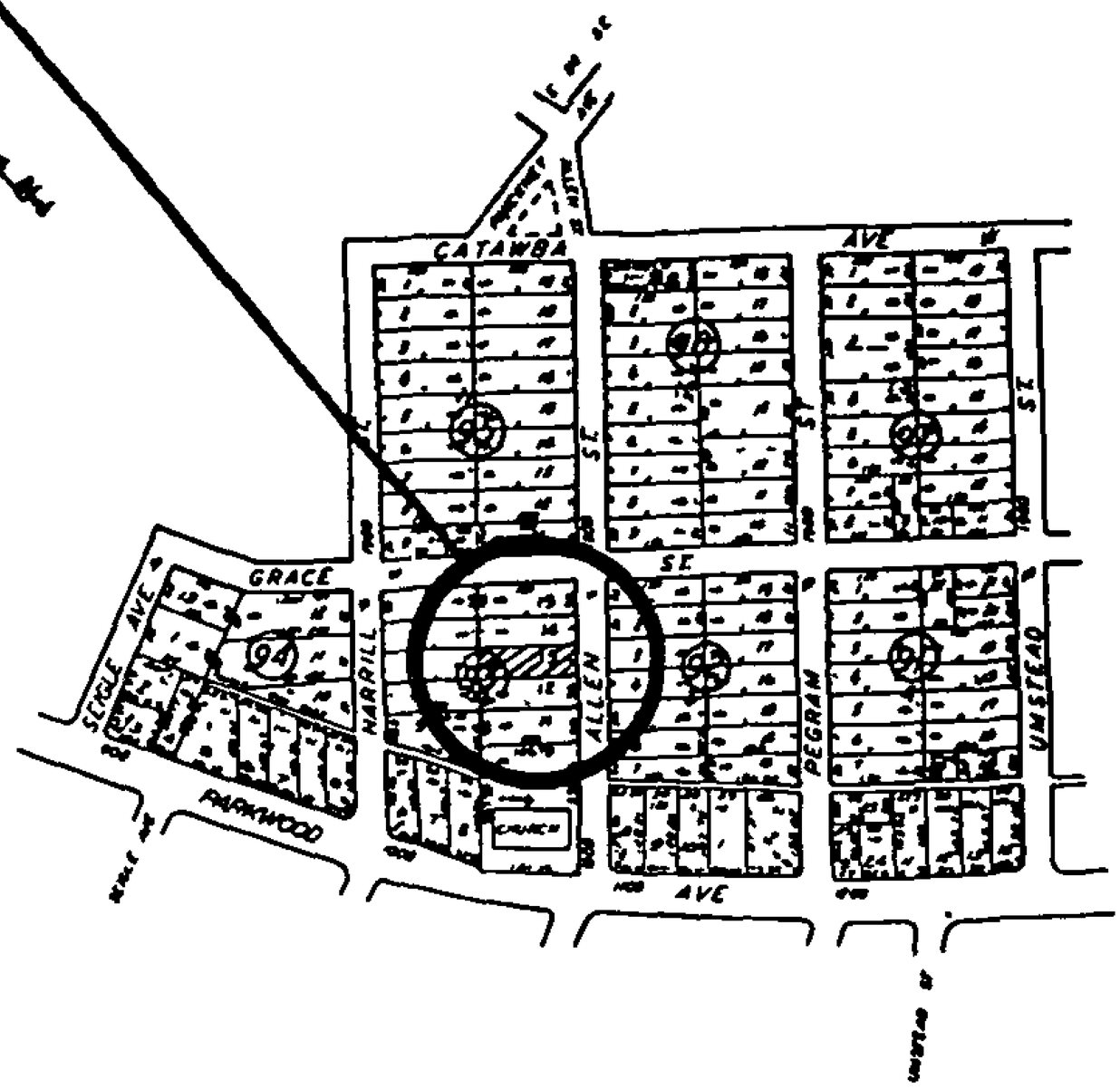
SCHEDULE OF MEETINGS
March 13, 1990 - March 18, 1990

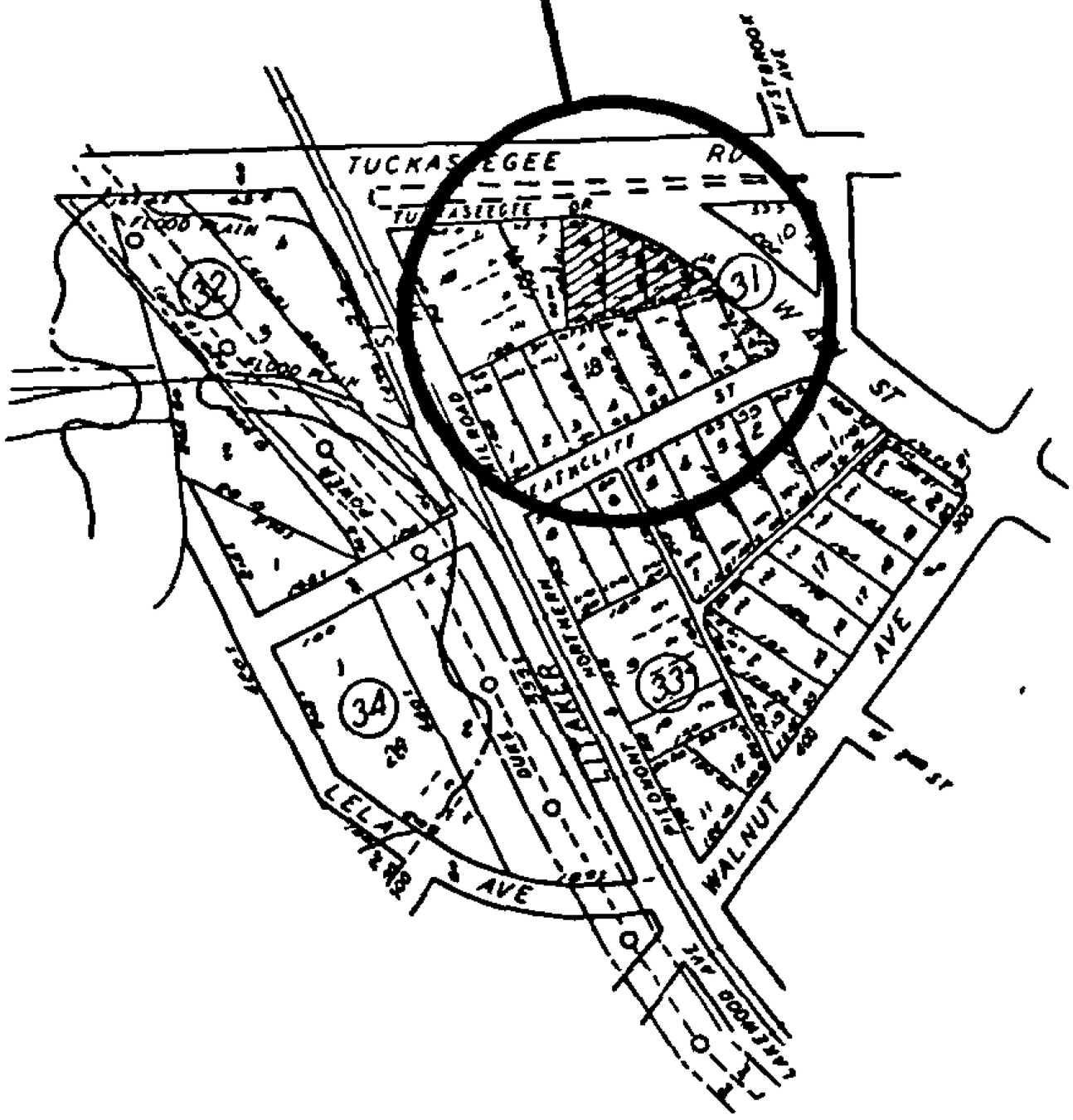
Tuesday, March 13, 1990	Political Consolidation Committee CMGC. 15th Floor Conference Room 10:00 A.M.
Tuesday, March 13, 1990	Council/County Commission/School Board Luncheon CMGC, Room 267 12:00 Noon

LOCATION MAP



Tax Code: 083-093-13
Address: 1827 N. Allen St.





Tax Codes: 071-031-14
071-031-15
071-031-16
Address: Tuckaseegee Drive

Habitat for Humanity
CHARLOTTE

425 East 17th Street PO Box 34397 Charlotte North Carolina 28234 Phone 704 376 2054

COMMUNITY DEV
'90 FEB 20 11:31

February 14, 1990

Jay W. Walton
Community Development Department
600 East 4th Street
Charlotte, NC 28202

Dear Jay:

As we continue to work toward an appropriate agreement with the City, I want to bring you up to date on some present recommendations by the Executive committee of Habitat For Humanity. To put these recommendations into a proper frame of reference, I've noted below a brief summary of this process to date:

1. We first approached you in February 1989 to seek an interest free loan as a form of stop-gap funding for Habitat in the event that we ran into fund raising difficulties. With your support after some discussion, we agreed to seek loans totaling $400,000 per year for three years.

2. This agreement was presented to City Council and approved by Council on April 24, 1989.

3. Our attorney and the City's attorney then worked out the legal document to support the approval granted by the City Council.

4. Both the City and Habitat Board agreed on the language developed by the attorney, but prior to actual signatures, we received strong resistance to the document from Millard Fuller, Executive Director of Habitat International, on the basis of a policy opposing acceptance of government funds.

5. Because of Habitat Charlotte's high visibility in Habitat International and our wish to be a team player, we came back to you with a suggestion that we work through the Charlotte-Mecklenburg Housing Partnership, so that the funds would come through the Charlotte Mecklenburg Housing Partnership, rather than directly from the City.

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Habitat for Humanity
CHARLOTTE

425 East 17th Street PO Box 34397 Charlotte North Carolina 28234 Phone 704 376 2054

6. Discussion with you and Pat Garrett of Charlotte-Mecklenburg Housing Partnership and individual Council members indicated there was no problem with this approach and, again, we asked our attorney to draw up the appropriate documents, of which a first draft has been completed. That brings us up to the present.

As our Executive Committee considered the draft mentioned above, two developments were noted:

1. We raised over $950,000 in 1989, and we are off to a good start in 1990, giving rise to a concern as to our need for City funds in the amounts proposed. We believe it would be irresponsible for us to request funds we doubt we can use.

2. Habitat International has recently reviewed its policy on the use of government funds and has revised its position so that affiliates can now accept government funds provided such funds are used only for the purchase of land, infrastructure and houses suitable for rehabilitation.

With these new developments, Jay, our Executive Committee would like to alter (again!) our request to the City and urge the City to make us an interest free loan of $300,000 for fiscal year 1991. We would use these funds for the purchase of land infrastructure and houses suitable for rehabilitation. Most of the money would be spent in Belmont, but we would hope that expenditures not be limited to Belmont. We would propose repayment over a period of 15 years, beginning in the first quarter of fiscal year 1992. Since the revision of Habitat International's policy, we would also hope for any grants. As you know we are so capital intensive, and any assistance thru grants would be appreciated and now accepted by Habitat International. We are confident that we can efficiently use these funds for the purposes mentioned and know they will add significantly to our work of providing housing for low income families.

While our previous request dealt with funding over three years, our experience has shown that we can make more responsible requests to the City if we do so one year at a time. Consequently, this appeal is only for fiscal year 1991, although we would like to come back to you in subsequent years with a responsible request based on our perceived needs at that time.

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425 East 17th Street PO Box 34397 Charlotte North Carolina 28234 Phone 704 376 2054

Jay, you have been a great supporter of Habitat, and we appreciate your patience as we have gone through a fairly rigorous learning process. I hope we can meet soon to discuss this appeal. I'll call you later this month.

Best Regards,

Buck

Buck Blankenship

/jc

cc: Susan Hancock
John Chanon

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MANDATORY REFERRAL REPORT 90-5
CHARLOTTE-MECKLENBURG PLANNING COMMISSION

City Of Charlotte Community Development Department Sale Of Four Parcels Of City-Owned Land To Habitat For Humanity

PROJECT PROPOSAL AND LOCATION

The proposal consists of the sale of four parcels of city-owned land to Habitat for Humanity of Charlotte, Inc. The four parcels under consideration are:

* Parcel 083-093-13 located at 1827 N. Allen Street in the Villa Heights neighborhood.

* Parcels 071-031-14, 071-031-15 and 071-031-16 located on Tuckaseegee Drive in the Wesley Heights neighborhood.

The parcels will be sold to Habitat for a combined total appraised value of $12,200. See the attached maps.

Habitat plans to combine the three (3) parcels on Tuckaseegee Drive with land already acquired to construct a cul-de-sac and build seven (7) houses. Habitat will build one (1) house on the parcel in Villa Heights. All houses will be built for low to moderate income persons participating in Habitat's sweat-equity program.

PROJECT JUSTIFICATION

The sale of the four parcels is consistent with the City's Housing Plan which recommends joint City and nonprofit organization efforts to address housing problems. This project is justified because it represents an opportunity to provide affordable owner occupied housing in areas where it is needed.

PROJECT IMPACT

Both the Wesley Heights and Villa Heights neighborhoods are a mixture of single family and multi-family development. All four (4) parcels are zoned R-6MF, however; the Draft Central District Plan recommends rezoning the three lots in Wesley Heights to R-6. The zone change should not effect the project.

From a land use perspective the project will not adversely impact the adjacent land uses. In fact, the project will have a positive impact on surrounding properties in both neighborhoods. The project could serve as a catalyst to attract other nonprofit and/or private sector involvement and interest in both neighborhoods.

PROJECT COST

Estimate costs include $12,200 for the four (4) parcels and $226,800 for materials for four (4) houses. The $226,800 is for Habitat's actual cost for material and labor for the foundations, plumbing, heating and air condition. All other labor will be done by volunteers.

STAFF RECOMMENDATION

The project provides an opportunity for the City to work with a nonprofit organization in an effort to provide affordable housing for low to moderate income families. The project is consistent with adopted City Housing Plans and Policies. Staff recommends that the property be sold to Habitat for Humanity of Charlotte, Inc.

PLANNING COMMITTEE RECOMMENDATION

Planning Committee recommends that this Mandatory Referral be approved.

M E M O R A N D U M

DATE: March 7, 1990

TO: R. N. Pressley, Director
Department of Transportation

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Uptown On-Street Parking Study

We have concluded the 90-day study of nighttime and weekend on-street parking in Uptown. We recommend that City Council convert the experimental program to an on-going program administered by our Department under City Code Section 14-57, which allows the Director of the Department of Transportation to install remove, relocate or change official traffic control devices on City streets. The regulation of parking is a function our Department is happy to administer and will continue to do with sensitivity to Uptown concerns.

As a result of the 90-day study, we plan the following modifications:

Improved Signing - We plan to install green and white parking signs to indicate when nighttime and weekend parking is allowed. People apparently confuse the red and white "No Parking Anytime" signs with the red and white signs that restrict parking only during certain hours. Twice the number of signs will be required where parking is permitted - one red and white for the restriction and one green and white for the permitted parking.

Expanded Parking - We plan to increase the amount of nighttime and weekend parking where there is a demand and where doing so will not create a safety or operational problem. Demand would be based on the presence of nighttime and weekend commercial, retail, or institutional activities or where we receive a request. Criteria for allowing parking would be determined by our Department, following the general guidelines outlined in the attachment to this report. A more detailed listing of locations where more parking will be allowed appears in the Request for Council Action for the March 12, 1990 meeting.

Develop an Inventory Map - We plan to maintain a map of Uptown on-street parking to track changes in curb use required by street improvements, building construction, safety considerations, or changing transit operations.

The above changes will be implemented over the next six months.

Issues raised during the 90-day study are discussed below:

Additional parking on Trade and Tryon Streets - Because of increased potential for traffic accidents and the less efficient operation of Charlotte Transit and because of nighttime street/sidewalk cleaning operations, no additional on-street parking on Trade or Tryon Streets is recommended.

Parking on both sides of one-way streets - Since few one-way streets in the Central Core Area of Uptown are more than three lanes, parking on both sides of one-way streets would reduce such streets to one lane, causing congested traffic flow even during nighttime and weekend hours. Even where four lane one-way streets exist, the right hand curb lane needs to remain clear of parked vehicles to allow safe pick-up/drop-off of passengers and to accommodate rerouted Charlotte Transit buses which operate on College, Church, Third, Fourth, Fifth, Sixth, and other streets during Uptown festivals and other events requiring street closures.

Numbers of parking spaces - In determining the number of available spaces, we allow 22 feet per vehicle. The number of spaces initially installed was estimated at 150. The additions we plan would add approximately 70 spaces. Since curb space is not marked, smaller vehicles can be parked in less distance. The actual number of available nighttime/weekend spaces is greater. More spaces will be added as we expand on-street nighttime and weekend parking.

Employee Parking - As much as 60 percent of the week night on-street parking is by employees who park on the street rather than park in a deck or surface lot. Since the on-street parking is not restricted to 60 or 120 minutes or other time limit, such use cannot be effectively enforced. Uptown businesses are asking employees not to use the free on-street parking.

Off-street parking availability - Off-street parking is abundantly available in Uptown at nighttime and on weekends. The Central Charlotte Association

(CCA) has indicated it will work with parking deck and lot owners to make space available off-street at a reasonable rate.

Enforcement - In establishing the current parking program, City Council endorsed enforcement of Uptown parking restrictions, including towing of vehicles. The Charlotte Police Department has developed a procedure to accomplish this objective. Council's continued support of the enforcement program is important if Uptown on-street parking is to be successful.

Emergency No-Parking During Events - The Charlotte Police Department has agreed to bag (or cover) permissive parking signs with "Emergency No Parking" signs when Uptown festivals, parades, street closures, or other events require. The Charlotte Police Department agrees to continue this practice. If it becomes too burdensome, installation of "Emergency No Parking" signs might be required of the person or agency sponsoring the event.

If you have questions, please advise.

RDG:nsk

cc: Bill Finger
Randy Jones
Scott Putnam

Criteria for Uptown On-Street Parking
(6:00 pm to 5:00 am Monday-Friday and All Day Saturday and Sunday)

1. Streets/locations which qualify

   a. Left side of one-way streets having three or more lanes.

   b. Curb lanes that are approximately 18 feet in width, whether located on a one-way or two-way street with at least two lanes marked in the direction parking is allowed.

   c. Locations where daytime parking is allowed.

   d. Locations where loading zones are allowed for daytime use only.

   e. Other streets and locations approved by the Charlotte Department of Transportation.

2. Streets/locations which do not qualify

   a. Streets which have only two lanes in a single direction and the curb lane is less than 18 feet in width, unless approved by the Charlotte Department of Transportation.

   b. Tryon Street within the Inner-Freeway Loop, except between 8th and 9th Streets.

   c. Trade Street within the Inner-Freeway Loop, except on East Trade Street where parking pull outs are provided.

   d. Streets adjacent to building construction sites where contractors are allowed to close all or a portion of sidewalks or travel lanes.

   e. Exclusive use lanes (right-turn only lanes, left-turn only lanes, bus only lanes, and lanes beginning or terminating as a ramp to or from another street or facility.)

   f. Locations or streets where the Charlotte Department of Transportation has determined that nighttime or weekend parking is unsafe or in conflict with other City priorities.

3. Emergency No-Parking Anytime Provisions for Nighttime and Weekends

   a. The Charlotte Police Department reserves the right to install emergency no parking anytime restrictions.

   b. Since, for events and festivals, streets may be closed and vehicles and transit rerouted onto streets where nighttime and weekend parking is allowed, emergency "No Parking Anytime" restrictions may have to be erected to assure the safe and efficient operation of transportation in Uptown. The need

for restrictions will be reviewed as part of the permitting of parades and streets closures. The Charlotte Police Department initially has agreed to install temporary "No Parking Anytime" signs to cover signs which permit parking. Should the task be too burdensome, the event or festival sponsor may have to install the temporary signs and then have the installations certified by the Charlotte Police Department.

4. Minimum clear distance/safety distance guidelines for restricting nighttime and weekend parking

   a. Within 20 feet of the edge of a driveway or alley.

   b. Within 20 feet of a fire hydrant.

   c. Within 20 feet of the edge of a sidewalk intersecting perpendicular to the street, except at intersections.

   d. Within 30 feet of a crosswalk line at an intersection.

   e. Within 40 feet of the edge of an intersecting street where crosswalk lines are not marked.

   f. Within 75 feet along the curb face of a street opposite a fire station or loading dock driveway (the edge of which is projected to the opposing curb face), where trucks require the entire width of the street to maneuver.

   g. Within a distance at bus stop or other curb uses determined by the Charlotte Department of Transportation to be appropriate for the safe operation of vehicles and movement of pedestrians.

HOUSING ASSISTANCE PLAN

At the February 5, 1990 workshop, staff shared with you proposed changes to your Housing Assistance Plan (HAP) Locational Policy criteria. Staff has added the following to the proposed changes of the HAP Locational Policy based on comments and discussions at the workshop:

- Added three objectives to Locational Standards.

  1. Protect racially integrated neighborhoods.
  2. Pursue housing proposals responsive to the School System's Pupil Assignment Plan.
  3. Promote community development of selected neighborhoods.

- Reduced census tracts where black population exceeds 40% to 25% under Prohibited Areas (see Exhibit 3 - Criteria A.3). This change made the following 5 census tracts prohibited: 15.01, 38.03, 38.04, 54.02 and 61 (see attached map). This proposed change meets the new objective to protect racially integrated neighborhoods.

- Stipulated how Request for Proposals will be evaluated (see Exhibit 3 - Criteria J.)

Since the February 5, 1990 workshop, at City Council's direction, the following has occurred:

1. On February 16, 1990, the HAP presentation was given to the Board of Education staff, the Housing Authority and the Housing Partnership. Comments are attached as Exhibit 6.

2. A public hearing was held on February 26, 1990, and minutes of the public hearing are attached as Exhibit 7.

3. A HAP presentation was made to the Board of Education at its February 27, 1990 meeting. No questions were asked by the Board, and the comments made by the Chairman were supportive.

As a result of the public hearing, additional changes are as follows:

- Permits a 5-10% ± variance in maximum number of units depending upon topography, site plan and design of units (see Exhibit 3 - Criteria G.).

- Adds the Assistant Superintendent for Planning and Research of the Charlotte-Mecklenburg Schools to the Innovative Housing Committee (see Exhibit 3, Criteria J.1.).

- Provides for Community Relations staff to review and comment on racial composition in the neighborhoods within census tracts of the RFP's prior to the Innovative Housing Committee's recommendations to City Council (see Exhibit 3, Criteria J.1.).

We are providing you the same information on the HAP that was given you at the workshop; a synopsis background of the HAP, the highlights of the major components of the existing HAP Locational Policy criteria, the highlights of the major components of the proposed HAP Locational Policy criteria and the highlights of the differences and similarities between the existing and proposed criteria. However, the text of the information has been updated and changes to the original text have been underlined.

BACKGROUND

The current HAP was revised and approved by City Council on November 14, 1989. Prior to the last revision, City Council had discussed and reviewed the HAP during Council workshops on September 5 and October 9, 1989. During these discussions, staff was directed to research options for concentration and size of assisted housing units. Staff has reviewed several Housing Assistance Plans from around the country and particularly liked the HAP Locational Policy criteria being utilized in Seattle, Washington and some of the criteria was incorporated into the proposed HAP. These proposed changes were presented to you at your February 5 workshop, a HAP presentation was made to the Board of Education staff, the Housing Authority and the Housing Partnership on February 16, 1990, a public hearing on the proposed changes to the HAP was held at your February 26, 1990 meeting, a presentation of the HAP was made to the Board of Education at their February 27, 1990 meeting, and you will be considering approval of the proposed changes at your March 12 meeting. Please be aware that the current HAP is in effect until September 30, 1991. The attached Exhibit 1 gives an overview of the HAP, its definition, its purpose and its uses.

HIGHLIGHTS OF THE MAJOR COMPONENTS OF THE EXISTING HAP LOCATIONAL POLICY CRITERIA

The primary objectives of the Locational Policy criteria are the following:

- Avoid concentration of low income persons
- Leverage private dollars
- Provide for scattered site housing (geographic dispersal)
- Ensure economic and racial integration of areas

Our existing HAP Locational Policy criteria provides for the following categories of new construction assisted housing:

- Federally built public housing
- City built public housing
- City/Housing Authority transitional housing
- Public/Private Housing Developments

The definitions of these various categories of assisted housing are listed in the attached Exhibit 2.

There are seven major policy criteria that determine where the different types of housing can and cannot be built, which are identified and defined in Exhibit 3 under the heading "Existing Criteria".

There are a total of 83 census tracts located within the City of Charlotte. Applying and analyzing this criteria results in the following which is shown on the attached Map - Exhibit 4:

- Within these 83 census tracts, there are 45 ineligible areas that prohibit assisted housing projects from being built within a 1/2 mile radius of another assisted housing project of 25 or more units.

- 44 or 53%* of the 83 census tracts are ineligible census tracts for the following reasons:
  - 36 census tracts are ineligible because of low income concentrations (50% or more of the households earn 80% or less of the median income);
  - 6 census tracts are ineligible because black population increased more than 15% between 1970 and 1980;
  - 2 census tracts are ineligible because its 1980 black population was greater than 40%.

Therefore, 39 (or 47%) census tracts are eligible to receive assisted housing projects of 25 or more units based on our existing criteria.

HIGHLIGHTS OF THE MAJOR COMPONENTS OF THE PROPOSED HAP LOCATIONAL POLICY CRITERIA

Added the following 3 objectives based on Council's direction at the February 5, 1990 workshop:

- Protect racially integrated neighborhoods.
- Pursue housing proposals responsive to the School System's pupil assignment plan.
- Promote community development of selected neighborhoods.

In Exhibit 3 under the heading "Proposed Criteria", there are ten major policy criteria that determines where the different types of housing can and cannot be built. One additional section (J) was added based on Council's discussion at its February 5, 1990 workshop.

*Some census tracts may be ineligible due to more than one criteria.

The following additional changes in Exhibit 3 under the heading "Proposed Changes" were added:

- Criteria G., Maximum Units.
  (5-10% + variance is permitted depending upon topography, site plan and design of units.)

- Criteria J.1. Evaluation of Request for Proposals.
  Assistant Superintendent for Planning and Research of the Charlotte-Mecklenburg Schools to the Innovative Housing Committee.

- Criteria J.1. Evaluation of Request for Proposals.
  Prior to the Innovative Housing Committee's recommendation to City Council, the Innovative Housing Committee will allow the Community Relations staff to review and comment on the aspect of changing racial composition in the neighborhoods within census tracts of the RFP's.

Applying and analyzing this criteria on the 83 census tracts within the City results in the following which is shown on the attached Map - Exhibit 5:

- Within these 83 census tracts, there are 45 prohibitive areas that prohibit assisted housing projects from being built within a 1/4 mile radius of another assisted housing project of 25 or more units.

- 43 or 51%* of the 83 census tracts are prohibited census tracts for the following reasons:

  - 11 census tracts are prohibited because assisted housing exceeds 5% of the total housing stock within the census tract;

  - 25 census tracts are prohibited because of low income concentrations (50% or more of the households earn 80% or less of the median income);

  - 7 census tracts are prohibited because its 1980 black population was greater than 25% .

- 19 census tracts are restricted areas and may receive additional assisted housing within the limitations of 5% of the total housing stock within the census tract.

- 21 census tracts are priority areas because no assisted housing units exist in these census tracts and Council would give priority for new assisted housing.

- Identifies 12 current Special Objective Areas

Therefore, 40 (or 49%) census tracts are eligible to receive assisted housing projects of 25 or more units based on the proposed criteria.

*Some census tracts may be ineligible due to more than one criteria.

HIGHLIGHTS OF THE EXISTING AND PROPOSED HAP LOCATIONAL POLICY CRITERIA WHICH ARE THE SAME

- Objectives of Locational Standards (Deleted)
- Does not allow new assisted housing projects in census tracts where 50% or more of households earn 80% or less of City-wide median income.
- Does not allow new assisted housing projects where the black population exceeds 40%. (Deleted)
- Seeks long term affordability.
- Provides Policy exemptions for:
  - Elderly/handicapped housing
  - Assisted housing developed for homeownership
  - Rehabilitation
  - City Council can exempt projects from any of the stated criteria on a case-by-case basis
  - North Carolina Housing Finance Agency Bond Financing

HIGHLIGHTS OF THE MAJOR DIFERRENCES BETWEEN THE EXISTING AND PROPOSED HAP LOCATIONAL POLICY CRITERIA

Existing HAP Differences:

- Public/private housing projects are exempt from a maximum number of units.
- Census tracts are ineligible where the black population has increased by 15% or more between 1970 and 1980.
- Maintains a 1/2 mile radius between existing housing projects.

Proposed HAP Differences:

- Regulates the number of housing units that can be built within a census tract and within the City.
- Limits the maximum number of all categories of assisted housing to 50 units per project. (Provides 5-10% ± variance.)
- Identifies priority census tracts to build assisted housing.

- Makes available five additional census tracts to build assisted housing in because the black population increased over 15% between 1970 and 1980. (This criteria was deleted because these 5 census tracts did not comprise the majority of black or low income residents.) (Deleted)

- Adds objective to protect racially integrated neighborhoods and obtain objective by reducing census tracts where the black population exceeds 40% to 25%.

- Stipulates how Request for Proposals will be evaluated.

- Identifies special objective areas where assisted housing can be built for revitalization purposes.

- Reduces the radius between assisted housing projects from 1/2 mile to 1/4 mile.

- Provides criteria for market rate housing project conversion into assisted housing.

SUMMARY

If Council decides to leave the HAP as is, no action is required because the current HAP will remain in effect to September 30, 1991. If Council decides to modify the HAP to address concentration and size of assisted housing projects, the following procedures need to be followed:

1. hold a public hearing to receive comments on the HAP and proposed revisions (was held February 26, 1990);

2. adopt the revised HAP (to be considered March 12, 1990); and

3. submit to HUD for review and their final approval.

March 12, 1990

HOUSING ASSISTANCE PLAN

The Housing Assistance Plan (HAP) is a narrative and statistical document that outlines the needs, goals and locations for various types of housing for low and moderate income households. The HAP identifies all housing policies and housing programs for the City of Charlotte including some activities not funded by Community Development Block Grant (CDBG) funds. Each City which expects to receive a CDBG Entitlement Grant must have a three year HAP approved in accordance with HUD regulations.

Purposes of the HAP

1. To provide a survey of the conditions of the City's existing housing stock.

2. To provide an assessment of the housing assistance needs of low and moderate income households.

3. To specify a three-year goal for the number of low and moderate income households to be assisted.

4. To provide an annual goals report.

5. To provide a description of the general locations of proposed assisted housing for low income persons.

Uses of the HAP

The HAP is used by the Department of Housing and Urban Development (HUD) and the City in different but related ways. The uses are listed below:

HUD

1. For decisions in allocating assisted housing funds.
2. To monitor a local government's assisted housing provisions to assure compliance with the HAP.

CITY

1. To maintain data on the conditions of the City's housing stock.

2. To maintain an assessment of the housing needs of low and moderate income households.

3. To develop annual housing goals to respond to the needs of low and moderate income households.

4. To determine and document the possible locations of proposed assisted housing.

DEFINITIONS

FEDERALLY-BUILT PUBLIC HOUSING:

This includes conventional public housing and Section 8 new construction. Federal funds come to the City via the Housing Authority to provide housing for persons who earn 80% or less of the local median income.* These housing units are managed by the local Housing Authority. There is no restriction as to how long persons may live in public housing.

CITY-BUILT PUBLIC HOUSING:

These are multi-family public housing developments totally financed by the City to house persons who earn 80% or less of the local median income.* These units are managed by the Charlotte Housing Authority. There is no restriction as to how long persons may live in public housing.

CITY/HOUSING AUTHORITY TRANSITIONAL HOUSING:

This housing is developed using a combination of private and City funds. One such project currently under development in Charlotte is Project Stepping Stone. This housing is targeted for persons earning a minimum of $13,000 and a maximum of 80% of the local median income annually.* The minimum income is required so that participants in the program can be assured of sufficient resources to enable them to move into private housing within 5-7 years. During their years of participation, residents receive financial, employment and homeownership counseling, in addition to opportunities for job and training opportunities and supportive services. This program offers the opportunity to move from dependency to self-sufficiency in the private market. This housing is managed by the Housing Authority, with services provided by the Housing Authority, the Department of Social Services, Employment and Training Department, Project Self-Sufficiency, Stepping Stone Housing and other local agencies.

PUBLIC/PRIVATE HOUSING:

These are developments financed 25% or more by private funding. Private financing includes any funds which are non-tax initiated dollars such as property tax, sales tax, etc. A percentage of such units are reserved for persons who earn 80% or less of the median income.* Such projects will be owned by a private on non-profit entity, and may be managed either privately or publicly.

*80% of the local median income for a family of four in 1988 is $26,150 annually.

FOR COUNCIL CONSIDERATION
March 12 1990

Exhibit 3
HOUSING ASSISTANCE PLAN

LOCATIONAL POLICY CRITERIA

EXISTING CRITERIA	PROPOSED CRITERIA
OBJECTIVES OF LOCATIONAL STANDARDS • Avoid Concentration of Low Income Persons • Leveraging Private Dollars • Geographic Dispersal • Encourage economic/racial Integration of Areas	**OBJECTIVES OF LOCATIONAL STANDARD** Previous Objectives Plus the Following • Protect racially integrated neighborhoods • Pursue housing proposals responsive to the School System s Pupil Assignment Plan • Promote community development of selected neighborhoods
A. INELIGIBLE AREAS: Areas within a ½ mile radius (property line to property line) of any 100% assisted housing project (Federally or City Built Public Housing) of 25 or more units are ineligible Exemptions from the ½ mile radius include 1 City/Housing Authority Transitional Housing but ineligible census tracts standard will apply 2 Public/private ventures using Low Income Housing Tax Credits and/or City s Innovative Housing fund if the project is funded 50% or more by private funds or the project is funded 25% or more by private funds and has at least 5% equity and is 100% privately owned and managed	**A. PROHIBITED AREAS:*** 1 Areas within a ¼ mile radius (property line to property line) of any assisted housing project ≥25 units Assisted housing is hereafter defined as any housing project with public financial assistance such as Federal or City built public housing public/private ventures using Low Income Housing Tax Credits and/or the City s Innovative Housing Fund and City/Housing Authority Transitional Housing
B. INELIGIBLE CENSUS TRACTS: 1 Census tracts where 50% or more of households earn 80% or less of the City wide median income are ineligible for additional Federally built public housing, City built public housing and City/Housing Authority transitional housing Public/private venture projects are exempt if 40% or less of the units are reserved for households earning 60% or less of median income	2 Census tracts where 50% or more of households earn 80% or less of the City-wide median income are ineligible for additional assisted housing
2 Census tracts where the black population exceeds 40%	3 Census tracts where the black population exceeds 25%
3 N/A	4 Census tracts where the total number of assisted housing units exceeds 5% of all housing units in a census tract
4 Census tracts where the black population has increased by 15% or more between 1970 1980	4 Deleted
5 City Council can exempt projects on a case by case basis	5 Same —Moved to Section H Policy Exemptions

*(Combines Existing Criteria Ineligible Areas and Ineligible Census Tracts)

LOCATIONAL POLICY CRITERIA

(continued from page 1)

EXISTING CRITERIA	PROPOSED CRITERIA
N/A	**B. RESTRICTED CENSUS TRACTS** Census tracts not meeting the prohibited criteria and with less than the 5% maximum number of assisted housing units are eligible for additional assisted housing units up to the maximum limit
N/A	**C. PRIORITY CENSUS TRACTS** Census tracts not meeting the prohibited criteria and currently without any assisted housing will be given priority for funding
N/A	**D. SPECIAL OBJECTIVE AREAS** Areas encompassing approved Small Area Plans or Special Project Plans that include recommendations for assisted housing will be considered for additional assisted housing by City Council on a case by case basis even when located within census tracts meeting the prohibited criteria
C. 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	**E. LONG-TERM AVAILABILITY** Same
D. CENSUS TRACTS EXTENDING BEYOND CITY LIMITS Eligible or ineligible based upon entire census tract s data	**F. CENSUS TRACTS EXTENDING BEYOND CITY LIMITS** Prohibited Restricted or Priority census tracts are based upon entire census tract s data
E. MAXIMUM UNITS Not more than 50 units per site for Federally or City built public housing Public/private ventures using Low Income Housing Tax Credits and/or the City s *Innovative Housing Fund are exempt*	**G. MAXIMUM UNITS** No more than 50 units per site are permitted for all program approaches (5 10% ± variance is permitted depending upon topography *site plan and design of units*)

LOCATIONAL POLICY CRITERIA

(continued from page 2)

EXISTING CRITERIA	PROPOSED CRITERIA
F. POLICY EXEMPTIONS	**H. POLICY EXEMPTIONS**
1 Elderly/handicapped housing	1 Same
2 Single family units under Section 234 Program North Carolina Housing Finance Agency or similar below market housing	2 Same
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)	3 Delete
4 Assisted units developed for homeownership	4 Same
5 N/A	5 Project conversions defined as market rate units where at least 51% of the units convert to assisted housing will be considered for funding assistance on a case by case basis by City Council These assisted housing units will be included when calculating the 5% limit for assisted housing in a census tract Project conversions are not subject to the ¼ mile radius criteria or the 50 unit limit per project However these projects will be reviewed case by case and are subject to City Council exemption
6 N/A	6 City Council can exempt projects from any of the above stated policy criteria on a case by case basis
G. NORTH CAROLINA HOUSING FINANCE AGENCY (NCHFA) BOND FINANCING	**I. 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	Same

PROPOSED CRITERIA

J. EVALUATION OF REQUEST FOR PROPOSALS

1 Proposals will be reviewed by the Innovative Housing Committee The composition of the Committee includes

Assistant City Manager for Policy and Evaluation
Assistant City Manager for Development Services
Director Community Development Department
Director Planning Commission
Director Finance Department
Assistant Superintendent for Planning and Research Charlotte Mecklenburg Schools
Two Board members of the Charlotte Housing Authority
Two Board members of the Housing Partnership

This committee will provide a technical review of all proposals and RFP s and make recommendations to City Council Prior to the Innovative Housing Committee s recommendations to City Council the Innovative Housing Committee will allow the Community Relations staff to review and comment on the aspect of changing racial composition in the neighborhoods within the census tracts of the RFP s

2 Responding proposals will be evaluated on all of the following but must comply with items a and b

a Priority assistance is to be provided to families earning 40% or less of median income and living in substandard overcrowded or unaffordable housing or are residing in public housing and are listed on the Charlotte Housing Authority s Master List needing housing

b 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

c The project s 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

d Land use and urban impact of projects on neighborhoods and commercial areas

e Neighborhood renewal and number of housing units

f 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 and the terms of the City loan in regard to payback of City funds for reuse within the Innovative Housing Fund

g If tax credits are required for the project and subsequently endorsed by the City then the submission must meet all criteria required by the North Carolina State Housing Finance Agency The City will give priority to projects that utilize multiple leveraging mechanisms such as tax credits in addition to any City subsidy

h Design compatibility with the neighborhood impact on the viability of the neighborhood the provision of necessary amenities for children availability of public transportation and assurance of a good maintenance program

COMMENTS ON THE PROPOSED CHANGES TO THE HOUSING ASSISTANCE PLAN LOCATIONAL POLICY

At City Council's request, a meeting was held on Friday, February 16, 1990 at 2:00 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center for a presentation of the proposed changes to the Housing Assistance Plan Locational Policy and to receive comments from representatives of the Charlotte-Mecklenburg Schools, the Charlotte Housing Authority and the Charlotte-Mecklenburg Housing Partnership regarding these proposed changes.

J. W. Walton, Director of the Community Development Department made the presentation and a question and answer/discussion period followed.

Charlotte-Mecklenburg Schools was represented by Harold Deal, Assistant Superientendent for Planning and Research. Comments received were:

- Generally supportive of the proposed changes and believed they would enhance the School Board's goals of spreading assisted housing throughout the City thereby helping to alleviate some of the busing necessary to maintain black/white ratios.

  - Example given of how this is working in the Hickory Grove Area where an assisted housing project was built.

- Encouraged by the efforts being taken to coordinate HAP with School Board.

Charlotte-Mecklenburg Housing Partnership was represented by Pat Garrett, President, Peter Hubicki, Director of Operations, Tom Herrin, Board Member, Perrin Henderson, Board Member, and Ned Bishop, Board Member. Comments received were:

- Interested in understanding what impact the proposed changes would have on their efforts to develop affordable housing.

- Wanted to ensure that any efforts by the Housing Partnership to develop projects of 24 units or less in the prohibited areas would be exempt from the HAP.

- Wanted to be sure we do not loose sight of goal to provide affordable housing for poor. Land cost and rezoning problems may be prohibitive in southeast Charlotte.

- There needs to be some effort to address issue of vacant rental units on the west side and to ensure that efforts to build assisted housing in the priority areas do not aggravate this problem.

- Would we loose bonus points from the North Carolina Housing Finance Agency by high land cost? It was stated that cost may have to be under $45,000 to get these bonus points, and if this is true we may need to get amended with State.

Charlotte Housing Authority was represented by Larry Loyd, Acting Executive Director, Kitty Huffman, Board Member, Otis Crowder, Board Member, Ricky Hall, Board Member and Bob Sink, Attorney.

- City Council is moving in the right direction. However, concerned about cost of land in priority areas and rezoning problems. Have to be willing to rezone land especially if public/private housing wanted in the priority areas.

- Would there be any way to work in concert with the School Board and block out tracts of land for assisted housing where new schools are built similar to the way the School Board and City's Park & Recreation Dept. work out school and park land combinations.

PUBLIC HEARING ON PROPOSED CHANGES TO THE HOUSING ASSISTANCE PLAN

Councilmember Scarborough asked how did the City get a message out to the public on having this hearing She stated she had heard people say they did not know about the public hearing at this meeting.

Mr. Jay Walton stated the hearing was advertised in the Charlotte Observer and the Charlotte Post, and letters were mailed to all known developers and people who had shown previous interest in the program.

Ms Carole Hoeffener stated she was the vice chairman of the Charlotte Housing Authority, and thanked Council for the invitation to respond to the staff proposals for the change in the locational requirement in the HAP Plan. She stated that it was not very many years ago that segregated housing was legal. In the 70's there was a court action that stated it was unconstitutional, and thus the birth of scattered site housing resulted Today we have about 15 scattered sites in Charlotte housing over 2000 residents, and it works. She stated there was a very positive attitude of the residents of the scattered sites, and the Housing Authority found that there was not a disproportionate amount of crime or drugs or other socials ills in these sites. There was more community involvement from the neighborhoods, the churches, and different civic organizations, and also there seemed to be much more economic development with the residents in the sites Ms Hoeffener introduced Larry Lloyd of the Housing Authority

Mr Larry Lloyd of the Housing Authority showed some slides beginning with Piedmont Courts in 1941 before the Housing Authority was created Piedmont Courts represented a concentrated effort to provide safe and affordable housing for Charlotte citizens Now, almost 50 years later, he said it was still serving its intended purpose, housing people In the late 1970's, research indicated that the scattered site concept was the best approach for the City to provide this type of low income housing In the early 80's, the City of Charlotte financially committed itself to the scattered site housing program developed and managed by the Charlotte Housing Authority. He wanted the City to see what its commitment had meant to the residents of the scattered site housing program He showed Victoria Square which was developed in 1984 and houses approximately 168 people Without the City's commitment to the scattered site housing program, there was no telling where these people would be living or how The next slide was Claremont, located one block away from Channel 42, WTVI, developed in 1984, and houses approximately 151 people Mr Lloyd stated that Shelton Knoll was now a standing example of quality of housing evolved in the scattered housing program. Shelton is located on Arrowood Road and houses approximately 159 people. He said he felt it was important for Council to see what the City's commitment to the program had meant He showed slides of Brighton Place, Sunridge, Live Oak, and another picture showed the City's skyline from the Tall Oaks development near Midtown Square In the interest of time he did not show any more developments

Mr. Lloyd stated that given the underlying factors, the Board of Commissioners and the Housing Authority believed it was vitally important to continue the City's scattered site policy They suggested that in addition to the request for proposal policy that was being pursued, that Council pursue policies that would assure that when land was bought for any compatible public use, for instance schools, parks, fire stations, libraries, etc , that the land acquired be large enough so that a portion could be used for low income housing The Housing Authority suggested that zoning ordinances be revised to require and/or encourage a small portion of large multifamily sites that are rezoned be set aside to be acquired at a fair market value for low income housing Mr Lloyd said that finally the experience in Charlotte and across the country had shown that cities have effectively implemented scattered site programs where the program is largely self-executing. Build the best most understandable and fairest policy, then allow that policy to be implemented without any particular site becoming a political issue. When the subsidy approval process is kept separate from what a particular site is that may be selected, a self-executing policy is achieved. Mr Lloyd stated that with these implementation thoughts in mind, the Housing Authority knew the following points about the proposed HAP· (1) it does treat all types of subsidized family to family developments the same, (2) it should and does keep the

scattered site concept to 50 units, (3) the Housing Authority does agree with the change in the draft to eliminate those census tracts where the black population is greater than 25%, (4) the Housing Authority believes it is desirable to have objective criteria from the School System that can be incorporated into the HAP, (5) the general provision allowing exemption from the policy for unspecified reason should be eliminated, (6) specific objective criteria should be stated setting out when the development is allowed between the 1/2 mile and 1/4 mile radiuses, (7) the cap of 5% assisted housing units maximum per census tract is innovative and fair and should be applied regardless of the size of the development That is it should also include those of 25 units or less, (8) the second objective of the locational standards leveraging private dollars should be eliminated Where a development is built is not a matter leveraging How leveraging is done depends on what range of low income residents are targeted for assistance. The more those people are helped that are the most in need, the less leveraging can be done, (9) the Housing Authority believes there should be an objective criteria set out for allowing the conversion of existing units to low income housing.

Councilmember Clodfelter asked if those points could be given to Council in writing.

Mr Lloyd said that had been done already.

Mr Arthur Griffin stated he was a member of the Charlotte-Mecklenburg Board of Education, and was there to make two points to Council. First he thought it was exciting that the City Council was looking at providing affordable standard housing for citizens in Mecklenburg County. He said it was not very often a person got to come in and look a picture of a house like the shotgun house he grew up in over in First Ward and flash back when the then Urban Renewal Program with Vernon Sawyer sent a notice to his father about having to move and they ended up moving into Fairview Homes It was really exciting to see the opportunities for additional multifamily and single-family assisted housing expand here in Charlotte-Mecklenburg, and he wanted to thank City Council. The second point was that as a member of the School Board he had looked at a piece of correspondence that indicated the proposal evaluation committee, maybe the Innovative Housing Committee, had a responsibility to look at the impact of such housing proposals on the schools. There was no one from the School System on that committee, and he would like for the School System to be included on that committee They, as a school system, have not had an opportunity to work very closely with Council's staff on this, and they would like to do that A couple of weeks ago, Mr. Griffin said he had asked Harold Deal, Assistant Superintendent for Planning Research, to attend a meeting on the 16th. Mr. Deal noticed some concerns and shared those, but there are other concerns they would like to have an opportunity to work with City Staff on to make sure the School Board complies with and reach Council's objective, and to make sure the Pupil Assignment Plan is not adversely affected, and that the HAP would be part and parcel to future plans for building new schools Mr Griffin did not know what Council's decision would be that day, but he asked Council if they could at least defer it until such time as the two staffs could get together and provide that input, and also until such time as Council could make the School Board a part of the Innovative Housing Committee

Mayor Myrick stated there would be no decision that afternoon, but it was just a public hearing

Mr. Jim Mazzinotti of Trenton Properties, 6100 Fairview Road wanted to speak to one particular issue in the new proposed criteria, and that was within the definition of assisted housing, treating public/private ventures as assisted housing going in. Mr. Mazzinotti stated one of the problems he had with this was if you have a project that might be susceptible to City Council making an exception to if it does not meet all the criteria, if public housing wants to do it, a department head can call another department head and they can work things out and get it before Council. As a private developer, he stated they would not have that opportunity because it would be shot down and turned aside before they can possibly present it to Council. Or they would have to come City Council members first and then go through the various departments. He stated that was his biggest

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problem Mr. Mazzinotti said he had a circumstance where they have been talking to a neighborhood association with a number of houses that are currently rental houses, and they have been asked to present a proposal They talked to a major bank that is willing to give them construction financing, they have a joint venture partner from Durham who has a lot of experience with renovating low income housing for purchase, and the bank has agreed to give them construction money and to give them construction and permit money for rental housing to temporarily house the people they would have to move out of the single-family housing while they renovate, so they could then work it out to sell it to them They cannot even get the proposal presented because there is assisted housing nearby, and they asked to build more than 24 units. They asked to build 30 rental units, so they were not even considered, and could not get the information together to make a proposal. They are not going to have pass on it and go do something else. Their company particularly specializes in adaptive reuse of buildings Sometimes that will mean getting into areas that are excluded, but they are dealing with existing buildings Another area he wanted to point out was excluding neighborhoods wherein 50% of the families earn less than 80% of the median income. The United States Congress, in extending the low income credit program, made special provision for hard to develop areas that they defined as those areas where 50% or more were earning less than 60% of the median income. If that is the case and you put a project there, you then get a 130% of the basis for low income credits That is a lot of assistance to get added to the housing All Mr Mazzinotti was asking Council to do was to take the public/private ventures, those that would be selling those credits doing that type of venture, out of the definition of assisted housing, still keeping it in Council's power to approve or disapprove when it gets to them But at least let them have a little bit of latitude knowing that City staff would consider the housing plan in any event when they are going present something But at least it will not get turned down out of hand if it is close

Ms Scarborough said she did not have a question, but a comment She was glad that Mr. Griffin was there and had responded to Council in reference to the School System. The goal of the Federal Government looking at adding additional housing in areas where it is already impacted certainly does not fit what Council was trying to do in Charlotte-Mecklenburg as it relates to pupil assignment, and she felt Mr. Griffin would agree with that. She wanted to make that statement for the record because she had a real difficult time in encouraging that in Charlotte-Mecklenburg

Mr Clodfelter asked Mr. Walton what would be the process for considering exception requests. How would someone who has a proposal for use of the 1 5 million innovative fund process a request for an exception.

Mr Walton stated the process he would recommend to the Innovative Housing Committee was that they would make recommendations of those exceptions to the City Manager, who in turn would make those to Council

Mr Clodfelter stated maybe one of the safety valves on the point Mr Mazzinotti was talking about would be if Council got a report whenever the Innovative Housing Committee had elected not to proceed with an application for use of the innovative funds. If that were simply reported in an information memo, there might be some sort of opportunity for checking on those kind of exception requests

Mr. Walton stated that could be done, and they maintain minutes that they would be happy to send those to Council

Mr. Clodfelter stated he did not want to get involved in being a court of appeal on all these things, but felt Mr. Mazzinotti had a valid point for which there needed to be some formalized process for handling exceptions.

Councilmember Vinroot stated he had some thoughts, but they did not needed to do that night because that was a hearing. He said most of them had probably gotten correspondence from some of the folks invited, and he felt on balance they had a good start. He was glad Ms Velva Woollen was there, and stated one of the values was that they were about to set something in a plan that people can look at and rely upon, and in a year from now if they

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did not like it they could change it The idea is to get housing, and ideally to scatter it

Mr Clodfelter stated they had come a long way since last October

Councilmember Patterson stated if Mr Vinroot was going to make a motion, she would second it Ms Patterson said she suspected Council would have a long discussion on this on March 12th She said she had talked about this to several members of the development business about HAP based on some comments made to her by Ms Woollen One of the things suggested to her was it appeared that a lot of these units, like the ones the Housing Authority was building, were actually built in fours There were two buildings with an open breezeway, and there were four apartments or there were six The number 50 is not divisible by four, and is economically impossible usually to build the extra two units, so what a developer suggested was that Council with go to 52, or that they do a plus or minus 5% to 10% on the 50 units, thereby providing the developer a little flexibility while not running outside of what the concern is.

Councilmember Matthews stated to Mr Walton that he did not remember the background of the change from 1/2 to 1/4 mile, and he was interested in the rationale for that He said he thought he remembered someone saying sometime it had to do with the public/private and he wanted to hear that

Mr. Walton stated the rationale behind reducing the ineligible areas from 1/2 to 1/4 mile radius was the fact they were limiting the number of assisted housing units that can be built in a census tract by 5% of the total number of housing units multiplied by 5% would be the results of the number of assisted housings that can be built there Therefore, you would be restricted in terms of the number of units that can built within the census tract. So there needs to be less of a radius in order to make that workable

Councilmember Martin said he assumed that 5% would also mean that over a period of time the number of units in the private market in a particular census tract increasing housing, that could affect the 5%, therefore, you could in time put more assisted housing in that census tract.

Mr Walton stated yes. If the census tract was growing in terms of housing, that would be correct

Mr. Matthews stated the thought process was that he realized the 1/4 mile would open up more possibilities in the census tract because the number of units was being limited to 5% of the total housing. But it seemed to him to be contrary to the idea of not grouping them. For instance there could be all of the units in a census tract grouped within 1/4 mile of each other.

Mr Walton stated no, not within 1/4 mile of each other, because there was a 1/4 mile radius that would exist Therefore, an assisted housing project of 25 or more units could not go within 1/4 mile of another assisted project. He said that in the information given to Council, there were about 11 census tracts that are prohibited because they have already exceeded the number of assisted units that can be built in a census tract. Therefore, there are two factors being considered now, the number of units that can be built in the 1/4 mile radius, whereas previously, there was the 1/2 mile radius. In order to insure equitable,distribution of assisted housing, those two factors were needed in place.

Mr. Matthews asked if Council could be given some kind of recap form of the comments made here and in the Innovative Housing meeting

Mr. Walton stated yes, but he would have to rely on the City Clerk to provide the minutes of that day's meeting, and he felt she would be accommodating.

Mayor Myrick stated the Ms Sharkey was good about that.

Mr. Matthews asked Mr. Underhill about criteria J.1. He said it seemed to him he had heard discussion about the Housing Authority and the Housing

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Partnership being on the committee was a conflict of interest, and was that ever addressed.

Mr Tom Finnie said he believed that Council discussed that during the Council Meeting and decided that was not a conflict of interest, and in fact added to the discussion

Mr. Matthews then asked if either or both had a proposal to come forward, they could vote on on their own proposal

Mr Finnie stated no. They would handle that the same Council handles theirs. That is if they had a proposal, they simply would be excused from the decision

Ms. Scarborough said also on item J, she would be concerned that they add someone on the evaluation request proposal committee from the School System with Council talking about cooperating in the City and talking with each body that is represented in the City. In this particular instance she felt it was important that they have someone from the School System that would have a voice in the decision making process, and wanted to know if they could add someone.

Mr. Martin stated he thought Ms Patterson's idea was good about the mix in the numbers, but felt they should use a percentage as opposed to a set number because a set number presupposes what kind of design they will do.

Ms Patterson said that was the developer's suggestion, that Council keep the 50 number but go plus or minus with a percentage.

Ms. Scarborough wanted to know when they could have a response about adding a member of the School System onto the committee

Mr Finnie said that could be done immediately and would be included in the action when it comes to Council on March 12th.

[Motion by Councilmember Vinroot, and seconded by Councilmember]
[Patterson and carried unanimously to close the hearing]

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MEMORANDUM

February 21, 1990

TO Mayor and City Council

FROM Wendell White
City Manager

Henry W. Underhill, Jr.
City Attorney

SUBJECT: City's 1990 Legislative Program

As you likely know, the North Carolina General Assembly traditionally reconvenes in even numbered years for a "short session" to consider a limited number of legislative matters The 1990 session will convene on Monday, May 21 to consider the following types of legislation (1) bills directly affecting the state budget; (2) bills introduced in 1989 which passed one house and were not defeated in the other house; (3) bills recommended by study commissions authorized or directed to report to the 1990 session, (4) certified non-controversial local bills with a filing deadline of May 29; (5) appointment to state boards or commissions; (6) bills authorized for consideration by a two-thirds vote in each house; (7) bills affecting any state or local pension or retirement system; and (8) joint resolutions pertaining to the executive branch.

Listed below are the suggestions or requests that we have received from various sources for items to be included in the City's 1990 Legislative Package. Following each item is a brief explanation or description of the request.

1 Endorse and support Senate Bill 647, a bill allowing Mecklenburg County to increase the hotel/motel tax from 3% to 6% and further to seek an amendment to this bill for a County tax of up to 1% on prepared foods

Senate Bill 647 passed the Senate in 1989, was not defeated in the House and thus is eligible for consideration in the short session This legislation will provide the funding necessary to finance the construction and operation of a new convention center

2 Seek a local bill that would reduce the term of office for Housing Authority members from five years to three year terms.

Currently, Housing Authority members serve five-year terms pursuant to North Carolina state law Typically, terms of office for

other City boards, commissions and committees range from two to three years As indicated, the purpose of this request is to reduce Housing Authority member terms from five years to three years to make their terms of office consistent with other City boards and commissions

3 Seek legislation that would enable the City to demolish abandoned houses that are used for illegal drug activities

At the present time, demolition of abandoned houses that are known to be havens for drug users, can only be achieved through enforcement of the City's housing code In many instances, the housing code enforcement process is lengthy and cumbersome The purpose of this proposed legislation is to set forth an expedited process for demolishing "drug houses" because of their harmful effect on the community

4 Endorse and support legislation that would strengthen the local government's authority to establish a storm water utility.

In 1989, the General Assembly enacted legislation authorizing cities and counties to establish storm water utilities Unfortunately, this legislation did not sufficiently address two areas that we believe are necessary in order for a storm water utility to effectively operate Specifically, we believe that the storm water utility enabling legislation should be amended to provide that· (a) the payment of storm water utility fees are mandatory for all property owners, and (b) any unpaid fees would constitute a lien on the property served Apparently, the North Carolina League of Municipalities, the North Carolina County Commissioners Association and a legislative study committee are all exploring this topic with a goal of introducing legislation to cure the above-noted deficiencies We recommend that the City Council endorse and support this legislation

5 Seek an amendment to G S § 143-64 32 to change the $30,000 limitation to $50,000 to make it consistent with the City Manager's authority to approve and execute contracts

G S § 143-34 32 and its companion statutes require North Carolina local governments to negotiate contracts with architects and engineers with an emphasis on contracting with the best qualified firm rather than the firm that may propose the lowest fee for such services This statute also allows a local government to exempt projects from this requirement when the proposed fee is less than $30,000 This recommendation would seek to increase that threshold to $50,000 thereby making it consistent with the City Manager's contract approval authority

6. Seek legislation that would empower the City Manager to settle claims against the City which do not exceed $30,000 without giving prior notice to the City Council

Several years ago, the Council adopted a resolution authorizing the City Manager to settle claims and lawsuits against the City which did not exceed $30,000 Last year we discovered that a state statute (G S § 160A-167) requires that before any claim or civil judgment against the City is settled, prior notice must be given to the City Council Mecklenburg County Board of Commissioners had also previously empowered the County Manager to settle claims or judgments not in excess of $30,000 and their delegation of authority also conflicted with the state statute Because of this, in 1989 both the City and the County sought amendments to the statute that would simply exempt the City of Charlotte and Mecklenburg County from the provision that prior notice be given to the governing board of settlement of claims for payment of judgments not exceeding $30,000 Because of an unintentional oversight, the County bill was enacted while the City bill was not Passage of this legislation appears to be non-controversial and is necessary to make the state law consistent with the Council adopted resolution that delegates settlement authority

7 Seek and support legislation sought by the Charlotte Firefighters Retirement System to make certain technical changes in the legislative act that established the Firefighters Retirement System

The Charlotte Firefighters Retirement System Board of Directors wishes to amend the legislative act that established the Retirement System to reference certain disability regulations and the authorization of the System to pay partial disability benefits and to correct several typographical errors and incorrect references contained in earlier amendments to the Act All of the proposed amendments are technical in nature and are not controversial.

* * * * * * *

In addition to the foregoing, two other legislative suggestions were received which we are recommending not be included in this year's legislative program While both suggestions certainly have merit, we believe that they will be controversial and thus not appropriate for consideration in the short session It is our recommendation that both of these matters be reconsidered in the development of the 1991 Legislative Program for the regular session of the General Assembly The two other suggestions are·

1 Seek legislation that would allow the City to include the cost of relocation of tenants as part of other costs included in the lien for housing code enforcement under the in rem remedy process

You may recall that identical legislation was sought in the 1989 session, however the Mecklenburg County Legislative Delegation split over the bill and thus was never introduced.

2 Seek legislation requiring a housing code inspection prior to the sale or transfer of ownership of all residential property in the City and further to require that such property be brought into

compliance with the housing code within 60 days following the change of ownership

HWUjr/ef

MONTALDO'S

218 North Tryon Street
Charlotte NC 28202
704/333 5181

February 27, 1990

Mr. O. Wendell White
City Manager
600 East Fourth Street
Charlotte, North Carolina 28208-2853

Dear Mr. White:

Since November, I have been working with your staff to develop solutions to Montaldo's parking problem which has resulted from our customers refusal to use the Cityfair garage. We have looked at a number of alternatives including (1) a drop-off valet parking service at the Sixth Street entrance to Cityfair, (2) use of the Carolina Theater site for a drop-off valet parking service and short-term parking and (3) a drop-off valet parking service in front of our store on North Tryon Street.

The Sixth Street alternative is too far removed from the store to be convenient to our customers or for proper supervision of the necessary staff. The Carolina Theater site presents some of the same problems, is not a long term solution and would be expensive for either the City or Montaldo's to renovate.

Recently your staff suggested a modification of the third option which would have us establish, on a trial basis, a valet parking service in front of the store without a curb cut. Instead, the customer would pull up in the right hand traffic lane, stop and turn her car over to an attendant who would park the car and return it when the customer has completed her shopping. "Passenger Loading Zone" signs would be erected to control traffic. This option is unacceptable to Montaldo's because we have been informed by our insurance carrier that this is not insurable (see attached letter).

MONTALDO'S

218 North Tryon Street
Charlotte NC 28202
704/333 5181

We believe the only viable solution to our problem is the one we proposed originally as outlined in the attached position-paper. We are convinced that the installation of a landing/drop-off point through the sidewalk coupled with valet parking service will bring back our old customers and attract new ones. Additional benefits include enhanced security, a more attractive entrance and a public statement that Montaldo's believes in the viability of uptown retail.

I am grateful for the City's assistance in the matter.

Yours truly,

Margaret Creed

Margaret S. Creed
General Manager

MSC/mv
cc: files

Parkview Bldg , 5821 Park Road, P O Box 220455
Charlotte, North Carolina 28222
Phone (704) 554 1220

Risk Management Services

The St Paul
Property & Liability Insurance

February 26, 1990

Mrs. Margaret Creed, Manager
Montaldo Corporation
220 N. Tryon St.
Charlotte, NC 28202

Dear Mrs. Creed:

Thank you for your cooperation and assistance with the insurance survey that Mike Gonzales and I conducted at your business on February 23, 1990. During the survey, we noted certain conditions which present potential fire and general liability hazards which need to be corrected. The attached recommendations are being submitted to assist you with eliminating or controlling these exposures.

The operations of the valet service parking is of great concern to our underwriting department since customers are no longer able to pull off the street to drop off their car. The practice of having customers stop their vehicle in the curb lane of traffic to access valet parking is very hazardous and presents an unacceptable risk. To reduce this risk, you should provide for a safe area out of traffic for customers to access the valet parking. The proposal to provide for a passenger drop-off lane is an acceptable alternative and should be pursued.

Please let me know when you have resolved this matter and have taken action on the other recommendations.

Regards,

Fred Wilson

Fred Wilson
Sr. Risk Management Representative

FW/mw
enclosure
cc: Alexander & Alexander, Winston Salem

The purpose of our survey was to develop current underwriting information and to assist you with your loss control program The maintenance of safe premises operations and equipment, and the avoidance of unsafe conditions and practices are the legal responsibility of the insured/client Any suggestions for improvement are based on interviews during our visit and observations made of various operations and practices at that time It is not our intention that our suggestions or our survey cover the requirements of the Federal Occupational Safety and Health Act or any other Safety or Health Acts or to imply or infer there are not other hazards and exposures in existence and we assume no liability for the services provided

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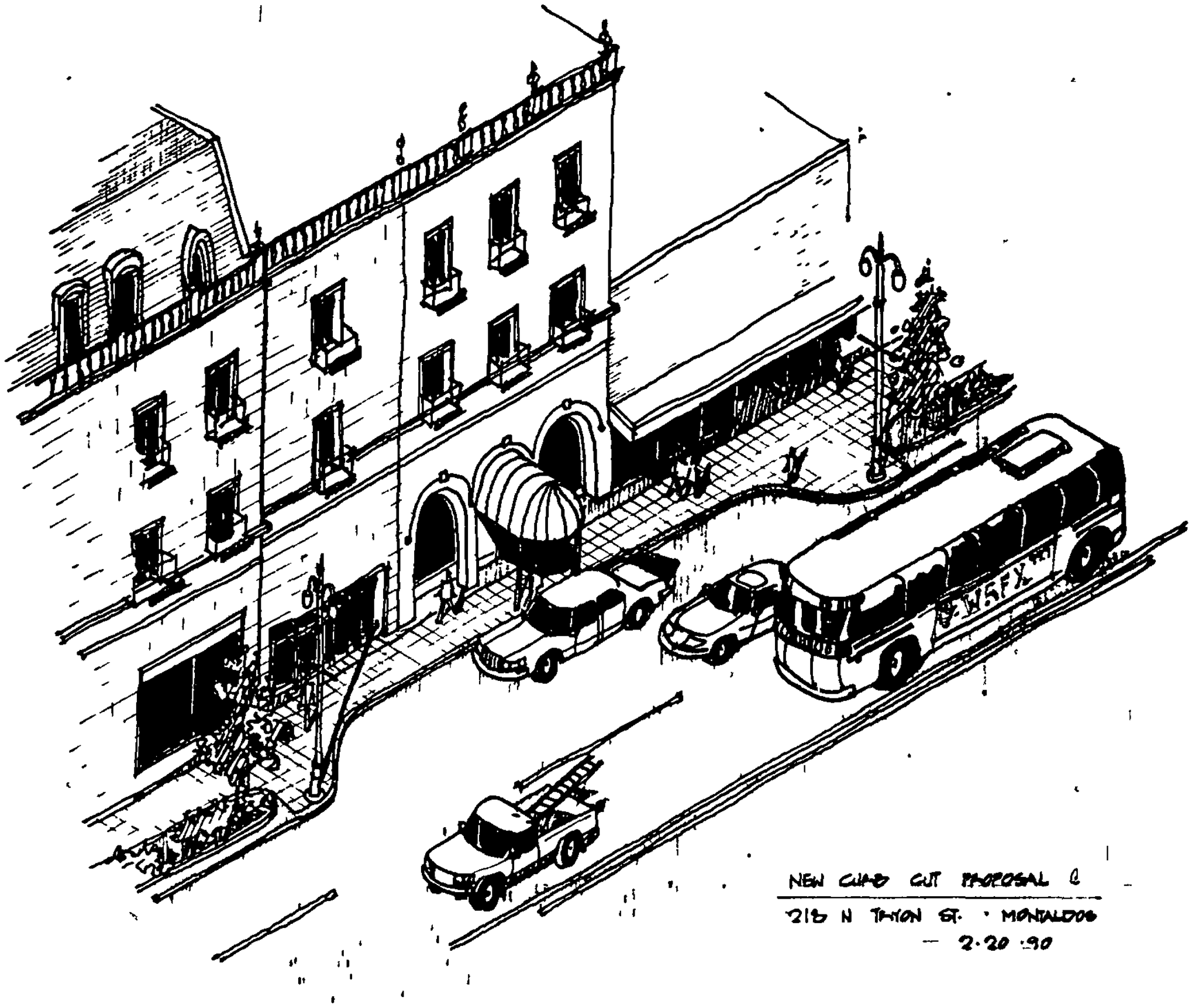
WSFX
NEW CURB CUT PROPOSAL @
218 N TYSON ST. · MONTALDOS
— 2·20·90

CHARLOTTE-MECKLENBURG PLANNING COMMISSION

INTER-OFFICE COMMUNICATION

DATE: March 2, 1990

FROM: Martin R. Cramton, Jr.,
Planning Director

TO: Larry Rosenstrauch,
Director,
Economic Development Department

SUBJECT: Montaldo's

While we understand and appreciate the request from Montaldo's, we have several concerns.

- The modification to the Transit Mall as proposed represents a major policy issue which should be carefully considered.
- The proposal alters the overall design of the Mall in favor of a single property owner.
- The proposal could open the door to additional requests - each with its own set of "unique" circumstances or reasons why it should be approved.
- The proposal does not indicate that Montaldo's would restore the Mall in the event that the concept does not prove itself.
- An equity issue arises when one property is provided (or allowed) a facility not available to others.
- Although outside our particular area of interest, we wonder how Montaldo's would propose to prevent non-customers from using the spaces or how the proposal would impact transit operations.
- We have concerns about the actual design of the proposal from a public safety standpoint.
- If such a facility were to be approved, it would seem that emphasis should be on the City Fare entrance in addition to the Montaldo's entrance.

We have and will continue to support opportunities for retail in the Uptown area. If Council chooses to approve this proposal, we suggest that it be approved in concept only and that staff be instructed to develop guidelines and safeguards to be applied to the actual changes.

Please let me know if you have any questions on this matter.

MRCJr.:WGFIII:dmh

M E M O R A N D U M

DATE: March 1, 1990

TO: Larry Rosenstrauch, Director
Economic Development

FROM: S. H. Killman
Chief of Police

SUBJECT: Tryon Street Pull-Out - Montaldo's

I have reviewed the request from Montaldo's for a Tryon Street pull-out and offer the following thoughts

Police do not oppose the pull-out provided it is understood that legally anyone, not just customers of Montaldo's, can use the pull-out and that police cannot provide any special enforcement specifically for Montaldo's There is no question that the pull-out will create an additional uptown traffic hazard as vehicles come out of the pull-out into a moving lane of traffic We will, of course, handle any problems should an accident occur

We would also assume that any left turns permitted from 5th Street onto Tryon Street would be available to everyone, not just customers of Montaldo's We assume that DOT is evaluating the impact that the left turns would have on uptown traffic flow as well as their potential to pose a hazard for pedestrians

I still feel it is imperative that we remember that permitting the pull-out and the left turns creates a precedent and opens the door for other merchants and businesses to make similar requests. If this is approved for Montaldo's, the City will create a strong expectation that other requests would be approved This change could potentially have a major impact on uptown traffic flow should more requests be forthcoming.

Please contact me should you wish to discuss this further.

SHK/ac

RECEIVED
MAR 1 1990
CITY OF CHARLOTTE
ECONOMIC DEVELOPMENT

M E M O R A N D U M

DATE: March 1, 1990

TO: Larry Rosenstrauch, Director
Economic Development Department

FROM: R. N. Pressley, Jr., Director
Department of Transportation

SUBJECT: Pull-Out for Montaldo's

While we are concerned about Montaldo's viability, our Department cannot support the Montaldo proposed Pull-Out. Following are transportation issues involved with the Pull-Out on North Tryon Street.

- The Pull-out compromises the Tryon Street Mall concept which is to provide wide sidewalks buffered from the street by trees, landscaped flower beds, street lights, benches, bus shelters, and other amenities. The Pull-Out proposed by Montaldo's is squeezed between two street light poles and eliminates one planter area and two benches. It takes up approximately 55 feet of curb space, which in our opinion, will be inadequate to accommodate more than one vehicle at a time since transitions into and out of the Pull-Out space are so tight. Back-up of traffic using the Pull-Out into Tryon Street will occur.

- The Pull-Out would narrow the total sidewalk area from 22 feet to 12 feet. As pedestrian traffic grows in the Montaldo's block, it will be constricted, especially with loading/unloading of passengers, pedestrian movements between the curb and Montaldo's entrance, and a proposed canopy covering the sidewalk area.

- The pull-out, if approved by Council, sets a precedent for other businesses or public facilities to request equal treatment, further compromising the Tryon Street Mall concept.

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ECONOMIC DEVELO

- Enforcement of the use of the Pull-Out would be difficult. A Pull-Out would be available to anyone wishing to use it for passenger loading and unloading. The Pull-Out could not be designated solely for Montaldo's nor could Montaldo's employees prevent use of the Pull-Out by customers of CityFair. The curb use would be designated for any "Passenger Loading and Unloading" with some time limitation such as 5 minutes. We expect it would be used for loading and unloading of trucks because enforcement of such use would be difficult.

- Maneuvering of vehicles into and out of the pull-out will interfere with normal traffic flow on North Tryon Street. It is important that traffic flow, especially in the curb lane, is not unduly restricted. Charlotte Transit System buses, after leaving the Square, are on a schedule which can be delayed by congestion along Tryon Street.

It is important to understand the transportation problems the Pull-Out would cause. Significant public debate and input was involved in the design of Tryon Street Mall which led to the basic design concepts. A Pull-Out runs counter to those concepts.

We also cannot approve the left turn from Fifth Street onto Tryon Street during the hours of 10 am to 4 pm. Relatively heavy pedestrian movements at intersections along the Tryon Street Mall require that turns be restricted. The trend is to restrict more turns as conflicts between pedestrians and vehicles increase and as traffic volumes increase. With the NCNB Corporate Center construction taking one lane of North Tryon Street, the Performing Arts Center construction taking one lane of Fifth Street, and sidewalks on two approaches to the intersection being closed, we must keep the left turns restricted.

If you need additional information, please advise.

RNPjr/RDG:nsk

cc: Julie Burch
Martin Cramton
Clark Readling
Sam Killman

Consider Montaldo's request for pull out on Tryon Street.

Montaldo's Valet Parking

Montaldo's, a women's specialty store, has been in uptown Charlotte for 65 years. For the last 40 years, they've been in their current location at 218 North Tryon Street. Beginning in 1960, Montaldo's initiated a valet parking service through the driveway where the current Cityfair carriageway is located. This valet parking service continued to operate until 1986 when Cityfair construction began. During the two years of Cityfair's construction, until the end of October 1988 just after Cityfair opened, Montaldo's ran a shuttle service for its customers who parked at a lot at 9th and Tryon. Montaldo's found this shuttle to be expensive and inconvenient for its customers.

When Cityfair opened in October of 1988, along with the related parking deck, Montaldo's expected their customers to begin using the deck. Customers could take the elevator to the third floor at Cityfair and walk to the Montaldo's entrance on that level.

Montaldo's thinks that their customers feel the parking deck is unfriendly and they perceive it as an insecure environment. Montaldo's management reports that not only is parking the number one customer complaint, but this problem is leading directly to a loss of business.

Montaldo's has requested the City allow them to restore valet parking in front of their store in order to solve what they feel is a major customer service problem. A copy of that request is attached.

City's Involvement

When Montaldo's initiated their request for valet parking at the end of November 1989, City staff immediately met with them to better understand their problems. On December 21st, 1989, City staff met with the president of Montaldo's as well as their local manager to discuss the issue and to offer alternative solutions.

Montaldo's immediately ruled out the suggestion that some space inside the Cityfair deck could be made habitable and provide relatively easy access for customers. They also looked at a drop-off at the 6th Street Cityfair entrance across from the Library, as well as the possibility of using the empty lot in front of the Carolina Theatre for a drop-off and temporary parking. Montaldo's asked the City to pursue the Carolina site option and determine the feasibility and cost for developing the Carolina Theatre site. We obtained cost estimates in the range of $17-85,000 for this depending on the level of design quality to be achieved, but Montaldo's eventually ruled this option out as unsatisfactory.

We also recently asked Montaldo's to consider experimental valet services in front of their store but without the proposed pull-out (or curb cut as it is often referred to). Montaldo's insurance carrier reported that this posed an unacceptable risk to customers and, accordingly, Montaldo's rejected this option also.

Pull-Out

The only satisfactory option to Montaldo's is to have an approximately 55 foot long and roughly 10 foot deep pull-out that is inset into the sidewalk in front of Montaldo's (see attached diagram). Montaldo's has agreed to pay for the construction of this pull-out. They will also employ a valet and a parking attendant to provide for efficient operation. They have also agreed to cooperate fully with the City as to design, timing, and relationship of this pull-out to Cityfair.

Left Turn

In addition to the pull-out, Montaldo's has also requested that a left turn be permitted from 5th Street onto Tryon Street so that their valet may easily and quickly return cars to their customers.

Staff Review

Police, Transportation, and Planning have reviewed this request for the potential impact on the operation of public transit and movement of traffic. The pull-out would be a major modification of the transit mall concept and could set a precedent for future requests from other property owners along Tryon Street. The original mall concept is to provide wide sidewalks buffered from the street by trees, flower beds, bus shelters and other amenities. The pull-out would narrow the sidewald for pedestrian use.

Staff has concerns about the proposed size of the pull-out, the safe maneuvering of the vehicles in and out of the pull-out and the potential conflict with traffic, particularly buses, in the curb lane. Enforcement of the pull-out exclusively for the use of Montaldo's could be difficult as trucks and non-customers of Montaldo's could not be legally restricted from using this space.

CDOT has concerns about allowing left turns from 5th Street onto Tryon to accomodate the valet service. Traffic congestion is already expected in this area as the construction of the NCNB Corporate Center takes up one lane of North Tryon Street and the construction of the Performing Arts Center takes one lane of 5th Street.

Other Considera-tion

In recent years uptown retail has been in transition. Belk's is gone, Ivey's future is uncertain, and Cityfair has, until recently, been a project without clear direction.

In January 1990, both the City Council and the Board of County Commissioners adopted the Center City Charlotte Plan to encourage a core city that has a strong identity and provides a comfortable and secure environment in which people can live, work, shop, and enjoy entertainment, educational, and cultural facilities.

Montaldo's is the largest remaining anchor within the Cityfair complex. They are a destination draw for the entire region. They want to stay in uptown Charlotte, and believe that valet parking is a critical customer service issue.

Council Action

If Council approves the request for a pull-out, CDOT, Planning and Police will work with Montaldo's to refine the proposed design so it may operate as safely as possible and to minimize potential impact on traffic flow. Once implemented, CDOT and Police will monitor the pull-out for safe operation. Council may wish to request that Montaldo's agree to restoration of the curb line to its original condition should this pull-out be demonstrated to be unsafe in actual practice.

Staff recommends that left turns from 5th Street to Tryon Street not be permitted at this time, but be reevaluated once completion of the new NCNB Corporate Center and Performing Arts Center is completed.

Clearances: Planning, CDOT, Transportation, Economic Development.

Funding: None required

CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT

AIRPORT ADVISORY COMMMITTEE

February 13, 1990

MINUTES

MEMBERS ATTENDING	STAFF ATTENDING.
Donald G. Bryant	T. J. Orr
Dr. Raleigh W. Bynum	E. J. Carney
Peggy B. Culbertson	Candy Susco
Sue M. Friday	
Earl G. Gulledge	Julie Burch, Asst. City Manager
Philip E. Halton	
Edward J. High	Dave Howard, Planning Department
Osborne C. Oakley, Jr.	Steve Allen, Planning Department
Marvin B. Smith	

Minutes of the December 11, 1989 and January 9, 1990 meetings were approved as mailed.

Runway 36 Extension

Mr. Orr stated one of the items for airfield capacity recommended in the Master Plan was an extension to Runway 36 Right. The purpose of the extension 1000' to the South was to enable planes to land holding short of the intersection, while planes departed on Runway 5, thus adding more capacity on the airfield. The project also includes building a section of NC 160 and the relocation of Wilmont Road. 3 public hearings were held and the environmental assessment was completed and submitted to the FAA. FAA has just issued a FONSI (Finding of No Significant Impact). We are now cleared make an application for a grant for federal funds to proceed with the project. Initiating the project was delayed during the discussions regarding the NCNB Tower because if the FAA's preliminary position in that issue had been substantiated it would have had some implications on the use of the runway. Now that this matter has been cleared up and we have some indications from our FAA Capacity Task Force that this is indeed the proper approach to get additional capacity, we are ready to recommend that we proceed with the project. Mr. Bryant moved that the Airport Advisory Committee recommend that City Council proceed with the project in accordance with the Master Plan. Motion was seconded by Mr. Smith.

Assuming Council also approves proceeding with the project, Airport staff would hire engineers for the project, seek additional State funding for roads, make application for federal funds, begin preparing plans and acquiring land required for the project. Some FAA funding is on hand for this project but there are additional FAA Capacity Enhancement Program funds to be requested. If all goes as expected the project could begin next spring to be completed within 2 years.

Mrs. Friday expressed concern that committee was not previously informed that this matter was to be voted on today and since this is a significant change in the airport she would like information from the Technical Committee, update from School Board regarding Westerly Hills and Harding Schools, update on buyout program particularly Whippoorwill Hills and Withrow Road. There were some residents who had requested to be present when this matter was voted on and she would like to consider delaying voting on the matter until she has additional information. In response to Mrs. Friday's request to delay the vote, Mr. Orr stated this is a critical capacity issue and any delay will exacerbate those issues further down the road.

Mrs. Culbertson agreed with the concerns and lack of information back from the School Board. Mr. Gulledge stated his chief concern is that he would like the School System to be aware that the Committee is getting ready to make this important decision and if the School Board had a courtesy notice that this is imminent on the agenda and if they have any comments the Committe would like to hear it immediately.

Mr. Bryant stated this is not a new issue but has been evident in the Master Plan for over two years. Every effort has been made to cooperate with the School System and have asked numerous times for input which has not been received.

Mr. Orr referred to the lengthy environmental assessment process in which the Schools System was made fully aware of the project and its implications and the School System commented on the project. Further, a grant application has been recently formulated for federal funds to insulate Westerly Hills School and the project is well underway.

Mr. High stated he attended a meeting at which this matter was discussed and he specifically asked about the building of schools in the flight area and Dr. Relic stated No, they were not going to build a school in that area. We have been dealing with the School Board for sometime with numerous requests for information and they have not replied and he feels Committee should not wait any longer on that.

Mrs. Friday would like the issue of school noise specifically addressed before making a recommendation to City Council.

In response to Mrs. Culbertson's question on whether or not he feels the School Board has all the information and that they understand what is to be done, Mr. Orr stated he feels they are aware of what is involved. The Technical Committee did meet on this matter sometime ago and recommended the environmental assessment.

Mr. Bryant called the motion to question; there were 6 votes in favor and 2 votes opposed to the recommendation. Mrs. Friday requested to send a minority report to Council with this.

Southwest District Plan Process Schedule

Dave Howard stated in April the plan will come to the Airport Advisory Committee for review and comment before going to the Planning Committee. Elected officials are being notified of the diversity of opinions. The following is the tentative schedule:

Early February	-	Staff completed draft
February - March	-	Staff and department head review
March	-	Study group reconvenes
March	-	Community
April	-	Study group completes review
April	-	Airport Advisory Committee
June	-	Elected Officials adoption

Mrs. Friday expressed concern regarding a quote in the newspaper by Walter Fields of the Planning staff referring to the Southwest District Plan which is still a controversial document and not yet official.

Mrs. Culbertson stated that the sub-committee had expressed to Julie Burch the concern that the Planning staff or Commission might go forth with a plan that would be contrary to the Advisory Committee's view. The Airport Advisory Committee is an appointed body just as the Planning Commission and if there is a disagreement on the land use, we should go forward with a plan that says this is our position and Mr. Orr stated he would put that together for the committee. It is possible that they may come up with something in complete agreement with the Advisory Committee, but if not, then we would make a report setting out the committee's position.

Dave Howard mentioned that possibly the Committee would like to meet with the Planning Commission. Mrs. Culbertson made a motion that the Committee work with the Planning staff in setting up a workshop with the Planning Commission; motion was seconded by Mr. High and carried unanimously.

Stage III Status Report

Chairman noted at recent Council meeting there was considerable concern expressed about Stage III aircraft situation. Mr. Orr distributed the Stage III report and log of noise complaints. USAir is selling a number of their older airplanes, particularly 727-200's. Mr. Orr is going to Washington on February 15th to meet with USAir to try to work out a method to get things back on track. There was considerable discussion noting the concerns expressed by Council that they want the Airport Advisory Committee to stay on top of the Stage III problem and USAir's committment for this and nighttime runway usage. The Committee wishes to be very sensitive to Aviation Director's role but they want to pursue a committment from USAir. Chairman Oakley commented that several members of Council had asked him to let the committee know they are doing a very good job and they appreciate their work. Mr. Gulledge stated the Committee is in the position where certain things have been stated by Council and it is not intended to compromise the Aviation Director's position, but he would like communicated to Council the committee's concern and request

clarification of just what Council expects. Chairman Oakley stated Council has specified that they are concerned that USAir is committed to Stage III and are we living up to committment to the neighborhoods on nighttime usage. Mr. Orr plans to discuss USAir's committment to Stage III and will report back to the committee at the next meeting.

Goals for 1990

Chairman distributed copies to members stating this will be used as a guide and he feels all can be accomplished this year. Council had commented how valuable the annual reports to Council had been and requested quarterly reports. It was decided that Mr. Orr will take the minutes for each quarter and compile an Executive Summary. Mrs. Friday suggested the inclusion of charts plotting certain pulse points such as Stage III aircraft, airport growth, noise complaints, etc.

Noise Abatement - Propeller Aircraft

Mr. Orr stated a letter was received from the Tower Chief requesting that we allow earlier use of the parallel runways for landing since they were experiencing difficulties in good weather especially with west coast flights getting in early. Situation was analyzed and it was determined that the cause was the commuters in the traffic pattern.

Initially noise abatement procedures were directed only at turbojet aircraft. About a year ago due to complaints about a large 4 engine freighter, the noise abatement procedure was supplemented by restricting large propeller driven aircraft. This unexpectedly affected commuter aircraft. The problem has been solved by again amending the procedure to include large 4 engine propeller aircraft, thus solving the capacity problem and keeping the large freighters off the parallels without having to address the hours of operation.

Part 150 Progress

Mr. Orr reviewed the noise contour map pointing out the three phases of the Part 150 Program: Phase I has 41 homes; 19 offers have been made to date. Phase II includes 80 homes; letters have been sent to these residents with applications to be returned if they want to participate. It is anticipated that offers can be made within 16 months. Phase III contains approximately 130 homes. 90% acceptance rate is projected and when this phase is completed we will have all of Moores Park and Whippoorwill Hills area.

There was discussion concerning zoning in the areas noting the major concern is protection of undeveloped areas in the corridors north and south of new runway and the need to assure no additional residential zoning.

Mr. Gulledge requested an update on 3rd runway at future meeting. He attended a Planning Commission meeting at which it appeared to some that the Airport Advisory Committee somehow reviews zoning petitions and he explained the Committee did not but does have much concern about residential development around the airport. It might be appropriate to send letter to Chairman of Zoning Committee and County Commission clarifying this matter noting petitions are not reviewed, Committee has concerns, discourages residential zoning in airport area and include 4 recommendations on Southwest District Plan.

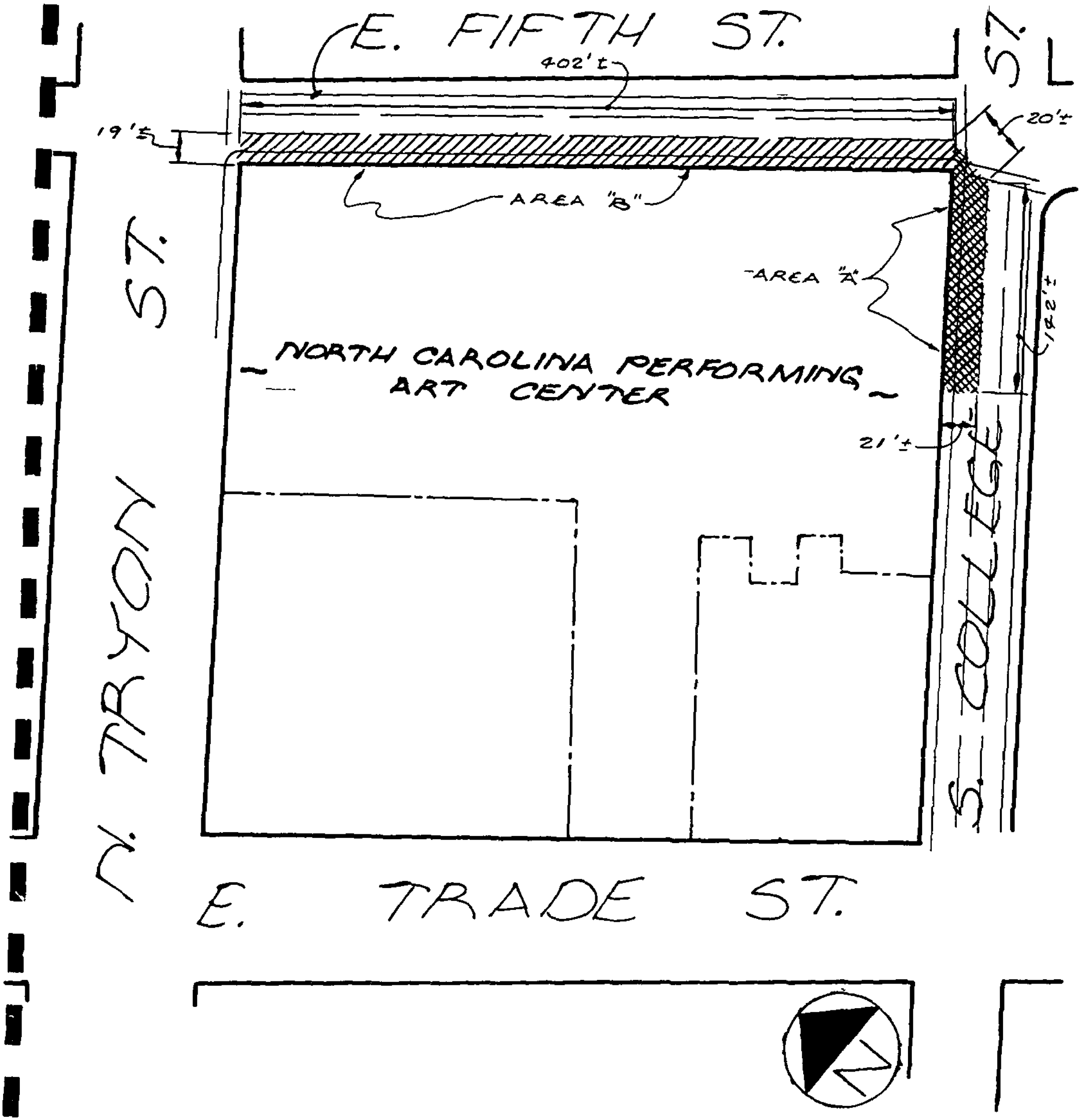
Mrs. Friday requested that United Airlines Maintenance Facility and its impact on the community and $50 Million bond issue to help with buyout be placed on March agenda.

Mr. Halton stated he is has not seen significant change in terminal since "No Smoking" Policy adopted; it was noted proper graphics have been ordered.

The next meeting will be a 4:00PM workshop scheduled for Tuesday, March 13, 1990. There being no further business, the meeting was adjourned.

T. J. Orr, Aviation Director

cc: Mayor and City Council
Mr. O. W. White, City Manager
Ms. Julie Burch, Assistant City Manager
Ms. Pat Sharkey, City Clerk
Mr. Charles Allison, Charlotte-Mecklenburg Schools



ENCROACHMENT/LEASE AGREEMENT
CITY OF CHARLOTTE
BECON CONSTRUCTION CO.

HOUSING CODE

A. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 1830 Cummings Avenue, Apt. A & B (Oaklawn Park).

PROPERTY ADDRESS: 1830 Cummings Avenue, Apt. A & B; Census Tract #48; Council District #2; Neighborhood: Oaklawn Park

BACKGROUND:
Reason for Inspection: Concentrated Code Enforcement (Field Observation)
Date of Inspection: 2/26/88

Owner(s) Notified of Hearing: 3/11/88
Hearing Held: 4/6/88
Owner(s) Ordered to Demolish Dwelling By: 5/18/88
Property Sold to New Owner(s): 4/15/88

New Owner(s) Requested to Repair Dwelling: 7/6/88
New Owner(s) Ordered to Demolish Dwelling By: 8/11/88

This case was inadvertently misfiled in August, 1988 and September, 1989. Upon discovery of the second misfiling, on December 18, 1989, a title search was requested immediately. Title search was received on January 25, 1990 and revealed no parties of interest to this property.

Estimated Value of Dwelling: $5,530
Estimated Repair (Which Exceeds 65% of Estimated Value): $18,895

The repairs include: extensive structural, electrical, plumbing and mechanical repairs. Dwelling is not occupied.

The owner was notified of Civil Penalty on May 12, 1989. The total penalty as of March 12, 1990 amounts to $5,860. The owner has also been notified of this March 12, 1990 Council action.

B. Recommend adoption of an ordinance authorizing the use of in rem remedy to correct code violations at 212 Martin Street.

PROPERTY ADDRESS: 212 Martin Street; Census Tract #47; Council District #4; Neighborhood: Five Points

BACKGROUND:
Reason for Inspection: Concentrated Code Enforcement (Field Observation)
Date of Inspection: 2/20/89

Owner(s) Notified of Hearing: 3/14/89
Hearing Held: 4/6/89
Owner(s) Ordered to Demolish Dwelling By: 7/5/89
Owner(s) Requested To Repair Dwelling: 6/30/89
Owner(s) Sent Supplemental Order to Repair By: 8/5/89

First Extension Request Received From Owner(s): 8/4/89
Owner(s) Sent Supplemental Order to Repair By: 9/9/89

Second Extension Request Received From Owner(s): 9/6/89
Owner(s) Sent Supplemental Order to Repair By: 10/5/89

Title search was requested in December, 1989 and received on January 25, 1990. The title search revealed no parties of interest to this property. As of February 21, 1990 repairs are 90% complete but no work has been done since late Summer, 1989.

Estimated Value of Dwelling: $12,160
Estimated Repair (Which is Less Than 65% of Estimated Value): $1,608

The repairs include completion of minor violation repairs, which were begun by the owner, and insulating attic to R-19 rating. Dwelling is not occupied.

The owner was notified of Civil Penalty on October 11, 1989. The total penalty as of March 12, 1990 amounts to $1,390. The owner has also been notified of this March 12, 1990 Council action.

MECKLENBURG COUNTY

Office of the Tax Administrator

January 31, 1990

Mr. Henry Underhill, Jr.
City Attorney
Attorneys Office
Charlotte-Mecklenburg Government Center
600 East Fourth Street
Charlotte, North Carolina 28202-2941

RE: Attached Refund Request from Adams Outdoor Advertising of Charlotte

Dear Mr. Underhill:

Adams Outdoor Advertising of Charlotte has requested a refund for a portion of the taxes paid for the year 1988 as per the attached documentation. However, it is my recommendation that this request be denied because the issue is one of valuation rather than a clerical error as is required pursuant to G.S. 105-381. Under G.S. 105-381, there is no legal authority for granting a refund based on a dispute of value.

Adams Outdoor Advertising has retained an attorney and will likely oppose my recommendation. In that regard, I would request that this matter be scheduled as a timed item on the March 12, 1990 City Council agenda in order to facilitate cordination with legal counsel.

Please advise my office of the time assigned so that the appropriate arrangement can be made with legal counsel.

Very truly yours,

John C. Petoskey
Tax Administrator

JCP/sn

Attachment

CC: Hamlin L. Wade, County Attorney

RECEIVED
FEB - 5 1990
LEGAL DEPARTMENT

720 East Fourth Street • P O Box 36819 • Charlotte, North Carolina 28236 • (704) 336-2813

MECKLENBURG COUNTY

Office of the Tax Administrator

January 31, 1990

Mr Henry Underhill, Jr.
City Attorney
Attorneys Office
Charlotte-Mecklenburg Government Center
600 East Fourth Street
Charlotte, North Carolina 28202-2941

RE. Adams Outdoor Advertising -
Request for Refund for 1988 Property Taxes

Dear Mr Underhill

Adams Outdoor Advertising has requested a refund for a portion of taxes paid for the year 1988 assessed against its outdoor advertising signs. The original request for refund was dated February 14, 1989, in the amount of $45,412.90 for property located inside the City of Charlotte and $3,034.68 for property located outside the City of Charlotte. The basis for the request for refund was "clerical error". A subsequent follow-up request was made on January 10, 1990, wherein the taxpayer is now requesting a refund of $18,619.16 for property located inside the City (subject to both city and county taxes) and $487.43 for property located outside the City (subject to county taxes only). Copies of those requests are attached as taxpayer Exhibits A and B to this memorandum. It is assumed that the January 10, 1990, request is the applicable one upon which the governing bodies should act.

The request for refund is required to be submitted to the governing bodies pursuant to G.S. 105-381, and one of the statutory reasons for allowing a refund is that the taxes were assessed by virtue of a clerical error.

Background information is as follows: For the year 1988, the Tax Office requested all outdoor advertising companies to submit a listing of their signs by the number of units in three separate categories, namely: (1) jumbo or exceptional signs; (2) middle sized signs - with metal posts, lights, etc., and most with accommodation for four panels; and (3) small billboards with wood posts, junior poster billboards, and paint panels. Adams responded with a listing setting forth the numbers in those categories, and the Tax Office assessed the billboards accordingly. The tax bill was mailed to Adams some time in

720 East Fourth Street • P O Box 36819 • Charlotte, North Carolina 28236 • (704) 336-2813

October, 1988, and a representative of the taxpayer discussed the valuation with Jack Mayes in early January, 1989, complaining of the values Mr. Mayes advised that it was a valuation issue and the time for appeal had elapsed in contesting the value. Adams paid the taxes and subsequently, on February 14, 1989, made a formal request for refund. That request and the basis for the request is set forth on Exhibit A.

The Tax Office has not acted upon the request for refund until now because of some activity by the State Department of Revenue to devise a standard procedure for valuing outdoor advertising signs on a Statewide basis. Those guidelines have now been developed, but are applicable only for the year 1989 and future years. For this reason, the valuation process for 1988 was not affected

RECOMMENDATION

It is recommended that the request for refund be denied. The issue is one of valuation, rather than a clerical error. There is no legal authority for granting a refund unless the tax was imposed through a clerical error or the tax was illegal or was levied for an illegal purpose (G.S. 105-381).

Very truly yours,

John C Petoskey
Tax Administrator

JCP/sn

Attachments

TAXPAYER EXHIBIT A

DATE 2/14/89

Charlotte City Council and/or
Mecklenburg County Board of Commissioners
c/o Tax Supervisor"s Office
720 E. 4th Street
Charlotte, North Carolina 28202

Gentlemen:

In accordance with North Carolina General Statute 105-381, I am requesting a refund of taxes paid as follows:

(PLEASE CHECK APPROPRIATE REASON)

1. Clerical error X
2. Duplicate listing
3 Error in situs
4 Other (give details)

Please attach to this letter additional documentation to support your claim for a refund of taxes if same is available

The following information is necessary for identification and processing of your request

Tax year(s) 1988

Account number(s) 700-001-3111 + 700-001-3112

Bill number(s) 2964943 + 2964950

Date(s) paid 1/5/89

Very truly yours,

Signature of Taxpayer

Controller - Adams Outdoor Advertising

REFUND REQUEST LETTER

ADAMS OUTDOOR ADVERTISING OF CHARLOTTE
SUPPORT DOCUMENTATION
FOR 1988 PROPERTY TAX REFUND
A\C # 700 001 3111
A\C # 700 001 3112

The two accounts indicated above are for our billboards (inside & outside Mecklenburg County) When our billboards were listed for personal property tax purposes we were given three categories to use A clerical error was made in the way the billboards were classified into the three categories The original classification was done based on the size of the faces The correct classification should be based on several factors, some of which are

- the age of the billboard
- the base upon which the billboard is built (wood steel, unipole)
- the illumination equipment attached
- the number of faces supported by the structure

The calculation of the refund, due to clerical error, is as follows

/- --- ---ORGINALLY REPORTED - - - ------/

CATEGORY	AVG COST	# OF STRUCTURES INSIDE	# OF STRUCTURES OUTSIDE	ASSESSED VALUE- INSIDE	ASSESSED VALUE- OUTSIDE	
JUMBO	$18,000	203	9	3,654,000	162,000	
MIDDLE	$7,000	296	87	2,072,000	609,000	
SMALL	$1,500	40	0	60,000	0	
		539	96	5 786 000	771,000	
APPROIATE PROPERTY TAX RATE				1 2545	0 6270	
				72,585 37	4,834 17	(A)

/ CORRECTLY REPORTED - /

CATEGORY	AVG COST	# OF STRUCTURES INSIDE	# OF STRUCTURES OUTSIDE	ASSESSED VALUE- INSIDE	ASSESSED VALUE- OUTSIDE	
A	$19 000	47	1	893 000	0	
B	$17 000	8	0	136,000	0	
C	$15,000	10	2	150 000	30,000	
D	$13,000	3	2	39,000	26,000	
E	$11,000	1	0	11,000	0	
F	$9,000	7	4	63,000	36,000	
G	$7,000	5	3	35,000	21,000	
H	$5,000	13	4	65,000	20,000	
I	$3,000	98	17	294,000	51,000	
J	$2,000	147	35	294,000	70,000	
K	$1 000	186	33	186,000	33,000	
		525	100	2 166,000	287,000	
APPROIATE PROPERTY TAX RATE				1 2545	0 6270	
				27,172 47	1 799 49	(B)

/ REFUND DUE- --/

	INSIDE	OUTSIDE	
TOTAL REFUND DUE $48 447 56	45 412 90	3 034 68	(A)-(B)

ADAMS

TAXPAYER EXHIBIT B

January 10, 1990

A.1

COPY

Mr. Jack E. Mayes, CNCA
Supervisor, Business Personal Property
Mecklenburg County
Office of Tax Administrator
P. O. Box 36819
Charlotte, N.C. 28236

Dear Jack,

The purpose of this letter is to inquire as to the status of a potential refund which results from a clerical error in the personal property tax assessment values for 1988, and request an extension of time to file the 1990 return.

I have enclosed a computer read-out which shows what I believe to be the correct amount of a refund due Adams based on our previous correspondence

With regard to the request for an extension of time to file the 1990 return, we feel that this is a reasonable request based upon the fact that a substantial number of the work-sheets will have to be replaced with new data due to the massive reconstruction of our outdoor displays in the wake of the Hurricane. I believe such an extension is warranted in the interest of accurate basis of valuation.

I look forward to hearing back from you on both of these two items at your earliest convenience

Please let me know if I can be of any further assistance.

Sincerely,

ADAMS OUTDOOR ADVERTISING

W. Richard Peck
Controller

WRP/mjg
cc. John Andrews
David Scruggs

enclosure

ADAMS OUTDOOR ADVERTISING OF CHARLOTTE
SUPPORT DOCUMENTATION
FOR 1988 PROPERTY TAX REFUND
A\C # 700-001-3111
A\C # 700-001-3112

/----------ORGINALLY REPORTED----------/

CATEGORY	AVG COST	# OF STRUCTURES INSIDE	# OF STRUCTURES OUTSIDE	-ASSESSED VALUE- INSIDE	-ASSESSED VALUE- OUTSIDE
JUMBO	$18.000	203	9	3.654,000	162.000
MIDDLE	$7.000	296	87	2.072,000	609,000
SMALL	$1,500	40	0	60,000	0
		539	96	5,786,000	771,000
APPROIATE PROPERTY TAX RATE				1.2545	0.6270
				72.585.37	4.834.17

/----------CORRECTLY REPORTED----------/

		4,301.810	693.260
APPROIATE PROPERTY TAX RATE		1.2545	0 6270
		53,966 21	4,346.74

		/---REFUND DUE----/ INSIDE	OUTSIDE
TOTAL REFUND DUE	$19.106 59	*18.619.16	487 43**

	CITY TAXES	COUNTY TAXES
*City-County Distribution		
Account 7000013111 (Inside) Refund (Value - 1,484,190)	9,313.29	9,305.87
**County Only		
Account 7000013112 (Outside) Refund Value - (77,440)		487.43
SUBTOTAL TAXES	$9,313.29	$9,793.30
COMBINED TOTAL TAXES	$19,106.59	

5 Recommended by City Council
for approval by the County
13 Apptd. by County Commissi

WASTE MANAGEMENT ADVISORY COMMITTEE
(18 Members)

Membership - The City Council is to recommend five (5) members for approval by the County Commission. Represented are to be the following groups: (1) Medical-Scientific; (2) Legal; (3) Planning Organization; (4) Chamber of Commerce; (5) Charlotte Clean City Committee. Terms are for three years and appointees must be residents of Mecklenburg County.

Responsibilities - Evaluate all decisions to construct additional waste-to-energy facilities in the future and consult and advise the City and County governing bodies on the merits and cost efficiencies of such decisions prior to the time they are made.

MEMBER & QUALIFICATION	DIST.	BUSINESS/PROFESSION	ORIG. APPTMT.	RE-APPTMT.	TERM.	EXPIR.
City						
Robert Smith /M (Medical-Scientific)	3	Law Engineering	2/20/89		3 yrs.	2/20/92
Thurston Frazier /M (Legal)		Public Defender's Off.	2/20/89		3 yrs.	2/20/92
~~Robert L. Davis B/M~~ VICKY BAUCOM (Planning Organization)	1	Prin., Spaugh Mid. Sch.	2/20/89		3 yrs.	2/20/92
Gregory Simmons W/M (Chamber of Commerce)			10/02/89		Unexp.	9/30/92
McGrath W/M (Clean City Committee	5	Southern Real Estate	2/20/89		3 yrs.	2/20/92
County						
Jacqueline Clark B/F		Engineer	11/16/87	9/18/89	3 yrs.	9/30/92
Walter Dillard B/M		Senior Examiner	11/16/87	9/18/89	3 yrs.	9/30/92
William Jones W/M		Assistant V.P Govt./Indus. Affairs	9/21/87	9/8/89	3 yrs.	9/30/92
Linda Kissinger W/F (MH/Matthews/P'Ville)		Env. Engineer	11/16/87	9/18/89	3 yrs.	9/30/92
Michael Lascara W/M (Duke Power Co.)		Env. Engineer	10/17/88			9/30/91
William Lynch, Jr. W/M		Env. Engineer	10/17/88			9/30/91
David Martin W/M (Financial/Accounting - Htsville/Davidsn/Cornel.)		Asst. Prof. Econ.	12/15/86			9/30/91
Bea Quirk W/F (Civic /Community Org.)		Free Lance Writer	10/17/88			9/30/91
Michael Smith W/M (Env. Prot. Commission)		Env. Affairs Dir.	6/15/87	9/18/89	3 yrs.	9/30/92
*Charles Willis W/M (Engineering - Technical)		Consult. Engineer	11/16/87			9/30/91
Ann Yochem W/F (Academic)		Biology Professor	11/16/87			9/30/91
Margaret M. Houlihan W/F (Sierra Club)		Phychologist	10/16/89		Unexp.	9/30/90
Brian Schick W/M		Manufacturer's Council	12/19/88	9/18/89	3 yrs.	9/30/92

*Chairman

Revised 2/9/90

February 21 1990

Ms Pat Sharkey
City Clerk
CMGC
600 E 4th St
Charlotte N C
28202-2857

Dear Ms Sharkey,

It gives us great pleasure to recommend the appointment of Mr John Spegal General Manager of Browning-Ferris Industries and member of the Charlotte Clean City Committee to the Solid Waste Management Board to fill the unexpired term of our former chairman Bob McGrath

BFI has been the Clean City Committee's strongest supporter on environmental issues and committee projects and we are confident that John will make an excellent representative for the Committee in this position

We respectfully urge Council s approval of our recommendation

Sincerely

Eric Peterson
Chairman
Charlotte Clean City Committee

RECEIVED
OFFICE OF CITY CLERK

Charlotte Clean City Committee
7th Floor
Charlotte Mecklenburg Government Center (CMGC)
600 East Fourth Street
Charlotte NC 28202 2857
336 2547