AGENDA

Meeting Type·	B
Date.	11-13-1990
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda

November 13, 1990

FILE COPY

CHARLOTTE

Meetings in November '90

THE WEEK OF NOVEMBER 1 - NOVEMBER 3

No meetings are scheduled for this week

THE WEEK OF NOVEMBER 4 - NOVEMBER 10

5	Monday, 12 Noon	**PLANNING COMMISSION/Work Session** CMGC, 8th Floor Conference Room
	Monday, 5 00 p m	**CITY COUNCIL WORKSHOP** - CMGC, Meeting Chamber
7	Wednesday, 4 00 p m	**AIRPORT ADVISORY COMMITTEE/Proposed Southwest District Plan** Charlotte/Douglas International Airport, Conference Room A
	Wednesday, 6 00 p m	**YOUTH INVOLVEMENT COUNCIL** CMGC, Conference Center
8	Thursday, 8 00 a m	**CHARLOTTE CHAMBER INTRACITY VISIT**- CMGC, Meeting Chamber

THE WEEK OF NOVEMBER 11 - NOVEMBER 17

12	Monday	**VETERANS' DAY** All City Offices Closed
	Monday, 7 30 p m	**HISTORIC LANDMARKS COMMISSION** - 1221 S Caldwell Street
13	Tuesday, 7 30 a m	**POLITICAL CONSOLIDATION STUDY COMMISSION** CMGC, Conference Center
	Tuesday, 8 00 a m	**AIRPORT ADVISORY COMMITTEE** Charlotte/Douglas International Airport, Conference Room A
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 6 00 p m	**COUNCIL/MANAGER DINNER** CMGC, Meeting Chamber Conference Room
	Tuesday, 6 30 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber (Televised Channel 32)
	Tuesday, 7 00 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber (Televised Channel 32)
14	Wednesday, 8 00 a m	**CLEAN CITY COMMITTEE** CMGC, Room 270
	Wednesday, 8 30 a m	**CIVIL SERVICE BOARD** CMGC, 7th Floor Conference Room
	Wednesday, 9 30 a m	**CIVIL SERVICE HEARING** CMGC, Rooms 270-271
	Wednesday, 2 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Wednesday, 4 00 p m	**HISTORIC DISTRICT COMMISSION** - CMGC, 8th Floor Conference Room
15	Thursday, 7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** CMGC, Room 270
16	Friday, 11 30 a m	**CHARLOTTE-MECKLENBURG ART COMMISSION/WTVI Ribbon Cutting, "Transmission of Light" Dedication** - WTVI, 42 Coliseum Drive
16-17	Friday/Saturday	**CITY COUNCIL RETREAT** - Park Hotel, 2200 Rexford Road

(CONTINUED ON BACK)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF NOVEMBER 18 - NOVEMBER 24

19	Monday, 5 00 p m	**COUNCIL/MANAGER DINNER** CMGC, Meeting Chamber Conference Room
	Monday, 6 00 p m	**CITY COUNCIL/Zoning Hearing** - CMGC, Meeting Chamber
20	Tuesday, 12 Noon	**CITY COUNCIL/COUNTY COMMISSION/SCHOOL BOARD LUNCHEON** - CMGC, Conference Center
	Tuesday, 2 00 p m	**HOUSING AUTHORITY** - Sunridge Apartments, 4005 Sunridge Lane
	Tuesday, 3 30 p m	**PLANNING COMMISSION/Executive Committee** CMGC, 8th Floor Conference Room
	Tuesday, 6 00 p m	**CHARLOTTE ADVISORY PARKS COMMITTEE** CMGC, Conference Center
22	Thursday	**THANKSGIVING HOLIDAY** - All City Offices Closed

THE WEEK OF NOVEMBER 25 - NOVEMBER 30

26	Monday, 1 00 p m	**COUNCIL/MANAGER LUNCHEON** - CMGC, Meeting Chamber Conference Room
	Monday, 2 00 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber (Televised Channel 32)
	Monday, 2 30 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber (Televised Channel 32)
	Monday, 4 30 p m	**PLANNING COMMISSION/Zoning Committee** - CMGC, 8th Floor Conference Room
27	Tuesday, 7 30 a m	**POLITICAL CONSOLIDATION STUDY COMMISSION** - CMGC, Conference Center
	Tuesday, 10 30 a m	**AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY** Charlotte Convention Center, 101 South College Street, VIP-B Conference Room
	Tuesday, 2 00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - Hal Marshall Building, Building Standards Training Room, 700 North Tryon Street
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
28	Wednesday, 7 45 a m	**PRIVATE INDUSTRY COUNCIL** - CMGC, Conference Center
	Wednesday, 2 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** CMGC, 8th Floor Conference Room
29	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION** CMGC, 10th Floor Conference Room
30	Friday, 7 30 a m	**PLANNING LIAISON COMMITTEE** CMGC, 8th Floor Conference Room

These organizations will <u>not</u> meet in November
Community Facilities Committee
Housing Appeals Board

November 13, 1990 City Council Agenda
Table of Contents

ITEM NO.		Page No.
	PUBLIC HEARINGS	
3.	Yonkers Street Abandonment	1
4.	Housing Code Amendment	2
5.	Vote on Consent Items	3
	POLICY	
6.	Convention Center Financing and Design	3
7.	Coliseum Center Tract IV	5
8.	Regional Issues Committee	8
9.	Existing Convention Center Reuse Process	10
10.	Sidewalks	12
11.	Bond Referendum Results	13
	BUSINESS	
12.	Hoskins Mill Loan Amendment	14
13.	Turner Avenue Storm Drainage	15
14.	Zone Wrecker Interlocal Agreement	16
15.	Arrowood/Carowinds Express Bus Service	18
16.	Multi-Way Stops	20
17.	York County Agreement	21
	CONSENT	
18.	Budget Ordinance	23
19.	Bids	24
20.	Airport Telephone System Maintenance Contract	32
21.	Engineering Services Contract	33
22.	Landscaping Contract	36
23.	Contract Amendment	37
24.	City Code Amendments	37
25.	Rehabilitation/Replacement Housing Loan	39
26.	Housing Code Enforcement	40
27.	Right of Way Lease Agreement	40
28.	Storm Drainage	41
29.	Speed Limits	41
30.	Set Public Hearings	42
31.	Right of Way Deed	42
32.	Surplus Property	43
33.	Right of Way	44
34.	Condemnation Resolution Amendments	45
35.	Tax Refund	46
36.	Property Transactions	46
37.	Utility Contracts	51
38.	Appointments	52

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

Tuesday, November 13, 1990

5:00 PM	-	Council-Manager Dinner
5:15 PM		. Civil Service Briefing
5:30 PM		. 1991 Legislative Package Briefing*
6:30 PM	-	Citizens Hearing
7.00 PM	-	Council Meeting

* Attachment 1

ITEM NO.

1. Invocation by Rev. Steve Gandy of Arlington Baptist Church.

2. Consider approval of Council Minutes of September 17 Zoning Meeting, September 18 Joint Meeting, September 24 Regular Meeting, September 26 New Zoning Ordinance, October 1 Workshop, and October 8 Regular Meeting.

PUBLIC HEARING

3. A. Conduct a public hearing to abandon a portion of Yonkers Street.

   B. Recommend adoption of a resolution to close a portion of Yonkers Street.

   Petitioner: Truck Parts, Inc.

   Right-of-Way to be Abandoned: A portion of Yonkers Street.

   Location: Between Atando Avenue and Kennedy Street

   Reason: To incorporate the right-of-way into the adjoining lot thereby forming one contiguous tract of land.

Clearances
Private utility companies - no objection.
This area does not have a neighborhood association.
City departments - Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual owning property in the vicinity of Yonkers Street of reasonable ingress and egress to his property as outlined in NCGS 160A-299.

Funding No City funds are involved.

A map is attached.

Attachment No. 2

4. A. Conduct a public hearing to obtain the views of citizens on a proposed ordinance to amend the Charlotte Housing Code and

B. Recommend adoption of an ordinance amending the Charlotte Housing Code to grant the Community Development Director authority to waive civil penalties when the City acquires property, which is under code enforcement, for resale to low to moderate income persons.

Council Action: A public hearing is required by State law. Adoption of the ordinance will grant the Community Development Director authority to waive civil penalties if the owner of residential property under code enforcement sells or donates the property to the city.

Benefit: One goal of the Council-adopted Housing Policy Plan is to reduce the number of boarded-up or vacant structures and return them to the housing inventory. One of the strategies to achieve this goal is a program of city acquisition of vacant and boarded-up units for rehabilitation and resale to low-income residents where the current owners have abandoned or disinvested in the properties. A recently-identified method to implement this strategy is to encourage owners of property under code enforcement to sell or donate the substandard property to the city with one of the considerations being the city's forgiveness of the civil penalties that have incurred as a result of code enforcement.

Prior to purchasing or receiving property, the City would make sure certain criteria are met, such as (1) the owner has abandoned the property and the City would be forced to use in rem remedy to correct code violations, (2) does the acquisition of the property make economic sense, and (3) is the purchase/rehabilitation price such that the resale price would be within the means of a low to moderate income household which would pay a maximum of $766 per month.

Funding — The program will be financed from Community Development Block Grant (CDBG) and Innovative Housing funds. CDBG funds will be used where a buyer has been identified on the relocation workload.

Clearances — Community Development Department; Legal Department.

VOTE ON CONSENT ITEMS

5. Agenda items 18 through 37 may be considered in one motion except for those items removed from the consent agenda as a result of a Council member making such a request of the City Clerk prior to the meeting.

POLICY

6. A. Recommend adoption of a resolution concerning the proposed Convention Center by approving (a) the form of a lease, or as an alternative an installment purchase contract (b) the form of an agency agreement with a non-profit corporation (c) the form of a deed of trust.

Council Action — Council is requested to (1) adopt a resolution approving the form of a lease and the associated agency agreement that provide for the acquisition and construction of the convention facility by the nonprofit corporation, or in the alternative, the form of an installment purchase contract and the associated deed of trust that provide for the acquisition and construction of the convention facility by the nonprofit corporation to be sold to the City. By approving the lease or alternative installment purchase contract, Council is approving annual lease payments not to exceed $14.6 million per year for 35 years. The latter represents a securities size not to exceed $165 million.

Previous Council Actions

The Council has taken the following actions:

- July 9, 1990 - Council authorized staff to proceed with necessary actions to secure financing for the proposed Convention Center.

- August 6, 1990 - Council authorized staff to proceed with necessary actions to secure financing for a convention center via a lease/purchase method.

- September 10, 1990 - Council adopted a resolution calling for a public hearing concerning a convention center financing and authorized staff to take necessary actions to secure the financing.

- October 8, 1990 - Council took the following actions: conducted a public hearing on the Convention Center financing, authorized an agreement with the City of Durham to establish a pool financing, approved the forms of documentation which included the leases, and requested that they be brought back to Council for final approval .

Funding

Proceeds of the lease or installment purchase contract.

Clearances

Finance and Special Counsel.

B. Review and approve a design concept for the new Convention Center designated as "L" below rail.

Council Action

A brief presentation will be made by the architect at the Council meeting. Council is requested to approve the design concept recommended by the Design Review Committee which will produce a convention center of approximately 750,000 sq. ft. with an exhibit hall with approximately 270,000 sq. ft. and support facilities.

Convention Center Design

In August, 1990, City Council awarded contracts for the design and construction management of the new Convention Center to the FWA Group and the firm of Fluor Daniel, respectively. In September, 1990, the City Manager appointed a Design Review

Committee for this project consisting of local citizens and City staff. The membership list is attached. The committee meets monthly with the project architect, City staff and other consultants to review the overall design and provide input into the design. The first Design Review Committee meeting involved design issues and design constraints. The following issues and constraints were presented to and discussed with Council in September, 1990:

- configuration of the site
- orientation of the building to the street
- how existing railroad through property should be handled
- service access

With consideration of the design issues and constraints identified by Council and the Design Review Committee, the architect has worked with the Convention Center staff and City staff in developing several design configurations for the new Convention Center project. These concepts were presented to the Design Review Committee and staff. After review and discussion, the Design Review Committee and staff reached a consensus with the architect on the particular concept which would best meet the design issues, site constraints and budget.

Attachment No. 3

7. Recommend that City Council: (a) reject a bid received in response to the City's Invitation to Bid for Coliseum Center's 91-acre Tract IV and (b) advise staff if Council desires to set in motion a process to reappraise the land using different land use assumptions.

Coliseum Center Tract IV

A single bid of $4,004,000 was received for the Coliseum Center's 91-acre Tract IV; three appraisals of the property averaged $10,470,000. This agenda item recommends the bid be rejected, that the 91-acre tract be withdrawn from the market, and that Council give staff direction on the site.

In the February 5, 1990 workshop Council directed staff to seek offers to buy Coliseum Center's 91-acre Tract IV.

- Staff developed a draft Invitation to Bid (ITB) which described the 91 acres in detail; the ITB was designed to elicit top dollar by allowing up to 1,180,000 square feet of development.

- In early June, the draft ITB was sent to 10 leading local developers asking for review, comments, observations and/or proposed changes.

- The ITB was put in final form and mailed on September 7, 1990 to ± 130 national/ regional/local developers; deadline for bids was October 15, 1990.

- Concurrently, three MAI appraisals of Tract III were obtained so that Council would have a benchmark by which to judge any bid received.

In-house Committee Review

Bid Evaluation

By the bid deadline October 15, 1990 a single bid of $4,004,000 was received from Childress Klein Properties (CKP). The in-house committee reviewed the bid on October 16, 1990. It was the unanimous conclusion that the staff position should be to recommend to City Council that the bid be rejected and that the 91 acre parcel be withdrawn from the market. The rationale supporting this recommendation is that the bid of $4,004,000 was far below even the lowest of the three appraisals:

Appraisal	Amount
A	$ 9,510,000
B	10,500,000
C	11,400,000
Average of A, B, & C	10,470,000

The in-house committee felt that a soft market was the major factor which led to a $4 million bid, and it was therefore their recommendation that the bid should be rejected and the property placed on the shelf pending a stronger market.

On October 23, 1990, at Fred Klein's request, a meeting between CKP representatives and the key members of the in-house committee was held. During the meeting, CKP revealed its conceptual master plan for Wilmount North and Wilmount South, a development encompassing not only Tract IV's 91 acres but adjoining/nearby acreage already owned or controlled by CKP.

The CKP plan includes no high-image office buildings and would feature only single story business park buildings (totalling 600,000 square feet) and warehouse/service structures (totalling 200,000 square feet) for a total development of 800,000 square feet. By contrast, the City's Invitation to Bid was designed to elicit top dollar for the site by allowing up to 1,180,000 square feet of development including high-image office buildings facing on Billy Graham Parkway with business park-type structures in the rear of the property.

It is in part the different use to which CKP would put the property that accounts for the difference between the bid price ($4,004,000) and the three appraisals. In gross terms, the CKP bid translates to $1.01 per square foot for the entire acreage including undevelopable portions of the site made up of flood plain and creek. By contrast, the average of the three appraisals ($10,470,000) translates to $2.64 per square foot for the entire acreage. It should be noted that if the $10,470,000 average figure of the three appraisals is discounted by 32% to reflect a less-dense 800,000 square feet of development (rather than the allowed 1,180,000 square feet of development) a theoretical case could be made for an adjusted appraisal of $7,119,600.

Options

Options for Council Consideration:

1. Reject the CKP bid outright.

2. Advise staff if Council would like to set in motion a process to:

   a. Revisit the three MAI appraisals asking the appraisers to use different land use/density assumptions (more specifically, a total development of 800,000 square feet made up of @ 600,000

square feet of single-story business park-type buildings plus @ 200,000 square feet of warehouse/service structures);

b. Review the results of the reappraisals;

c. Decide to:

(1) Not pursue the sale of Tract IV at this time; or

(2) Direct staff to negotiate with CKP; or

(3) Restart the Invitation to Bid process with new/revised development density assumptions.

Recommendation:

It is recommended that Council select Option #1 (reject bid outright).

Clearances Finance, Planning, Real Estate and City Attorney.

8. A. Recommend that the City Council endorse the recommendations of the Regional Issues Committee.

Committee Recommendations The Regional Issues Committee met on October 19 and unanimously voted to recommend to City Council the following actions:

1. That the City Council endorse the proposal by UNCC for development of a regional partnership to define the regional urban agenda.

2. That the Regional Issues Committee be given the following charge by City Council: To oversee the implementation of the UNCC proposal for developing a partnership to define the regional urban agenda.

3. That the Regional Issues Committee recommend action steps to City Council for the City's participation in issues of regional importance.

a) Develop a mass transit partnership with the Mecklenburg towns;

b) Develop a partnership for water and wastewater issues with surrounding counties and towns;

c) Work to include cities and towns in the Carolinas' Compact

Phases

The proposal by the Urban Institute at UNCC calls for three phases in building a partnership to define the regional coalition.

Phase One is coalition building of educational institutions to determine the interests of the region's educational institutions in being involved in regional activities. The Urban Institute would lead this effort which would not require participation from the City Council. It would be conducted concurrently with Phase Two. The estimated cost for this phase is $16,500.

Phase Two would include meetings with towns and cities within a 20 mile radius of Charlotte. The main purpose of the meetings is to start a dialogue among city leaders for the purpose of identifying and clarifying the urban agenda. The estimated cost of this phase is $15,000.

Phase Three would include a conference of participants and would be scheduled in the spring of 1991. The conference would include a mix of presentations, discussion and a beginning formulation of an action plan. A cost estimate has not yet been developed for this phase. It is anticipated that the City would contract with the Urban Institute to take the leadership in the three phases. It is also anticipated that the City would ask the Urban Institute to help define the structure of the partnerships for mass transit and for water and sewer issues and assist in implementing those partnerships.

The complete proposal from UNCC is attached along with the discussion agenda used at the Regional Issues Committee meeting, and minutes of the meeting.

Attachment No. 4

B. Recommend adoption of a resolution between the City of Charlotte and the Town of Matthews authorizing staff to work with the Town of Matthews to study transit potential between the two cities and bring back recommendations to the governing bodies.

During Council discussions on the Sardis-Weddington connector, questions were asked about substituting transit service for road building in this area. As a result of these questions, Mayor Myrick and several Charlotte Council members met with Mayor Lemmond and several Matthews Council members to discuss this issue. As a result of this meeting, the elected officials asked staff to develop a resolution pledging the two communities to work together to develop transit service between Charlotte and Matthews. A copy of the resolution is attached.

This resolution is consistent with the Regional Issues Committee recommendation above to "develop a mass transit partnership with Mecklenburg towns."

Adoption of this resolution does not affect Council's previous decision on the Sardis-Weddington connector. The Matthews Town Council is expected to consider this resolution at its November 12 meeting.

Attachment No. 5

9. Recommend approval of the Planning and Public Works Committee unanimous recommendation on a process for decision-making on the reuse/disposition of the existing Convention Center site.

The Planning and Public Works committee met on October 30, 1990 to discuss a process for determining the best use of the Convention Center and "Fish and Oyster" site bounded by College, Trade, Brevard and Fourth Streets.

The committee unanimously recommends a three-phased study approach to be submitted as part of the FY92 budget process for funding consideration.

Detailed information and the Committee minutes are attached; a summary of the three phases of the process follows:

Phase I - Initial Agreement and Organization
Agreement must be reached on an initial definition of the problem/opportunity and purpose of the work program effort. A technical task force would be appointed in this phase as well as an Advisory Committee composed of representatives from the transit advisory committee and the Uptown Transportation Council.

Phase 2 - Goal Setting and Strategy Definition
This phase will review land use assumptions of the Center City Plan and evaluate alternatives that may have emerged. Contract services may be required to evaluate alternative uses such as transportation center.

Phase 3 - Implementation
Based upon the selected development scenario, an implementation program will be prepared including schedule, resources, etc.

The existing Convention Center will be replaced with a 750,000 square foot facility at a new location. The new facility will open in late 1994. Further, it is anticipated that by the end of this decade, a transportation terminal will be needed as an option to the Tryon Street transit mall. The Center City Plan identifies the optimum site for such a facility as the existing Convention Center/"Fish and Oyster" blocks bounded by College, Trade, Brevard and Fourth Streets.

There is a need to initiate a process for determining the best use of the existing Convention Center and "Fish and Oyster" sites in support of Uptown planning objectives. It is noted that the existing Convention Center will remain in operation well into 1994. Consequently, there is no immediate need to initiate a reuse study.

Attachment No. 6

10. Recommend approval of the unanimous recommendation of the Planning and Public Works Committee for staff to: 1) develop amendments to Chapter 19 of the City Code including an appeal process, and 2) develop options for a more systematic approach to sidewalk construction.

Sidewalk Issue

Council referred to the Planning and Public Works Committee the examination of the sidewalk requirement of Chapter 19 of the City Code.

- Council was concerned that the sidewalk requirements were being applied in circumstances that did not make sense because the existing ordinance did not have enough opportunities for variances.

- The Committee discussed the piecemeal approach of sidewalk construction and the equitable application of the sidewalk requirement to sites on funded and non-funded roadway projects. There was also discussion concerning a desire for a more systematic approach to sidewalk construction.

Committee Recommendation

The following three additional sidewalk variances are unanimously recommended by the Committee:

1. If at least 50% of a block frontage is developed and 50% of the block is developed without a sidewalk, no sidewalk would be required by new development unless the site is located on a thoroughfare or a collector street.

2. Eliminate the sidewalk requirement on all dead end streets less than a thousand feet in length unless they serve as a public access to a school, park, shopping facility, multi-family development, or other community facility.

3. Require the developer to pay the City the value of the street improvements for their frontage as their share of the City project rather than exempt street improvements from sites along funded roadway projects.

Appeal Process Recommended

The Committee also recommended an appeal process be outlined for unique circumstances. Council is also asked to adopt the Committee's recommendation to direct staff to develop options to accomplish a more systematic approach to sidewalk construction. A systematic approach to sidewalk construction would involve an inventory of sidewalk needs City-wide, prioritizing locations, and determining an implementation stragety (through development, existing City programs, or new City programs.)

If Council approves the additional variances listed above, the Engineering Department and legal staff will prepare specific amendments for Council approval. If staff is instructed to pursue options for systematic construction, a task force of appropriate staff will be given the assignment.

Clearances

The proposed additional variance criteria has been reviewed by the Engineering Department and the Department of Transportation.

Committee minutes are attached.

Attachment No. 7

11. Recommend adoption of a resolution declaring the results of the November 6, 1990 General Obligation Bond Referendum.

This action is required by law.

(a) Report by the City Clerk of the canvass of the returns of the November 6 bond referendum by the Mecklenburg County Board of Elections.

(b) Adoption of resolution declaring the results of the Special Bond Referendum held on November 6, 1990.

BUSINESS

12. Recommend approval of the fourth amendment to the City's loan agreement with the Hoskins Mill Associates Limited Partnership to refinance $350,000 of a previous operating loan, to reduce the rents of elderly served from 60% of median income to 40% of median income and to help cover project cost overruns.

Council Action

Hoskins Mill Associates Limited Partnership requests the City amend its loan agreement to refinance the $350,000 operating loan to the $2,005,000 capital loan at the same term and rate. Therefore, the total loan would be $2,355,000, the term would be 15 years, maturing in 2003, and the interest rate would be 3%. City Council approval of this amendment would require no additional cash outlay on behalf of the City; however, it requires the developer to reduce the rents on 47 of the total 94 elderly apartments from 60% of median income to 40% of median income. In addition, approval of this amendment would require the developer/owner to purchase playground equipment and provide a playground area for the residents' children. The developer requests this amendment in order to lower rents since the developer is having difficulty renting the units to elderly with 60% median income.

The current status of the Hoskins Mill project is:

1. Occupancy of the 95 multi-family units is at 57%.
2. Occupancy of the 94 elderly units is at 16%.
3. The multi-family units are 99% complete, and the elderly units are 90% complete as indicated by the independent architect's report dated September 13, 1990. The punchlist items for the multi-family units have been prepared and are being addressed by the developer. Once completed, these units will be 100% complete.

Additional information is attached including project history, reasons for the requested amendment, and financial impact.

Funding

No new funds requested.

Clearances

Community Development Department.

Attachment No. 8

13. Recommend City Council authorize repairs to the storm drainage system at 327 Turner Avenue and 401 Turner Avenue and place liens for the total costs of the improvement on private property to the involved property owners in accordance with the City Charter, Section 6.101.

Location: 327 Turner Avenue and 401 Turner Avenue

Property owners: Calvin Alexander (327 Turner Avenue), B. T. Rushing (401 Turner Avenue)

Reasons: Hazardous street flooding at the 400 block of Turner Avenue is caused by a 42-inch reinforced concrete pipe located under Turner Avenue within the City right-of-way that is completely blocked with silt and debris. Street Maintenance forces are unable to clear this pipe by working within the street right-of-way alone.

Cost: The estimated cost for this project is $23,000 for work to be done in the street right-of-way and $6,500 for work to be done on private property.

Details of the Drainage Problem: The channels both upstream and downstream of the 42-inch pipe must be dredged to allow the flow of stormwater runoff. The downstream property owner, Mr. Paul Merritt, has agreed to do this and will hire a contractor to dredge the channel on his property. The above private property cost excludes cost incurred by Mr. Merritt on his property.

The upstream property owners have not agreed to do this work on their property themselves. Mr. Calvin Alexander, 327 Turner Avenue, met with City staff on site and has received certified letters from City Engineering requesting that he clear the channel on his property and stabilize the channel banks to avoid further erosion into the channel and culvert. Of the private property cost, Mr. Calvin Alexander will be responsible for approximately 20% of the cost or $1300.00.

The Engineering Department has been unable to contact Mr. B. T. Rushing who owns the vacant lot at 401 Turner Avenue. The tax listing for the property gives an erroneous address for the owner. County tax records show that he has not paid taxes on this property for several years and the County Tax office has petitioned the County Attorney's Office for foreclosure proceedings on his property.

Council's Authority: Section 6.101 of the City Charter states that City Council has the power to require that all property owners provide adequate drainage facilities to permit the natural flow of water and in case of the property owner's failure to do so, enter and make the repairs and charge the costs to the property owner. If Council authorizes the repairs, liens will be placed against the two properties.

Clearances: Engineering Department; the Street Maintenance Division of the Charlotte Department of Transportation concurs in the need to correct this problem.

Funding: Street Maintenance Division operating budget

A map is attached.

Attachment No. 9

14. Recommend approval of a proposal from Mecklenburg County to enter an interlocal agreement to consolidate zone wrecker service for the City and County under Mecklenburg County.

County Proposal: Mecklenburg County has proposed the City and County undertake an interlocal agreement which would consolidate the awarding and administration of zone wrecker contracts under the County.

- The proposed consolidated zone wrecker service process has been worked out by a staff group consisting of representatives from the City and County including both legal departments.

- The group met several times over the past month with incumbent zone wrecker contractors and interested wrecker operators in an attempt to develop procedures and consolidated zones which would best serve the needs of law enforcement agencies, other governmental agencies and the public.

- Several wrecker operators provided written comments, and the staff group considered all comments and incorporated most of them in their recommended procedures.

Five Zones

The County recommends the total County (including the City of Charlotte) be divided into five wrecker zones, A through E.

- Operators awarded contracts for zones B, C, D, and E would be required to pay the County an annual fee of $2000 during the five year term of the contract to cover a portion of the County's cost in administering the contracts.

- Zone A, which is located in the northern part of the County and would receive a fraction of the calls received in other zones, would pay an annual fee of $200 to the County.

Fees

The County's current zone wrecker fee schedule would be adopted with the exception of increasing the daily storage fee from $3.00 per day to $5.00 per day. The County's general towing rate is $45.00 (the City's current rate is $35.00; however, the City has been expecting a request for an increase since there has not been an increase for several years). The $45.00 rate would be charged county-wide under the County's proposal. This change would not affect the level of service and response time.

Administration

The County would manage the request for proposals, the awarding of contracts and administration and monitoring of the quality and level of services. The staff committee recommended that the proposals be evaluated by a panel of five members that will include representatives from City police, County police and the purchasing department.

Clearances City Police Department, Purchasing Department, City Manager's Office and City attorneys. The Board of County Commissioners has approved an interlocal agreement to consolidate these services.

15. Recommend approval of a contract with Carolina Transit Service for $77,170 for operating express bus services to the Arrowood Industrial Park and Carowinds.

Contract The City's present one-year contract with Executive Transportation Services, Inc. for operating express bus services to Arrowood Industrial Park and Carowinds ends on November 30. A Request for Proposal (RFP) to operate the services was mailed on September 6 to 15 companies.

Carolina Transit Services of Charlotte submitted the only response to the RFP on October 4.

Recommendation CDOT recommends contract award to the company because:

1) Carolina Transit performed satisfactorily when the company operated the Arrowood and Carowinds routes between June and November 1989. The City received no complaints from transit passengers, Arrowood employers, or Carowinds management.

2) Carolina Transit Service's cost proposal is competitive when compared to the estimated cost for Charlotte Transit System's operation of these two routes. Although Carolina Transit's proposal of $77,170 is higher than Executive Transportation's 1989-90 annual cost of $56,100, it reflects fuel costs that have increased by 100 percent between August 1989 and September 1990.

3) Carolina Transit Services is certified with the City as a woman-owned business (M/WBE).

Ridership

During the 1990 Carowinds season (March-October), approximately 7,800 passengers used the Carowinds service for commuting to and from summer jobs at the theme park. Average ridership of 12 passengers per trip (70 riders per day) compares favorably with patronage figures for five of Charlotte Transit's 11 express routes. Operation of this transportation service has been the key factor in increasing the Employment and Training Department's placement of youth workers at Carowinds. To illustrate the impact of this service, during the Summer of 1990, 130 youth were placed at Carowinds. Prior to the introduction of this service in 1986, less than 5 youths were placed.

Over the past year, average daily ridership on the Arrowood route has been 40 passengers (10 riders per trip). Patronage has been as high as 50 riders per day during certain months as several new companies which employ inner-City workers have moved to the Arrowood area. Continued operation of the Arrowood route is considered the most cost-effective way of providing this vital transportation service and will enhance the Employment and Training Department's efforts to place additional workers at the Arrowood Industrial Park.

A brief history of the two express bus services is attached.

Funding

Transportation Fund	60%	$46,302
Fare Box Revenues	20%	$15,434
Employment and Training Department's Contribution to Transportation Fund	20%	$15,434

It is estimated that the Employment and Training Department's contribution combined with farebox revenues will total 40% of the total cost of the service. The Employment and Training Department allocates $100,000 annually in support of Transportation services for job training.

Clearances

CDOT, Employment and Training, Budget and Evaluation, and Purchasing.

Attachment No. 10

16. Consider petitions from residents of the Old Salem neighborhood to install multi-way stops at two intersections.

Multi-Way Stops Requested

Residents of the Old Salem neighborhood petitioned for multi-way stop signs at two intersections as a means to control speeding and through traffic:

Broken Saddle Lane/East Barden Road
East Barden Road/Red Cedar Lane

The Council-approved Neighborhood Multi-Way Stop Policy calls for petitions to be signed by 75 percent of the residents of households within a defined impact area. CDOT has verified that this criteria has been met. Neither intersection meets Council's policy, however, because:

1. Both intersections are T-intersections.
2. Both side streets (Broken Saddle Lane and Red Cedar Lane) are currently controlled by stop signs.
3. Both intersections have less than 350 vehicles per hour for the maximum 8-hour period (Broken Saddle has 276; Red Cedar 205).
4. Both intersections have minor street approach traffic totals less than the required 60% of the main street.

CDOT Evaluation

East Barden Road/Red Cedar Lane - The technical review found that a multi-way stop at this intersection could be a safety hazard and should be denied for that reason. The intersection is on a steep hill and lacks adequate sight distance for motorists approaching from the Providence Road direction on East Barden Road. Of 400 feet of sight distance needed, only 250 feet is present. Lack of adequate sight distance will be a hazard because the motorist will not have enough room to stop if the motorist is travelling at the prevailing speed and not alert to the presence of the multi-way stop.

Broken Saddle Lane/East Barden Road - This intersection does not meet the policy, but installation of a multi-way stop would not constitute a direct safety hazard.

CDOT has worked with an Old Salem/Woodbridge steering committee to evaluate their traffic problems. CDOT has determined that a morning peak hour through traffic problem exists.

Approximately 400 vehicles cut through the neighborhood during that period.

The neighborhood steering committee has looked at other traffic control techniques, including modifying the median on Providence Road at East Barden to restrict left turns into the neighborhood, restricting turns at Carmel Road, and closing East Barden between Old Salem and Woodbridge neighborhoods. These options were not selected due to the cost involved or the impact on the residents.

Options — The following options are for Council consideration:

Option 1 - Approve the two multi-way stops.

Option 2 - Approve the multi-way stop at Broken Saddle Lane and East Barden Road and exclude East Barden/Red Cedar.

Funding — CDOT operating budget.

Clearances — Charlotte Department of Transportation.

17. Recommend approval of an amendment to the September 3, 1985 agreement between the City of Charlotte and York County.

1985 Water and Sewer Agreement — On September 3, 1985, the City of Charlotte and York County entered into an agreement whereby CMUD provided water and sewer service to York County for an area in the vicinity of Carowinds. The water and sewer service was limited to an area within a 7500 foot radius from the corner of the State Line near I-77. Another component was York's agreement to have utility service provided without assistance from CMUD and to terminate the agreement in ten years. The termination date of September 3, 1995 was based on the concept that York County would have a county water and sewer system in place before the ten year time period expired.

Regional Discussions	Current discussions with York County, Rock Hill, Fort Mill and Tega Cay have influenced the York County Council to take a broader, more comprehensive approach to public water/sewer needs in the Catawba River basin that includes York, Mecklenburg and Lancaster Counties.
York County Requests Amendment	To provide York County an opportunity to develop a regional plan with Charlotte-Mecklenburg, the County Council has requested they be permitted to amend the 1985 agreement. Principal provisions of the amendment include the following: 1. Extend the deadline for establishment of utility service without assistance from CMUD by two years 2. Extend service area from 7500 foot radius to 12,500 foot radius 3. Establish maximum daily flow of 500,000 gallons 4. Provide for York to adopt amendment to sanitary sewer use ordinance comparable to amendments previously adopted by Charlotte. Based on the need to fully develop the regional utility plans with York County, it is essential that this cooperative agreement be extended. The first three principal provisions (above) are necessary to provide adequate utility service for York County during the time required in negotiating the broader utility agreements. The fourth final principal is to provide protection to the CMUD sewer system through its industrial waste program.
Funding	No funding required.
Clearances	The Utility Director.

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CONSENT

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BUDGET ORDINANCE

18. A. Recommend adoption of a budget ordinance for $75,000 for landscaping of the Rama Road widening project.

Rama Road Landscaping — The following bid list contains a recommended contract for landscaping both the Delta Road extension and the Rama Road widening projects.

The budget ordinance for $75,000 will provide funds for the Rama Road landscaping. Additional funding is needed in the Rama Road account because the project scope was expanded to improve traffic flow which resulted in additional costs for curb and gutter. An unanticipated relocation of sewer lines also resulted in added costs.

Funding — Transfer of savings from the Delta Road Extension Capital account.

Clearances — Engineering; Budget and Evaluation Department.

B. Recommend adoption of a budget ordinance appropriating $15,250.00 from the United States Department of Housing and Urban Development for the Charlotte-Mecklenburg Community Relations Committee's Fair Housing Assistance Program.

Fair Housing Grant/ Budget Ordinance — The Charlotte-Mecklenburg Community Relations Committee (CRC) receives a Fair Housing Assistance Grant of $50,250.00 from the United States Department of Housing and Urban Development to aid in its administration of Charlotte's Fair Housing Ordinance. $35,000.00 was appropriated on July 23, 1990 for expansion of the Community Relations Committee's Fair Housing Assistance Program. This action appropriates $15,250.00 for the regular on-going program of the committee.

Funding — United States Department of Housing and Urban Development.

Clearances — Community Relations Committee; Budget and Evaluation Department.

BID LIST

19. 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. Tire Recapping & Repairs General Services Dept.

Recommendation: By Purchasing Director and General Services Director that the low bid, White's Tire Service, Wilson, N. C., in the amount of $151,900.00, be accepted for award of contract on a unit price basis.

Project Description: Recapped tires are used on the rear of a variety of City vehicles, such as dump trucks, refuse collection trucks, bucket trucks, etc. Recapped tires will be used as replacements to insure safety of vehicles.

Source of Funding: General Fund - (General Services/Non-Departmental - Equipment Services Inventory Purchases).

B. Crushed Stone D.O.T., St. Maint. Div.

Recommendation: By Purchasing Director and Director of Department of Transportation that the low bid, Martin Marietta Aggregates, Charlotte, N. C., in the amount of $434,065.00, be accepted for award of contract on a unit price basis.

Project Description: The crushed stone will be used for street construction and repair work.

Source of Funding: Powell Bill Fund - (Resurfacing of Streets by City Forces).

C. Five Trailer Mounted Variable Message Matrix Signs — D.O.T.

Recommendation: By Purchasing Director and Director of Department of Transportation that the only bid received meeting specifications, Walker Brothers, Inc., Lexington, S. C., in the amount of $134,490.00, be accepted for award of contract.

Project Description: The trailer mounted variable message matrix signs will be used in conjunction with street and lane closings and traffic diversions during street construction projects.

Purchase of the signs will reduce construction contract costs because contractors will not be required to rent the signs. Based on the number of construction contracts to be awarded (beginning with Shamrock Road widening, bid item P.), the payback period is estimated at six months.

Source of Funding: General Capital Improvement Fund - (Park Road/Johnston Road Widening - 1988 Street Bonds).

D. Gate & Tapping Valves — Charlotte-Mecklenburg Utility Dept.

Recommendation: By Purchasing Director and Utility Director that the low bid, Miller Supply Company, Laurinburg, N. C., in the amount of $85,016.20, be accepted for award of contract on a unit price basis.

Project Description: Valves are used to control flow of water at designated locations without interupting the flow of water to other locations.

Source of Funding: Water and Sewer Operating Fund - (Inventory Account).

E. Copier, 7th. Floor, 3 Yr. Rental — P.S. & I. Dept. Printing Div.

Recommendation: By Purchasing Director, Public Service & Information Director and Copier Committee that the only bid received, Xerox Corporation, Charlotte, N. C., in the amount of $99,324.00, be accepted for award of contract.

Project Description: The contract on the present equipment has expired. This copier is centralized on the seventh floor of the CMGC for use by all City departments. This machine provides some additional features not available on convenience copiers located in the building.

Source of Funding: General Fund - (Print Shop - Copier Program Rental of Equipment).

F. 3 - Recycling Collection Vehicles — Solid Waste Ser. Dept.

Recommendation: By Purchasing Director and Solid Waste Services Director that the low bid, Lodal South, Inc , Concord, N. C., in the amount of $213,690.00, be accepted for award of contract on a unit price basis.

Project Description: These are additional units needed to keep up with the demand for recyclable material picked up in the City. Current crews are working 10-11 hour days. These units will allow additional capacity and relieve overtime requirements.

The FY91 Operating Budget included the addition of five positions in the Solid Waste Services Department to keep up with the successful recycling program. The addition of these positions will reduce overtime costs. The recycling vehicles were approved in the Operating Budget with the five positions.

Source of Funding: FY91 Capital Equipment Fund - (Solid Waste Services).

G. Guns, Automatic Pistol Magazines, Holsters and Ammunition. — Police Dept.

Recommendation: By Purchasing Director and Police Chief that the lowest bids for each Section be accepted for award of contract as follows:

SECTION 1. (934 Guns & 42 Magazines)
Southern Public Safety Co. Greensboro, N. C. $280,218.77

SECTION 2. (330,000 Rounds Ammunition)
Federal Cartridge Company Anoka, Minn. $ 64,535.00

SECTION 3. (Holsters, Magazines Holders & Etc.)
Southern Public Safety Co. Greensboro, N. C. $ 49,217.37

Project Description: These semi-automatic guns, ammunition and leather goods will replace single shot guns currently used by the Charlotte Police Department. Savings from the bid award (approximately $250,000) will be used to fund future capital outlay items in the Capital Equipment Fund.

Source of Funding: FY89 Capital Equipment Fund - (Police Department).

H. Catch Basin Frames, Grates & Hoods — D.O.T., St. Maint. Div.

Recommendation: By Purchasing Director and Director of Department of Transportation that the low bid Accucast, Waco, Texas, in the amount of $55,450.00, be accepted for award of contract.

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

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

I. Helicopter Overhaul — Police Dept.

Recommendation: By Purchasing Director and Police Chief that the low bid, Standard Aero Ltd., Winnipeg, Manitoba, Canada, in the amount of $71,368.36 be accepted for award of contract.

Project Description: The present engine and compressor in the helicopter is nearing its completion of hours and is required by the F.A.A. to be replaced.

The engine and compressor can be exchanged in Charlotte in three days with little or no down time for the helicopter.

Source of Funding: General Fund - (Police Department).

J. Sanitary Sewer Construction Steele Creek Outfall From Red Hickory Lane to Brown Grier Road — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Rea Brothers, Incorporated of Pineville, North Carolina in the amount of $145,967.01 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend sewer service to the upper reaches of the Steele Creek basin and to the Steel Creek school complex.

Source of Funding: Water and Sewer Capital Improvement Fund - (Steele Creek Outfall to Brown Grier Road).

K. Water Distribution Project 16-Inch Water Main Along Ridge Road — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Sanders Brothers, Incorporated of Charlotte, North Carolina in the amount of $114,000.86 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend water service to a new residential development being constructed on Ridge Road and Eastfield Road.

Source of Funding: Water and Sewer Construction Fund - (American Newland Association).

L. Sanitary Sewer Construction 8-Inch Sanitary Sewer To Serve 3503 Nancy Creek Road — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Rea Brothers, Incorporated of Pineville, North Carolina in the amount of $87,404.10 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend sewer service to 3503 Nancy Creek Road. The septic tank serving this location has been condemned by the Health Department and construction of a sewer line to serve this residence is critical.

Source of Funding: Water and Sewer Operating Fund - (Sewer Tapping Privilege Fee). Water and Sewer Capital Improvement Fund - (Sewer Extension for Public Health Protection).

M. Sanitary Sewer Construction Swan Run Branch Replacement - Phase II — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Iron Mountain Construction Company, Inc., of Concord, North Carolina in the amount of $403,814.18 be accepted for award of contract on a unit price basis.

Project Description: Due to rapid development in this area, the existing line often overflows into the creek and backyards, thus creating a health hazard. Construction of this project will increase the capacity and reliability of the Swan Run Branch Outfall.

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

N. Belmont Neighborhood Reinvestment Area A & B — Engineering

Recommendation: By the City Engineer that the low bid of $85,002.49, submitted by Asphalt Associates of Charlotte, be accepted for award on a unit price basis.

Project Description: This program provides for new or reconstructed sidewalks, curb & gutter, street trees and storm drainage in areas where substandard or no infrastructure exists. The need for this program was identified in the 2005 generalized land plan.

Streets included in this project are:

Area A:

Hawthorne Lane	from	Railroad	to	Parkwood Ave.
Parkwood Ave.	from	N. McDowell St.	to	Pegram St.
Kennon St.	from	Hawthorne Ln.	to	Pegram St.
Belmont Ave.	from	Louise Ave.	to	Myers St.

Area B:

Pegram St.	from	Parkwood Ave.	to	Van Every St.
Harrill St.	from	Parkwood Ave.	to	Dead End

Source of Funding: General Capital Improvement Fund - (Neighborhood Reinvestment Program - Pay-As-You-Go - Debt Service).

O. Shamrock Drive Widening — Engineering

Recommendation: By the City Engineer, based on the recommendation of consultant, Florence & Hutcheson, Inc., that the low bid of $2,605,940.68 submitted by Crowder Construction, be accepted for award on a unit price basis.

Project Description: This project is needed to relieve traffic congestion and address high accident locations. This project consists of widening Shamrock Drive to four lanes from Eastway Drive to Sharon Amity Road. Included in this contract is median work, grading, drainage, curb & gutter, paving, sidewalks, and utility relocation.

Source of Funding: General Capital Improvement Fund - (Shamrock Drive Widening - 1988 Street Bonds).

P. Highway 51 Phase I & II Landscaping — Engineering

Recommendation: By the City Engineer that the low bid of $135,606.56, as submitted by Lewis Nursery & Farm, Inc., be accepted for award on a unit price basis.

Project Description: This project consists of providing and placing trees, shrubs, and groundcover along the newly completed section of Highway 51 from Phase I (Ridgeloch Pl. to Warton Ln. including intersection of Providence Rd.) to Phase II (Park Rd. to McAlpine Creek).

Source of Funding: General Capital Improvement Fund - (N.C. 51 Widening).

Q. City Hall Annex Demolition — Engineering

Recommendation: By the City Engineer that the low bid of $229,425.00, as submitted by D. H. Griffin Wrecking, be accepted for award on a unit price basis.

Project Description: Funds for completion of the Governmental Plaza construction were approved in the FY 91-95 CIP and includes asbestos removal and demolition of the existing City Hall annex and construction of a planted plaza area.

Source of Funding: General Capital Improvement Fund - (Governmental Plaza Construction - Pay-As-You-Go Funding and Two-Thirds Bonds).

R. Delta Road Extension Phase II/ Rama Road Widening Landscaping — Engineering

Recommendation: By the City Engineer that the low bid of $109,482.88, as submitted by R & G Construction Company, be accepted for award on a unit price basis.

Project Description: This project consists of providing and placing trees, shrubs, and ground cover along the newly widened sections of Delta Rd. from Independence Blvd. to Dennon Hills Dr. and Rama Rd from Bismark Place to Florence Ave.

Source of Funding: General Capital Improvement Fund - (Rama Road Widening and Delta Road Widening).

S. Wilkinson Boulevard Phase I Landscape — Engineering

Recommendation: By the City Engineer that the low bid of $65,161.94 as submitted by Commercial Landscape Systems, be accepted for award on a unit price basis.

Project Description: Wilkinson Boulevard is one of six business corridors Planning has identified to improve visual quality and economic vitality.

This project consists of landscaping in the median along Wilkinson Boulevard between Old Steele Creek and Ashley Road.

Source of Funding: General Capital Improvement Fund - (Business Corridor Revitalization - 1987 Street Bonds)

CONTRACT

20. Recommend approval of a maintenance service contract with Southern Bell Advanced Systems, Inc. for $179,546.00.

Council Action: This action is to approve a maintenance service agreement for the telephone system at the Airport. This $179,546.00 contract amount covers 20.5 months which will allow the contract renewal to coincide with the City's fiscal year. On an annual basis, this contract amount has been increased from $97,900.00 to $105,000.00 to reflect scheduled rate increases. The contract provides for a full-time technician at the Airport to install, repair and move phones and telephone equipment. Costs are shared by all tenants of the Airport.

Funding: Airport Operating Fund, reimbursed by the Airport tenants on a prorata basis.

Clearances: USAir's telecommunication representative and the Airport Advisory Committee concur in this recommended action.

21. The following are five engineering services contracts for projects that Council approved in the 1991-95 Capital Improvement Program.

The projects are: Area Plan Capital Improvements, Business Corridor Revitalization, Neighborhood Reinvestment, Minor Intersections Improvements, Sidewalk Construction, and Storm Drainage Improvements.

We recommend these contracts due to current staffing levels in order to keep implementation of the CIP projects on schedule. Work covered by these contracts includes planning, project design, subsoil testing, land acquisition, bidding, construction administration, and construction inspection.

Each contract is recommended by a selection committee made up of representatives from several City departments.

A. Recommend approval of an agreement with HDR Engineering, Inc. of North Carolina for $200,000.00 to provide engineering services for the Area Plan Capital Improvements Program.

The Area Plan Capital Improvements Program provides for roads, sidewalks, storm drainage, and landscaping improvements in Council-approved community plans.

HDR will begin design on three areas - Beatties Ford Road, Chantilly/Commonwealth area, and Greenville Neighborhood area. Additional project locations may be added at a later date.

Funding Area Plan Capital Improvements Capital Account.

B. Recommend approval of an agreement with GNA Design Associates (GNA) for $250,000.00 to provide engineering and landscape architectural services for the Business Corridor Revitalization Program.

The Business Corridor Revitalization Program provides for sidewalks, street trees, medians, curb and gutter, lighting, seating, and a reduction of overhead wires in depressed business corridors in an effort to stimulate private investments.

The six business corridors to be improved are: Wilkinson Boulevard, South Boulevard (Dilworth), North Tryon Corridor, Beatties Ford Road, West Morehead Area, and Plaza/Central.

GNA, in a previous agreement, has completed irrigation and landscape plans for the demonstration area from Old Steele Creek Road to Ashley Road for the Wilkinson Boulevard Corridor Improvement Project.

In addition to the Wilkinson Boulevard project, GNA will also begin work on two other corridor projects: the Beatties Ford Road and the Plaza/Central Business Corridors. The limits to the Beatties Ford Road business corridor are from I-77 to I-85. The number one priority on the Beatties Ford Road corridor project is the redesign of the Five Points Intersection. GNA will prepare a streetscape plan for the area that will tie the intersection with the rest of the Beatties Ford Road corridor improvement plan. The intersection will serve as the demonstration area for the Beatties Ford Road corridor. For the Plaza/Central Corridor, GNA will prepare design plans for the entire business corridor, from the railroad tracks on Central Avenue to Nandina Street.

Funding Business Corridor Revitalization Capital Account. The cost for the traffic improvement design at the Five Points intersection will be reimbursed by the Minor Intersection Improvement Capital Account.

C. Recommend approval of an agreement with HDR Engineering, Inc. of North Carolina for $200,000.00 to provide engineering services for the Neighborhood Reinvestment Program.

The Neighborhood Reinvestment Program provides for new or reconstructed infrastructure in areas of the City where substandard or no infrastructure exists (e.g., sidewalks, curb and gutter, street trees, neighborhood parks, and storm drainage).

On October 1, 1990, the City Manager approved a $47,000.00 contract with HDR to begin design of improvements in the Belmont Neighborhood. This agreement with HDR will cover the cost for completing the design plans and for bid phase services for the Belmont neighborhood improvements. Additional neighborhood projects such as Druid Hills and Severville/Smallwood could be added later depending on scheduling requirements.

Funding Neighborhood Reinvestment Capital Account.

D. Recommend approval of two agreements with Presnell Associates, Inc.: an agreement for $200,000.00 to provide engineering services for the Sidewalk Program and, (2) an agreement for $100,000.00 for program engineering services for the Minor Intersection Improvement Program.

The Sidewalk Program provides for the engineering, design, and construction of new sidewalks along thoroughfares and major collector streets. The program also constructs high priority residential sidewalks where the requested sidewalks qualify under a requirement of at least a 75% citizen approval along the proposed route.

The Minor Intersection Improvement Program provides for relatively low cost intersection improvements to problem intersections. The program provides a relatively quick response to problems with congestion, safety, and air quality.

The Engineering Department has provided a list of priority sidewalk locations for the consultant to begin engineering, design, and construction administration. The Department of Transportation has compiled a list of 12 intersection locations. The consultant will recommend to the City how best to proceed in order to design and construct as many of the projects as possible.

Funding Minor Intersection Improvement Capital Account and the Sidewalk Program.

E. Recommend approval of an agreement with Espey, Huston & Associates, Inc. (EHA) for $150,000.00 to provide program engineering services for the Storm Drainage Improvement Program.

The Storm Drainage Improvement Program provides for the reconstruction of major storm drainage problem areas within the public right-of-way. Storm drainage repairs usually entail the upgrade of an existing culvert system that is undersized, and can include the replacement of a pipe system and construction of catch basins.

The Engineering Department has selected the Linda Lake and Village Lake Dam projects for the EHA to begin design. On August 27, 1990, Council approved funding these dam projects through the Storm Drainage Improvement Program. Future dam and/or culvert projects could be added to these two projects at a later date.

Funding Storm Drainage Improvement Capital Account.

AGREEMENT

22. Recommend approval of an agreement with John A. Hurst, Landscape Architect for $85,400.00 to provide construction administration and inspection services for various City landscaping projects over a two-year period.

Recommendation: Using the Council-approved selection process, John A. Hurst, Landscape Architect is recommended to provide construction administration and inspection services for the following City landscaping projects:

- Wilkinson Boulevard Demonstration Area Landscaping
- Landscaping for the HWY 51 Widening Project, Phases I and II
- Landscaping for the Park Road Alignment Project, Phase I

In addition to the projects listed above, Mr. Hurst will provide landscape inspection services during the warranty period for the following projects:

- Fire Stations
- Shamrock Park Rehabilitation Project
- Sardis Road Medians
- Delta Road Extension Project, Phase I
- Solomon St./Dixon St./Mill Rd. Project

Funding: The agreement will be encumbered against the Park Road Widening Capital Account. Appropriate project accounts will be periodically assessed for services rendered under the agreement.

Clearances: This agreement has been reviewed by the Attorney's Office and approved by the Engineering Department.

AGREEMENT AMENDMENT

23. Recommend approval of Amendment No. 4 to the agreement with Kimley-Horn and Associates, Inc. for $157,678.00 for additional engineering services for the Park Road/Johnston Road widening project.

Amendment: Amendment No. 4 will provide: 1) survey, design, landscape design, and geotechnical investigations for the section of Sharon Road West between Sharon Lakes Road and Sharonbrook Road; 2) environmental evaluations for three service station sites on Sharon Road West; 3) an allowance for property and easement line staking for property owners during the Right-of-Way Acquisition Phase; and 4) legal descriptions for the entire project.

Funding: Park Road Widening Capital Account.

Clearances: The amendment has been reviewed by appropriate City Engineering Department and CDOT staff and has been approved by the Attorney's Office.

CITY CODE AMENDMENT

24. A. Recommend adoption of an ordinance to amend Chapter 3 of the City Code entitled "Animals" to change all references of division and superintendent to department and director, respectively, and to remove and replace all references to the Operations Department.

Animal Control Department: On January 11, 1990, the Charlotte/Mecklenburg Animal Control Division was made a department, responsible to the City Manager's Office. This change was a result of the reorganization of the Operations Department, of which Animal Control had been a division.

Code: This amendment changes all references in Chapter 3 of the City Code from division and superintendent to department and director.

Clearances: The City Attorney and the Charlotte/Mecklenburg Animal Control Department recommend this action.

B. Recommend adoption of an ordinance to amend Chapter 3 of the City Code entitled "Animals" to restructure the hearing process for actions taken under the Dangerous Dog program.

Dangerous Dog Ordinance

In 1985, the City Council adopted an amendment to Chapter 3 of the City Code relative to dangerous dogs. This amendment authorized the Animal Control Superintendent to declare a dog dangerous and to remove the dog from its owner. A due process procedure was incorporated in the law whereby an owner of a dog so declared could request a hearing. The hearing officer was the City Manager or his designee, who was usually an Assistant City Manager.

Having had this procedure in place nearly five years, the Animal Control Department has identified several areas of concern. These include:

- difficulty in the timely scheduling of hearings due to the extremely busy schedule of the hearing officers;
- complaints from witnesses over having hearings cancelled or continued due to scheduling conflicts; and,
- the need for a presiding officer who is professionally knowledgeable of animal behavior.

In addition, Charlotte/Mecklenburg Animal Control has been made a department resulting in a significant reorganization which now allows for the designation of a hearing officer from Animal Control management.

Amendment

The purpose of the proposed amendment is to designate the Animal Control Director as the presiding officer at dangerous dog hearings. The amendment is structured such that an alternate hearing officer can be designated if the Director has particular knowledge about a case. The decision of the Director would be subject to review by the Superior Court if requested by the animal owner through a petition to the Court.

The amendment also changes the concept of a "dangerous dog declaration" to a "Notice of Probable Cause for Declaring a Dog Dangerous". This requires evidence sufficient to lead a reasonable person to believe an animal is dangerous. The authority to issue this notice would now be placed on a specifically designated supervisor in the Animal Control Department and would be someone other than the Director.

The amendment allows a more expeditious hearing process while still providing adequate "due process" for each animal owner.

Clearances — The City Attorney and the Charlotte/Mecklenburg Animal Control Department recommend this action.

C. Recommend adoption of an ordinance amending Chapter 14 of the City Code to increase the civil penalty for unlawful parking in a handicapped space or blocking a curb ramp or curb cut for handicapped persons.

Amendment — This amendment to the City Code brings us in line with State law by increasing the penalty for violation of the State handicapped parking law from $50.00 to $100.00.

Clearances — Legal.

REHABILITATION/REPLACEMENT HOUSING LOAN

25. Recommend approval of a loan agreement with Mary L. Barnes for $60,000 to purchase a house located at 614 Aintree Road.

Council Action — This action is to approve a loan with Mrs. Mary L. Barnes to purchase a house located at 614 Aintree Road. Detailed information is attached.

Funding — Community Development Block Grant Funds.

Clearances — The loan package has been reviewed by the Community Development Department and all criteria to qualify for financial assistance have been met by the applicant in accordance with the requirements outlined in the Community Development Standard Rehabilitation Loan Program.

Attachment No. 11

HOUSING CODE ENFORCEMENT

26. Detailed information is attached. Funds are available and a lien will be placed against the property for costs incurred.

Recommend adoption of an ordinance authorizing the use of In Rem Remedy to repair code violations at 2208 Rozzelles Ferry Road (Oakview Terrace).

Attachment No. 12

RIGHT OF WAY LEASE AGREEMENT

27. Recommend approval of a right-of-way lease agreement for $324,439.17 with McDevitt and Street Company for the NCNB Corporate Center.

Lease Agreement

NCNB Corporate Center

Contractor: McDevitt and Street Company

Description of Right-of-Way: Sidewalk and travel lane area of North College Street; sidewalk and travel lane of North Tryon; sidewalk area of East Trade Street.

Time Period: November 1, 1990 to September 3, 1991 (North College Street); November 1, 1990 to March 9, 1992 (North Tryon Street and East Trade Street). CDOT previously approved using these rights-of-way for construction from March 2, 1990 to October 31, 1990. Minor right-of-way usage (no sidewalk or travel lane closures) was required during the demolition phase only from November 1, 1989 to March 1, 1990.

Lease Amount: $324,439.17

Council Policy

City Council's temporary street closing 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 Charlotte 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 The Engineering Department and the Department of Transportation.

A map is attached.

Attachment No. 13

STORM DRAINAGE

28. Recommend adoption of a resolution to repair the storm drainage system at 2240 Briargrove Drive and assess a portion of the cost to the involved property owners in accordance with the Storm Drainage Repair Policy.

Location of Drainage Problem: 2240 Briargrove Drive

Ranking: Moderate Priority

Improvements Made: Reshape the channel banks and armor with rip rap for approximately 100 linear feet.

Total Cost of Repairs: $9,200.00

Involved Property Owner(s) Cost: One-half of improvements made on private property ($4,600.00).

City's Cost: City pays one-half of improvements made on private property ($4,600.00).

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

Funding: Storm Drainage Repair Capital Account.

SPEED LIMITS

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

The street listed below is a thoroughfare street that had a speed limit of 45 miles per hour. Due to construction on the Sardis Road bridge, on July 23, 1990, Council approved lowering the speed limit to 35 miles per hour. This action returns the speed limit to the previous 45 mph, consistent with the Council Thoroughfare Speed Limit Policy.

Sardis Road in the vicinity of Sardis Branch to 45 mph.

SET PUBLIC HEARINGS

30. A. Recommend adoption of a resolution of intent to abandon a portion of East Hill Street and set a public hearing for December 10, 1990.

B. Recommend adoption of a resolution of intent to abandon a portion of an alleyway between Clement Avenue and Caswell Road and set a public hearing for December 10, 1990.

C. Recommend adoption of a resolution of intent to abandon three alleyways between West Morehead Street, South Church Street, and Interstate 277 and set a public hearing for December 10, 1990.

D. Recommend adoption of a resolution of intent to abandon a portion of Seventy-Seven Center Drive and set a public hearing for December 10, 1990.

RIGHT OF WAY DEED

31. Recommend conveying right-of-way within the controlled access of Tyvola Road extension to the North Carolina Department of Transportation.

Council Action: A municipal agreement was executed between the City and the North Carolina Department of Transportation (NCDOT) that provided for the City to buy right-of-way and construct Tyvola Road extension. The agreement also provided that the City would deed in fee simple the right-of-way purchased within the designated controlled access areas back to the NCDOT. This action satisfies the terms of the municipal agreement.

Clearances: Engineering, CDOT and Legal Department concur with this request.

SURPLUS PROPERTY

32. A. Recommend that the unused portion of City-owned property at 110-116 South Poplar Street be declared surplus and advertised for sale and that the recommendations in the mandatory referral report be followed.

Surplus Property

The parcels at South Poplar and West Trade Streets were purchased in 1975 as part of the Poplar Street widening project. It is recommended that the parcel identified as Tract 1 on the attached map be declared surplus and advertised for sale. The parcel contains 4,007 square feet or .092 acres.

The original proposal, as described in the attached mandatory referral, was for the sale of .186 acres. However, the Charlotte Department of Transportation recommends that right of way be retained 50 feet from the center line of South Poplar Street according to the Charlotte-Mecklenburg Thoroughfare Plan (1988), thus reducing the size of the parcel.

The Planning Commission has also reviewed and concurs with the mandatory referral which recommends:

(1) the property be sold to a party who is interested in redeveloping the West Trade/ South Poplar Street block, and
(2) redevelopment plans for the block should include an open space component.

Clearances

All City departments have been canvassed, with none expressing an interest in retaining these parcels for City use.

A map and mandatory referral report are attached.

Attachment No. 14

B. Recommend that the unused portion of City-owned property at the rear of Fire Station #23 at 7400 East W. T. Harris Boulevard be declared surplus, advertised for sale and that the mandatory referral recommendations be followed.

Council Action: The parcel, tax code 103-211-04, was purchased in 1977 for Fire Station #23. It is recommended that the unused portion consisting of 2.482 acres, be declared surplus and advertised for sale.

Mandatory Referral: The mandatory referral report is attached. It recommends that the parcel be sold and:

(1) if it is purchased by Hickory Grove Baptist Church and it is necessary to rezone from R-12 to R-1, that there be careful review of proposed development so as to address any adverse impacts to adjacent property owners; and

(2) if no rezoning is required, that the property be sold subject to the restriction that no development or use be allowed within 35 feet of the adjacent properties.

Clearances: All City departments have been canvassed, with none expressing an interest in retaining the rear portion of this parcel for City use. The Planning Commission has also reviewed and concurs with the mandatory referral. The Fire Department has reserved an additional 40 feet for future expansion, if needed.

A map is attached.

Attachment No. 15

RIGHT OF WAY ABANDONMENT

33. Recommend adoption of a resolution for the abandonment of right-of-way at 8701 Red Oak Lane.

Recommendation: The Charlotte-Mecklenburg Utility Department recommends abandonment of an existing water main right-of-way that is not used and is not needed to provide water services to surrounding property now or in the foreseeable future.

Clearances: Charlotte-Mecklenburg Utility Department, Engineering and Legal Departments concur in this request.

CONDEMNATION RESOLUTION AMENDMENTS

The following resolutions will make corrections in the property descriptions of four condemnation resolutions previously adopted by Council. Except for the corrections, the resolutions remain as originally adopted. No additional funds are required for the corrections.

34. A. Recommend adoption of a resolution to amend the resolution adopted by City Council on June 25, 1990, authorizing condemnation proceedings for the acquisition of certain real property located at 4235 Providence Road for the Providence/ Sardis/Fairview intersection improvements project.

Property Description

Change: 680 square feet for a Temporary Construction Easement.
To: 754 square feet for a Temporary Construction Easement.

B. Recommend adoption of a resolution to amend the resolution adopted by City Council on June 25, 1990, authorizing condemnation proceedings for the acquisition of certain real property located at 4200 Providence Road for the Providence/ Sardis/Fairview Roads Intersection Improvements project.

Property Description

Change: 5,948 square feet for fee-simple taking.
To: 79.7 square feet for fee-simple taking.

Change: 650.0 square feet for permanent sidewalk easement.
To: 6,519 square feet for permanent sidewalk easement.

Change: 17,350 square feet for temporary construction easement.
To: 16,734.4 square feet for temporary construction easement.

C. Recommend adoption of a resolution to amend the resolution adopted by City Council on June 11, 1990, authorizing condemnation proceedings for the acquisition of certain real property located At 4900 Sardis Road for the Providence/ Sardis/Fairview intersection improvements projects.

Property Description

Change: 9,467 square feet for Temporary Construction Easement.
To: 9,574 square feet for Temporary Construction Easement.

D. Recommend adoption of a resolution to amend the resolution adopted by City Council on May 29, 1990, authorizing condemnation proceedings for the acquisition of certain real property located at 4519 Providence Road for the Providence/Sardis/Fairview intersection improvements projects.

Property Description

Change: 4,000 square feet for Temporary Construction Easement.
To: 3,275 square feet for Temporary Construction Easement.

Clearances: Legal and Engineering.

TAX REFUND

35. Recommend the adoption of a resolution authorizing the refund of certain taxes in the total amount of $5,949.83 which were assessed through clerical error or illegal levy against 30 tax accounts.

PROPERTY TRANSACTIONS

36. Recommend approval of the following property transactions and adoption of the condemnation resolutions.

1. Project: Sardis Road Bridge Replacement at Sardis Branch
   Owner(s): Charles A. & Mary G. Porter
   Property Address: 8717 Sardis Road
   Property to be acquired: 3,487 sq.ft.(0.080 ac.) plus 15,683 sq.ft. (0.360 ac.) Temporary Construction Easement
   Improvements: Driveway, rip rap, & trees
   Price: $30,000.00
   Remarks: Zoned R12 - residential use.

2. Project: Park/Johnston Road Widening, Phase II, Segment I
   Owner(s): The Charlotte Mecklenburg Board of Education
   Property Address: Quail Hollow Jr. High School, 2901 Smithfield Church Road
   Property to be acquired: 23,709 sq.ft. (0.5443 ac.) plus 34,595 sq.ft. (0.7942 ac.) Temporary Construction Easement
   Improvements: Chain-link fence, masonry sign, wood sign, running track, bleachers, painted rocks, landscaping, lawn
   Price: $43,800.00
   Remarks: Zoned R15, used as public school.

3. Project: Park/Johnston Road Widening Phase II, Segment II
   Owner(s): Park Crossing Owners Association, Inc.
   Property Address: Park Road
   Property to be acquired: 1,805 sq.ft. (0.0414 ac.) plus 13,585 sq.ft. (0.3119 ac.) Temporary Construction Easement
   Improvements: Landscaping, shade trees, flower plantings, privacy hedge, walkways, split rail fence, planters
   Price: $27,322.00
   Remarks: Zoned R-12 (CD). Common area for single family residential subdivision.

4. Project: NC Hwy 51 - Widening - Phase II
   Owner(s): Phoenix Mutual Life Insurance Company
   Property Address: Highway 51 (4.49 ac.)
   Property to be acquired: 4,572.51 (0.105 ac.) (Construction Easement Only)
   Improvements: Irrigation system
   Price: $15,425.00
   Remarks: The underground irrigation system, located within the construction limits, was damaged during construction by the contractor who was unaware of the system's location. Therefore, due to the extensive damage resulting in the sprinkler's zone of coverage, it was necessary to reconstruct the entire system.

5. Project: F.A.R. Part 150 Program
   Owner(s):Walter Roy & wife June O. Beaton, Sr.
   Property Address: 3043 Moores Lake Dr., Charlotte, North Carolina 28214
   Property to be acquired: .432 acres
   Improvements: 3 bedroom, 2448 sq. ft. brick ranch house
   Price: $77,000.00
   Remarks: Property purchased under Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition & Relocation Act 1970. Owners eligible for relocation benefits. Acquisition eligible for Federal Aviation Administration reimbursement.

6. Project: Airport Master Plan Land Acquisition
   Owner(s): Percy Creighton Rodwell Heirs
   Property Address: 5700 Wilkinson Blvd.
   Property to be acquired: 2.601 Acres
   Improvements: None
   Price: 271,900.00
   Remarks: Property purchased under Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition & Relocation Act 1970. Owners eligible for relocation benefits. Acquisition eligible for Federal Aviation Administration reimbursement.

7. Project: F.A.R. Part 150 Land Acquisition Program
   Owner(s):Mary E. Kirkpatrick, widow
   Property Address: 4431 Denver Avenue, Charlotte, NC 28208
   Property to be acquired: .789 Acres
   Improvements: 2 bedroom, 1000 sq. ft. brick ranch home
   Price: $41,500.00
   Remarks: Property purchased under Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition & Relocation Act 1970. Owners eligible for relocation benefits. Acquisition eligible for Federal Aviation Administration reimbursement.

8. Project: F.A.R. Part 150 Noise Compatibility Program
   Owner(s): Graham and Sarah Armstrong
   Property Address: 7025 Virginia Circle, Charlotte, NC
   Improvements: 4 bedroom, 1792 sq. ft. brick ranch house
   Property to be acquired: .409 acres
   Price: $77,000.00
   Remarks: Property purchased under Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition & Relocation Act 1970. Owners eligible for relocation benefits. Acquisition eligible for Federal Aviation Administration reimbursement.

9. Project:F.A.R. Part 150 Noise Compatibility Program
   Owner(s): Michael P. & Rebecca B. Lewis
   Property Address: 6533 Virginia Circle, Charlotte NC
   Property to be acquired: .708 acre
   Improvements: 1,727 sq. ft. house
   Price: 150,056.32
   Remarks: Property purchased under Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition & Relocation Act 1970. Owners eligible for relocation benefits. Acquisition eligible for Federal Aviation Administration reimbursement.

CONDEMNATIONS

1. Project: Park Road/Johnston Road Widening, Phase II, Segment I
   Owner(s): Riverbirch Apartment Associates Limited Partnership and all other interested parties
   Property address: 8025 Sharon Road West
   Property to be condemned: Fee simple 634 sq.ft. (0.0146 ac.), Permanent Down-Guy Easement 92 sq.ft. (0.0021 ac.), Permanent Drainage Easement 1,336 sq.ft. (0.0307 ac.) and Temporary Construction Easement 23,942 sq.ft. (0.5496 ac.)
   Improvements: Landscaping,shrubs,trees,lawn plantings,asphalt driveway,signage,lighting
   Price: $18,000.00

Reason for condemnation: Zoned R9MF-used as multifamily residential. Owners refuse to sign. Do not want change in driveway entrance necessitated by road widening. Change in entrance done to facilitate entrance of fire trucks to apartment complex.

2. Project: Park Road/Johnston Road Widening, Phase II, Segment I
   Owner(s): Westbury Park Associates and any other parties of interest
   Property address: 8842 Park Road
   Property to be condemned: Fee simple 1,091 sq.ft. (0.0250 ac.), Permanent Drainage Easement 212 sq.ft. (0.0049 ac.), Permanent Down-Guy Easement 12 sq.ft. (0.0003 ac.), Temporary Construction Easement 14,663 sq.ft. (0.3366 ac.)
   Improvements: Berm, sinage, retaining walls, planters, spotlight, paved entrance way, landscaping, lawn, shrubs, trees
   Price: $12,550.00
   Reason for condemnation: Zoned R15MFCD, used as multifamily apartments. Landowner unsuccessful in obtaining release from mortgagee and Housing and Urban Development. Condemnation recommended so that project will not be delayed.

3. Project: Park Road/Johnston Road Widening - Phase II, Segment I
   Owner(s): Annette E. Diemer and any other parties of interest
   Property address: 8308 Merrimack Drive
   Property to be condemned: Fee simple 9,518 sq.ft. (0.2185 ac.) and Temporary Construction Easement 1,915 sq.ft. (0.0440 ac.)
   Improvements: Berm, landscaping, sprinkler system, lawn, trees, split-rail fence
   Price: $31,650.00
   Reason for condemnation: Zoned R15-used as single family residential. Owner will not accept City's offer-wants double the appraised value. Landowner contends land value is too low and wants excessive compensation to build a wall to replace part of berm which will come out durng construction.

4. Project: Park Road/Johnston Road Widening, Phase II, Segment I
   Owner(s): Quail Hollow West Homeowners Association Ltd. & all others of interest
   Property address: Sharon Road West
   Property to be condemned: Permanent Drainage Easement 7,323 sq.ft. (0.1681 ac.), Permanent Down-Guy Easement 80 sq.ft. (0.0018 ac.), Temporary Construction Easement 7,496 sq.ft. (0.1721 ac.)
   Improvements: Berm, lawn, landscaping shrubs, hedge
   Price: $39,450.00
   Reason for condemnation: Zoned R-PUD, used as common ground for multifamily residential. After numerous and lengthy meetings, two appraisals and a third review appraisal, have been unable to get homeowners association to accept offer. The Association required a two-thirds vote of its homeowners, also requires Quail Hollow Homeowners, Incorporated to agree to easement. Condemnation is recommended so that project is not delayed and to obtain clear title.

5. Project: Park Road/Johnston Road Widening, Phase II, Segment I
   Owner(s): Quail Hollow East Homeowners Association & other parties of interest
   Property address: Park Road
   Property to be condemned: Permanent Right-of-Way Easement 6,517 sq.ft. (0.1496 ac.), Permanent Drainage Easement 125 sq.ft. (0.0029 ac.), Permanent Down-Guy Easement 40 sq.ft. (0.0009 ac.), Temporary Construction Easement 4,696 sq.ft. (0.1078 ac.)
   Improvements: Berm, brick entrance way, floodlights, sprinker system, landscaping, lawn, shrubs, shade trees
   Price: $59,700.00
   Reason for condemnation: Zoned R-PUD, used as common ground for multifamily. Homeowners have, after many and lengthy negotiations, refused to accept City's offer. This is an unincorporated association, and requires two-thirds vote of homeowner to approve purchase, and fifty-one percent of the lenders. Have not secured the approval of the lenders. Condemnation is recommended so that project will not be delayed and City receives clear title.

6. Project: Park/Johnston Road, Phase II, Segment I
Owner(s): Quail Hollow Homeowner Association, Inc. & other parties of interest
Property address: Park Road/Sharon Road West
Property to be condemned: Right-of-Way Easement-19,891 sq.ft. (0.4566 ac.), Permanent Down-Guy Easement-355 sq.ft. (0.0081 ac.), Permanent Drainage Easement-1,699 sq.ft. (0.0390 ac.), Temporary Construction Easement 18,077 sq.ft. (0.415 ac.)
Improvements: Berm, landscaping, lawn, shrubs and hedges, trees
Price: $59,950.00
Reason for condemnation: Zoned R-PUD, used as common ground for multi-family housing. After many and long negotiations, two appraisals and a third review appraisal, Asociation refuses to accept City offer. Also lenders must approve action by board to grant easement. This has not been forthcoming and will take an unknown length of time. Recommend condemnation so that project will not be dalayed.

UTILITY CONTRACT

37. Recommend approval of a contract between the City of Charlotte and American Newland Associates.

This is an extension contract for new development in accordance with the Water/Sewer Extension Policy. It concerns the construction of 3,700 linear feet of 16-inch water main to serve Ridge Road, located in North Mecklenburg. Estimated Cost - $150,000.00. Contract No. 300-89-255.

This is a 5-year reimbursable contract. The applicant has deposited 10% of the estimated cost. The remaining 90% will be deposited prior to construction. There is no cost to the City and no funds are needed from the City.

Utility Director recommends approval.

APPOINTMENTS TO BOARDS AND COMMISSIONS

38. The City Council may want to go into executive session for the purpose of casting ballots. The City Clerk will announce the results of the balloting.

A. Safety Action Committee - Henry Underhill, City Attorney, has recommended Margaret Whiteside Smith to fill this appointment which must be a Bar Association Member. The term will begin December 31, 1990, and expire December 31, 1993.

Attachment No. 16

MEMORANDUM

October 31, 1990

TO: Mayor and City Council

FROM: Henry W. Underhill, Jr.
City Attorney

SUBJECT: Suggestions for the City's 1991 Legislative Program

Listed below are the suggested items that are recommended by the City Manager for your consideration as the City's 1991 Legislative Program. Each item has been placed under one of four categories: (1) Administration; (2) Finance; (3) Housing; and (4) Crime and Drugs. Please observe that I have also indicated the source of each suggestion.

ADMINISTRATION

1. Seek repeal of the mandatory referral act of 1973.

This local act requires all governmental units in Mecklenburg County before it authorizes or constructs any capital project or acquires or sells any real property to submit the proposal to the Planning Commission for its review and comment. The provisions of the act do not apply to the Towns of Pineville, Matthews, Davidson, Cornelius, Huntersville, and Mint Hill. (Council member Clodfelter)

2. Seek a local act that would temporarily remove the $50,000 limitation on the City Manager's approval and award of contracts in times of natural disaster.

An act of this type would have permitted the City Manager to award contracts in excess of $50,000 for repairs and other needed services during emergency situations such as Hurricane Hugo without Council authorization. (Budget and Evaluation Department)

3. Seek appropriate legislation that would permit the City to establish and effectively implement a storm water utility system.

You may recall that while there is legislation that permits a unit of local government to establish a storm water utility system, that legislation needs clarification with regard to the authority of cities and counties to collect utility charges and to place liens in the event of non payment of such charges. The 1990 General Assembly created a study commission to study the issues and to recommend

legislation on the subject for consideration in the 1991 Session. At this time the study commission has not issued its report. (City Engineering Department)

FINANCE

4. Seek an amendment to G.S. § 20-97(b) to remove the existing $20 cap that the City is allowed to charge for an auto privilege tax.

Removal of the cap would provide a potential new source of revenue for transit and transit-related activities. (Council Transportation Committee)

5. Seek a local act that would authorize the City to levy an admissions tax on professional sports and other professional entertainment events held in public sports facilities. (Council members Vinroot and McCrory)

HOUSING

6. Seek an amendment to G.S. § 160A-443 to authorize the City Manager to order the repair, closing or demolition of dwellings.

At the current time, Council approval is necessary for these actions. Such legislation would expedite the housing code enforcement process by at least 30 days. This item was part of the City's 1990 Legislative Program, however the Mecklenburg Legislative Delegation declined to introduce the bill. (Community Development Department)

7. Seek an amendment to G.S. § 160A-445 to eliminate that a property owner be personally served with a Housing Code order if the owner had previously refused service by certified mail.

Presently, if a property owner whose property is the subject of a Housing Code enforcement action refuses to accept service of a Housing Code order sent to him by certified letter, the City must then serve him personally. This evasive action on the part of some property owners causes significant delays. Under this proposal, if the certified letter is refused, notice will be given by publication in a newspaper of general circulation and by posting the notice on the property in question. (Community Development Department)

CRIME AND DRUGS

8. Seek legislation that would allow the City to appropriate funds for the staffing and operations of the Criminal Justice System, particularly the District Attorney's office. (Mayor Myrick)

9. Seek legislation authorizing the imposition of an additional 1/4% sales tax for the purpose of investigation and prosecution of drug and drug-related offenses. (Mayor Myrick)

10. Amend the state statutes regarding resisting arrest to provide that a person does not have the legal right to physically resist a police officer even if the officer is making what later turns out to be an unlawful arrest. (Police Department)

11. Seek a state law that would allow only one felony arrest during a five year period to be plea bargained down to a misdemeanor. (Police Department)

12. Seek a state law requiring a mandatory ten-year prison sentence for involving a minor in drug trafficking crimes. (Council member Martin and Police Department)

13. Seek a state law requiring a ten year to life sentence for carrying a gun during a drug trafficking crime. (Police Department)

14. Seek a state law establishing as a separate offense the carrying of a weapon while engaged in criminal activity, including toy guns. (Police Department)

15. Explore some form of legislation that accomplishes the following:

    A. Prohibits and considers the merits of children from purchasing, acquiring, or possessing such weapons at all;

    B. Requires registration and a waiting period before adults may purchase or acquire such weapons;

    C. Prohibits adults with any record of misuse of weapons from purchasing, acquiring, or possessing them at all; and

    D. Imposes a strong penalty upon sellers, buyers and possessors in violation of (A), (B) or (C).

Attached is a copy of the Police Department's response to this proposal. (Council member Vinroot)

16. Seek additional state funds to expand the Dispute Settlement Program of Community Relations Committee.

A copy of a memorandum from Jack Bullard providing additional information regarding this request is attached. (Community Relations Department)

We will make a presentation of this suggested package to you at the November 13 Council meeting. Copies of this memorandum are being sent to Mecklenburg County, the Board of Education, the Charlotte Chamber of Commerce, and other groups that have expressed an interest in receiving the proposed package.

If you have questions concerning any of these items, please contact me.

HWUjr/ef
Enclosures

M E M O R A N D U M

DATE: October 29, 1990

TO: Henry W. Underhill, Jr.
City Attorney

FROM: S. H. Killman
Chief of Police

RECEIVED
OCT 31 90
LEGAL DEPARTMENT

SUBJECT: City Regulation of the Sale and/or Possession of Firearms

I am writing in response to your memorandum requesting the Department's position concerning additional legislation to deal with firearms. I am in agreement with Mr. Vinroot that the unlawful use of firearms has become a community-wide problem and not one that can be solved by simply enacting new laws. The apparent willingness of some individuals to engage in this sort of violence is merely symptomatic of more complex societal problems. Nevertheless, I believe that stricter regulations, as outlined below, may help us to deal with some of these problems in a more effective way.

1. <u>Prohibit Person Under 21 Years of Age From Possessing a Handgun</u>

Under North Carolina law (G.S. 14-402), it is unlawful for any person within the state to sell, give away, or transfer, or to purchase or receive any pistol unless a permit therefor has first been obtained by the purchaser or receiver from the sheriff of the county in which the purchaser or receiver resides. In order to obtain such a permit, the purchaser or receiver must be at least 21 years of age. (North Carolina law does not prohibit one who is 18 years or older from receiving a permit. However, federal law requires the purchaser of other than a shotgun or rifle be at least 21 years old. The sheriff, therefore, issues permits only to those who have reached 21 years of age).

Any person who has received a handgun within this state without obtaining the necessary permit is in violation of G.S. 14-402, which is a misdemeanor punishable by a maximum fine of $200.00 and/or six months imprisonment. However, if the person receives the handgun while he is outside the state, no permit is required. Thus, an underage person who receives a handgun in another state and brings it into North Carolina is not in violation of North Carolina law.

Although North Carolina law prohibits one under the age of 21 years from receiving a handgun without a permit (for in-state receipt), there is no state, federal or local law that prohibits possession of a handgun by a person under 21 years of age. In my opinion, possession of a handgun by a person under 21 years of age should constitute a felony. Likewise, transfer of a handgun to a person under 21 years of age should be punishable as a felony. In my opinion, these laws could serve to fill a gap in the existing law by making possession of a handgun by an underage person unlawful.

2. Registration/Waiting Period Prior to Purchase

Neither state nor federal law imposes a waiting period prior to the purchase of a handgun or other firearm. The permit application process required for handguns under G.S. 14-402 often results in a waiting period of up to two weeks because of the time required to process the application (which includes a criminal history check). However, no waiting period is mandated. In my opinion, a mandatory waiting period prior to the purchase of a handgun might be of some benefit in an attempt to reduce the number of violent incidents involving handguns.

3. Adults With Records of Misuse Prohibited From Purchase or Possession of Firearms.

Both state and federal law prohibit the possession of a firearm by a convicted felon when off his own premises.

4. Strong Penalties.

It goes without saying that any strengthening of the laws relating to firearms must be supported by strong penalties if they are to have any impact at all. In this regard, I also would like to suggest that consideration be given to legislation that would raise the penalty for carrying a concealed weapon under G.S. 14-269 from a misdemeanor to a felony when the weapon concealed is a firearm. Currently, a violation of this statute is punishable by a maximum fine of $500.00 and/or imprisonment for not more than six months, regardless of the type of weapon involved.

By correspondence dated September 21, 1990, I solicited the comments of Chief Orr, Sheriff Kidd and Mr. Peter Gilchrist concerning Mr. Vinroot's suggestions. I have received no response from Sheriff Kidd

and Chief Orr. Mr. Gilchrist replied: (1) that he was not sure he would endorse a law that would increase the penalty for carrying a concealed firearm because of the impact that could have on the caseload of his office; (2) that the handgun permit application process often results in a de facto waiting period much the same as a mandatory waiting period would; and (3) no response to the prohibition on possession of a handgun by a person under the age of 21 years. I will continue to seek a response from Chief Orr and Sheriff Kidd, and I will keep you advised if I receive a reply from them.

Please let me know if additional information would helpful.

cc: Stephanie H. Webster

SHK/jsk

MEMO

Date: September 13, 1990

From: Jack L. Bullard

To: Henry W. Underhill
City Attorney

RECEIVED
SEP 17
LEGAL DEPARTMENT

Subject: City 1991 Legislative Program

Action Recommended

That City council request delegation to seek additional state funds to expand the Dispute Settlement Program of the Charlotte-Mecklenburg Community Relations Committee.

Background

The City and the State presently provide funds for the Dispute Settlement Program. During FY90, 1530 minor criminal charges were referred to the program by the District Attorney. Magistrates referred additional complaints that could have been a basis for issuing a criminal warrant. 561 of these cases were mediated. 495 were successfully resolved and charges were dropped.

This program is currently being expanded to include mediation of Landlord/Tenant disputes. Also, the Charlotte Police Department has begun recommending that some problems be resolved in this program as an alternative to seeking a warrant and court action.

The District Attorney, the Chief of County Police and the District Court bench are discussing the use of the program as an alternate to the courts for handling bad checks.

State funds are presently being provided to Dispute Settlement Programs across the state (including Charlotte-Mecklenburg). The amount provided Charlotte-Mecklenburg is not commensurate with our population or court load.

Proposal

It is reasonable to expect the state to assume a part of the costs of expanding the program as described above. This could be done by placing additional funds for Charlotte in the Budget of the Administrative Office of the Courts or by members introducing bills designating their "discretionary" funds. A proposed amount is being prepared for discussion with the Budget Office.

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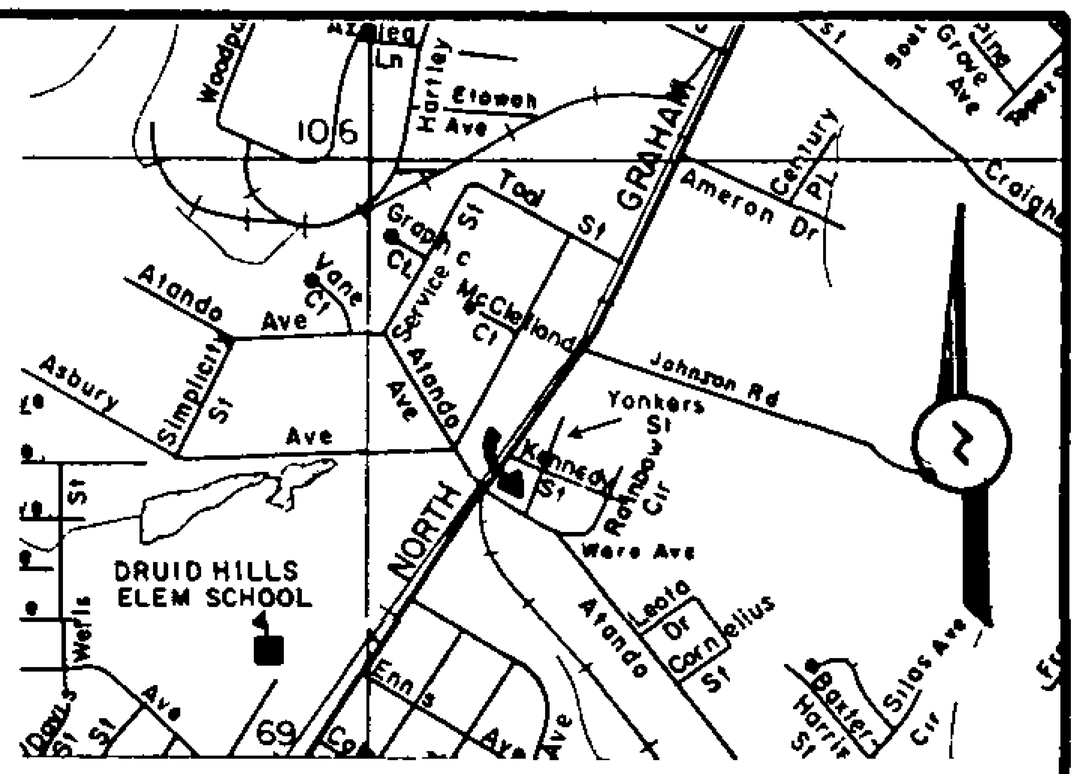
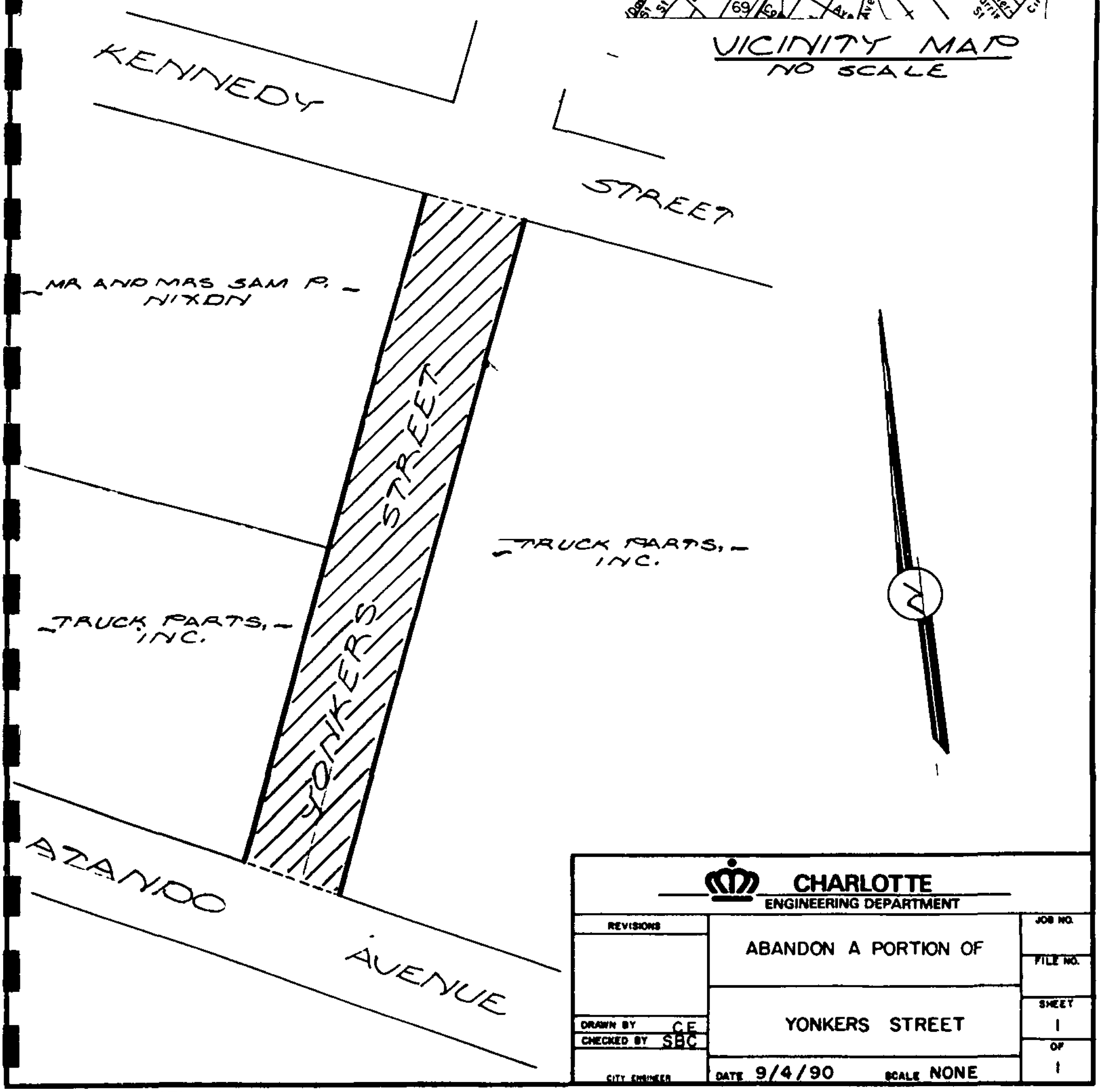


VICINITY MAP
NO SCALE



CHARLOTTE
ENGINEERING DEPARTMENT

REVISIONS	ABANDON A PORTION OF	JOB NO.
		FILE NO.
DRAWN BY CE	YONKERS STREET	SHEET 1
CHECKED BY SBC		OF 1
CITY ENGINEER	DATE 9/4/90 SCALE NONE	

DUNCAN-PARNELL INC., CHARLOTTE 1800 704-372-7766

CONVENTION CENTER
DESIGN REVIEW COMMITTEE

September 12, 1990

NAME	ADDRESS	PHONE #
Johnny Harris Chairman	6337 Morrison Boulevard Charlotte, NC 28211	366-9841
Virginia Bush	5301 McAlpine Farm Road Charlotte, NC 28226	542-0864
Steve Camp	c/o Charlotte Coliseum P. O. BOX 669247 Charlotte, NC 28266-9247	357-4700
Wayne Shusko	Guest Quarters Hotel 6300 Morrison Boulevard Charlotte, NC 28211	364-2400
Martin Cramton	Planning Department 600 East 4th Street Charlotte, NC 28202-2853	336-2205
Bill Treadaway	3601 Rose Lake Drive Charlotte, NC 28217	357-1150
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Jean Webber	4200 Hyde Park Drive Charlotte, NC 28216	394-3072

Staff Support Group

O. Wendell White	City of Charlotte 600 East 4th Street Charlotte, NC 28202	336-2241
Boyd P. Cauble	City of Charlotte 600 East 4th Street Charlotte, NC 28202	336-2009
Doug Stafford	Convention & Visitors Bureau 229 N. Church Street Charlotte, NC 28202	334-2282

Staff Support Group (Continued)

NAME	ADDRESS	PHONE #
Jane Richards	Charlotte Convention Center 101 S. College Street Charlotte, NC 28202	332-5051
Henry Underhill	City of Charlotte 600 East 4th Street Charlotte, NC 28202	336-2254
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Clark Readling	City of Charlotte 600 East 4th Street Charlotte, NC 28202	336-3609
Bob Pressley	City of Charlotte 600 East 4th Street Charlotte, NC 28202	336-2305

REGIONAL ISSUES COMMITTEE
Discussion Agenda

Friday, October 19, 1990

LONG-TERM APPROACH

- UNCC proposal for development of a partnership to define the regional urban agenda

  Purpose: Share information, build relationships and communication channels, develop a regional urban agenda.

SHORT-TERM APPROACH

Is there a regional agenda that needs to be addressed quickly?

- Environmental issues

  Water
  Wastewater
  Solid Waste

- Transportation

  Roads
  Transit/Light Rail

- Planning/Growth Management

Are there organizational structures in place for policy-makers to address particular regional issues?

- Carolinas Compact

  Transportation

- Regional Wastewater Coalition

  Wastewater Treatment Plant

Does the City of Charlotte have the appropriate participatory role in existing organizational structures?

Are there short-term action steps to recommend to City Council?

COMMITTEE RECOMMENDATIONS TO CITY COUNCIL-OPTIONS

1. Recommend that City Council endorse the UNCC proposal.

2. Recommend that the Regional Issues Committee be given the following charge by City Council:

   To oversee the implementation of the UNCC proposal for developing a partnership to define the regional urban agenda.

3. Recommend that the Regional Issues Committee be given the following charge by City Council:

   To recommend action steps to City Council for the City's participation in issues of regional importance.

   - Develop a mass transit partnership with Mecklenburg towns
   - Develop a partnership for water and wastewater issues with surrounding counties and towns
   - Work to include cities and towns in the Carolinas Compact

DRAFT PROPOSAL FOR CITY COUNCIL SUB-COMMITTEE

PREMISE

There is a growing recognition among community leaders and the public at large that a regional approach to problem solving offers the best prospects for success in the years ahead. Various groups have formed or are in the process of considering forming for the purpose of exploring regionalism as a means of looking at and solving some of the area's pressing problems. The chambers, economic development leaders, developers and tourist industry officers have spawned at least three separate groups representing different segments of the private sector. The Carolinas Counties Coalition and the Carolinas Transportation Compact represent public sector initiatives on issues, with the exception of transportation, that are of primary interest to counties. In the non-profit sector, the Central Carolina Citizens League, the United Way and the "Give 5" project represent new regional initiatives.

The most important missing link in the laundry list of regional activities is that no group has emerged that is primarily interested in the urban agenda and, specifically, the relationships among Charlotte, the small towns at the 10 mile radius and the historic cities at the 20 mile radius. Much of the job growth and population growth is occurring within the 20 mile radius and particularly along the corridors linking Charlotte with the ring cities and passing through the small towns.

Each of these towns and cities has to consider its relationship with Charlotte and vice versa. Although the magnitude differs substantially with the size of the municipality, each of the cities in the region is experiencing transportation, infrastructure, solid waste, environmental and growth management problems.

The City Council of Charlotte seeks to join in a partnership with council members and interested parties from the other cities and towns in the region for the purpose of

exploring commonalities, initiating an issue-based dialogue and developing policy networks.

The Urban Institute of the University of North Carolina at Charlotte has been requested to propose a process through which these purposes might be realized. Mr. Martin Cramton, Planning Director, Charlotte-Mecklenburg Planning Commission, has been asked by Council to advise this effort and to bring the ensuing proposal back to the City Council. Following is the preliminary draft of the Institute's proposal.

PHASE 1: COALITION BUILDING OF EDUCATIONAL INSTITUTIONS

Laying the groundwork of support for regional undertaking, this initiative provides a vehicle for ascertaining the interest of the region's educational institutions in being involved in regional activities. The Urban Institute will lead this effort, which will seek meetings with interested parties at regional institutions of higher education. It will not require any participation from the City Council. This effort will be conducted concurrently with Phase 2.

PHASE 2: MEETINGS WITH TOWNS AND CITIES

There are two demarcations of other municipalities that are clearly important to defining the urban agenda. One of those is the small towns that are approximately ten miles from Charlotte. We suggest four meetings with clusters of these towns: Huntersville, Davidson, Cornelius, Mooresville, Denver; Belmont, Mt. Holly, Cramerton, McAdenville, Lowell; Pineville, Matthews, Mint Hill, Harrisburg; Weddington, Indian Trail, Waxhaw and Stallings. While the main reason for the groupings is locational, common issues such as bedroom communities, nearness to Charlotte, and the need to maintain some kind of identity in the face of the impact of Charlotte are also important.

The next tier of cities, the so-called ring cities, occurs at the twenty mile radius from Charlotte. We suggest that a meeting with officials from each of these ring cities be held: Monroe, Gastonia, Rock Hill, Kannapolis, Concord, and Lincolnton. These are

historic cities which will impact Charlotte's growth and vice versa. Each of these cities is looking for its niche in the developing urban region.

The next tier of cities is at the forty mile radius: Statesville, Shelby, Albemarle, Salisbury, and Hickory among others. We suggest that this tier of cities not be approached at this time, since the impact of Charlotte on them is not as significant as it is with the other towns and cities mentioned. At the same time, however, it would serve all of us well to remember that these cities will become increasingly important as the region grows, and they should be brought into the urban agenda planning process in the near future.

The main purpose of these meetings is to start the dialogue among city leaders for the purpose of identifying and clarifying the urban agenda. Urban Institute personnel would manage and facilitate the meetings, which would be scheduled to run for about one and a half hours. It is important that these meetings occur outside the city of Charlotte, preferably in the towns or cities of the region; that a sizeable portion of the City Council's subcommittee attend; and, that a lot of listening on the part of the subcommittee occur; and that close attention be given to their concerns and priorities. We suggest these meetings occur in late fall and early winter (October, November, December and possibly January).

PHASE 3: CONFERENCE OF PARTICIPANTS IN PROCESS

For the purpose of clarifying issues in the urban agenda and beginning the process of determining an action plan, a conference will be scheduled in the spring of 1991. This day long conference will have a mix of presentations, discussions about the urban agenda and a beginning formulation of an action plan.

The Urban Institute will assist in planning the conference, developing an issues statement, and formulating action options. Participants would have the issues statement which they could use as the basis for selecting action options of interest to them.

The primary audience for this conference would be those municipal elected

officials who had participated or had been invited to participate in the town meeting sessions throughout the region. Other potential audiences to be considered are staff people, county and legislative officials, chamber and economic development leaders, and others who have attended regional workshops, seminars and forums.

PHASE 4: MAJOR REGIONAL CONFERENCE

A two-day conference with substantial involvement of nationally recognized persons is anticipated in the Fall of 1991. The first day of the conference will be used to bring viewpoints about the emerging action agenda from outside authorities. The purpose is to provide the participants with a national context into which to place our region's issue concerns.

The second day will seek to take these viewpoints and incorporate them into our thinking on the regional issues and the emerging action agenda.

The target audience will be the leaders of all segments from the region.

While the specific outcomes of such a process are uncertain, we hope that one outcome is the development of a regional growth management strategy which will encompass many of the possible issues that might arise.

(See attachment for a fuller description of the agenda for the two-day conference).

CONCLUSIONS:

We believe that this process will produce significant results, but we want to emphasize the importance of the process itself. Your counterparts in the neighboring towns and cities need to have the opportunity to become comfortable working with you. We believe that the prevailing attitude now is that you either are not concerned about them or that you wield so much power that you can simply overwhelm them. That attitude has to be changed before positive dialogue and action can occur. We think the suggested process or some modification of it can go a long way in establishing the attitude that all municipal (and elected) officials are partners in overcoming the issues that are important to the region.

At this level of discussion, we have not provided any cost estimates. First, we need to know if you are comfortable with the proposed activities. Second, we need to know what role, if any, that you see the Urban Institute playing in these activities. If you want us to provide a managing, planning and facilitating role, we can provide cost estimates for this effort.

The University and the Urban Institute clearly are interested in assisting you in any way that is possible.

I. BACKGROUND STATEMENT - Prepare as handout for participants

(1) REGIONS IN A NATIONAL CONTEXT
(2) PIEDMONT AREA
(3) CHARLOTTE REGION
(4) COMMON CHALLENGES

II. CONFERENCE AGENDA DAY 1

(1) OPENING PLENARY MEETING

o SPEAKER WITH PANEL RESPONSE - MORNING

TOPIC: Regionalism as it is Developing in the Charlotte Area

Speaker: Gallis Presentation

Panel: Local Elected Official
Local Planning Official
State Official
Economic Development Representative
Environmental Representative

(2) MORNING WORKSHOPS*

o MODERATOR WITH PANEL DISCUSSION

TOPIC: Regional Issues and Opportunities

Moderator: "Expert" from outside the region

Panel: 3 Local Persons

Audience Q/A

*2-3 Concurrent Workshops on the same topic.

(3) LUNCH SESSION

o Guest Speaker: Local, State and Regional Responses to Regionalism

(4) AFTERNOON PLENARY SESSION

TOPIC: Planning for Regional Change

Speaker: _____

Panel: 3 Local Persons

(5) RECEPTION/OPEN DISCUSSION

Set up topic locations

III. CONFERENCE AGENDA DAY 2

(1) <u>BREAKFAST SESSION</u>

- GUEST SPEAKER

  TOPIC: A Vision for the Future Region

(2) MORNING WORKSHOPS

- Several facilitated, focus group sessions to brainstorm values and aspirations for the Charlotte Region.

(3) <u>LUNCH SESSION</u>

- Facilitators from focus groups share results of morning workshops

(4) CLOSE AT 2:00 P.M.

- Summation by designated speaker

Appendix to Draft Proposal for City Council's Sub-Committee on Regionalism: Elaboration on Meeting Process

A. Suggested Schedule of Meetings for Phase I

1. Meetings be held every two weeks on Thursday night beginning January 10, 1991

2. Meetings begin at 7 00 p.m and end around 8·30 p m. with refreshments available during and after meetings

3. Urban Institute personnel will arrange for appropriate sites for the meetings somewhere in the geographical area which will be visited

4. Urban Institute personnel will arrange to have refreshments at the sites.

5. Schedule

January 10	-	Rock Hill
January 24	-	Pineville, Matthews, Weddington, Waxhaw, Ft Mill
February 7	-	Gastonia
February 21	-	Mt Holly, Belmont, Cramerton, Lowell, McAdenville, Ranlo, Stanley
March 7	-	Huntersville, Cornelius, Davidson, Mooresville, Denver
March 21	-	Kannapolis and Concord
April 4	-	Monroe
April 18	-	Mint Hill, Harrisburg, Midland, Indian Trail, Stallings
May 2 (Optional)	-	One session with representatives from the cities on the forty-mile ring Salisbury, Statesville, Hickory, Shelby, Kings Mountain, Lancaster, Wadesboro, and Albemarle
June 6	-	Conference (Phase 2)

B. Meeting Process and Agenda

1. Letter of invitation to meeting to local officials will come from Urban Institute explaining purpose of meeting, role of Urban Institute and other meeting details. Mailing list for meeting will be: Charlotte City Council sub-committee, members of other city councils, mayors, chairpersons of county commissions and chief administrative officer of the cities and towns.

2. Urban Institute personnel - Jane Miles or Bill McCoy - will facilitate the meeting.

3. Meeting agenda

   a. Facilitator start meeting with purpose of meetings, groundrules of discussion, etc. (5 mins.)

b Introduce Michael Gallis who will give a ten-to-fifteen minute presentation which will set the context in which the discussion will occur. (15 mins)

c Facilitators ask each participant to introduce themselves by responding to two topics. (25 mins.)

- o Personal information - how long on council, job, personal interest, etc
- o Name and briefly discuss the two most pressing future issues on the council's agenda.

4 Facilitator sum up issues of concern. An effort will be made to place the issues within the framework of urban systems introduced by Michael Gallis (5 mins.)

5. Dialogue among participants about: (40 mins.)

- o Consensus issues
- o Next steps - facilitator will be prepared to introduce potential next steps, such as:
  - ∞ Regional planning effort
  - ∞ Development of an urban agenda for the region
  - ∞ Spring and fall conferences

6 Ask each city council to appoint one person to become a member of a Regional Urban Task Force to assist in planning fall conference and to begin addressing the implementation of any components of an action plan that might be identified during the initial meetings. Ask each council to consider passing a resolution supporting this inter-city initiative.

C. Follow-up Activities

Participants need to know that the process does not end with one meeting. The following suggestions are made as ways of keeping the process going.

1 Summary minutes of meeting will be provided all participants.

2. Summary newsletter of results of all meetings will be provided all participants on or about the first of February, April, June, August, October and December.

3 Specific areas of cooperative activity may come from the initial meetings, and these will be chronicled in the newsletter.

4. All participants will be invited to the spring and fall conferences.

5 A Regional Urban Task Force will be formed.

D. Spring Conference (Phase 2) - June 6 (Proposed)

1 Purpose of conference is to bring some closure to the series of meetings

2. Based on those meetings, Urban Institute personnel will develop a white paper outlining issues that might be included on the emerging urban agenda and suggesting steps in an action plan for treating those identified issues from a regional perspective.

3 The conference will be viewed as a working session with the intent being to refine the urban agenda and action plan.

4. Although it is too early to define the agenda for the conference it may have an outline such as that which follows

8.30 - 9 00	Registration and pastries
9·00 - 9.30	Michael Gallis presentation
9·30 -10.00	Presentation from white paper on emerging urban agenda
10.00 - 10:15	Break
10·15 - 11·15	Small groups work on urban agenda
11·15 - 12 15	Report back to large group
12·15 - 1·30	Lunch with keynote address by a national figure
1 30 - 2.00	Presentation from white paper on action plan
2·00 - 3:00	Small group work on action plan
3:00 - 3:15	Break
3.15 - 4:15	Report back to large group
4:15 - 4·30	Introduction of Municipal Urban Task Force and Announcement of Date for Fall Conference
4.30 - 4.45	Concluding Comments
4:45 - 6:00	Reception

E. **Fall Conference (Phase 3)**

Outline presented in original package. This will be refined as the process goes forward.

APPENDIX TO DRAFT PROPOSAL FOR CITY COUNCIL SUB-COMMITTEE ON REGIONALISM: COST ESTIMATES

A. **Phase I - Eight Or Nine Meetings Within The Region**

The following Urban Institute personnel will be involved in all three phases of the proposal:

Michael Gallis, Professor of Architecture
Bill McCoy, Director, Urban Institute
Jane Miles, Community Services Director, Urban Institute
Research Assistant
Secretary

During Phase I, Urban Institute personnel will manage the process, begin a communication network, develop a new slide presentation on the region (M Gallis), and provide the necessary logistical support.

The estimated cost of Phase I is $16,500.

B. **Phase 2 - Spring Conference**

The estimated cost of the spring conference is $15,000 with the possibility that participants can be asked to defray a portion of that cost through a registration fee

C. **Phase 3 - Fall Conference**

While it is too early to specify costs for this conference, it could easily run between $20,000 - $40,000. One option that might be considered is to have the participating cities and towns share the cost.

D. **Summary**

We would suggest separate contracts for the three phases primarily because more time is needed on the planning of the two conferences (Phases 2 and 3).

PLANNING AND PUBLIC WORK COMMITTEE
October 30, 1990
EXECUTIVE SUMMARY

The Charlotte City Council Planning and Public Works Committee met on October 30, 1990, at 5:15 p.m., in the meeting chamber conference room of the Charlotte-Mecklenburg Government Center with Chairman Dan Clodfelter presiding. Committee members Lynn Wheeler, Ella Scarborough and Tom Mangum were present. Committee member Pat McCrory was absent.

Staff members in attendance were: Martin Cramton-Planning; Pam Syfert, Boyd Cauble, and Darlene Shrum-City Manager's Office.

Mike Schneiderman of the Charlotte Uptown Development Corporation was also in attendance.

Process for Reuse/Disposition of Convention Center Site

Discussion: Martin Cramton reported on a three-phased process which, if approved by Council, would direct staff in decision-making on the reuse/disposition of the existing Convention Center site:

Phase I - Initial agreement and organization
Phase II - Goal-setting and strategy definition
Phase III - Implementation program

He indicated that the adopted Center City Plan calls for this site and the adjacent "Fish and Oyster" site to be used for a mixed-use development, including a transportation center. This recommendation is supported by the Transportation Update completed by Barton-Aschman Associates. Since the Convention Center will remain in operation through 1994, there is no immediate need to initiate a reuse study.

Concerns were expressed by committee members that Council may perceive the outlined process as a commitment to build a transportation center on the site. They emphasized that one of the important steps in looking at reuse alternatives would be to determine if a transportation center is a valid use for the Convention Center site. For this reason they requested that contract services for transit system/routing analysis be moved from Phase I to Phase II in the process.

The committee felt that an advisory committee should be composed of representatives of the Transit Advisory Committee and the Uptown Transportation Council rather than appointing new representatives who are not familiar uptown and transit interests.

Action Taken: The committee unanimously approved the three-phased study approach (as amended based on their discussion), and recommended that it be submitted as part of the FY92 budget process for funding consideration.

Meeting adjourned at 6:00 pm

REGIONAL ISSUES COMMITTEE
October 19, 1990
EXECUTIVE SUMMARY

The Charlotte City Council Regional Issues Committee met on October 19, 1990, at 12:00 noon, in Room 270-271 of the Charlotte-Mecklenburg Government Center with Chairman Lynn Wheeler presiding. Committee members Ann Hammond, Hoyle Martin and Richard Vinroot were present. Committee member Stan Campbell was absent.

Staff members in attendance were Martin Cramton-Planning; Pam Syfert, Boyd Cauble and Darlene Shrum-City Manager's Office.

Also in attendance were Dr. Bill McCoy, Director of the Urban Institute at UNC Charlotte, and Mr. Michael Gallis, UNC Charlotte professor of architecture and consultant in regional activities.

Process for Discussion and Education Among Regional Officials

Discussion: Dr. McCoy reported on regional efforts currently being explored by the public sector, such as the Carolinas Counties Coalition and the Carolinas Transportation Compact. He indicated that, with the exception of transportation, these organizations deal primarily with areas of interest to counties, but not the urban agenda. Dr. McCoy outlined a four-phased approach proposed by the Urban Institute for sharing information and developing a partnership with the towns and cities surrounding Charlotte:

(1) Coalition building of regional education institutions - To determine their level of interest in being involved in regional activities;
(2) Meetings with towns and cities by locational groupings - Primary focus on small towns approximately 10 miles from Charlotte. Next tier of towns/cities occurs within approximate 20 mile radius;
(3) Conference of participants in process - Day long conference in spring 1991 for the purpose of clarifying issues and beginning process of determining an action plan; and
(4) A major regional conference - A two day conference in fall 1991 to provide participants with a national focus on regional concerns.

Action Taken: The committee unanimously approved motions to:

- Endorse the UNCC Urban Institute proposal (submit cost projections to City Council);
- Have City Council charge the Regional Issues Committee with overseeing the implementation of the UNCC proposal;
- Have City Council charge the Regional Issues Committee with recommending action steps to Council for the City's participation in issues of regional importance:
  (1) Develop a mass transit partnership with Mecklenburg towns.
  (2) Develop a partnership for water and wastewater issues with surrounding counties and towns.
  (3) Work to include cities and towns in the Carolinas Transportation Compact.

Meeting adjourned at 1:00 p.m.

RESOLUTION
Charlotte/Matthews Transit Corridor

WHEREAS, the Town of Matthews and the City of Charlotte are working to meet the transportation needs of a growing regional community; and

WHEREAS, these governments are concerned about the environmental impacts of traffic upon the area's air quality, neighborhoods, and quality of life; and

WHEREAS, these governments wish to continue to provide for orderly growth and movement throughout the area; and

WHEREAS, these governments believe that transit is an integral part of an environmentally and economically sound solution to the area's transportation problems.

NOW, THEREFORE, the City of Charlotte and the Town of Matthews do mutually resolve to work together to develop ways to improve transit service in the corridor between the City of Charlotte and the Town of Matthews. To this end, City staff is directed to work with the Town of Matthews to study transit potential in the Charlotte/Matthews Corridor (including service design and financing options) and to bring recommendation back to the governing bodies at an appropriate time for consideration and further action.

SITUATION

The existing Convention Center will be replaced with a 750,000 square foot facility at a new location. The new facility will open in mid 1994. Further, it is anticipated that by decades end a transportation terminal will be needed as an option to the Tryon Street transit mall. The optimum site for such a facility is the existing Convention Center/"Fish and Oyster" blocks bounded by College, Trade, Brevard and Fourth Streets.

ISSUE

The need for and nature of a process to determine the disposition and redevelopment of the existing Convention Center and the "Fish and Oyster" sites.

BACKGROUND

The adopted "Center City Plan" calls for the existing Convention Center site and the adjacent "Fish and Oyster" site to be used for a mixed use development that includes a transportation center. Specifically the plan calls for a 1991-93 study effort that would:

> "prepare a concept plan and implementation strategy for a transportation terminal at the existing Convention Center/Fish and Oyster Site. This center should provide for integration of LRT, shuttle, and bus service. Provision should be made for commercial use of air rights."
>
> "This project should consider a mixed use development consisting of office, hotel, retail, and entertainment similar to Rockefeller Center in New York. It should include the very best in pedestrian orientated design and amenities carefully integrated with the transportation center. In determining the feasibility for a transportation center the matters of transit service impact, capital and service costs should be considered."

The plan also recognizes that the Transit Mall can continue to accommodate bus routing and transit transfers through the 1990's. However, by decade's end an alternative system may be required. The plan recommends reservation of the existing convention center site and the "Fish and Oyster" site for a transportation center. This recommendation is supported by the October 1990 Transportation Update completed by Barton-Aschman Associates.

This transportation study evaluated an Uptown terminal option to the Transit Mall. The study considered five sites and highlighted the existing Convention Center/Fish and Oyster sites as the most advantageous. The study also noted that the Transit Mall can readily serve its intended purposes over the next 10 years, but as the bus system expands, a terminal approach could be beneficial.

ACTION

Initiate a process for determining the best use of Convention Center and Fish and Oyster sites in support of the Uptown development objectives. It is noted that the Convention Center will remain in operation well into 1994. Consequently, there is no immediate need to initiate a reuse study.

A process model is suggested that includes the following three phases:

- o Phase 1. Initial Agreement and Organization
- o Phase 2. Goal Setting and Strategy Definition
- o Phase 3. Implementation Program

Each phase is outlined below.

PHASE 1 INITIAL AGREEMENT AND ORGANIZATION

Agreement must be reached on an initial definition of the problem/opportunity and purpose of the work program effort. It should be clearly specified as to:

- o who (participants) must do what (products)
- o at what cost (resources)
- o by what time (schedule)

(A) Participants

- o Planning and Public Works Committee prepares process recommendation for City Council consideration.
- o Staff resources from CDOT, Engineering, Planning, Economic Development Finance and CUDC organized through a Technical Task Force.
- o An Advisory Committee composed of representatives of the Transit Advisory Committee and the Uptown Transportation Council.

(B) Product and Resources

- o City Council approved process, charge and allocation of resources as part of the FY92 Budget process.

  ISSUE: Contract Services are essential in order to define initial technical design parameters for a transportation center.

(C) Schedule

- Process organization: It is anticipated this phase will take 30-45 days.

  ISSUE: Availability of staff resources are a problem through the balance of this fiscal year.

Phase 1 only provides the details for the work under Phase 2. Phase 3 efforts will be defined based upon the results of Phase 2.

PHASE 2 GOAL SETTING AND STRATEGY DEFINITION

Before selecting a course of action, it is necessary to verify current assumptions and plans together with a status check on alternatives that may have emerged or might emerge over the next 5 years.

(A) Review Assumptions

- Review the land use assumptions of the Center City Plan and specific Proposals for a transportation center and mixed use development together with a definition of alternative development scenarios - outright sale of land, land banking, etc.

(B) Evaluation of Choices

Evaluate optional development choices considering Uptown objectives, success feasibility and resource requirements.

- Success feasibility should be evaluated in terms of time, cost, need and impact features.

- Resource requirements should be defined in terms that provide an overall indication of cost/benefit feasibility.

- Contract Services of $15,000-20,000 provided for transit system/routing analysis and resulting implications for the functional design of the transportation center.

(C) Development Concept

Select a development concept and site disposition strategy for City Council consideration.

(D) Action

City Council consideration of the following:

- Stop all work and land bank.

- Direct staff to prepare an Implementation Program for the preferred development scenario.

It is anticipated this phase will take 6-8 months for completion.

PHASE 3 IMPLEMENTATION PROGRAM

Based upon the selected development scenario, an implementation program will be prepared including schedule, resources, products and involvement expectations.

RECOMMENDATION

Planning and Public Works Committee recommends City Council concurrence with this study approach and that it be submitted as part of the FY92 Budget process for funding consideration.

PLANNING AND PUBLIC WORK COMMITTEE
October 30, 1990
EXECUTIVE SUMMARY

The Charlotte City Council Planning and Public Works Committee met on October 30, 1990, at 5:15 p.m., in the meeting chamber conference room of the Charlotte-Mecklenburg Government Center with Chairman Dan Clodfelter presiding. Committee members Lynn Wheeler, Ella Scarborough and Tom Mangum were present. Committee member Pat McCrory was absent.

Staff members in attendance were: Martin Cramton-Planning; Pam Syfert, Boyd Cauble, and Darlene Shrum-City Manager's Office.

Mike Schneiderman of the Charlotte Uptown Development Corporation was also in attendance.

Process for Reuse/Disposition of Convention Center Site

Discussion: Martin Cramton reported on a three-phased process which, if approved by Council, would direct staff in decision-making on the reuse/disposition of the existing Convention Center site:

Phase I - Initial agreement and organization
Phase II - Goal-setting and strategy definition
Phase III - Implementation program

He indicated that the adopted Center City Plan calls for this site and the adjacent "Fish and Oyster" site to be used for a mixed-use development, including a transportation center. This recommendation is supported by the Transportation Update completed by Barton-Aschman Associates. Since the Convention Center will remain in operation through 1994, there is no immediate need to initiate a reuse study.

Concerns were expressed by committee members that Council may perceive the outlined process as a commitment to build a transportation center on the site. They emphasized that one of the important steps in looking at reuse alternatives would be to determine if a transportation center is a valid use for the Convention Center site. For this reason they requested that contract services for transit system/routing analysis be moved from Phase I to Phase II in the process.

The committee felt that an advisory committee should be composed of representatives of the Transit Advisory Committee and the Uptown Transportation Council rather than appointing new representatives who are not familiar uptown and transit interests.

Action Taken: The committee unanimously approved the three-phased study approach (as amended based on their discussion), and recommended that it be submitted as part of the FY92 budget process for funding consideration.

Meeting adjourned at 6:00 pm

PLANNING AND PUBLIC WORK COMMITTEE
October 9, 1990
EXECUTIVE SUMMARY

The Charlotte City Council Planning and Public Works Committee met on October 9, 1990, at 5:15 p.m., in the revenue conference room of the Charlotte-Mecklenburg Government Center with Chairman Dan Clodfelter presiding. Committee members Lynn Wheeler, Pat McCrory, Ella Scarborough and Tom Mangum were present.

Staff members in attendance were: David Cooke and Caroline Guzniczak, Internal Consulting; Jim Humphrey, and Bob Wilson-Engineering; Doug Gillis-Department of Transportation; Pam Syfert, Julie Burch, and Darlene Shrum-City Manager's Office

Representatives of the Tree Advisory Commission and the Arrowood Association were also present.

Tree Ordinance

Discussion: The committee continued discussion from their September 18 meeting on administration and implementation strategy of the City's Tree Ordinance. Options were discussed regarding initial time spent reviewing plans, reinspection levels, fines and funding possibilities. Major concerns included: Low level of enforcement for the ordinance and comparisons to levels of enforcement to other ordinances; reduction in current level of development in the community and its effect on staffing as well as revenues from user fees; funding options (General Fund contingency versus increases in the user fee); and impact on Charlotte treescape from changes to the administrative redevelopment guidelines.

Action Taken: The committee approved the following motions:

- Elimination of the pre-submittal site visit (unanimous)
- Reinspection of at least 10% of all sites after one, two and five years, with the goal of reviewing more than 10% as staffing allows (unanimous)
- Revision of the workload projection downward by 25% (unanimous)
- Additional staffing of one full-time position and funding to allow for a temporary, part-time or job sharing position. To be funded through the General Fund Contingency and by an increase in user fees (3-1)
- An increase in fines from the current level (unanimous)
- Leave current method of reviewing redevelopment as is (any building adding 1,000 square feet or 5% of existing building space) (unanimous)

The committee requested that staff report on a graduated method of charging user fees, rather than the current flat rate charged equitably to all site developers.

Sidewalk Requirements

Discussion: The committee continued from their last meeting review of requirements of Chapter 19 of the City Code relative to curbs and sidewalks. Concerns were expressed about the equitable application of the sidewalk requirement to sites on funded and non-funded roadway projects. There was also discussion about a more systematic approach to sidewalk construction.

Action Taken: The committee unanimously approved a motion to recommend that City Council adopt three additional sidewalk variances as follows:

(1) If at least 50% of a block (frontage) is developed and 50% of the block is developed without a sidewalk, no sidewalk would be required by new development unless located on thoroughfares and collector streets.

(2) Eliminate the sidewalk requirement on all deadend streets less than 1,000 feet in length unless they serve as a public access to a school, park, shopping facility, multi-family development, or other community facility.

(3) The developer be required to pay the City the value of the sidewalk for their share of sidewalk construction as part of the City project rather than exempt sidewalks from funded roadway projects;

Staff was directed to develop a more systematic approach to sidewalk construction and an appeal process for unique circumstances.

Meeting adjourned at 7:05 p.m.

Hoskins Mill

History of the Project

On October 12, 1987 City Council approved a request to enter into a loan agreement with Trenton Properties in the amount of $1,600,000 for the adaptive reuse, rehabilitation, and adjacent new construction of 189 housing units for low income families and the elderly on the Hoskins Mill site and authorize the use of $1,600,000 from the Innovative Housing Fund.

Subsequently, City Council on November 23, 1987 was requested to amend its previous action to reduce the first mortgage lender's commitment from the requested amount of $2,443,600 to the bank's actual approval amount of $1,800,000 and to authorize $500,000 of the City's $1,600,000 loan to be advanced for the acquisition of the Mill. The City's loan was closed on November 23, 1987.

On May 23, 1988 City Council approved an amendment to the loan agreement with Trenton Properties to allow an additional three months to secure equity financing and six months to close the loan for the development of the Hoskins Mill site into 189 housing units for low income families and the elderly.

On July 11, 1988, City Council authorized the City Manager to negotiate a loan agreement between the City and Trenton Properties, Inc. to increase the City's financial participation in the Hoskins Mill project from the previously approved amount of $1,600,000 to an amount not to exceed $2,355,000. As a result, an amended loan agreement was executed in the amount of $2,355,000 on December 16, 1988. The loan agreement provides for the City's loan to be broken down as a capital loan in the amount of $2,005,000 at a 3% interest rate for a term of 15 years. It is repayable only to the extent that cash flow is available after payment of the first and second mortgages and normal and reasonable operating expenses. The remainder of the loan provides for a $350,000 operating loan to function as a bridge loan to cover project expenses pending future equity contributions by Boston Equity, the tax credit syndicator. The original terms of the $350,000 City operating loan was to be paid in three installments as follows:

December 31, 1991	$ 43,288
December 31, 1992	201,316
December 31, 1993	105,396

Jim Mezzanotte, President of Trenton Properties, has requested that the City amend its loan agreement with the Hoskins Mill Associates Limited Partnership in the amount of $350,000. This amendment is requested to refinance the operating loan to be part of the capital loan for the purpose of lowering rents on the elderly apartment units at Hoskins Mill and cover project cost overruns.

Mr. Mezzanotte requested that the rent structure be lowered from a level of 60% of median income to 40% for 47 of the total 94 elderly apartments. This will reduce rents from $300 per month to $220 per month for 47 one-bedroom units. The other 47 two- bedroom units of elderly will remain priced at 50% of median income at $259 per month.

This request is being made by the developer/owner due to the fact that he is experiencing elderly applicants below the level necessary to qualify for the monthly rent at 50% of median and no applicants at 60% of median.

The financial impact of the restructuring of the rents is summarized as follows:

	Year 1 Before Revision	Year 1 After Revision
Effective Gross Rent	$678,769	$635,905
Operating Expenses	<289,533>	<285,653>
Net Operating Income	389,236	350,252
Debt Service	<361,031>	<350,252>
Cash Flow Available	28,205	- 0 -
Cash Return on Investment	.89%	- 0 -

Subsequent operating years up to year 10 and the detail breakdown on income and expenses is attached as Attachment A and B.

The present value of funds discounted at 12% annually for 15 years of the before and after rent differential is $402,955.00.

A Sources and Uses of funds for the project is attached as Attachment C for your information. It shows that the project has exceeded the original total budget cost as follows:

Total Cost to Date	$8,418,665.15
Original Budget Cost	8,055,020.00
Over Budget	$ 363,665.15

The over-budget costs have been financed with funds disbursed for the developers fee.

Attachment A
Before Revision

DEVELOPER SPREAD SHEET
PRE-TAX CASH FLOW ANALYSIS

	SYMBOLS	YR1	YR2	YR3	YR4	YR5	YR6	YR7	YR8	YR9	YR10
REVENUES	G. Rent	695,736	716,608	738,106	760,250	783,057	806,549	830,745	855,668	881,338	907,778
Gross Rent ($p.s.f x sq.ft)	+ T.Contrib.	17,820	18,355	18,905	19,472	20,057	20,658	21,278	21,916	22,574	23,251
+ Tenant Contributions											
= Gross Income or Gross Rent	= G.Income	34,787	35,830	36,905	38,012	39,153	40,327	41,537	42,783	44,067	45,389
- Vacancy Contingency	- VAC										
_____ % Vac.Rate x Gross Inc.											
=Effective Gross Rent (or Gross Collections)	= EGR	678,769	699,133	720,107	741,710	763,961	786,880	810,486	834,801	859,844	885,640
Operating Expenses											
Insurance ($____psf)											
Maintenance & Structural Repairs ($____psf)											
Management Fees (% EGR)											
Property Taxes (____psf)											
Misc.Operating Expenses											
- Total Operating Expenses	- OPR.EXP	289,533	298,220	307,107	316,381	325,872	355,649	345,718	356,090	366,772	377,775
= Net Operating Income	= NOI	389,236	400,913	412,940	425,329	438,088	451,231	464,768	478,711	493,072	507,865
-Debt Service (Annual Principal & Interest)	- D/S	361,031	361,031	361,031	361,031	361,031	361,031	361,031	361,031	361,031	361,031
= Cash Flow Available for Distribution	CF	28,205	39,882	51,909	64,298	77,057	90,200	103,737	117,880	132,041	146,834
CASH ON CASH ROI	CF/EQ										
Cash Flow Avail. for Distribution / Original Equity Investment		0.890%	1.110%	1.330%	1.58%	1.89%	2.22%	2.55%	2.89%	3.24%	3.60%

HOSKINS MILL
INCOME ASSUMPTIONS

	MONTHLY	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
INCOME:						
RENTS:						
47 ONE BR. UNITS						
@ $300	$14,100	$169,200	$174,276	$179,504	$184,889	$190,436
47 ONE BR. UNITS						
@ $259	12,173	146,076	$150,458	$154,972	$159,621	$164,410
12 ONE BR.UNITS						
@ $295 ($402-76-31)	3,540	42,480	43,754	45,067	46,419	47,812
29 TWO BR. UNITS						
@ $380 ($517-102-35)	11,020	132,240	136,207	140,293	144,502	148,837
37 TWO BR. UNITS						
@ $325 ($430-102-3)	12,025	144,300	148,629	153,088	157,681	162,411
8 THREE BR. UNITS						
@ $290 ($413-117-6)	2,320	27,840	28,675	29,535	30,422	31,334
7 THREE BEDROOM UNITS						
@ $400 ($574-117-57)	2,800	33,600	34,608	35,646	36,716	37,817
2 FOUR BR. UNITS						
@ 425 ($620-136-56)	850	10,200	10,506	10,821	11,146	11,480
GROSS RENT	57,978	695,736	716 608	738,106	760,250	783,057
TENNANT INCOME	1,485	17,820	18,355	18,905	19,472	20,057
MONTHLY INCOME	59,463					
ANNUAL INCOME		713,556	734,963	757,012	779,722	803,114
EXPENSES:						
VACANCY @5%	2,899	34,787	35,830	36,905	38,012	39,153
ADMISTRATION 8% OF NET	4,406	52,876	54,462	56,096	57,779	59,512
ADVERTISING	580	6,957	7,166	7,381	7,602	7,831
OFFICE & TELEPHONE	233	2,800	2,884	2,971	3,060	3,151
ELECTRICTY:						
MILL	425	5,100	5,253	5,411	5,573	5,740
ELDERLY	667	8,000	8,240	8,487	8,742	9,004
WATER/SEWER:						
MILL	1,683	20,200	20,806	21,430	22,073	22,735
ELDERLY	567	6,800	7,004	7,214	7,431	7,653
MGT. PAYROLL TAXES	1,233	14,800	15,244	15,701	16,172	16,658
MAINT. PAYROLL TAXES	1,500	18,000	18,540	19,096	19,669	20,259
MRGS. APT.	383	4,600	4,738	4,880	5,027	5,177
H.V.A.C.	742	8,900	9,167	9,442	9,725	10,017
MISC. REPAIRS	542	6,500	6,695	6,896	7,103	7,316
EXTERMINATOR	192	2,300	2,369	2,440	2,513	2,589
GROUND MAINTANCE	258	3,100	3,193	3,289	3,387	3,489
JANATIORIAL SUPPLIES	58	700	721	743	765	788
INSURANCE	1,400	16,800	17,304	17,823	18,358	18,909
TAXES:	2,033	24,400	25,132	25,886	26,663	27,462
MILL $5,500,000/100X50XX$1.30	2,975	35,700	36,771	37,874	39,010	40,181
ELDY. $2,000,000/100X$1.30	2,167	26,000	26,780	27,583	28,411	29,263
REPLACEMENT RESERVE	2,083	25,000	25,750	26,523	27,318	28,138
TOTAL MONTHLY EXPENSES	27,027					
ANNUAL EXPENSES		324,320	334,050	344,071	354,393	365,025
NET ANNUAL INCOME		389,236	400,913	412,940	425,329	438,088

	YEAR 6	YEAR 7	YEAR 8	YEAR 9	YEAR 10
INCOME:					
RENTS:					
47 ONE BR. UNITS					
@ $300	$196,149	$202,034	$208,095	$214,337	$220,768
47 ONE BR. UNITS					
@ $259	$169,342	$174,422	$179,655	$185,045	$190,596
12 ONE BR.UNITS					
@ $295 ($402-76-31)	49,246	50,723	52,245	53,812	55,427
29 TWO BR. UNITS					
@ $380 ($517-102-35)	153,302	157,901	162,639	167,518	172,543
37 TWO BR. UNITS					
@ $325 ($430-102-3)	167,283	172,302	177,471	182,795	188,279
8 THREE BR. UNITS					
@ $290 ($413-117-6)	32,274	33,242	34,240	35,267	36,325
7 THREE BEDROOM UNITS					
@ $400 ($574-117-57)	38,952	40,120	41,324	42,563	43,840
2 FOUR BR. UNITS					
@ 425 ($620-136-56)	11,825	12,179	12,545	12,921	13,309
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GROSS RENT	806,549	830,745	855,668	881,338	907,778
TENNANT INCOME	20,658	21,278	21,916	22,574	23,251
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MONTHLY INCOME					
ANNUAL INCOME	827 207	852.023	877,584	903,911	931,029
EXPENSES:					
VACANCY 05%	40,327	41,537	42,783	44,067	45,389
ADMISTRATION 8% OF NET	61,298	63,137	65,031	66,982	68,991
ADVERTISING	8,065	8,307	8,557	8,813	9,078
OFFICE & TELEPHONE	3,246	3,343	3,444	3,547	3,653
ELECTRICTY:					
MILL	5,912	6,090	6,272	6,461	6,654
ELDERLY	9,274	9,552	9,839	10,134	10,438
WATER/SEWER:					
MILL	23,417	24,120	24,843	25,589	26,356
ELDERLY	7,883	8,120	8,363	8,614	8,872
MGT. PAYROLL TAXES	17,157	17,672	18,202	18,748	19,311
MAINT. PAYROLL TAXES	20,867	21,493	22,138	22,802	23,486
MRGS. APT.	5,333	5,493	5,657	5,827	6,002
H.V.A.C.	10,318	10,627	10,946	11,274	11,612
MISC. REPAIRS	7,535	7,761	7,994	8,234	8,481
EXTERMINATOR	2,666	2,746	2,829	2,914	3,001
GROUND MAINTANCE	3,594	3,702	3,813	3,927	4,045
JANATIORIAL SUPPLIES	811	836	861	887	913
INSURANCE	19,476	20,060	20,662	21,282	21,920
TAXES:	28,286	29,135	30,009	30,909	31,836
MILL $5,500,000/100X50XX$1.30	41,386	42,628	43,906	45,224	46,580
ELDY. $2,000,000/100X$1.30	30,141	31,045	31,977	32,936	33,924
REPLACEMENT RESERVE	28,982	29,851	30,747	31,669	32,619
	---	---	---	---	---
TOTAL MONTHLY EXPENSES					
ANNUAL EXPENSES	375,976	387,255	398,873	410,839	423,164
	========	========	========	========	========
NET ANNUAL INCOME	451,231	464,768	478,711	493,072	507,865

Attachment B
After Revision

DEVELOPER SPREAD SHEET
PRE-TAX CASH FLOW ANALYSIS

	SYMBOLS	YR1	YR2	YR3	YR4	YR5	YR6	YR7	YR8	YR9	YR10
REVENUES	G. Rent	650,616	666,412	684,853	705,399	726,561	748,358	770,809	793,933	817,751	842,283
Gross Rent ($p.s.f x sq.ft)	+ T.Contrib.	17,820	18,355	18,905	19,472	20,057	20,658	21,278	21,916	22,574	23,251
+ Tenant Contributions											
= Gross Income or Gross Rent	= G.Income	32,531	33,507	34,512	35,547	36,614	37,712	38,843	40,009	41,209	42,445
- Vacancy Contingency	- VAC										
_____ % Vac.Rate x Gross Inc.											
=Effective Gross Rent (or Gross Collections)	= EGR	635,905	651,260	669,247	689,324	710,004	731,304	753,244	775,840	799,116	823,089
Operating Expenses											
Insurance ($____psf)											
Maintenance & Structural Repairs ($____psf)											
Management Fees (% EGR)											
Property Taxes (____psf)											
Misc.Operating Expenses											
- Total Operating Expenses	- OPR.EXP	285,653	294,222	303,049	312,141	321,505	331,150	341,085	351,317	361,857	372,713
= Net Operating Income	= NOI	350,252	357,037	366,198	377,183	388,499	400,154	412,159	424,523	437,259	450,377
-Debt Service (Annual Principal & Interest)	- D/S	350,252	357,037	366,198	371,531	371,531	371,531	371,531	371,531	371,531	371,531
= Cash Flow Available for Distribution	CF				5,652	16,968	28,623	40,628	52,992	65,728	78,846
CASH ON CASH ROI	CF/EQ										
Cash Flow Avail. for Distribution / Original Equity Investment					0.138%	0.416%	0.703%	0.997%	1.300%	1.610%	1.94%

HOSKINS MILL
INCOME ASSUMPTIONS

	MONTHLY	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
INCOME.						
RENTS:						
47 ONE BR. UNITS						
@ $220	$10,340	$124,080	$124,080	$126,251	$130,039	$133,940
47 ONE BR. UNITS						
@ $259	12,173	146,076	$150,458	$154,972	$159,621	$164,410
12 ONE BR.UNITS						
@ $295 ($402-76-31)	3,540	42,480	43,754	45,067	46,419	47,812
29 TWO BR. UNITS						
@ $380 ($517-102-35)	11,020	132,240	136,207	140,293	144,502	148,337
37 TWO BR. UNITS						
@ $325 ($430-102-3)	12,025	144,300	148,629	153,088	157,681	162,411
8 THREE BR. UNITS						
@ $290 ($413-117-6)	2,320	27,840	28,675	29,535	30,422	31,334
7 THREE BEDROOM UNITS						
@ $400 ($574-117-57)	2.800	33,600	34,608	35,646	36,716	37,817
2 FOUR BR. UNITS						
@ 425 ($620-136-56)	850	10,200	10,506	10,821	11,146	11,480
GROSS RENT	54,218	650,616	666,412	684,853	705,399	726,561
TENNANT INCOME	1,485	17,320	18,355	18,905	19,472	20,057
GROSS MONTHLY INCOME	55.703					
GROSS ANNUAL INCOME		668,436	684,767	703,759	724,871	746,618
EXPENSES:						
VACANCY 85%	2,711	32,531	33,507	34,512	35,547	36,614
ADMISTRATION 8% OF NET	4,121	49,447	50,930	52,458	54,032	55,653
ADVERTISING	542	6,506	6,701	6,902	7,109	7,323
OFFICE & TELEPHONE	233	2.800	2,884	2,971	3,060	3,151
ELECTRICTY:						
MILL	425	5,100	5,253	5,411	5,573	5,740
ELDERLY	667	8,000	8,240	8,487	8,742	9,004
WATER/SEWER:						
MILL	1,683	20,200	20,806	21,430	22,073	22,735
ELDERLY	567	6,800	7,004	7,214	7,431	7,653
MGT. PAYROLL TAXES	1,233	14,800	15,244	15,701	16,172	16,658
MAINT. PAYROLL TAXES	1,500	18,000	18,540	19,096	19,669	20,259
MRGS. APT.	383	4,600	4,738	4,880	5,027	5,177
H.V.A.C.	742	8,900	9,167	9,442	9,725	10,017
MISC. REPAIRS	542	6.500	6,695	6,896	7,103	7,316
EXTERMINATOR	192	2,300	2,369	2,440	2,513	2,589
GROUND MAINTANCE	258	3,100	3,193	3,289	3,387	3,489
JANATIORIAL SUPPLIES	58	700	721	743	765	788
INSURANCE	1,400	16,800	17,304	17,823	18,358	18,909
TAXES:	2,033	24,400	25,132	25,886	26,663	27,462
MILL $5,500,000/100X50%X$1.30	2,975	35,700	36,771	37,874	39,010	40,181
ELDY. $2,000,000/100X$1.30	2,167	26,000	26,780	27,583	28,411	29,263
REPLACEMENT RESERVE	2,083	25,000	25,750	26,523	27,318	28,138
TOTAL MONTHLY EXPENSES	26,515					
ANNUAL EXPENSES		318,184	327,729	337,561	347,688	358,119
NET ANNUAL INCOME		350,252	357,037	366,198	377,183	388,499

INCOME:	YEAR 6	YEAR 7	YEAR 8	YEAR 9	YEAR 10
RENTS:					
47 ONE BR. UNITS @ $220	$137,358	$142,097	$146,360	$150,751	$155,273
47 ONE BR. UNITS @ $259	$169,342	$174,422	$179,555	$185,045	$190,596
12 ONE BR.UNITS @ $295 ($402-76-31)	49,246	50,723	52,245	53,812	55,427
29 TWO BR. UNITS @ $380 ($517-102-35)	153,302	157,901	162,639	167,518	172,543
37 TWO BR. UNITS @ $325 ($430-102-3)	167,283	172,302	177,471	182,795	188,279
3 THREE BR. UNITS @ $290 ($413-117-6)	32,274	33,242	34,240	35,267	36,325
7 THREE BEDROOM UNITS @ $400 ($574-117-57)	38,352	40,120	41,324	42,563	43,840
2 FOUR BR. UNITS @ 425 ($620-136-56)	11,825	12,179	12,545	12,921	13,309
GROSS RENT	748,358	770,309	793,933	817,751	842,293
TENNANT INCOME	20,658	21,278	21,916	22,574	23,251
GROSS MONTHLY INCOME					
GROSS ANNUAL INCOME	769,016	792,087	815,849	840,325	865,534
EXPENSES:					
VACANCY 05%	37,712	38,843	40,009	41,209	42,445
ADMISTRATION 8% OF NET	57,322	59,042	60,813	62,638	64,517
ADVERTISING	7,542	7,769	8,002	8,242	8,489
OFFICE & TELEPHONE	3,246	3,343	3,444	3,547	3,653
ELECTRICITY:					
MILL	5,912	6,090	6,272	6,461	6,654
ELDERLY	9,274	9,552	9,839	10,134	10,438
WATER/SEWER:					
MILL	23,417	24,120	24,843	25,589	26,356
ELDERLY	7,883	8,120	8,363	8,614	8,872
MGT. PAYROLL TAXES	17,157	17,672	18,202	18,748	19,311
MAINT. PAYROLL TAXES	20,867	21,493	22,138	22,802	23,486
MRGS. APT.	5,333	5,493	5,657	5,827	6,002
H.V.A.C.	10,318	10,627	10,946	11,274	11,612
MISC. REPAIRS	7,535	7,761	7,994	8,234	8,481
EXTERMINATOR	2,666	2,746	2,829	2,914	3,001
GROUND MAINTANCE	3,594	3,702	3,813	3,927	4,045
JANATIORIAL SUPPLIES	811	836	861	887	913
INSURANCE	19,476	20,060	20,662	21,282	21,920
TAXES:	28,286	29,135	30,009	30,909	31,836
MILL $5,500,000/100X50%X$1.30	41,386	42,628	43,906	45,224	46,580
ELDY. $2,000,000/100X$1.30	30,141	31,045	31,977	32,936	33,924
REPLACEMENT RESERVE	28,982	29,851	30,747	31,669	32,619
TOTAL MONTHLY EXPENSES					
ANNUAL EXPENSES	368,862	379,928	391,326	403,066	415,158
NET ANNUAL INCOME	400,154	412,159	424,523	437,259	450,377

Attachment C

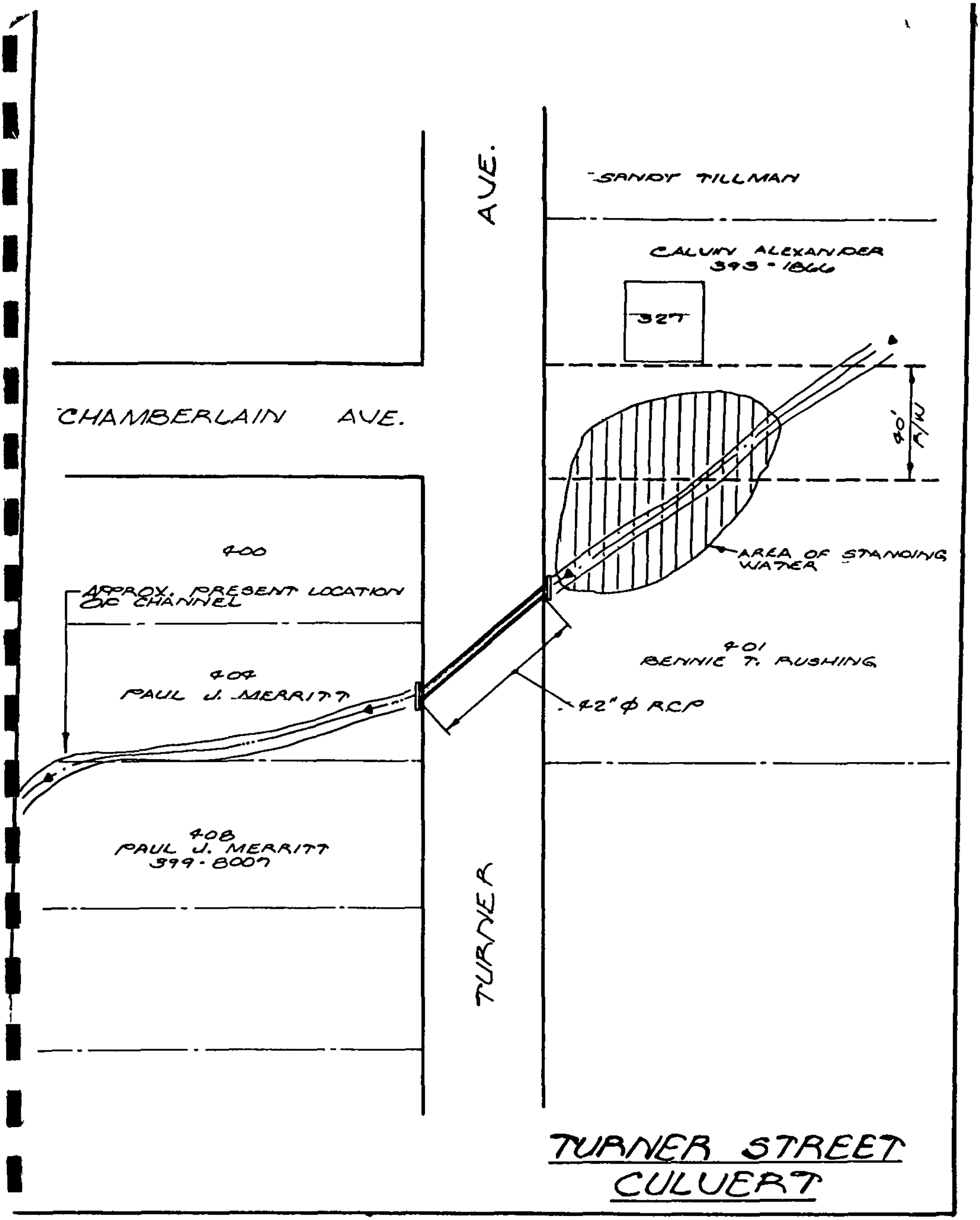
HOSKINS MILL PROJECT

SOURCES

	Commitment Amount	o/s Balance 8-3-90	Availability
FUNB	$ 900,000.00	$ 810,000.00	$ 90,000.00
City of Charlotte	2,438,240.00	2,156,027.75	287,212.25
HUD	1,750,000.00	1,750,000.00	--0--
Boston Equity	3,330,425.15	2,821,392.00	509,033.15
	8,418,665.15	7,532,419.75	886,245.40

USES

	Budget	Earn/Paid	Balance to Complete
Land	$ 514,768 15	$ 514,768.15	--0--
Soft Costs	975,000.00	953,430.00	21,570.00
Hard Cost (Elderly)	1,849,779.00	1,598,799.22	250,979.78
Hard Cost (Mill)	5,079,118.00	5,079,118.00	--0--
	8,418,665.15	8,146,115.37	272,249.78


SANDY TILLMAN
CALVIN ALEXANDER
393-1866
327
CHAMBERLAIN AVE.
40' R/W
400
APPROX. PRESENT LOCATION OF CHANNEL
AREA OF STANDING WATER
401
BENNIE T. RUSHING
404
PAUL J. MERRITT
42" ϕ RCP
408
PAUL J. MERRITT
399-8007
TURNER AVE.
TURNER STREET
CULVERT

Express Bus Service to Carowinds and Arrowood

History

In March 1985, the City began operating express transit service between Uptown Charlotte and the Arrowood Industrial Park. Council approved funds to operate the service to Arrowood to increase employment opportunities for low income Charlotte residents in this suburban employment center.

In June 1986, the Charlotte Department of Transportation's (CDOT) Special Transportation Service (STS) division began providing bus service between Uptown Charlotte and Carowinds. The service was requested by the Employment and Training Department to provide needed transportation support for their Summer Youth Employment Programs. The Employment and Training Department reimbursed the Transportation Fund the full cost of Carowinds service during 1986.

In August 1986, Council adopted a resolution endorsing the concept of an experimental transportation program to serve special economic development, health and social service needs of City residents. An appropriation of $200,000 in the fiscal year 1988 budget was used to operate bus services to Arrowood and Carowinds between July 1987 and April 1989.

In Fall 1989, CDOT and the Employment and Training Department reviewed the benefits and costs of the Arrowood and Carowinds routes. Neither route was meeting the farebox recovery standard of 40 percent (the same as the Charlotte Transit standard) which was adopted by Council in 1987 for "special" routes. Several surveys of passengers on the Arrowood route were conducted to determine if there were other ways of providing transportation services. The Employment and Training Department considered the creation of subsidized vanpools or payment of stipends to clients for taking a taxi or riding with other employees. None of these other programs were determined to be acceptable. In December 1989, the Employment and Training Department began reimbursing the Transportation Fund the difference between route revenues and the 40 percent farebox recovery standard in order to continue operation of the Arrowood and Carowinds routes.

REHABILITATION LOAN
Mary L. Barnes

Mrs. Barnes applied for a rehabilitation loan in November, 1987. Staff determined that it was not feasible to rehabilitate her house at 6000 Johnette Drive. The existing tax value of Mrs. Barnes' property is $2,500 and the estimated cost to rehabilitate the structure is $46,577. According to our housing code guidelines, if the repair estimates exceed 65% of the value of the house, demolition is recommended. The structure was moved to its present location back in the early 60's. It was not properly set-up at the time of the move thus causing extensive structural damage and decay years later.

Because Mrs. Barnes' house is being demolished, she is being displaced. She also earns 80% or less of median income. Therefore, in accordance with City policy for relocation benefits, she is eligible to come on the City's relocation workload for replacement housing assistance.

In order to provide Mrs. Barnes with standard housing, other options were explored: 1) build a new house on site; 2) move an existing house to the site and rehabilitate it; or 3) buy an existing house. After consultation with Mrs. Barnes, it was determined that the third option, which was to buy an existing house, was the most feasible. The reason option 3 was selected is that Mrs. Barnes property is land locked. There is no dedicated right-of-way to the property. The entrance to the lot is a single lane dirt road off Johnette Drive. Therefore, it is not feasible to build a new house on site or move an existing house on site.

Furthermore, Mrs. Barnes income is insufficient to meet the Charlotte-Mecklenburg Housing Partnership's loan criteria.

Mrs. Mary L. Barnes, who is 71, receives Social Security benefits in the amount of $412.60 per month. She is a widow and lives alone.

Under the Council-approved Standard Rehabilitation Program, a family is to pay no more than 30% of their gross monthly income, less federal taxes, toward housng expenses. Housing expenses are defined as principal and interest payments, real estate taxes and insurance. Based on the 30% rule, Mrs. Barnes would qualify for a 3% interest loan of $9,690 to be repaid in monthly installments and a deferred payment loan in the amount of $50,310 which becomes payable in full at the time of death, sale or rental of the house.

An analysis of Mrs. Barnes' income and projected housing expense is listed below. Her household income is 18% of the median income for a family of one.

Gross Monthly Income	$412.60
Less: Federal Taxes	- -0-
	$ 412.60
	x 30%
Available for Housing	$ 123.78
Less: Taxes & Ins. (Est.)	- 70.00
Available for Loan Payment	$ 53.78

Based on a term of 20 years at 3% interest, Mrs. Barnes principal and interest payment would be $53.78.

The breakdown of total costs involved in this purchase is:

Purchase Price	$58,500
Attorney Fees/Closing Costs	1,500
Total Loan Amount	$60,000

The purchase assistance for Mrs. Barnes is as follows:

Borrower	Address	Amount	Term	Interest Rate	Type of Assist.
Mary L.	614 Aintree	$9,690	20 Yrs.	3%	Loan
Barnes	Road	50,310	N/A	N/A	DPL

HOUSING CODE

A. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to repair code violations at 2208 Rozzelles Ferry Road (Oakview Terrace).

PROPERTY ADDRESS: 2008 Rozzelles Ferry Road; Census Tract #45; Council District #2; Neighborhood: Oakview Terrace

BACKGROUND:

Date of Inspection: 10/10/89
Reason For Inspection: Complaint
Owner(s) Notified of Hearing: 10/30/89
Hearing Held: 11/15/89
Owner(s) Ordered to Repair Dwelling By: 2/3/90

A reinspection on 2/5/90 revealed approximately 36% of the violations had been corrected.

A title search was requested on June 1, 1990 and received on August 20, 1990. The title search revealed parties in interest.

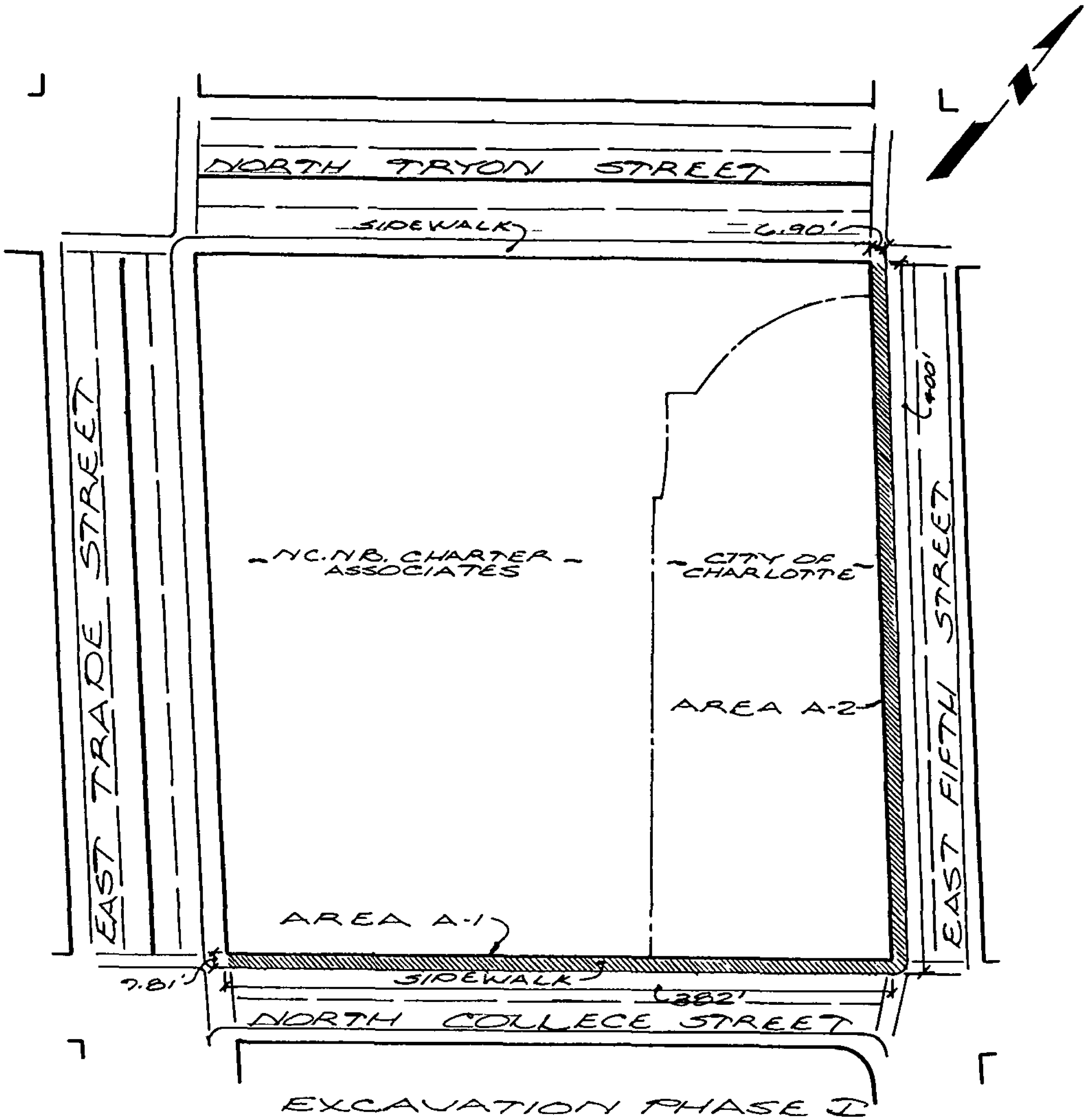
Parties in Interest Notified of Hearing: 8/23/90
Hearing Held: 9/5/90

A reinspection on September 17, 1990 revealed all violations had not been corrected.

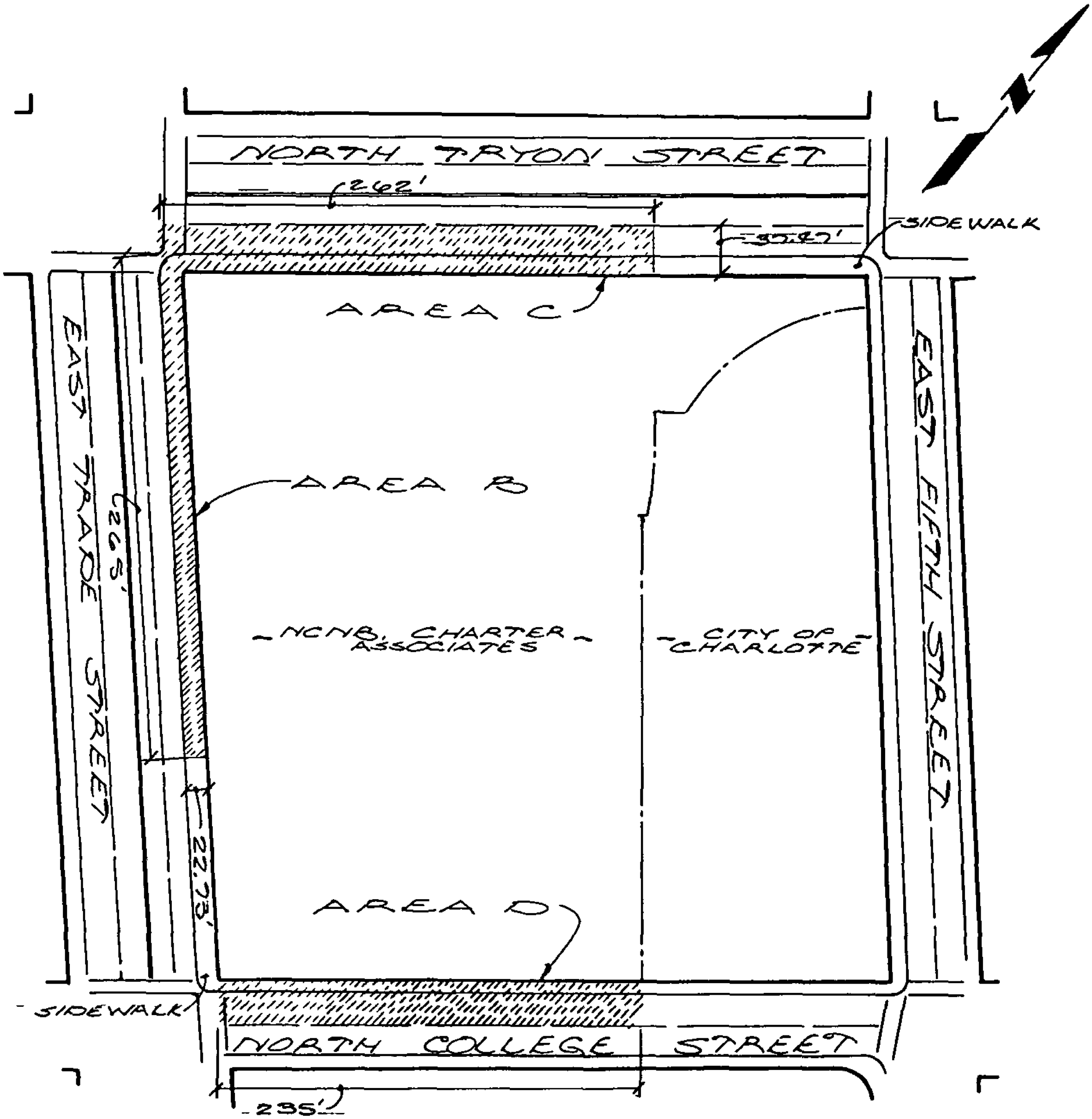
Estimated Value of Dwelling: $24,570
Estimated Repair (Which is Less than 65% of Estimated Value): $1,265

The repairs include: installing new window screens at all operable windows; installing two new heat vents; installing new front entrance door unit (complete). The dwelling is occupied.

The owner was notified of a Civil Penalty on February 6, 1990. The total penalty as of November 13, 1990 amounts to $2,920. The owner has also been notified of this November 13, 1990 Council action.



ENCROACHMENT/LEASE AGREEMENT
CITY OF CHARLOTTE
MC DEVITT AND STREET COMPANY
N.C.N.B CORPORATE CENTER



CONSTRUCTION - PHASE II

ENCROACHMENT/LEASE AGREEMENT
CITY OF CHARLOTTE
Mc DEVITT AND STREET COMPANY
N.C.N.B. CORPORATE CENTER

MANDATORY REFERRAL REPORT NO. 90-36
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
CITY ENGINEERING DEPARTMENT/REAL ESTATE DIVISION
SALE OF CITY OWNED PROPERTY AT WEST TRADE AND SOUTH POPLAR

LOCATION AND DESCRIPTION OF THE PROJECT

The proposal is for the sale of three parcels of city owned property located at South Poplar Street and West Trade Street.

Parcel numbers for the property in question are 073-013-06, 073-013-07 and 073-013-08. The total acreage to be sold is 0.186 acres.

PROJECT JUSTIFICATION

The project complies with the City's policy of returning surplus property to the tax scrolls to generate additional revenue. It is an ongoing City policy to return residual parcels to adjoining property owners or other interested parties.

The City's Real Estate Division has been contacted by a party who is interested in purchasing the City's property and the surrounding properties in the block for a development.

PROJECT IMPACT

The property for sale is currently vacant and is zoned UMUD. Office and commercial land uses are adjacent to the project site. The adjacent land uses will not be adversely impacted by the project.

Although the project will have no impact on the adjacent land uses, the project will eliminate a public green space in the Uptown area. In 1985, the City Parks and Recreation Department recommended that the City retain the property for public open space. The Parks and Recreation Department's recommendation was based on the limited amount of open space in the Uptown area.

Also in 1985, the Planning Commission's staff recommended that the property not be sold. The Planning Commission's staff felt that the City's property was the key to the redevelopment of the West Trade/South Poplar block. Therefore, staff recommended that the property should be sold as part of a redevelopment package for the area and not in a piecemeal manner to different entities.

While revaluating their 1985 positions, both staffs concluded the following:

1) The West Trade/South Poplar Street block is a key component in the revitalization of the West Trade Corridor.

2) The sale of the City's property could be a catalyst for stimulating redevelopment in the West Trade/South Poplar area.

3) The property should be sold to a party who is interested in redeveloping the block.

4) Any redevelopment plans for the area should have an open space component.

RELATIONSHIP TO OTHER PUBLIC/PRIVATE PROJECTS

The Urban Design Plan for Central Charlotte, adopted by City Council in November 1989, recommends that the West Trade/South Poplar block should develop as retail and office uses. The study emphasizes the block as being a key component in the redevelopment of the West Trade Street Corridor. The Plan states that the Trade Street Corridor between Five Points and Presbyterian Hospital offers an opportunity to develop the main street concept beyond North Tryon Street.

PROJECT COST ESTIMATE

The total estimated cost of the project is $1,850.00. Project cost estimates are as follows:

* appraisals - $600.00,
* legal - $600.00,
* administrative - $500.00, and
* advertising - $150.00.

STAFF RECOMMENDATION

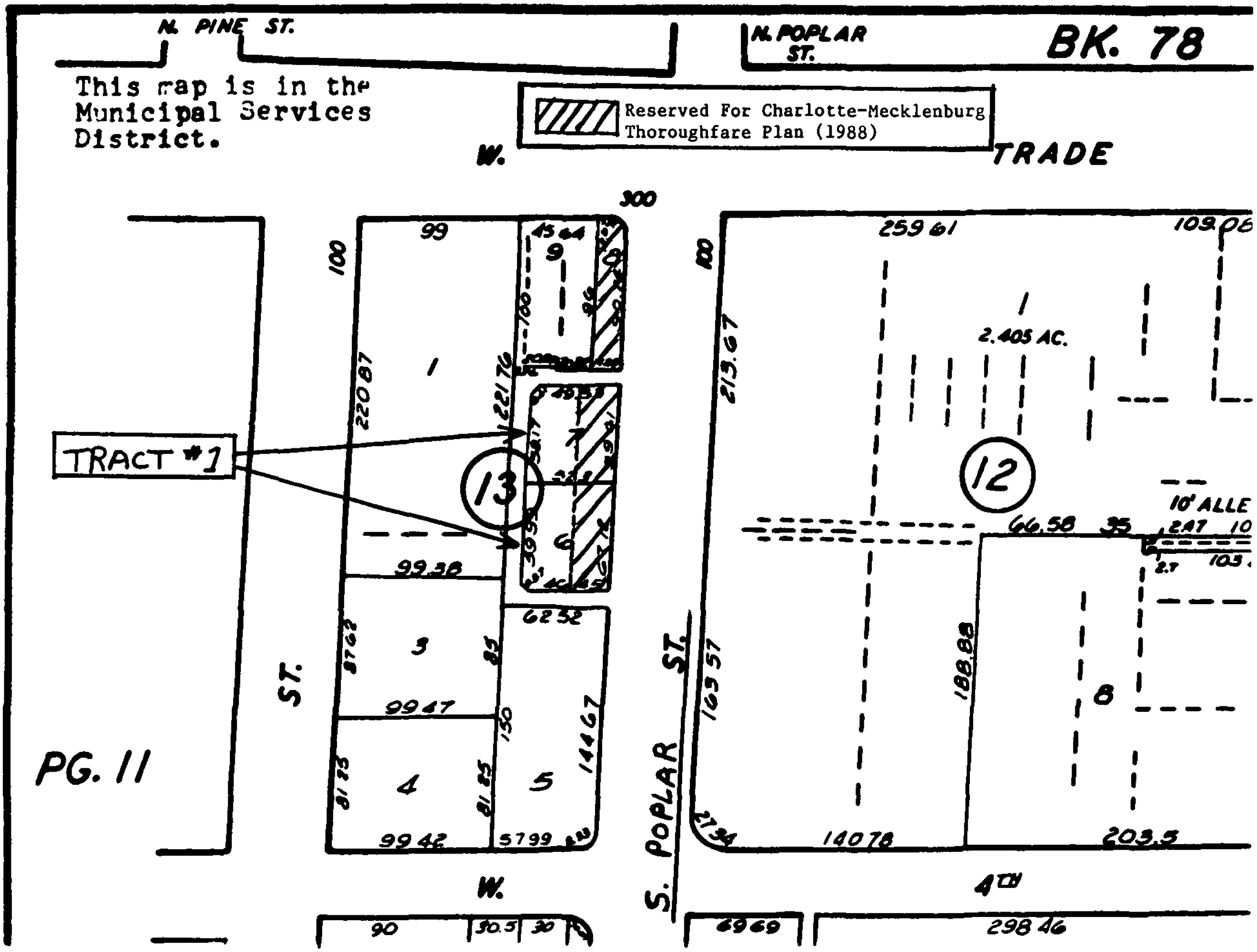
The Charlotte-Mecklenburg Planning Commission staff recommends approval of the sale. In addition, staff recommends the following:

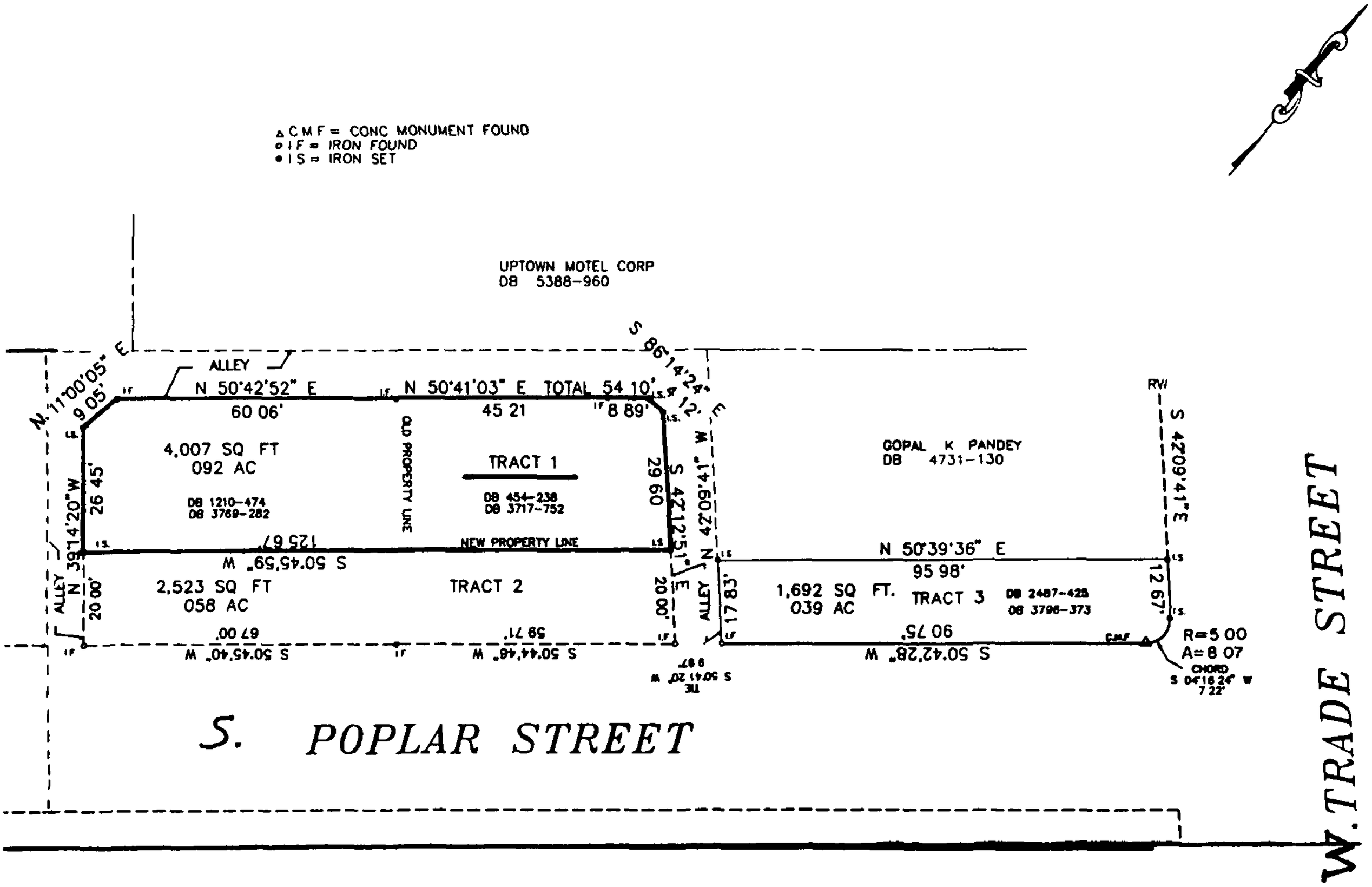
1) The property should be sold to a party who is interested in redeveloping the West Trade/South Poplar Street block.

2) Redevelopment plans for the block should include an open space component.

PLANNING COMMITTEE RECOMMENDATION

Planning Committee approved staff recommendations.


N. PINE ST.
N. POPLAR ST.
BK. 78
This map is in the Municipal Services District.
Reserved For Charlotte-Mecklenburg Thoroughfare Plan (1988)
W. TRADE
TRACT #1
PG. 11
ST.
S. POPLAR ST.
W.
4TH
13
12
10' ALLE
300
99
100
1
2
3
4
5
6
8
9
2.405 AC.
259.61
109.06
213.67
220.87
221.76
99.38
62.32
99.47
144.67
99.42
57.99
163.57
188.88
140.78
203.5
298.46
66.58
35
90
30.5
30
69.69


△ C M F = CONC MONUMENT FOUND
○ I F = IRON FOUND
● I S = IRON SET
UPTOWN MOTEL CORP
DB 5388-960
ALLEY
N 50°42'52" E
60 06'
N 50°41'03" E TOTAL 54 10'
45 21
8 89'
N 11°00'05" E
9 05'
4,007 SQ FT
092 AC
DB 1210-474
DB 3769-282
26 45'
OLD PROPERTY LINE
TRACT 1
DB 454-238
DB 3717-752
29 60
S 42°12'51" E
NEW PROPERTY LINE
N 39°14'20" W
125 67'
S 50°45'59" W
2,523 SQ FT
058 AC
TRACT 2
20 00'
ALLEY
67 00'
S 50°45'40" W
59 71'
S 50°44'48" W
S 50°41'20" W
N 42°09'41" W
17 83'
GOPAL K PANDEY
DB 4731-130
RW
S 42°09'41" E
N 50°39'36" E
95 98'
1,692 SQ FT.
039 AC
TRACT 3
DB 2487-425
DB 3796-373
12 67'
90 75'
S 50°42'28" W
R=5 00
A=8 07
CHORD
S 04°18 24" W
7 22'
S. POPLAR STREET
W. TRADE STREET

MANDATORY REFERRAL REPORT NO. 90-43
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
SALE OF ONE PARCEL OF CITY OWNED LAND
SEPTEMBER 1990

PROJECT PROPOSAL AND LOCATION

The proposal consists of 2.482 acres of unused land at the rear of Fire Station #23 on W.T. Harris Boulevard (formerly Delta Road) tax code number 103-211-04.

PROJECT JUSTIFICATION

It is an ongoing policy of the City to return residual tracts to the tax scrolls, adjoining property owners, or other interested parties. Hickory Grove Baptist Church has expressed interest in purchase of this property.

PROJECT IMPACT

Zoned R-12, this property is vacant and has no access to a public street. Existing adjacent land use is single family development on Dogwood Place, a church and a vacant parcel.

The purchase of this property by Hickory Grove Baptist Church would generate some concern over possible adverse impacts to the adjacent properties, especially on Dogwood Place.

PROJECT RELATIONSHIP TO OTHER PUBLIC AND PRIVATE PROJECTS

None known.

PROJECT COST

The total cost of this proposed sale is $2,150.00; $600.00 for appraisals, $700.00 for legal fees, $700.00 for administrative, and $150.00 for advertising.

STAFF RECOMMENDATION

Approval is recommended for this parcel to be sold. If it is purchased by Hickory Grove Baptist Church and it is necessary to rezone from R-12 to R-I there should be careful review of proposed development so as to address any adverse impacts to adjacent property owners.

If no rezoning is required, staff request that the property be sold subject to the restriction that no development or use be allowed within 35 feet of the adjacent properties.

PLANNING COMMITTEE RECOMMENDATION

The Planning Committee unanimously approved staff recommendation at a meeting on September 4, 1990.

NORTH BASED ON DEED 4012-0260 (N 81° 49 25 E)

●●●●● PORTION TO BE DECLARED SURPLUS

THIS PLAT WAS PREPARED UNDER MY SUPERVISION

Robert L Blackwelder

N C REG SURVEYOR NO L-2774

PROPERTY CORNERS SHOWN AS OPEN CIRCLES WERE LOCATED BY ACTUAL SURVEY BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE BASED ON DEED INFORMATION

103 211 04
HICKORY GROVE BAPTIST CHURCH
6325-191

N 81° 49 25" E 757 93' TOTAL

528 50'

229 43'

60' R/W

S 19° 29' 26" E 205 32' 205 24'

HARRIS BLVD

TRYSTING ROAD SR #2864

SR #2853

103-211 18
RICHARD M COLE
5213-0485
M B 7 PG 729
LOT 10

N 03° 55' 2" W 202 77'

103-211 19
J P McMACKIN
2071-169
M B 7 PG 729
LOT 11

103 211 20
J E COLEMAN
2546-526
M B 7 PG 729
LOT 12

Ⓐ

LOT A 108,092 SF = 2 482 Ac

103-211-04
CITY OF CHARLOTTE
4012-0260

Ⓑ

LOT B 50,257 SF = 1 154 Ac

FENCE

N 08° 13' 31" W 201 52'

S 81° 52' 35" W 2077'

248 76'

S 81° 46' 39" W

145 64'

S 81° 52' 35" W 166 41 TOTAL

191 04'

S 81° 45' 51" W

207 03'

S 81° 39' 03" W

103-211 23
HUNG N TRAN
4895-0852

103-211 01
N C. DISTRICT COUNCIL OF ASSEMBLIES OF GOD, INC
4310-0066

103-211-02
EUGENE C EHMANN
3070-810

O IF = IRON FOUND

● IS = IRON SET

CHARLOTTE
ENGINEERING DEPARTMENT

REVISIONS: ADD FENCE 8/9/90 VW	FIRE STATION SITE #23	JOB NO 666539
		FILE NO
DRAWN BY VW	PROPERTY OF CITY OF CHARLOTTE	SHEET 1
CHECKED BY RLB		OF 1
SURVEY SUPVR	DATE 6/90 SCALE 1" = 100'	

N/O

3 Appointed by Mayor
4 Appointed by City Council

SAFETY ACTION COMMITTEE

(7 Members)

Membership - Comprised of five (5) citizens from the community and one repre-sentative each of the 26th Judicial Bar Association and the Greater Charlotte Chamber of Commerce. The Mayor designates the chairperson. Terms are for two years and no member is eligible to serve more than two full consecutive terms.

Responsibility - To administer a reward fund that can be used to attract information on criminal activities leading to the arrest, indictment, and convictionof criminals.

MEMBER	DIST.	BUSINESS/ PROFESSION	ORIGINAL APPTMT.	RE-APPTMT.	TERM	EXPIRATION
(C)Doris Asbury B/F	4	School Principal	12/12/88	9/24/90	2 yrs.	12/31/92
(M)Deborah Antshel /F			7/10/90		2 yrs.	12/31/92
(C)Gary S. Hemric W/M	6	Bar Association	8/11/86	12/12/88	2 yrs.	12/31/90
*(M)B. E. Lattimore W/M	3	Chamber of Commerce	9/23/86		2 yrs.	12/31/88
(C)Mohammad Jenatian A/M	5	Business Consultant	10/08/90		2 yrs.	12/31/92
(M)Deborah Moser W/F		Executive Director Carolina Carrousel	1/29/88	10/19/90	2 yrs.	12/31/92
(C)Elizabeth Tesky W/F	7	Computer Operator	3/28/88	10/10/89	2 yrs.	12/31/91

Revised 11/01/90

*Chairman

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

FOR OFFICE USE ONLY
Appointed to:
Date

Please complete each section.

FULL NAME Margaret Whiteside Smith (please print or type) Mr ____ Mrs. ____ Ms. X Miss ____

HOME ADDRESS 1328 Ferncliff Road ZIP 28211

BUSINESS ADDRESS 221 South Tryon Street ZIP 28202

HOME PHONE (704) 362-0959 BUSINESS PHONE (704) 376-9111

SPOUSE'S NAME John Brem Smith SPOUSE'S EMPLOYER Hedrick, Eatman, et al.

SPOUSE'S TITLE Mr.

PLEASE INDICATE: Voting Precinct # 47 District # 5 Date of Birth 4/13/61

MALE ____ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE X WHITE X Safety Action Committee

SINGLE ____ INDIAN ____

MARRIED X HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) Wake Forest University, B.A. 1983, JD 1985

CURRENT EMPLOYER Cannon & Blair, P.A.

TITLE Associate YEARS IN CURRENT POSITION 2½

DUTIES Handle labor and employment law issues and other regulatory or administrative matters for various clients

OTHER EMPLOYMENT HISTORY Parker, Poe, et al. - regulatory and administrati law

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE I am interested in participating in any efforts to bring Charlotte's increasing crime rate under control. I follow the local news carefully & am particularly disturbed by the increase in violent crime within the last several years.

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
Secretary/ Treasurer, Young Lawyers Division, Mecklenburg County Bar; Executive Council, N.C. Bar Association Labor & Employment Law Section; Provisional Member, Junior League of Charlotte; Julia Jones for Superior Court Campaign Volunteer;

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
Chair - Law Explorers (Meck. Co. Bar & Boy Scouts), 1987-88;
Chair - Mecklenburg County Bar Swearing In Ceremony, 1988 and 1989;
Youth Group Advisor - St. Mark's Lutheran Church, 1987-1990

COMMENTS: I have lived in Charlotte since 1985 and am committed to doing my part to make it a better place for all citizens

AFFIRMATION OF ELIGIBILITY:

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No__X__ If Yes, please attach explanation.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No__X__ If yes, please attach explanation of the nature of the conflict.

I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize investigation of all statements contained herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you.

This form will be retained on file for one year and must be updated after that; otherwise, it will be removed from the active file.

A personal contact with a City Councilmember is recommended.

RETURN COMPLETED FORM TO:

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature: Margaret W. Smith

Date: 10/5/90

PLEASE DO NOT SUBMIT RESUMES

RECEIVED
OCT 11 1990
OFFICE OF CITY CLERK