AGENDA

Meeting Type:	W
Date	01-07-1991
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE.

MAYOR AND CITY COUNCIL WORKSHOP AGENDA

JANUARY 7, 1991

MAYOR AND CITY COUNCIL
WORKSHOP AGENDA

January 7, 1991

5:00 - 6:00 pm	Zoning Ordinance Revision
6:00 - 6:15 pm	Dinner
6:15 - 7:15 pm	Revenue Projections
7:15 - 7:45 pm	Apparel Mart Amendments
7:45 - 8:30 pm	1% for Art/Convention Center
8:30 - 9:00 pm	Council Requests for Service and Special Reports

Agenda Item for City Council/Workshop

1. Discussion of New Zoning Ordinance

   - o Policy Issues

     - Nonconforming Structures
     - Third Party Rezonings
     - Additional Public Hearing

DISCUSSION PAPERS

NEW ZONING ORDINANCE WORKSHOP

JANUARY 7, 1990

Attached are discussion papers on two policy issues from the new zoning ordinance. The two issues selected for preliminary discussion are Nonconforming Structures and Third Party Rezonings. Our development of these issues draws heavily from the Planning Commission review, since we have received little feedback at this point from interested parties on the release of the Planning Committee's recommendations for the new zoning ordinance sent out on November 13, 1990.

The papers are structured in such a manner to focus the Elected Officials on major areas that the Planning Staff thinks may still be at issue. In preparing the papers, we again share with you the discussion points raised by the Planning Committee in their deliberations and their votes, as well as, the Staff comments. While we have attempted to narrow the discussion focus, we are prepared to discuss other related issues raised by the Planning Committee or other interested parties from the correspondence we have recieved.

ELECTED OFFICIALS WORKSHOP
NEW ZONING ORDINANCE

POLICY ISSUE: Nonconforming Structures

Reference: CHAPTER 7: NONCONFORMITIES, pages 7-1 to 7-4

ISSUE FOCUS: A nonconforming structure is a building which does not meet one or more of the minimum requirements set out in the zoning regulations (e.g., a building which is located within the setback). It must be distinguished from nonconforming uses which are uses of land that are not permitted within a zoning district (e.g., industrial use in a single family zoning district).

There are three major issues remaining related to nonconforming structures. The first is the 25% damage provision, the second is the expansion of structures which are conforming under the current City and County Zoning Ordinances, but will be made nonconforming under the new zoning ordinance and the third is the replacement policy for manufactured housing in nonconforming parks.

The recommended zoning ordinance requires that when a nonconforming structure is substantially destroyed (loses more than 75% of its improvement value as expressed on the tax rolls or by an appraisal), it cannot be rebuilt except as a conforming structure. The current City and County zoning ordinances allow a substantially destroyed nonconforming structure to be re-established within 12 months to its original dimensions.

For the expansion of nonconforming structures, the recommended zoning ordinance requires the area of the structure that is expanding, as well as, the portion of the site into which the expansion is taking place to both come into conformance with the new zoning ordinance. The current zoning ordinances permit any expansion provided it does not increase the degree of nonconformity. While both ordinances on the surface appear to be fairly similar in the application, there are differences in application.

One concern is that the recommended ordinance is less restrictive than the current ordinances in application of this provision. For example under the current zoning ordinances, an expansion may trigger the entire site coming into compliance with respect to a specific regulation, such as the screening requirement. Under the recommended ordinance no part of the site would have to come into compliance with respect to buffer or screening requirements. A second concern is that the proposed provision is not specific enough as to its application. It should spell out how the Zoning Administrator would go about determining the partial application. One final concern is the provision doesn't give any relief from application of the new Floor-Area-Ratio requirements.

Finally, manufactured housing (mobile homes) is recommended to be treated similar to other forms of housing with regard to the nonconforming provisions. The current zoning ordinances allow manufactured home replacement in a nonconforming manufactured housing park. The new ordinance would allow replacement only if the minimum yard and open space requirements could be met.

DISCUSSION POINTS: The Planning Committee made the following points about these issues:

The nonconforming structure situation was cited as much more complex. The first issue is whether a nonconforming structure which is substantially destroyed should be allowed to build back. Some agreement was voiced that if a structure is destroyed, it should be built back correctly. However, a distinction is drawn between those nonconforming structures under the present ordinances and those which will be made nonconforming under the proposed zoning ordinance. It is felt that some type of special consideration should be given for current legal conforming structures. Discussion first focused on some of the new standards in the proposed zoning ordinance — buffers, floor area ratios, height limitations and no parking in the setback in the business and industrial districts. Suggestions were presented for either reducing or exempting those standards outright or for a period of time for structures presently conforming under the present zoning ordinances. General agreement was reached that any new development or redevelopment should come into compliance with the new ordinance. The essential question was how to address expansions of existing conforming structures that may be affected by one or more of the new standards? In the past, where we have made large scale text amendments, all structures had to come into compliance under the new regulations. The general sentiment is that the magnitude of the change by the new ordinance warrants some special consideration.

A compromise is proposed that requires any structure expanding under the new zoning ordinance to only bring those portions of the structure and the site actually undergoing the expansion into compliance. The entire structure and site would not be required to come into compliance with the new ordinance. This compromise met with general agreement.

The proposed no replacement policy for manufactured housing in nonconforming manufactured housing parks was reviewed. Some concern was expressed that not allowing replacements could diminish this form of low cost housing. However, it was noted that more expansion opportunities for this form of housing are provided elsewhere in the new ordinance. The majority sentiment was that manufactured housing should abide by the same rules as other forms of housing.

ELECTED OFFICIALS WORKSHOP
NEW ZONING ORDINANCE

PLANNING COMMITTEE RECOMMENDATIONS: The various issues raised concerning nonconformities were addressed separately by the Planning Committee.

75% Damage Provision

1. A motion was made by Jim Thomasson to approve the 75% damage rule as written in the proposed draft for nonconforming structures. Sarah Spencer seconded the motion. The motion passed 3 to 2.

   Vote: Yeas (Emory, Spencer and Thomasson)
   Nays (Lassiter and Tabor)

Expansion of Nonconforming Structures

2. A motion was made by John Lassiter to approve the concept of allowing uses under the new zoning ordinance to expand provided the portion of the structure and the area of the lot into which the expansion is taking place are brought into conformity with the new ordinance. John Tabor seconded the motion. The vote was 4 to 2.

   Vote: Yeas (Emory, Lassiter, Tabor, and Winget)
   Nays (Fenning and Spencer)

Manufactured Home Replacement

3. A motion was made by Al Winget to retain the proposed no replacement provision for manufactured housing. John Lassiter seconded the motion. The motion passed 4 to 2.

   Vote: Yeas (Emory, Lassiter, Tabor, and Winget)
   Nays (Spencer and Thomasson)

PLANNING COMMENT: The Planning Staff concurs with all of the above recommendations, except the Manufactured Home Replacement policy. The Planning Staff feels those existing manufactured housing parks should be allowed to upgrade themselves through the introduction of newer units.

ELECTED OFFICIALS WORKSHOP
NEW ZONING ORDINANCE

POLICY ISSUE: Third Party Rezonings

Reference: Chapter 6: AMENDMENTS, Section (Removed), page 6-3

ISSUE FOCUS: The Planning Committee's recommended new zoning ordinance permits third party rezoning applications (e.g., by someone other than the property owner, Planning Commission, Board of Commissioners or City Council) to go directly to public hearing. This is the current practice within the City of Charlotte, but within Mecklenburg County, a third party petitioner is required to go through an extra review step before it is allowed to proceed to the public hearing.

The zoning ordinance which was heard at public hearing recommended the extra review step. The purpose of the extra review step was to eliminate petitions which are not meritorious and avoid the expense and time associated with going through a public hearing. Any third party petition must first be reviewed by the Planning Commission which recommends to the Elected Officials whether the petition should go forward to a public hearing. This extra step provides an additional layer of protection for property owners.

DISCUSSION POINTS: The Planning Committee made the following comments about this issue:

No one other than Government should have the right to file for a rezoning of another person's property. To do otherwise, places an unfair burden on the property owner who has to hire legal help to fight the rezoning. If neighbors feel that a zoning district is inappropriate on a piece of property, they should ask the Government to make a review and change and not force someone into a public hearing.

Zoning is an appropriate planning tool and should be used by the citizens to correct bad zoning. Government tends to move too slowly and by the time a study is done and action is taken, a neighborhood may be stuck with an inappropriate land use. Since both the Planning Commission and the Elected Officials have to approve rezonings anyway, why can it not be done in a public hearing setting instead of going through an extra step.

PLANNING COMMITTEE RECOMMENDATION: A motion was made by Sara Spencer to delete the extra step provision for third party rezonings and to allow any person to petition for a by-right rezoning. Gloria Fenning seconded the motion. The motion passed 4 to 2.

Vote: Yeas (Fenning, Lassiter, Spencer and Tabor)
Nays (Emory and Thomasson)

PLANNING STAFF COMMENT: The Planning Staff disagrees with this recommendation and supports the extra step provision proposed for third party rezonings. The proposed extra step as well as other requirements imposed on owner initiated petitions through the new ordinance are designed to eliminate all questionable petitions before they have to be addressed in a public hearing setting. The "gate keeping" function provided by the extra step provision does not prevent someone from being heard by the Elected Officials, but merely ensures that those matters which do come before the Elected Officials in a public hearing are legitimate issues to be addressed.

FY91 Revised Assessed Property Valuations

Mecklenburg County notified the City of Charlotte in November that the projected rate of growth in assessed property values (5%) for the FY91 budget year was unlikely to be realized. The revised projection for assessed value growth is now 3.75%. In addition, the budgeted collection rate for property taxes, 98.50%, is now projected to be 97.50% to 98.00%.

The reasons for these lower projections as given by the tax office are as follows:

1. Growth within the corporate limits of Charlotte has not been as strong as in other parts of the County. This is true especially for residential values.

2. The number of bankruptcies have reduced both assessed values and the collection rate.

After further discussion with the Tax Office, lower public utility values (referenced in the attached memorandum), have been eliminated as a factor in the assessed value situation.

The total impact on these lower revenues is as follows:

	Estimated Revenue Loss
Lower Assessed Values	$(786,796)
Lower Other Revenues	(398,552)
Collection Rate Reduction	(500,000)
Total	$(1,685,348)

Attached for your review is the most recent correspondence from the County Manager on the assessed value issue, as well as a copy of an earlier memorandum from John Petoskey relative to the FY91 assessed valuation. Also included is an overview of General Fund revenues.

MECKLENBURG COUNTY
Office of the Tax Administrator

MEMORANDUM

TO: Gerald G. Fox, County Manager

FROM: John C. Petoskey, Tax Administrator JCP

DATE: January 2, 1991

SUBJECT: 1990 Assessed Value

At the request of City Budget Director, Viola Alexander, please find attached an analysis of the 1990 assessed value based on the billing status as of December 15, 1990. It appears that the total 1990 city assessed value will fall short of the original estimate by 1.25 percent.

The original 5-percent growth estimate for the city was based on historical data prior to firm figures being available as I described in my January 31, 1990 letter to Carey Odom (enclosed) Typically, the growth in the city and county have paralleled each other in the 5-percent range; however, the city's growth in 1990 was not as strong as in the total county. While the county will likely experience the 5 percent growth projected, the city will likely lag 1.25 percent behind for a variety of reasons.

A large proportion of the residential growth in Mecklenburg County now appears to be occurring outside the city limits and not as many large commercial buildings in the downtown area came on line in 1990. Additionally, public utility values did not increase as much as we had hoped and a major appeal case was not settled; both of which would have helped local revenue effort.

You should also be aware that we are concerned about the rise in the number of bankruptcies, which could have a downward influence on the collection ratio by as much as 1/2 to 1 percent. However, we will not have final figures on the collection ratio until mid to late January

JCP/sn

Attachment

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

City of Charlotte
Analysis of Values for 1990

	Per Analysis 12/15/90	Estimated Values to Bill	Values Billed & to be Billed For 1990 (Estimated)	Estimated Values Given to City	Over/Short on Values Given to City
Business Personal Property	2 376 440 075	10 000 000	2 386,440 075	2,311 101,298	75 338,777
Individual Personal Property	1 198 676 528	0	1 198 676,528	1 237 371 702	(38 695 174)
State Certification	1 159 007 310	0	1 159 007,310	1,092 900,000	66 107 310
Real Estate	15 085 617 361	0	15,085 617 361	15 343 500 000	(257 882 639)
Less Elderly & Disabled	(35 003 977)	0	(35,003,977)		(35 003 977)
	15 050 613 384	0	15 050 613,384	15,343 500,000	(292 886 616)
Less Est Rebates (12/19)		(162 702 484)	(162 702 484)	(103 000 000)	(59 702 484)
	19 784 737 297	(152 702 484)	19 632 034 813	19 881 873 000	(249 838 187)
					(1 257%)

MECKLENBURG COUNTY

Office of the Tax Administrator

January 31, 1990

COPY

Mr. W Carey Odom
City Treasurer
Charlotte-Mecklenburg Government Center
600 East Fourth Street
Charlotte, North Carolina 28202-2863

RE: Preliminary 1990 Assessed Value Estimates

Dear Carey:

Please find attached a preliminary 1990 assessed value estimate as of today's date. You will notice, that we have projected an overall increase of five percent (5%) from the prior year's value after adjusting for value corresponding to prior year's collections and rebates. However, we have not attempted to project an increase for state certified values as they tend to fluctuate greatly from year to year and firm values are not available until some time in October.

It is extremely early to base a value estimate on any factual data at this point as we have just begun processing personal property returns and appraisals on new construction will continue into the summer.

The five percent (5%) projected increase is purely a best-guess estimate at this point and if your office or the City Manager's Office is inclined to make any other projection based on other data, please feel free to do so. I would suggest, however, that you use our estimated FY 89/90 starting value and so indicate on your documentation that you are the source for the projection to whatever extent it may deviate from our original estimate

Obviously, you are entirely free to make your own projections based on your own perception of economic trends in the local, regional and state economy. The only refinement we can offer at this early date is a good starting value and information regarding major appeals. As required under North Carolina tax law, the assessed valuations for certain major properties under appeal and not likely to be settled in 1990 have not been included in the attached estimates. The assessed valuations for other cases more likely to be settled in 1990 have been included.

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

As more information becomes available, we will notify you of amendments to our projections accordingly.

Please let me know if I could be any further assistance.

Very truly yours,

John C. Petoskey
Tax Administrator

JCP/sn

Attachments

GENERAL FUND
FY 1991
REVISED REVENUE FORECASTS

Description	Budget	Revised Estimate	Difference
Property Tax	$102,124,510	$100,837,714	$(1,386,796)
Inventory Reimbursement	6,573,967	6,573,967	0
Sales Tax 1%	24,300,000	24,200,000	(100,000)
Utility Franchise Tax	14,500,000	14,500,000	0
Intangibles Tax	6,090,159	6,024,607	(65,552)
Motor Vehicle License Tax	1,326,645	1,326,645	0
Occupancy Tax	1,467,200	1,367,200	(100,000)
Business Privilege License	3,800,000	3,800,000	0
Beer & Wine Tax	1,664,300	1,649,300	(15,000)
ABC	1,448,750	1,448,750	0
Cable TV Franchise	1,728,836	1,728,836	0
Other	18,316,358	18,198,358	(118,000)
Total	$183,340,725	$181,655,377	$(1,685,348)

CHARLOTTE APPAREL CENTER

Attached is a description of the status of the Charlotte Apparel Center negotiations and four exhibits to help Council in its discussions of this at the workshop on January 7, 1990.

Exhibit A	Statement of terms
Exhibit B	Comparison of terms
Exhibit C	Potential consequences of a failure to reach agreement
Exhibit D	Retail/mart trends

APPAREL CENTER STATUS

Crosland-Erwin Associates was approached by the CVFE (Carolina-Virginia Fashion Exhibitions) and told they were experiencing financial difficulties and foresaw a time in the near future that they would not be able to meet their lease commitments. The CVFE requested a restructure of the lease obligation in order to keep their organization operating. Crosland-Erwin Associates met with the City and NCNB and asked for concessions to keep the facility viable. After a series of negotiations, City Council was brought a tentative proposal on October 8, 1990. After extensive discussions at that meeting, staff was directed to work with Crosland-Erwin to see if an agreement within Council's guidelines could be reached. Finance Department and Crosland-Erwin continued their negotiations and were nearing an agreement when we were informed that NCNB was concerned about the adequacy of the proposed agreement. Due to further deterioration of the financial condition of the apparel industry, NCNB, CVFE and Crosland-Erwin have developed a new proposal which all parties feel improves the possibility of future survival for the Apparel Center.

The Finance Department has been led to believe that, if the proposal presented cannot be approved, there is no assurance of the short term or immediate health of the Apparel Center. From the City's perspective, three things are required: First, the City would fix the rents at the current level of $150,000 per year for the next five years and then the rents would escalate under the original schedule. This modification would result in a reduction of income to the City of $1,450,000 during the first five year period and an additional reduction of $800,000 over the next five years. Second, the City gives up the right to participation rent if any is ever generated. Third, the City would give the right to purchase the land to Crosland-Erwin or the bank for ten years at $5.6MM plus 8% per year return.

If the City cannot work out an agreement along these general principles, there is a chance that a default situation would be created. In this event, the bank would have a right to cure or they could exercise their option to delay payment of all rents for a period of up to five years. After this, the rents plus past due rents would be payable from the project provided it is producing sufficient revenue to pay the amounts due. It is possible that to get a new operator some negotiation of terms would be required.

After reviewing the situation, Finance believes the bank, CVFE and C/E proposal is justifiable under current circumstances. However, there is no guarantee that this proposal will produce long term health for the Apparel Center. The majority of CVFE members are to renew leases by December of 1991 and they could leave after that date. There are at this point no firm lessor prospects for the bulk of the additional space available for lease with the exception of NCNB. Further, no one can predict the economic environment or its impact on the Center. However, C/E intends to have professional management for the Center and feels with this proposal that they will be motivated to maximize the long range prospects of the Center.

Finance did inquire as to whether any further modifications of this agreement were possible, but was told this was the best possible offer. The basic justification for this position was that the prospects for the Apparel Center had changed such that concessions had to be given by the City, C/E and NCNB to give the project a reasonable chance at survival. As a result they contend the failure of this proposal could result in a major negative change of status for the project.

The City's initial investment in the Charlotte Apparel Center land was 5.6 million dollars. Under the proposal made by C/E, CVFE and NCNB the 20 year return would amount to 7.95%. Under the revised proposal, the 20 year return would amount to 7.95%. If the project is sold within the next ten year period the City's return would be guaranteed at 8%.

Exhibit A

Charlotte Apparel Center
Terms

NCNB

- $23.8MM loan reduced to $17MM
- 10.7% rate reduced to 10%
- Amortization waived
- No change in maturity

- NCNB agrees to loan up to an additional $1.33MM for "above ceiling" tenant finish on a non-recourse basis based on acceptable tenant leases.

- NCNB will also loan up to $1.54MM for "below ceiling" tenant finish on a non-recourse basis based on acceptable leases that fully amortize the respective disbursement from rent proceeds above $10 per square foot.

- NCNB to lease 20,000 sq. ft. or more space in Apparel Center.

Crosland

- Provides a $1.7MM debt service guaranty that is limited to $350M in any one year.

- Assumes responsibility for full management of the Charlotte Apparel Center.

City of Charlotte

- $150,000 per year ground lease payment for five years, then resume the scheduled escalation (i.e. $250M, $350M, etc.).

- No accrual of deferred ground lease payments.

- Eliminate contingent rent provisions.

- Provide a 10 year purchase option that guarantees an 8% annual return on the City's $5.6MM initial investment with credit given for all ground lease payments that have been made.

- Reduce the showroom leasing requirement to 110M SF. Leasing in the remainder of the building will be for permitted uses.

Carolina-Virginia Fashion Exhibitors

- Turn over full control of leasing and management of the Charlotte Apparel Center to Crosland.

- The master lease will be eliminated and Crosland will lease directly to the exhibitors.

- CVFE to lease the exhibition hall five times per year for five days each for show for a period of 10 years with a renewal option for an additional 10 years. CVFE to spend a minimum of $100,000 per year for marketing shows.

(C044)

Exhibit B

CHARLOTTE APPAREL CENTER
Comparison of Terms

ORIGINAL AGREEMENT

- City owns land - leases it to C/E for 50 years plus option.

- City receives fixed rent in

1991	$250,000
1992	$350,000
1993	$450,000
1994	$550,000
1995	$600,000
1996 and after	$600,000 plus CPI

- City receives 18% net operating income over base, if any, during or after 1992 as contingent rent.

- City gave no right to purchase its interest

- 195,000 square feet required showroom space to be available.

COUNCIL DISCUSSED PROPOSAL

- Roll up of fixed rent for 5 years with interest. There will be some fixed rent with the potential to increase up to original fixed rent based on some percentage of net cash flow.

- Repayment of rents plus interest over a 20 year period amortized at 8%.

- Sell anytime over next 10 years for investment plus 8% per annum.

BANK/C-E PROPOSAL

- Rents will be fixed for 5 years at $150,000 per year and they will resume original escalation schedule. This modification will result in a total reduction of $2,250,000 over 10 years.

- No contingent rent.

- City gives right to purchase for 10 years at $5.6 mm + 8% per year.

- Reduce required showroom leasing available to 110,000 square feet.

Exhibit C

CHARLOTTE APPAREL CENTER

Potential consequences if no agreement reached:

- CVFE will likely fail to meet its rent obligations in January, 1991.
- C/E could choose to abandon its investment (3.5+ million dollars) and abandon project.
- Project might close (loss of tradeshows) or bank might operate but could ask for 5 year delay in payment of any rent to City.
- Bank may ask for concessions on behalf of new potential operator. It is possible reuse may not be as a tradeshow facility.
- Bank could abandon project and leave it totally to the City. Bank would forego outstanding loan of 23.8 million dollars to do so.

(C039)

Exhibit D
Charlotte Apparel Center
Retail/Mart Trends

The following information is a summary of some of the market trends relative to the apparel/trade mart industry which have been compiled from expert sources available to the bank

- Most trade marts across the U.S. enjoyed 100% occupancy through much of the 1980's due to retail trade expansion and many (including Charlotte) expanded their marts as a result.

- Many major department stores are currently experiencing significant cash flow problems, have been consolidated into other chains or have gone bankrupt due to LBO's done in the 1980's.

- As a result of the retailers' problems, manufacturers are being short or slow paid, if at all This has created bankruptcies and financial problems for manufacturers who, through their sales representatives, are the primary source of tenants for permanent showroom space.

- Independent, family owned operations (who are the primary users of the CAC) have suffered increased competition from large discount operations such as Wal-Mart and K-Mart.

- The largest volume of retail buyers using the CAC come from smaller family owned operations in the Carolinas and Virginia within a 3 hour drive of Charlotte Buyers outside this area generally need to use air transportation and will go to Atlanta or New York

Although most of the trends presented above suggest that the trade mart business is in a decline phase and headed for further deterioration, most experts feel there will continue to be a need for regional trade facilities Based on these expectations and 1990 attendance levels at the CVFE shows, it is reasonable to project additional lease roll-off at the CAC when most of the leases expire in 1991, but that CVFE occupancy will stabilize above 110M SF.

Convention Center - Percent for Art Fund

Attached is a report from the Convention Center architect detailing the work that has been done with regard to art at the project. A subcommittee of the City Manager-appointed Design Review Committee, the architect and staff have met twice with the Art Commission Executive Board.

The Design Review Committee, the Art Commission Executive Board and the architect all concur in recommending that the art work funding remain intact, and that the art work be integrated with the building design. They also felt that ideally, the artist/artists should be brought on board during the design development phase of the project, so that the art work and design would complement each other.

Also attached for Council information is a summary of the City-County Percent for Art program, including purpose, funding and projects implemented to date.

The architect and Art Commission Chairman will attend the workshop to answer Council's questions.

Architecture
Planning
Interior Design
Graphic Design
Landscape Design

31 December 1990

FWA/CLT #003

Mr. David Garner, P.E.
Special Projects Engineer
Charlotte Engineering Department
600 East Fourth Street
Charlotte, NC 28202-2844

Dear Dave:

As you requested, I am outlining below a history of the activities of the Design Team, the Design Review Committee and the Art Commission relative to the Public Work's Art Fund for the Charlotte Convention Center.

1. All cost estimates developed by the Design Team have included 1% of the construction costs for art work. The number has varied from time to time because of changes in the estimate and additional information regarding interpretation of what is considered construction costs. The latest estimate of construction costs dated 31 October 1990 includes $850,000 for the art fund.

2. The Public Work's Art Fund was discussed at length by the Design Review Committee at its meeting on 17 October 1990. The following is a summary of that discussion.

   a. All parties agreed that integration of the art with the building was the favored approach; the use of murals, fountains, waterwalls, etc. was encouraged.

   b. It was noted that integration, though preferable, is generally difficult when open competitions are used for artist selection. Tom Ventulett suggested the hiring of an art consultant to target a limited number of artists who could work within the constraints of the design.

   c. All parties expressed a desire to avoid the delays, confusion, and public frustration that accompanied the recent Coliseum art selection process.

220 North Tryon Street
Suite 300
Charlotte NC 28202
704/332 7004
Facsimile # 704/332 6829

Post Office Box 13169
Research Triangle Park NC 27709
919/467 9432
Facsimile # 919/481 9615

10 Pope Avenue, Executive Park
Post Office Box 5910
Hilton Head Island SC 29938
803/785-2199
Facsimile # 803/785-6801

d. The Chairman, Johnny Harris, appointed a Subcommittee of the DRC to investigate the issues and begin the process. Members are Virginia Bush, Martin Cramton, Steve Camp, and Bill Treadaway.

3. On 29 October, Scott Ferebee, representing the Design Team, David Garner, Special Projects Engineer and Martin Cramton, Steve Camp, and Virginia Bush of the art subcommittee appointed by the Design Review Committee met with Mary Jo Relic, Chairman of the Art Commission, Eric Anderson, a member of the Art Commission Executive Committee and Jack Stuart of the Planning Commission Office to discuss use of the art fund and working relationships between the Design Team and the Art Commission. The following is a brief summary of that meeting.

a. Scott Ferebee pointed out that the Design Team and the Design Review Committee are anxious to integrate the art with the building and to avoid the public hostility and frustrations that occurred with Joel Shapiro's proposed piece for the Coliseum. He said that the Design Review Committee was very interested in building integrated art including the use of water in fountains and waterwalls. The Georgia World Congress Center in Atlanta, the Marriott Hotel in San Francisco and The Houston Opera House are examples of integrated art work that the committee members liked.

b. Mary Jo Relic indicated that the Commission agrees with the Committee's recommendations and does not want a single piece of plop down art. The Commission would like for the exterior art to announce what is going on inside the Convention Center and for the art to continue inside to let people know what is happening.

c. Martin Cramton suggested that the art should speak to a sense of identity for this region. Mary Jo Relic concurred and suggested that it is possible to have art at the Convention Center

that will let people know that they are in the Southeast, in the Piedmont and in Charlotte. The building and the art should make a statement as to what the City wants to become.

d. It was agreed that Tom Ventulett of Thompson, Ventulett, Stainback & Associates, as Director of Design for the project, will serve as a member of the Ad Hoc Art Advisory Committee.

4. On 6 November 1990, Scott Ferebee of The FWA Group, Tom Ventulett of TVS & Associates, David Garner of City Engineering, Jane Richards, Convention Center manager (representing Steve Camp) and Virginia Bush of the Special Committee again met with Mary Jo Relic, Eric Anderson and Jack Stuart. The purpose of this meeting was to introduce Tom Ventulett to the Commission and to further discuss the importance of art being a part of the architecture. Highlights of this meeting included:

a. There was discussion of converting First Street into a pedestrian walkway that would provide a portal to the Convention Center from Tryon Street. Mary Jo Relic mentioned that the Catholic Church at the corner of Tryon and First Streets wants to create an outdoor garden in the space located between the back of the Church and The Catholic Social Services Center behind the Church. This should enhance this concept.

b. Tom Ventulett pointed out that architecture should be a background or setting for art. The public at large frequently does not understand or relate to a building so much as to its surrounding art work. When a piece of art fits its location, there should be a sense of loss if it were removed.

c. There was considerable discussion of a time schedule. It is important to get the artist on board during Design Development so that his work and that of the Design Team will be complimentary. Tom pointed out that the architects have secured the best personnel from across the country to work on the building. The best artist should be selected and the Commission and every-

one should set high standards for the art. The art should help set the building apart from other Convention Centers around the country. The art selected should be one of the most memorable things that Convention Center visitors take back with them.

d. There was further discussion of use of an art consultant and how the process might work. The cost of the consultant would have to come from the art fund.

e. The Art Commission is to discuss the approach that it wishes to take in selecting an artist and to get back with the Committee in the near future.

I would stress that the Design Team, the Design Review Committee and the Art Commission agree that the art work should be integrated with the architecture. It is intended to enhance the design of the building and is a cost that will be incurred in one form or the other. The design team feels that the art is an essential element of the design and is important to achieving the goal of establishing Charlotte's image for the future through both the exterior and interior design of The Convention Center.

I trust that this give you the information you need. If you have any questions concerning any of the above or wish to discuss it with me, please give me a call.

Sincerely,

THE FWA GROUP, P.A.

S. Scott Ferebee, Jr., FAIA

SSFjr/dap

Charlotte-Mecklenburg Art Commission

Percent for Art Program

History:

The Mecklenburg County Commissioners established the Mecklenburg County Art Commission on December 15, 1980. The Art Commission was to advise the County Commissioners in the selection of works of art for public projects in Mecklenburg County.

On November 23, 1981, the Charlotte City Council passed and approved a joint resolution with Mecklenburg County entitled "A Resolution Establishing the Charlotte-Mecklenburg Art Commission and Authorizing the Allocation of Certain Funds for Art in the Construction of Public Works". Please see the resolution attached as Exhibit A.

Charlotte and Mecklenburg County accepted a responsibility for expanding experience with visual art. The policy directed the inclusion of works of art in public projects of the City and the County.

The resolution included the following:

1. The City Council and the County Commissioners recognized that art and cultural development are vital to the health of Charlotte/Mecklenburg.

2. Charlotte and Mecklenburg County are entering upon a period of revitalization as evidenced by the unprecedented building program spearheaded by the Civic Center, the airport expansion, acquisition and beautification of parks and government plaza development.

3. The character and charm of Charlotte and Mecklenburg County have been enhanced by public interest and support of the arts.

4. Public art is known to be beneficial, both economically and aesthetically.

5. It has been acknowledged that fine arts within and around buildings add warmth, dignity, humanity and beauty, and that, unless an allocation for arts is included in the estimated cost for all public projects, the result would be a tendency of not providing such funds for the construction budgets of public facilities.

Art Commission Funding:

As directed by the resolution, all City and County department heads are to include in all estimates of necessary expenditures and all requests for authorization or appropriations for construction projects up to 1% of total construction cost for works of art. The resolution defined "construction cost" to mean "... actual construction cost, excluding engineering, administrative, architectural, legal fees, permits, indirect and interest costs."

Art Commission Organization for Work:

The Art Commission is comprised of nine appointed members. Each member is appointed for three years and may be reappointed for a second three year term. Service is limited to six years. Appointments are made as follows:

The Mayor appoints one member,
The City Council appoints two members,
The County Commissioners appoint three members, and
The Arts and Science Council appoints three members.
The Planning Commission provides one staff member full time.

Projects Implemented to Date:

The first two Art Commission projects were a Tom Ray Center wall mural by Mamantha Gowda ($5,325) and a photo-ceramic tile mural at the Social Services Building by John Hilarides ($9,262). These projects were relatively small in budget, initiated and completed without any major problems.

After those two projects, the Art Commission began the Charlotte-Mecklenburg Government Center ($320,000 allocation) and the Charlotte Coliseum ($400,000 allocation) projects. The City Council subsequently rejected Joel Shapiro's proposed Coliseum piece. The Art Commission realized that it needed to do something to make the art/artist selection process more palatable. Since the Coliseum, the Art Commission has operated as a learning and growing body adding to its policy and procedure base as each project came on board.

Art Commission Policies and Guidelines:

The Art Commission adopted a set of operating policies and guidelines on May 28, 1987. On June 15, 1987, the County Commissioners approved the operating policies and guidelines as amended. On June 22, 1987, the City Council approved the operating policies and guidelines as amended. The amendment was the addition of the sentence, "The selection panel should provide an opportunity for informal comments from elected officials." This sentence was to be added to the third paragraph of Section 4. The Art Commission adopted the recommended amendment at its June 29, 1987 meeting. Please see Exhibit B.

On November 12, 1987, the Art Commission held a luncheon for the City Council and the County Commission at the Mint Museum of Art. The purpose of this luncheon was to hear a program by Patricia Fuller, the art consultant who had helped the Art Commission formulate the policies and guidelines used by the Commission in its selection of Joel Shapiro for the Coliseum project. Mrs. Fuller tried to answer some of the many questions that arose due to the Art Commission's use of the artist selection process she recommended.

After the luncheon the Art Commission announced the formation of the Strategic Planning Committee. This committee's purpose was to look at the questions that had been raised, consider those questions and recommend any changes that the committee felt were needed in the public art program.

The Art Commission also voted to initiate a six month moratorium on all projects until the report was completed.

On May 26, 1988, the Art Commission formally accepted the report of the Strategic Planning Committee. On August 1, 1988, at a City Council workshop, Art Commission Chairman Ray A. Killian, Jr. summarized the Art Commission's activities since November 1987. He also stated the recommendations of the Strategic Planning Committee:

1. The Art Commission will expand the opportunities for public input into the process for selecting artist and art work for the percent for art program. Opportunities for public input will be specifically included in the process for all major projects, and the public will be given reasonable notices of these opportunities. The Art Commission will provide an opportunity for public comments at each regular meeting of the Art Commission.

2. The Art Commission will expand the role for ad hoc advisors in the selection process with the function of non-professional advisors being expanded from that of only advisors to participants in the selection of artists and art works.

3. The Art Commission will adopt a policy of specifically confirming to each selection panel the strong desire of the Art Commission that special consideration be given to local and regional artists.

4. The Art Commission will attempt to utilize a more competitive selection procedure for major projects to the extent permitted by the Art Commission's staff and funding resources.

5. The Art Commission will give early consideration to the recommendations in the report, adopt those recommendations it approves, and then move forward to remove the existing moratorium and implement the adopted recommendations.

Current Work Program:

The Art Commission is working on thirteen projects currently; it has completed sixteen projects. Charlotte allocated $797,128 for the 5 projects completed and spent $995,517. The dollars spent over and above the dollars allocated represent primarily the $227,900 cost overrun for the CMGC water sculpture. Mecklenburg County allocated $310,514 for the 11 projects completed and spent $287,179. Please see Exhibit C, the Public Art Inventory attached.

Art Commission's Philosophy:

The Art Commission is attempting to make Charlotte/Mecklenburg unique. It is the intent of the Art Commission that as art is selected, it be selected according to some kind of organizational plan. There needs to be a greater sense of how public art is to evolve in Charlotte/Mecklenburg to create an identity for the collection. One way that Charlotte/Mecklenburg's collection could gain an identity would be if the majority of its pieces were from artists living and working in the

southeast. Rather than have a representative sampling of southeastern art, Charlotte/Mecklenburg could become the most sophisticated and leading-edge center for southeastern regional art.

Additionally, art in the twentieth century should be about art in the twentieth century, that is, the work should reflect the technology, ideology, and sociology of artists living and working now.

A RESOLUTION ESTABLISHING THE CHARLOTTE-MECKLENBURG ART COMMISSION AND AUTHORIZING THE ALLOCATION OF CERTAIN FUNDS FOR ART IN THE CONSTRUCTION OF PUBLIC WORKS.

WHEREAS, the Mecklenburg County Commissioners established the Mecklenburg County Art Commission on December 15, 1980 to assist the County Commissioners in the selection of works of art in public projects of the County; and

WHEREAS, the City Council desires to establish a similar organization, and

WHEREAS, the City Council and the County Commissioners recognize that art and cultural development are vital to the health of Charlotte/Mecklenburg; and

WHEREAS, Charlotte and Mecklenburg County are entering upon a period of revitalization as evidenced by the unprecendented building program spearheaded by the Civic Center, the airport expansion, acquisition and beautification of parks and government plaza development; and

WHEREAS, the character and charm of Charlotte and Mecklenburg County have been enhanced by public interest and support of the arts, and

WHEREAS, public art is known to be beneficial, both economically and aesthetically, and

WHEREAS, it has been acknowledged that fine arts within and around buildings add warmth, dignity, humanity and beauty, and that, unless an allocation for arts is included in the estimated cost for all public projects, the result would be a tendency of not providing such funds for the construction budgets of public facilities.

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the City Council of Charlotte and the County Commission of Mecklenburg County as follows:

SECTION 1. Purpose:

Charlotte and Mecklenburg County accept a responsibility for expanding experience with visual art. A policy, therefore, is established to direct the inclusion of works of art in public projects of the City and the County.

SECTION 2. Definitions.

a. "Art Commission" refers to the Charlotte-Mecklenburg Art Commission.

b. "Construction project" means any capital project paid for wholly or in part by the City of Charlotte or Mecklenburg County to construct or remodel any building, such as offices, park buildings, parking facilities, court facilities, etc., or any portion thereof within Mecklenburg County, which are normally visited by the public, with the exception of restoration of historic properties. Construction projects shall not include: maintenance service facilities, utilities including but not limited to resource recovery facilities, streets, highways and areas out of public view.

c. "Capital Improvement Program" means the City and County's program for advance planning of capital development.

d. "Works of art" includes, but is not limited to, original paintings, sculptures, fountain sculptures, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, silk screens, etchings and lithographs. The term "works of art" shall not include any reproduction of original art by mechanical means.

e. "Artist" refers to a practitioner in the visual arts, generally recognized by critics and his peers as a professional who produces works of art.

f. "Construction Cost" means actual construction cost, excluding engineering, administrative, architectural, legal fees, permits, indirect and interest costs. It shall also exclude Federal or State funds, if such funds are not permitted to be used for works of art.

SECTION 3. Funds for Works of Art.

a. All City and County department heads shall include in all estimates of necessary expenditures and all requests for authorization or appropriations for construction projects

up to 1% of total construction cost for works of art. This amount will be based on the total construction cost of any such project, as estimated in the Capital Improvement Program for the year in which such estimates or request is made. Any grants from outside sources awarded toward a specific art project will be included within the allocation up to 1%.

b. Funds authorized and/or appropriated pursuant to this section for City or County construction projects but not spent on that project in total or in part may be expended for art in other City or County projects or existing public facilities which are owned or leased by the City or County, if legally permissable.

c. Such funds shall be provided as above for all public facilities authorized by the County after December 15, 1980 and by the City after the adoption of this resolution.

SECTION 4.

Funds authorized and approved for works of art shall remain in the appropriate capital projects fund and expenditures for works of art shall be made from the appropriate capital projects fund.

SECTION 5. Art Commission Composition and Responsibilities.

Composition. The Art Commission shall have nine (9) members for three-year terms in the following manner:

a. Three (3) members appointed by the County Commission.

b. Two (2) members appointed by the City Council.

c. One (1) member appointed by the Mayor of Charlotte.

d. Three (3) members appointed by the Arts & Science Council.

Terms shall be staggered with terms of three initial appointees for one (1) year, three for two (2) years; and three for three (3) years. Thereafter, all appointments shall be for three years, however no member shall serve more than two consecutive three-year terms.

The Art Commission shall elect a chairperson from among the members to serve for a one-year term. The Art Commission may select advisors for a particular project to adjust to the size and complexity of art projects. These advisors shall be non-voting members. A representative from the interested City or County department and the construction project architect shall be non-voting advisors. The Art Commission shall encourage community participation.

Responsibilities.

a. The Art Commission shall be responsible for determining the method of selection of works of art and/or commissioning of artists. Reviewing the design, execution, placement and acceptance of works of art funded by this resolution shall be subject to the final approval of the City Council or County Commission. Procedures for these responsibilities are to be subsequently developed and approved.

b. The Art Commission shall make periodic reviews, at least annually, of all construction projects, as authorized by the City Council and the County Commission, and make recommendations to the City Council and the County Commission as to which projects are appropriate for inclusion of works of art.

c. The Art Commission, with the approval of the City Council or the County Commission, shall recommend purchase of works of art The use of works of art by local and North Carolina artists should be emphasized The Commission shall advise the City Council and the County Commission of operation and maintenance expenses for such recommended works of art

d The Art Commission shall examine annually the condition of works of art selected and make a report to the City Council and the County Commission with recommendations for their care, maintenance, improvement, documentation, appraisal, security, etc

e The Art Commission may encourage and help obtain additional grants and gifts from outside sources

SECTION 6. Placement.

Works of art, selected and implemented pursuant to the provisions of this resolution and any amendment thereto, may be placed in, on or about City or County construction projects or other City or County-owned, leased or rented property. They may be attached or detached within or about such property and may be either temporary or permanent. City or County officers responsible for the design and construction of such projects shall make appropriate space available for the placement of works of art.

SECTION 7. Ownerhsip.

All art objects acquired pursuant to this resolution shall be acquired in the name of the City of Charlotte or Mecklenburg County, and title shall vest in the City of Charlotte or Mecklenburg County.

PASSED and APPROVED on the 23rd day of November, 1981 by the City Council; and on the 15th day of February, 1982 by the County Commission.

Approved as to form:

City Attorney

Approved as to form:

County Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of November, 1981, the reference having been made in Minute Book 77, and recorded in full in Resolution Book 17, at Pages 449-453.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 25th day of November, 1981.

Ruth Armstrong, City Clerk

CERTIFICATION

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Hazel H Hatley, Clerk to the Board of County Commissioners of Mecklenburg County, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the Board of County Commissioners of Mecklenburg County, North Carolina in meeting held February 15, 1982, and recorded in Minute Book No 27-A

Witness my hand and the official seal of said Board, this 19th day of February, 1982

Hazel H Hatley
Clerk to the Board

Exhibit B

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

CHARLOTTE-MECKLENBURG ART COMMISSION
POLICIES AND GUIDELINES
ADOPTED JUNE 29, 1987

The Charlotte City Council and the Mecklenburg County Commission established the Charlotte-Mecklenburg Art Commission whose task it is to administer the Art in Public Places Program for the City and the County The Art Commission is responsible for reviewing the City and County's Capital Improvement Program to identify projects eligible for the program Additionally, it maintains an inventory list of potential sites for artwork Artwork may be placed either as an integral part of a public construction project, or may be placed in, on or about other publicly owned property

SECTION 1. Artwork Projects

The Art Commission oversees the development and implementation of individual artwork projects Its staff works with City and County staff to identify construction projects eligible for the allocation of art funds, and to identify existing facilities in the City and County which are potential artwork sites In consultation with appropriate City and County Departments, the Art Commission establishes priorities for public art, and periodically designates artwork projects, the allocation of funds and the method of artwork selection for each project, consistent with these priorities

SECTION 2 Professional Standards for Artists and Art Selection Panels

Artists must be recognized as professionals by their peers Non-professionals who engage in art as a hobby shall not be eligible unless approved by the Art Commission Artists are considered professionals in all aspects of their relation with the City and County, and are compensated for expenses incurred, beginning with the preliminary site visit, and including extra design time at all stages All arrangements between the Art Commission and the artist are by written agreement

Artists/artworks for projects are recommended to the Art Commission by a professional selection panel appointed by the Art Commission for each project or group of related sites Selection panelists are professionals in the field of art, art history or related areas They are generally recognized by their peers as authorities with art history knowledge and expertise in contemporary and/or modern art, and with substantial experience with art in public places They may be museum professionals, patrons, arts educators, critics, artists, or design professionals with special expertise who are not under contract with the City or County Under no circumstances are gallery owners, dealers, producers, agents and other profit-motivated intermediaries eligible

•

Cameron Brown Building • 301 South McDowell Street • Charlotte North Carolina 28204 • (704) 336 2205

SECTION 3 Ad hoc Appointments

A selection panel and ad hoc advisors are appointed by the Art Commission for each major project or group of related sites A file of potential selection panelists is maintained by the Art Commission staff Panelists are paid a professional fee for their services, and their participation must be in compliance with the City/County conflict of interests policies

Advisors are appointed on an ad hoc basis for each project or related groups of sites Advisors represent affective interests, such as the community and/or user agency, and inform the Art Commission and the selection panel of concerns affecting the project Specifically, the project architects and/or construction project managers serve as advisors The Art Commission Chair will appoint all other advisors who will serve without compensation

SECTION 4 The Art Selection Process

New work may be commissioned specifically for the site, or existing work may be purchased The primary criteria for selection of artwork/artists are quality and appropriateness for the site

The Art Commission staff is responsible for scheduling and coordinating the selection panels, as well as facilitating panel deliberations The Chair of the Art Commission appoints a member of the Art Commission to serve as monitor of the process, and to inform the advisors and/or selection panel on Art Commission policy and priorities Additionally, the Art Commission representative moderates discussion between the selection panel and advisors, and monitors the selection panel deliberations

The selection panel recommends no more than 3 artists for each site and ranks them in order of priority The staff will present a written report of the panel's recommendations to the Art Commission, setting forth the reasons for its recommendations and its ranking of the artists The selection panel should provide an opportunity for informal comments from elected officials

Projects are publicized in advance of the selection panel meeting by mailing announcements to inform artists of the method of selection and of submission requirements Consideration of artists is by review of work or by review of proposals Where the consideration is by review of work, slides and visual representations of recent work is reviewed by the selection panel Proposals for the site are not requested or considered at this time Selection panel members may propose artists for consideration from among those submitting or from others at large Where consideration is by review of proposals, artists submit proposals for the site for review by the selection panel

Artists or artworks are selected through direct selection, invitation or open competition. Under the direct selection process, the selection panel recommends on the basis of review of work Under the invitation process, the selection panel recommends a limited number of artists on the basis of review of work The selected artists are invited to prepare proposals for the project and are paid according to the scope of the work The selection panel then reviews the proposals and recommends a selection Under the open competition process, the selection panel reviews proposals submitted by artists in response

to the project advertisement, and (a) recommends an artist for the project, or (b) recommends a limited number of artists who are paid to develop more detailed proposals The selection panel then reviews proposals and recommends a selection to the Art Commission

Prior to review by the Art Commission of a proposed artwork, technical feasibility and maintenance acceptability are investigated by the staff, in consultation with the department responsible for the site and with the assistance of technical consultants if required, and a report is made to the Art Commission Each recommendation must be approved by a majority vote of all the commissioners at a duly called meeting of the Art Commission

SECTION 5 Implementation

Following Art Commission approval of artists or artwork, Art Commission staff prepares and negotiates a proposed contract for purchase or commission of the work or for design services, and the contract is submitted to the City Council or County Commission for approval Upon approval, it is properly executed by all parties Art Commission staff serves as liaison between the artist or provider of the work, and City or County agencies in the implementation of the project The artist executes the work and the Art Commission monitors and facilitates the process

SECTION 6 Public Information

The Art Commission staff is responsible for disseminating regular information on the artwork projects, the artists and the progress of the work The Art Commission provides structured opportunities for dialogue between artists and the public, and increases public awareness of the City/County program

SECTION 7 Care and Maintenance of Artwork

The Art Commission is responsible for identifying needed maintenance of artwork acquired under the City/County Art in Public Places Program

SECTION 8 Gifts of Works of Art

Proposed gifts to the City or County of works of art for public places or funds for the acquisition of works of art for public places are referred to the Art Commission for handling according to its policies and procedures

Exhibit C

Charlotte-Mecklenburg Art Commission
600 East Fourth Street
Charlotte, North Carolina 28202-2853

Public Art Inventory
As of December 27, 1990

1. Social Services Building; County project
   301 Billingsley Road
   John Hilarides (M) of Charlotte
   Photo-ceramic tile mural approximately 4' 2.5" high x 15' 9.5" long x 1.5" thick
   Realistic style at a cost of $9,262; interior piece
   Commissioned January 1985; dedicated October 1985; ten months project

2. Tom Ray Center, formerly the Willie M Center; County project
   3430 Wheatley Avenue
   Mamantha Gowda (F) of Charlotte
   Painted mural on cinder block approximately 4' high x 40' long
   Realistic style at a cost of $5,325; interior piece
   Commissioned May 1986; dedicated January 1987; eight months project

3. Harrisburg Park's Charles T. Myers golf shop; County project
   7817 Harrisburg Road
   Hal McClure (M) of Franklin, North Carolina
   Mahogany wood carving of the Myers' coat-of-arms; approximately 3' long x 20" wide x 2.5" thick
   Realistic style at a cost of $2,300; interior piece
   Commissioned March 1988; dedicated July 1989; five months project

4. Community Services Building A; County project
   500 Spratt Street
   Jacqueline Heer (F) of Charlotte
   Three enamel painted aluminum birds; approximately 8' to 10' long with a 10' to 13' wing span
   Abstract style at a cost of $15,000; interior piece
   Commissioned January 1989; dedicated June 1989; six months project

5. Discovery Place; City project
   301 North Tryon Street
   Tom Luckey (M) of Branford, Connecticut
   Steel pipe, wire mesh and laminated, carpet covered maple platforms Children's Climbing sculpture; approximately 16' wide x 16' deep by 17' high
   Whimsical child's jungle gym at a cost of $39,000 of which $9,228 was city money; interior piece
   Commissioned July 1988; dedicated March 1989; nine months project

6. Public Library - Main Branch; County project
   310 North Tryon Street
   Romare Bearden (M) of New York City
   Stained glass tiles mural; approximately 9' wide x 13.5' high x 2" thick; interior piece entitled "Before Dawn"
   Semi-abstract mural based on existing collage at a cost of $125,000 of which $71,405 was county money
   Commissioned July 1988; dedicated June 1989; 12 months project

7. Charlotte-Mecklenburg Government Center (CMGC); City project
600 East Fourth Street
Alfredo Halegua (M) of Washington, DC
Stainless steel water sculptures; approximately 13′ high x 6′ wide x 6′ deep (tallest); 4′ high x 5′ wide x 5′ deep; and 2′ high x 8′ wide x 8′ deep
Three minimalist, abstract water features at a cost of $609,130, $450,130 over the contract price of $159,000
Commissioned January 1987; dedicated May 1989; 28 months project

8. Hal Marshall Center; County project
700 North Tryon Street
Celia Flock and Richard Stenhouse (F & M) of Charlotte
Celia Flock's "Carolina Summer Fields" 30" x 38"; "The Coming of Spring" 30" x 38", and "Cedar Tree Farm" 24" x 32"
Richard Stenhouse's "Piedmont Red" 14.25" x 28.5", "Three Trees" 10.75" x 22.5", and "Pasture Land" 10.75" x 22.5"
Realistic style; interior pieces at a cost of$10,000.00
Installed February 22, 1990; formally accepted March 9, 1990.

Paul Sires (M) of Charlotte
One wall mounted sculpture entitled "Tools of Progress"; 7.5′ x 2′ x 4"
Abstract, interior piece at a cost of $5,000.00
Installed February 22, 1990; formally accepted March 9, 1990.

Paul Harcharik (M) of Charlotte
One large painting entitled "future perfect"; 3′ x 7′
Abstract, interior piece at a cost of $5,000.00
Installed February 22, 1990; formally accepted March 9, 1990

Nathan Parker (M) of Charlotte
One large painting entitled "Innocence"
Realistic, interior piece at a cost of $1,500.00
Installed February 22, 1990; formally accepted March 9, 1990

9. CMUD; City project
5100 Brookshire Boulevard
Kathy Triplett (F) of Weaverville, N. C.
Abstract clay mural wall relief entitled "Water Cycle"; 7′ high x 18′ long x 4" deep at a cost of $12,000.00; interior piece
Installed May 19, 1990; formally accepted June 1, 1990

10. Lakeview Center; County project
3127 Kalynne Street
Purchase of a Harold Crowell painting, title unknown, in March 1987 for $685.00.
Purchase of six abstract paintings entitled "Ripe Fruit", "Ode to Christos", "So Close, So Warm", "Avec Toi", and "Voyager 7, 6, 2" at a cost of $4,450.00; interior pieces
Installed May 25, 1990; formally accepted June 1, 1990

11. Spirit Square; City project
110 East 7th Street
David Stromeyer (M) of Enosburg, Vermont
Abstract, painted steel banner and curtain entitled "Opening Night" at a cost of $35,000.00; exterior piece
Installed June 2, 1990; formally accepted June 29, 1990

12. County Office Building, Criminal Courts, and Intake Center; County project
Between 700 and 720 East Fourth Street
The Wahler Design Group (Robin Wahler) (M) of Charlotte
Environmentally landscaped plaza
Natural abstraction at a cost of $125,000; exterior piece
Commissioned July 10, 1989; dedicated November , 1990; sixteen months project

13. WTVI 42; County project
42 Coliseum Drive
Michael Kitchen (M) of Tryon, North Carolina
Stained glass wall depicting WTVI's history entitled "Transmission of Light" at a cost of $16,000; interior piece
Installed November 11, 1990; dedicated November 16, 1990

14. The Charlotte Coliseum; City project
2300 West Tyvola Road
Maya Lin (F) of New York City and Henry Arnold (M) of Princeton, New Jersey
Environmental landscape abstract entitled "The Playing Field" at a cost of $340,000; exterior piece located in the median strip
Installed September, October, November, December 1990

15. Mecklenburg County Police Department
618 North College Street
Jon Silla (M) of Charlotte, North Carolina
Photographs of Mecklenburg County policemen, untitled, at a cost of $2,000; interior piece
Installed December 1990

16. The Community Services Facility
500 Spratt Street
Jacqueline Heer (F) of Charlotte, North Carolina
Two abstract photographic wall murals, untitled, at a cost of $2,150; interior pieces located in the lobby of Building A
Installed December 1990

City Council Workshop
Briefing Paper: Requests Made by City Council

Background

Currently, Council requests for information are handled in two ways. First, Council members can call the Council Secretary's tape system. The information provided by the Council member is immediately transcribed and sent to the proper department for action. If a citizen is involved, the department contacts the citizen within 24 hours.

Another way a Council member can request information is to call or write the City Manager directly, or the Deputy or Assistant City Managers if the Manager is not available. These requests are usually more complicated, or more urgent.

If a Council member's request is going to consume a large amount of staff time, staff can refer these back to Council for their approval. The City Council handbook states:

> "The Council has suggested that staff, using its judgement, refer requests that may take more than eight hours of research back to Council for approval".

Issues

This system has worked well when the requests go through the City Manager's Office. This system can break down when Council members request reports directly from departments.

Department Heads are supposed to keep the Manager informed of these requests to avoid duplication of efforts, to make sure that the overview provided by the Manager's Office is included in the reports and to ensure distribution of reports to all Council members. The Manager's Office also monitors the procedure on reports taking over eight hours. However, this oversight and perspective cannot be given if the City Manager is unaware that departments are working on special projects directly for a Council member.

Council Secretary Workload

The Manager's Office is arranged to provide maximum support staff flexibility. This allows the Council secretary, when need arises, to call on the other support staff resources of the Manager's Office. With this system, the Council secretary is able to respond to the current level of Council work and adjust for peak workloads.
In addition to this backup support staff, the Council Secretary works with the Mayor's Office on citizen requests sent to the Mayor and Council. When a citizen writes to Mayor and Council, the Mayor's Office responds to the citizen. The Mayor's response to the citizen is sent to City Council. This coordination has reduced workload and duplication of efforts.