AGENDA

Meeting Type:	B
Date:	05/10/1993
SUBJECT	

City of Charlotte, City Clerk's Office

MAYOR'S SCHEDULE
May 10, 1993

6:30 p.m. CITIZENS' HEARING

1. Invocation by Rev. Jim Posey, Woodlawn Baptist Church. – Did not come

2. ✓ Vivian Smith-Richardson, 8107 Trentwood Place, Chi Eta Phi Sorority - 399-0205
Ms. Richardson will introduce young students, present letter to Council and have students shake hands with Council. She would also like to request money for trip to Russia and Poland.

3. ✓ Sam Hubbard, 426 North Tryon Street, Apt. 9 - 375-3804 - Charlotte Transit and Special Transportation.

4. ✓ Louise Sellers, 118 Martin Street, 377-0048 - Appreciation of Community Development Director, Jay Walton.

5. ✓ Rev. Joseph Chamber, 1209 Little Rock Road, 394-7191 - Zoning Matters.

7:00 p.m. CITY COUNCIL MEETING

1. Announcements:

✓ Wednesday, May 12, 4:00 p.m. Transportation Committee Meeting, Room 270.

✓ Thursday, May 13, 4:00 p.m. Planning Committee Meeting, Room 270.

2. The following requests to speak to agenda items have been received:

(a) Agenda Item No. 6 - Police Consolidation

✓ (1) David Holland, 825 East Fourth Street - 336-7897

(b) Agenda Item No. 7 - Personnel and Finance Committee Recommendation on Employee Benefits.

(1) Dick Dunn, 4530 Park Road - 527-6261 Do not Come ✓ H R Smith 6501 Moody Rd 537-8736

(c) Agenda Item No. 12 - Community Works Loan

✓ (1) Craig Isaac, 1234 East 35th Street - 358-1365

✓ (2) Joel ~~Stegall~~ Segal, 406 West 9th Street, Apt. 203.

(3) Jim Mills, 214 North Irwin Avenue - 374-0805

Employee Benefits, # 7 -

✓ W. A Bowers
2343 Remount Rd
399-0126

✓ Michael Jackson
6024 Ryder Ave
542-7816

✓ Don Jones
4838 Battery Lane
535-6599

✓ Joe L. Miller
4413 St. Joe Place
362-7757

Charles Loving
✓ 4318 Arbourway

CONSENT I AGENDA ITEM

Council Agenda: May 10, 1993

Project: Sanitary Sewer And Water Main Construction - FY 93 Contract No. 13 - Street Main Extensions **User Dept:** CMUD

FUNDING: Water/Sewer CIP Fund
635.79 Street Main Extension Program (Water) - $360,778.00
633.79 Street Main Extension Program (Sewer) - $350,576 14

Description: This project consists of approximately 5,000+ linear feet of 8-inch sewer pipe, 750+ linear feet of 12-inch water pipe, 750+ linear feet of 8-inch water pipe, 750+ linear feet of 6-inch water pipe, 750+ linear feet of 2-inch water pipe, 25 four foot manholes, 6 fire hydrants and various other appurtenances to be performed within rights-of-way of the North Carolina Department of Transportation and/or Charlotte Department of Transportation and other public road rights-of-way or 15-foot sanitary sewer right-of-way acquired from individually owned properties with varying temporary construction easements throughout the City of Charlotte and Mecklenburg County.

Justification: Construction of these projects will extend sewer and water service to residences which have been determined to be public health hazards, where private wells are faulty, and/or to residences/businesses which have requested connection to the City's water/sewer system

Advertised: March 6, 1993 **Bids Rcvd:** March 30, 1993 **Bids Expire:** May 30, 1993

Summary of Bids:

Utilityworks, Incorporated	Midland, NC	$653,668 50
R H Price, Inc	Charlotte, NC	677,522 50
W M. Paris & Associates	Charlotte, NC	690,356 13
Dellinger, Incorporated	Monroe, NC	709,652.25
McDaniel Construction Contractors	Spindale, NC	723,297 75
B R S , Inc	Richfield, NC	728,490.13

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$47,450 00	7.37%	6%
WBE	$30,780 00	4.70%	3%

Compliance: Yes - The Utility Department has reviewed the Contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the M/WBE Program **The Contractor has met and will exceed the project goals.**

Program Director Concur: Yes

Est. Cost: $650,000.00 **% Difference** .46% **$ Difference:** $3,000.00

Consequences If Item Deferred: We would be unable to provide service within the six month period outlined in the extension policy.

Recommend Award to Low Bidder: Utilityworks, Incorporated

Submitted By: _____ **Approved:**_____

Contact & Phone If Questions: Earl Lineberger - 391-5094
Kathy Freeze - 391-5104

APPROVED BY CITY COUNCIL
MAY 1 0 1993

Nancy S Gilbert
Deputy City Clerk

CONSENT I AGENDA ITEM

Council Agenda: May 10, 1993

Project: General Construction - Contract A1 - Administration Building Sugar Creek And Irwin Creek WWTP Modifications & Expansions And Contract D1 - Trucked Wastewater Receiving Facilities - Irwin Creek WWTP And McAlpine Creek WWMF Modifications And Expansions

User Dept: CMUD

FUNDING:

- 633.18 Irwin Creek Wastewater Treatment Plant Improvements- $143,638.46 + $900,000 = $1,043,638.46
- 633 64 Sugar Creek Wastewater Treatment Plant Improvements- $153,112.85 + $500,000 = $653,112.85
- 633 26 McAlpine Creek Wastewater Treatment Plant Expansion to 48 MGD - $173,167.59 + $250,000 = $423,167.59

Description: Work to be performed under this project will include construction of two Administration buildings, two trucked wastewater receiving facilities, general site piping, grading, and other miscellaneous and related work.

Justification: Award of this project will allow construction of Administration Buildings at the Sugar Creek and Irwin Creek Wastewater Treatment Plants These facilities will contain rooms for the following functions: (1) Control room for new computer system and plant control; (2) office area for chief operator; (3) lunch room, (4) training room; and (5) locker shower facilities. The trucked wastewater receiving station will be constructed at the Irwin Creek Wastewater Treatment Plant and the McAlpine Creek Wastewater Management Facility. These stations will receive wastes generated by septic tanks and industrial pretreatment facilities. Currently, these trucked wastewater haulers discharge into designated manholes within the sewerage system. By permitting and monitoring these discharges at the new receiving facilities, the wastes may be regulated and a charge for treatment may be assessed.

Advertised: January 16, 1993 **Bids Rcvd:** March 30, 1993 **Bids Expire:** May 29, 1993

Summary of Bids:

James R. Vannoy & Sons Const. Co., Inc.	Pineville, NC	$1,671,270 00
David M Sidbury, Inc.	Charlotte, NC	1,724,476.00

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$15,798.00	0.9%	12%
WBE	$72,294 00	4.3%	3%

Compliance: Yes - One proposed MBE subcontractor, Lawrence Brooks Concrete, is not presently certified with the City of Charlotte, but his certification is under review. If approved, MBE participation will be 4.5%. The Utility Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the M/WBE program. **The Contractor has met and will exceed the project goal for WBE participation.**

Program Director Concur: Yes

Est. Cost: $1,707,100 00 **% Difference** 2% **$ Difference.** $35,830 00

Consequences If Item Deferred: Subject bids will be valid for sixty (60) days from March 30, 1993

Recommend Award to Low Bidder: James R. Vannoy & Sons Const Co , Inc

Submitted By: _____ **Approved:**_____

Contact & Phone If Questions: Earl Lineberger - 391-5094
Kathy Freeze - 391-5104

CONSENT I AGENDA ITEM

Council Agenda: May 10, 1993

Project: Electrical - Contract A4 - Administration Building
Sugar Creek And Irwin Creek WWTP Modifications & Expansions
And Contract D4 - Trucked Wastewater Receiving Facilities -
Irwin Creek WWTP And McAlpine Creek WWMF Modifications And
Expansions

User Dept: CMUD

Description: Work to be performed under this project will include all electrical work at the proposed Administration buildings at Irwin Creek and Sugar Creek Wastewater Treatment Plants and the trucked wastewater receiving facilities at Irwin Creek Plant and McAlpine Creek Wastewater Management Facility

Justification: Award of this project will allow construction of electrical work at the proposed Administration Buildings at the Sugar Creek and Irwin Creek Wastewater Treatment Plants. These facilities will contain rooms for the following functions: (1) Control room for new computer system and plant control; (2) office area for chief operator; (3) lunch room, (4) training room, and (5) locker shower facilities. The trucked wastewater receiving station will be constructed at the Irwin Creek Wastewater Treatment Plant and the McAlpine Creek Wastewater Management Facility. These stations will receive wastes generated by septic tanks and industrial pretreatment facilities. Currently, these trucked wastewater haulers discharge into designated manholes within the sewerage system By permitting and monitoring these discharges at the new receiving facilities, the wastes may be regulated and a charge for treatment may be assessed.

Advertised: January 16, 1993 **Bids Rcvd:** March 30, 1993 **Bids Expire:** May 29, 1993

Summary of Bids:

Burns Electrical Contractors, Inc.	Charlotte, NC	$169,014 00
Ind-Com Electrical Co., Inc.	Charlotte, NC	258,992 28

MWBE Status: WBE PRIME CONTRACTOR:

	Amount	% of Project	Proj Goals
MBE	-0-	0%	1%

WBE	-0-	0%	1%

TOTAL WBE - $169,014.00

Compliance: Yes - The Contractor has complied with the M/WBE contract provisions which allow him to perform all the work with his own forces.

Program Director Concur: Yes

Est. Cost: $142,970.00 **% Difference** 18% **$ Difference:** $26,044.00

Consequences If Item Deferred: Subject bids will be valid for sixty (60) days from March 30, 1993

Recommend Award to Low Bidder: Burns Electrical Contractors, Inc.

Submitted By: _____ **Approved:**_____

Contact & Phone If Questions: Earl Lineberger - 391-5094
Kathy Freeze - 391-5104

CONSENT I AGENDA ITEM

Council Agenda: May 10, 1993

Project: Plumbing - Contract A3 - Administration Building
Sugar Creek And Irwin Creek WWTP Modifications & Expansions

User Dept: CMUD

FUNDING:

- 633 18 Irwin Creek Wastewater Treatment Plant Improvements- $143,638.46 + $900,000 = $1,043,638.46
- 633.64 Sugar Creek Wastewater Treatment Plant Improvements- $153,112.85 + $500,000 = $653,112.85
- 633 26 McAlpine Creek Wastewater Treatment Plant Expansion to 48 MGD - $173,167 59 + $250,000 = $423,167.59

Description: Work to be performed under this project will include all labor, work, and equipment necessary to perform and complete in a workmanlike manner all plumbing in connection with construction of the Administration building at Irwin Creek and Sugar Creek Wastewater Treatment Plant

Justification: Award of this project will allow construction of a plumbing system at the proposed Administration buildings at Sugar Creek And Irwin Creek Wastewater Treatment Plant. These facilities will contain rooms for the following functions: (1) Control room for new computer system and plant control; (2) office area for chief operator; (3) lunch room, (4) training room; and (4) locker shower facilities.

Advertised: January 16, 1993 **Bids Rcvd:** March 30, 1993 **Bids Expire:** May 29, 1993

Summary of Bids:

Castor Plumbing Company, Inc	Davidson, NC	$ 88,485.00
Atlantic Mechanical, Inc.	Charlotte, NC	89,700.00
A Z Price & Associates, Inc	Charlotte, NC	92,300.00

MWBE Status·	Amount	% of Project	Proj Goals
MBE	-0-	0%	1%
WBE	-0-	0%	1%

Compliance: Yes - The Contractor has complied with the M/WBE contract provisions which allow him to perform all the work with his own forces

Program Director Concur: Yes

Est. Cost: $81,000 00 **% Difference** 9% **$ Difference:** $7,485.00

Consequences If Item Deferred: Subject bids will be valid for sixty (60) days from March 30, 1993

Recommend Award to Low Bidder: Castor Plumbing Company, Inc.

Submitted By: _____ **Approved:**_____

Contact & Phone If Questions: Earl Lineberger - 391-5094
Kathy Freeze - 391-5104

CONSENT I AGENDA ITEM

Council Agenda: May 10, 1993

Project: HVAC - Contract A2 - Administration Building
Sugar Creek And Irwin Creek WWTP Modifications & Expansions

User Dept: CMUD

FUNDING:

- 633.18 Irwin Creek Wastewater Treatment Plant Improvements- $143,638.46 + $900,000 = $1,043,638.46
- 633 64 Sugar Creek Wastewater Treatment Plant Improvements- $153,112.85 + $500,000 = $653,112.85
- 633.26 McAlpine Creek Wastewater Treatment Plant Expansion to 48 MGD - $173,167.59 + $250,000 = $423,167 59

Description: Work to be performed under this project will include all labor, work, and equipment necessary to perform and complete in a workmanlike manner all heating, ventilation, and air conditioning in connection with construction of the Administration buildings at Irwin Creek And Sugar Creek Wastewater Treatment Plant.

Justification: Award of this project will allow construction of a heating, ventilation, and air conditioning system at the proposed Administration Buildings at the Sugar Creek and Irwin Creek Wastewater Treatment Plants. These facilities will contain rooms for the following functions· (1) Control room for new computer system and plant control; (2) office area for chief operator; (3) lunch room, (4) training room; and (5) locker shower facilities.

Advertised: January 16, 1993 **Bids Rcvd:** March 30, 1993 **Bids Expire:** May 29, 1993

Summary of Bids:

Climate Conditioning of Charlotte, Inc.	Charlotte, NC	$ 76,092 00
A. Z. Price & Associates, Inc	Charlotte, NC	124,736.00
Tompkins Johnston Co., Inc	Matthews, NC	139,740.00
Atlantic Mechanical, Inc.	Charlotte, NC	143,500 00

MWBE Status:	Amount	% of Project	Proj Goals
MBE	-0-	0%	1%
WBE	-0-	0%	1%

Compliance: Yes - The Contractor has complied with the M/WBE contract provisions which allow him to perform all the work with his own forces.

Program Director Concur: Yes

Est. Cost: $103,000 00 **% Difference** 26% **$ Difference:** $26,908.00

Consequences If Item Deferred: Subject bids will be valid for sixty (60) days from March 30, 1993

Recommend Award to Low Bidder: Climate Conditioning of Charlotte, Inc.

Submitted By: _____ **Approved:**_____

Contact & Phone If Questions: Earl Lineberger - 391-5094
Kathy Freeze - 391-5104

CONSENT I AGENDA ITEM

Council Agenda: MAY 10, 1993

Project: WOODLAWN / SCALEYBARK INTERSECTION IMPROVEMENT

User Dept: ENG

FUNDING: **Ctr:** 245.01 **Fund:** 2010 **Obj. Code:** 35360

Balance of Funds: $17,966.88, (FUND TRANSFER IN PROGRESS)

Description: Construction of left turn lane off Woodlawn Rd. onto Scaleybark Rd.

Justification: Approved in FY84, the minor intersection improvement program provides relatively low cost improvements to identified problem intersections

Advertised: 14 March, 1993 **Bids Rcvd:** 15 April, 1993 **Bids Expire:** 15 June, 1993

Summary of Bids:

Ferebee Corp.	$136,497.90
Shaw Group, Inc.	138,710.25
Sherrill & Asso.	148,934.10
Showalter Const	151,038 30
Blythe Development	161,491.58
United Construction	229,632 38

MWBE Status:	**Amount**	**% of Project**	**Proj Goals**
MBE	$13,240.00	10%	10%
WBE	$ 1,800.00	1%	6%

Compliance: YES

Program Director Concurrence: **YES**

Est. Cost: $146,500 00 **7% Under** **Difference:** $10,002.10

CONSEQUENCES IF ITEM DEFERRED: DELAY IN AWARD

RECOMMEND AWARD TO LOW BIDDER: YES

SUBMITTED BY: for C D. READLING
CITY ENGINEER

APPROVED BY: N/A
JULIE BURCH
ASST. CITY MANAGER

CONTACT. GARY J. KING @ 336-2047

ENGBID9 510

CONSENT II AGENDA ITEM

Council Agenda May 10, 1993

Project: Map Copier **User Dept:** Engineering

FUNDING: Ctr: 51200 **Fund:** 0101 **Obj. Code:** 141 **Balance of Funds:**

Description: Map Copier

Justification: With this purchase, the Engineering Dept will be able to trade in its larger blueprint machine which uses gaseous ammonia and would require major building modifications to meet safety requirements which would be more costly than the purchase of the proposed map copier. Also, Engineering is spending approx. $1,600 monthly on enlargement services from private companies.

Advertised: 1/26/93 **Bids Rcvd:** 2/25/93 **Bids Expire:** 5/25/93

Summary of Bids:

Xerox	Charlotte, NC	$140,141.40*
Oce' Bruning	Itasca, IL	167,970.60
American Photocopy	Charlotte, NC	13,890.00

(American Photocopy did not meet specifications)

MWBE Status:	**Amount**	**% of Project**	**Proj Goals**
MBE	N/A		5%
WBE	N/A		3%

Compliance: No known MWBE for this procurement.

Program Director Concur: Yes.

Est. Cost: $30,000 **% Difference** 8.4% **$ Difference:** $1,977.72

Recommend Award to Low Bidder: Yes.

Consequences If Deferred: Productivity is affected due to lead times from private companies that provide enlargement capabilities.

Submitted By: Gregory K. Spearman, Purchasing
Clark Readling, Engineering

APPROVED: _____
Del Borgsdorf, Managers Office

Contact & Phone If Questions: Cindy Conley, Purchasing Agent, 704-336-5668.

4/22/93

Factors Affecting MWBE

Explanation of Cost Difference:

Consequences If Item Deferred:

Project History:

Other:* This is a lease-purchase. A total of $28,022.28 will be paid annually for a period of five (5) years with a $10,350.00 option to purchase at the end of the lease period. This lease purchase includes the trade-in of the blueprint machine currently in Engineering.

CONSENT I AGENDA ITEM

Council Agenda: May 10, 1993

Project: Audit Services for the fiscal year ending June 30, 1993 **User Dept:** Finance

FUNDING:

FY93 Annual Audit (External)

Budgeted		
$ 25,000	0101.530.86.101 General Fund - Non Dept'l - Annual Audit	$23,680
20,055	7101.630.86.101 Water/Sewer Fund - Non Dept'l - Annual Audit	6,800
25,938	7402.576.80.171 Aviation-Administration-Professional Fees-Account	19,400
16,000	7801 801.00 171 Public Transit-Administration-Professional Fees-Account	12,600
5,000	7701.671.01 171 Stormwater - Professional Fees-Account	400
1,199	6806.900.21.171 Community Development-Administration - Professional Fees-Account	190
4,540	6806.900 30.171 Community Development-Housing Inspection - Professional Fees-Account	760
2,000	6345.718 11.171 Employment and Training-Administration - Professional Fees-Account	500
7,500	6302.549 00.171 Insurance & Risk Management-Professional Fees Account	7,700
$107,232		$72,030

Description: State Law requires that the City engage a certified public accountant at the end of each fiscal year to audit the accounting records, evaluate internal control and audit the annual financial report.

Justification: A policy was adopted by City Council in 1979 which provides that the City allow for contractual agreements with independent auditing firms to provide audit services on a rotating basis for periods not to exceed four years pursuant to the taking and evaluation of audit proposals. In 1992 the firm of Coopers & Lybrand was selected by this process and City Council reaffirmed the policy adopted in 1979.

Advertised: (See Justification) **Bids Rcvd:** (See Justification) **Bids Expire:**

Summary of Bids:

N/A

MWBE Status	Amount	% of Project	Proj Goals
MBE	$9,518	13	N/A
WBE			

Compliance: N/A

Program Director Concur: Yes

Est. Cost: $72,030 **% Difference** **$ Difference:** $
Consequences If Item Deferred: Audit firm would be unable to complete preliminary systems review and internal control evaluations in May as scheduled resulting in a possible delay in completing the City's FY93 annual audit.

Recommend Award to Low Bidder: N/A

Submitted By: _____ **Approved:**_____
Contact & Phone If Questions: Evelyn L. Guinn - 3209

CONSENT II AGENDA ITEM

Council Agenda: May 10, 1993

Project: Convention Center Masonry **User Dept:** Eng.

FUNDING: Convention Center Fund (Convention Center Project - Certificates of Participation) - $40,434,005.

Description: Contract scope consists of all interior and exterior masonry units (standard block, split faced block, and glass block), insulation, joint sealants and water repellent application.

Justification: Contract is part of construction program for the New Convention Center.

Advertised: 25OCT92 **Bids Rcvd:** 30MAR93 **Bids Expire:** 28JUN93

Summary of Bids:

POMPANO MASONRY CORP.	$3,081,583.00 ~~$4,089,180.00~~ *
GRIFFIN CONTRACTORS, INC.	$5,448,000.00
PETTIT CONSTRUCTION	$5,914,550.00
PYRAMID MASONRY CONTRACTORS	$6,828,900.00

* Low bid negotiated from $4,089,180.00 to $3,081,583.00 (see Bid Summary on Additional Information Sheet).

MWBE Status:	Amount	% of Project	Proj Goals
MBE	449,810.00	11%	11
WBE	3,639,370.00	89%	1

MWBE Compliance: The Contractor has complied with the requirements and intent of the M/WBE Program.

MWBE Program Director Concur: Yes

$2,071,871.00

Est. Cost: *$5,5153,454.00 **%Under:** 26.0% * **$ Difference:** ~~$1,064,274.00*~~

*See Explanation of Cost Difference on Additional Information Sheet.

Recommend Award to Low Bidder: Yes

Consequences If Deferred: The schedule will be impacted and the project may incur additional cost.

Submitted By:_____ **APPROVED:**_____

C.D. Readling
City Engineer

Julie Birch
Asst. City Manager

Contact & Phone If Questions: B. E. Aldridge, X3633 FOR QUESTIONS

*** SEE ATTACHED ADDITIONAL INFORMATION SHEET ***

ADDITIONAL INFORMATION

Bid Summary: The original bid amount of $4,089,180.00 has been negotiated. Negotiations included eliminations of sprayed-on fireproofing touch-up, precast concrete caps, and masonry-related support steel, which resulted in a negotiated low bid of $3,081,583.00. Change orders to other contracts will add the eliminated items at reduced costs.

Factors Affecting MWBE: Because of Cost Reduction Negotiations, the Contractor has committed to the following M/WBE participation:

	Amount	% of Project
MBE	338,974.00	11%
WBE	2,742,602.00	89%

This will afford the Contractor to remain in compliance with the M/WBE Program.

Explanation of Cost Difference: The original bid of $4,089,180.009 is 26% under the Construction Manager's estimate of $5,153,454.00, representing a difference of $1,064,274.00. The Design Development estimate and current budget for the work is $3,696,323.00 and this overrun against the budget necessitated negotiation of the bid amount by incorporating cost reduction items. The negotiated bid sum of $3,081,583.00 is $2,071,871.00 lower (67.2% less) than the original Construction Manager's estimate.

Consequences If Item Deferred: The schedule will be impacted and the project may incur additional cost.

BFF/BEA/lac

CONSENT II AGENDA ITEM

Council Agenda: May 10, 1993

Project: Convention Center Miscellaneous Metals **User Dept:** Eng.

FUNDING: Convention Center Fund (Convention Center Project - Certificates of Participation) - $40,434,005.

Description: Contract scope for miscellaneous and ornamental metals generally consists of all stairs, handrails and guardrails, grills, louvers, and specialty support steel members not incorporated within the base building structural steel contract.

Justification: Contract is part of the Construction Program for the New Convention Center.

Advertised: 21MAR93 **Bids Rcvd:** 21APR93 **Bids Expire:** 20JUL93

Summary of Bids:

OWEN STEEL COMPANY	$2,758,544.00
STANDARD IRON, INC.	$2,854,827.00
M & J MATERIALS, INC.	$3,495,000.00
KLINE IRON & STEEL, INC.	$4,005,490.00

MWBE Status:	**Amount**	**% of Project**	**Proj Goals**
MBE	0	0	8%
WBE	2,758,544.00	100	5%

MWBE Compliance: This Contractor is a woman-owned firm. The contractor has complied with the requirements and intent of the M/WBE program.

MWBE Program Director Concur: Yes

Est. Cost: *$2,608,263.00 **% Over:**5.4% * **$ Difference:**$150,281.00*

*See Explanation of Cost Difference on Additional Information Sheet.

Recommend Award to Low Bidder: Yes

Consequences If Deferred: The schedule will be impacted and the project may incur addtional cost.

Submitted By:_____
C.D. Readling
City Engineer

APPROVED:_____
Julie Birch
Asst. City Manager

Contact & Phone If Questions: BE Aldridge, EXT.3633 FOR QUESTIONS

*** SEE ATTACHED ADDITIONAL INFORMATION SHEET ***

ADDITIONAL INFORMATION

Factors Affecting MWBE: The Contractor has committed to utilize one (1) MBE subcontractor and is presently negotiating with there (3) other MBE subcontractors to increase MBE participation.

Explanation of Cost Difference: This bid came in over budget, but there are no items in this work that can be eliminated or modified. The overage amount will be compensated for by savings in other packages or by using contingency.

Consequences If Item Deferred: The schedule will be impacted and the project may incur additional cost.

BFF/BEA/lac

EMPLOYEE INSURANCE

DISCUSSION REGARDING THE PERSONNEL AND FINANCE COMMITTEE RECOMMENDATION ON EMPLOYEE HEALTH INSURANCE.

Councilmember Martin, Chairman of the Personnel and Finance Committee, stated the Personnel and Finance Committee had had a series of meetings to discuss a major aspect concerning the City's Health Insurance Program. They have tried to do this in the context of the need of cost savings, but at the same time try to provide the best possible health care service they can.

Assistant City Attorney, Don Steger, stated the City acquired the services of a consultant from Towers Perrin who worked with the committee to develop a plan that was responsive to the City Council, City Manager and the Mayor's Task Force on benefits and the issue of reducing health care costs to the City. It is a managed care plan which reduces the costs of health services by managing utilization through primary care physicians. It is called a "Point of Service Plan". At the point of service where the primary physician is located, that person will manage utilization. That is done through a network of service providers with whom the managing company has negotiated. In this case they are recommending Provident Life Insurance Company, who will be the managers, sometimes referred to as the carrier. The providers in this health care plan, the physicians, the specialists, and the hospitals will be made available to the City, if the City selects the contract with this provider. The provider has previously made those arrangements with the hospitals, the physicians and the specialists. Any other providers who come into the system will negotiate with Provident Life as the carrier.

Mr. Steger asked Bill Wilder, Director of Human Resources, to go through the cost ramifications, the costs savings of this plan and he would also like for John Freeman of Towers Perrin to give the Council an overview on the background process, the basis for point of service, how they selected the carrier and the advantages of going to a managed care plan.

Bill Wilder, Director of Human Resources, stated there are two phases to what the Committee is asking approval; the first phase would be to approve the Point of Service Plan to be administered by Provident Life and Accident Insurance Company. Any carrier desiring to respond to a request for proposal was asked to submit information relative to cost, and a number of other things, including the make-up of the networks of physicians, as well as the hospitals to provide services in this community as well as surrounding communities. Through that process two finalists were selected. One being Provident Life and they had selected through their bidding processes Presbyterian Hospital as the hospital providing most of the services in this area. The other finalists had selected Carolinas Medical. Mr. Wilder stated through a process that occurred during this year, the finalists were asked to identify everyone in the network, including the hospitals and in January of this year, they met with the finalists to review their plans, the discounted rates and to talk in specific detail about who was in the network, not only the physicians, but the hospital providing the services. Within phase I they are asking approval of the Point of Service Plan.

Mr. Wilder stated the savings the Committee is anticipating are approximately $3.2 million, calculated on an annual basis. By doing that the additional costs would only be $400,000 this year, whereas if they did not make these changes they would be spending approximately $3.6 million. By making this recommendation they have dropped from an expenditure of $3.6 million to about $400,000 which is roughly a 3% increase. Otherwise, they would be looking at a 29% increase which is very substantial. He said that only has to do with implementing the Point of Service Plan.

Mr. Wilder stated the second phase of the recommendation has to do with cost shifting and the request for Council action provides, that in Phase 2 they would bring back to the Council, committee recommendations on how and when to modify the existing cost sharing arrangements. He said they have committed to provide to the City Manager by this fall specific recommendations relative to retiree health insurance addressing cost shifting at that point. It is really a matter of when it should be done and the Committee believes there is sufficient merit to first, implementing

the Point of Service Plan, and getting everyone under that plan because that will have a dramatic affect on the workforce and retirees. It will take extensive communication and education of the workforce so they can make an informed decision. He said in looking at the figures quoted by the network manager, they are recommending that there are substantial savings to be realized by this. If they get as many as they can under the plan and then look at the appropriate cost shifting that will be the appropriate sequence. With regards to cost shifting, whether to do it is not really the issue, but when should it occur in the sequence.

City Manager, Wendell White, stated in order to make it clear so the employees and retirees will know, the Manager will receive the report on the retirees cost shifting and share it with Council late this fall. On the second part dealing with active employees, his anticipation would be as they get this experience by this change, then by next year's budget they will be in the position to have had the conversations necessary with employees, with Council and the advisors to make the decision to move forward on that part.

Mr. Wilder stated the committee would plan to ask the network manager, which is Provident, in the next fiscal year when they are addressing the rates or what the costs would be to contact each of the three major hospitals in the Charlotte-Mecklenburg area to determine from them, not only what services they could provide, but what the costs would be and what the discounts would be. They can see this to be a matter of an evolutionary process that they do not lock into any one group and stay there forever. This would be an on going process to address that.

John Freeman, Towers Perrin, stated he had had the pleasure of working with the Task Force from the Human Resource function for a little over a year in two capacities. One from a design capacity to help articulate a benefit strategy that would meet the needs of employees, taxpayers and the City. Second, in the development of the network necessary to implement particularly the new Point of Service Managed Care Program.

Mr. Freeman stated when they focused on the development of a network for the City, they wanted to accomplish three things. They wanted to get financial discounts that were sufficient to reduce substantial costs increases that have been hitting the City for years. They wanted to get quality networks, which involve both hospitals as well as physicians who could deliver and be located and have the broad base of services necessary to satisfy the employees. They wanted to have a system of administrative services that would help monitor how well the program was working. Basically, there are two ways of approaching the development of a network. Under the first approach, they could have, at a fairly exorbitant expense, gone out and contacted each and every physician in the City of Charlotte, each and every facility that provides health care services to see if they could bang out a cost effective, well administered program for City employees. Once they cut the deal, then they would have to draw up the contracts, set up quality controls and develop claim payment procedures. Obviously, the complexity of that process is not realistic unless they have significant resources, both financial and personnel, in order to do that, including legal. Some employers do have those resources and even those do not choose to take that route. They had to take the second route, to find an effective expert intermediary to set up those networks and to deliver those cost effective quality controls on behalf of the City. The process of electing a network is a fairly elaborate process. Through that process they did tentatively select Provident as the intermediary due to an overall combination of very high costs discounts. In effect, Provident has offered approximately $1 million in combination of risk sharing, if the claims go above stated goals, as well as some funds in quality guarantees. The Provident network happened to have Presbyterian Hospital as its anchor health care institute. It could very well have had one of the others, but Provident was the one who negotiated the contract that came up with this winning proposal of overall services. That is how they ended up with Presbyterian as the hospital under their particular network, not because Towers Perrin, or the City Council or the Committee actually negotiated or worked directly with those hospitals, but because Provident did so.

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Mr. Freeman stated it is possible for the City to go directly to any of the other providers, but there are some down side consequences of that particular action. Among those would be the potential loss of financial guarantees from the incumbent network providers, that is the $1 million that is on the table with respect to Provident's offer. They could have the elimination or reduction in certain quality control aspect that are necessary. They could have variations in claims processing requirements. This would open up an obligation and a need of the City to approach, and negotiate and work with every single physician and other facility in the City. He said they believe the process they have gone through has been an appropriate one.

Charles Loring, 4318 Arborway, stated they have heard a lot of numbers with regards to potential cost savings and it is important to remember in terms of the budget process that the proposal before them will be of a higher costs next year than the costs are this year. There is no costs reduction under the proposal in front of them. In a survey conducted by the City of its own employees and other employers that the compensation paid to the City is very competitive and is more generous than other public sector and private sector employers. Consequently the Task Force recommended that employees begin paying their fair share toward the costs of health coverage now. They would ask the Council to at least establish a policy that requires employees to begin contributing a specific percentage of their costs by a specific date. There were two separate studies done in 1992, one by the City's consultant, Mr. Freeman, that recommended over- hauling the retiree medical program. This recommendation was in March 1992 and action on that was deferred for the 92/93 fiscal year. A recommenda- tion came in October 1992 to overhaul the plan for future retirees and that proposal is being deferred again. He asked the Council to consider adopting a new plan that would provide benefits, based on service, to those retiring after 1994 in order to provide them with adequate time to advise employees of the change in the programs. He said the Council may wish to consider whether or not they would grandfather those employees currently eligible for benefits under the current plan. He thinks the time to take action is now.

H. R. Smith, 8501 Moody Road, stated he had read a lot of information and had been kept informed by City Staff as to the nature of the plans that is before the Council concerning the insurance program. He said he would support the recommendation of the Task Force, but does have a few problems with the recommendations he has read from the Task Force that was appointed by the Mayor. The Task Force argues that the City Health benefits are more generous than those for most local businesses. That may be true, but City Employees and retirees are different than employees of local businesses. He said he would go as far as to say they are unique and that no other local business provides such services as are provided by City Employees. Who protects citizens from a possible crime? Who protects them from fire and other disasters? Who collects the garbage and other items placed at curb side? Who picks up the dead carcass of animals from the streets and who picks up the vicious animals that are running lose on the street? Who do they call when you have a sewer problem in the neighborhood? Who keeps the streets in good driving and walking condition? Who keeps the water flowing to the homes each day? Who handles the every day complaint and problems when a call comes to the City for any service. He said that is just a few of the services and most of the services are 24 hour services. Most of the outside businesses do not operate 24 hours per day, seven days a week.

Mr. Smith said City Employees are very different and deserve to be treated different than the other local business employees. City Employees are the ones who dedicated themselves for long years in careers and representing the citizens of Charlotte. He recognized the City employees who have retired who were in the audience and stated he represents about 250 retirees as Co-Chairman of the Charlotte-Mecklenburg Governmental Retirees Association.

Mr. Smith stated one of the Task Force members made a comment that indicated the salaries of City employees were equal with local businesses. He said when he was a City employee he does not recall that they were being paid equal with the outside and he would dare say that any of the retirees

present would agree with this assessment by the Task Force. The Task Force also recommends setting up a different rate structure for the retirees. He paid the same rate the full time he was an active City employee as other retirees. He does not believe the retirees should be treated differently than other City employees. Mr. Smith stated he supports staff recommendation and would recommend that Council consider the impact of the Point of Service Plan before establishing a defined dollar approach to fund it or separate premiums for retirees and City employees.

W. A. Bowers, 2343 Remount Road, stated he was with the Charlotte Retired Firefighters Association, is over 65 and on Medicare. He has a supplement policy for himself and his wife with Provident. Mr. Bowers explained a printout which he had for a Cardiovascular stress test for $107. Medicare approved $91.54, and paid 80% or $73.23. Provident approved $62.36 and their benefit plan was $49.89. Medicare's portion left him a balance of $18.31 and since Provident only had $49.89 they paid nothing. Therefore he got no benefits from his policy. He said he had other bills similar to this one. They are talking about increased premium, but he does not see how they can increase premium and there is no way you can reduce benefits because it is already zero.

Michael Jackson, 6024 Ryder Avenue, stated he is a financial consultant with Merrill Lynch and health care and retirement benefits such as retirement plans are integral parts of financial planning which he does for his clients. For corporate clients, these benefits are being carefully considered for the impact they have on the employee and the company. Companies and employees have both been forced to make some difficult decisions about their health care benefit and other programs. He said he was personally a member of an HMO and is very conscious of the costs to himself and his company for these benefits. Through his profession and the daily news, he knows the citizens of this City are very aware of the costs from their pocketbooks of the benefit plans. He said he took a pole of ten people in his office and asked if they thought if was fair for City employees, and for taxpayers to pay for these benefits the City employees are currently getting? Their general reaction was that it was unfair for City employees to get benefit plans that far exceed anything that is even available to them. Another frequent reaction was "How do I get a City job". Mr. Jackson said when he was an Army officer he had full medical coverage, but in exchange for that the true costs to him was a much lower income, but that is not the case here in Charlotte. The health care plan being considered is one of, if not the most generous plans he has ever seen. He does not know of any of his hard working friends and neighbors who dutifully pay their city taxes that have a comparable plan. He said he believes in quality health care and believes the City of Charlotte needs a quality health plan for its employees, however it makes no sense for Charlotte to force the taxpayers to pay for a benefit that the taxpayers themselves cannot match, even if they wanted it. Cost sharing, deductible, co-payments and other incentives to control usage and costs are standard in private enterprise. He said he knows the government is often criticized for being slow to recognize reaction in changes, but this is not a new phenomena. If they were to ask the taxpayers of Charlotte to vote on this plan, their answer would be obvious. The Mayor's Task Force on compensation worked diligently to present a real world solution, a solution that represents the reality that the private citizens of this City already understand. As a taxpayer he asked the Council to reject the City Manager's proposed plan and strongly encourages them to adopt the plan proposed by the Mayor's Task Force now, not later.

Mr. Jackson stated he is adamant that City Employees should be treated fairly, but he is even more adamant that the taxpayers of this City must be treated fairly also.

Councilmember Campbell asked Mr. Jackson if he works for Merrill Lynch, to which Mr. Jackson replied yes. Mr. Campbell asked him if he has a CAP Plan?

Mr. Jackson stated they have two choices, he is a member of an HMO and they have a standard insurance coverage where they pay full deductible.

Mr. Campbell asked him again if they have a Capital Accumulation Program, where Merrill Lynch matches.

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Mr. Jackson stated not for all employees, only for certain executive level.

Mr. Campbell asked Mr. Jackson if he has one, to which Mr. Jackson replied no he did not. Mr. Campbell asked Mr. Jackson if he was part of the Merrill Lynch ESOP, to which Mr. Jackson stated all employees are. Mr. Campbell asked him if he had pension and profit sharing and Mr. Jackson replied yes. Mr. Campbell asked him if he realized the City employees do not have that.

Mr. Jackson stated he was not the consultant and the consultant said the employees of the City are fully ... He said he was not there to justify his compensation but the City employees is the issue.

Mr. Campbell stated he agrees with the consultants recommendation also, but Mr. Jackson said he took a pole in his office and he is sure Mr. Jackson put all the facts out so they could be fairly answered.

Mr. Jackson stated the people he poled were not other financial consultants, but the actual staff of the office which are probably more concerned about their cost than he is.

Councilmember Hammond asked Mr. Jackson if he had read the City Manager's recommended plan?

Mr. Jackson stated he read a synopsis of it and also read the letter. The thing that intrigues him is the letter which Mr. Loring presented to the Council.

Ms. Hammond stated that Mr. Jackson has suggested the Council reject the City Manager's plan which is a managed care plan with a Point of Service geared to creating a gate keeper to limit excessive use of medical care. She asked him why he would not support a managed care network that has this point of service control to it that will actually reduce the usage of health care as a whole. She is surprised that he wants the Council to vote against the Manager's plan.

Mr. Jackson stated he does not mean to say that he rejects every aspect of the plan, but the thing he finds most objectionable to the plan is the idea that they should wait on so many things. There are a lot of things that can be done now. He knows his health care contribution - they have not been waiting to have those costs go up and the amount he contributes on a monthly basis. The idea of moving to a managed plan makes sense. The Manager's recommendation also says deferring much of the cost sharing, which is an essential ingredient of all private sector plans to control usage and costs. That is not being addressed in the plan, whereas the Task Force says they endorse some of the aspects of the plan, but it needs to go beyond that. He feels if the Council goes with the direction of the Task Force, which incorporates the positive points of the City plan but adds to that the fact that they need to move now and not keep delaying the issue.

Councilmember McCrory, stated just because Mr. Jackson is speaking against his understanding, he is not speaking against all of the concepts within this bill, but only against the part regarding employee contribution.

Mr. Jackson stated the Task Force does not address saying deny the plan, but his point is that the Task Force has a more thorough and complete understanding of what the City should be doing.

Councilmember Martin asked if he understands correctly that Mr. Jackson has not read the City Manager's Plan which the Committee has approved for Council action.

Mr. Jackson stated he had not read the final and complete plan, but has read sections of it.

Councilmember Mangum stated it is very easy to say they need to move forward quickly and fast with things and cut to the bone, but as Mr. Campbell pointed out there are a lot of benefits to the private industry that is not available to the employees of the City. The Council has to guard very carefully against losing all the good employees to the private

industry because they move in too fast pace and cut benefits to the bone and end up with services that are suffering all over the community.

Mr. Jackson said he was in the military for ten years and understands how government benefits and programs work, but also understands the taxpayers are very concerned and the taxpayers are very interested in having a response.

Mr. Mangum stated he was sure they are and they are also concerned about having good services available to them from the City.

Dave Jones, 4838 Butterwick Lane, stated he was the Jones that is running against Councilmember Stan Campbell in District 5 in a Republican Primary next fall. He said he could not figure out why the City employees, his servants, as Ross Perot likes to say, should have the best health care plan in the City, perhaps in the state. Is it a just thing to say to the homeowners that they must pay for better health care for the City employees than they, the taxpayers have. He said he read what Mr. White had to say about all the stress the City employees are under and he has heard him say the same things at Council Workshops. How can they be under stress when Mr. White tells them right up front that there will be no lay offs in his rightsizing plan? How can they be under stress when they are promised free health care as long as they are an active employee and free health care when they retire until they die. These employees do not know what real economic stress is. However, as long as the City Manager continues to tell them that they are under stress he assumes they will decide they are.

Mr. Jones stated that Mayor Pro Tem Hammond had said she was a fiscal conservative when she was running for Council. Now we are going to see just how liberal or conservative she really is. If she is a fiscal conservative she will vote against this plan. There are five Republican Councilmembers who were elected as fiscal conservatives and if the vote is six liberals to implement and five conservatives votes to reject the plan, this will give the Mayor, a Republican, the opportunity to veto any attempt by the liberals to implement this plan. He asked the Council to vote 11-0 to defeat this proposed health care plan.

Joe Miller, 4413 St. Ives Place, stated he was a retiree from a private enterprise and there are thousands of those here in Charlotte. Luckily he does have some retiree medical benefits, however, most retirees who live in Charlotte and the taxpayers have nothing to compare with what the City of Charlotte offers their retirees and for which the taxpayers have to pay. In other words City Employees who work for the taxpayers have far better retirement health benefits than the ones who pay for it. Why should the taxpayers pay the City Employees for a gold plated benefit which they do not have themselves. The Council has been told that retiree health costs will costs the taxpayers $3.8 million in FY-93. They have been told on several occasions by Councilmember Reid that if retiree health care costs escalated just 15% per year, retiree health care will cost the taxpayers $31 million in 2010 over over $ .05 on the property tax at that time.

Mr. Miller stated Mr. White and his staff have been promising City Employees a benefit which is absolutely impossible for the City to deliver. Mr. White should have known as other executives knew ten years ago that a promise to continue retiree health care at no cost to the retiree would become impossible. Mr. White, in his relations with City Employees, acts like he is the savior of the employees and retirees and is their White Knight negotiating with the Council for them. He comes up with a plan, announces that it will be given to the employees and then presents it to the Council for their rubber stamp. Mr. White is the one who promised something to City Employees that will be impossible to fulfill. If he does not have the courage to tell City Employees and retirees the truth, then it is up to the Council, the elected representatives of the taxpayers to do it for him. The taxpayers of the City of Charlotte cannot afford to pay 100% of the retirees health care. Mr. Reid has told the Council that and has projected what it would cost in the future. Mr. Loring, Senior Vice President of NationsBank has told them that and a Compensation Task Force, made up of experienced, distinguished human resource executives has told the Council that. Mr. Miller stated Mr. Loring has told the Council the time has come for hard difficult decisions

and the City Manager will not make the difficult decision and is forcing the Council to do it. The Council should get on with it and let the employees and retirees know that what was negotiated for them was never possible.

Councilmember Scarborough thanked Councilmember Reid for his fan club tonight.

[Motion was made by Councilmember Martin, seconded by Councilmember]
[Scarborough to approve the recommendation of the Personnel and Finance]
[Committee regarding the health insurance plan.]

Mr. Martin stated it is clear that the cost of health care is certainly going up. Under the current plan the cost would go up by $3.6 million or 29.5%. Under the plan proposed the cost will go up by $400,000 or 3.2%.

Mr. Martin stated the City has been going through a very serious rightsizing activity for the past few years in order to reduce the number of employees and be more efficient in what they do and therefore reduce taxes and keep costs down for the City. This means more work demands on those employees the City has. He said the City Employees do not have profit sharing benefits because they are not in the profit making business and over the last few years the employees have not gotten wage increases, even on one increment bases that would keep up with the cost of living or the consumer price index. Mr. Martin said that City Employees and City retirees are also taxpayers and in fact the City Employees pay approximately $1.2 million per year in taxes. He feels that point needs to be understood.

Mr. Martin thanked Mr. Loring and his committee for their work as they helped to keep the Personnel and Finance Committee focused on what they have come up with. They are basically in agreement with what Mr. Loring and the Mayor's Task Force has come up with, but are suggesting they want to take it a step at a time and the first year go into the Point of Service Plan, and the next year move toward cost shifting to the employees. Mr. Martin stated they feel this is the only way they can do this program, measure the impact of it, provide better health service for the employees at a reduced costs. They do not feel that simply because the Task Force has suggested something that they could save $1.7 million more if they did what the Task Force said or actually cost each employee about $120 per year for that service. He said it may not sound like a lot of money to those in the private sector, but to some of the employees, it is substantial. He strongly supports the recommendation of the Personnel and Finance Committee. (Mr. Martin's words were Task Force, but have confirmed with him that he meant to say Personnel and Finance Committee).

Councilmember Majeed stated he could appreciate the two tier aspect, and they need to change, but feels the change should be more gradual. He feels they need to understand that there is going to have to be some facilitation of change and it appears that the Committee has done an appropriate job that reflects moderation. In order to be most cost efficient, on this carrier/provider level, if they are comparing carrier to carrier, they should break it out to provider and on that level they may be able to deliver services at a more cost effective price. As they review this aspect for next year, he believes they will have to shift more to the standards out in the general market place.

Councilmember Clodfelter stated he supports Mr. Martin's recommendation as far as it goes and that is to implement the Point of Service Plan with Provident. He said he has had occasion over the past few months to learn more about that than he ever expected to, but they have just implemented a Point of Service Plan with Provident at his law firm and done it with cost sharing at all employee levels. He said he looked at the various premiums his employees pay for individual coverage, employee and child, employee and spouse and for full family coverage. These are very very substantial premiums and in light of what the Task Force has recommended by way of cost sharing, it is a very modest cost sharing recommendation relative to the cost which his employees pay. If the City program adopted the Task Force recommendation, it would still be substantially better than the POS program his firm has just adopted with Provident.

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Mr. Clodfelter stated the benefits piece was part of a larger recommendation out of the compensation task force. It was only one part and there were other pieces. There was a beginning of a discussion in the Personnel and Finance Committee of the other parts of the compensation package, in particular, change in pay grades to a banding system and the whole concept of incentive pay and performance pay. He stated he appreciates the fact that they do not offer certain kinds of benefits in public service that are available in the private sector as Mr. Campbell pointed out some of the examples in his questions. One of the things the City could offer and one of the things the Council has talked about in the past is to get on with adopting a performance pay, an incentive pay element that rewards good service, productivity, creativity, loyalty and high quality in the employees. One of the more interesting things from the Task Force report was their recommendation was the costs they save be plowed back into the employee compensation system to help fund an incentive and performance pay system. Frankly, it may be the only way they can get that jump started because with the squeeze on the City budget all the way around, Council will be scrambling to find ways to come up with financial incentives. He said he did not think that was an unfair trade and is sorry they are not taking that step now.

Mr. Clodfelter stated he heard Mr. Wilder say in his remarks that the issue of cost sharing with current employees and retirees is not a question of whether but a question of when. He said he was not really sure about that and perhaps the Council needs to say that as a matter of policy. He heard Mr. Loring say just tell them the schedule and say when if not now. He said he agrees with Mr. Loring on that. He feels they could do that now and still give City employees a more favorable plan than what is available in the private sector. They could use the cost savings to implement an incentive pay program now and not wait as they have done since 1989.

Councilmember Wheeler stated she is on the Personnel and Finance Committee and did not vote to support the Manager's recommendation. She supports the Point of Service Managed Care Program and commend the staff for taking that lead, however, she agrees with the Compensation Task Force recommendation of shifting more of the cost to the employees. According to the report they could save an additional $1.7 million if more of the health costs were shifted. The Task Force recommended the dependent coverage be shifted to 50% rather than what they are paying now. Ms. Wheeler read the recommendation from the Task Force, that a portion of the dollars saved through the benefits recommendations should be used to fund merit, performance, bonus and value added incentive programs. A savings share formula could be used as a guide, for example, for every dollar of actual savings recognized, $ .50 could be used in developing and implementing programs that will ultimately result in a more efficient and highly motivated workforce. Ms. Wheeler stated she feels they need to bite the bullet now. She feels they have a superior workforce. She has lived in seven different cities before coming to Charlotte and there is no finer place than Charlotte, North Carolina according to the services provided and the personnel who work for the City. She feels they have got to start shifting some of this costs to the employees as it is done in the private sector. It will be easier on employees to go ahead and bite the bullet now rather than add more stress and worrying about what report the Manager will come in with in October and going to the next budget session. She also feels they need to adopt new retirement benefits for those retiring in 1994 and does not agree with grandfathering it. She said she could not support the motion.

Mr. McCrory stated he feels now is the time in the business sector and the private sector to control the costs. The statistics presented show that the City health care costs are too high and far above the average. Because of that he feels they should have more employee contribution like they do in the private sector. He said they should get out of the game of what you get in the private sector and whether you invest in the company or stocks and what you get in the public sector versus retiring at the age of 40 and getting benefits for a long time. There are pros and cons to each and everybody makes that choice when they enter the job sector. At the same time they basically have a choice in which they can ask the taxpayers to subsidize the current system or ask the employees to help subsidize, at a fair rate, and help share in cost the current benefits system. He feels

they should get the employees more active in this. He empathizes with some of the stress and other pressures they are under, but does not think it is unique to the employees of the City of Charlotte, because he sees it all over, in his corporation, the same stress, moral problems, concerns about what is going to happen tomorrow, but it is not unique to his organization.

Mr. McCrory stated he commends the City Manager in one regard and feels some of this effort is an improvement, but it does not go far enough.

Ms. Hammond asked Mr. Martin if he would accept an amendment which is in the spirit of the Manager's recommendation and the Task Force recommendation, that Phase II which causes the modification to the cost sharing arrangement and the amendment to the retiree health insurance to be implemented for the FY-95 budget. They would have the Point of Service changes for the FY-94 budget and this Council would by its own motion set the deadline for the remainder of the recommendations for the FY-95 budget. She said she feels both the Human Resources staff and the Task Force have done a very good job and the recommendations are good. She does support phasing these in over a two-year period, but thinks Mr. Loring's point that they need to be up front with employees and citizens about what their intensions are. If they intend to adopt these changes, go ahead and set out a time table to do that right now. Ms. Hammond stated she would like to have that incorporated into the motion if the maker of the motion is willing.

Mr. Martin stated he has spoken as the Chairman of the Personnel and Finance Committee and some may not know that he is a City Employee, but is also eligible for Medicare and has a social security supplemented insurance program which he pays for and which supersedes whatever benefits he might get here. Perhaps the question should be, should he even be voting or making any motions, but every thing he has said was on his role as Chairman of the Committee. He feels the Attorney needs to make a decision on whether he should be excused before he makes any further comment.

Henry Underhill, City Attorney, stated under the Code of Ethics, the Council needs to determine if Mr. Martin has an interest and whether or not that interest arises to the level of a conflict of interest. Mr. Underhill stated that Mr. Martin most likely has an interest and it would seem to him that Mr. Martin is a City Official and is eligible for retiree insurance benefits as a retired City employee. The fact that he has an interest does not mean that he has a conflict of interest. Mr. Martin has disclosed his interest and it is up to the Council to determine if that interest is such that it would keep Mr. Martin from voting on this matter and if so they need to excuse him.

[Motion was made by Councilmember McCrory, seconded by Councilmember]
[Mangum, to excuse Councilmember Martin from voting on this matter.]

Councilmember Reid asked Mr. Martin how he feels about voting on this issue?

Mr. Martin stated he feels it is a matter for the Council to decide. He has tried to fill his role as chairman of the committee, but Mr. Underhill is correct in that is something he needed to reveal. He feels it is the Council's call.

The vote was taken on the motion to excuse Councilmember Martin and was recorded as follows:

YEAS: Councilmembers Campbell, Clodfelter, McCrory, Reid and Wheeler.
NAYS: Councilmembers Hammond, Majeed, Mangum, Patterson and Scarborough.

The vote resulted in a tie, therefore Mayor Vinroot voted in favor of the motion to excuse Mr. Martin.

The City Attorney ruled that since Mr. Martin had made the original motion that a new motion would be in order.

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[Motion was made by Councilmember Hammond, seconded by Councilmember]
[Scarborough, to approve the Committee recommendation with an amendment]
[to direct the staff to implement Phase II, which is the cost sharing]
[and retiree health insurance changes for the FY-95 budget, by imple-]
[cation the Point of Service, changes would be implemented in the FY-94]
[budget.]

Mr. Reid stated as a member of the City Council Personnel and Finance committee, he has been involved in this health care evaluation from the beginning. The members of this committee are Hoyle Martin, who has done a yeoman job, Mayor Pro Tem Hammond, Ella Scarborough, Lynn Wheeler and himself. He considers this health care issue one of the most important issues which has come before the Council since becoming a member. It is extremely important to the taxpayers of this City for the following reasons: There are huge sums of money involved, as an example the cost of retiree health care alone, using a conservative 15% per year growth rate will increase from about $3.8 million this year to over $31 million in the year 2010. The facts which he plans to present will show that government is somewhat out of control and does not have the will to change itself. It refuses to face the realities that most companies in the private sector and other governments have already faced. The issue will provide an oppportunity for the voters of this City to clearly see which members of this Council are serious about downsizing government and protect the interest of the taxpayers. It will provide the taxpayer an opportunity to see how big government is providing better health care for itself than those who are paying the bills.

Mr. Reid stated he prepared four slides to show because he thinks it is important that everyone watching know what the employee benefits are. He said the slides are the essential elements of the proposed employee health plan and what the employees would be getting. He said he would like for the citizens to compare this with their own plan to see how much better it is than their own. He said the plan has no cost to City employees and there is no deductible except for $150 when they go to the hospital. The plan would pay 85% of the first $10,000 and the employee pays a maximum of $1,500. There is $150 deductible for hospital confinement and compared to the private sector they will find it runs from $200 to $600. The employees get a prescription drug card which costs a maximum of $10 for a name brand drug and $5.00 for a generic drug. The employee can go to a doctor for most any kind of ailment or illness, shots, wellness program and the maximum costs to employees is $15.00.

Slide No. 2 - Mr. Reid stated employees get dental insurance and preventive dental is paid 100%. Basic services are paid at 80%, major services 50% for a maximum of $1,000 per year. He said most people in the community do not even have dental and those who do are paying for a good part of it.

Slide No. 3 - Employees receive one day per month sick leave or 12 days per year. Mr. Reid stated his employees receive 15 days per year and that includes vacation and sick leave. Short term disability, 50% of their salary for six months, after seven days waiting they receive long term disability. Life Insurance equal to two times their annual salary up to a maximum of $100,000 and the same for accidental death and dismemberment. Dependent life is paid by the employee.

Slide No. 4 - Employee dependents, a maximum cost to the employee of $135 per month for a family. Retirees after 20 years of service, gets the same benefits of full time employees. The retiree dependents are paid 50% by the retiree.

Mr. Reid stated this is a synopsis of the employee health plan currently being proposed by the City Manager. There are some real important facts about the development of this plan which he feels needs to be revealed. Several months ago the Mayor appointed a Task Force composed of some of the leading human resource executives in this City. Also included in this committee was the City's Human Resources Director. This committee met for several months and at the same time, unknown to the Mayor's Task Force, a team appointed by the City Manager was developing its own plan. Both plans were presented to the Personnel and Finance Committee at the same time by City staff. As far as he can tell, the City Manager's plan does not

include a single one of the changes that is recommended by the Task Force. The Committee was asked to ignore the Task Force plan and to recommend immediately that the Council accept the City Manager's plan. They were asked to approve the Manager's plan without giving the Task Force the opportunity or the courtesy to review the Manager's recommendations. After much debate two members of the committee were able to get the vote postponed until the Mayor's Task Force had an opportunity and Mr. Loring was able to submit a letter. He said the essence of the letter was to restate the Task Force position and the reasoning behind its proposal. He quoted the recommendation: "based on the two independent evaluations by the Task Force and by the consultant to the City, recommendations have been made to overhaul the medical program, adopt a defined contribution approach to retiree medical benefits and increase employee premiums for medical and dental coverage. The City staff's response to these recommendations have been to study the matter further or otherwise delay the implementation of these costs shifting strategies. The cost shifting strategies would be prudent in any business situation and are certainly competitive within the market for the public or private sector. It is far too easy to simply continue to defer these hard decisions". He said the letter was signed by Charles Loring, Senior Vice President of NationsBank.

Mr. Reid stated the major differences between the two plans are, the Task Force recommends an 80% reimbursement instead of the 85% in Manager's plan. It recommends a $200 deductible instead of the $150 recommended by the Manager and the major difference is that the Task Force recommends that the employees and retirees begin to share the increased costs. These changes, if adopted, would save the City an additional $1.7 million in the up coming year. Mr. Reid said the City does have a fine group of employees who deserve to be adequately compensated including a reasonable health care plan. The unfortunate truth is that they are victims of big government, operating out of reality. He said the City Manager is asking for a further postponement, stating that the downsizing process has been painful enough for the City employees. He knows the City employees are very intelligent people and apparently he has more confidence in them to understand this problem than the Manager does. They realize that city bureaucracy has grown too big with too many people in some areas and they also know about the tremendous costs of health care and how their relatives, friends and neighbors in the private sector have already been required to bear part of the health costs. The real question is which is more painful - face it now or go through another year of uncertainty. He believes the prolonged rightsizing process has caused great pain that could have been avoided, had the Manager just leveled with employees and concluded in three months that has taken one to two years. Further delay places more uncertainty on the backs of employee and retirees and that is what he calls painful.

Mr. Reid stated this is a very painful situation for him because he is being forced to do what he believes the City Manager should have begun years ago. The Mayor's Task Force has studied the situation and have recommended a fair realistic plan.

[A substitute motion was made by Councilmember Reid to direct the City]
[Manager to implement the recommendation of the Mayor's Task Force]
[regarding health care by September 1, 1993. The motion was seconded]
[by Councilmember Wheeler.]

Councilmember Patterson stated she was going to make a different motion, but she thinks the Mayor's Task Force did a great job. She said she was distressed that the Council got a package from the Mayor's Task Force that covered incentive pay for employees, medical benefits, addressed the retirement benefit issue because Mr. Reid is right. That is going to eat them alive if they do not find a way to put a fixed costs per year on what they do for retirees. She said her problem with the committee recommendation is that it is not a total package. It is a piece meal deal and she cannot support Ms. Hammond's motion because she feels this should all be done at one time so the benefits of the savings go back in large part to the employee incentive program. That is part of what made it work. She feels the Manager is correct, the City employees have been through a tough time and she does not know if doing it faster would have made a lot of difference, but also believes that dragging this out is not going to make it any easier. This is something the Council is going to be forced into,

if not this year, the next and the following year. The reality is that pieces that seem to be most offensive, which is restructure the premium structure for retirees, the committee asked to phase in over three to five years. She said her preference would be to send this back to the Personnel and Finance Committee. She realizes everyone is saying it is costing too much money, but she feels between now and July 1 they could get this right because they have a good basis going into this. It could feel fair to employees instead of feeling what it is going to feel like over the long run. They are going to adjust the employee health benefit side, but they are not going to do anything about the incentive side. Not in a way that it can be linked and the employee can really see what they are really about is turning half of all the savings back into the employees pool for incentive pay and bonuses. She feels they are making a big mistake in trying to do this piece meal. She said they cannot wait on the medical side of it, but does not feel they can do it without the other side without creating really negative feelings on the part of employees. She said she would love to make a motion to send this back to the committee, but there are two motions on the floor already.

Councilmember Campbell thanked the Task Force for their work and believes it is the direction in which they should proceed. He referred to an article in Forbes Magazine which laid out how they run their health insurance program and it is along the line of what Ms. Patterson was talking about in terms of incentive based. For example if they gave every employee $1,000 medical allowance and at the end of the year if the employee has not used it, they get that $1,000 or the portion not used as a bonus. The insurance policy would cover catastrophic insurance and anything over $1,000 per individual so that is an example of one company trying to attack or get at the root of the health care problem. As a result their costs had gone down in terms of what it costs to provide health care for their employees.

Mr. Campbell stated this is an issue ~~to~~ which the most sophisticated companies in the country are having to deal with. City employees are part of the greater community they serve and therefore they are not immune to the trends shaping or facing society. He said it comes down to where they will offend somebody by what the Council does and there is no way out of it. He said he would side with the Task Force and move to get on with the issue as he feels that is the better course of action, more so than the Manager's plan.

Councilmember Scarborough stated it is interesting to hear the things that Have ~~has~~ been said around the table. One of the things that has not been said is that there are employees who do not make the kind of money that will allow them to shift in their budget the amount of money they are talking about. There are times when she cannot afford a penny added on to something she has NOT ~~never~~ planned for. In this case, if they, phase in a portion in the 1994 budget and come back with the employees' understanding that in 1995 it is going to hit, it would give them a better planning process in their personal budgets. It may not for some of the Councilmembers, but for her and her two children, one penny added to her budget is something else. There are employees who feel just like she does and when they change they need time to see how it affects their budget. Some who make a lot of money do not care and do not consider employees from that perspective, but she has to because that is where she sits and that is the way she sees it. She hopes the Council understands they are going to do this, but the real deal and the bottom line is that it has to be done, but the other part of that is when it is done is very important. There are people in the City who it does make a difference if they do not have time to plan this kind of change in their lives.

Ms. Hammond stated she is listening to the conversation and beginning to pick up, what she believes are some common strains and wonders if they can find a solution in which most of them can feel comfortable with ~~in~~ moving forward tonight. The Manager's plan is Point of Service Medical Care Network. The Task Force agrees and endorses Point of Service Network. She said she would like to see the Council go ahead with the Point of Service Managed Care Plan as recommended tonight and save those potential costs of delay that have been quoted at $250,000 per month and let the staff move forward on that. That is one unit that can move ahead independently now.

mpl

She would like to see the Council deal with the internal to the City budget items, which include cost shifting, and the limitations on the retiree benefits and postpone dealing with those until they are dealing with the full compensation picture as Ms. Patterson and Mr. Clodfelter suggested. Either put that back in the Committee where they are looking at compensation as they did in the Personnel and Finance Committee. She does not believe there is any reason why postponement of the cost shifting issue would prevent the Manager from going ahead with the Point of Service Plan with Provident.

Mr. White said it would not.

Ms. Hammond said if the Council gave the Manager the go ahead with Provident he could begin implementation and avoid costing the taxpayers the extra money that would come as a result of a delay for that. They will continue to keep the cost shifting and retiree medical benefit on the table and deal with that in the context of the total compensation package as part of the budget deliberation.

Ms. Patterson asked Ms. Hammond if she was saying that by July 1 they will have resolved that?

Ms. Hammond stated they will have resolved that and would have a resolution by July 1 for this up coming budget and look at it as part of the total compensation picture which it is. Ms. Hammond asked the Attorney if she could withdraw her main motion and make a substitute motion?

Mr. Underhill told her she could amend her main motion.

[Councilmember Hammond amended her original motion to adopt the Point]
[of Service Plan and direct the Manager to proceed with that tonight,]
[to defer or put back into committee the cost shifting and retiree]
[medical changes to be considered in the context of the total compensa-]
[tion package which is in that committee.]

Councilmember Scarborough was the seconder of the main motion and would not accept the amendment suggested by Ms. Hammond. Later in the meeting Councilmember Majeed seconded the motion.

Mr. Majeed asked if the Point of Service is approved, is this where the incentive comes in and goes back to the persons who are operating ideally within that plan.

Ms. Patterson stated she assumes what Ms. Hammond is suggesting is the rest of the recommendation from the Task Force, which includes a number of things which are not on the plate tonight. It includes costs sharing on health care benefits, retirement benefits and incentive pay and that would go back to the Committee then come back to Council as part of the budget recommendations on a total compensation program.

Mr. Majeed stated he likes that incentive because it makes people think about not wasting the dollar and using it more effectively.

Mr. Clodfelter stated he could not support Mr. Reid's motion because there are some things in the Task Force report which they have not really talked about and his motion is to do the Task Force report. One recommendation is that they eliminate the accidental death and dismemberment. That is one where he does agree with the Consultant, especially for the public safety employees. He is not ready to say they should give up that benefit, especially in the Police and Fire area. There are also things in the package where he differs with the Task Force. He said the Task Force has changed their recommendation and go along with the Manager's recommendation to implement the Provident Point of Service Program. He agrees with that and feels they should do it because it will decrease the cost substantially.

Mr. Clodfelter stated he would like to see a motion which commits the Council that in the budget effective July 1 there will be cost sharing at both the active level and some defined contribution at the retiree level. He said he was comfortable if the Council wanted to take another Committee meeting or two and talk more about the details of what the cost sharing

formula is. Mr. Clodfelter stated part of the Task Force recommendation is that part of the cost savings be tied back into improvements to the incentive pay package. He realizes the Manager cannot design that by July 1, although they adopted a Task Report three years ago that said they would have a new one and they don't have it yet. In principle, they are still committed to using a portion of those cost savings as the Loring Committee recommends for an incentive pay program.

Mayor Vinroot stated that the Attorney just informed him that all Council Members are covered under the City's health insurance plan and in addition several Council Members insure their spouses and dependents. He further stated that all the Councilmembers except Mr. Martin is serving as a part time part of their business and he does not think that rises to the kind of conflict which took Mr. Martin, who was a full time City employee, now retired, out of the voting on this issue.

The Mayor said he did not have a perfect solution about what to do but would like to share his overall views that lead him to the conclusion of what they are doing. He has heard a rather aggressive stance by a number of people in support of the recommendation of the Task Force and he feels that is good. He thinks the Task Force in their qualifications and in their work product are almost unassailable. They could not have had a better group of people look at this problem and give the Council a wonderful work product. He has heard the Council say the Task Force is right. Some say do it now and some say do it a little later, but everybody has said they agree with the Task Force. He said in response to Mr. Smith who pointed out the different things City employees do, they answer fire calls and do Police work and various other things, and he is right. The committee said the City is out of step with private and public employers across the board and that is the problem. One of the things he liked about the report was it did not suggest reducing these costs, but suggested setting in motion an incentive plan, converting government, this government, the best city government in the world, to an even better city government that works under an incentive plan. He feels that is a key element in this recommendation and it must be in the solution, whether they do it tonight or have someone do it for them, and he believes the Manager is the one to do it for them, not the committee.

Mayor Vinroot stated the Task Force worked. They asked a high quality group of people to tell them what they thought and they spend a lot of time and effort, spent a lot of time with Bill Wilder, Director of Human Resources, and it worked. They have other Task Force who have given the Council some recommendations which he also thinks can work and give them a even better city government that is more fair to the employees and to the taxpayers and gives a method of rendering city services. He said whether they vote to do it now or later, he hopes they will vote to direct the City Manager to come back with an implementation plan of the Task Force as soon as possible, and not have the City Committee try to come up and figure out the details. If the Council thinks the Task Force is right, just tell the Manager that and tell him to come back as quickly as possible with an implementation plan of this recommendation, including his even better recommendation that they have the Point of Service and Managed Care Plan as part of the recommendation.

Mr. Mangum stated he agrees with Mr. Clodfelter with regards to Police Officers and Firemen who are putting their lives on the line daily, the dismemberment section of the insurance is something which he feels should remain in and as long as that remains he can support the Task Force recommendation, but he cannot take that away from the Police and Firemen.

Mr. Reid stated he would like to address Mr. Campbell's concern and to include the accidental death and dismemberment and to reinstate that. He would also like to recommend that the Manager take any savings and include it in his plan for whatever incentive plan may be and leave his motion in place.

Mr. Mangum asked Mr. Reid if he would put a deadline on that by July 1, to which Mr. Reid said he would add by July 1.

mpl

Ms. Hammond asked for a clarification on Mr. Reid's comment regarding all the savings to be placed into an incentive.

Mr. Reid stated whatever the Task Force recommended on the savings.

Ms. Hammond stated it was $ .50 on the dollar and what she is trying to determine is, does Mr. Reid want that to reflect the $3.2 million savings from the staff's recommended Point of Service Plan or just the addition from the Task Force of the $1.7 million.

Mr. Reid said he would be willing to listen to whatever the City Manager had to allow there and try to decide.

Ms. Patterson suggested they say it has to be half of hard dollars. The savings in health care are based on what they anticipated the costs to be next year. They are still $400,000 more than it was going to be next year.

Mr. White stated it is not a simple matter to design any kind of incentive program and especially the one the Council is talking about in which they would share the savings in this short length of time.

Ms. Patterson stated they could put the money in a pool and the Manager could give the Council the parameters in September.

Mr. White stated that is one point, but they have said they do not think it is necessary for this to go to Committee and he agrees. Sometimes the work of the committees just delays staff getting to the issue. He was told that it was a shame that he surprised the Task Force by having worked on this. Without the Task Force staff would have been working on this, so on the one hand it is said that it was necessary for the Manager to do this work as it was his responsibility, but on the other hand, the same speakers says, "but you should not have surprised them".

Mr. White stated it is the responsibility of the Manager and the Council to find that balance because they do not have collective bargaining in this State and it is a very difficult balance to find. There has been no negotiations between himself and any group in the workforce that is not approved by state law and would not be. He said he stands before the Council pleading guilty to having concerns for the workforce in order to get the public's work done. He stated he wanted to remind the Council that during the past year they have generated tremendous savings for this organization to be described on the one hand, as big government with all the inefficiencies that that replies, and then for the Mayor to say it is the best in the world, he does not think either one of those statements are accurate, but he has strived to improve. He believes everybody he represents as the chief employee of the City does that. He asked the Council to give him six votes of what they want and he will endeavor to deliver.

Ms. Patterson asked for clarification on the substitute motion.

Mr. Reid stated the motion is that they accept the Task Force recommendations, except the accidental death and dismemberment should be included, that they instruct the City Manager to take half of hard dollar savings and apply that to some kind of compensation plan which he will devise and bring back to Council; that the Task Force recommendations are modified to include the Point of Service - Provident Managed Care. The effective date will be July 1, 1993.

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

YEAS: Councilmember Campbell, Clodfelter, McCrory, Mangum, Martin, Patterson, Reid and Wheeler.
NAYS: Councilmembers Hammond, Majeed and Scarborough.

Mr. Mangum stated to the City Manager that he admires him for the fact that he sticks up for the City Employees and it is his job to do that as well as manage this community, because without the good employees they are not going to have the services. He said he wanted the Manager to know that he

holds him at fault for at least trying to take care of the employees of this community.

mpl

CHARLOTTE

Meetings in May '93

THE WEEK OF MAY 3 - 8

3, Monday

12 00 noon — PLANNING COMMISSION/Work Session - CMGC, 8th Floor Conference Room

2 00 p m — PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room

3 30 p m — CITY COUNCIL COMMUNITY DEVELOPMENT AND HOUSING COMMITTEE - CMGC, Room 271

5 00 p m — CITY COUNCIL WORKSHOP - CMGC, Conference Center

5, Wednesday

4 00 p m — CITY COUNCIL PERSONNEL AND FINANCE COMMITTEE - CMGC, Room 270

6, Thursday

4 00 p m — CITY COUNCIL PUBLIC SAFETY COMMITTEE - CMGC, Room 270

THE WEEK OF MAY 10 - 14

10, Monday

9 00 a m — AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - New Convention Center Office, 2940 One First Union Center

5 00 p m — COUNCIL/MANAGER DINNER - CMGC, Conference Center

6 30 p m — CITIZENS HEARING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

7 00 p m — CITY COUNCIL MEETING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

7 00 p m — HISTORIC LANDMARKS COMMISSION - Thies Bldg , 500 N Tryon St , Suite 200

11, Tuesday

8 00 a m — AIRPORT ADVISORY COMMITTEE - Charlotte-Douglas International Airport, Conference Room A

3 00 p m — HOUSING APPEALS BOARD - CMGC, 5th Floor Conference Room

12, Wednesday

8 00 a m — CLEAN CITY COMMITTEE - CMGC, Room 270

8 30 a m — CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room

9 30 a m — CIVIL SERVICE BOARD/Hearing (Closed) - CMGC, 7th Floor Conference Room

3 00 p m — HISTORIC DISTRICT COMMISSION - CMGC, 8th Floor Conference Room

4 00 p m — CITY COUNCIL TRANSPORTATION COMMITTEE - CMGC, Room 270

13, Thursday

8 30 a m — CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room

2 00 p m — ADVISORY ENERGY COMMISSION - Hal Marshall Center, 700 N Tryon St

4 00 p m — CITY COUNCIL PLANNING COMMITTEE - CMGC, Room 270

7 00 p m — YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center

(CONTINUED ON BACK)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF MAY 17 - 21

17, Monday

3 30 p m CITY COUNCIL REGIONALISM COMMITTEE - CMGC, Room 270

5 00 p m COUNCIL/MANAGER DINNER - CMGC, Meeting Chamber Conference Room

6 00 p m CITY COUNCIL MEETING/Zoning Hearings - CMGC, Meeting Chamber

18, Tuesday

2 00 p m HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard

4 30 p m COMMUNITY RELATIONS COMMITTEE - Little Rock AME Zion Church, 401 N McDowell St

19, Wednesday

8 30 a m CIVIL SERVICE BOARD/Hearing (Closed) - CMGC, Room 118

5 00 p m CITIZENS CABLE OVERSIGHT COMMITTEE - CMGC, 7th Floor Conference Room

7 00 p m METROPOLITAN PLANNING ORGANIZATION - CMGC, Conference Center

20, Thursday

4 00 p m CITY COUNCIL PUBLIC SERVICES COMMITTEE - CMGC, Room 271

4 30 p m TRANSIT ADVISORY COMMITTEE - Transit Maintenance & Operations Ctr , 901 N Davidson St

7 00 p m CHARLOTTE TREE ADVISORY COMMISSION - CMGC, Room 270

THE WEEK OF MAY 24 - 28

24, Monday - 26, Wednesday

CHAMBER INTERCITY VISIT - Minneapolois, Minnesota

24, Monday

3 30 p m CITY COUNCIL COMMUNITY DEVELOPMENT AND HOUSING COMMITTEE - CMGC, Room 271

3 30 p m PLANNING COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room

4 30 p m PLANNING COMMISSION/Work Session - CMGC, 8th Floor Conference Room

25, Tuesday

1 00 p m ZONING BOARD OF ADJUSTMENT - Hal Marshall Center, 700 N Tryon Street

2 00 p m CMUD ADVISORY COMMITTEE - Utility Department, 5100 Brookshire Blvd

26, Wednesday

7 45 a m PRIVATE INDUSTRY COUNCIL - CMGC, Conference Center

4 00 p m CITY COUNCIL PERSONNEL AND FINANCE COMMITTEE - CMGC, Room 118

5 00 p m BUDGET PRESENTATION TO CITY COUNCIL - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

27, Thursday

4 00 p m CHARLOTTE-MECKLENBURG ART COMMISSION - CMGC, 8th Floor Conference Room

4 00 p m CITY COUNCIL PUBLIC SAFETY COMMITTEE - CMGC, Room 270

7 00 p m YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center

MAY 31

MEMORIAL DAY/CITY HOLIDAY All Offices Closed

-30-

These organizations do not have meetings scheduled in May:

Firefighters Retirement Board
Insurance & Risk Management Advisory Board
Parade Permit Committee

CHARLOTTE

Mayor Richard Vinroot *Mayor Pro Tem Ann Hammond*

Stan Campbell *Hoyle H Martin*
Daniel G Clodfelter *Cyndee Patterson*
Patrick McCrory *Don D Reid*
Nasif Rashad Majeed *Ella Butler Scarborough*
Thomas A Mangum *Lynn M Wheeler*

Council Agenda

CITY COUNCIL MEETING
Monday, May 10, 1993

5:00 p.m. Conference Center

- Success By Six

6:30 p.m. Meeting Chamber

- Invocation
- Citizens Hearing

7:00 p.m. Formal Business Meeting

CITY COUNCIL AGENDA
Monday, May 10, 1993
TABLE OF CONTENTS

Item No.		Page No.	Attachment No
1.	Approval of Minutes	1	
2.	Consent Items	1	
3.	Reports of the City Manager • City-Within-A-City Strategies	1	
	PUBLIC HEARING		
4	New Law Enforcement Center Financing	1	
	POLICY		
5.	Law Enforcement Center Property Transfer	2	
6.	Police Consolidation	3	
7	Personnel and Finance Committee Recommendation on Employee Benefits	4	
8.	Public Services Committee Recommendation on the Capital Improvement Program	4	
9.	Regionalism Committee Recommendation on CUDC Board	4	

Item No.		Page No.	Attachment
	BUSINESS		
10	Hearing on Waltek Withdrawal of Bid-New Convention Center	5	
11.	Project Lift Contract	6	
12.	The Community Works Loan	7	1
13.	City-Within-A-City Loan - Kiddieland Daycare	8	2
14.	Set Public Hearing on FY94 and FY95 Budget	9	
	CONSENT I		
15.	VARIOUS BIDS	10	
	A. Sanitary Sewer and Water Main Construction - Contract 13		
	B. General Construction - Contract A1-Administration Building Sugar Creek and Irwin Creek Administration Building and Contract D1 - Trucked Wastewater Receiving Facilities (Irwin and McAlpine Creeks)		
	C. Electrical Contract A4-Administration Building Sugar Creek and Irwin Creek Administration Building - Electrical Contract and Contract D4 - Trucked Wastewater Receiving Facilities (Irwin and McAlpine Creeks)		

Item No.		Page No	Attachment
	D. Plumbing Contract A3 - Administration Building Sugar Creek and Irwin Creek		
	E. HVAC Contract A2 - Administration Building Sugar Creek and Irwin Creek		
	F. Woodlawn/Scaleybark Intersection Improvement		
	G. Map Copier		
16	Audit Services	12	
17	Housing Code Enforcement	12	3
18.	Gannett Fleming Amendment	13	
19.	Camp Dresser & McKee	13	
20	Speed Limits	13	
21.	Tax Refunds	14	4
22	Resolution and Declaration of Surplus Equipment	14	5
23.	Set Joint Public Hearing on County Storm Water Fee For City Residents	14	
24.	Municipal Agreement - High Occupancy Vehicle Lanes	15	
25.	Encroachment Agreement	16	

Item No.		Page No.	Attachment
	CONSENT II		
26.	VARIOUS BIDS	16	
	A. Masonry - New Convention Center		6
	B. Miscellaneous Metals - New Convention Center		
27	Resolution Restructuring Art Commission	18	7
28.	Property Transactions	18	
29.	Information for Meeting Minutes	21	

Item No.

Approved as written.

1. **Approve Minutes of:**
- March 15 Briefing
- March 15 Zoning
- March 22 Briefing
- March 22 Citizens Hearing
- March 22 Regular Business Meeting
- March 29 Rightsizing Workshop

Move Consent Agda as written.

VOTE ON CONSENT ITEMS

2. **Agenda items 15 through 29 may be considered in one motion except for those items removed from the consent agenda as a result of a Councilmember making such a request of the City Clerk prior to the meeting.**

3. **Reports of the City Manager**

City Within-A-City Strategies

Staff Resource: Del Borgsdorf

PUBLIC HEARING

4. **New Law Enforcement Center Financing**

Res # 6
B-31
p- 65

Action: **Conduct a public hearing on a proposed plan for the financing of the new Law Enforcement Center through the use of an installment payment contract.**

Staff Resource: Del Borgsdorf

Background: At the April 26, 1993 meeting, Council approved the installment payment contract financing of the new Law Enforcement Center up to $14 million

Move to close public hearing & approve as written

Finance

POLICY

5. **Law Enforcement Center Property Transfer**

Action: Approve the agreement between the City and the County on the transfer of the existing Law Enforcement Center (LEC) property to the County.

Staff Resource: Del Borgsdorf

Explanation of Request: Formal approval of this Land Transfer Agreement will allow

- the City to begin design of the new Police Headquarters
- the County to continue design of the new jail and
- demolition on the LEC property

Mayor who to approve

Unan.

Background: In an April 1991 joint meeting with County Commission, City Council voted to vacate the existing LEC to allow the County to construct a new jail on this property On September 14, 1992, City Council reiterated their commitment to transfer the existing Law Enforcement Center land to the County for jail purposes.

The Land Transfer Agreement will complete the agreement between City Council and County Commission on the transfer of this land The highlights of the agreement are:

Financing

- County will pay to the City $21,250,000 which includes $7,120,000 for the purchase of land for the new Police Headquarters
- County will fund $4,000,000 immediately so design can begin

2. RE

6. Consolidation of the Charlotte Police Department and Mecklenburg County Police Department

Action: Request Council approval of CONSOLIDATION by the Mecklenburg County Commission approving consolidation of the Charlotte Police Department and Mecklenburg County Police Department.

Staff Resource: Don Steger

Explanation of Request:

Mtn Approval
Scar / Morgan
/ NO VOTE - Don Reid

On May 3, 1993, the Mecklenburg County Board of Commissioners passed a resolution approving consolidation of the City and County Police Departments under City authority

The key provisions of the resolution are.

- The consolidated department will be named the Charlotte-Mecklenburg Police Department

- Police service levels will be established by the County Commission for the unincorporated areas, by the City Council for the areas within the City limits and by the town councils/commissions for the incorporated towns.

- A joint standing committee will be established to advise the City and County on police issues, review the annual work plan and budget for police services, and monitor the performance of the consolidated departments. The composition of the committee is as follows

  - Chairman of County Commissioners serves as chairman of joint committee

  - 2 City Councilmembers, appointed by the Mayor

- 2 County Commissioners, appointed by the Chairman of the County Commission

- One member from nominees selected by the towns, to be appointed by the Chairman of the Board of County Commissioners and rotated annually between nominees from the Northern towns and Southern towns.

- Upon initial consolidation, there will be two divisions; Urban (Charlotte Police Department) and Suburban (Mecklenburg County Police Department) Command structures of the two departments will be gradually integrated throughout the consolidation process

- Resolution of personnel issues includes no lay-offs or negative pay impacts for police employees and equitable solutions to issues of rank, duty assignments, promotional issues, and benefits County police officers become City employees, with the City honoring County employees' service time, education and training and rank.

- The City will seek legislation to change the composition of the Civil Service Board since the current charter dictates that the Board be composed only of City of Charlotte residents.

At its May 3 meeting, the County added four amendments to the original resolution that provide that·

- The two County Commissioners serving on the Standing Advisory Committee will represent the districts with the largest number of people living outside the City of Charlotte. (This will be a matter for the County Commission Chairman to decide upon appointment of the committee)

- The merger agreement will provide a continuation of the geographic decentralization concept with precinct stations outside the Charlotte city limits (This is a service level issue, but is consistent with the direction in which the City is moving)

- The merger agreement will include the provision that County Police Officers will be allowed to continue to take their cars home (This is a service level issue that will be addressed as part of the contract for services in the unincorporated areas and paid for by the County)

- The original Stakeholders Committee will remain intact until final integration of the two departments is completed so that citizens living outside the Charlotte city limits will have their concerns addressed.

The City Manager recommends the approval of the consolidation resolution and that Council direct City staff to work with the County to finalize a detailed consolidation agreement that equitably addresses the concerns of both City and County Police employees

Operational Agreement:

- City Police and City staff have completed an agreement with the County that will allow the County access on the existing LEC property to begin demolition and construction of the new jail

Environmental

- City will continue remediation of underground gas tank leakage at the existing LEC surface parking lot
- Remainder of property is being transferred "as is "

Closing

- Closing will occur when City has vacated the building, which is approximately 36 months

Parking

- City will build 477 parking spaces in new Police Headquarters
- County agrees to lease to the City, at no cost, 105 spaces in the REA lot at corner of Myers and Fifth Streets, for as long as needed by the City
- County agrees to lease to the City, at no cost, the surface parking lot at the existing Law Enforcement Center, for as long as needed by the City.

The County will be required to formally approve this agreement prior to performing any demolition or other work on the LEC property

6. Police Consolidation.

On May 3, 1993, the County Commission approved Police Consolidation This agenda item will be included in the Friday, May 7th Council-Manager Communication.

7. **Personnel and Finance Committee Recommendation on Employee Benefits**

The Personnel and Finance Committee meets on Wednesday, May 5th. This recommendation will be included in the Friday, May 7th Council-Manager Communication.

8. **Public Services Committee Recommendation on the Capital Improvement Program.**

Action: **Recommend adoption of the Public Services Committee recommendation to approve the Proposed FY94-98 Capital Improvement Program, with the exception of the Environmental Protection and Housing Programs**

Explanation of Request:

- The Public Services Committee reviewed and discussed the Proposed FY94-98 Capital Improvement Program (CIP) at their March 18, March 29 and April 29 meetings
- The Committee voted unanimously to approve the CIP, with the exception of the Environmental Protection and Housing Programs
- Issue papers will be prepared for the Environmental and Housing Programs as part of the Manager's Recommended Budget
- The working document for the FY94-98 CIP was forwarded to Council in the Wednesday, May 5, 1993 Council-Manager Communication

9. **Regionalism Committee Recommendation on CUDC Board.**

Action: **Recommend adoption of the Regionalism Committee's recommendation to allow Charlotte Uptown Development Corporation (CUDC) Board Members to send designees to meetings**

arrangement for health insurance premiums, wherein the City pays 100% of the premium for active employees and retirees with at least twenty years of service, and 50% of the premiums for all tiers of dependent coverage

Phase 2 provides that the staff bring back to the appropriate Council Committee next spring its recommendations on how and when to modify the existing cost sharing arrangements for health insurance premiums.

Additionally, the City Manager has asked that the Human Resources Department provide final recommendations on retiree health insurance issues in the fall of 1993

Source of Funding

It is anticipated that with no changes there would be an additional annual cost of $3 6 million to the group health insurance program With the recommended changes, the additional cost would be $400,000. Funds for these recommendations will be included in the self insurance fund for FY94.

Delayed implementation would reduce the total cost savings approximately $250,000 per month.

7. **Personnel and Finance Committee Recommendation on Employee Health Insurance**

Action: Approval of recommendation from the Personnel and Finance Committee to adopt recommendations to change the group health insurance program Formal agreements with the insurance carrier necessary to implement the recommendations will be provided to City Council at a later date.

Staff Resource: Bill Wilder

Explanation of Request: The Personnel and Finance Committee is recommending that changes be approved in two phases

Mme approval of Committee recommendation on Part 1 Scan-this not on they discussed when Hoyle excused Phase II by HAMM/MAJ not on - implement FY-95 budget

Sub. motion to implement TASK FORCE recs. & Except Mayor's accidental death & dismemberment & dependent life insurance TASK point of order and to reinstate implement July 1. to dollar savings and employee 1 percent increase program 3 no's 7 to 3 - Hoyle - Comp. & D. Clop vote to Except use SCAR - MAJ. HAM - MAYO the tie 5 yes 5 no - pass - SCAR - MAJ. HAM - MAYO voted yes to break

Phase 1 to be implemented no later than September 1, 1993, includes the following:

1. Establishment of a managed care (Point-Of-Service) plan to cover employees, eligible retirees and their dependents. The plan is to be managed by the Provident Life and Accident Insurance Company. Highlights of this plan are as follows.

   - Individuals covered under the plan would select a primary care physician (PCP) who would manage and direct their health care. The PCP would be in a "network" of contracted doctors and hospitals with whom discounted fees have been negotiated. The PCP would refer patients to specialists and hospitals in the "network". Health care costs would be contained through the discounted fees, as well as the utilization of services managed by the PCP. Additional features of service through the "network" are:

   - Individuals pay $15 for office

visits to a PCP or specialist in the network

- There is a greater emphasis on preventive care, by covering routine exams and screenings

- There is no deductible except for hospital confinement ($150 deductible)

- There is 85% reimbursement for hospital charges

- The total out of pocket expenses is $1500 per year

- Individuals could, at the time of health care delivery (i e , at the "point of service"), elect to receive services from doctors and/or hospitals outside of the network of contracted providers, with the following provisions:

  - There would be a $400 deductible

  - Reimbursement would be at the rate of 70%

  - The total out-of-pocket expenses would be $3000 per year

2. Establishment of four "tiers" of coverage
   Employee/Retiree only
   Employee/Retiree and Child(ren)
   Employee/Retiree and Spouse
   Employee/Retiree and Family

   The current plan has coverage for employees/retirees and only one tier for dependent coverage, regardless of the number and/or type of dependents

3. Maintenance of the existing cost sharing

Item No.

Explanation of Request:

At the April 26 Regionalism Committee's meeting, John Boatwright requested that CUDC board members be allowed to send designees to meetings. The concern was that the CUDC's Board of Directors find it difficult to meet the City's 75% attendance rule due to their busy schedules

The Committee unanimously approved the request

BUSINESS

10. Waltek Withdrawal of Bid - New Convention Center

Action:

Patt / Whe
Unan

(1) Conduct a hearing on the request by Waltek, Inc. to withdraw their bid for the Storefront & Curtainwall Contract on the New Convention Center and (2) Approve Waltek, Inc's request to withdraw their bid and have their bid security returned in accordance with N.C. General Statute 143-129 1

Staff Resource: Del Borgsdorf

Explanation of Request:

On March 25, 1993 bids were received for the Storefront & Curtainwall Contract for the New Convention Center Waltek sent a Federal Express Saturday delivery letter dated March 26, 1993, which was received by the Construction Manager on March 27, 1993 This letter indicated that a substantial compilation error had been made in their bid, resulting in an error of $652,982, and requested withdrawal of their bid without forfeiture of their bid bond

- N.C General Statute 143-129 1 authorizes the withdrawal of a bid and return of the bidder's bid security, "If the price bid was based upon a mistake, which constituted a substantial error, provided the bid was submitted in good faith, and the bidder submits credible evidence that the mistake was clerical in nature as opposed to a judgement error "

End

- The Construction Manager and City staff have reviewed Waltek, Inc's original work papers used in compiling their bid and confirmed that the mistake was in fact clerical in nature The Construction Manager has recommended that the bidder's request be approved and their bid security be returned in accordance with N C G.S. 143-129.1.

- This action does not affect the schedule for the New Convention Center

11. **Project Lift Contract**

Action:

Part / many una

Approve $118,665 for Project Lift Contract with Charlotte Mecklenburg School System for a summer educational enrichment program for 200 economically disadvantaged youth pending approval by the school system.

Explanation of Request:

Project Lift is a remedial education component which prepares youth in Job Training Partnership Act (JTPA) Title II-B for the work force by addressing the educational needs of students identified as economically disadvantaged It also addresses the work maturity and the employability level of the students Program will begin on June 17, 1993 and end on July 30, 1993 The school system will identify those students in need of remedial education Curricula will include reading, math, writing, and computer skills coupled with work maturity skills The project will be funded from the JTPA Title II-B Grant Currently $1,230,838 is available from this grant

Background:

Emp + Training

Project Lift is designed to maintain or increase the academic level of economically disadvantaged youth identified by the school system as benefitting from an educational component coupled with a work experience component The II-B Program will serve a total of 616 youth with 200 of those youth

participating in the Project Lift, remedial education component. This has proven effective in helping students maintain skills acquired during the school year.

12. **The Community Works Loan**

Action: **Approve a loan agreement in the amount of $276,700 between The Community Works and the City of Charlotte to acquire property at 516 East 35th Street for use as transitional housing.**

Staff Resource: Del Borgsdorf

Explanation of Request:

Scan / Wha Urban

The loan to The Community Works will enable it to acquire a 12-unit apartment complex located at 516 East 35th Street for use as transitional housing

The Community Works is a non-profit organization which was founded to assist the working homeless of Charlotte-Mecklenburg who want to move out of shelters and become self-sufficient The Community Works is a self-help program that places people in jobs, provides transitional housing and aids individuals who are qualified to obtain permanent housing

Currently, Community Works has 110 persons on its waiting list. Their current facility located at 214 North Irwin Avenue only contains 7 beds The lease at this facility expires April 30, 1993 After this date, Community Works will be on a month-to-month payment schedule Therefore, Community Works is looking to relocate to a larger facility The purchase of the property at 516 East 35th Street will provide housing for up to 28 persons in a supportive living environment

CD?

Item No.

The property at 516 East 35th Street is owned by Robert A Maier. Mr Maier purchased and rehabilitated the property in 1988-89 to provide housing for lower income persons He received rehabilitation loans in the amount of $136,200 from the City and a $154,200 loan from Southern National Bank in order to do this.

Of the $276,700 loan being requested, only $140,500 in new money will be disbursed to pay off the existing first mortgage loan with Southern National Bank The remaining $136,200 will be used to refinance the rehabilitation loans which Mr Maier has with the City.

Attachment 1

13. City-Within-A-City Loan - Kiddieland Daycare Center

Action: **Approve the use of $64,000 from the Development and Revitalization Fund to be used as 20% matching funds for a 80% City-Within-A-City (CWAC) loan in the amount of $256,000 to be made by NationsBank to a corporation which will be owned by Kevin Campbell to acquire the Kiddieland Daycare Center.**

Scan the Union

Staff Resource: J W. Walton

Explanation of Request: The CWAC Loan Program was used because Kevin Campbell did not have the equity to contribute to the project NationsBank will not approve the loan without the CWAC loan from the City

The benefit of this project is job creation Eight jobs for low-to-moderate income persons will be created within the required CWAC timeframe of 2 years All jobs will be filled by CWAC residents

CD

The daycare center has been at its present location for more than 20 years. Its facilities consist of 2 buildings and a playground area located at 210 and 225 Lambeth Street in North Charlotte (just off of North Tryon Street.)

Attachment 2

14. Set Public Hearing on FY94 and FY95 Budget

Action: **Set Public Hearing date for consideration of the FY94-FY95 Operating Budget Plan and the FY94-98 Capital Improvement Program**

Staff Resource: Vi Alexander

Explanation of Request: Council is requested to set a public hearing for public input into the development of the FY94-FY95 Operating Budget Plan and the FY94-98 Capital Improvement Program The scheduled hearing date is Monday, June 7, 1993 at 7 00 p m in the Council Chambers This date and time has been developed in conjunction with Council's Personnel and Finance Committee

McC/ Marg
unan

B7E

Adjourn McC/Marg 9:45 PM

CONSENT

The consent portion of the agenda is divided into two sections
Consent I and Consent II

Consent I consists of routine items that have been approved in the budget, are within the budget estimate, and have met M/WBE criteria

Consent II consists of items that have also been approved in the budget, but which may require additional explanation

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

CONSENT I

15. VARIOUS BIDS

Moved adv unan.

A. Sanitary Sewer And Water Main Construction - FY 93 Contract No. 13 - Street Main Extensions **CMUD**

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Utilityworks, Incorporated of Midland, NC in the amount of $653,668.50 be accepted

MWBE Status	Amount	% of Project	Proj Goals
MBE	$47,450	7 37%	6%
WBE	$30,780	4.70%	3%

CMUD

B. General Construction - Contract A1 - Administration Building Sugar Creek And Irwin Creek WWTP Modifications & Expansions And Contract D1 - Trucked Wastewater Receiving Facilities - Irwin Creek WWTP And McAlpine Creek WWMF Modifications And Expansions **CMUD**

Moved adv unan.

CMUD

Item No.

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by James R Vannoy and Sons Construction Co , Inc of Pineville, NC in the amount of $1,671,270 be awarded.

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$15,798	0.9%	12%
WBE	$72,294	4 3%	3%

15 **C. Electrical - Contract A4 - Administration Building** **CMUD**
Sugar Creek And Irwin Creek WWTP Modifications & Expansions
And Contract D4 - Trucked Wastewater Receiving Facilities -
Irwin Creek WWTP And McAlpine Creek WWMF Modifications And
Expansions

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Burns Electrical Contractors, Inc of Charlotte, NC in the amount of $169,014 be awarded

MWBE Status:	Amount	% of Project	Proj Goals
MBE	-0-	0%	1%
WBE	$169,014	100%	1%

CMUD

D. Plumbing - Contract A3 - Administration Building **CMUD**
Sugar Creek And Irwin Creek WWTP Modifications & Expansions

Recommendation. Director, Charlotte-Mecklenburg Utility Department, recommends that the low bid by Castor Plumbing Company, Inc of Davidson, NC in the amount of $88,485 be accepted. The second highest bidder was an MWBE Castor Plumbing Company, Inc requested quotes on pipe installation from two MWBE firms but did not receive a response Project MWBE goal is 1%.

CMUD

E. HVAC - Contract A2 - Administration Building **CMUD**
Sugar Creek And Irwin Creek WWTP Modifications & Expansions

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Climate Conditioning of Charlotte, Inc in the amount of $76,092 be accepted The highest bidder was an MWBE Project MWBE goal is 1%

CMUD

F. **Woodlawn/Scaleybark Intersection Improvement**

Mon/ahr unan

Recommendation: The City Engineer recommends that the low bid by Ferebee Corporation of Charlotte, NC in the amount of $136,497 90 be accepted.

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$13,240	10%	10%
WBE	$ 1,800	1%	6%

Eng

G. **Map Copier** Engineering

Mon/ahr unan

Recommendation: The Purchasing Director and City Engineer recommend that the low bid by Xerox of Charlotte, NC in the amount of $140,141 40 be accepted There is no known MWBE for this procurement

Purchasing

16. **Audit Services for the fiscal year ending June 30, 1993** Finance

Mon/ahr unan.

Action: Approve a contract totalling $72,030 with Coopers and Lybrand to conduct the annual audit. Independent auditing firms are selected on a rotating basis in accordance with City Policy This is the second year of a four year contract

Finance

17. **Housing Code Enforcement**

Action: Adopt an ordinance authorizing the use of In Rem Remedy to repair the dwelling located at 2424 Greenland Avenue (Ashley Park) The dwelling is owned by Mary L Hill

Attachment 3

ORD # / # 3561-X B-43 P-61

Mon/ahr unan

CD

18. **Gannett Fleming Amendment**

Motion made

Action: Approve a correction totalling $100,100 to an Agreement for Bid Phase Services with Gannett Fleming Corddry and Carpenter, Inc. for Professional Engineering Services Related to the Additions and Alterations to the Sugar Creek and Irwin Creek Wastewater Treatment Plants.

Explanation of Request: Due to a typographical error in the Council Action request of April 12, 1993, the total cost for bid phase services was not approved The additional amount of $100,100 will rectify this action

CMUD

19. **Camp Dresser & McKee**

Motion made

Action: Approve a correction totalling $67,100 to Amendment No. 4 for professional Services contract with Camp Dresser & McKee related to design, inspection, and construction services for the Sanitary Sewer Evaluation/Flow Equalization Project.

Explanation of Request: Due to an error in the Council Action Request of March 22, 1993, the total cost for the professional services contract was not approved The additional amount of $67,100 will correct the previous action

CMUD

20. **Speed Limits**

Motion made

Action: Request adoption of ordinance to lower the speed limit on Buckingham Drive from Seneca Place to dead end and Summerlin Place from Rea Road to Windyrush Road from 35 miles per hour to 25 miles per hour.

Ord #2 3562 B 13 p 62

CDOT

Res # 1
B-31
P 47

21. Tax Refunds

Action: Recommend adoption of a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $51,497.98

Attachment 4

Finance

Res # 2
B-31
P. 50

22. Resolution and Declaration of Surplus Equipment

Action: Declare 101 vehicles and other various equipment as surplus and approve them for sale at public auction on Saturday, June 19, 1993 at 10 00 a m

Mon/Whe una

Attachment 5
Resolution for Approval
List of items to be declared surplus

Purchasing

23. Set Joint Public Hearing on County Storm Water Fee for City Residents

Action: Schedule a public hearing on June 14, 1993 for a change to storm water fees.

Explanation of Request: As part of the resolution adopted by the City Council and Board of County Commissioners last fall, the City agreed to assess and collect a fee (amount set by the County) to pay for the County's large stream activities inside the City The City must levy the fee due to the limitations included in state authorizing legislation, which prevent more than one local government storm water charge in a given area

A public hearing is required by state law before changing the storm water fee The joint hearing is required by the resolution adopted last fall A charge of at least 32 cents, and up to 54 cents, is being considered by the County, and will be determined as part of the county's FY94 budget process

Mon/Whe
10-2

No
Campbell
McCrary

Eng

Background: The County is planning to implement a storm water utility next January to

- provide maintenance and improvement of the large streams county-wide (currently provided through county property taxes), and
- provide maintenance and improvement of the small streams and storm drains in the unincorporated areas and small towns (currently provided by Charlotte inside the City and not provided outside the City)

The Board of County Commissioners conducted a public hearing on May 3 concerning the assessment of storm water fees in the unincorporated areas and small towns The joint public hearing on June 14 is for charges to fund the County's large stream services inside the City

24. Municipal Agreement - High Occupancy Vehicle Lanes

Action: **Approve a Supplemental Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to construction of the High Occupancy Vehicle (HOV) Lanes on Independence Boulevard (US 74) between Brookshire Freeway and Sharon Amity Road. The Agreement requires the City to reimburse the NCDOT for costs associated with relocation of utilities, acquisition of right-of-way, and construction of the HOV Lanes on Independence Boulevard between Brookshire Freeway and Sharon Amity Road Also, adopt a Resolution authorizing the Mayor to execute the Agreement (Project U-0209) The total estimated cost of the HOV Lane is $17.6 million The HOV Lane is funded by a Federal Transit Administration Grant**

Res # 3
B-31
P-69

Motion was unan.

CDOT

Res. # 4
B-31
p 61

25. Encroachment Agreement

Action: Adopt a Resolution Authorizing The Mayor To Execute an Encroachment Agreement With Norfolk Southern Railway Company For Construction of South Boulevard/Archdale Drive Grade Crossing.

Mary Ann Ham

CDOT

CONSENT II

26. Various Bids

A. Masonry - New Convention Center Engineering

Mary Ann Ham

Recommendation: The City Engineer recommends that the low negotiated bid by Pompano Masonry Corporation of Pompano, Florida in the amount of $3,081,583 be accepted

MWBE Status.	Amount	% of Project	Proj Goals
MBE	338,974	11%	11%
WBE	2,742,602	89%	1%

Project Description: Contract scope consists of all interior and exterior masonry units (standard block, split faced block, and glass block), insulation, joint sealants and water repellent application

Summary of Bids:	
POMPANO MASONRY CORP	$3,081,583 ~~$4,089,180~~
GRIFFIN CONTRACTORS, INC	$5,448,000
PETTIT CONSTRUCTION	$5,914,550
PYRAMID MASONRY CONTRACTORS	$6,828,900

The low bid was negotiated from $4,089,180 to $3,081,583

Explanation: Negotiations included eliminations of sprayed-on fireproofing touch-up, precast concrete caps, and masonry-related support steel, which resulted in a negotiated low bid of $3,081,583 Change orders to other contracts will add the eliminated items at reduced costs

SAVINGS FROM ESTIMATE - $2,071,871

Eng

The original bid of $4,089,180 is 26% under the Construction Manager's estimate of $5,153,454 The Design Development estimate and current budget for the work is $3,696,323 This overrun against the budget necessitated negotiation of the bid amount by incorporating cost reduction items. The negotiated bid sum is $3,081,583

Attachment 6
Project Budget Update

B. Miscellaneous Metals - New Convention Center **Engineering**

Recommendation: The City Engineer recommends that the low bid by Owen Steel Company of Cayce, SC in the amount of $2,758,544 be accepted

Marg/ other bids

MWBE Status·	Amount	% of Project	Proj Goals
MBE	0	0	8%
WBE	2,758,544	100%	5%

This Contractor is a woman-owned firm The contractor has complied with the requirements and intent of the M/WBE Program The contractor is negotiating with several MBE sub-contractors.

Project Description: Contract scope for miscellaneous and ornamental metals generally consists of all stairs, handrails and guardrails, grills, louvers, and specialty support steel members not incorporated within the base building structural steel contract

Summary of Bids:

OWEN STEEL COMPANY	$2,758,544
STANDARD IRON, INC	$2,854,827
M&J MATERIALS, INC	$3,495,000
KLINE IRON & STEEL, INC	$4,005,490

Explanation: This bid came in $150,281 over budget, but there are no items in this work that can be eliminated or modified The overage amount will be compensated for by savings in other packages or by using contingency

Eng

27. Resolution Restructuring Art Commission

Action: Approve a modified Resolution restructuring the Charlotte-Mecklenburg Public Art Commission and authorizing the allocation of funds for public art programs as amended by the Board of County Commissioners at its February 15, 1993 meeting.

Resolution # 5
B. 31 p. 62

Explanation of Request: With a 9 to 1 favorable vote, the City Council approved a Resolution restructuring the Charlotte-Mecklenburg Public Art Commission on December 14, 1992 After review by the Board of County Commissioners modifications were made In general, these modifications are within County jurisdiction, such as the deletion of schools and adding park improvements All other changes are minor and nonsubstantive modifications

Mayor / Council Union

Attachments 7
Summary of Changes
A marked copy of a Resolution Restructuring the Charlotte-Mecklenburg Public Art Commission and authorizing the Allocation of Funds for Public Art Programs

J. Stewart Planning Mgr

28. PROPERTY TRANSACTIONS

A. **Project:** F A R Part 150 Land Acquisition
Owner(s): William Heyworth, Jr and wife
Property Address 6426 Shoreline Drive
Property to be acquired 1 420 Acres
Improvements 3 bedroom, 2 bath, brick, ranch
Tax Value. $80,950 00
Purchase Price $89,000 00
Remarks Purchase price was determined by an independent appraiser and a review by a second appraiser Each appraiser takes into consideration specific quality and quantity of the house The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport)

Mayor / Council union.

Aviation

Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970. Owners are eligible for relocation benefits Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

28 B. **Project.** F A R Part 150 Land Acquisition
Owner(s). Ervin B Smith
Property Address 3409 Barry Drive
Property to be acquired 879 Acres
Improvements· 3 bedroom, 1 5 baths, brick, ranch
Tax Value $82,170 00
Purchase Price $86,000 00
Remarks Purchase price was determined by an independent appraiser and a review by a second appraiser. Each appraiser takes into consideration specific quality and quantity of the house. The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport) Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970 Owners are eligible for relocation benefits Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

Mod/wh
Aviation

28 C. **Project·** F A R Part 150 Land Acquisition
Owner(s) Major G Lee and wife
Property Address 3317 Barry Drive
Property to be acquired 430 acres
Improvements 3 bedrooms, 2 5 baths, brick, ranch
Tax Value: $77,920.00
Purchase Price $83,500 00
Remarks Purchase price was determined by an independent appraiser and a review by a second appraiser Each appraiser takes into consideration specific quality and quantity of the

Mod/wh
Aviation

house The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport) Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970. Owners are eligible for relocation benefits Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

28 D

Mary / wife owner

Project F A R Part 150 Land Acquisition
Owner(s) Robert E Neal and wife
Property Address 3309 Barry Drive
Property to be acquired 427 acres
Improvements 2 bedrooms, 1 bath, brick, ranch
Tax Value $59,080 00
Purchase Price: $66,500 00
Remarks: Purchase price was determined by an independent appraiser and a review by a second appraiser. Each appraiser takes into consideration specific quality and quantity of the house The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport) Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970 Owners are eligible for relocation benefits Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

Aviation

28 E.

Mary / wife owner

Project F.A R. Part 150 Land Acquisition
Owner(s) Jewel W Payne
Property Address 6403 Teresa Avenue
Property to be acquired 402 acres
Improvements 2 bedrooms, 1 bath, brick, ranch
Tax Value $46,420 00
Purchase Price $63,000 00
Remarks Purchase price was determined by an

Aviation

independent appraiser and a review by a second appraiser Each appraiser takes into consideration specific quality and quantity of the house The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport) Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970 Owners are eligible for relocation benefits. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

Mayor/Council Union

29. Information for Meeting Minutes

Action: To be included in official City council meeting minutes as follows

Explanation of Request: The City Manager has exercised his authority to transfer up to 10% of a department's budget or position allocation, as explained in the Mayor/Council Communication of May 7, 1993

Mayor/Council Union

Transfer From

Position/Dollars	Department	Account
$418,250	DOT/St Maint	0101 513 00 960

Transfer To

Position/Dollars	Department	Account
$125,000	General Srvc Landscape Mgt	0101;303 03.960
$293,250	Nondepart-mental	0101,530 01 960

Budget Mgr.

Background: The annexation ordinance approved in February, 1993 consolidated all charges to be recovered from the Storm Water Utility in the Street Maintenance Division's budget These charges need to be reallocated to Landscape Management and the Non-Departmental fringe benefits account as well

ANNOUNCEMENTS

In its meeting on Monday, June 28, 1993, City Council will make nominations to fill vacancies on the following committees:

1. ADVISORY ENERGY COMMITTEE
One appointment beginning immediately and ending December 31, 1993. Must represent the business community. Manuel Zapata has resigned.

2. AIRPORT ADVISORY COMMITTEE
Two regular, three year appointments beginning August 1, 1993. One must be a resident of the Westside.Incumbents Sue Friday and Earl Gulledge are not eligible to be reappointed.

3. DOMESTIC VIOLENCE ADVISORY BOARD
One regular, three year appointment beginning September 22, 1993. Incumbent Valerie Woodard is eligible and would like to be reappointed.

4. HISTORIC LANDMARKS COMMITTEE
Two three year appointments beginning July 17, 1993. Incumbents James VanOrsdel and Jacqueline Faulkner are eligible and wish to be reappointed.

5. MINT MUSEUM BOARD OF TRUSTEES
One three year appointment beginning August 1, 1993. Incumbent Brenda Noel is eligible and wishes to be reappointed.

6. UPTOWN DEVELOPMENT CORPORATION
Five three year appointments beginning September 1, 1993. Three appointments are in the business category. Incumbent Fred Klein is not eligible for reappointment. William Grigg is eligible, but does not want to be reappointed. John Schneider is eligible, and would like to be reappointed.

One appointment is in the non-profit category. Freda Nicholson is not eligible for reappointment.

One appointment is in the residents category. Cullie Tarlton is eligible and would like to be reappointed.

7. YOUTH INVOLVEMENT COUNCIL
Two, two year appointments beginning August 16, 1993. Randy Harris and Kevin Patterson are not eligible for reappointment.

BACKGROUND

- At City Council's Citizens Hearing on January 11, 1993, Mr. Joel Segal, Executive Director of The Community Works, requested financial assistance from the City to help cover the operating costs of the transitional housing facility it operates. The request for assistance was referred to the CD & Housing Committee, which requested that City staff work with Mr. Segal to address his request.

- Subsequent to Mr. Segal's request to the City Council on January 11, 1993, Kendall Gill of the Charlotte Hornets announced he will provide Community Works a grant for operating expenses. Also, since the lease at Community Works' facility at 214 N. Irwin Avenue will expire April 30, 1993 and the community needs far exceed the organization's current capacity, it was determined, from City staff discussions with Mr Segal, that a more appropriate solution to the organization's long term needs would be for the City to provide financial assistance to Community Works to help it acquire a larger facility which would be self-supporting and allow it to expand.

- City staff is proposing that the City make a loan of $276,700 to The Community Works to acquire a 12-unit apartment complex at 516 East 35th Street currently owned by Robert A. Maier which will be used for transitional housing. The proposal has been shared with representatives of the Historic North Charlotte Neighborhood Association, who have indicated their support.

- The loan request was presented to the CD & Housing Committee on March 15, 1993 at which time it was recommended that the loan request be presented to the full Council for a decision.

- The facility at 516 East 35th Street will house up to 28 persons in a supportive living environment. Community Works will be responsible for selecting tenants and providing support services leading to economic self-sufficiency. A private rental property management company will collect rents and provide ongoing management. Residents will be required to remain drug and alcohol-free, seek employment, assist with housekeeping/maintenance, and contribute a certain number of community service hours.

- The top 2 floors of the facility would be operated as a communal living environment, with 5 units (7 bedrooms, double occupancy) housing 14 tenants and communal space consisting of a dining room, living area and office space for the director, counselor and resident manager. The bottom floor would consist of 4 independent living units (7 bedrooms, double occupancy) with separate entrances, to be used for 14 "graduates" of the Community Works program who are in the process of transitioning to the economic mainstream.

- The $276,700 loan would require a net cash outlay of $140,500 to pay off the existing bank debt on the property and the refinancing of the City's $136,200 rehabilitation loans, which Community Works would assume from Mr. Maier. Mr. Maier has agreed to sell the property on these terms. (The property was recently damaged by fire, and Mr. Maier will be responsible for completing the renovations to the property due to the fire damage.)

- The loan to Community Works is structured as a 0% interest loan, with payment deferred for the start-up year. Beginning in Year 2, repayment of principal will be based on a percentage of net operating income available to support debt service. The financial proformas, based on projected expenses and a rent structure proposed by Community Works, indicate that Community Works will be able to repay the City loan over a 20 year period. The proforma assumptions are as follows:

  Revenue:

  Rent @ $50/week, 2 persons/BR, 14 BRs for rent as proposed by Community Works.
  20% vacancy/collection loss.
  Rents to increase by 5% every 5 years.

  Expenses:

  Based on current expenses, increasing by 4% per year to cover inflation.
  Management fee of 10%.
  No property taxes after Year 1 due to nonprofit ownership.
  Community Works to pay utilities for communal living units; tenant pays utilities for independent living units.
  Debt service to be deferred for Year 1. Beginning in Year 2, 50% of net operating income will be used to service debt, increasing by 10% each year.

  Based on the above assumption, the $276,700 loan would be repaid within Year 20 of the loan term.

- The current appraised value of 516 East 35th Street is $188,000 which has been reviewed and concurred with by the City's Real Estate staff. Although there is a collateral shortfall of $88,700, this is mitigated by the fact that the property will generate sufficient cash flow to service the City loan of $276,700.

12-Month Pro Forma Community Works
For 516 East 35th Street
Year 1

YEAR 1

	Mo 1	Mo 2	Mo 3	Mo 4	Mo 5	Mo 6	Mo 7	Mo 8	Mo 9	Mo 10	Mo 11	Mo 12	Total
Gross Revenue-Communal	3,033	3,033	3,033	3,033	3,033	3,033	3,033	3,033	3,033	3,033	3,033	3,033	36,396
Less: Vacancy/Collection Loss	(607)	(607)	(607)	(607)	(607)	(607)	(607)	(607)	(607)	(607)	(607)	(607)	(7,279)
Gross Revenue-Independent	0	0	0	0	0	0	0	0	3,033	3,033	3,033	3,033	12,132
Less: Vacancy/Collection Loss	0	0	0	0	0	0	0	0	(607)	(607)	(607)	(607)	(2,426)
Net Revenue	2,426	2,426	2,426	2,426	2,426	2,426	2,426	2,426	4,853	4,853	4,853	4,853	38,822
Less: Operating Expenses													
Management	243	243	243	243	243	243	243	243	485	485	485	485	3,882
Property Taxes (Pilot)	133	133	133	133	133	133	133	133	133	133	133	133	1,596
Utilities	630	630	630	630	630	630	630	630	630	630	630	630	7,560
Maintenance	440	440	440	440	440	440	440	440	440	440	440	440	5,280
Reserves	417	417	417	417	417	417	417	417	417	417	417	417	5,004
Other (Insurance)	150	150	150	150	150	150	150	150	150	150	150	150	1,800
Total Operating Expenses	2,013	2,013	2,013	2,013	2,013	2,013	2,013	2,013	2,255	2,255	2,255	2,255	25,122
Net Operating Income	414	414	414	414	414	414	414	414	2,598	2,598	2,598	2,598	13,700

20-Year Pro Forma Financial Statements
For: Community Works-516 East 35th Street
FY 1993-2012

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Gross Revenue-Communal	36,396	36,396	36,396	36,396	36,396	38,216	38,216	38,216	38,216	38,216
Less: Vacancy/Collection Loss	(7,279)	(7,279)	(7,279)	(7,279)	(7,279)	(7,643)	(7,643)	(7,643)	(7,643)	(7,643)
Gross Revenue-Independent	12,132	36,396	36,396	36,396	36,396	38,216	38,216	38,216	38,216	38,216
Less: Vacancy/Collection Loss	(2,426)	(7,279)	(7,279)	(7,279)	(7,279)	(7,643)	(7,643)	(7,643)	(7,643)	(7,643)
Net Revenue	38,822	58,234	58,234	58,234	58,234	61,145	61,145	61,145	61,145	61,146
Less: Operating Expenses										
Management	3,882	5,823	5,823	5,823	5,823	6,115	6,115	6,115	6,115	6,115
Property Taxes	1,596	0	0	0	0	0	0	0	0	0
Utilities	7,560	7,862	8,177	8,504	8,844	9,198	9,566	9,948	10,346	10,760
Maintenance	5,280	5,491	5,711	5,939	6,177	6,424	6,681	6,948	7,226	7,515
Reserves	5,004	5,204	5,412	5,629	5,854	6,088	6,332	6,585	6,848	7,122
Other (Insurance)	1,800	1,872	1,947	2,025	2,106	2,190	2,278	2,369	2,463	2,562
Total Operating Expenses	25,122	26,253	27,070	27,920	28,804	30,014	30,970	31,965	32,999	34,074
Net Operating Income	13,700	31,980	31,163	30,313	29,430	31,131	30,175	29,181	28,147	27,072
Annual Debt Service	0	15,990	17,140	16,672	16,186	17,122	16,596	16,049	15,481	14,889
Operating Income After Debt Service	13,700	15,990	14,023	13,641	13,243	14,009	13,579	13,131	12,666	12,182

20-Year Pro Forma Financial Statements
For: Community Works-516 East 35th Street
FY 1993-2012

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
40,127	40,127	40,127	40,127	40,127	42,133	42,133	42,133	42,133	42,133	784,358
(8,025)	(8,025)	(8,025)	(8,025)	(8,025)	(8,427)	(8,427)	(8,427)	(8,427)	(8,427)	(156,872)
40,127	40,127	40,127	40,127	40,127	42,133	42,133	42,133	42,133	42,133	760,096
(8,025)	(8,025)	(8,025)	(8,025)	(8,025)	(8,427)	(8,427)	(8,427)	(8,427)	(8,427)	(152,019)
64,203	64,203	64,203	64,203	64,203	67,413	67,413	67,413	67,413	67,413	1,235,563
6,420	6,420	6,420	6,420	6,420	6,741	6,741	6,741	6,741	6,741	123,556
0	0	0	0	0	0	0	0	0	0	1,596
11,191	11,638	12,104	12,588	13,091	13,615	14,160	14,726	15,315	15,928	225,122
7,816	8,128	8,453	8,792	9,143	9,509	9,889	10,285	10,696	11,124	157,228
7,407	7,703	8,012	8,332	8,665	9,012	9,372	9,747	10,137	10,543	149,010
2,664	2,771	2,882	2,997	3,117	3,242	3,371	3,506	3,646	3,792	53,601
35,498	36,661	37,871	39,129	40,437	42,119	43,534	45,006	46,536	48,128	710,113
28,705	27,542	26,332	25,074	23,766	25,294	23,879	22,407	20,876	19,285	525,451
15,788	15,148	14,483	13,791	13,071	13,912	13,133	12,324	11,482	10,607	279,864
12,917	12,394	11,849	11,283	10,695	11,382	10,745	10,083	9,394	8,678	245,587

Subject Property

BACKGROUND

- On October 28, 1991 City Council approved the use of $1,300,000 in City funds to create the City Within a City (CWAC) Loan/Equity Pool Program, with participating banks contributing $6,500,000. Since that time City Council has approved the use of an additional $100,000 in Development and Revitalization Funds to add four banks to the CWAC Loan/Equity Pool bank group. Currently, the banks' contribution to the program is $7,000,000 for a total Loan/Equity Pool of $8,400,000.

- The purpose of the CWAC Loan/Equity Pool Program is to create a public/private venture which will increase lending opportunities for targeted areas of the City of Charlotte, thereby providing expanded economic development opportunities, particularly the creation of jobs. This program allows the banks, in partnership with the City, to make marginal loans that would not have been made without the use of the public/private venture funds being provided by the City.

- Loans are to be made to individuals earning 80% or less of the median income for Charlotte or to companies or persons that will employ individuals within the CWAC boundary earning 80% or less of the median income for Charlotte The minimum loan amount will be $15,000, and one job is to be created for each $10,000 in City Development and Revitalization funds loaned.

- The bank loans will be made to targeted borrowers for new businesses or the expansion of existing businesses. All loans are made with 80% bank contribution and 20% City contribution (with City funds being subordinated to bank debt). The City funds will be available to the banks at a 0% interest rate. This arrangement (subordinated, 0% interest loans) will enable the banks to view these funds as equity, thereby enhancing borrowing opportunities for targeted applicants.

- The total cost of the project is $534,372 of which $64,000 is being requested from the City as its 20% matching funds. NationsBank's 80% loan amount will be $256,000 and the borrower will assume a Note from the former owner for $214,372.

- NationsBank's commitment to the CWAC Loan/Equity Pool Program is $3,000,000 and the City's 20% matching funds is $600,000. The $64,000 loan being requested from the City will be drawn from the City's $600,000 commitment which has already been set aside for NationsBank's contribution.

- The loan request is for the purpose of assisting in the acquisition of the Kiddieland Daycare Center. The borrower will be a corporation(s) formed by Kevin Campbell.

- The opportunity for Mr. Campbell to acquire the Kiddieland Daycare Center arose as the result of an unfortunate incident that occurred during October, 1992. During this month, the incident of child abuse was alleged to have occurred at the daycare center. The Department of Human Resources subsequently suspended the center's operating license on October 28, 1992, but the suspension was stayed effective October 30, 1992 by the Office of Administrative Hearings. The reversal of the suspension was granted because Kiddieland's owners, Bill and Jean Bonner, planned to contest the allegations in Court; the likely difficulties to be realized by families of the children enrolled in the center with respect to finding alternative care; and the irreparable damage that would be done to the owners if the charges proved to be untrue.

- The allegations of child abuse proved to be untrue, but the daycare center suffered a decline in enrollment due to the publicity resulting from the charges. The center is licensed for 208 students, and had an enrollment of 139 in October 1992 prior to the child abuse charges. Enrollment decreased to 45 during November and to 39 during December 1992. Enrollment is now rising, as the number of students in January was 44 and 57 in February 1993. Mr. Campbell has advised that enrollment reached 66 in March 1993.

- Due to the past history of the Daycare Center, the closing of the NationsBank and City loans will be subject to favorable criminal investigations being received on the new owners and directors of the daycare center.

- Project Costs/Sources and Uses

Sources

NationBank Loan	$256,000
City of Charlotte Loan	64,000
Assumption of Note from former owner	214,372
Total	$534,372

Uses

Acquisition of Kiddieland Daycare Center (includes building, furniture, fixtures & equipment)	$534,372

- Terms of Loans

NationsBank

Amount	$256,000
Rate	9% (fixed rate)
Term	9 Years and 11 months 6 months - interest only
Payments	$3,366 55

(See NationsBank's commitment letter - Exhibit A)

City of Charlotte

Amount	$64,000
Rate	0%
Term	11 Years and 6 months (19 months longer than bank loan)
Payments	$3,366 55

- Security

The NationsBank and City of Charlotte loans will be secured by a deed of trust on the land and buildings at 210 and 225 Lambeth Street. The loan will also be unconditionally guaranteed by Kevin Campbell.

An appraisal of the property has been ordered but not received NationsBank's loan (and therefore the City's loan) is subject to the value of the property being at least $400,000. Based on the value of $400,000 the collateral margin after the loans is $80,000 which is shown below:

Value of 210 and 225 Lambeth Street	$400,000
NationsBank Loan	(256,000)
City of Charlotte loan	(64,000)
Collateral Margin After Loans	$ 80,000

The collateral positions will be as follows:

1st lien position - NationsBank
2nd lien position - City of Charlotte

- Jobs to be Created Over a Two Year Period

The 8 jobs to be created for low-to-moderate income persons as a result of this loan will be filled by CWAC residents. The jobs are as follows:

Position	Number	Salaries
Teacher #1	4	4 75/hr.
Teacher #2	4	6.00/hr.
Total	8	

- CWAC Loan Program Status Report

The CWAC Loan Program Status Report is attached as Exhibit B.

Exhibit A

NationsBank
Business Banking
101 South Tryon Street
Charlotte, NC 28255-0181

Tel 704 386-5000
Fax 704 386-5678

NationsBank

April 22, 1993

Kevin Campbell
14022 Pytchley Lane
Charlotte, NC 28273

Dear Kevin:

NationsBank of North Carolina, N.A. (NationsBank) is pleased to make available the following credit facility on the terms and conditions outlined herein:

Borrower:	Two corporations (to be formed), one of which will acquire the assets of Teeter-Totter, Inc. (d/b/a Kiddieland Daycare Center), and one of which will acquire the assets of Teeter-Totter Realty, Inc.
Purpose and Designation:	Term Loan used to acquire the assets of Teeter-Totter, Inc. (d/b/a Kiddieland Daycare Center) and the assets of Teeter-Totter Realty, Inc.
Amount:	$256,000.00
Repayment Terms:	Interest only for six months followed by one hundred thirteen (113) consecutive monthly payments of $3,366.55, including principal and interest, and one final payment of all remaining principal and interest.
Interest Rate:	A fixed interest rate of nine percent (9%) per annum for the term of the Loan. The offering of this rate of interest is good for a 30 day period during which time loan closing must occur. Should closing not occur within 30 days, the interest rate will be subject to change.

Fees: One percent (1%) of loan amount.

Expenses: Whether or not the loan closes, Borrower shall be responsible and liable for, and shall hold NationsBank harmless from, and shall pay, all costs and expenses incurred in connection with the loan (pre-closing and post-closing) including, but not limited to: loan fees; title, hazard, and other insurance premiums; surveys; appraisals; property, documentary stamp, and intangible taxes; attorney's fees; design/supervising architect's fees; construction inspector's fees; environmental assessments; and recording charges. Borrower shall reimburse NationsBank for all such costs and expenses paid.

Collateral:

1) A first security interest in certain property (the "Property") in Charlotte, North Carolina located at 225 Lambeth and 210 Lambeth. In connection with the collateral, Borrower will execute and deliver to NationsBank at or before closing all security and other documents that NationsBank may reasonably request to perfect its security interest in the collateral. The owner of the collateral, if an entity other than the Borrower shall hypothecate the collateral and execute appropriate documents to do so.

2) Stock of the daycare center and realty company.

Guaranty: The loan will be unconditionally guaranteed by the stockholders of the Borrower(s).

Terms and Conditions:

1) Kevin Campbell will maintain a controlling interest, i.e., at least 51%, in both the daycare and real estate holding company. Any change in ownership must be approved by NationsBank.

2) Kevin Campbell will secure his guaranty with a second Deed of Trust on his personal residence.

3) Loan Commitment is subject to :

   a) Loan commitment from the Charlotte City Within A City Program i/a/o $64,000.00.
   b) Satisfactory Environmental Assessment on 225 Lambeth and 210 Lambeth.
   c) Receipt of promissory note dated April 29, 1988 from Billie Jean Bonner and Teeter-Totter Realty, Inc. and Teeter-Totter Realty, Ltd., a North Carolina Partnership, to Ray W. Foster and wife, Ruth A. Foster and Kiddieland Daycare Center, Inc. Repayment schedule of this note must be modified and extended so that amortization of remaining amount due occurs over the same 10 year period as the NationsBank note. Repayment schedule after modification must be acceptable to NationsBank. Closing of modified Foster note will occur simultaneously with closing of NationsBank and City Within A City notes. The Foster note will also have a six month interest only provision. A copy of the modified note will be provided to NationsBank prior to closing for review.

d) NationsBank will have a First Deed of Trust on 225 Lambeth and 210 Lambeth. The City of Charlotte, via the City Within A City Program, will have a Second Deed of Trust on this property. This loan commitment is subject to securing an agreement with Ray and Ruth Foster to subordinate their lien position to both NationsBank and the City of Charlotte in the manner just described.

e) Payments on the note to Ray and Ruth Foster will be permitted as long as payments on the NationsBank note are prompt and the borrower is not in default under the terms of the NationsBank agreement. If payments on the NationsBank note become 30 days past due, then payments on the Foster note can be suspended, at NationsBank's option, until NationsBank payments are brought current. Ray and Ruth Foster must agree not to accept payment until NationsBank is brought current.

f) Appraisal on 225 Lambeth and 210 Lambeth of at least $400,000.

g) Loans to two borrowers will be cross-guaranteed.

h) Salaries, owner withdrawals, dividends, and loans to owners, employees, related companies, etc. will be limited to $70,000.00 per year.

i) Triple net lease between the operating and real estate company, and assignment of the lease to NationsBank.

j) Earnings recapture clause (specifics to be addressed in loan agreement).

k) Favorable criminal investigations on the new owners and directors of the daycare center.

l) The new owners must obtain a license to operate the daycare center and must meet other state standards commonly required for child care centers. Any restrictions or provisions with respect to the license must be acceptable to NationsBank.

m) Certification of the accuracy of financial data, enrollment figures, food and enrollment income per child, etc. must be provided.

n) The directors of the center will be Debra J. and Robert J. Hatter.

o) Favorable credit bureau reports on the owners and directors.

p) Execution of loan agreement specifying minimum levels of net worth, cash flow coverage of debt, liquidity, etc. (specifics to be addressed in loan agreement).

q) Lease payments from the daycare center to the realty company will be limited to $5,600.00 per month.

Warranties: The following representations, warranties and covenants shall be provided in a form satisfactory to NationsBank.

A) Borrower(s) is in good standing under North Carolina law.

B) Borrower is empowered to borrow under the terms set forth herein, and has taken appropriate action to authorize the transaction described herein; and upon execution, all loan and security documents to be delivered hereunder are enforceable.

C) Borrower has provided accurate information relative to all financial and other information.

D) Borrower will provide current business tax returns or fiscal year end financial statements in conformity with generally accepted accounting principals applied on a consistent basis on or before the expiration of this loan commitment, and during the term of this loan within 90 days of fiscal year end, and whenever else deemed necessary by NationsBank.

In submitting financial statements to NationsBank, an authorized officer of the Borrower will certify continuing compliance with all representations, warranties and covenants contained herein and will also certify that they are not in violation or default with any other agreement or contract.

E) Individual Guarantors will provide NationsBank with a personal financial statement including income information and most recently filed tax returns within 90 days of the fiscal year end of the Borrower and whenever else deemed necessary by NationsBank. Financial statements will be provided on NationsBank's form or any other form, acceptable to NationsBank.

F) Borrower will not, without prior written consent of the Bank, permit to exist any lien or encumbrance upon any of the Borrower's assets whether now owned or hereafter acquired. The Borrower's assets must be currently unencumbered, with the exception of liens or encumbrances to NationsBank and/or previously disclosed encumbrances.

G) Borrower will provide the following documentation in the form satisfactory to NationsBank at or prior to closing:

1) Documents as pertain to type of borrower.

a) A copy of Certified Articles of Incorporation from the Secretary of State.
b) A copy of the Certified Bylaws of the Corporation from the Secretary of the corporation.
c) Shareholders' consent, if required in articles or bylaws.
d) A copy of the Certificate of Good Standing (Certificate of Existence).

2) Documents as pertain to the Real Estate.

a) Survey certified to NationsBank and title company.
b) Appraisal satisfactory to NationsBank.
c) Mortgage title insurance policy from a Title company approved by NationsBank in an amount equal to the loan amount. No exceptions shall be permitted in the title insurance policy except current year taxes and any other exception deemed acceptable to NationsBank.
d) Title Exception Documents.
e) Insurance: permanent, consequential loss, flood (if appropriate) and liability (with Bank named as additional insured and loss payee) in the amount of the loan.
f) Copy of Lease (if not owner occupied).

H) All other loan documents or items that are customarily provided in loan transactions of this type.

EXPIRATION OF COMMITMENT: This commitment to lend will expire on April 30, 1993 if not accepted in writing by that date or if the loan does not close within 60 days after the date of acceptance unless otherwise extended in writing.

If acceptable, please sign the enclosed copy and return it to the undersigned.

Sincerely,

NationsBank of North Carolina, N.A.

By: _____
Steven K. May
Vice President

ACCEPTED AND AGREED to this 21 day of April, 1993.

Borrower:

By: _____
Kevin Campbell

Exhibit B

CWAC LOAN PROGRAM SUMMARY

BORROWER	LOAN AMOUNT CITY/BANK		BANK	JOBS TO BE CREATED
Darlene Adams	$11,000/$	44,000	Wachovia	3
Floyd's Restaurant	6,000/	24,000	Republic	1
CrossRoads Restaurant	19,000/	76,000	Bank of Meckl	3
Evans Financial Group	10,700/	42,800	First Union	4
Mr. & Mrs. Lankford	8,000/	32,000	First Union	1
Ms. Karen A. Shaw	54,800/	219,200	NationsBank	10
Charlotte Climbing Center	6,000/	130,000	Southern National	1
A & E Commerc. Hskp.	6,000/	24,000	United Carolina Bk.	1
Jaz-Mek's Hair Salon	32,149/	127,000	Southern National	3
Kevin Campbell	64,000	256,000	NationsBank	8
TOTAL	$217,649/	875,000		35

REQUEST FOR COUNCIL ACTION

Action Requested: Request City Council at its May 10, 1993 meeting to adopt an Ordinance authorizing the use of In Rem Remedy to repair the dwelling located at 2424 Greenland Avenue (Ashley Park).

Explanation of Request: City Council is being requested to adopt an ordinance authorizing the use of In Rem Remedy to repair the dwelling located at 2424 Greenland Avenue owned by Mary L. Hill.

The dwelling was originally inspected on December 19, 1991 as a result of a public agency complaint in a Concentrated Code Enforcement area and was found to be in violation of the Housing Code. The owner was ordered to repair the structure since the estimated cost to repair the structure was less than 65% of the estimated value. The owner did not comply with the Order to repair the structure by June 14, 1992; therefore, City Council is being asked to adopt an Ordinance to use the In Rem Remedy to repair the structure.

An Acquisition/Disposition Analysis has been performed by CD staff (see Exhibit A). It has been determined it is feasible to preserve this structure. In this case, repair is being recommended because the estimated In Rem Repair cost of $3,165 is 8% of the $37,640 tax value of the structure.

Source of Funding: Funds for the In Rem Repair of 2424 Greenland Avenue are available in the General Fund - In Rem Account. The estimated cost to repair this dwelling is $3,165. A lien will be placed against the property for the cost incurred.

Clearances: Community Development Department

Background: See Attachment

Responsible Department: Community Development Department

Bibliography: Housing Code of the City of Charlotte as amended; case file on 2424 Greenland Avenue.

BACKGROUND

-Property Address: 2424 Greenland Avenue

-Owner: Mary L. Hill

-Census Tract: #41.00

-Council District: #2

-Neighborhood: Ashley Park

-Date of Inspection: 12/19/91

-Owner Notified of Hearing: 12/20/91 (mail returned refused)

-Owner Notified of Hearing: 2/21/92 (mail returned unclaimed)

-Complaint and Notice of Hearing advertised in the Mecklenburg Times on 3/31/92.

-Hearing Held: 4/30/92

-Findings of Fact and Order advertised in the Mecklenburg Times on 5/15/92.

-Owner Ordered to Repair Dwelling: 6/4/92

-Title search revealed a party in interest to the property.

-Party in Interest Notified of Hearing: 7/22/92 (mail returned unclaimed)

-Complaint and Notice of Hearing and Findings of Fact and Order were advertised in the Mecklenburg Times because of being unable to serve by certified mail.

-Party in Interest Ordered to Repair Dwelling by: 11/29/92

-Case not followed up on.

-Structure Occupied: No

-Repairs include painting interior and exterior; repairing doors and windows; repairing interior walls; installing smoke detector, insulating attic area; replacing bricks at porch and step; replacing defective window and door screens; replacing decayed exterior trim; removing debris and overgrowth.

-Feasibility to Save or Demolish Structure:
An Acquisition/Disposition Analysis has been performed by CD staff (see Exhibit A). It has been determined it is feasible to preserve this structure. In this case, repair is being recommended because the estimated In Rem Repair cost of $3,165 is 8% of the $37,640 tax value of the structure.

EXHIBIT A

DATE 3-12-93

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION PROGRAM EVALUATION GUIDE
ADP ANALYSIS

ADDRESS 2424 Dunland Avenue (067-054-07) Census # 41.00

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

Code Order: In Rem Repair ✓
Demolition ____

Effective Year
Structure Built 1946
Style Ranch
Bedrooms 3
Sq. Ft. (House) 1,194
Civil Penalty ✓
Amount $2,800
Date 3-12 93

A. Current Tax Value of Structure $ 37,640
B. Land Value $ 7,000
SUB-TOTAL TAX VALUE $ 44,640
C. Estimated Cost to In Rem Repair to Code Standards $ 3,165
TOTAL $ 47,805

D. % of C divided by A 8 %
< 65% of Value Yes ✓ No ____

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns
House is now open and vacant

Name M. A. Miller
Date Completed 3-16-93

G. Preservation Manager or Development Manager Comments

_____

_____

_____

_____

_____

Date Completed _____

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date _____

1. Negotiated Acquisition or Tax Value $ 44,640
2a. Rehabilitation (Substantial) $ 32,238
(based on average cost of CD rehabilitation x sq.ft. in house)
1194 sq.ft. x $ 27 per sq.ft.
2b. Actual Cost/Cost Estimate $ N/A
3. Delinquent Taxes (if any) $ 0
4. Outstanding Loans/Liens (if any) $ 36,122

Sub-Total $ 113000
Outstanding Loans/Liens - 36,122
TOTAL $ 76,878

Is Total > $50,000 Yes ✓ No ____

B. Amount of Civil Penalties $ 2,800

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes ____ No ✓
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

1194 sq. ft. x $ 41.45 $ 49,491.30
Plus Land Value $ 7000

TOTAL $ 56,491.30

C. Is it feasible to rehabilitate vs. replacement house cost?
Yes ____ No ✓

Name [signature]
Date Completed 4-7-93

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	____
Only forward to Rehabilitation Chief for work write-up and cost estimate after concurrence with CD Director of internal use purchase. If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.		
2. In Rem Repair	✓	____
3. Demolish	____	____

If #1 is checked yes, NDS notifies the HRS II and the code enforcement process stops.

If either #2 or #3 is checked yes, the code enforcement process is continued by updating cost estimate and preparing City Council agenda item.

Name _____

Date Completed _____

B. Proposed Use (to be completed by NDS)

	Yes	No
1. Retain for Use Internally	____	____

Explain Proposed Internal Use of House

_____

_____

_____

_____

_____

2. Sell to Interested Purchaser Externally	____	____

Explain Proposed External Sale of House

_____

_____

_____

_____

_____

C. Comments

1) Debt on property is high
2) No response from owner regarding intention to bring property into compliance.

Name [illegible]
Date Completed 4-7-93

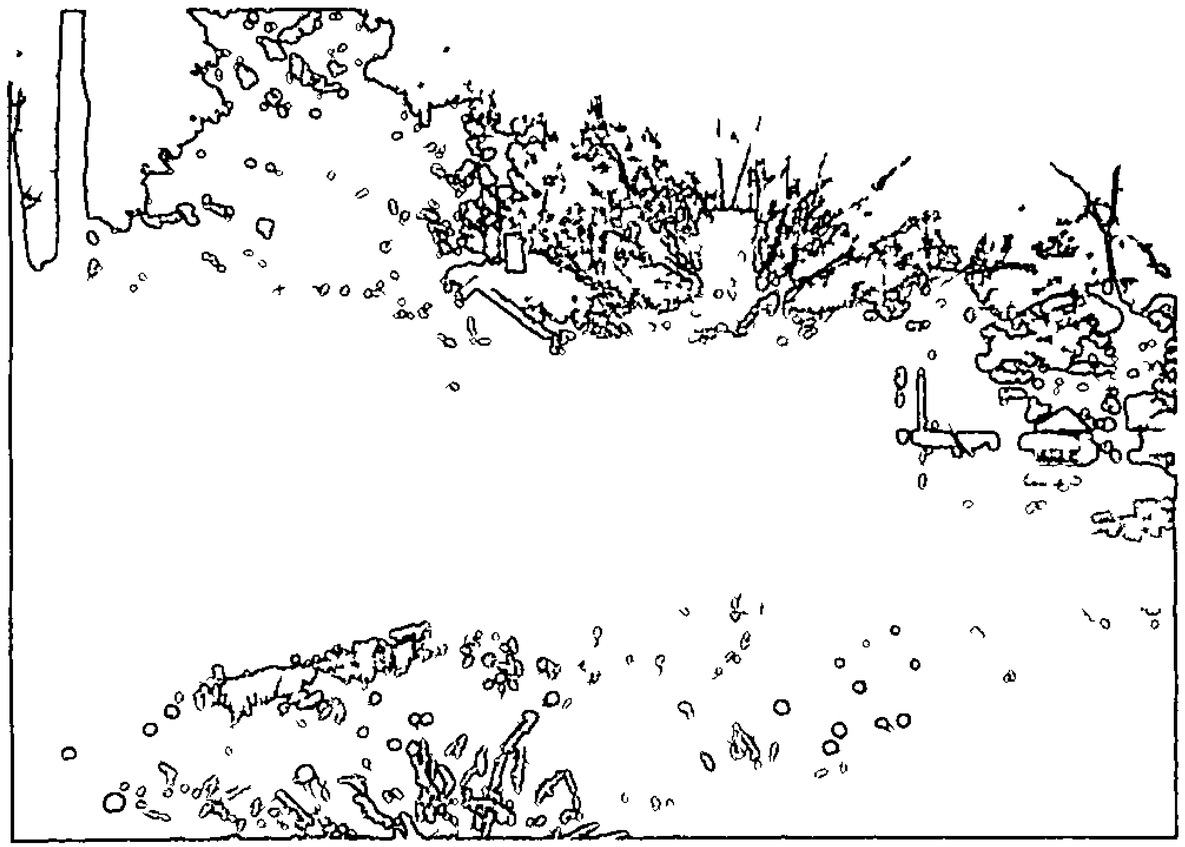
4/7/93

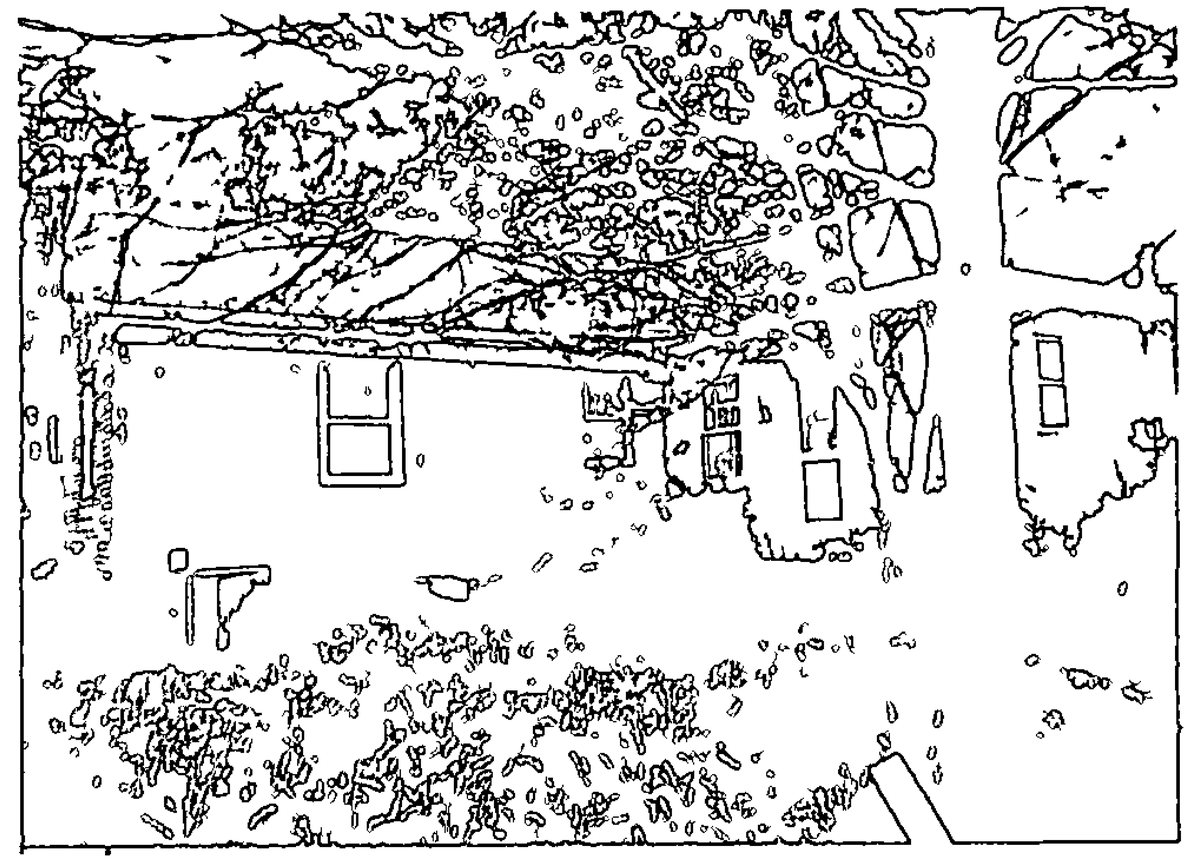
V. Community Development Director Approval ✓ Decline ____

[illegible] 4-8-93
Signature

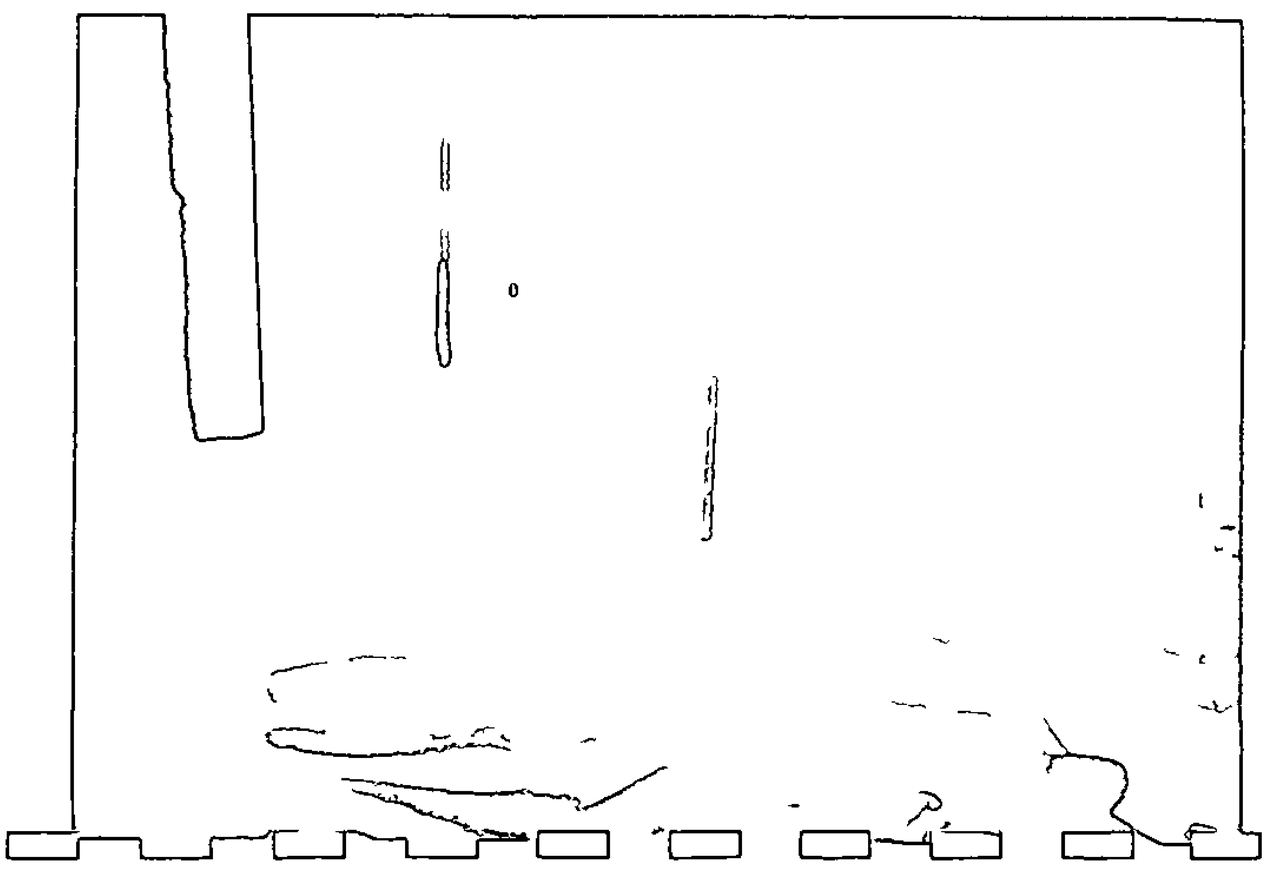
Director's Comment/Concerns:

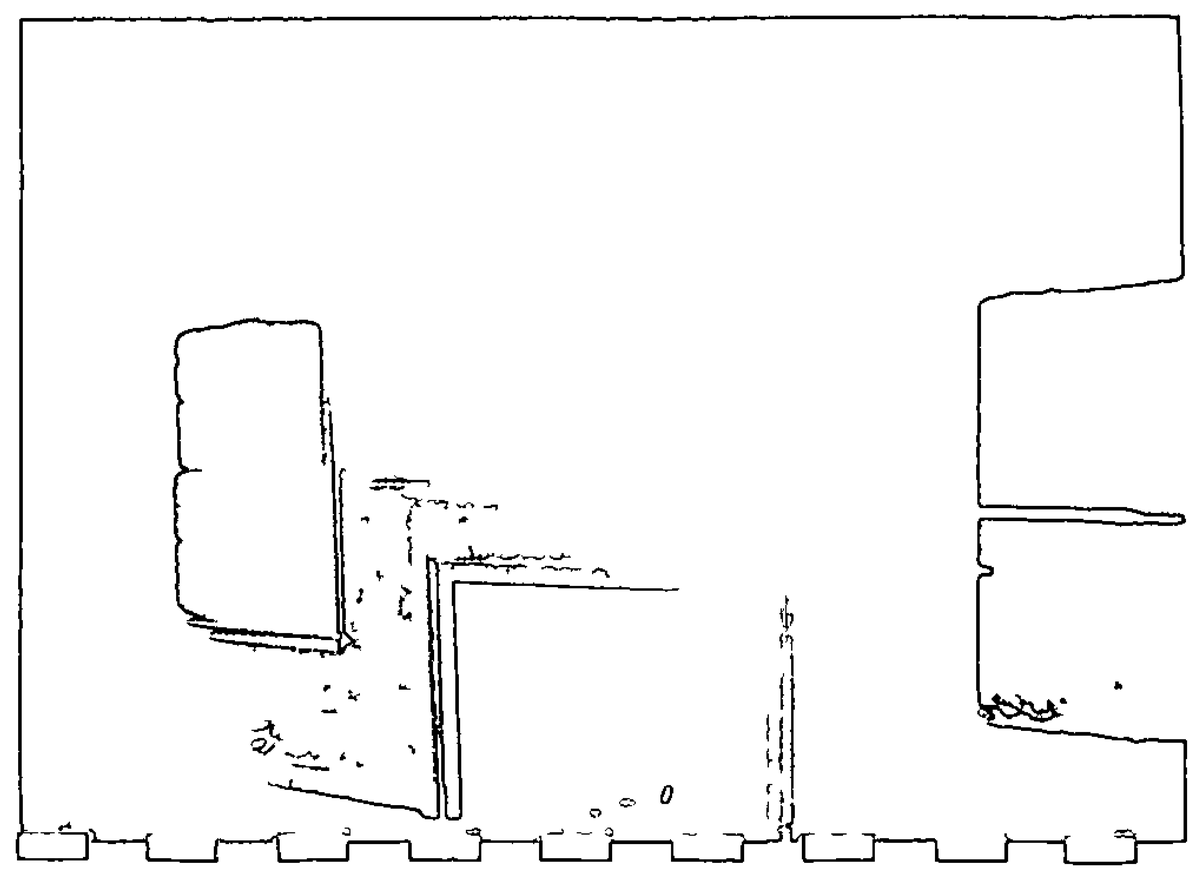
Continue legal efforts collection of lien

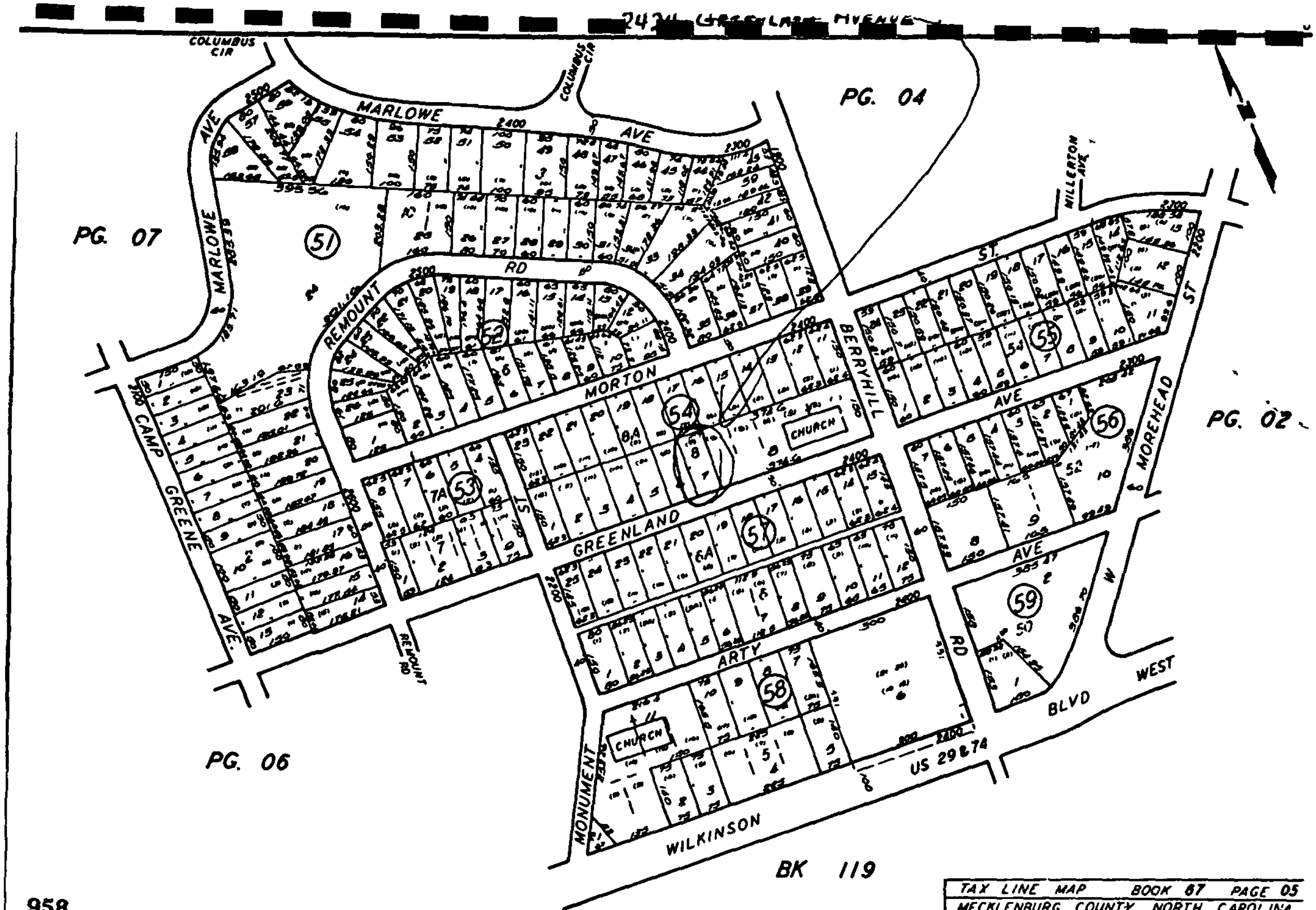




2424 GREENLAND AVENUE







TAX LINE MAP	BOOK 67	PAGE 05
MECKLENBURG COUNTY, NORTH CAROLINA		
REVISED 5 4 90	SCALE 1" = 200'	

958

FOR TAX PURPOSES ONLY

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council On the basis of that schedule, which is incorporated herein, the following facts are found.

1 The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket

2 The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits

3. The amounts listed on the schedule were collected through either a clerical or assessor error

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of April, 1993 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set ut and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form

Henry W. Underhill Jr.
City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the _____ day of _____, 199____, the reference having been made in Minute Book _____ and recorded in full in Resolution Book _____, page(s) _____.

Brenda Freeze
City Clerk

TAXPAYERS AND REFUNDS REQUESTED
LESS THAN $100

Name	Amount of Refund
James Lewis Ritchie	$ 30.14
Robinn Kellyann Cooper	32.61
Tonya Michelle Nicks	3.82
Christopher Dean Pittman	43.18
Kamel Lynn Thompson	25.00
Kamel Adel Fouad	50.00
Marine Midland Automotive	75.10
Industrial Leasing Corp.	58.04
U S Factory Outlets	76.20
Schaefer, Yvonne Fisher	13.90
Geiger, Daniel Thomas	69.39
Hale, William Michael	6.54
King, David Derwen	65.15
King, David Derwen	65.15
King, David Derwin	65.15
King, David Derwen	65.15
King, David Derwen	65.15
King, David Derwen	65.15
Muirhead, Mark A.	96.28
Nardelli, David Eugene	83.68
Curtis, Mark Paul	61.55
Stuart, George J., Jr. & Wf.	25.00
Stuart, George J., Jr., & Wf.	25.00
Dataserv Financial	13.15
Dataserv Financial	24.89
Dataserv Equipment Inc.	39.42
World Omni Leasing Inc	62.41
Shue, Don A., Jr. & Wf. Janet G.	25.00
Shue, Don A., Jr. & Wf. Janet G.	25.00
Howard Brothers	45.91
Shue, Don A., Jr. & Wf. Janet G.	20.00
Shue, Don A., Jr. & Wf. Janet G.	20.00
Shue, Don A., Jr. & Wf. Janet G.	20.00
Bass, Billy Mack	33.40
Arnies Comic Cafe	54.40
Arnies Comic Cafe % Comic Food	72.53
Baldwin, Garza III	87.29
Kauffman, Robert & Kim	41.58
Total	$ 1,751.31

TAXPAYERS AND REFUNDS REQUESTED
MORE THAN $100

Name	Amount of Refund
Trotter, William Dev. Co.	$ 695.42
Trotter, William Dev. Co.	401.34
Trotter, William Dev. Co.	263.89
Trotter, William H.	264.50
Newton, Miller H.	682.28
Equity Source 85	2,055.63
City County Tax Collector	1,053.86
Pinehurst Ltd. Ptnrshp.	17,220.67
PC Shop & Process	393.64
Process Applications Inc.	456.38
Process Applications Inc.	407.49
Process Applications Inc.	448.51
Crescent Resources Inc.	2,037.64
Crescent Resources Inc.	1,615.29
Craig & Debra Brown	421.50
Layne, John W.	1,274.02
Jamestown Management Co.	1,098.24
Jamestown Management Co.	370.87
Jamestown Management Co.	3,815.08
Providence Square	5,567.21
Providence Square	2,006.73
Providence Square	8,330.47
Billy Graham Parkway	371.86
BGP Partners II Ltd.	125.37
Debrun, Brian	120.09
Total	$51,497.98

CHARLOTTE CITY COUNCIL

RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION

WHEREAS, G.S. 160A-270(b) allows the City to sell personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at public auction; and

WHEREAS, the City Manager has recommended that the property listed on the attached Exhibits A, B & C should be sold at public auction as surplus property, now, therefore,

BE IT RESOLVED by the Charlotte City Council that the City-County Purchasing Director is authorized to sell at public auction on the 19th day of June, 1993 at 10:00 a.m. at the Old Holman-Moody Hangar Site), on Warren Road, Charlotte, N. C. the surplus property described on Exhibits A, B & C as per the terms and conditions and in accordance with the "Auction Services" contract approved by this Council. The terms of the sale of the surplus property shall be net cash. The City-County Purchasing is directed to publish at least once and not less than ten (10) days before the date of the auction a copy of this resolution or a notice summarizing its content as required by G.S. 160A-270.

Adopted on the _____ day of _____, 1992.

_____
Mayor/City Manager

ATTEST:

_____
City Clerk

APPROVED AS FORM:

_____
City Attorney

EXHIBIT A / RESOLUTION
6-19-93 PUBLIC AUCTION
5/10/93 agenda

AUCTION LISTS

LEGEND: 1 = CITY 2 = COUNTY 3 = SCHOOLS

LOCATION: S = SEIGLE L = LOUISE SW = SWEDEN T = TUCKASEEGEE A = AIRPORT CO = COUNTY

SELLER	YEAR	ID	DESCRIPTION	VIN #	MILEAGE	LOCATION
1	1989	PDA-035	FORD CV 8 CYL POLICE PKG.	2FABP72GXKX181402		S
1	1989	PDA-037	FORD CV 8 CYL POLICE PKG.	2FABP72G5KX181405	89,198	S
1	1989	PDA-039	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX181407	117,878	S
1	1989	PDA-706	FORD CV 8 CYL POLICE PKG.	2FABP72G3KX214014	102,796	S
1	1989	PDA-708	FORD CV 8 CYL POLICE PKG.	2FABP72G7KX214016	93,288	S
1	1989	PDA-710	FORD CV 8 CYL POLICE PKG.	2FABP72G0KX214018		S
1	1989	PDA-712	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214020	96,147	S
1	1989	PDA-714	FORD CV 8 CYL POLICE PKG.	2FABP72G2KX214022	108,312	S
1	1989	PDA-716	FORD CV 8 CYL POLICE PKG.	2FABP72G6KX214024	93,089	S
1	1989	PDA-720	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214030	114,605	S
1	1989	PDA-722	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214034		S
1	1989	PDA-726	FORD CV 8 CYL POLICE PKG.	2FABP72G8KX214039	103,625	S
1	1989	PDA-730	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214044	116,683	S
1	1989	PDA-734	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214058		S
1	1989	PDA-735	FORD CV 8 CYL POLICE PKG.	2FABP72G2KX214067	108,200	S
1	1989	PDA-741	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214027	90,681	S
1	1989	PDA-760	FORD CV 8 CYL POLICE PKG.	2FABP72G3KX214076	100,709	S
1	1989	PDA-763	FORD CV 8 CYL POLICE PKG.	2FABP72G2KX214084	105,166	S
1	1989	PDA-769	FORD CV 8 CYL POLICE PKG.	2FABP72G3KX214093	116,462	S
1	1989	PDA-770	FORD CV 8 CYL POLICE PKG.	2FABP72G7KX214095	97,496	S
1	1989	PDA-776	FORD CV 8 CYL POLICE PKG.	2FABP72G8KX214090	108,343	S
1	1989	PDA-788	FORD CV 8 CYL POLICE PKG.	2FABP72G5KX214094	108,000	S
1	1989	PDA-790	FORD CV 8 CYL POLICE PKG.	2FABP72G4KX214099	98,917	S
1	1989	PDA-794	FORD CV 8 CYL POLICE PKG.	2FABP72G8KX214106	110,301	S
1	1989	PDA-800	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214065	109,194	S
1	1989	PDA-801	FORD CV 8 CYL POLICE PKG	2FABP72G6KX214105	118,422	S
1	1988	PDA-052	FORD CV 8 CYL POLICE PKG.	2FABP72G2JX215878	109,451	S
1	1988	PDA-074	FORD CV 8 CYL POLICE PKG.	2FABP72G0JX215880	113,198	S
1	1988	PDA-075	FORD CV 8 CYL POLICE PKG.	2FABP72G9JX215912	102,463	S

21

1	1988 PDA-114	FORD CV 8 CYL POLICE PKG.	2FABP72G3JX215937	99,784	S
1	1988 PDA-115	FORD CV 8 CYL POLICE PKG.	2FABP72G5JX215938		S
1	1988 PDA-138	FORD CV 8 CYL POLICE PKG. TOW TRANSMISSION BAD	2FABP72G3JX215940	100,633	S
1	1988 PDA-140	FORD CV 8 CYL POLICE PKG.	2FABP72G7JX139672	101,230	S
1	1988 PDA-148	FORD CV 8 CYL POLICE PKG.	2FABP72G0JX215913	102,418	S
1	1988 PDA-153	FORD CV 8 CYL POLICE PKG.	2FABP72G8JX139695	99,942	S
1	1988 PDA-193	FORD CV 8 CYL POLICE PKG.	2FABP72G2JX139661	109,560	S
1	1988 PDA-236	FORD CV 8 CYL POLICE PKG.	2FABP72G9JX215926	105,998	S
1	1988 PDA-702	FORD CV 8 CYL POLICE PKG.	2FABP72GXKX214009	101,885	S
1	1988 PDA-728	FORD CV 8 CYL POLICE PKG.	2FABP72G6KX214041	107,111	S
1	1988 PDA-771	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214096	97,754	S
1	WRECKS TOW				
1	1988 PDA-070	FORD CV 8 CYL POLICE PKG.	2FABP72G5JX215910	67,698	S
1	1989 PDA-705	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214013	56,158	S
1	1988 PDA-756	FORD CV 8 CYL POLICE PKG.	2FABP72G4KX214071	27,794	S

CARS

1	1987 USA-017	FORD 8 CYL 4X4 BRONCO	1FMOU15N1HLA66353		S
1	1987 UCA-004	CHEV 4 CYL CAVALIER	1G1JC5113HJ186146	104,732	S
1	1986 USA-002	FORD 4 CYL TEMPO	2FABP22X0GB263128		S
1	1986 USA-001	FORD 4 CYL TEMPO	2FABP22X30B233914		S
1	1986 UDA-006	FORD 4 CYL TEMPO	2FABP22XXGB263122		S
1	1986 UCA-010	FORD 4 CYL TEMPO	2FABP22X1GB233913	107,993	S
1	1986 TEA-003	FORD 4 CYL TEMPO	2FABP22X1GB237654		S
1	1986 FDA-019	FORD 4 CYL TEMPO	2FABP22X9GK195661		S
1	1986 USA-015	CHEV 4X4	1G8CT18E1G8181402	111,287	S
1	1986 UCA-011	FORD 4 CYL TEMPO	2FABP22XOGB237659	95,574	S
1	1985 UCA-002	CHEV 4 CYL CAVALIER	1G1JC69P0FK143714	81,210	S
1	1985 TEA-017	CHEV 4 CYL CAVALIER	1G1JC69P1FJ215915	64,319	S
1	1985 FDA-042	CHEV 4 CYL CAVALIER	1G1JC69P9FJ186678	92,471	S
1	1985 FDA-014	CHEV 4 CYL CAVALIER	1G1JC69P8FJ186672		S
1	1984 TPA-016	CHEV 4 CYL CAVALIER	1G1JC69P3E7171265	58,274	S
1	1984 EDA-123	FORD 4 CYL 4X4 BRONCO II	1FMCU14S6EUA18520		S
1	1984 SSA-008	FORD 4 CYL ESCORT SW	1FABP094BET164571	50,695	S

1	1983 UAA-008	CHEV MALIBU 6 CYL SW	1G1AW3597DR185766		S
1	1983 EDA-124	FORD 4 CYL ESCORT SW	1FABP0928DW244920		S
1	1983 TEA-004	FORD 6 CYL FAIRMONT	1FABP36X7DK169829		S
1	VANS/BUS				
1	1985 FDB-070	FORD 8 CYL PASSENGER VAN	1FBHE21H2FHB89754	86,578	S
1	1983 ESB-004	FORD 8 CYL CARGO VAN	1FTEE14Y6DHB11320		S
1	1983 PDB-401	FORD 8 CYL PASSENGER VAN	1FBHS31GXDHA84642		S
1	1980 ESB-003	FORD 8 CYL CARGO VAN NO TITLE BOND RECEIVED	E14GBHG0214		S
1	1976 CDB-002	FORD 8 CYL PASSENGER VAN	E23HHD02700		S
1	1971 CDB-022	INTERNATIONAL 38 PASS BUS	416360H098293	228	L
1	COMPRESSORS				
1	1985 USC-802	JOY WHEEL AIR COMPRESSOR 185 C.F.M.	202397	N/A	SW
1	DUMP TRUCKS				
1	1973 EPD-300	FORD 8 CYL DUMP TRUCK 20K	F60DVR62243	2,904	L
	BACKHOES				
1	1977 PRH-600	JOHN DEERE SMALL BACK HOE	35356268909	N/A	SW
1	1980 UDH-603	CASE 4 CYL SMALL BACK HOE	8992527	N/A	SW
1	1980 USH-605	CASE 4 CYL SMALL BACK HOE	9132122	N/A	SW
1	1989 USH-610	JCB 4 CYL HEAVY BACK HOE	K17BT20593455947	N/A	SW
1	TRUCKS WITH SPECIAL JOB PLANNED BODIES				
1	1988 TOJ-475	MARK RITE 8 CYL LINE STRIPER TRUCK	722572	N/A	L
1	1988 TOJ-474	MARK RITE 8 CYL LINE STRIPER TRUCK	7225711	N/A	L
1	1986 SMJ-267	FORD TRUCK CATCH BASIN SEWER CLEANER	1FDYD80U0GVA42461	7,937	L
1	1982 ACJ-017	CHEV TRUCK CAB & CHASIS NO BODY	1GCBS14A3C2142086		S
1	1982 ACJ-024	CHEV TRUCK CAB & CHASIS NO BODY	1GCBS14A2C2126252		S

1	1975 USJ-861	INTL 8 CYL TRUCK 10 GVW WITH FLAT BED DUMP BODY	DO512EHA49582	50,837	L
1	1984 SMJ-254	LIQUID ASPHALT DISTRIBUTOR F-700 TRUCK	1FDWF70H3EVA49500	29,030	L
1	1984 TEJ-400	CHEV 8 CYL TRUCK	2GBGC24M8E1203569		S
1	1984 USJ-800	FORD TRUCK CATCH BASIN SEWER CLEANER	1FDXF7OK6EVA49491	104,245	L
1	1978 SMJ-364	INTL 6 CYL DO ALL TRUCK MULTI PURPOSE SPREADER	DO522HHB30069		L
1	1977 MTJ-296	FORD TRUCK FLAT BED SERVICE BODY	F37SLY55110	57,319	L
1	FRONT END LOADERS				
1	1981 UWL-655	CASE 4 CYL FRONT LOADER	1216804	N/A	SW
1	1981 UWL-652	CASE 4 CYL FRONT LOADER	1189866	N/A	SW
1	REFUSE PACKERS				
1	1983 SNP-404	FORD 8 CYL 25 YD PACKER	1FDYH80U1DVA07184	108,852	SW
1	1983 SNP-402	FORD 8 CYL 25 YD PACKER	1FDYH80U8DVA07182	99,503	SW
1	1983 SNP-401	FORD 8 CYL 25 YD PACKER	1FDYH80U6DVA07181	113,099	SW
1	1983 SNP-391	FORD 8 CYL 25 YD PACKER	1FDYH80U3DVA07171	110,389	SW
1	1983 SNP-388	FORD 8 CYL 25 YD PACKER	1FDYH80U3DVA07168	90,820	L
1	1983 SNP-386	FORD 8 CYL 25 YD PACKER	1FDYH80U4DVA02996	92,902	L
1	1983 SNP-384	FORD 8 CYL 25 YD PACKER	1FDYH80U7DVA02992	96,489	L
1	1983 SNP-369	FORD 8 CYL 25 YD PACKER	1FDYH80U4DVA02979	81,757	L
1	1980 SSP-334	FORD 8 CYL 20 YD PACKER	D80UVGG8303	5,438	L
1	ROLLERS				
1	1987 SMR-725	BOMAG 4-6 TON ROLLER	101550100168	N/A	L
1	PICKUP TRUCKS				
1	1987 UCU-116	FORD 6 CYL RANGER 6500 GVW	1FTCR10T9HUD12048	117,233	S
1	1987 UCU-119	FORD 6 CYL RANGER 6500 GVW	1FTCR105T9HUD2051	101,574	S
1	1987 UCU-120	FORD 6 CYL RANGER 6500 GVW	1FTCR1050HUD12052	108,656	S
1	1986 UCU-105	CHEV 6 CYL S-10 6500 GVW	1GCCS14R2G2203024	101,128	S
1	1986 UCU-112	CHEV 6 CYL S-10 6500 GVW	1GCCS14RXG2203627		S
1	1986 UEU-028	CHEV 4 CYL	1GCCS14R6G8181409		S

1	1985 SSU-015	CHEV 8 CYL 6500 GVW CREW CAB	1GCGC23M1FS173720		S
1	1982 TOU-029	FORD 8 CYL 6500 GVW	1FTHF25G4CNA33741		S
1	1982 MTU-017	CHEV 6 CYL 6500 GVW	1GCCS14B9C2142042	63,086	S
1	1981 CSU-011	CHEV 8 CYL 6500 GVW	1GCEC14B388142755		S
1	1979 MTU-012	FORD 8 CYL 6500 GVW	F15GNEK4894	86,502	S
1	1978 SNU-026	FORD 8 CYL 6500 GVW	TCL448B505100	98,006	S
1	MISCELLANEOUS EQUIPMENT				
1	1982 PRN-752	TURF 3 CYL LAWNMOWER	10014		T
1	UNK NONE	VEMEER STUMP GRINDER	779		L
1	UNK NONE	SUN VAT 40	90U885C-5777		S
1	UNK NONE	SUN ANALYZER	17895		S
1	UNK NONE	AMMCO DISK BRAKE LATHE FLOOR MTG. ELECTRIC			S

EXHIBIT B / RESOLUTION
6-19-93 PUBLIC AUCTION

5/10/93 agenda

Charlotte Transit System

inner-office communication

DATE April 26, 1993

TO: Karen King

FROM Joe Miller Joe

SUBJECT Surplus Equipment and Bus Storage

Charlotte Transit has several items for the June equipment auction. One is a large truck tire regrover, 2 part cleaning machines, 1 cylinder block and 2 transmissions out of silverside buses; 55 gallon drum racks, an engine cradle and an old electrical tester.

I will keep them at our facility until I hear from you. FN 4's have been completed on these items.

As for the buses we have stored in the Holman Moody Hangar we will work with you in whatever way we can. We've stored those 14 buses there for the past year as we do not have room at our Davidson St. complex. Right now we have no plans to move them. If you know of another secured storage site we can use permanently let me know and I'll arrange to move the.

We don't expect to surplus them within the next year. If you would like them moved to a corner or out of the way area of that facility during the auctions I'd be happy to do that for you. Just let me know.

JEM/ed

cc: Dave Hines
Johnny Gullett

CITY OF CHARLOTTE
INTER-OFFICE COMMUNICATION

EXHIBIT C ? RESOLUTION
6-19-93 PUBLIC AUCTION

5/10/93 agenda

DATE: April 28, 1993

TO: Karen King
Purchasing

FROM: Clayton Smith
Landscape Management

SUBJECT: Equipment for Auction

ITEM	DESCRIPTION/LOCATION	ITEM #
(2) FLAIL ATTACHMENT TO MOWER	RIDING MOWER GRASS CUTTING ATTACHMENT - ALONG BACK FENCE OF EMPLOYEE PARKING LOT	NO #'S
(6) 36" BOB CAT WALK BEHIND MOWER	WALK BEHIND (PUSH) MOWERS AT SMALL ENGINE SHOP	BC-103, BC-108 PRN-612, BC-400 BC-101, BC-102

(NOTE: ALL THE REMAINING EQUIPMENT IS LOCATED AT SMALL ENGINE SHOP WHICH IS LOCATED BEHIND THE LANDSCAPE MANAGEMENT ADMINISTRATION OFFICES - TUCKASEEGEE ROAD)

(5) MISC. EDGERS	GRASS EDGERS - 1) TORO, PRP-134 (SER # 8000966; 2) HOGG, E-25; 3) MCLEAN, E-330; 4) HOGG, E-30; 5) TORO, E-31	
(13) JACOBSEN PUSH MOWERS	20" LAWN MOWERS - PRP-087; D-100; D-94; D-31; D-62; D-103; D-73; D-81; D-109; D-122; D-55; D-87; D-??	
(1) RYAN PUSH MOWERS	20" LAWN MOWER	D-35
(1) MISC MOWER	24" - NO ID NAME	NO #
(2) TEN TON FLOOR JACKS	FLOOR JACKS	NO #
(1) TORO MOWER	20" PUSH MOWER	SER. # 7002011
(6) WHEEL BLOWER	I-223; I-81; I-175; I-174; I-20	
(6) BACK PACK BLOWERS	RED MACK, PRP-017; KAAS, PRP-165; RED MACK, PRP-015; TORO, PRP-80; KAAS, BP-59; TORO, BP-79	

CHARLOTTE CONVENTION CENTER
TOTAL PROJECT BUDGET UPDATE

10MAY93

CONTRACTS AWARDED TO DATE	NOVEMBER 1991 ESTIMATE [30% COMPLETE PLANS]	ESTIMATE PRIOR TO BIDDING	AWARDED LOW BID	CONTRACT CHANGE ORDERS TO DATE	CURRENT SAVINGS /(OVERRUN) FROM 11/91 ESTIMATE [A - C - D]	M/WBE PARTICIPATION ACTUAL PERCENTAGES OF CONTRACT MBE	WBE
CONSTRUCTION MANAGER	$7,461,750.00	$7,461,750.00	$7,461,750.00	$0.00	$0.00	3.8	0.3
SITE OFFICE	$99,672.00	$99,672.00	$96,303.70	$1,097.30	$3,271.00	26.4	2.3
SITE DEMOLITION - 1	$457,844.00	$458,945.00	$219,777.16	($11,840.66)	$249,907.50	5.1	4.8
TRADE MART DEMOLITION	$1,953,750.00	$1,953,750.00	$1,953,875.00	$369,500.00	($369,625.00)	0.0	76.0
SITE GRADING	$5,105,221.00	$8,677,370.00	$5,652,353.42	$136,921.57	($684,053.99)	17.5	6.9
STRUCTURAL STEEL	$12,182,028.00	$12,182,028.00	$10,851,576.00	$700,000.00	$630,452.00	1.4	1.2
CONCRETE - 1	$3,403,300.00	$3,242,003.00	$3,635,280.00	$91,608.00	($323,588.00)	6.0	0.0
WATERPROOFING	$619,410.00	$182,307.00	$184,620.00	$3,841.50	$430,948.50	0.0	0.0
FIREPROOFING	$916,050.00	$916,050.00	$394,490.00	$12,639.00	$508,921.00	0.0	0.0
ELEVATORS & ESCALATORS	$2,741,760.00	$2,741,760.00	$1,679,940.00	$0.00	$1,061,820.00	0.8	1.8
PLUMBING	$1,778,939.00	$1,842,256.00	$2,783,329.00 (a)	$0.00	($1,004,390.00)	0.0	6.9
CONTROLS & BUILDING AUTOMATION SYSTEM	$1,588,251.00	$1,588,251.00	$1,239,797.00	$0.00	$348,454.00	24.1	0.0
HVAC	$7,361,008.00	$7,401,808.00	$8,766,343.00 (a)	$0.00	($1,405,337.00)	8.7	0.0
ELECTRICAL	$8,119,061.00	$8,343,574.00	$7,892,879.00 (a)	$0.00	$226,105.00	2.0	0.0
CONCRETE - 2	$4,492,932.00	$5,021,293.00	$5,230,356.00 (a)	$0.00	($737,424.00)	12.8	0.0
FIRE PROTECTION	$1,185,712.00	$1,491,067.00	$1,297,705.00	$0.00	($111,993.00)	1.9	0.0
KITCHEN & FOOD SERVICE EQUIPMENT	$1,188,347.00	$1,205,916.00	$1,133,425.00	$0.00	$54,922.00	3.7	0.4
MISCELLANEOUS METALS (d)	$1,622,562.00	$2,608,263.00	$2,758,544.00	$0.00	($1,135,982.00)	0.0	100.0
MASONRY (d)	$3,696,323.00	$5,153,454.00	$5,081,563.00 (a)	$0.00	$614,740.00	11.0	89.0
TOTALS	$65,973,938.00	$70,571,535.00	$66,913,023.28	$1,303,768.71	($1,642,851.99)	6.0	11.9

	ORIGINAL BUDGET (NOV 91)	CURRENT REVISED BUDGET
BID TO DATE:	$65,973,938.00	$66,313,023.28
CHANGE ORDERS TO DATE:		$1,303,768.71
TO BE BID:	$17,755,145.00	$20,362,379.00 (b)
CONTINGENCY	$4,175,917.00	$1,814,231.01
BUILDING CONSTRUCTION COST:	$87,905,000.00	$89,793,400.00
LAND COST:	$30,170,000.00	$29,570,000.00
OTHER PROJECT COSTS: (c)	$23,690,000.00	$22,201,600.00
TOTAL PROGRAM BUDGET:	$141,865,000.00	$141,865,000.00

FOOTNOTES:

(a) Negotiated low bid.

(b) Construction Manager's estimate as of 30APR93.

(c) Other Project Costs include such items as the Architect's Fee, Project Contingency, Furniture & Equipment, Professional Testing Services, City Administration, and the Art Fund.

(d) Includes Council action item.

FLUOR DANIEL, INC.

ATTACHMENT

Summary of Changes to the Resolution to Restructure the Charlotte-Mecklenburg Art Commission

A section by section summary of relevant changes follows:

Section 2. Definitions

Parks and schools were deleted; park improvements were added.

Section 3. Funds for Works of Art

Deleted funding for governmentally leased property and substituted the term 'construction projects' for the term 'public facilities'.

Section 4. Art Commission Composition and Responsibilities

Both Art Commission and Arts and Science Council may nominate people for appointment to the Art Commission by the elected officials instead of just the Arts and Science Council.

Added governmental appointments are to be made from four segments of the population as designated:

	City	County
3 from education	1	2
3 from art/architecture	2	1
3 from business	2	1
3 at large	1	2

Deleted the statement that the Art Commission chair will serve by appointment on the ASC board.

Added the sentence, "All private money proposed for inclusion in any annual budget of the Art Commission must be either raised or pledged prior to any public money being transferred to the Art Commission for that annual budget."

Section 5. Placement.

Restricted art placement to specific construction project sites by deleting the phrase "... or other City or County-owned, leased or rented property."

Section 8. (Added this section)

This Resolution shall be effective upon its approval by both the City Council and the Board of County Commissioners for the period ending June 30, 1994, and shall remain effective thereafter for additional fiscal-year periods unless notice of cancellation is given in writing by either party on or before the April 30 which is immediately prior to the next fiscal-year period."

MARKED COPY

Additions: Underlined boldface type
Deletions: ~~strikethrough~~

A RESOLUTION RESTRUCTURING THE CHARLOTTE-MECKLENBURG PUBLIC ART COMMISSION AND AUTHORIZING THE ALLOCATION OF FUNDS FOR PUBLIC ART PROGRAMS

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

WHEREAS, the character, identity and educational environment of Charlotte and Mecklenburg County have been enhanced by public interest and support of the arts; and

WHEREAS, Public Art Programs contribute to economic development and tourism while humanizing the impact of rapid urbanization; and

WHEREAS, Public Art Programs within and around public buildings add warmth, dignity, beauty, and accessibility to public spaces; and

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the City Council of Charlotte and the Mecklenburg County Board of Commissioners to provide a system of support for Public Art Programs as follows:

Section 1. Purpose.

Charlotte and Mecklenburg County accept a responsibility for expanding the experience and direct participation of citizens in the visual arts. A policy, therefore, is established to direct the inclusion of Public Art Programs in City and County public construction projects as hereinafter defined.

Section 2. Definitions.

a. "Art Commission" shall mean ~~to~~ the Charlotte-Mecklenburg Public 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 or public space, such as offices, park buildings, park improvements ~~parks~~ parking facilities, court facilities, ~~schools~~ recreation centers, or any portion thereof within Mecklenburg County, which are normally visited by the public, with the exception of restoration of historic properties. Construction projects also shall not include street, highway or transportation projects.

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, lithographs, and other physical elements of design. 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 and design 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 and legal services; permit fees; as well as 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 1% of the construction cost for works of art. This amount will be based on the construction cost of any such project, as estimated in the Capital Improvement Program for the year in which such estimates or request is made.

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 Public Art Programs in other City or County projects or existing public facilities and spaces which are owned ~~of leased~~ by the City or County, if legally permissible.

c. Such funds shall be provided as above for all ~~public/facilities~~ construction projects authorized by the County and the City after the date this Resolution has been approved by the City Council and the Board of County Commissioners.

Section 4. ~~Public~~ Art Commission Composition and Responsibilities.

Composition. The Art Commission shall have twelve (12) members appointed for three-year terms in the following manner:

Six members shall be ~~nominated by the Arts and Science Council to review and approval.~~ appointed by the Charlotte City Council from persons nominated by either the Art Commission or the Arts and Science Council ~~Six members shall be nominated by the Arts and Science Council to approval.~~ Six members shall be appointed by the ~~Mecklenburg~~ Board of County Commissioners from persons nominated by either the Art Commission or the Arts and Science Council ~~for approval.~~

The members shall be appointed by the City and County from various segments of the population as designated below:

	County	City
3 from field of Education	2	1
3 from Artistry/Architecture	1	2
3 from Business	1	2
3 at Large (no restriction)	2	1

The Chairman of the Art Commission shall be elected by the Art Commission. ~~THE/CHAIRMAN/SHALL/SERVE/BY/APPOINTMENT/OF/THE/ASC/BOARD/OF/DIRECTORS/~~

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

The Art Commission may select advisors for a particular project to adjust to the size and complexity of art projects. These advisors shall assist the commission but shall have no vote. A representative from the interested City or County department and the construction project architect shall also be non-voting advisors. The Art Commission shall encourage community participation.

Responsibilities.

a. The Art Commission shall make periodic reviews of all construction projects authorized by the City Council and Board of County Commissioners. The Art Commission shall determine which construction projects are appropriate for inclusion in the Public Art Program. An annual presentation of all construction projects selected for inclusion in the Public Art Program for the upcoming year shall be made to the City Council and Board of County Commissioners. The City Council and Board of County Commissioners have final approval of the annual work program and budget of the ~~PUBLIC~~ Art Commission, as well as the amount of funds (up to 1% of the construction costs) to be spent for works of art. All private money proposed for inclusion in any annual budget of the Art Commission must be either raised or pledged prior to any public money being transferred to the Art Commission for that annual budget.

b. Once a construction project is included in the Public Art Program, the Art Commission shall be responsible for the selection of artists, the commissioning of works of art and/or the purchase of works of art. The use of works of art by local and North Carolina artists should be emphasized. The Art Commission shall be responsible for condition monitoring of artworks; inventory/cataloging; educational programs; promotional activities; technical

services to public and private entities; and management of the City/County approved Public Art budget.

c. The Art Commission shall examine annually the condition of works of art selected and make a report to managers of artwork sites. It is the responsibility of site managers to provide for the maintenance of works of art in their routine site maintenance program.

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

Section 5. 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/owned/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 officials responsible for the design and construction of such projects shall make appropriate space available for the placement of works of art.

Section 6. Ownership.

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.

Section 7. Repeal of Previous Resolution.

The previous Resolution establishing the Charlotte-Mecklenburg Art Commission approved by the City Council on November 23, 1981, and by the County Commission on February 15, 1982 is hereby repealed.

Section 8. This Resolution shall be effective upon its approval by both the City Council and the Board of County Commissioners for the period ending June 30, 1994, and shall remain effective thereafter for additional fiscal-year periods unless notice of cancellation is given in writing by either party on or before the April 30 which is immediately prior to the next fiscal-year period.

PASSED AND APPROVED on the _____ day of _____, 199__ by the City Council; and on the 15th day of February, 1993 by the Board of County Commissioners.

Approved as to form:

_____
City Attorney

Approved as to form:

_____
County Attorney

CERTIFICATION

I, _____, 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 _____ day of _____, 199____, the reference having been made in Minute Book _____, and recorded in full in Resolution Book _____, at Pages _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the _____ day of _____, 199____.

_____
City Clerk

1174C

Dino. Briefing — May 10, 1993

Success by Six Program

Mayor Vinroot	✓	
Campbell	✓	
Clodfelter	✓	
Hammond	✓	
Mc Clay	✓	
Majeed	✓	
Morgan	✓	
Martin	✓	
Patterson	✓	
Reid	✓	
Scarborough	✓	
Wheeler		

5:20 p.m.

Vinroot
White
Vinroot
Carla DuPuy
Velva Woollen - Report on Success by Six
Linda Ashendorf
Woollen

	City Employees
Ashendorf -	Betty Harston
	Mary Larkins
	Lisa Poomadakis
	Aaron Huff
	Bruce Strong
	Debra Campbell
Carla Du Puy	
Martin	
L Du Puy	
Scarborough	
Du Puy	
Hammond	
Vinroot	
Du Puy	
Vinroot	
Reid	
McCrory	
Reid	
Du Puy	
Reid	
Woollen	
Du Puy	
Reid	
Patterson	
Du Puy	

Vinroot
McCrory
Scarborough
Vinroot
Scarborough
McCrory
White
McCrory

Recess 5:45
Reconvene 5:55

Vinroot
White
McCrory
Wheeler
Scarborough
McCrory
White
McCrory
Martin
Vinroot
White
Vinroot
Martin
McCrory
Patterson

McCrory
Vinroot
White
Morgan
Freye
Patterson
Freye
McCrory
Martin
Morgan
Hammond
Clodfelter
Morgan
Vinroot
Reid
Vinroot
Reid
McCrory
Vinroot
Martin
Reid
Morgan
Vi Alexander
White
Morgan

Borgedorf
Morgan
Reid
Vinroot
Scarborough
Vinroot
Underhill
Vinroot
Scarborough
Vinroot
White
Vinroot - tape 1, Side 2 - it takes 2
to tango.
Vinroot

6:15 p.m.

City Council Meeting May 10, 1993

Mayor Vinivot ✓
Campbell ✓
Cliff Feiter ✓
Hammond ✓
McCoy ✓
Majed ✓
Morgan ✓
Martin ✓
Patterson ✓
Reid ✓
Scarborough ✓
Wheeler ✓

6:30

Mayor
Hammond / Invocation
Mayor
Vi Oi An Smith - Richardson Juneteenth Cot. 11:00 N
Mayor
Sam Hubbard
Mayor
Hubbard
Hammond
Scarborough

Mayor white
Louise Sellers
Mayor
Sellers
Mayor
Joe Chambers
Mayor
Chambers
Mayor
Chambers
Mayor
Chambers
Mayor
Hammond
Chambers
Mayor
Chambers
Mayor
Chambers
Mayor
Underhill
Mayor - Announcements
Ann / WK
Lemon

End Citizen Hearing 6:50
Begin Regular Meeting 6:50
Approve
M. Yates

Gilbert
Mangl Wha - Consent
Lynar
23
Reid - (Wants to see minutes)
White
Reid
Mangl Wha

2 No - STAN + Pat

Mayer
26
Reid
White
Reid
White
Reid
Mayer
Mayer
Mayer
Mayer
White
Mayer
White
Mayer
White

Mayor
Billy Crockett Ilua Daniels
Mayor
Crockett
Mayor
Martin
Mayor
Martin
White
Mayor
Martin
Crockett
Martin
Mayor
Reid
Crockett
Mary / Hon
Mrs

Mayor
#3 - Report of City Manager

City Within a City
White
Del Borsdorf
Mayor
McCrory - three reservations re: Federal Lands

Patterson
Reid - (Paul Taylor) peripheral
Martin
Reid
Mazer
Majeed
Mazer
White
Mazer
#4 - LEC - Public Hearing

White
Mary / Comp Move Close P.H.
Lynn
Mazer
#5 - Property Transfer LEC

White
Mary / Who to Appoint
Lynn
#6 - Police Consolidation

Mazer
Scar - New appointed
Mary - Second
Reid
White
Mazer

Reid
White
Reid
Mayor
David Holland
Mayor
Hammond
McCarty
Martin
White
Martin
Underhill
Mangum
Majeed (ON + ON + ON!!!)
White
Mayor
1 NO - Reid VOTE in Policy Consol.

7 - Employee Benefits

Mayor
White
Martin
Don Steger
Bill Wilder
White
Wilder
John Freeman - Towers Perrin

Tape 2 - 8:00

Mayor
Chuck Loring -
Mayor
H. R. Smith
W. A. Bowers
Mike Jackson
Campbell
Jackson
Campbell
Jackson
Campbell
Hammond
Campbell
Hammond
Jackson
Hammond
Jackson
McCoy
Jackson
Martin
Mangum
Jackson
Mangum
Dave Jones
Mayor

Joe Miller
Mayor
Scar
Mayor
Mart / Scar — mve approval of Comm. Hee recommendation

Mayor
Majeed
Martini
Majeed — (They were all looking at each other trying to figure out what he meant — 6 Nodes tested?)
Clodfelter
Wheeler
McC
Hamm — amendment to motion —
Phase II — to be implemented Fy 95 budget
Martin
Mayor
Underhill
Mayor
McC — / Mang mve to remove Hoyle
Reid
Martin — McC - Whe - Camp - Clod - Reid
5 to excuse
MAJ - Mang
5 NOT file HAM SCAR 6 — 5
PAH
Mayor voted to excuse Hoyle

Wilkins
Hamm / move amended motion
Scar
Reid - Slide Show
Sub. motion - Implement task force recs.
who second
Patterson - Send back to Committee
Campbell
Scar
Hamm - Implement P.O.S. now
Put back in Comm. other options 9:00 pm
White
Hamm
Patt
Hamm -
Scar - Will not second this motion
Majeed
Patt
Majeed
Hamm
Clod Can't support motion
Mayer
Majeed seconded Ann's motion
Mangum
Reid - Reinstate accident + place
SAVINGS INTO INCENTIVE program
by July 1

Mangum
Reid
Mangum
Hammond
Reid
Patt
Mazzei
White
Mazzei
Patt
Mazzo
White
Patt
Reid - restated motion
to accept task force rec except
to reinstate accidental death + dis.
Malla rec to take half of hard dollar
savings to implement an incentive program by July 1
Scas + Hom - Mg'ced - NO

#8 - Patt / Scas
Unan

#9 Patt
Sub. Hammond - reconsider early
INFORMAL requirement ON
ATTENDANCE

Scan - Second
Clod - not including Boards
Unan.

#10 - Walter Withdrawal of Bid
Patt / Whe
Unan

#11 - Project Lift Contract
Patt / Mong
Unan

#12 - Community Works
Scan / Whe
Craig Isaacs
? Willie
Joel Segal
Patt
Unan
Morgan
Unan

#13 - CHAC LOAN
Scan / Whe
Unan

#14 - Set Public Hearing
mc / c / Mong
Unan

Adjourn mc / Whe
Unan 9:45 pm