

City of Charlotte

*Charlotte-Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202*



Meeting Agenda

Monday, September 24, 2018

Council Chambers

City Council Business Meeting

*Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
Council Member Braxton Winston II*

5:00 P.M. ACTION REVIEW, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER

1. Mayor and Council Consent Item Questions

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the Action Review meeting.

2. Agenda Overview

Staff Resource(s):

Debra Campbell, City Manager's Office

3. Federal Update

Staff Resource(s):

Dana Fenton, City Manager's Office

Time: 25 minutes

Explanation

- Annually, the City's federal lobbying team from Holland & Knight updates the Mayor and City Council on federal administration and legislative actions impacting the City.
- The presentation will also highlight progress in addressing the City's 2018 key legislative priorities and provide a look ahead to the 2019 session of the U.S. Congress.

Future Action

This presentation is for information purposes only.

[Federal Legislative Update 9.24.18](#)

4. Implementing Housing Framework - Sale of City Property

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Mike Davis, Engineering and Property Management

Tony Korolos, Engineering and Property Management

Time: 25 minutes

Explanation

- The purpose of the presentation is to provide an overview of current City-owned parcels that represent opportunities for the creation of new for-sale and rental units for households earning 80 percent and below the area median income.
- The use of publicly owned land to achieve affordable housing, including homeownership opportunities, is consistent with the Housing Charlotte Framework, the City Council-adopted Real Estate and Facilities Policy, and national best practices.

Future Action

City Council will be asked to approve several sales of City-owned land at the October 8 Business Meeting.

[Sept 24 2018 ActionItemRvw PubliclyOwnedLand](#)

5. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Staff responses to questions from the beginning of the Action Review meeting.

6. Closed Session (as necessary)

**CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER**

Call to Order

Introductions

Invocation

Pledge of Allegiance

7. Consent agenda items 19 through 48 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

- A. Items that have not been pulled, and
- B. Items with citizens signed up to speak to the item.

PUBLIC HEARING

8. Public Hearing on Northlake Voluntary Annexation

Action:

- A. Hold a public hearing for Northlake voluntary annexation, and
- B. Adopt an annexation ordinance with an effective date of September 24, 2018, to extend the corporate limits to include these properties and assign them to the adjacent Council District 2.

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- The City has received a petition for voluntary annexation of private properties from Metrolina Properties Limited Partnership by Withrow Capital Investments.
- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- These properties are located within Charlotte's extraterritorial jurisdiction.
- Areas proposed for annexation share boundaries with current City limits.
- Annexation of these areas at this time will allow for more orderly land development review, extension of City services, capital investments, and future annexation processes.
- The 15.047-acre site is located south of I-485 and north of Northlake Centre Parkway in North Mecklenburg County.
 - The properties are currently vacant.
 - The petitioner has plans to develop approximately 273 multi-family residential units.
 - The majority of the property is zoned (UR-2(CD) Urban Residential 2 Conditional District with some portions zoned (R-3) single family residential at three dwelling units per acre and
 - Petitioned area consists of four parcels; 025-103-02, 025-081-23B, 025-103-09, and 025-081-22B.
 - The effective annexation date for these properties is September 24, 2018.
 - The properties are located immediately adjacent to Council District 2.
 - The Annexation Ordinance assigns the annexed area to adjacent City Council Districts.

Consistency with City Council Policies

- This annexation is consistent with City voluntary annexation policies approved by the City Council on March 24, 2003; more specifically this:
 - Will not adversely affect the City's ability to undertake future annexations;
 - Will not have undue negative impact on City finances or services; and
 - Will not result in a situation where unincorporated areas will be encompassed by new City limits.

Attachment(s)

Map

Ordinance

[Map - Northlake 3 Voluntary Annexation](#)

[Northlake Annexation Ordinance](#)

POLICY

9. City Manager's Report

BUSINESS

10. Private Developer Funds Appropriation

Action:

- A. **Approve Developer Agreements with Laurel Street Residential, MHL Development, LLC and NR Stonewall Property Owner, LLC for traffic signal installations and improvements, and**
- B. **Adopt a budget ordinance appropriating \$42,775 in private developer funds for traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Explanation

- Private developer agreements and funds appropriations are needed when a developer is required through the City rezoning process to make traffic signal improvements.
- Funding contributions from private developers must be appropriated prior to the City's initiation of work.
- The \$42,775 in private developer funding is for traffic signals, traffic signal modifications and/or upgrades, and other related work associated with the developers' projects. The funding is restricted to the projects noted below:
 - Laurel Street Residential contributed \$12,275 for traffic signal modifications by relocating flashing signals near Dixie River Road and Shopton Road (Council District 3).
 - MHL Development, LLC contributed \$5,500 for traffic signal modifications by relocating a school flasher at the 10700 Block of Plaza Road Extension (Council District 5).
 - NR Stonewall Property Owner, LLC contributed \$25,000 for traffic signal modifications at the intersection of Stonewall Street and South Caldwell Street (Council District 1).
- These developer contributions are based on cost estimates prepared by the Charlotte Department of Transportation.
- Any funding contributed by the developer(s) for a signal project that is unused by the City will be refunded back to the developer(s) after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contribution

Attachment(s)

Map
Budget Ordinance

[Traffic Signal Improvements 080918](#)

[CDOT ord 9-24-18 Developer Contributions](#)

11. Oakdale Road/Sunset Road/Miranda Road Roundabout Municipal Agreement

Action:

Approve a resolution to execute a municipal agreement with the North Carolina Department of Transportation providing a local match of \$588,562.50 for the construction of two roundabouts near the intersection of Oakdale, Sunset, and Miranda Roads.

Staff Resource(s):

Liz Babson, Transportation

Ashley Landis, Transportation

Casey Mashburn, Transportation

Explanation

- This project will construct two roundabouts to improve the existing intersections of Oakdale Road/Lawing Road/Miranda Road and Oakdale Road/Simpson Road in Council District 2.
- This project was identified and ranked highly (sixth out of 70) within the Sunset/Beatties Ford Comprehensive Neighborhood Improvement Program (CNIP). This project is a part of the city's CNIP program and it was approved as a part of the city's overall FY 2019-2023 community investment plan.
- The Charlotte Regional Transportation Planning Organization allocated Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding for this project as it is anticipated to reduce vehicular congestion and associated air pollution.
- The North Carolina Department of Transportation (NCDOT) allocated funding for this project from the Highway Safety Improvement Program based on the crash history and severity of crashes at the two intersections.
- City funding for this project is \$588,562.50 (25 percent of the total), with NCDOT providing \$588,562.50 (25 percent of the total), and \$1,177,125 (50 percent of the total) in CMAQ funding. City funding for this project is essential to secure the CMAQ funding by fulfilling the local match requirements of the program.
- This project is currently in the planning stage and will be administered by NCDOT.
- Construction is anticipated to start in 2021.

Fiscal Note

Funding:

- North Carolina Department of Transportation Congestion Mitigation Air Quality Grant (\$1,177,125)
- North Carolina Department of Transportation Highway Safety Improvement Program (\$588,562.50)
- General Community Investment Plan - Sunset/Beatties Ford CNIP (City's Match of \$588,562.50)

Attachment(s)

Map

Resolution

[Intersection Improvements 073118](#)

[Oakdale-Sunset-Miranda Resolution](#)

12. Appointment to the Charlotte Regional Visitors Authority

Action:

Vote on blue ballots and return to the Clerk at the Action Review meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term in the At-Large category beginning immediately and ending June 30, 2021.
 - Johnelle Causwell, nominated by Council members Harlow, Mayfield, and Mitchell
 - Maha Gingrich, nominated by Council members Egleston and Phipps
 - Tarun Malik, nominated by Council members Bokhari, Driggs, Eiselt, and Winston
 - Lloyd Scher, nominated by Council members Ajmera and Newton

Attachment(s)

Charlotte Regional Visitors Authority Applicants

13. Appointments to Charlotte Tree Advisory Commission

Action:

Vote on blue ballots and return to the Clerk at the Action Review meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending December 13, 2020.
 - John Durnovich, nominated by Council members Bokhari and Driggs
 - Brian Geathers, nominated by Council members Mayfield and Mitchell
 - Tara Moore, nominated by Council members Ajmera, Driggs, and Newton
 - Angela Stoyanovitch, nominated by Council members Ajmera and Harlow

Attachment(s)

Charlotte Tree Advisory Commission Applicants

14. Appointments to Neighborhood Matching Grants Fund

Action:

Vote on blue ballots and return to the Clerk at the Action Review meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment in the Neighborhood Representative category for a partial term beginning immediately and ending April 15, 2020.
 - Harold Carrillo, nominated by Council members Bokhari, Eiselt, Mayfield, and Winston
 - Paul Van Gundy, nominated by Council members Ajmera, Harlow, and Mitchell
 - Linda Webb, nominated by Council members Newton and Phipps

Attachment(s)

Neighborhood Matching Grants Fund Applicants

15. Appointment to the Privatization/Competition Advisory Committee

Action:

Vote on blue ballots and return to the Clerk at the Action Review meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending March 1, 2019.
 - Mark Abruzino, nominated by Council members Ajmera, Bokhari, Newton, and Phipps
 - Angela Shealy, nominated by Council members Egleston, Mayfield, and Mitchell

Attachment(s)

Privatization/Competition Advisory Committee Applicants

16. Appointment to Transit Services Advisory Committee

Action:

Vote on blue ballots and return to the Clerk at the Action Review meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term in the Van Pool Rider category beginning immediately and ending January 31, 2019, and then continuing for a full three-year term from February 1, 2019, until January 31, 2022.
 - Cornelius Anderson, nominated by Council members Ajmera and Newton
 - Parker Cains, nominated by Council members Bokhari, Driggs, and Phipps

Attachment(s)

Transit Services Advisory Committee Applicants

17. Mayor and City Council Topics

The City Council members may share information and raise topics for discussion.

ZONING AGENDA

18. See separate Zoning Meeting agenda.

CONSENT

19. Landscape Installation Services

Action:

Approve contracts with the following companies for landscape installation services for a term of three years in amounts not to exceed:

- Roundtree Companies, LLC (\$500,000), and
- New Beginning Landscape, LLC (\$130,000).

Staff Resource(s):

Mike Davis, Engineering and Property Management
Quin Hall, Engineering and Property Management
Tim Porter, Engineering and Property Management

Explanation

- These contracts will provide continuous landscape installation services for City right-of-way and in coordination with TreesCharlotte plantings in schools and parks.
- Services include, but are not limited to:
 - Plant material installation in the right-of-way planting strip (between the curb and sidewalk), behind sidewalk, and in medians,
 - Debris removal and disposal on specific projects where tree replacement is occurring, and
 - Mulching and clean up.
- On July 9, 2018, the City issued a Request for Proposals (RFP); seven proposals were received.
- These firms best meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures for all contracts are \$630,000 over the three year term.
- Tree planting service supports focus areas and initiatives outlined in City Council's Urban Forest Master Plan, adopted September 25, 2017.

Charlotte Business INclusion

No subcontracting goals were established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy). Two contracts will be awarded to the following certified firms, resulting in \$630,000 (100.00%) total MSBE utilization:

- Roundtree Companies, LLC (SBE) (\$500,000)
- New Beginnings Landscape, LLC (MSBE) (\$130,000)

Fiscal Note

Funding: General Community Investment Plan

20. Tree Removal and Pruning Services

Action:

- A. Approve contracts with the following companies for tree removal services for a term of three years in amounts not to exceed:**
- The Davey Tree Expert Company (\$750,000),
 - Schneider Tree Care (\$750,000),
 - AAA Tree Experts, Inc. (\$675,000),
 - Cadieu Tree Experts, Inc. (\$630,000),
- B. Approve contracts with the following companies for tree pruning services for a term of three years in amounts not to exceed:**
- Arborguard Inc., (\$150,000),
 - The Davey Tree Expert Company (\$150,000),
 - Frady Tree Care (\$150,000),
 - Heartwood Tree Service, LLC (\$150,000),
- C. Approve contracts with the following companies for tree removal and stump grinding services related to utility relocation for a term of three years in amounts not to exceed:**
- Cadieu Tree Experts, Inc. (\$200,000),
 - Heartwood Tree Service, LLC (\$200,000), and
 - Lewis Tree Service, Inc. d/b/a Carolina Tree Care (\$200,000).

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tim Porter, Engineering and Property Management
Veronica Wallace, Engineering and Property Management

Explanation

Actions A and B:

- These contracts will include the removal of trees identified by the City as storm damaged, diseased/deteriorated, or pose a safety hazard to the public.
- Services include but are not limited to:
 - Stump grinding,
 - Debris removal and disposal,
 - Seeding,
 - Mulching, and
 - Clean up.
- These contracts will also include systematic tree pruning services throughout the City to address safety and liability issues, as well as maintaining the overall health of street trees.
- Multiple crews can be retained for faster, ongoing pruning services, as well as quick response to storm events.
- On July 11, 2018, the City issued a Request for Proposals (RFP); 17 proposals were received (eight for tree removal services and nine for tree pruning services).
- These eight firms best meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures for landscape tree removal are \$2,805,000 over the three-year term, and \$600,000 for landscape tree pruning over the three-year term.
- Tree removal and pruning services support focus areas and initiatives outlined in City Council's Urban Forest Master Plan, adopted September 25, 2017.

Action C

- These contracts will include utility tree removal and stump grinding related to utility relocation for projects identified in the Community Investment Plan.
- On July 11, 2018, the City issued an RFP; seven proposals were received.

- These three firms best meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures are \$600,000 over the three-year term.

Charlotte Business INClusionAction A and B

No subcontracting goals were established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy). However, Frady Tree Care is a City SBE and The Davey Tree Expert Company has committed to use the following certified firms to participate as work scopes are defined:

The Davey Tree Expert Company

- Southern Stump Removal (SBE) (stump grinding, stump removal)

Action C

No subcontracting goals were established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: General Community Investment Plan, Transportation Community Investment Plan and Storm Water Community Investment Plan

21. Tree Banding for Cankerworms

Action:

Approve contracts with the following companies for tree banding services for a term of three years in amounts not to exceed:

- **Arboguard Inc., Area 1 (\$105,000),**
- **The Davey Tree Expert Company, Area 2 (\$97,461),**
- **Mr. Clean Detail Lawn and Landscaping, Area 3 (\$115,200),**
- **Midwood Tree Banding, LLC, Area 4 (\$130,410),**
- **Midwood Tree Banding, LLC, Area 5 (\$109,890), and**
- **Carolina Tree Banding, Area 6 (\$63,000).**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Quin Hall, Engineering and Property Management
Tim Porter, Engineering and Property Management

Explanation

- These contracts will provide tree banding and removal of old bands to trap cankerworms (approximately 5,600 trees in six areas).
 - Tree banding is an effective method to reduce cankerworm infestations in the spring, thus preserving the health of trees which reduces the potential for tree failure.
 - Bands are placed around the tree trunks in the fall to trap emerging moths before they reach the canopy.
- On July 9, 2018, the City issued a Request for Proposals (RFP); 13 proposals were received.
- These six firms best meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Tree banding brochures are distributed each year with information about how to band a tree, the effect tree banding has on cankerworms, and how citizens can help control cankerworms.
- City staff also meets with civic groups and clubs as a part of the outreach effort, which begins in July.
- Cankerworm tree banding supports focus areas and initiatives outlined in City Council's Urban Forest Master Plan, adopted September 25, 2017.
- Estimated contract expenditures for all contracts are \$620,961 over the three year term.

Arboguard Inc., Area #1 (Council District 1)

- Myers Park/Freedom Park area (Queens Road West, Henley Place, Beverly Drive)
- This contract includes tree banding services and the removal of old bands on approximately 1,000 willow oak trees.

The Davey Tree Expert Company, Area #2 (Council District 1)

- Dilworth/Sedgefield/Colony Road (Picardy Place, Dorchester Place, Berkeley Avenue)
- This contract is for tree banding and the removal of old bands on approximately 660 willow oak trees.

Mr. Clean Detail Lawn and Landscaping, Area #3 (Council Districts 1, 5, and 6)

- Eastover/Cotswold/Grier Heights/Sherwood Forest, Oakhurst (Colville Road, Gene Avenue, Craig Avenue)
- This contract is for tree banding and the removal of old bands on approximately 1,200 willow oak trees.

Midwood Tree Banding, LLC, Area #4 (Council District 1)

- Chantilly/Plaza Midwood/Hickory Grove/Commonwealth-Morningside (Shenandoah Avenue, Progress Lane, Commonwealth Avenue)
- This contract is for tree banding and the removal of old bands on approximately 1,050 willow oak trees.

Midwood Tree Banding, LLC, Area #5 (Council District 2 and 3)

- Wesley Heights, Villa Heights, Camp Greene, Wilmore, Double Oaks (Thomas Avenue, Walnut

Avenue, Camp Greene Street)

- This contract is for tree banding and the removal of old bands on approximately 1,100 willow oak trees.

Carolina Tree Banding, Area #6 (Council Districts 4, 6, and 7)

- This section includes all neighborhoods around the perimeter of the City that are not covered above in Areas 1 through 5 (Lansdowne Road, Harris at Idlewild Road North, Shandon Court, Davis Lake Parkway, Baylor Drive)
- This contract is for tree banding and the removal of old bands on approximately 600 willow oak trees.

Charlotte Business INClusion

No subcontracting goals were established for these service contracts because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Cankerworm Banding Area By Council District 2018](#)

22. Land Acquisition for Tree Canopy Preservation Program

Action:

- A. **Approve the purchase of an approximately 0.12-acre parcel (parcel identification number 078-192-12) located at 118 Martin Street for a purchase price of \$130,000,**
- B. **Approve the expenditure of up to \$600,000 over 12 months for land acquisitions, and**
- C. **Authorize the City Manager to negotiate and execute any documents necessary to complete these transactions.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Tim Porter, Engineering and Property Management

Explanation

- In 2011, City Council adopted a goal of 50 percent tree canopy coverage by the year 2050. The Tree Canopy Preservation Program (TCPP) supports the goal through acquisition and protection of properties that are already forested or provide planting opportunities.
- The City's Tree Ordinance allows developers to pay into the Tree Ordinance Mitigation Fund (Fund), administered by the City, in lieu of saving trees on site. The City uses these funds for property acquisition and expenditures associated with ongoing tree preservation and maintenance.
- The program has gained national recognition and received local awards. It has been adopted as an innovative model in other cities, including Atlanta, Georgia.
- TCPP has acquired 224 acres to date and protected four times greater tree canopy than developers would have been required to under the on-site tree save option.
- TCPP supports focus areas and initiatives outlined in City Council's Urban Forest Master Plan, adopted September 25, 2017.
- Future plans for TCPP include increased preservation in more urban areas and development of an arboretum trail with educational signage and programming.
- All acquisitions through the program are voluntary.

Action A

- Staff identified the 0.12-acre parcel (parcel identification number 078-192-12) located in Council District 2 as a good candidate for the Tree Canopy Preservation Program and its expansion into more urban areas due to location and partnership opportunities with other City projects.
- The purchase price has been negotiated with the property owners based on appraised value and list price.
- Through the mandatory referral process, the Charlotte-Mecklenburg Planning Commission recommended approval for the City to purchase the land on June 19, 2018.

Action B

- Target acquisition areas for preservation and trail connectivity are located in close proximity to development sites where Fund payments were collected.
- As properties are identified in more urban, rapidly developing areas where payments in lieu of tree save have been collected, the ability to proceed with acquisitions quickly is crucial to the program's continued success. Advance approval of expenditures for acquisitions will expedite the process of purchasing property and allow staff to respond to the timeframes needed by property owners, particularly residential owners.
- Staff will identify properties within the target acquisition areas based on location, forest quality or replanting opportunities, conservation value, and/or arboretum trail connectivity and partnership opportunities.
- Staff will negotiate purchase prices with the property owners based on appraised values and any relevant list prices.
- All acquisitions will be presented to the Joint Use Task Force and Planning Commission, as required by state legislation.

Fiscal Note

Funding: Tree Ordinance Mitigation fund

Attachment(s)

Maps

[Location Map - Land Acquisition for Tree Canopy Preservation Program](#)

[Location Map - Action B Land Acquisition for TCPP.pdf](#)

23. 6013 Ingleside Drive Storm Drainage Improvement Project

Action:

Approve a contract in the amount of \$565,788.50 to the lowest responsive bidder Sonny Development LLC for the 6013 Ingleside Drive Storm Drainage Improvement Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Stewart Edwards, Engineering and Property Management

Explanation

- This project will address failing storm drainage systems along Ingleside Drive between Archdale Drive and Keeling Place, in Council District 6.
- The project work includes installation of approximately 550 linear feet of drainage system, as well as incidental sidewalk, curb and gutter, sanitary sewer, fencing, paving, and utility relocation.
- On July 19, 2018, the City issued an Invitation to Bid; seven bids were received.
- Sonny Development LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter of 2019.

Charlotte Business INclusion

Established SBE Goal: 12.00%

Committed SBE Goal: 14.78%

Sonny Development LLC exceeded the established SBE subcontracting goal, and has committed 14.78% (\$83,639) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Streeter Trucking (SBE, MBE) (\$45,039) (hauling)
- B & N Grading (SBE) (\$21,000) (asphalt)
- Axiom Foundation (SBE) (\$14,000) (foundation)
- RRC Concrete (SBE, MBE) (\$3,600) (driveways)

Established MBE Goal: 5.00%

Committed MBE Goal: 8.60%

Sonny Development LLC exceeded the established MBE subcontracting goal, and has committed 8.60% (\$48,639) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Streeter Trucking (SBE, MBE) (\$45,039) (hauling)
- RRC Concrete (SBE, MBE) (\$3,600) (driveways)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - 6013 Ingleside Drive Storm Drainage Improvement Project](#)

24. Bradstock Lane Storm Drainage Improvement Project

Action:

Approve a contract in the amount of \$1,175,887.08 to the lowest responsive bidder Silverback Brothers LLC for the Bradstock Lane Storm Drainage Improvement project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Stewart Edwards, Engineering and Property Management

Explanation

- This project will address failing storm drainage systems along Bradstock Lane, Heatherford Drive, and Rugby Lane in the Olde Providence South Neighborhood in Council District 7.
- The project work will replace approximately 1,300 linear feet of storm drainage pipe and associated sanitary sewer, utility relocation, paving, curb, gutter, and sidewalk.
- On June 15, 2018, the City issued an Invitation to Bid; five bids were received.
- Silverback Brother LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2019.

Charlotte Business INclusion

Silverback Brothers LLC is a certified City MSBE.

Established SBE Goal: 16.00%

Committed SBE Goal: 49.52%

Silverback Brothers LLC exceeded the established SBE subcontracting goal, and has committed 49.52% (\$582,312.10) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Nassiri Development, LLC (SBE, WBE) (\$500,000) (utilities, concrete)
- RPG Construction LLC (SBE, MBE) (\$82,312.10) (grading)

Established MBE Goal: 7.00%

Committed MBE Goal: 7.00%

Silverback Brothers LLC met the established MBE subcontracting goal, and has committed 7.00% (\$82,312.10) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- RPG Construction LLC (SBE, MBE) (\$82,312.10) (grading)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - Bradstock Lane Storm Drainage Improvement Project](#)

25. Sardis Lane Storm Drainage Improvement Project

Action:

Approve a contract in the amount of \$598,317.60 to the lowest responsive bidder United of Carolinas, Inc. for the 324 Sardis Lane Storm Drainage Improvement project.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Stewart Edwards, Engineering and Property Management

Explanation

- This project will address driveway culvert failures on Sardis Lane between Carson Lane and Folger Drive in Council District 6.
- The project work will include a total of 136 linear feet of box culvert, nine linear feet of storm drainage pipe, and incidental replacement of driveway.
- On June 4, 2018, the City issued an Invitation to Bid; four bids were received.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete in second quarter 2019.

Charlotte Business INclusion

Established SBE Goal: 12.00%

Committed SBE Goal: 12.03%

United of Carolinas, Inc. exceeded the established SBE subcontracting goal, and has committed 12.03% (\$72,000) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- J & R Tough Construction Corp. (SBE, MBE) (\$60,000) (hauling, storm drainage)
- BCA Management Consultants (SBE, WBE) (\$6,000) (consulting services)
- Cesar Leon, LLC (SBE, MBE) (\$6,000) (hauling)

Established MBE Goal: 5.00%

Committed MBE Goal: 11.03%

United of Carolinas, Inc. exceeded the established MBE subcontracting goal, and has committed 11.03% (\$66,000) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- J & R Tough Construction Corp. (SBE, MBE) (\$60,000) (hauling, storm drainage)
- Cesar Leon, LLC (SBE, MBE) (\$6,000) (hauling)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - 324 Sardis Lane Storm Drainage Improvement Project](#)

26. Wilmore Drive and Little Sugar Creek Sanitary Sewer Design-Build Services Contract Amendment

Action:

Approve contract amendment #2 for \$10,751,583.12 with Sanders Utility Construction Co., Inc. establishing Guaranteed Maximum Price for Phase 2 Design-Build Services for Storm Drainage Improvements and Streetscape Improvements.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Mike Davis, Engineering and Property Management

Explanation

- This amendment will create a Guaranteed Maximum Price (GMP) for additional storm drainage improvements and streetscape improvements along 16th Street, which will now be included as part of the Upper Little Sugar Creek Tributary Sanitary Sewer Project (Council District 1).
 - The CLTWater project occurs along the same road as the storm drainage and streetscape improvements projects. It was discovered through the design process that combining these projects would minimize the impact to residents and decrease the length of time for closure of 16th Street.
 - Storm drainage improvements will include an approximate 1,500 linear foot culvert along 16th Street from North Tryon Street to the Charlotte Area Transit Blue Line Extension tracks. This culvert will reduce flooding at the intersection of North Tryon and 16th Streets and support upstream drainage improvements.
 - Streetscape improvements will include a two-lane roadway, bicycle lanes, planting strips, sidewalks, and street lights along 16th Street from North Tryon Street to Parkwood Avenue.
- Sanders Utility Construction Co., Inc. has established a GMP for this additional work, which is the total price for the construction. The GMP will be awarded as an amendment to the Phase 2 contract referenced above.
- This contract alleviates sewer capacity needs, allows for future development, and rehabilitates aging sections of the sanitary sewer collection system serving the areas.
- During the design phase, collaboration between City departments identified three current projects in design along 16th Street. By partnering and combining these projects, cost effectiveness is ensured and efficiencies gained, including reducing the duration of the road closure during construction.
- On November 27, 2017, Council approved the Design-Build Phase 1 contract in the amount of \$1,979,256.83 for preconstruction services.
- On April 9, 2018, Council approved contract amendment #1 in the amount \$19,498,569.90 for Design-Build Phase 2 construction services and establishing a GMP for the sanitary sewer improvements.
- The new total value of the contract is \$31,477,826.73.

Charlotte Business INclusion

The City negotiates subcontracting participation for Design Build contracts after scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). Sanders Utility Construction Company has committed 10.40% (\$1,118,656.00) of the approved tasks to the following certified firms:

- Jim Bob's Grading & Paving, Inc. (SBE) (\$566,821) (asphalt paving)
- B & B Concrete, Inc. (SBE) (\$194,747) (concrete curb and gutter and sidewalk)
- Ground Effects, Inc. (SBE, WBE) (\$8,960) (pavement markings)
- Martin Landscaping Co., Inc. (SBE, WBE) (\$7,986) (seeding, mulching, and landscaping)
- CES Group Engineers, LLP (SBE, WBE) (\$30,000) (surveying)
- Gavel & Dorn Engineering, PLLC (SBE) (\$40,000) (geotechnical)

- R.E. Sifford Utility, Inc. (SBE, MBE) (\$40,000) (water main and service line installation)
- All Points Trucking, Inc. (SBE, WBE) (\$180,142) (hauling)
- Buffkin Trucking, Inc. (SBE, MBE) (\$50,000) (hauling)

Fiscal Note

Funding:

Storm Water Community Investment Plan - \$9,871,059.67

16th St. Streetscape - \$880,523.45

Attachment(s)

Map

[Map-Wilmore Drive and Little Sugar Creek Sanitary Sewer Design-Build Services Contract Amendment](#)

27. Construction Administration and Inspection Services

Action:

- A. Approve unit price contracts with the following companies for Miscellaneous Construction Administration and Inspection Services for an initial term of two years:**
- **Black & Veatch International Company,**
 - **DiCon Consulting, PC,**
 - **Gavel & Dorn Engineering, PLLC,**
 - **Stantec Consulting Services, Inc., and**
- B. Authorize the City Manager to renew the contracts for up to two one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Angela Lee, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- Construction administration and inspection services are necessary to ensure projects meet construction plans and specification requirements.
- These contracted services will supplement existing staff in order to meet the demands of Charlotte Water's growing amount of Community Investment Plan projects.
- On May 24, 2018, the City issued a Request for Qualifications (RFQ); five proposals were received.
- The listed firms were determined to be the best qualified firms to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Total contract expenditures are estimated to be \$3,000,000 annually.

Charlotte Business INclusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). A 10% MSBE subcontracting goal in aggregate has been committed. The Prime Consultants have identified the following certified firms to be utilized as the project evolves:

Black & Veatch International Company

- Capstone Civil Group, PA (SBE, MBE) (geotechnical and inspections services)
- CES Group (SBE, WBE) (surveying)
- Gavel & Dorn Engineering, PLLC (SBE) (geotechnical and inspections services)
- Tidemark Land Services, Inc. (SBE) (surveying)

DiCon Consulting, PC (SBE)

- Tidemark Land Services, Inc. (SBE) (surveying)

Gavel & Dorn Engineering, PLLC (SBE)

- Ameridrill Inc. (SBE) (geotechnical inspections)
- On-Spec Engineering PC (SBE) (laboratory testing)

Stantec Consulting Services, Inc.

- Capstone Civil Group, PA (SBE, MBE) (geotechnical and material testing services)
- Gavel & Dorn Engineering, PLLC (SBE) (inspection services)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

28. Charlotte Water Facilities Protective Coating Services

Action:

- A. **Approve contracts with Carolina Management Team, LLC and Superior Industrial Maintenance Company, Inc. for Protective Coating Rehabilitation at Charlotte Water Facilities for an initial term of three years, and**
- B. **Authorize the City Manager to renew the contracts for up to two, one-year terms and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Angela Lee, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- These contracts provide for the application of specialized protective coating systems on infrastructure within Charlotte Water's service area.
- Examples of infrastructure included in the scope of this project are concrete water storage tanks, steel rake arms and bridges above tanks, pipes, motors, blowers, and valves found in treatment facilities and ground vaults throughout the water and sanitary sewer systems.
- This infrastructure requires routine maintenance, part of which are specialized protective coating systems on metal, fiberglass, plastic, and concrete structures, which require a technically certified staff. Protective coating, properly applied, maintains the structural integrity of the assets and extends their useful life.
- On May 10, 2018, the City issued a Request for Qualifications (RFQ); three proposals were received.
- Carolina Management Team, LLC and Superior Industrial Maintenance Company, Inc. were determined to be the best qualified firms to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Estimated annual contract expenditures are \$600,000 over the three year term.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

29. CATS Interactive Voice Response Replacement

Action:

- A. Authorize the City Manager to purchase hardware, software, services and ongoing maintenance and support from Enghouse Transportation LLC for as long as the City uses the system in an amount of \$142,994,**
- B. Authorize annual maintenance costs after the warranty period for the next three years, and**
- C. Authorize the City Manager to approve upgrades to the Interactive Voice Response system and amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

John Lewis, CATS

Explanation

- The City provides call center public services to assist CATS customers with trip planning, complaints, compliments, and service requests.
- The call center handles over 1,400,000 annual customer calls at an average cost \$0.42 per Interactive Voice Response (IVR) call, and \$2.67 per Customer Service Agent assisted call.
- The current IVR system has been in service since 2000 with minor upgrades in 2011, and can no longer interface with the CATS scheduling system, which was updated in 2017.
- The new hardware and software will provide integrated access to multiple CATS' systems, including next bus arrival time and the customer facing web portal.
- On February 17, 2017, the City issued a Request for Proposals (RFP); six proposals were received.
- Enghouse Transportation LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to the RFP requirements.
- First year expenses for the IVR contract and maintenance will be \$142,994. Continuing annual maintenance and support will start at \$1,288 per year after the warranty period has expired.

Charlotte Business Inclusion

No subcontracting goals were established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: CATS Community Investment Plan and Operating Budget

30. Airport Airfield Spall Repair Contract

Action:

- A. Approve a unit price contract to the lowest responsive bidder Stone Restoration of America for airfield spall repair for a term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- In accordance with Federal Aviation Administration Part 139, it is required that all spalls be repaired to ensure the safety of the airfield and movement areas of aircraft.
- A spall is the result of water entering concrete, forcing the concrete to peel or flake. This generates debris, which can impact the safety of aircraft and the traveling public.
- The City needs to repair spalls in portions of the concrete located on the airfield.
- On July 11, 2018, the City issued an Invitation to Bid; two bids were received. The project was re-advertised on August 8, 2018, two bids were received.
- Stone Restoration of America was selected as the lowest responsive, responsible bidder.
- The annual expenditures are estimated to be \$600,000.
- This activity is occurring on airport property, Council District 3.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Operating Budget

31. Airport Taxiway A Rehabilitation Change Order #1

Action:

- A. Approve change order #1 for the amount of \$942,272 to Hi-Way Paving Inc. for work related to the Taxiway A Rehabilitation project and the expansion of the aircraft ramp at the existing UPS cargo facility, and
- B. Approve a reimbursement agreement between the City and United Parcel Service in the amount of \$847,981.60 for the expansion of the aircraft ramp and parking facilities at the existing UPS cargo facility.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On October 9, 2017, City Council approved a construction contract with Hi-Way Paving, Inc. in the amount of \$12,823,949 to rehabilitate the existing concrete and asphalt pavements of Taxiway A.
- As part of this project, the City has requested that Hi-Way install additional aircraft ramp and tractor trailer parking adjacent to the project site. This additional ramp will be utilized by United Parcel Service (UPS) for its cargo operations.
- The change order work includes concrete paving, asphalt paving, security fencing, light pole relocations, and underground electrical work to accommodate a new tractor trailer parking lot for UPS. This parking lot will also be used to stage the UPS ground service equipment.
- UPS has agreed to reimburse the City in the amount of \$847,981.60 for the aircraft ramp and parking expansion. UPS previously reimbursed the City for design services related to the UPS work under a separate reimbursement agreement dated June 27, 2018
- The additional \$94,290.40 included in change order #1 is related to the original Taxiway A rehabilitation project scope.
- The new total value of the contract including change order #1 is \$ 13,766,221.
- This activity is occurring on airport property, Council District 3.

Disadvantaged Business Enterprise

All additional work involved in this change order will be performed by Hi-Way Paving Inc. and their existing subcontractors.

Fiscal Note

Funding: Aviation Community Investment Plan and reimbursement of \$847,981.60 by UPS

[UPS Reimbursement 09.06.18.pdf](#)

32. Airport Concourse C Renovations

Action:

Approve a contract in the amount of \$18,986,825 to the lowest responsive bidder Edison Foard Construction Services, Inc. for the Concourse C Renovation project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Concourse C was opened as part of the new terminal in 1982, and was expanded in the late 1980s. Some of the original finishes and equipment are still in place and require updating.
- The Concourse C Renovation project will include new ceiling systems and lighting, heating ventilation and air conditioning equipment, fire sprinklers, a generator, wall finishes, terrazzo flooring in the passenger circulation areas, and the renovation of all restrooms.
- On June 18, 2018, the City issued an Invitation to Bid; four bids were received.
- Edison Foard Construction Services, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2020.

Charlotte Business INclusion

Established SBE Goal: 5.00%

Committed SBE Goal: 13.89%

Edison Foard Construction Services, Inc. exceeded the established subcontracting goal, and has committed 13.89% (\$2,636,827) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- CS Plumbing NC, Inc. (SBE, MBE) (\$1,503,000) (plumbing)
- Stevens Interiors (SBE) (\$1,031,426) (drywall)
- Mountain Oak (SBE) (\$102,401) (millwork)

Established MBE Goal: 9.00%

Committed MBE Goal: 40.31%

Edison Foard Construction Services, Inc. exceeded the established subcontracting goal, and has committed 40.31% (\$7,653,500) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Superior Mechanical Systems, Inc. (MBE) (\$3,172,500) (HVAC)
- Besco Electric Corporation (MBE) (\$2,978,000) (electrical)
- CS Plumbing NC, Inc. (MBE, SBE) (\$1,503,000) (plumbing)

Fiscal Note

Funding: Aviation Community Investment Plan

33. Airport Concourse E Baggage Transfer Facility and Ramp Expansion Construction Change Order #1

Action:

Approve change order #1 for \$1,748,075 to Edison Foard Construction Services, Inc. for Concourse E Baggage Transfer Facility and Ramp Expansion.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On September 12, 2016, City Council approved a contract for \$24,456,007 to Edison Foard Construction Services, Inc. as the lowest responsible bidder.
- During construction of the building to house the baggage transfer operation, American Airlines requested that the building be expanded to include space for their line maintenance programs.
- The request from American Airlines requires the base building to increase by 5,000 square feet, with interior upfit of 3,500 square feet. The interior upfit includes work spaces, restrooms, a break room, and storage areas.
- The new total value of the contract is \$26,204,082.
- This activity is occurring on airport property, Council District 3.

Charlotte Business INclusion

All additional work involved in this change order will be performed by Edison Foard Construction Services, Inc. and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Community Investment Plan

34. Electronic Auction for Disposal of Surplus Recycling Equipment

Action:

- A. Adopt a resolution declaring specific equipment as surplus,**
- B. Authorize said items for sale by electronic auction beginning October 22, 2018, and ending November 19, 2018, and**
- C. Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.**

Staff Resource(s):

Brent Cagle, Aviation
Jack Christine, Aviation
Robert Campbell, Finance
Kay Elmore, Finance

Explanation

- Pursuant to North Carolina General Statute 160A-270(c), approval is requested for an electronic auction.
- Aviation is requesting the disposal of surplus recycling equipment used to support the Airport waste (e.g. plastics, paper, and aluminum) recycling program.
- The auction is scheduled to begin October 22, 2018, and end November 19, 2018, to dispose of City-owned property (recycling equipment, including worm beds and worms) declared as surplus. See property list (Exhibit - A) for items to be auctioned.
- Finance provides asset recovery and disposal services for City departments.
- The electronic auction will be conducted by Rogers Realty and Auction Company (www.rogersauctiongroup.com) who will be compensated seven percent of the total gross sales price of the surplus recycling equipment through auction proceeds.
- Proceeds from this auction will be distributed to Aviation.

Attachment(s)

Property Lists (Exhibit - A)
Resolution

[Exhibit - A](#)

[20180924-02 Electronic auction\(recycling equipment\)-Resolution](#)

35. Equipment Rentals and Services

Action:

- A. Approve unit price contracts with the following companies for Equipment Rentals and Related Products and Services for an initial term of five years:**
- Herc Rentals,
 - Big Truck Rentals (for refuse truck rentals only), and
- B. Authorize the City Manager to renew the contracts for up to two, two-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Robert Campbell, Finance

Kay Elmore, Finance

Explanation

- City departments rent equipment such as generators, excavators, cranes, forklifts, tower lights and message boards that are required during construction projects, water and sewer line installation, power outages, and other routine needs or emergency situations.
- On March 23, 2018, the City issued a Request for Proposals (RFP); three proposals were received.
- The City issued this solicitation on behalf of U.S. Communities Government Purchasing Alliance which selected the City as Lead Public Agency to solicit proposals for these services on behalf of all states, local governments, school districts, and higher education institutions in the United States.
- U.S. Communities is sponsored by the National League of Cities, The National Association of Counties, the Association of School Business Officials International, the United States Conference of Mayors, and the National Governors Associations.
- U.S. Communities is available to over 90,000 local governments and public agencies and reduces costs by combining the volumes and purchasing power of public agencies nationwide.
- As Lead Agency, the City is responsible for the solicitations process, contract management and consulting with participating public agencies regarding the contract.
- Herc Rentals and Big Truck Rentals best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements and ability to provide the products and services to public agencies in all 50 states.
- Big Truck Rentals will provide refuse truck rentals only that are needed by Solid Waste Services when City trucks are down for extended maintenance and repair, or when additional trucks are needed for special or emergency events.
- Annual expenditures for the Herc Rentals contract is estimated to be \$800,000.
- Annual expenditures for the Big Truck Rentals contract is estimated to be \$40,000.

Charlotte Business INclusion

Established MWSBE Goal: 10.00%

Committed MWSBE Goal: 15.60%

Herc Rental exceeded the established subcontracting goal and has committed 15.60% (\$125,000) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Streeter Trucking (SBE) (\$25,000) (Equipment Hauling)
- Shoreline Trucking (MBE/SBE) (\$25,000) (Equipment Hauling)
- Eastway Wrecker Services, Inc. (MBE) (\$25,000) (Equipment Hauling)
- RW Trucking, Inc. (SBE) (\$25,000) (Equipment Hauling)
- Murphy Law Trucking (MBE) (\$25,000) (Equipment Hauling)

Big Truck Rentals

No subcontracting goal was established because there are no subcontracting opportunities (Part C:

Section 2.1(a) of the Charlotte Business Inclusion Policy)

Fiscal Note

Funding: Departmental Operating Budgets

36. Information Technology Contract Professional Services

Action:

- A. Approve contracts for Information Technology Professional Services for an initial term of one year with the following Service Providers:**
- Insight Global, LLC,
 - JOLT Advantage Group, LLC, and
- B. Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Jeffrey Stovall, Innovation and Technology

Explanation

- The City maintains citywide contracts with a number of vendors to provide Information Technology (IT) Professional Services. Although these contracts are designed to meet most commonly-required staffing needs, occasionally specialized staff will be required who are not available through these contracts.
- Innovation and Technology has a need for highly specialized technical staff to support specific IT projects and initiatives. After seeking qualified candidates from the existing citywide vendors, Innovation and Technology determined that the advanced skill sets are not currently available from those vendors.
- The contractors are needed to fill three positions for work on two Enterprise Resource Planning (ERP) projects:
 - Business Intelligence (BI) Developer (1 position)
 - User Productivity Kit (UPK) Developers (2 positions)
- The BI Developer will develop and enhance the Enterprise Data Warehouse and Tableau Dashboard. The work performed is in support of the ERP Data and Reporting project.
- The UPK Developers will use a content development, deployment, and maintenance platform to facilitate ERP end user training for the ERP Upgrade project. Training materials, job aids, and instructor manuals will be produced. The work product will simplify knowledge transfer between project teams and the ERP end users.
- Insight Global and JOLT Advantage Group have provided qualified personnel who have been engaged on the BI and UPK projects on a short-term basis. Innovation and Technology is satisfied with the performance of the contractors and has determined that the contracts should be extended.
- A waiver of a competitive solicitation process for services may be granted when deemed appropriate and in the City's best interest. A waiver has been approved for these services.
- Estimated contract expenditures total \$500,000 annually for all contracts.

Charlotte Business INclusion

No subcontracting goal was established for this selection because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Community Investment Plan

37. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$8,772.98.

Staff Resource(s):

Robert Campbell, Finance

Scott Greer, Finance

Explanation

- Mecklenburg County notified and provided the City of Charlotte the list of Property Tax refunds due to clerical or assessment error.

Attachment(s)

Taxpayers and Refunds Requested

Resolution Property Tax Refunds

[List of Taxpayers and Refunds Requested](#)

[Resolution](#)

38. Meeting Minutes

Action:

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of:

- **August 27, 2018, Business Meeting.**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

39. Property Transactions - Creekridge Road Stream Bank Repair, Parcel #1

Action: Approve the following Condemnation: Creekridge Road Stream Bank Repair, Parcel #

Project: Creekridge Road Stream Bank Repair, Parcel #1

Owner(s): HVM / Creekwood Limited Partnership

Property Address: Village Lake Drive

Total Parcel Area: 71,438 sq. ft. (1.640 ac.)

Property to be acquired by Easements: 3,748 sq. ft. (.086 ac.) in Sanitary Sewer Easement, plus 180 sq. ft. (.004 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-17MF

Use: Commercial

Tax Code: 191-071-53

Appraised Value: \$550

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 7

40. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #13

Action: Approve the following Acquisition: Cutchin Drive Drainage Improvements, Parcel #13

Project: Cutchin Drive Drainage Improvements, Parcel #13

Program: Flood Control

Owner(s): John E. Grupp and Kathleen W. Grupp

Property Address: 3133 Chaucer Drive

Total Parcel Area: 16,998 sq. ft. (.390 ac.)

Property to be acquired by Easements: 2,404 sq. ft. (.055 ac.) in Storm Drainage Easement, plus 374 sq. ft. (.009 ac.) in Temporary Construction Easement, plus 936 sq. ft. (.021 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: Driveway, fencing and basketball goal

Landscaping to be impacted: Trees and shrubs

Zoned: R-1

Use: Single-family Residential

Tax Code: 209-064-28

Purchase Price: \$56,850

Council District: 6

41. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #20

Action: Approve the following Acquisition: Cutchin Drive Drainage Improvements, Parcel #20

Project: Cutchin Drive Drainage Improvements, Parcel #20

Program: Flood Control

Owner(s): Nancy C. Howell

Property Address: 3100 Wamath Drive

Total Parcel Area: 19,958 sq. ft. (.458 ac.)

Property to be acquired by Easements: 1,444 sq. ft. (.033 ac.) in Storm Drainage Easement, plus 519 sq. ft. (.012 ac.) in Temporary Construction Easement, plus 2,187 sq. ft. (.05 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: Mailbox

Landscaping to be impacted: Trees, bushes

Use: Single-family Residential

Tax Code: 209-063-08

Purchase Price: \$25,875

Council District: 6

42. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #13

Action: Approve the following Acquisition: Goose Creek Pump Station - Part 2, Parcel #13

Project: Goose Creek Pump Station - Part 2, Parcel #13

Owner(s): Peggy C. Helms

Property Address: 16210 Thompson Road

Total Parcel Area: 651,871 sq. ft. (14.965 ac.)

Property to be acquired by Easements: 24,792 sq. ft. (.569 ac.) in Sanitary Sewer Easement, plus 19,303 sq. ft. (.443 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Zoned: R (Mint Hill)

Use: Single-family Residential

Tax Code: 195-151-10

Purchase Price: \$19,825

Council District: N/A (Mint Hill)

43. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #66

Action: Approve the following Acquisition: Goose Creek Pump Station - Part 2, Parcel #66

Project: Goose Creek Pump Station - Part 2, Parcel #66

Owner(s): Sean Exum and Dianne J. Exum

Property Address: 2654 Shelburne Place

Total Parcel Area: 42,754 sq. ft. (.981 ac.)

Property to be acquired by Easements: 2,211 sq. ft. (.051 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: Fence

Landscaping to be impacted: Shrubs

Zoned: R (Mint Hill)

Use: Single-family Residential

Tax Code: 195-053-01

Purchase Price: \$14,000

Council District: N/A (Mint Hill)

44. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #68

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #68

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #68

Program: Flood Control

Owner(s): J. Preston Ives and Kimberly Mitchell Ives

Property Address: 5616 Bellechasse Street

Total Parcel Area: 22,729 sq. ft. (.522 ac.)

Property to be acquired by Easements: 179.4 sq. ft. (.004 ac.) in Storm Drainage Easement, plus 986.61 sq. ft. (.023 ac.) in Temporary Construction Easement, plus 447.06 sq. ft. (.01 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-104-25

Purchase Price: \$10,000

Council District: 6

45. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #227

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #227

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #227

Program: Flood Control

Owner(s): Dorothy B. Adams

Property Address: 3320 Knob Hill Court

Total Parcel Area: 24,716 sq. ft. (.567 ac.)

Property to be acquired by Easements: 168.23 sq. ft. (.004 ac.) in Storm Drainage Easement, plus 743.65 sq. ft. (.017 ac.) in Temporary Construction Easement, plus 551.5 sq. ft. (.013 ac.) in Utility Easement, plus 296.88 sq. ft. (.007 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: Fencing and pond

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-112-59

Purchase Price: \$24,825

Council District: 6

46. Property Transactions - Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #1

Action: Approve the following Acquisition: Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #1

Project: Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #1

Owner(s): RRB Investment Group, LLC

Property Address: 2400 Tuckaseegee Road

Total Parcel Area: 7,871 sq. ft. (.181 ac.)

Property to be acquired by Fee: 894 sq. ft. (.021 ac.) in Fee Simple

Property to be acquired by Easements: 1,199 sq. ft. (.028 ac.) in Sidewalk and Utility Easement, plus 1,518 sq. ft. (.035 ac.) in Temporary Construction Easement, plus 231 sq. ft. (.005 ac.) in Utility Easement

Structures/Improvements to be impacted: Sign and parking spaces

Landscaping to be impacted: Trees and various plantings

Zoned: B-1

Use: Commercial

Tax Code: 071-093-19

Purchase Price: \$23,000

Council District: 3

47. Property Transactions - Upper Taggart Creek Outfall, Parcel #2

Action: Approve the following Condemnation: Upper Taggart Creek Outfall, Parcel #2

Project: Upper Taggart Creek Outfall, Parcel #2

Owner(s): Transworld Enterprises

Property Address: Airport Center Parkway

Total Parcel Area: 3,049 sq. ft. (.070 ac.)

Property to be acquired by Easements: 2,502 sq. ft. (.057 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial

Tax Code: 115-104-01

Appraised Value: \$200

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 3

48. Property Transactions - Upper Taggart Creek Outfall, Parcel #29

Action: Approve the following Condemnation: Upper Taggart Creek Outfall, Parcel #29

Project: Upper Taggart Creek Outfall, Parcel #29

Owner(s): Larry Donald Blair, Gary Michael Blair and Barbara Ann Blair Hollis

Property Address: Carlyle Drive

Total Parcel Area: 10,280 sq. ft. (.236 ac.)

Property to be acquired by Easements: 3,174 sq. ft. (.073 ac.) in Sanitary Sewer Easement, plus 2,666 sq. ft. (.061 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Flum/Swim Floodway (No Build Zone)

Tax Code: 061-071-58

Appraised Value: \$1,950

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 3

Adjournment

REFERENCES

49. Reference - Charlotte Business INClusion Policy

The following excerpts from the City's Charlotte Business INClusion Policy are intended to provide further explanation for those agenda items that reference the Charlotte Business INClusion Policy in the business meeting agenda.

Part A: Administration and Enforcement

Part A: Section 2.3: Targeted Outreach and Designated Contracts for Small Business Enterprises (SBEs).

When feasible, the Charlotte Business INClusion (CBI) Office may designate certain Contracts or categories of Contracts in which solicitation efforts will be directed only to SBEs. In designating Contracts for targeted outreach or SBE participation, the CBI Office takes into account the size and scope of the Contract and the availability of SBEs to provide the applicable services or products.

Part A: Section 3.1: Subcontracting Goals. The City shall establish one or more Subcontracting Goals for all Construction Contracts of \$300,000 or more and for all Architecture, Engineering, and Surveying Contracts of \$100,000 or more. Contracts estimated to be less than these thresholds are exempt from the goal setting process.

Appendix Section 20: Contract: For the purposes of establishing an (Minority, Women, and Small Business Enterprise (MWSBE) subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration, and remodeling; (b) architectural work, engineering, surveying, testing, construction management, and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services), and (d) apparatus, supplies, goods, or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE, Minority Business Enterprise (MBE), or Women Business Enterprise (WBE) Goal has been set.
- Financial Partner Agreements, Development Agreements, Infrastructure Improvement Agreements, Design-Build, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the Charlotte Business INClusion Program Policy.

Appendix Section 27: Exempt Contracts: Contracts that fall within one or more of the following categories are "Exempt Contracts" and shall be exempt from all aspects of the Charlotte Business INClusion Policy:

No Competitive Process Contracts: Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

Managed Competition Contracts: Managed competition contracts pursuant to which a City department or division competes with Business Enterprises to perform a City function.

Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate.

Federal Contracts Subject to Disadvantaged Business Enterprise (DBE) Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as

set forth in 49 CFR Part 26 or any successor legislation.

State Funded Contracts Subject to the State's MWBE Requirements: Contracts that are subject to an MWBE Goal set by the State of North Carolina pursuant to N.C. Gen. Stat. 143-128.2.

Financial Partner Agreements with DBE or MWBE Requirements: Contracts that are subject to a DBE program or minority and women business development program maintained by a Financial Partner.

Interlocal Agreements: Contracts with other units of federal, state, or local government.

Contracts for Legal Services: Contracts for legal services, unless otherwise indicated by the City Attorney.

Contracts with Waivers: Contracts for which the City Manager or CBI Program Manager waives the CBI Program requirements (such as when there are no MWSBE subcontracting opportunities on a Contract).

Special Exemptions: Contracts where the department and the CBI Program Manager agree that the department had no discretion to hire an MWSBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

Appendix Section 35: Informal Contracts: Contracts that are estimated to be less than the following dollar thresholds prior to issuance of the City Solicitation Documents:

- Construction Contracts: \$500,000, and
- Service Contracts and Commodities Contracts: \$100,000.

Part B: Construction and Commodities Contracts

Part B: Section 2.1: When the City sets a Subcontracting Goal, each Bidder must either: (a) meet each Subcontracting Goal; or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements for each unmet Subcontracting Goal. Failure to comply constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

Part B: Section 2.3: No Goals When There Are No Subcontracting Opportunities. The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs, or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

Part C: Service Contracts

Part C: Section 2.1(a) Subcontracting Goals: No Goal When There Are No MWSBE Subcontracting Opportunities. The City shall not establish Subcontracting Goals for Service Contracts where (a) there are no subcontracting opportunities identified; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part C: Section 2.1(b) and 2.1(c): The City may require each Proposer to submit with its Proposal one or more of the following: (a) a Participation Plan describing how Proposer intends to solicit MWSBE participation; (b) the Proposer's Committed Subcontracting Goals; and (c) an affidavit listing the SBEs and MWBEs it intends to use on the Contract.

Part C: Section 2.1(h) Negotiated Goals: The City may seek to negotiate Subcontracting Goals after Proposals have been submitted.

Part D: Post Contract Award Requirements

Part D: Section 6: New Subcontractor Opportunities/Additions to Scope/Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new MWSBE subcontracting opportunity, the City shall either (a) notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or (b) establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.

50. Reference - Property Acquisitions and Condemnations

- The City has negotiated in good faith to acquire the properties set forth below
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- Real Estate staff diligently attempts to contact all property owners by:
 - Sending introductory letters via regular and certified mail,
 - Making several site visits,
 - Leaving door hangers and business cards,
 - Seeking information from neighbors,
 - Searching the internet,
 - Obtaining title abstracts, and
 - Leaving voice messages.
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If the City Council approves the resolutions, the City Attorney's office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to a trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.
- The definition of easement is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or "in gross," such as public utility easement.
- The term "fee simple" is a synonym for ownership and is an estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited.

51. Reference - Property Transaction Process

Property Transaction Process Following City Council Approval for Condemnation

The following overview is intended to provide further explanation for the process of property transactions that are approved by City Council for condemnation.

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During that time, City staff continues to negotiate with the property owner in an effort to reach a mutual settlement.

- If a settlement is reached, the condemnation process is stopped, and the property transaction proceeds to a real estate closing.
- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the City's legal representative. Filing of the condemnation documents allows:
 - The City to gain access and title to the subject property so the capital project can proceed on schedule, and
 - The City to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.
- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The City's condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
- North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.