

City of Charlotte

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



Meeting Agenda

Monday, December 9, 2024

Council Chamber

City Council Business Meeting

*Mayor Vi Lyles
Mayor Pro Tem Danté Anderson
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Tiawana Brown
Council Member Ed Driggs
Council Member Malcolm Graham
Council Member Reneé Johnson
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Marjorie Molina
Council Member Victoria Watlington*

5:00 P.M. CITY COUNCIL ACTION REVIEW AND CONSENT AGENDA, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, REGULAR MEETING ROOM 267

This meeting will also be accessible via the Government Channel, the City's Facebook page, and the City's YouTube channel.

1. Mayor and Council Consent Item Questions and Answers

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items.

[2024-12-09 Council Agenda QA](#)

2. Consent agenda items 30 through 54 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Time: 10 minutes

Consideration of Consent Items shall occur in the following order:

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

3. Action Review Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

4. Action Review Items

Providence Square Update

Staff Resource(s):

Tracy Dodson, City Manager's Office
Todd DeLong, Economic Development

Time: Presentation - 10 minutes; Discussion - 20 minutes

Explanation

- Receive an update on the proposed Providence Square Infrastructure Reimbursement Agreement.

Public Safety Update: Quality of Life Approach

Staff Resource(s):

Johnny Jennings, Police

Time: Presentation - 15 minutes; Discussion - 30 minutes

Explanation

- Receive an update on Public Safety relative to quality-of-life considerations.

[Providence Square Update presentation](#)

[Public Safety Update Quality of Life Approach presentation](#)

5. Closed Session (as necessary)

**6:30 P.M. CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
COUNCIL CHAMBER**

Call to Order

Introductions

Invocation

Pledge of Allegiance

PUBLIC FORUM

6. Public Forum

PUBLIC HEARING

7. Public Hearing on a Resolution to Close a Portion of Unopened Right-of-Way between 935 and 939 Tennyson Drive

Action:

- A. Conduct a public hearing to close a portion of unopened right-of-way between 935 and 939 Tennyson Drive, and
- B. Adopt a resolution and close a portion of unopened right-of-way between 935 and 939 Tennyson Drive.

Staff Resource(s):

Debbie Smith, Transportation
Casey Mashburn, Transportation

Explanation

- NC General Statute Section 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation (CDOT) received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way and attaches it to the adjacent property.
- The attached Resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The right-of-way to be closed is located in Council District 2.

Petitioner

Hannah Couch

Right-of-Way to be Abandoned

Portion of Unopened Right-of-Way between 935 and 939 Tennyson Drive

Reason

Per the petition submitted by Hannah Couch, the abandonment of the unopened right-of-way will facilitate future redevelopment of abutting parcels. The city has no objections.

Notification

As part of the city's notification process, and in compliance with NC General Statute 160A-299, CDOT submitted this abandonment petition for review by the public and city departments.

Adjoining property owner(s)

Cassie Grice- No objections

City Departments

- Review by city departments identified no apparent reason this closing would:
 - Be contrary to the public interest;
 - Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to their property as outlined in the statutes; and
 - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment(s)

Map
Resolution

[2024-004591A - Abandonment Map](#)

[2024-004519A Resolution to Close 12.09.2024](#)

8. Public Hearing for Siemens Energy Business Investment Grant

Action:

- A. Conduct a public hearing regarding approval of a City of Charlotte Business Investment Grant to Siemens Energy, and**
- B. Approve the city's Business Investment Grant to Siemens Energy for a not to exceed amount of \$2,785,221 over ten years.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Matt Dufore, Economic Development

Explanation

- On February 13, 2024, Siemens Energy announced it would expand its advanced manufacturing facility in Charlotte.
- This action is requesting a public hearing be conducted regarding City Council approval of a Business Investment Grant (BIG) of \$2,785,221 over ten years.
- On January 8th, 2024, City Council, in closed session, indicated their intent to approve this BIG.
- Siemens Energy has committed to a capital investment of \$149,895,000 and creation of 475 jobs to be hired with an average wage of \$82,052.
- In addition to the City of Charlotte BIG, the Mecklenburg County Board of County Commissioners approved a BIG in the amount of \$2,811,248.
- In addition to the BIGs, the State of North Carolina approved a Jobs Development Investment Grant of up to \$6,880,500.

Background

- Siemens Energy has been a global leader in energy technology for over 150 years.
- Today, Siemens Energy has a team of around 97,000 employees located in 90 countries.
- Siemens Energy has been operating in the United States for more than 100 years and currently has 21 manufacturing and service facilities and upwards of 10,000 employees in the country.

Business Investment Grant

- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
- Property taxes due from Siemens Energy must be paid before grant payment is made.
- If Siemens Energy removes the investment from Charlotte during the grant term, it shall pay back 100 percent of the investment grant paid to-date.
- If Siemens Energy moves the investment from Charlotte within ten years of the end of the Business Investment Program (BIP) grant term, a portion of the grant must be repaid as follows.
 - Within one year of the end of the BIP Term - 90 percent of grant payments
 - Within two years of the end of the BIP Term - 75 percent of the grant payments
 - Within three years of the end of the BIP Term - 60 percent of the grant payments
 - Within four years of the end of the BIP Term - 45 percent of the grant payments
 - Within five years of the end of the BIP Term - 30 percent of the grant payments
 - Within six years of the end of the BIP Term - 20 percent of the grant payments
 - Within seven to ten years of the end of the BIP Term - 10 percent of the grant payments

Fiscal Note

Funding: Business Investment Grant

POLICY

9. City Manager's Report

10. 2025 Federal and State Legislative Agendas

Action:

- A. Approve the Budget, Governance, and Intergovernmental Relations Committee recommendation to approve the 2025 Federal Legislative Agenda, and**
- B. Approve the Budget, Governance, and Intergovernmental Relations Committee recommendation to approve the 2025 State Legislative Agenda.**

Committee Chair:

Dimple Ajmera, Budget, Governance, and Intergovernmental Relations

Staff Resource(s):

Shawn Heath, City Manager's Office

Dana Fenton, City Manager's Office

Explanation

- On November 4, 2024, the Budget, Governance, and Intergovernmental Relations Committee briefed Mayor and City Council on the draft 2025 Federal and State Legislative Agendas.
- On November 25, 2024, staff presented the Committee-Proposed 2025 Federal and State Legislative Agendas to City Council during Action Review.
- The proposed 2025 Federal Legislative Agenda addresses issues relating to mobility, aviation, talent & workforce development, public safety, and housing.
- The proposed 2025 State Legislative Agenda addresses issues relating to mobility, aviation, environment, public safety, and the court system.

Committee Discussion

- The Budget, Governance, and Intergovernmental Relations Committee held discussions on proposed agendas at the October 7, 2024, November 4, 2024, and December 2, 2024, meetings.
- On November 4, 2024, the Budget, Governance, and Intergovernmental Relations Committee voted to recommend the issues in the 2025 Federal and State Legislative Agendas to the City Council.

Next Steps

- The approved 2025 Federal Legislative Agenda will be presented to the Mecklenburg Congressional Delegation during the National League of Cities Congressional City Conference scheduled for March 10-12, 2025.
- The approved 2025 State Legislative Agenda will be presented to the Mecklenburg State Delegation in January 2025.

Attachment(s)

Proposed 2025 Federal Legislative Agenda

Proposed 2025 State Legislative Agenda

[2025 Federal Legislative Agenda](#)

[2025 State Legislative Agenda](#)

BUSINESS

11. Charlotte Fire Department Brush Truck Donation

Action:

Adopt a resolution authorizing the donation of a brush truck and equipment to Broad River Volunteer Fire and Rescue Department.

Staff Resources:

Reginald Johnson, Fire

Pete Skeris, Fire

Explanation

- North Carolina General Statute 160A-280 authorizes the donation of personal property from a city to a non-profit organization or another government unit upon adoption by City Council.
- Broad River Volunteer Fire and Rescue Department, located in Buncombe County, North Carolina, is a volunteer fire and rescue department responsible for emergency services and fire suppression in Western North Carolina.
- As a result of Hurricane Helene, this region experienced a substantial loss of fire suppression equipment.
- This donation will assist the community in fire suppression efforts and will be the main suppression vehicle in the area.
- The apparatus is scheduled to be decommissioned in fiscal year 2025.
- The estimated value of the vehicle and equipment is \$31,000.

Attachment

Resolution

[Resolution - CFD Brush Truck Donation](#)

12. 2024 Urban Area Security Initiative Grant

Action:

Authorize the Charlotte Area Homeland Security Director (Charlotte Fire Chief) to accept a grant for \$2,728,582 from the United States Department of Homeland Security for the 2024 Urban Area Security Initiative Grant Program.

Staff Resource(s):

Reginald Johnson, Fire

Jerry Winkles, Fire

Robert Graham, Fire

Explanation

- The 2024 Urban Area Security Initiative (UASI) Grant Program allowed eligible applicants to apply for funding to aid in the prevention, protection, response, and recovery from terrorist attacks.
- The total amount of the grant awarded to the Charlotte UASI was \$3,410,728.
- The North Carolina Division of Emergency Management (NCDEM) is eligible to retain up to 20 percent of the funds under the program guidelines. As such, NCDEM has elected to retain \$682,146 for the management and administration of the grant program.
- The city has been awarded the remaining \$2,728,582.
- The grant is focused on six National Priority Areas for fiscal year 2024:
 - Combatting domestic violence extremism,
 - Enhancing cybersecurity,
 - Enhancing community preparedness and resilience,
 - Enhancing election security,
 - Enhancing information and intelligence sharing analysis, and
 - Protection of soft targets/crowded places.
- In developing a regional approach as mandated by the grant guidelines, the following ten counties were included as part of a regional implementation concept: Cabarrus, Catawba, Gaston, Iredell, Lincoln, Lancaster, Mecklenburg, Stanly, Union, and York.
- There are no city matching funds required for this grant.

Fiscal Note

Funding: 2024 Urban Area Security Initiative Grant

13. Amend Restrictive Covenants for Property on Matheson Avenue

Action:

- A. Approve an amendment to the restrictive covenants of property located at 1138 Matheson Avenue to extend the timeframe for completion of an affordable for-sale single-family home through June 30, 2025, with an option to further extend up to 180 additional days, as needed, to be available for purchase at a sales price not to exceed the HouseCharlotte program maximum sales price for new construction, and**
- B. Authorize the City Manager, or his designee, to execute all documents necessary to amend the restrictive covenants.**

Staff Resource(s):

Rebecca Hefner, Housing and Neighborhood Services
Phil Reiger, General Services
Greg Crawford, General Services

Explanation

- On October 8, 2018, City Council authorized the fee simple transfer of property located on Matheson Avenue (original parcel identification number 083-156-16) in Council District 1, to Four Oaks Builders, LLC (Builder), for the development of up to three for-sale single-family homes, including one available to a HouseCharlotte-eligible household earning 80 percent or below the area median income.
- The city conveyed the property to the Builder on January 10, 2019. The conveyance transaction included reservations and restrictions, including a three-year term for the Builder to have the improvements constructed and ready for sale.
- Following the conveyance, the Builder subdivided the property, resulting in a new parcel (parcel identification number 083-156-42) consisting of approximately 0.16 acres to be used for development of the affordable for-sale unit.
- On April 11, 2022, City Council authorized an extension to the original reversion period for an additional three years, through January 10, 2025, due to COVID-19 related supply chain constraints and market pressures as well as unique site characteristics which added time and cost to extend water and sewer to the site.
- Staff has remained in close contact with the Builder, who has provided updated cost information and confirmed their intent to honor their original commitment to provide an affordable unit.
- At the Builder's request, staff supports extending the reversion period an additional six months to June 30, 2025, to allow for completion of the affordable unit to be available at a sales-price not to exceed the HouseCharlotte program's maximum amount allowed for new construction (currently \$315,000). A further extension (up to two 90-day extensions) would be contingent upon Builder demonstrating substantial construction progress.

Attachment(s)

Map

[Map - Matheson Avenue](#)

14. Providence Square Infrastructure Reimbursement Agreement

Action:

- A. Authorize the City Manager, or his designee, to negotiate and execute an infrastructure reimbursement agreement with LNR Development, LLC for the construction of public infrastructure in an amount up to \$19 million to be reimbursed through 45 percent of the incremental City and County property taxes from a designated area over 15 years, or until fully reimbursed, whichever is earlier, and**
- B. Adopt a resolution approving an Interlocal Agreement with Mecklenburg County for the Providence Square Infrastructure Reimbursement Agreement.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Todd DeLong, Economic Development

Explanation

- Levine Properties and Northwood Ravin (Developers) are collaborating on a coordinated rezoning of approximately 105 acres near the intersection of Providence Road and Sardis Lane in Council District 6.
 - The Developers have created an affiliated entity, LNR Development, LLC, to support coordination of the Developers' infrastructure obligations under this Agreement.
- The proposed redevelopment will replace the existing deteriorated buildings on the land controlled by Levine Properties with a new pedestrian oriented mixed-use village containing residential, commercial, and recreational uses along with large open space areas, new park land, and other improvements.
- Levine Properties proposes to build the following:
 - Approximately 225,000 square feet of commercial (retail and office) space;
 - 28,000 square feet of indoor recreational and/or daycare space; and
 - 125 townhome units, including 879 market rate multifamily rental units and 108 housing units with income restrictions.
 - 100 of the units will be reserved for households earning up to 80% of the Area Median Income (AMI).
 - Eight of the units will be reserved for households earning up to 60% of the AMI.
 - Income restrictions will be in place for 15 years.
- The proposed redevelopment will also include a mix of new multifamily and townhome residential units on the land controlled by Northwood Ravin, along with open space areas, new park land, and other improvements.
- Northwood Ravin proposes to build the following:
 - 95 market rate townhome units; and
 - 650 market rate multifamily rental units.
- Northwood Ravin will also make a contribution of \$500,000 in support of affordable housing.
- The proposed redevelopment will support the following public goals and initiatives: workforce and affordable housing, sustainability, park and open space, public safety, and increased mobility and accessibility.
- On December 2, 2024, the Jobs and Economic Development Committee unanimously voted (Graham, Mitchell, Bokhari, Molina, & Driggs voted yes) to refer the item to City Council for consideration during the December 9, 2024, City Council meeting.

Action A

- The Developers requested reimbursement of an amount not to exceed \$19,000,000 in public infrastructure improvements.
- The development qualifies for a 15-year, 45 Tax Increment Grant (TIG).

- The public improvements to be reimbursed include:
 - Providence Road corridor improvements,
 - New traffic signals,
 - Lane modifications,
 - Upgraded pedestrian crossings,
 - Greenway connections,
 - Multi-use path(s), and
 - Improved connectivity.
- Under the terms of the Agreement, the Developers will build the public improvements and will be reimbursed through 45 percent of the incremental city and county property taxes from a designated area over a period of 15 years.
- Additional provisions of the Agreement include:
 - Up to \$19,000,000 (Approximately \$6.87 million from the city and approximately \$12.12 million from Mecklenburg County) in reimbursed infrastructure cost with an interest cost of carry equivalent to the city's cost of funds;
 - Developers must request the first grant payment within four years after the completion of the public improvements; and
 - TIG term ends at 15 years, or when the grant payments equal a present value equal to \$19,000,000, whichever occurs first.

Action B

- The reimbursement arrangement requires the city and Mecklenburg County to execute an interlocal agreement, which obligates the county to pay 45 percent of the incremental property taxes from the designated area to the city during the term of the agreement.
- The city will remit such payment annually to LNR Development, LLC or permitted assignees.

Charlotte Business INClusion

Prior to the City Manager executing the infrastructure reimbursement agreement, the CBI Office will negotiate a minimum 15.00% MBE and 10.00% WSBE contract goal on all work tied to this agreement.

Fiscal Note

Funding: Tax Increment Grant

Attachment(s)

Resolution

[Resolution - Interlocal Agreement with Mecklenburg County for the Providence Square](#)

15. Rapid Unsheltered Survivor Housing Funding in Response to Hurricane Helene

Action:

- A. Adopt a budget ordinance appropriating \$1,000,000 of Rapid Unsheltered Survivor Housing grant funds from the U.S. Department of Housing and Urban Development to the Neighborhood Development Grants Fund,**
- B. Amend the Fiscal Year 2025 Annual Action Plan for Housing and Community Development to reflect the Rapid Unsheltered Survivor Housing grant, and**
- C. Authorize the City Manager to negotiate and execute any necessary contracts and agreements related to the funds.**

Staff Resource(s):

Rebecca Hefner, Housing and Neighborhood Services

Explanation

- On October 4, 2024, in response to hurricane Helene, the Federal Emergency Management Agency (FEMA) included Mecklenburg County in its notice of a major disaster declaration for the State of North Carolina.
- On November 13, 2024, the U.S. Department of Housing and Urban Development (HUD) notified the city that it is awarding the City of Charlotte a special allocation in the amount of \$1,000,000 of Rapid Unsheltered Survivor Housing (RUSH) grant funds under the Emergency Solutions Grant (ESG) program in response to the impacts of the hurricane.
- On May 28, 2024, City Council adopted the Fiscal Year 2025 Annual Action Plan for Housing and Community Development (Plan). The Plan describes the city's use of HUD funding during fiscal year 2025 and is consistent with the city's housing policies and priorities. The Plan will be amended, per HUD requirements, to include the receipt and use of RUSH grant funds for eligible activities.
- RUSH grants are made to local governments to assist individuals and families experiencing homelessness or at risk of homelessness who have been residing in a declared disaster area and have needs that are not otherwise served or fully met by existing federal disaster relief programs.
- Eligible households must be homeless or at risk of homelessness, have been residing in a declared disaster area, and have needs that will not be met by other existing federal disaster relief programs.
- Comparable to the ESG program, RUSH eligible activities include:
 - Emergency shelter,
 - Rapid re-housing and homelessness prevention,
 - Housing relocation and stabilization services,
 - Supportive services for people experiencing homelessness, and
 - Street outreach services.
- There is no match required for the RUSH grant funds.

Fiscal Note

Funding: U.S. Department of Housing and Urban Development Grant

Attachment(s)

Budget Ordinance

[Budget Ordinance - RUSH Grant](#)

16. Housing Trust Fund Allocation for Woodlands North Senior Apartments Affordable Housing Development

Action:

- A. Approve a \$2,250,000 Housing Trust Fund allocation to support the Woodlands North Senior Apartments multi-family housing development, and**
- B. Authorize the City Manager, or his designee, to execute, amend, modify, and renew contracts and other required documents to complete the transaction.**

Staff Resource(s):

Rebecca Hefner, Housing and Neighborhood Services

Warren Wooten, Housing and Neighborhood Services

Explanation

- On April 24, 2023, City Council approved a \$2,250,000 HOME Investment Partnership (HOME) allocation for the development of 57 affordable units at the Woodlands North multi-family senior housing development to be developed, owned, and operated by Woodlands North Apartments, LP (Developer), or an affiliate.
- The development will be located on approximately seven acres in north Charlotte at the intersection of Beatties Ford Road and Mt. Holly-Huntersville Road (parcel identification number 025-161-05), in Council District 4 (Property), and the affordable units will serve senior households aged 55 and older earning 80 percent and below of the area median income (AMI).
- The project has successfully received a nine percent low-income housing tax credit award, and the development will have a 50-year affordability period.
- The Property is located near Long Creek and the future Long Creek Greenway, and a portion of the Property lies within a Community Flood Fringe (CFF) area. Development is permitted in CFF areas, and the proposed project improvements in the CFF are minimal.
- The CFF area was fully disclosed to the U.S. Department of Housing and Urban Development (HUD), and staff worked closely with HUD staff who provided guidance throughout the design process to ensure the project aligned with HUD regulations and would satisfy HOME funding requirements. Due to recent updates to HUD rules, staff in HUD's regional office have recently advised the city that due to the CFF, HOME funds could not be used without significant redesign and costs to the project. City staff have requested a waiver from HUD due to the minimal planned improvements in the CFF, and while a waiver might be possible with more time, the land purchase option will expire on December 20, 2024.
- The \$2,250,000 Housing Trust Fund allocation will replace the originally programmed HOME allocation and enable the Developer to proceed with acquisition and development of the Woodlands North project. Staff will continue to work closely with the Developer to ensure improvements in the CFF meet approved standards for these types of areas.

Fiscal Note

Funding: Housing Trust Fund

Attachment(s)

Map

[Map - Woodlands North Apartments](#)

17. Airport Part 150 Noise Compatibility Study Submission to the Federal Aviation Administration

Action:

Approve the submission of the Part 150 Noise Compatibility Study to the Federal Aviation Administration.

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- Federal Aviation Regulation Part 150, Airport Noise Compatibility Planning, is the primary Federal regulation guiding and controlling planning for aviation noise compatibility on and around airports.
- The purpose of conducting a Part 150 Study Update is to develop a balanced and cost-effective plan for reducing current noise impacts from the Airport's operations, where practical, and to limit additional impacts in the future.
- On January 24, 2022, City Council approved a contract with Landrum & Brown, Inc. to conduct a Part 150 Noise Compatibility Study to update the Noise Compatibility Program.
- The Noise Compatibility Program provides recommendations related to noise abatement, land use compatibility, and land use mitigation measures following extensive research and public input.
- This action is to authorize the Airport to submit the updated Part 150 Noise Compatibility Study to the Federal Aviation Administration for approval, which is required in order to implement the recommended updates to the Noise Compatibility Program.

Attachment(s)

Recommended 2024 Noise Compatibility Program Summary

Map (Existing)

Map (Future)

Map (Flight Tracks)

Study Updates Schedule

Technical Advisory Committee Member List

Special Interest Group Member List

[Recommended 2024 Noise Compatibility Program Summary](#)

[Map - Existing](#)

[Map - Future](#)

[Map - Flight Tracks](#)

[Study Updates Schedule](#)

[Technical Advisory Committee Member List](#)

[Special Interest Group Member List](#)

18. Proposed 2025 City Council Meeting Schedule

Action:

Approve the 2025 City Council Regular and Budget Meeting Schedule.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- NC General Statute Section 143-318.12 requires that the City Clerk maintain on file a schedule of the City Council's regular meetings and that the approved schedule be posted to the city's website. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.
- The 2025 Council Budget Meeting dates have been included on this proposed schedule of meetings along with other meetings of state and national organizations in which the city has memberships.
- For more information on City Council Meetings, visit the City Clerk's webpage at <https://charlottenc.gov/CityClerk/Pages/CityClerk.aspx>.

Attachment(s)

Proposed 2025 City Council Regular and Budget Meeting Schedule

[Dec 9 2024 - Proposed 2025 Council Meeting Schedule](#)

19. Resolution to Certify and Declare the Results of the November 5, 2024, Special Bond Referendum

Action:

Adopt a resolution certifying and declaring the results of the November 5, 2024, Special Bond Referendum.

Staff Resource(s):

Teresa Smith, Finance

Matthew Hastedt, Finance

Explanation

- On June 24, 2024, City Council conducted a public hearing and adopted a resolution approving the call for referendum on November 5, 2024. In accordance with the Capital Investment Plan for Fiscal Years 2025 through 2029 the bonds included:
 - \$238,300,000 general obligation transportation bonds,
 - \$100,000,000 general obligation housing bonds, and
 - \$61,700,000 general obligation neighborhood improvement bonds.
- The referendum was conducted on November 5, 2024, and the Mecklenburg County Board of Elections has presented the Canvass of Results of the Referendum. The Mecklenburg County Board of Elections certified the results of the Special Bond Referendum on November 15, 2024.
- The results were:
 - 277,122 in favor of the Transportation Bonds and 137,283 opposed,
 - 263,403 in favor of the Housing Bonds and 150,955 opposed, and
 - 294,299 in favor of the Neighborhood Bonds and 120,200 opposed.
- This City Council action certifies and declares the official results of the voter referendum.
- Following the City Council action, a Statement of Results will be published for each bond issuance. Publication initiates a 30-day action period to dispute election results.

Fiscal Note

Funding: Municipal Debt Service Fund

Attachment(s)

Certificate of Canvass

Statement of Results

Resolution

[Certificate of Canvass - City of Charlotte 2024 GO Bond Referendum](#)

[Statement of Results - City of Charlotte 2024 GO Bond Referendum](#)

[Resolution - City of Charlotte 2024 GO Bond Referendum](#)

NOMINATIONS

20. Nominations to the Bicycle Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Four appointments for a three-year term beginning January 1, 2025, and ending December 31, 2027.
 - Tammy Brock is eligible for reappointment.
 - John Holmes is eligible for reappointment.
 - Juan Juarez is eligible for reappointment.
 - Matt Weschler is eligible for reappointment.

Attachment(s)

Bicycle Advisory Committee Applications

21. Nominations to the Business Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term recommended by the Certified SBE-Hispanic Contractors Association beginning April 29, 2023, and ending April 28, 2026.
 - Domenico Santilli is eligible but not interested in reappointment.

Attachment(s)

Business Advisory Committee Applications

22. Nominations to the Charlotte Business INClusion Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term recommended by the Metrolina Native American Association beginning upon appointment and ending February 28, 2026.
 - Rebecca LaClaire did not meet attendance requirements.
- One appointment for a partial term recommended by the Carolinas Association of General Contractors beginning upon appointment and ending February 28, 2025, and a three-year term beginning March 1, 2025, and ending February 28, 2028.
 - Sharon Walters has resigned.

Attachment(s)

Charlotte Business INClusion Advisory Committee Applications

23. Nominations to the Charlotte Tree Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for a three-year term beginning December 14, 2024, and ending December 13, 2027.
 - Sarah Gagne is eligible for reappointment.
 - Scott Roberts has served two terms and is ineligible for reappointment.

Attachment(s)

Charlotte Tree Advisory Committee Applications

24. Nominations to the Historic District Commission

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a Resident Owner of Hermitage Court for a three-year term beginning July 1, 2024, and ending June 30, 2027.
 - James Jordan has resigned.

Attachment(s)

Historic District Commission Applications

25. Nominations to the Housing Appeals Board

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning January 1, 2025, and ending December 31, 2027.
 - Bradley Caldwell is eligible for reappointment.

Attachment(s)

Housing Appeals Board Applications

26. Nominations to the INLIVIAN Board of Commissioners

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for a three-year term beginning December 18, 2024, and ending December 17, 2027.
 - Angela Ambroise is eligible for reappointment.
 - Fatina Allen is eligible for reappointment.
- One appointment for a Low-Income Housing Resident category representative for a three-year term beginning December 18, 2024, and ending December 17, 2027.
 - Ervin Robinson is eligible for reappointment.

Attachment(s)

INLIVIAN Board of Commissioners Applications

27. Nominations to the Keep Charlotte Beautiful Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for a partial term beginning upon appointment and ending June 30, 2025.
 - Chris Stack has resigned.
 - Ronald Spake has resigned.

Attachment(s)

Keep Charlotte Beautiful Committee Applications

28. Nominations to the Passenger Vehicle for Hire Board

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a Hospitality / Tourism Industry category representative for a three-year term beginning July 1, 2024, and ending June 30, 2027.
 - Sheila Etheridge-Boddie has served two terms and is ineligible for reappointment.

Attachment(s)

Passenger Vehicle for Hire Board Applications

29. Nominations to the Storm Water Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a Financial / Accounting / Legal Professional category representative for a three-year term beginning July 1, 2024, and ending June 30, 2027.
 - Richard Thigpen has served two terms and is ineligible for reappointment.
- One appointment for a General Contractor category representative for a partial term beginning upon appointment and ending June 30, 2025.
 - Cameron Guice has resigned.

Attachment(s)

Storm Water Advisory Committee Applications

CONSENT

30. Police Workload Analysis Services

Action:

- A. Approve unit price contracts with the following companies for Charlotte-Mecklenburg Police Department Workload Analysis Services for an initial term of three years:**
- **Center for Public Safety Management, LLC,**
 - **Matrix Consulting Group,**
 - **Raftelis Financial Consultants, 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):

Johnny Jennings, Police
Kellie High-Foster, Police

Explanation

- The Charlotte Mecklenburg Police Department (CMPD) requires workload analysis services to analyze job duties and workloads of the different units and divisions.
- These services develop formal staffing models that assist with defining tasks, workloads, and staffing requirements needed to efficiently support CMPD operations.
- On August 22, 2024, the city issued a Request for Proposals (RFP); 12 responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$300,000.

Charlotte Business INclusion

Contract goals were not established for this Contract because the scope of work or goods required does not present viable subcontracting opportunities. The prime contractors will be responsible for 100% of the work or goods, and there are no opportunities to include subcontractors. This assessment was confirmed by CBI and the respective department after reviewing the project's scope and potential for division into subcontracting opportunities.

Fiscal Note

Funding: CMPD Operating Budget

31. Parkside Crossing Townhomes Developer Reimbursement Agreement

Action:

Authorize the City Manager or designee to enter into a developer reimbursement agreement with Pulte Home Company, LLC in an amount not to exceed \$1,000,000.

Staff Resource(s):

Debbie Smith, Transportation
Matt Magnasco, Transportation

Explanation

- The city will at times partner with private developers to construct infrastructure improvements on behalf of the city.
- Pulte Home Company, LLC is developing the Parkside Crossing subdivision off Steele Creek Road and Parkside Crossing Drive in Council District 3.
- The city and Pulte Home Company are partnering to construct the extension of Simone Terrace across Walker Branch tributary.
- The city agrees to reimburse Pulte Home Company for the creek crossing construction as part of their subdivision in an amount not to exceed \$1 million.
- The project supports the 2022 Council-adopted Strategic Mobility Plan by advancing Charlotte's safe, connected, equitable, sustainable, prosperous, and innovative transportation network.
- Construction is expected to start in mid-2025.

Charlotte Business INclusion

Pulte Home Company must comply with the requirements of the Charlotte Business INclusion program. Prior to the City Manager executing the developer reimbursement agreement, the CBI Office will negotiate a minimum 8.00% MBE contract goal and 4.00% WBE contract goal on all work tied to this agreement.

Fiscal Note

Funding: General Capital Investment Program

Attachment(s)

Map

[Map - Parkside Crossing Townhomes](#)

32. Construction Manager at Risk for Firehouse #11 Replacement Project

Action:

Approve a contract in the amount of \$15,285,060 with J.E. Dunn - McFarland, A Joint Venture, for construction phase services of the Firehouse #11 Replacement Construction Manager at Risk project.

Staff Resource(s):

Phil Reiger, General Services

Mary Herington, General Services

Explanation

- Charlotte Firehouse #11 was identified in the Construct Fire Facilities Program and approved in the Fiscal Year 2024 Adopted Budget.
- Charlotte Firehouse #11 is located at 620 West 28th Street in Council District 1 and is currently in need of replacement.
- The project includes the demolition of the existing firehouse and construction of a new 17,160 square foot, two-story, four-bay firehouse.
- The city has selected the Construction Manager at Risk (CMAR) project delivery method to provide more effective coordination, more certainty with project costs, and to fast track the schedule and better mitigate risks during construction.
- On April 2, 2024, the city issued a Request for Qualifications (RFQ); ten proposals were received.
- J. E. Dunn - McFarland, A Joint Venture, is the best qualified firm to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- The contract with J. E. Dunn - McFarland is for construction phase services, including coordinating all construction activities, managing all subcontractors, and delivering the project in collaboration with the city and the design consultant.
- The pre-construction phase was awarded to J. E. Dunn - McFarland on September 2, 2024, in the amount of \$68,469.15.
- The project is anticipated to be completed by the third quarter of 2026.

Charlotte Business INclusion

The city has negotiated an overall project goal of 15.00% MBE and 10.00% WBE. Because this is a Construction Manager at Risk, J. E. Dunn - McFarland has the opportunity to add Minority-owned Business Enterprises (MBE), Women-owned Business Enterprises (WBE), or Small Business Enterprise (SBE) firms throughout the life of the Project.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map - Firehouse #11 Replacement Project](#)

33. Cooperative Purchasing Contracts for Vehicles and Equipment

Action:

- A. Approve the purchase of vehicles and equipment from cooperative contracts,**
- B. Approve unit price contracts with the following vendors for the purchase of vehicles and equipment for a term of one year under the North Carolina Sheriff's Association:**
- **Clark Equipment Company (#24-08-0421R),**
 - **Jeff Gordon Chevrolet (#25-11-0912),**
 - **Modern Chevrolet LLC (#25-11-0912),**
 - **Modern Nissan of Winston-Salem (#25-11-0912),**
 - **Parks Ford (#25-11-0912),**
 - **Piedmont Truck Center (#25-11-0912), and**
- C. Authorize the City Manager to extend the contract for additional terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contact.**

Staff Resource(s):

Phil Reiger, General Services
Shelia Anderson, General Services
Chris Trull, General Services

Explanation

- City vehicles and equipment are assessed on an annual basis to determine replacement needs.
- Purchased vehicles and equipment include electric vehicles, light duty vehicles, and construction equipment.
- NC General Statute Section 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- Annual expenditures are estimated to be \$2,121,000.

Charlotte Business INclusion

The terms and conditions of a cooperative agreement are negotiated and determined upon initial award of the contract. Because no diversity goals were established, this cooperative contract is exempt from the CBI Program. In addition, after assessing the scope of work/goods required, it was confirmed by CBI and the respective department that there were no viable subcontracting opportunities.

Fiscal Note

Funding: General and Enterprise Capital Equipment Funds

34. On-Call Professional Consulting Services

Action:

- A. Authorize the City Manager to negotiate and execute contracts with the following companies for citywide professional consulting services for an initial term of three years:**
- Adapteon, Inc.,
 - Ankobia Group, LLC,
 - AS Strategy, LLC (MBE, SBE),
 - Berry, Dunn, McNeil & Parker, LLC,
 - Cherry Bekaert Advisory, LLC,
 - CJT Training Solutions, LLC,
 - D. Wilson Agency, LLC (MBE),
 - Deloitte Consulting LLP,
 - Developmental Associates, LLC (WBE),
 - EMA, Inc.,
 - Ernst & Young LLP,
 - Federal Engineering, Inc.,
 - Gartner, Inc.,
 - Goman York Property Advisers, LLC,
 - Infinite HR of Charlotte, LLC (MBE),
 - iSuccess Consulting, Inc.,
 - Malor and Company, Inc.,
 - Mas Talent, LLC,
 - MD Marketing and Consulting, Inc.,
 - Mission Critical Partners, LLC,
 - NBS Technology, Inc. (MBE, SBE),
 - Next Generation Technology, Inc.,
 - Procop Municipal Partners, LLC (MBE),
 - Projas Technologies, LLC,
 - Prosidian Consulting, LLC,
 - Savvi Consulting, LLC (SBE),
 - Tachyon Technologies, LLC,
 - The Thomas Consulting Group, LLC,
 - The Well Group, LLC,
 - Turnkey Solutions, 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):

Phil Reiger, General Services

Shelia Anderson, General Services

Explanation

- The city engages in professional consulting services to enhance a range of operations, facilitate strategic planning, manage projects, and address specialized project requirements across various departments.
- Consultants provide the city with services specializing in the following areas of expertise: Diversity, Equity, and Inclusion; Economic Development; Finance; Human Resources; Information Technology; and Public Safety.
- The use of consultants provides the city with the following benefits:
 - Enhances current personnel capacity to efficiently manage workloads;
 - Enables the city to be agile and move expeditiously to address project demands;
 - Provides departments with an unbiased perspective to aid in the optimization of operational

- processes; and
 - Offers specialized knowledge, insight, and expertise in various areas.
- Multiple awards are recommended to provide diverse solutions, promote flexibility, and enhance accessibility, ensuring the needs of various departments and operations are effectively met.
- On June 3, 2024, the city issued a Request for Proposals (RFP); 109 responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$7,000,000.

Charlotte Business INclusion

Each of the following Prime Consultants are MWSBE firms and will self-count participation of the total contract amount:

- AS Strategy, LLC (MBE, SBE)
- D. Wilson Agency, LLC (MBE)
- Developmental Associates, LLC (WBE)
- Infinite HR of Charlotte, LLC (MBE)
- NBS Technology, Inc. (MBE, SBE)
- Procop Municipal Partners, LLC (MBE)

The city negotiates contract participation after the proposal selection process. The specific tasks and contract opportunities associated with these contracts are undefined; however, each of the following Prime consultants has identified MWSBE firms to be utilized:

Adapteon, Inc.

- MAV Consulting Group, LLC (WBE)

Ankobia Group, LLC

- JMS Consulting (MBE, SBE)
- Work 4 Change (MBE, SBE)

Berry, Dunn, McNeil & Parker, LLC

- Datastaff (WBE)

Cherry Bekaert Advisory, LLC

- Pinnacle Change, LLC (MBE)

CJT Training Solutions, LLC

- EPlanet Consultants, Inc. (MBE, SBE)

Deloitte Consulting LLP

- Alliance of Professionals (MBE)
- AS Strategy, LLC (MBE, SBE)
- Benchmark CMR (SBE)
- Bucher and Christian (MBE)
- Creative Economic (WBE)
- Wilson Agency (MBE)

EMA, Inc.

- Customer Service Solutions (SBE)
- Next Conversation (WBE, SBE)

Ernst & Young LLP

- Amplify (MBE, SBE)
- Miles Tech (MBE, SBE)

Federal Engineering, Inc.

- Pinnacle Change, LLC (MBE)

Gartner, Inc.

- Dawning Systems (SBE)

Goman York Property Advisers, LLC

- Amplify (MBE, SBE)

iSuccess Consulting, Inc.

- DiverseCity Services (MBE, SBE)
- Make it Happen Coaching (MBE, SBE)

Malor and Company, Inc.

- Electronic Knowledge (MBE)

Mas Talent, LLC

- JMS Consulting (MBE)

MD Marketing and Consulting, Inc.

- Printland Co. (MBE)

Mission Critical Partners, LLC

- Lawrence Associates PA (SBE)

Next Generation Technology, Inc.

- EPlanet Consulting (MBE, SBE)

Projas Technologies, LLC

- Dawning Systems (SBE)

Sarvi Consulting, LLC (SBE)

- Digital Made Simple (MBE)
- People Before Profit Solutions (MBE, SBE)

Tachyon Technologies, LLC

- Alliance of Professionals & Consultants, Inc. (MBE)
- Datastaff, Inc. (WBE)

The Thomas Consulting Group, LLC

- Amplify (MBE, SBE)
- Thompson Consulting and Analytics, LLC (MBE, SBE)
- Tru Impact Consulting, LLC (MBE)

The Well Group, LLC

- Sarvi Consulting, LLC (SBE)

Turnkey Solutions, LLC

- Kimberly Baker Coaching (MBE, SBE)

Fiscal Note

Funding: Various Departments' Operating Budgets

35. Right of Way Acquisition Services

Action:

- A. Approve unit price contracts with the following companies for right of way acquisition services for an initial term of three years:**
- O.R. Colan Associates, LLC,
 - Michael Ryan Realty, 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):

Phil Reiger, General Services

Greg Crawford, General Services

Mike Davis, Storm Water Services

Explanation

- These contracts will provide right of way real estate acquisition services for Storm Water Services Capital Investment Plan projects.
- On October 5, 2024, the city issued a Request for Proposals (RFP); nine responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$1,800,000.

Charlotte Business INclusion

The city negotiates contract participation after the proposal selection process. O.R. Colan Associates, LLC and Michael Ryan Realty, Inc. have identified the following certified firm for participation as project scopes are defined:

- Hearn's Real Estate Solutions, LLC (MBE, SBE) (acquisition services)

Fiscal Note

Funding: Storm Water Capital Investment Plan

36. Municipal Agreement for Relocation of Water and Sanitary Sewer Infrastructure on Bailey Road

Action:

- A. **Adopt a resolution authorizing the City Manager to negotiate and execute a municipal agreement with the North Carolina Department of Transportation for construction of water and sanitary sewer line relocations, adjustments, and improvements, and**
- B. **Authorize the City Manager to approve the reimbursement request for the actual cost of the utility construction.**

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- This municipal agreement is for the relocation, replacement, and improvements of water and sanitary sewer infrastructure located within the North Carolina Department of Transportation's (NCDOT) highway improvements project U-6105, located in the Town of Cornelius. The purpose of the project is to extend Bailey Road from the intersection at Poole Place Drive to Statesville Road.
- As required by NCDOT's encroachment agreements, the city is financially responsible for the cost to relocate city-owned water and sanitary sewer lines within the state-maintained right-of-way.
- The city will reimburse NCDOT for actual construction costs at the conclusion of the project.
- The total estimated city cost of this construction is \$312,752.50.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map
Resolution

[Map - Relocation of Water and Sanitary Sewer Infrastructure on Bailey Road](#)

[Resolution - Municipal Agreement for Infrastructure on Bailey Road](#)

37. Underground Locating Services

Action:

- A. Approve a unit price contract with One Call Concepts Locating Services, Inc. for underground locating services for an initial term of two years, and**
- B. Authorize the City Manager to renew the contract for up to three, 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):

Angela Charles, Charlotte Water
Marion Sanders, Charlotte Water

Explanation

- This contract will provide additional resources that will supplement Charlotte Water staff with performing underground locating service requests.
- Currently, Charlotte Water responds to approximately 330,000 locate service requests annually and as construction and telecommunication needs increase and infrastructure upgrades continue, these requests are anticipated to increase.
- To prevent property damage and human injury, the Underground Utility Safety and Damage Prevention Act requires Charlotte Water to locate its underground infrastructure prior to excavation commencing.
- On October 9, 2024, the city issued a Request for Proposals (RFP); five responses were received.
- One Call Concepts Locating Services, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$1,800,000.

Charlotte Business INclusion

Contract goals were not established for this contract because the scope of work or goods does not present viable subcontracting opportunities. One Call Concepts Locating Services, Inc. will be responsible 100% of the work or goods, and there are no opportunities to include subcontractors. This assessment was confirmed by CBI and the respective department after reviewing the project's scope and potential for division into subcontracting opportunities.

Fiscal Note

Funding: Charlotte Water Operating Budget

38. Collective Storm Drainage Improvement Project - Series N

Action:

- A. Approve a contract in the amount of \$928,390.40 to the lowest responsive bidder OnSite Development, LLC for the Collective Storm Drainage Improvement Project - Series N, and**
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
Mike Davis, Storm Water Services
Logan Oliver, Storm Water Services

Explanation

- The contract is part of an ongoing program to provide repairs and/or improvements to storm drainage systems.
- The contract will address storm drainage systems at:
 - 6101 Hickory Forest Drive (Council District 7), and
 - 6114 Hickory Forest Drive (Council District 7).
- On October 1, 2024, the city issued an Invitation to Bid; nine bids were received.
- OnSite Development, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2026.

Charlotte Business INclusion

Established MBE Goal: 7.00%

Committed MBE Goal: 7.00%

OnSite Development, LLC met the established contract goal and has committed 7.00% (\$64,988) of the total contract amount to the following certified firm(s):

- LJR Concrete, LLC (MBE, SBE) (\$30,000) (concrete)
- Streeter Trucking Company (MBE, SBE) (\$17,494) (hauling)
- Tony's Trucking (MBE, SBE) (\$17,494) (hauling)

Established WBE Goal: 4.00%

Committed WBE Goal: 4.00%

OnSite Development, LLC met the established contract goal and has committed 4.00% (\$37,136) of the total contract amount to the following certified firm(s):

- Keys Trucking, LLC (WBE, SBE) (\$37,136) (hauling)

Fiscal Note

Funding: Stormwater Capital Investment Plan

Attachment(s)

Map

[Map - Collective SDIP Series N](#)

39. Engineering Services for East 4th Street Storm Drainage Improvement Project

Action:

- A. **Approve a contract in the amount of \$1,200,000 with ESP Associates, Inc. for design services for the East 4th Street Storm Drainage Improvement Project, and**
- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
Mike Davis, Storm Water Services
Matt Gustis, Storm Water Services

Explanation

- The East 4th Storm Drainage Improvement project is located along East 4th Street from Barnette Place to Little Sugar Creek in Council District 1.
- On February 28, 2022, Council approved a contract in the amount of \$640,000 with ESP Associates, Inc. to provide planning and preliminary design services for the project.
- The contract will include design and construction phase administration services.
- Specific design and construction administration tasks include, but are not limited to:
 - Design of repairs and/or improvements,
 - Survey and utility locate services,
 - Geotechnical subsurface investigations,
 - Preparation of construction documents, and
 - Construction administration.
- ESP Associates, Inc. is the best qualified firm to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

Charlotte Business INclusion

The city negotiates contract participation after the proposal selection process. ESP Associates, Inc. has committed 12.00% (\$143,975) of the total contract to the following certified firm(s):

- Barry Lambert Engineering, PC (SBE) (\$19,480) (structural engineering services)
- Centerline Locating, LLC (WBE, SBE) (\$108,615) (subsurface utility engineering services)
- The Survey Company, Inc. (SBE) (\$9,915) (surveying and platting services)
- Wells Geotech, LLC (SBE) (\$5,965) (geotechnical services)

Fiscal Note

Funding: Stormwater Capital Investment Plan

Attachment(s)

Map

[Map - East 4th Street SDIP](#)

40. Bus Tires and Tire Services

Action:

- A. **Approve the purchase of tires and tire services from a state contract,**
- B. **Approve a contract with The Goodyear Tire & Rubber Company for the purchase of tires and tire services under North Carolina Department of Administration contract #2517A, through July 31, 2028, and**
- C. **Authorize the City Manager to extend the contract for additional terms as long as the statewide contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

Staff Resource(s):

Brent Cagle, CATS

Elizabeth Presutti, CATS

Jennifer Fehribach, CATS

Explanation

- The Charlotte Area Transit System (CATS) has purchased 71 hybrid and electric buses. The final vehicle will be delivered in 2025. Due to the increased weight and axle design, a tire with more load capacity is required. There is only one tire manufacturer that can supply the required tires.
- The North Carolina state contract will allow CATS to purchase Goodyear Tires and Tire Services for CATS hybrid and electric bus tires.
- North Carolina General Statute Section 143-129(e)(3) allows local governments to purchase from formally organized statewide purchasing contracts.
- A statewide purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- Annual expenditures are estimated to be \$450,000.

Charlotte Business INclusion

According to Section 8.21.5 of the CBI Administrative Procedures Manual, contracts procured through existing State Contracts are exempt from CBI Program goals. These contracts are not subject to a competitive bidding process and do not provide subcontracting opportunities, in alignment with North Carolina State Statute § 143-129(e)(3).

Fiscal Note

Funding: CATS Operating Fund

41. CATS Enterprise Asset Management Software

Action:

- A. **Authorize the City Manager to negotiate and approve a contract with Trapeze Software Group, Inc. for the build-out and support of an enterprise asset management system for an initial term of five years,**
- B. **Authorize the City Manager to renew the contract for up to two, one-year renewals with possible price adjustments and amend the contract consistent with the purpose for which the contract was approved, and**
- C. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance and support, and system upgrades/expansions as required to maintain the system for as long as the city uses the system.**

Staff Resource(s):

Brent Cagle, CATS

Elizabeth Presutti, CATS

Randy Moulton, Innovation and Technology

Explanation

- In 2005, the Charlotte Area Transit System (CATS) implemented the Spear materials and maintenance software system which is being phased out of support by the vendor.
- CATS is now seeking a comprehensive enterprise asset management (EAM) system capable of maintenance and materials management and the tracking of all assets to meet Federal Transit Administration regulations.
- On July 12, 2023, the city issued a Request for Proposals (RFP); 15 responses were received.
- Trapeze Software Group, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to the RFP requirements.
- The EAM system to be built and supported by Trapeze Software Group includes:
 - Complementary software for management of fuel and fluids (fluids management system);
 - Software to track revenue rolling stock asset location in maintenance yards (yard management system);
 - Software for tracking and reporting on incidents related to CATS assets (safety management system); and
 - Additional equipment needed to integrate the existing computer aided dispatch/automatic vehicle location system for rail to the new EAM safety management system.
- Total expenditures for the first five-year term are estimated to be \$7,601,005.
- After the initial term, annual maintenance expenditures are estimated to be \$960,000.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.

Disadvantaged Business Enterprise

Established DBE Goal: 5.00%

Committed DBE Goal: 3.94%

Trapeze Software Group failed to meet the established contract goal but met the federal Good Faith Efforts requirements. Trapeze Software Group has committed 3.94% (\$299,376) of the total contract amount to the following certified firm(s):

- CodeRed Business Solutions, Inc. (DBE) (\$299,376) (training and consulting support)

Fiscal Note

Funding: CATS Capital Investment Plan and General Capital Investment Plan

42. Lease of City-owned Property at the JW Clay Parking Deck

Action:

- A. **Adopt a resolution to approve a lease agreement with Crazy Legs, LLC For a 63-month term for retail space at the JW Clay Parking Deck,**
- B. **Authorize the City Manager to renew the lease for up to one, 60-month term, and**
- C. **Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the transaction.**

Staff Resource(s):

Brent Cagle, CATS
Kelly Goforth, CATS
Lori Lencheski, CATS

Explanation

- The JW Clay Parking Deck is on the LYNX Blue Line Extension in Council District 4 and incorporates approximately 15,470 square feet of leasable space for office and retail, per the Transit Oriented Development ordinance.
- The leasable spaces within the JW Clay Parking Deck provide opportunities for retail and businesses to offer goods and services to customers using the Blue Line, along with walk-up customers from surrounding areas.
- Crazy Legs, LLC proposes to operate a café and takeout restaurant.
- The terms of the lease agreement are as follows:
 - Approximately 2,352 square feet of retail space in the JW Clay Parking Deck (Suite 222);
 - A 63-month term, with one option to extend the lease term for an additional 60-months;
 - Lease amount of \$4,900 per month (\$58,800 annually) for year one, escalating at a rate of three percent annually for each year thereafter. This rate is consistent with market rates;
 - The tenant would pay a share of common area maintenance costs.
- Tenants are responsible for improvement costs related to upfit of the parking deck office and retail space.
- The city agrees to reimburse tenant improvement costs only if the city terminates the lease during the initial term for transit-related activity. The total amount of reimbursable expenses shall not exceed \$40 per square foot or \$94,080.

Fiscal Note

Funding: Revenues from the lease will be deposited in the CATS Operating Budget

Attachment(s)

Resolution

[Resolution - Lease of City-owned Property at the JW Clay Parking Deck](#)

43. Light Rail Vehicle and Streetcar LED Railway Lights and Headlights

Action:

- A. **Approve the purchase of light rail vehicle and streetcar railway lights and headlight assembly LEDs by the sole source exemption,**
- B. **Approve a contract with Transit Design Group for the purchase of light rail vehicle and streetcar railway lights and headlight assembly LEDs for the term of three years, and**
- C. **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, CATS

Victoria Johnson, CATS

Gary Lee, CATS

Sole Source Exemption

- NC General Statute Section 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because performance or price competition are not available.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- The Charlotte Area Transit System (CATS) operates 42 S70 light rail vehicles (LRV) and six S700 streetcars that are used to provide transit service on the Blue Line and Gold Line, respectively.
- CATS must purchase headlight assembly LEDs, railway lights, and railway light kits for the S70 LRVs and the S700 streetcars from Transit Design Group (TDG), the original equipment manufacturer.
- The LED lights consume less power and have a longer lifecycle than regular incandescent lighting.
- The TDG LED lights have been field tested and provide longer use and higher visibility for the LRV operators.
- There was no proven beneficial functionality in other lights that were tested.
- Annual expenditures are estimated to be \$80,000.

Charlotte Business INclusion

This is a sole source contract and is exempt under the Charlotte Business Inclusion Program.

Per CBI's Administrative Procedures Manual (8.21.5), sole source contracts are exempt from CBI Program goals, as these contracts do not involve a competitive bidding process and do not present opportunities for subcontracting. Sole sourcing was required for this contract because performance or price competition are not available. This aligns with what is required by NC Statute Section 143-129(e)(3).

Fiscal Note

Funding: CATS Operating Budget

44. Airport Concourse D Renovations Construction

Action:

- A. Approve change order #1 for \$39,255,742.27 to Messer Construction Co. for Construction Manager at Risk services for the Concourse D Renovations construction project, and**
- B. Approve contract amendment #4 for \$1,015,273 to the contract with RS&H Architects-Engineers-Planners, Inc. for construction administration services for the construction phase of the Concourse D Renovations project.**

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Background

- The Concourse D Renovations project will provide for a 99,000 square foot renovation of select finishes and amenities on the ticket level of Concourse D, to include concourse corridors, holdrooms, and restrooms.
- This project will include a full renovation of restrooms and infrastructure to support charging powered seating, as well as new wall finishes, ceilings, lighting, carpet, and paint.
- The project is anticipated to be complete by the first quarter of fiscal year 2027.

Explanation

Action A

- On July 10, 2023, City Council approved a contract with Messer Construction Co. in the amount of \$3,509,420.89 for Construction Manager at Risk (CMAR) services to procure the major mechanical and electrical equipment for the Federal Inspection Station Facility (FIS) and Concourse D Renovations project.
- This change order will incorporate the guaranteed maximum price contract for the CMAR for the full construction of the Concourse D Renovations project.
- The new total value of the contract is \$42,765,163.16.

Action B

- On February 24, 2020, City Council approved a contract with RS&H Architects-Engineers-Planners, Inc. in the amount of \$4,330,965 to provide design services for the FIS and Concourse D Renovations project.
- Contract amendment #1 in the amount of \$438,570 was for additional design services for relocating the FBI suite, a new electrical room and baggage carousel, and automatic tag readers.
- Contract amendment #2 in the amount of \$496,136 was for dividing the original scope of work into three bid packages and construction administration services for Package 1.
- Contract amendment #3 in the amount of \$137,005 was for re-scoping Package 2 and construction administration for fire alarm improvements.
- Amendment #4 includes construction administration services for Package 2, including design-related items such as submittal reviews, Requests for Information responses, as-built final drawings, and material acceptance.
- The new value of the contract including all amendments is \$6,417,949.

Charlotte Business INclusion

Action A

The city has negotiated an overall project goal of 9.50% MBE and 2.00% SBE. Because this is a Construction Manager at Risk, the Construction Manager has the opportunity to add Minority-owned Business Enterprises (MBE), Women-owned Business Enterprises (WBE) or Small Business Enterprise (SBE) firms throughout the life of the Project.

Messer Construction Co. has committed 48.85% (\$19,175,895) of the total contract Change Order amount

to the following certified firm(s):

- A&D Express Trucking LLC (MBE, SBE) (\$4,200) (hauling)
- ADA Contracting, LLC (MBE, SBE) (\$61,250) (plumbing materials)
- AEGJ Construction LLC (MBE, SBE) (\$143,125) (final clean, painting)
- Bergman Brothers Staffing (MBE) (\$100,000) (general labor)
- Besco Electrical Corporation (MBE) (\$9,075,000) (electrical)
- Carrothers Enterprise (MBE) (\$102,000) (carpet materials)
- DMD Supply Services Group LLC (MBE, SBE) (\$19,570) (concrete procurement)
- Express Logistics Services, Inc (MBE, SBE) (\$56,850) (furnish aggregates, hauling)
- Firestop Carolinas Inc (WBE) (\$13,000) (fire stop)
- Five Boys Trucking (MBE, SBE) (\$37,350) (hauling)
- G&Y Masonry, Inc (MBE) (\$65,500) (masonry)
- GP Supply Company LLC (MBE) (\$61,250) (plumbing materials)
- Sterling Construction Services (MBE) (\$822,900) (general trades)
- Superior Mechanical Systems, Inc (MBE) (\$7,131,900) (HVAC)
- United Painting Services, Inc (MBE, SBE) (\$1,482,000) (metal framing and drywall)

Action B

All additional work involved in this Amendment will be performed by the RS&H Architects-Engineers-Planners, Inc. and their existing subcontractors. RS&H Architects-Engineers-Planners, Inc. has committed 26.39% (\$267,890) of the total contract Amendment amount to the following certified firm(s):

- The Wilson Group (SBE) (\$267,890) (architectural design)

Fiscal Note

Funding: Aviation Capital Investment Plan

45. Airport Engineered Materials Arresting System Maintenance and Replacement

Action:

- A. **Approve a contract in the amount of \$9,752,590 to the lowest responsive bidder Boland's, LLC for the Engineered Materials Arresting System Replacement project,**
- B. **Approve the purchase of materials required for the Engineered Material Arresting System maintenance and repair by the sole source exemption,**
- C. **Approve a contract with Runway Safe, Inc. for the purchase of materials required for the Engineered Material Arresting System maintenance and repair for a term of three years, and**
- D. **Authorize the City Manager to renew the Runway Safe, Inc. 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):

Haley Gentry, Aviation
Jack Christine, Aviation

Sole Source Exemption

- NC General Statute Section 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because the needed product is available from only one source.
- City Council approval is required for any purchases made under the sole source exception.

Background

- In 2008, the Airport installed an Engineered Material Arresting System (EMAS) in the runway safety area off Runway 18L-36R. EMAS helps slow or stop aircraft in the event of a runway overrun and is required by the Federal Aviation Administration (FAA) due to the non-standard safety area off the runway. The installation of the EMAS bed allows the safety area to be considered standard by FAA.
- EMAS is made of concrete blocks that are light and crushable to absorb the weight of an aircraft.
- Over time the condition of the EMAS deteriorates, requiring maintenance and, eventually, replacement.

Explanation

Action A

- This project consists of replacing the EMAS bed on Runway 36R.
- The project includes removing existing EMAS blocks, milling and overlay of the existing asphalt bed, installing new EMAS blocks, airfield markings, and installing edge reflectors.
- On September 12, 2024, the city issued an Invitation to Bid (ITB); one bid was received.
 - NC General Statute 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if readvertisements result in fewer than three competitive bids.
- On October 10, 2024, the city re-issued an ITB; one bid was received.
- Boland's, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the second quarter of fiscal year 2026.

Actions B, C, and D

- This contract will provide the necessary EMAS replacement materials for maintenance and repair of the bed.
- Annual estimated expenditures are \$80,000.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.

Charlotte Business INclusionAction A

Established MSBE Goal: 5.00%

Committed MSBE Goal: 1.00%

MSBE Participation to Date: 1.19%

Boland's, LLC failed to meet the established contract goal but earned the required minimum Good Faith Effort Points. Boland's LLC has committed 1.00% (97,823) of the total contract amount to the following certified firm(s):

- A&D Express Trucking, LLC (MBE, SBE) (\$34,728) (hauling)
- Carolina Construction Equipment, LLC (WBE, SBE) (\$13,295) (equipment rental)
- Davis Container Service, LLC (MBE) (\$4,200) (dumpster rental)
- Southeastern Public Safety Group, Inc. (SBE) (\$45,600) (traffic control and flaggers)

Subsequent to Bid Opening, Boland's LLC has committed an additional 0.18% (\$18,000) to the following certified firm:

- Key's Trucking, LLC (WBE, SBE) (\$18,000) (hauling)

Actions B, C, and D

Per CBI's Administrative Procedures Manual (8.21.5), sole source contracts are exempt from CBI Program goals, as these contracts do not involve a competitive bidding process and do not present opportunities for subcontracting. Sole sourcing was required for this contract because the needed product is available from only one source. This aligns with what is required by NC Statute Section 143-129(e)(3).

Fiscal Note

Funding: Aviation Capital Investment Plan (Action A) and Aviation Operating Budget (Actions B, C, and D)

46. Airport Fourth Parallel Runway 1C-19C and Connectors Construction

Action:

Approve a contract in the amount of \$163,084,231 to the lowest responsive bidder Hi-Way Paving, Inc. and ES Wagner Company, LLC, a Joint Venture, for the Fourth Parallel Runway 1C-19C and Connectors construction project.

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

- The Fourth Parallel Runway Program will enhance airfield capacity and operational efficiency and reduce the number of active runway crossings.
- The overall program consists of ten packages of work. This package includes the construction of Runway 1C-19C and associated connector taxiways.
- This contract will provide for pavement demolition and placement, excavation, hauling, stormwater drainage, erosion and sediment control, pavement markings, airfield electrical, Federal Aviation Administration power and communications, Navigational Aid (NAVAID) access road installation, and NAVAID relocation.
- On September 10, 2024, the city issued an Invitation to Bid; four bids were received.
- Hi-Way Paving, Inc. and ES Wagner Company, LLC, a Joint Venture, were selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the third quarter of fiscal year 2027.

Disadvantaged Business Enterprise

Established DBE Goal: 21.00%

Committed DBE Goal: 21.00%

Hi-Way Paving and ES Wagner Company met the established contract goal and has committed 21.00% (\$34,248,000) of the bid amount to the following certified firm(s):

- Apex Petroleum Corporation (DBE) (\$840,000) (fuel supplier)
- Archangel Protective Services, Inc. (DBE) (\$4,000,000) (gate guards and flagging)
- Bullseye Construction & Supply (DBE) (\$6,233,000) (supplier of reflective media, fencing, supply RCP)
- Carolina Construction Supplies, LLC (DBE) (\$1,350,000) (concrete embed supplier)
- DM Conlon (DBE) (\$60,000) (demo sawcut)
- Express Logistics (DBE) (\$12,625,000) (furnish and haul aggregates)
- Kingdom Trucking, LLC (DBE) (\$540,000) (hauling)
- Native Transportation Supply (DBE) (\$4,800,000) (electrical materials supply)
- Martin Landscaping Company, Inc. (DBE) (\$3,800,000) (seeding, mulching, and erosion control)

Fiscal Note

Funding: Aviation Capital Investment Plan

47. Airport Ramp Snow Removal Services

Action:

- A. **Approve a unit price contract with Blythe Construction, Inc. for ramp snow removal services for an initial 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):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- This contract will provide services to assist with the removal of snow from the Airport's air carrier ramp.
- On September 16, 2024, the city issued a Request for Proposals (RFP); one response was received.
- Blythe Construction, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$1,700,000.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.

Charlotte Business INclusion

The city negotiates contract participation after the proposal selection process. Blythe Construction, Inc. has identified the following certified firm(s) to be utilized:

- Glaze Independent Trucking (MBE) (5.00%) (hauling)

Fiscal Note

Funding: Aviation Operating Budget

48. Call Center Services

Action:

- A. **Authorize the City Manager to negotiate and execute a contract with OneCloud Corporation to implement, host, and maintain a cloud-based unified communications solution for an initial term of two years,**
- B. **Authorize the City Manager to renew the contract for up to one, one-year term with possible price adjustments,**
- C. **Authorize the City Manager to purchase such additional software, licenses, services, hardware, maintenance, upgrades, and support as required to maintain the system for as long as the city uses the system, and**
- D. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Markell Storay, Innovation and Technology

Explanation

- Innovation and Technology (I&T) is responsible for the consolidated management of the city's technology needs.
- As of January 26, 2024, the city's existing unified communications system operated under a temporary solution provided by OneCloud Corporation.
- This service was previously provided by NCapital, LLC, and OneCloud Corporation Call Center Services is intended to be the full replacement.
- OneCloud Corporation Call Center Services consists of an Interactive Voice Response system, telephony software, inbound and outbound telephony service, call recording capabilities, call monitoring capabilities, automated call distribution based on departmental defined routing, call-center reporting, artificial intelligence automation capability, and multi-channel communication functionality.
- Call Center Services will be utilized by eight call-centers within the city: 311, Charlotte Area Transit System (CATS) Customer Service, CATS Special Transportation Service, Charlotte Water Customer Service, Charlotte Water Field Operations, Public Safety Non-Emergency Police Services, I&T Service Desk, and Finance Revenue Recovery.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. A Waiver of Solicitation has been approved for these services based on continuity of service and time constraints.
- Annual expenditures are estimated to be \$600,000.

Charlotte Business INclusion

Contract goals were not established for this contract because the scope of work or goods does not present viable subcontracting opportunities. OneCloud Corporation will be responsible 100% of the work or goods, and there are no opportunities to include subcontractors. This assessment was confirmed by CBI and the respective department after reviewing the project's scope and potential for division into subcontracting opportunities.

Fiscal Note

Funding: I&T Operating Budget

49. Lockbox Remittance Services

Action:

- A. Authorize the City Manager to negotiate and execute a unit price contract with KUBRA Data Transfer, Ltd. for Lockbox Remittance Services for an initial term of five years,**
- 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):

Teresa Smith, Finance

Matthew Hastedt, Finance

Explanation

- Finance is responsible for managing lockbox remittance processing functions for Charlotte Water, Sewer, and City and County Storm Water services.
- Lockbox remittance services include, but are not limited to, mail pick-up and delivery, mail opening, payment processing and depositing, personnel, equipment, and work and storage space.
- On August 23, 2024, the city issued a Request for Proposals (RFP); eight responses were received.
- KUBRA Data Transfer, Ltd. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At the time of contract renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allow the city to accept decreases if warranted.
- Annual expenditures are estimated to be \$300,000.

Charlotte Business INclusion

KUBRA Data Transfer, Ltd. is not a City certified MWSBE, has elected to self-perform 100% of the work on this Contract and has provided the required documentation to demonstrate that it can perform all scopes of work on this Contract with their own forces.

Fiscal Note

Funding: Finance Operating Budget

50. Motor Vehicle Records and Monitoring Services

Action:

- A. Approve a unit price contract with Explore Information Services, LLC for Motor Vehicle Records and Monitoring Services for an initial term of five years, and**
- B. Authorize the City Manager to renew the contract for up to one, two-year term with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Teresa Smith, Finance
Betty Coulter, Finance
Steve Norman, Finance

Explanation

- Per city policy, employees who are required to drive a city-owned or personal vehicle for official city business must undergo a Motor Vehicle Records (MVR) check and obtain prior authorization from Risk Management. Accurate and timely MVR checks and license monitoring are critical for ensuring compliance and maintaining the safety of city drivers.
- In addition to the initial checks, drivers are continuously monitored to ensure compliance with city policy.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. A waiver has been approved for these services based on the need for continuity of service and seamless integration with other city record systems.
- Explore Information Services, LLC offers continuous drivers monitoring and access to MVR data from all 50 states. This process expedites initial MVR checks and driver's license monitoring and provides a cost-effective solution.
- Annual expenditures are estimated to be \$92,000.

Charlotte Business INclusion

Contract goals were not established for this contract due to the scope of work or goods, which does not present viable subcontracting opportunities. Explore Information Services will be responsible for 100% of the work or goods under this contract, with no opportunities to include subcontractors. This assessment was confirmed by the Charlotte Business INclusion (CBI) office and the respective department following a comprehensive review of the project's scope and the potential for division into subcontracting opportunities.

Fiscal Note

Funding: Risk Management Loss Fund

51. Workers' Compensation Medical Services

Action:

- A. **Approve a unit price contract with Concentra Medical Centers for workers' compensation medical services for term of one year, and**
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Teresa Smith, Finance
Betty Coulter, Finance
Lashanda Robinson, Finance

Explanation

- The city's Risk Management office coordinates workers' compensation claims for the city, Mecklenburg County, Charlotte-Mecklenburg Schools, Mecklenburg Emergency Medical Services, and the Charlotte Regional Visitors Authority.
- Collectively, these five organizations employ over 37,500 individuals, and all workers' compensation medical services for employees injured on the job are outsourced.
- Workers' compensation medical services may include:
 - Providing medical direction and leadership as a licensed provider in North Carolina;
 - Providing various locations within Mecklenburg County for access to treatment;
 - Providing treatment at various levels and within established timeframes;
 - Providing limited pharmacy benefit management services;
 - Providing referrals as appropriate and necessary;
 - Providing fitness-for-duty evaluations; and
 - Creating policies and protocols for exposure-related claims.
- Concentra Medical Centers is the current provider of these services and was selected based on a competitive process in 2019.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. A waiver has been approved for these services based on the need for continuity of service.
- Concentra is one of the only directed medical care service providers in our region with the methods, knowledge, technology, and physician referral network to promptly and safely return employees back to work.
- Concentra has established multiple locations throughout the area to service the needs of the city and our partner organizations to meet the requirements for occupational health, training, employee rehabilitation services, and pre-employment services to meet the needs of the employees included in our service plans.
- The services provided by Concentra support on-going regulatory medical compliance with the Occupational Safety and Health Administration, the North Carolina Department of Transportation, the North Carolina Division of Public Health, and other regulatory agencies.
- The city's annual expenditures are estimated to be \$521,000.
- The cost of these services will be paid by the respective organization for which the services have been performed.

Charlotte Business INclusion

Contract goals were not established for this Contract because the scope of work or goods required does not present viable subcontracting opportunities. Concentra Medical Centers will be responsible for 100% of the work or goods, and there are no opportunities to include subcontractors. This assessment was confirmed by CBI and the respective department after reviewing the project's scope and potential for division into subcontracting opportunities.

Fiscal Note

Funding: City of Charlotte Risk Management Fund; Mecklenburg County Risk Management Fund; Charlotte-Mecklenburg Schools Risk Management Fund; Medic Risk Management Fund

52. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$100,585.25.

Staff Resource(s):

Teresa Smith, Finance

Explanation

- Mecklenburg County notified and provided the city the list of Property Tax refund due to clerical or assessment error.

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers 12.09.24](#)

[Resolution - Refund of Property Taxes 12.09.2024](#)

53. Meeting Minutes

Action:

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

- April 3, 2023, Council Committee Discussions,
- April 6, 2023, Budget Workshop #3,
- April 10, 2023, Business Meeting,
- April 17, 2023, Zoning Meeting,
- April 24, 2023, Business Meeting,
- May 1, 2023, Proposed Budget Presentation,
- May 8, 2023, Business Meeting,
- May 11, 2023, Budget Adjustment Meeting #1,
- May 15, 2023, Zoning Meeting,
- May 22, 2023, Budget Adjustment Meeting #2,
- May 22, 2023, Business Meeting,
- June 5, 2023, Council Committee Discussions,
- June 12, 2023, Business Meeting,
- June 26, 2023, Business Meeting,
- July 10, 2023, Business Meeting,
- July 17, 2023, Zoning Meeting,
- August 7, 2023, Council Committee Discussions,
- August 21, 2023, Zoning Meeting,
- August 28, 2023, Business Meeting,
- September 5, 2023, Council Committee Discussions,
- September 11, 2023, Business Meeting,
- September 18, 2023, Zoning Meeting,
- September 25, 2023, Business Meeting,
- October 2, 2023, Council Committee Discussions,
- October 9, 2023, Business Meeting,
- October 16, 2023, Zoning Meeting,
- October 23, 2023, Business Meeting,
- November 13, 2023, Business Meeting,
- November 20, 2023, Zoning Meeting,
- November 27, 2023, Business Meeting,
- December 4, 2023, Organization Meeting,
- December 11, 2023, Business Meeting,
- December 18, 2023, Zoning Meeting,
- January 8, 2024, Business Meeting,
- January 16, 2024, Zoning Meeting,
- January 22, 2024, Annual Strategy Meeting Day 1,
- January 23, 2024, Annual Strategy Meeting Day 2,
- January 24, 2024, Annual Strategy Meeting Day 3,
- February 5, 2024, Council Committee Discussion,
- February 12, 2024, Budget Workshop #1,
- February 12, 2024, Business Meeting,
- February 19, 2024, Zoning Meeting,
- February 26, 2024, Business Meeting,
- March 4, 2024, Council Committee Discussions,
- March 18, 2024, Zoning Meeting,
- March 25, 2024, Budget Workshop #2,
- March 25, 2025, Business Meeting,
- April 1, 2024, Council Committee Discussions,
- April 8, 2024, Business Meeting,
- April 15, 2024, Zoning Meeting, and

- **April 22, 2024, Business Meeting.**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Meeting minutes can be reviewed on the City Clerk's website:
<https://www.charlottenc.gov/City-Government/Departments/City-Clerk/Meeting-Minutes>

54. Set a Public Hearing on Miranda Road Firehouse No. 46 Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for January 13, 2025, for Miranda Road Firehouse No. 46 voluntary annexation petition.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development

Holly Cramer, Planning, Design, and Development

Explanation

- The City of Charlotte seeks the annexation of a city-owned parcel.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares boundaries with current city limits.
- This parcel is currently vacant and will be constructed with future, funded Firehouse No. 46. Annexation of this property is required to develop planned city infrastructure. Once constructed, this firehouse will service surrounding areas and provide critical resource relief to Charlotte Fire Department, ensuring equitable service that meets established industry and local standards.
- The 6.709-acre "Miranda Road Firehouse No. 46 Area" site is located along the south side of Miranda Road and the west side of Beatties Ford Road in northern Mecklenburg County.
 - The property is zoned N1-A (Neighborhood 1 - A). The N1-A district allows for public safety facilities, such as a firehouse.
 - The property is located immediately adjacent to City Council District 2.
 - The petitioned area consists of one parcel: parcel identification number 037-411-23.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003; more specifically this annexation:
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services;
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map

Resolution

[Map - Miranda Road Firehouse No. 46 Area Voluntary Annexation](#)

[Resolution - Miranda Road Firehouse No. 46 Area Voluntary Annexation PH](#)

Adjournment

REFERENCES

55. 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, the city 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.

56. 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 this time, the City 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.
 - 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.

57. Reference - Charlotte Business INclusion Program

The following excerpts from the City of Charlotte's Charlotte Business INclusion Administrative Procedures Manual are intended to provide further explanation for those agenda items that reference the Charlotte Business INclusion Program in the business meeting agenda.

Section 7.11 Small Business Market Strategy

Section 7.11: The Business Inclusion Officer may develop a market strategy for SBEs that may consist of setting aside certain classes or sizes of contracts for targeted Solicitations to SBEs.

Section 3.1 Contract Goals

Section 3.1.2: Contract Goals: One or more contract goals may be established for all Contracts of \$100,000 or more.

Section 3.1.3: Types of Contract Goals: A Contract Goal can be a (i) MWSBE Goal, (ii) MBE Goal, (iii) SBE Goal, (iv) WBE Goal, (v) MSBE Goal, (vi) WSBE Goal or (vii) MWBE Goal.

Section 3.1.4: Participation Plan for Specific City Agreements:

3.1.4.1: Participation Plans shall be used for Contracts using the Infrastructure Reimbursements Agreements, Developer Agreements, Financial Partner agreements, design-build construction delivery method, construction manager at-risk delivery method, and public-private partnership construction delivery method. The Business Inclusion Officer may require a Participation Plan for other Contracts not specified in this section.

3.1.4.2: The Business Inclusion Officer shall draft a Participation Plan describing what outreach and other efforts the Contractor will be required to undertake to meet the Contract Goals established for the Contract. Any revisions to a Participation Plan after submission shall be approved in writing by the Business Inclusion Officer.

Section 3.1.5: Negotiated Contract Goals:

3.1.5.1: The City may negotiate with a Business Enterprise regarding prospective MWSBE utilization on a Contract prior to its Solicitation. In such instances, the negotiation regarding any Contract Goals may involve scopes of work that are undefined prior to Solicitation but will consist of an overall City expenditure of funds that is known.

Section 3.1.6: No Contract Goals: Contract Goals will not be established on a Contract if (i) there are no MWSBEs to perform the work for the Contract or (ii) it is an Exempt Contract.

Section 8.0 Definitions

Section 8.15: Contract: Any written agreement between the City and Business Enterprise, or any modification thereof, obligating the Business Enterprise to furnish goods or services to the City or perform construction activities for the City. This term shall not include exempt contracts.

Section 8.21: Exempt Contracts: The following Contracts are exempt from all aspects of the CBI Program unless a Department elects otherwise:

8.21.1 Federal Funded Agreements: 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.

8.21.2 Financial Partner Agreements: Contracts with a Financial Partner that has an existing MWSBE program or DBE program that the Financial Partner uses regularly and can provide evidence thereof.

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

8.21.4 Legal Services: Contracts to provide legal services on behalf of the City or its employees or elected officials.

8.21.5 No Competitive Process: Contracts 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 agreements 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 North Carolina General Statutes § 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

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

8.21.7 Special Exemptions: Contracts where the Department and the Business Inclusion Officer agree that there was no discretion to hire an MWSBE including, but not limited to, payments or reimbursements to City employees or the procurement of utilities.

8.21.8 State Funded Agreements. Contracts that are subject to an MWBE Goal set by the State of North Carolina pursuant to North Carolina General Statutes § 143- 128.2

Section 5.0: Responsibilities After Contract Award

Section 5.4: New Subcontracting Opportunities

5.4.1: If a Contract has a previously unidentified opportunity for MWSBE participation or if a scope of work has been enlarged or increased, then the Contractor shall notify the Department Head.

5.4.2 Notice: Contractor shall promptly notify the Department Head of the new opportunity for MWSBE participation and whether existing MWSBE Subcontractors on the Contract can and/or will perform the new work.

5.4.3 Response: Upon receipt of the notice under Section 5.4.2, the Department Head shall notify the Contractor that (i) there will be no Supplemental Goal or (ii) there will be a Supplemental Goal based on MWSBE availability.

Section 7.12: Financial Partners

7.12.1 Exemption: If a Financial Partner currently administers a program for MWSBEs, then the Financial Partner may seek an exemption from the Business Inclusion Officer by communicating an intent to use the Financial Partner's existing program in lieu of adhering to the CBI Program. Determinations are made on a case-by-case basis by Business Inclusion Officer.

7.12.2 Contract Goals: A Financial Partner shall be subject to Section 3 (Goals) and Section 4 (Good Faith Efforts) if the Financial Partner has not been exempted pursuant to Section 7.11.1.