

City of Charlotte

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



Meeting Agenda

Monday, February 23, 2026

Council Chamber

City Council Business Meeting

Mayor Vi Lyles

Mayor Pro Tem James Mitchell

Council Member Dimple Ajmera

Council Member Dante Anderson

Council Member JD Mazuera Arias

Council Member Ed Driggs

Council Member Malcolm Graham

Council Member Renee Johnson

Council Member LaWana Mayfield

Council Member Joi Mayo

Council Member Kimberly Owens

Council Member Victoria Watlington

5:30 P.M. CITY COUNCIL BUSINESS MEETING, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, COUNCIL CHAMBER

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

Call to Order

Introductions

Invocation

Pledge of Allegiance

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.

2. Consent agenda items 13 through 38 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,
- B. Items with residents signed up to speak to the item, and
- C. Items that have been pulled for a separate vote.

PUBLIC FORUM

3. Public Forum

PUBLIC HEARING

4. Public Hearing and Decision on the R. Kent and Gertrude N. Blair House Historic Landmark Designation

Action:

- A. Conduct a public hearing to consider historic landmark designation for the property known as the "R. Kent and Gertrude N. Blair House" (parcel identification number 078-036-16), and
- B. Adopt an ordinance with an effective date of February 23, 2026, designating the property known as the "R. Kent and Gertrude N. Blair House" (parcel identification number 078-036-16) as a historic landmark.

Charlotte-Mecklenburg Historic Landmarks Commission Representative(s):

Stewart Gray, Historic Landmark Department Director

Tommy Warlick, Historic Landmarks Department Historic Preservation Specialist

Staff Resource(s):

Erin Chantry, Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to designate the R. Kent and Gertrude N. Blair House as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The R. Kent and Gertrude N. Blair House is located at 529 North Poplar Street in Council District 2.
- Designation of this property could significantly contribute to its long-term preservation.
- The R. Kent and Gertrude N. Blair House is listed under parcel identification number 078-036-16, and the recommended designation would include the interior and exterior of the house and the land listed under tax parcel number 078-036-16.
- The property is zoned N1-E(HDO).
- The property is owned by Christopher M. and Cameron Blake Holtz, who are in agreement with the proposed designation.
- Based on the current value, the potential amount of deferrable taxes would be approximately \$1,320.34 for City of Charlotte taxes and \$2,373.34 for Mecklenburg County taxes.

Attachment(s)

Ordinance

Information Sheet

Designation Report

[Ordinance - Blair House HLD](#)

[Information Sheet - Blair House HLD](#)

[Designation Report - Blair House HLD](#)

POLICY

5. City Manager's Report

6. 2026 Federal and State Legislative Agendas

Action:

- A. Approve the Budget, Governance, and Intergovernmental Relations Committee's recommendation to approve the 2026 Federal Legislative Agenda, and**
- B. Approve the Budget, Governance, and Intergovernmental Relations Committee's recommendation to approve the 2026 State Legislative Agenda.**

Committee Chair:

Malcolm Graham, Budget, Governance, and Intergovernmental Relations Committee

Staff Resource(s):

Shawn Heath, City Manager's Office

Sarah Hazel, City Manager's Office

Explanation

- The proposed 2026 Federal Legislative Agenda addresses issues relating to mobility, aviation, public safety, business and workforce development, and housing.
- The proposed 2026 State Legislative Agenda addresses issues relating to public safety, planning, housing, mobility, and aviation.
 - Public safety items are based on stakeholder discussions and include: state funding for mental health support; state support for law enforcement officer recruitment and retention; state funding for additional prosecutors, public defenders, and other court officials; state support to reestablish a local Juvenile Detention Center; strengthening the criminal penalty for assaults on public transit operators; and supporting efforts to eliminate fatalities and serious injuries on roadways.

Committee Discussion

- The Budget, Governance, and Intergovernmental Relations (BGIR) Committee held discussions on proposed legislative agenda items at the October 6, 2025; November 17, 2025; January 5, 2026; and February 5, 2026, committee meetings.
- On February 5, 2026, the BGIR Committee voted unanimously (Graham, Ajmera, Mayo, Mitchell, Owens) to recommend the issues in the 2026 Federal and State Legislative Agendas for full City Council consideration and vote.
- Council received an overview of the committee's recommendations at the February 9, 2026, City Council Meeting.

Next Steps

- The approved 2026 Federal Legislative Agenda will be presented to the Mecklenburg Congressional Delegation during the National League of Cities Congressional City Conference scheduled for March 16 through 18, 2026.
- The approved 2026 State Legislative Agenda will be presented to the Mecklenburg State Delegation prior to the Short Session which begins on April 21, 2026.

Attachment(s)

Proposed 2026 Federal Legislative Agenda

Proposed 2026 State Legislative Agenda

[2026 Federal Legislative Agenda](#)

[2026 State Legislative Agenda](#)

BUSINESS

7. Initial Finding Resolution for an Installment Financing Contract for Equipment and Facilities

Action:

- A. **Adopt an initial findings resolution making certain findings and calling for the execution of various documents necessary to complete an installment financing contract, and**

- B. **Adopt a resolution setting a public hearing for March 9, 2026, for an installment financing contract not to exceed \$120,000,000.**

Staff Resource(s):

Matthew Hastedt, Finance

Explanation

- Installment financing contracts such as Certificates of Participation (COPs) and Limited Obligation Bonds (LOBs) are common debt financing tools used by municipal governments to help fund the purchase of capital equipment and the construction or renovation of facilities.
- The city will enter into an installment financing contract not to exceed \$120,000,000 to finance the city's acquisition of certain equipment and construction of and improvements to facilities. It also includes refunding of series 2014A COPs. The refunding is expected to result in economic savings over the life of refunding.
- Projects to be funding from this financing include, but are not limited to:
 - Renovating the Law Enforcement Center for the 911 Expansion,
 - Constructing a new Animal Care and Control Adoption Facility,
 - Implementing ADA transition in facilities,
 - Constructing, renovating, and improving firefighting and other public safety facilities,
 - Completing capital building improvements and sustainability-related utility systems upgrades,
 - Acquiring land for Police hangar and other public safety facilities,
 - Improving other governmental facilities, and
 - Purchasing Charlotte Water equipment.
- The city's obligation to repay the debt will be secured by real property and a security interest in the equipment.
- The Charlotte Water equipment portion of the financing will be supported by the Charlotte Water Debt Service Fund.
- City Council will be asked to consider the adoption of a resolution to enter into this installment financing following the public hearing at the March 9, 2026, Business Meeting.

Fiscal Note

Funding: Municipal Debt Service Fund and Charlotte Water Debt Service Fund

Attachment(s)

Resolution

[Initial Findings Resolution - Certificates of Participation 2026](#)

8. Lease of City-Owned Property on Northerly Road

Action:

- A. Adopt a resolution approving a lease agreement with Envision Charlotte for a portion of city-owned property located at 3300 Northerly Road (parcel identification number 077-181-01), and**
- B. Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete this transaction.**

Staff Resource(s):

Phil Reiger, General Services

Greg Crawford, General Services

Explanation

- The city owns approximately 155 acres of property at 3300 Northerly Road, zoned ML-2 and located in Council District 1 (Property). This is the site of the closed Statesville Avenue Landfill.
- Envision Charlotte (Envision), a 501(c)(3) nonprofit corporation, desires to continue leasing approximately 20 acres of the Property, which it has leased since 2020.
- This lease will enable Envision to advance its mission of promoting a circular economy through innovative models, while continuing its wood reuse and composting operations on the site.
- The city has authority to enter into this lease agreement under its Charter and NC General Statute Section 160A-272.
- The lease terms include:
 - A five-year initial term, commencing March 21, 2026,
 - One, five-year renewal option,
 - A lease rate of \$1 for the term of lease,
 - City receives 25 percent of revenues generated at the Property,
 - City may choose to direct a portion of all wood debris generated by the city's in-house tree operations to the Property for disposal, and
 - City can obtain wood products and materials for 15 percent less than market price.

Fiscal Note

Funding: Proceeds from the lease will be deposited in the General Fund

Attachment(s)

Map

Resolution

[Map - Lease on Northerly Rd](#)

[Resolution - Lease on Northerly Rd](#)

9. Affordable Housing Development Support for Five Points Land Acquisition

Action:

- A. Approve up to \$4,131,000 in combined Housing Trust Fund and Transit Oriented Development Affordable Housing Development Bonus Program Fee-in-Lieu funds to support Historic West End Partners, Inc.'s acquisition of property at Five Points on West Trade Street for affordable housing development, and**
- B. Authorize the City Manager, or his designee, to negotiate, execute, amend, and renew contracts and other required documents as needed to complete this transaction.**

Staff Resource(s):

Rebecca Hefner, Housing and Neighborhood Services
Warren Wooten, Housing and Neighborhood Services

Explanation

- In 2024, the city issued a rolling Transit Oriented Development (TOD) Land Acquisition Request for Proposals (RFP) to support developer acquisition of land along transit lines for future affordable housing, in the form of a short-term loan.
- The rolling RFP allows the city to evaluate proposals on a rolling basis and allows developers to be responsive to quickly changing market conditions.
- When proposals seeking land acquisition support are approved by the city, staff will then continue to work with the developer over the term of the loan to finalize project concepts for the development of affordable housing on the property in alignment with the requirements of the Affordable Housing Funding Policy and City Council priorities.
- Historic West End Partners, Inc., a North Carolina 501(c)(3) non-profit corporation, (Developer) has requested a \$4,131,000 short-term loan for their acquisition of approximately 1.25 acres along the Gold Line, located at 1711, 1717, 1721, 1727, and 1735 West Trade Street (parcel identification numbers 071-108-01, 071-108-17, 071-108-18, 071-108-19, and 071-108-20) (Property) in Council District 2.
- The Developer is proposing a future mixed-use development with an affordable housing component on the Property. The Property is zoned NC (Neighborhood Center), which allows for pedestrian-friendly, mixed-use neighborhood environments, allowing access to daily shopping needs and services within walking distance of nearby residential neighborhoods.
- The city investment will include Housing Trust Fund and Fee-in-Lieu funds derived from the TOD Affordable Housing Density Bonus Program.

Background

- Support of the proposed allocation is consistent with City Council's goals and priorities in the Affordable Housing Funding Policy and the recommendations of the Neighborhood Equity and Stabilization (NEST) Commission.
- On February 5, 2026, the Housing Committee voted 4-1 (Mayfield, Mazuera Arias, Mayo, and Owens in favor; Johnson opposed) to recommend the proposal to the full City Council for consideration and approval of the funding request.
- Additionally, the Economic Development and Workforce Committee received a presentation on the proposed mixed-use development concept at the February 5, 2026, committee meeting.
- Council received an overview of the recommended land acquisition proposal at the February 9, 2026, City Council Meeting.

Fiscal Note

Funding: Housing Trust Fund and General Capital Investment Plan

Attachment(s)

Map

February 9, 2026, Action Preview Presentation

[Map - Five Points Land Acquisition](#)

[Presentation - Action Preview 02.09.2026](#)

10. Interlocal Agreement for Continuation of Risk Management Services

Action:

- A. **Adopt a resolution authorizing the City Manager, or his designee, to negotiate and execute an interlocal agreement with the Metropolitan Public Transportation Authority for the provision of risk management services, and**

- B. **Authorize the City Manager to negotiate and execute all documents necessary to complete the interlocal agreement.**

Staff Resource(s):

Andrea Leslie-Fite, City Attorney
Liz Babson, City Manager's Office
Matt Hastedt, Finance

Explanation

- The city's Risk Management division, located within the Finance Department, currently provides Risk Management services to all city departments as well as multiple outside entities including Mecklenburg County, Charlotte-Mecklenburg Board of Education, MEDIC, Charlotte-Mecklenburg Library, and the Charlotte Regional Visitors Authority.
- Risk management services include, but are not limited to: procuring and binding of all necessary insurance coverages; workers' compensation and property claim handling; and employee health and safety training.
- As a department of the city, the Charlotte Area Transit System (CATS) is currently insured under the city's Risk Management Fund.
- To ensure a smooth transition and to mitigate risk, it is recommended that CATS continue to receive risk management services from the city's Risk Management division through the transition of the department from the city to the Metropolitan Public Transportation Authority (MPTA) and that the MPTA receive risk management services from the city.
- In securing insurance renewal coverage for fiscal year (FY) 2027, the city and the MPTA must both provide assurance to insurance underwriters that the two parties intend for the city to provide risk management services to the MPTA.
- On February 11, 2026, the MPTA voted to request that the City of Charlotte provide risk management services and insurance coverage to the MPTA through June 30, 2027.
- Expenditures are estimated to be \$12 million and will be budgeted as part of CATS' FY 2027 operating budget as in prior fiscal years.
- Beyond the CATS transition period, any further city risk management services agreements with the MPTA may be considered separately.

Background

- On July 1, 2025, the Projects for Advancing Vehicle-Infrastructure Enhancements (PAVE) Act was enacted by the North Carolina General Assembly. The PAVE Act authorized Mecklenburg County to obtain an additional source of revenue to expand and improve roadway systems and public transportation for the Mecklenburg County region by assessing a one percent local sales and use tax subject to voter approval.
- On November 4, 2025, Mecklenburg County voters approved the one percent local sales tax referendum as outlined by the PAVE Act.
- On December 2, 2025, the Mecklenburg County Board of Commissioners adopted a resolution to levy the one percent local sales tax effective July 1, 2026.
- Under the PAVE Act, CATS, currently a department within the City of Charlotte, will transition to the newly established MPTA.

Fiscal Note

Funding: CATS Operating Budget and Risk Management Fund

Attachment(s)

Interlocal Agreement Draft

Resolution

[Interlocal Agreement Draft](#)

[Resolution - Continuation of Risk Management Services for MPTA](#)

11. Mayor and Council Topics

12. Closed Session

CONSENT

13. 2025 Urban Area Security Initiative Grant

Action:

Authorize the Charlotte Area Homeland Security Director (Charlotte Fire Chief) to accept a grant for \$3,428,028 from the United States Department of Homeland Security for the 2025 Urban Area Security Initiative Grant Program.

Staff Resource(s):

Reginald Johnson, Fire

Robert Graham, Fire

Explanation

- The 2025 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.
- UASI funding is used to enable urban areas to address identified security gaps, increase interagency coordination, and strengthen critical infrastructure protection to reduce vulnerabilities.
- Projects include training for large-scale emergencies, intelligence-sharing initiatives and equipment, incident command training, funding for training and exercise, and homeland security emergency management coordination.
- The total amount of the grant awarded to the Charlotte UASI was \$4,285,035.
- 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 \$857,007 for the management and administration of the grant program. The city has been awarded the remaining \$3,428,028.
- 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: 2025 Urban Area Security Initiative Grant

14. General Vehicle Collision Repair Services

Action:

- A. Approve contracts for general vehicle collision repair services for a term of three years with the following:**
- Donald Gardner’s Paint & Body, Inc. (SBE),
 - Mecklenburg Automotive & Collision,
 - WRG paint & Body LLC, and
- B. Authorize the City Manager to renew the contracts for up to one, two-year term 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
David Wolfe, General Services
Chris Trull, General Services

Explanation

- General Services Fleet Management is responsible for providing turnkey collision repair and related services for city and Mecklenburg County vehicles.
- These contracts will include, but are not limited to: paint and body work; frame, cooling system, engine component, transmission, and steering repairs; and related parts repair or replacement.
- On November 3, 2025, the city issued a Request for Proposals (RFP); six responses were received.
- The selected companies 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 \$2,800,000.

Charlotte Business INclusion

Donald Gardner’s Paint & Body, Inc. is a city-certified SBE. Contract goals were not established for these contracts because the scope of work required does not present viable subcontracting opportunities. The selected companies will be responsible for 100% of the work, and there are no opportunities to include subcontractors. This assessment was confirmed by CBI and the respective departments after reviewing the project’s scope and potential for division into subcontracting opportunities.

Fiscal Note

Funding: Various Departments’ Operating Budgets

15. Median Maintenance Services

Action:

- A. Approve contracts for median maintenance services for Districts South A and South D for a term of three years with the following:**
- MB Premier (MBE),
 - Turf Commander (MBE),
- B. Approve contracts for median maintenance services for East District B, West District B, and the South Corridor Infrastructure Program for a term of three years with the following:**
- Champion Landscapes, Inc.,
 - Roundtree Companies, LLC (MBE, SBE), and
- C. Authorize the City Manager to renew the contracts for up to one, two-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Phil Reiger, General Services
David Wolfe, General Services
Erin Oliverio, General Services

Explanation

- General Services' Landscape Management division is responsible for providing median maintenance services throughout the city.
- These contracts will provide routine and on-call maintenance of median landscaping, including turf, ornamental trees, shrubs, and perennials, as well as mulch replacement and the removal of trash, debris, storm debris, and leaves.
- 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.

Action A

- These contracts will include maintenance services for South A and South D (Council Districts 1, 3, 5, 6, and 7).
- On January 8, 2026, the city issued a Request for Proposals (RFP); five responses were received.
- The selected companies best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements
- Annual aggregate expenditures are estimated to be \$165,411.

Action B

- These contracts will include maintenance services for East District B, West District B, and the South Corridor Infrastructure Program (Council Districts 1, 2, 3, 4, 5, and 6).
- On November 14, 2026, the city issued a Request for Proposals (RFP); six responses were received.
- The selected companies best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements
- Annual aggregate expenditures are estimated to be \$236,000.

Charlotte Business INclusion

MB Premier and Turf Commander are city-certified MBEs, and Roundtree Companies, Inc. is a city-certified MBE and SBE. Contract goals were not established for these contracts because the scope of work required does not present viable subcontracting opportunities. The selected companies will be responsible for 100% of the work, and there are no opportunities to include subcontractors. This assessment was confirmed by CBI and the respective departments after reviewing the project's scope and potential for division into subcontracting opportunities.

Fiscal Note

Funding: General Services Operating Budget

Attachment(s):

Map

[Map - Median Maintenance Service Districts](#)

16. Truck Bodies for Transportation Sign Installation Vehicles

Action:

- A. Approve the purchase of sign truck bodies by the sole source exemption, and**
- B. Approve a contract with Adkins Truck Equipment Co. for the purchase of sign truck bodies for a term of one year.**

Staff Resource(s):

Debbie Smith, Transportation
David Smith, Transportation
Cheryl Wright, Contracting and Procurement
Phil Reiger, General Services

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 price competition is not available, and standardization and compatibility are overriding considerations.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- The Charlotte Department of Transportation operates trucks equipped with specialized equipment used for street and traffic signs installation.
- This specialized equipment is integrated into the truck body, requiring customized fabrication of the vehicle body.
- Adkins Truck Equipment Co. has been the only responsive bidder to previous solicitations for customized truck bodies.
- Total expenditures are estimated to be \$100,000.

Charlotte Business INclusion

Sole sourcing was required for this contract because price competition is not available and standardization and compatibility are necessary. 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. This aligns with what is required by NC General Statute §143-129(e)(3).

Fiscal Note

Funding: General Capital Equipment Fund

17. Site and Civil Engineering Services

Action:

- A. Approve contracts for site and civil engineering services for a term of three years with the following:**
- **Armstrong Glen, PC,**
 - **Bolton & Menk, Inc.,**
 - **Gavel & Dorn Engineering, PLLC,**
 - **Timmons Group, Inc., and**
- B. Authorize the City Manager to renew the contracts for up to one, two-year term 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
David Wolfe, General Services
Bill Witherell, General Services

Explanation

- These contracts will provide as-needed site and civil engineering design services for maintenance and minor renovation projects across the city's entire facility portfolio.
- On October 31, 2025, the city issued a Request for Qualifications (RFQ); 14 responses were received.
- The selected companies best meet the city's needs in terms of qualifications, experience, and responsiveness to RFQ 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 \$400,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: General Services Operating Budget

18. Solid Waste Services Facilities Renovations

Action:

Approve a contract in the amount of \$2,107,944.53 to the lowest responsive bidder Cinderella Partners, Inc. for the Solid Waste Services Equity Facilities project.

Staff Resource(s):

Phil Reiger, General Services
Kathleen Cishek, General Services
Mary Herington, General Services

Explanation

- The Solid Waste Services Equity Facilities project includes renovations at two city facilities located at 1105 Otts Street and 1200 Otts Street in Council District 1.
- This project will renovate and repurpose the former Logistics/Annex Building to provide additional locker room capacity and improve equitable access for all employees.
- This project will also bring renovated areas at both facilities into full ADA compliance.
- On September 11, 2025, the city issued an Invitation to Bid (ITB); two bids were received.
 - NC General Statute Section 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 November 21, 2025, the city reissued the ITB; three bids were received.
- Cinderella Partners, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the first quarter of 2027.

Charlotte Business INclusion

Established MBE Goal: 4.00%

Committed MBE Goal: 4.04%

Cinderella Partners, Inc. exceeded the established contract goal and has committed 4.04% (\$85,233) of the total contract amount to the following certified firm(s):

- DSG Concrete Contractors (MBE) (\$35,000) (concrete)
- UTD Technology Corp. (MBE) (\$50,233) (low voltage cabling)

Established WSBE Goal: 10.00%

Committed WSBE Goal: 10.26%

Cinderella Partners, Inc. exceeded the established contract goal and has committed 10.26% (\$216,243) of the total contract amount to the following certified firm(s):

- Carolina Fab, Inc. (WBE) (\$50,000) (steel, welding)
- The Boswell Group (WBE, SBE) (\$166,243) (plumbing)

Fiscal Note

Funding: General Capital Investment Plan

19. Concrete Maintenance and Repair Services

Action:

- A. Approve a unit price contract with CROM, LLC for on-call concrete maintenance and repair services for a 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

Joseph Lockler, Charlotte Water

Explanation

- This contract will provide immediate, on-call concrete repair and maintenance services at Charlotte Water facilities, treatment plants, tank sites, and pumping stations.
- On January 2, 2026, the city issued a Request for Proposals (RFP); four responses were received.
- CROM, LLC best meets 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 expenditures are estimated to be \$1,000,000.

Charlotte Business INclusion

Contract goals were not established for this contract because the scope of work or goods does not present viable subcontracting opportunities. CROM, LLC 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 and Charlotte Water Capital Investment Plan

20. Municipal Agreement for Relocation and Installation of Water Infrastructure along Asbury Chapel 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
Chuck Bliss, Charlotte Water

Explanation

- This municipal agreement is for the relocation of water and sanitary sewer infrastructure located within the North Carolina Department of Transportation's (NCDOT) highway improvements project (BP10-R012 Asbury Chapel Bridge) located along Asbury Chapel Road at South Prong of Clarks Creek (adjacent to Council District 4).
- 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 \$1,642,526.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map
Resolution

[Map - Relocation of Water Infrastructure on Asbury Chapel Rd](#)

[Resolution - Municipal Agreement for Relocation of Water Infrastructure on Asbury Chapel Rd](#)

21. Wi-Fi Services on Transit Vehicles

Action:

- A. **Approve the purchase of wireless services from a cooperative contract,**
- B. **Approve a unit price contract with Kajeet for the purchase of private wireless services for a term of three years under Sourcewell contract #020624-KAJ, 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):

Brent Cagle, CATS

Elizabeth Presutti, CATS

Rachel Gragg, CATS

Explanation

- Public Wi-Fi enhances transit safety by providing reliable connectivity that enables riders to report incidents, share location-aware information, and access safety tools through mobile applications in real time.
- The Charlotte Area Transit System's (CATS) current managed Wi-Fi services have limited content filtering and access control.
- Kajeet offers a managed Wi-Fi portal with access control and content management. Additionally, Kajeet bundles and sells mobile data services which provides a larger mobile data footprint for improved data connectivity.
- 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.
- One-time implementation costs are estimated to be \$250,000. Annual expenditures are estimated to be \$200,000.

Charlotte Business INclusion

Cooperative purchasing contracts leverage contracts established by other governmental agencies and do not involve the city conducting a bidding process and are thus exempt from CBI Program goals. Subcontracting opportunities are typically not feasible under cooperative purchasing arrangements.

Fiscal Note

Funding: CATS Capital Investment Plan

22. Airport Aircraft Rescue and Fire Fighting Station 47

Action:

- A. **Approve a contract in the amount of \$40,931,866 with J.E. Dunn-McFarland, a Joint Venture, for construction manager at risk services for the Aircraft Rescue and Fire Fighting Station 47 project,**
- B. **Approve contract amendment #2 for \$894,650 to the contract with Stewart Cooper Newell Architects PA for construction administration services for the construction phase of the project, and**
- C. **Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Background

- A new Aircraft Rescue and Fire Fighting (ARFF) station is required to meet Federal Aviation Administration response time requirements for the Fourth Parallel Runway that is currently under construction. The ARFF station must be operational before the runway is commissioned in the fall of 2027.
- This project will construct an approximately 55,000 square foot ARFF station that will operate 24 hours a day and be used by the Charlotte Fire Department for both aircraft rescue and structural fire rescue in the surrounding businesses and neighborhoods, as well as an access road to connect the station to Yorkmont Road.

Explanation

Action A

- This contract will provide for the Guaranteed Maximum Price contract for the construction manager at risk services for the full construction of the project.
- On August 8, 2025, the city issued a Request for Qualifications (RFQ); six responses were received.
- J.E. Dunn-McFarland, a Joint Venture, was selected as 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.
- On October 28, 2025, the city contracted with J.E. Dunn-McFarland, a Joint Venture, in the amount of \$286,713 for preconstruction management at risk services.

Action B

- On August 10, 2023, following a competitive solicitation process, the city entered into a contract with Stewart Cooper Newell Architects PA in the amount of \$158,400 for preliminary planning and design services.
 - On October 28, 2024, City Council approved contract amendment #1 in the amount of \$2,263,624 to provide full design and bidding phase services.
 - Contract amendment #2 will include construction administration services, including design-related items such as submittal review, Requests for Information responses, as-built final drawings, and field reports.
- The new value of the contract including all amendments is \$3,316,674.

Charlotte Business INclusion

The city has negotiated an overall project goal of 10.00% MBE and 11.00% WSBE. Because this is a Construction Manager at Risk project, the Construction Manager has the opportunity to add Minority-owned Business Enterprise (MBE), Women-owned Business Enterprise (WBE) or Small Business

Enterprise (SBE) firms throughout the life of the project.

Fiscal Note

Funding: Aviation Capital Investment Plan

23. Airport CLT Center Roadway Improvements

Action:

Approve a contract in the amount of \$1,768,381.25 to the lowest responsive bidder Ferlco, LLC (SBE) for the CLT Center Roadway Improvements project.

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- This project will provide for the construction of an exit lane from the Airport's Express Deck parking garage to outbound Josh Birmingham Parkway.
- The project will also include enhanced directional signage, additional pavement markings along CLT Center Drive, and increased safety measures such as sidewalks and flashing beacons.
- On October 21, 2025, the city issued an Invitation to Bid; three bids were received.
- Ferlco, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the second quarter of fiscal year 2027.

Charlotte Business INclusion

Established MBE Goal: 4.00%

Committed MBE Goal: 4.52%

Ferlco, LLC exceeded the established subcontracting goal and has committed 4.52% (\$80,000) of the total contract amount to the following certified firm(s):

- Besco Electrical Corporation (MBE) (\$80,000) (electrical and telecom)

Established WSBE Goal: 10.00%

Committed WSBE Goal: 17.75%

Ferlco, LLC is a city-certified SBE and their total self-performance of 5.65% of the total contract amount will be counted toward the established goal. Ferlco, LLC has also committed 12.09% (\$213,914) of the total contract amount to the following certified firm(s):

- Ground Thunder NC, Inc. (SBE) (structural concrete) (\$12,000)
- Rite Lite Signs, Inc. (WBE) (architectural signage) (\$201,914)

Fiscal Note

Funding: Aviation Capital Investment Plan

24. Airport Concourse E Expansion Phase 10

Action:

Approve a contract in the amount of \$4,396,300 to the lowest responsive bidder Messer Construction Co. for the Concourse E Expansion Phase 10 project.

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

- This project will provide for a 7,150 square-foot single-story shell space addition to Concourse E for tenant office and meeting space. Tenants who occupy the space will be responsible for final buildout.
- Specific work includes demolition, framing, roofing, painting, flooring, plumbing, HVAC, electrical, fire protection, telecommunications, and signage.
- On November 12, 2025, the city issued an Invitation to Bid; six bids were received.
- Messer Construction Co. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the first quarter of fiscal year 2028.

Charlotte Business INclusion

Established MBE Goal: 5.00%

Committed MBE Goal: 6.81%

Messer Construction Co. exceeded the established subcontracting goal and has committed 6.81% (\$299,417) of the total contract amount to the following certified firm(s):

- Harmon Construction Services LLC (MBE) (\$271,591) (grading)
- Richa Graphics (MBE) (\$500) (printing)
- R&F Insulation Group LLC (MBE) (\$27,326) (HVAC insulation)

Established WSBE Goal: 10.00%

Committed WSBE Goal: 10.30%

Messer Construction Co. exceeded the established subcontracting goal and has committed 10.30% (\$452,607) of the total contract amount to the following certified firm(s):

- Exdozit Electrical (SBE) (\$362,139) (electrical)
- Ground Thunder NC, Inc. (SBE) (\$28,500) (dumpster)
- M&C Investment Inc. dba Cochrane Steel (WBE) (\$16,875) (re steel)
- Sweet Water Utility Exploration (WBE) (\$3,850) (grading)
- The Boswell Group (SBE) (\$29,743) (plumbing)
- The Survey Company Inc. (SBE) (\$11,500) (surveying)

Fiscal Note

Funding: Aviation Capital Investment Plan

25. Airport Crowd Control and Queuing Equipment

Action:

- A. **Approve the purchase of crowd control and queuing equipment by the sole source exemption, and**

- B. **Approve a contract with Lavi Industries for the purchase of crowd control and queuing equipment for a term of five years.**

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 compatibility with existing hardware is necessary.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- Crowd control equipment, including stanchions, panels, and signage, is strategically deployed throughout the airport to support the implementation of the crowd management plan, particularly during peak travel periods.
- This equipment enables Aviation to effectively manage the movement of thousands of passengers within a limited space. With multiple intersecting lines for airline bag drop, TSA security checkpoints, and airline check-in, maintaining order is essential.
- To enhance the customer experience, Aviation provides passengers with clearly defined pathways that promote safety, efficiency, and a seamless flow through each stage of the travel process.
- Annual expenditures are estimated to be \$50,000.

Charlotte Business INclusion

Sole sourcing was required for this contract because compatibility with existing hardware is necessary. 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. This aligns with what is required by NC General Statute §143-129(e)(3).

Fiscal Note

Funding: Aviation Operating Budget

26. Airport Facility Lease - 4308 Yorkmont Road

Action:

- A. Approve a lease with Air General, Inc. for a term of three years for an office and warehouse facility at the Airport related to its airline support services, and**

- B. Authorize the City Manager to extend the lease for up to two, one-year terms and to amend the lease consistent with the purpose for which the lease was approved.**

Staff Resource(s):

Haley Gentry, Aviation

Ted Kaplan, Aviation

Explanation

- Air General, Inc. is the current tenant of the Airport's facility at 4308 Yorkmont Road.
- The leased premises consist of 3,654 square feet of office space and 17,068 square feet of warehouse space in an airfield-accessible facility on the cargo campus of the Airport.
- Terms of the lease include:
 - Annual lease revenue of \$237,923.20 based on current fair market value determination, and
 - Rent escalations of three percent annually.

Fiscal Note

Funding: Revenues from this lease will be deposited into the Aviation Operating Budget

27. Airport Valet Management and Parking Support Services

Action:

- A. Approve a management agreement with ACE Parking Management, Inc. dba ACE for a term of five years for Airport valet management and parking support services, and**

- B. Authorize the City Manager to renew the agreement for up to two, one-year terms with possible price adjustments and to amend the agreement consistent with the purpose for which the agreement was approved.**

Staff Resource(s):

Haley Gentry, Aviation

Ted Kaplan, Aviation

Explanation

- This contract will provide management services for the Airport's valet and parking operations, including support services for all parking decks, surface parking lots, and employee lots.
- Support services include the operation, management, maintenance and customer response for the Airport's valet operation and parking products.
- On July 3, 2025, the city issued a Request for Proposals (RFP); 10 responses were received.
- ACE Parking Management, Inc. dba ACE was selected as the best qualified firm to meet the city's needs on the basis of qualifications, experience, cost proposal, 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 expenditures are estimated to be \$6,650,000.

Airport Concessions Disadvantaged Business Enterprise

In accordance with the USDOT Interim Final Rule, this is a federal contract exempt from ACDBE goals.

Fiscal Note

Funding: Aviation Operating Budget

28. SEAP+ Implementation Consulting Services

Action:

- A. Authorize the City Manager to negotiate and execute contracts for on-call sustainability-focused professional consulting services for a term of three years with the following:**
- **Blue Strike Environmental, Inc.,**
 - **CleanAIRE NC,**
 - **Key Environmental Consulting (MBE),**
 - **Kimley-Horn & Associates, Inc.,**
 - **SchermCo,**
 - **White Label Management Group, LLC (MBE), and**
- B. Authorize the City Manager to renew the contracts for up to one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Heather Bolick, Office of Sustainability and Resilience

Robyn Byers, Office of Sustainability and Resilience

Explanation

- The Strategic Energy Action Plan Plus (SEAP+) is the city's comprehensive framework designed to guide Charlotte toward a net-zero carbon future and an update to the original 2018 SEAP. This strategic plan establishes buildings, energy generation, transportation, and cross-sectional as focus areas for the greatest impact.
- These contracts will assist the Office of Sustainability and Resilience (OSR) in implementing the city's Strategic Energy Action Plan (SEAP+) goals.
- Consulting services will be used for SEAP+ program management and implementation for various business categories including focus area support, general sustainability, and workforce development.
- On October 22, 2025, the city issued a Request for Proposals (RFP); fourteen responses were received.
- The selected companies 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 \$200,000.

Charlotte Business INclusion

The city negotiates contract participation after the proposal selection process. Key Environmental Consulting and White Label Management Group, LLC are city-certified MBEs and will self-count their participation of the total contract amount toward the contract goal. The following Prime Consultants have each committed 10.00% of the total contract amount to the following certified firm(s):

Blue Strike Environmental

- Baseline Mobility Group, Inc. (MBE) (transportation analysis)

CleanAIRE NC

- Key Environmental Consulting (MBE) (environmental consulting)

Kimley-Horn and Associates, Inc.

- Civility Localized (MBE, SBE) (marketing consulting services)

Fiscal Note

Funding: Special Initiatives Operating Budget

29. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$221,997.63.

Staff Resource(s):

Matt Hastedt, Finance
David Browne, 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

[List of Taxpayers 02.09.2026](#)

[Resolution - Refund of Property Taxes 02.09.2026](#)

30. Meeting Minutes

Action:

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

- **January 12, 2026, Business Meeting, and**
- **January 20, 2026, Zoning 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>

CONSENT - PROPERTY TRANSACTIONS

31. Aviation Property Transactions - 7100 Steele Creek Road, 9100 Dorcas Lane, and 9134 Dorcas Lane

Action: Approve the following acquisition: 7100 Steele Creek Road, 9100 Dorcas Lane, and 9134 Dorcas Lane

The property is acquired in accordance with Federal Regulations in 49 C.F.R. Part 24 that implement the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration Reimbursement.

Project: EIS Mitigation Land South

Owner(s): John M. and Jessie Long; Metrolina Land Co. (John M. Long, President)

Property Address: 7100 Steele Creek Road, 9100 Dorcas Lane, and 9134 Dorcas Lane

Total Parcel Area: 310,645 sq. ft. (7.299 ac.) (combined total)

Property to be acquired by Fee Simple: 310,645 sq. ft. (7.299 ac.)

Property to be acquired by Easements: None

Structures/Improvements to be impacted: Single family homes, various structures, outbuildings

Landscaping to be impacted: Small shrubs and grass

Zoned: N1-A (ANDO)

Use: Single-family residential

Parcel Identification Number(s): 141-261-81, 141-261-82, and 141-261-83

<https://polaris3g.mecklenburgcountync.gov/pid/14126181>

<https://polaris3g.mecklenburgcountync.gov/pid/14126182>

<https://polaris3g.mecklenburgcountync.gov/pid/14126183>

Purchase Price: \$3,296,550, and all relocation benefits in compliance with federal, state, or local regulations

Council District: Adjacent to Council District 3

32. Charlotte Water Property Transactions - Barrington LCR 77 Replacement Sewer, Parcel # 9

Action: Approve the following condemnation: Barrington LCR 77 Replacement Sewer, Parcel # 9

Project: Barrington LCR 77 Replacement Sewer

Owner(s): Shannon Park Swim Club, Inc.

Property Address: 5126 Grafton Drive

Total Parcel Area: 188,163.48 sq. ft. (4.32 ac.)

Property to be acquired by Fee Simple: None

Property to be acquired by Easements: 24,171.64 sq. ft. (0.56 ac.) in sanitary sewer easement and 24,347.74 sq. ft. (0.56 ac.) in temporary construction easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: N1-B

Use: Single Family Residential

Parcel Identification Number(s): 099-084-43
<https://polaris3g.mecklenburgcountync.gov/pid/09908443>

Appraised Value: \$16,425

Property Owner's Concerns: The property owner is concerned about the amount of compensation offered and design.

City's Response to Property Owner's Concerns: The city informed the property owner they could obtain their own appraisal in order to justify a counteroffer and explained the rationale of the design and how it meets the objectives for the project.

Recommendation:

To avoid delay in the project schedule, the recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

Council District: 1

Attachment(s): Map

[Map - Barrington LCR 77 Replacement Sewer, Parcel #9](#)

33. Charlotte Water Property Transactions - Oakdale Road Buffer, Parcel # 20

Action: Approve the following acquisition: Oakdale Road Buffer, Parcel # 20

Project: Oakdale Road Buffer

Owner(s): Jamie C. Wallace

Property Address: 433 Oakdale Road

Total Parcel Area: 23,087 sq. ft. (0.53 ac.)

Property to be acquired by Fee Simple: 23,087 sq. ft. (0.53 ac.)

Property to be acquired by Easements: None

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: N1-B

Use: Residential

Parcel Identification Number(s): 035-031-18

<https://polaris3g.mecklenburgcountync.gov/pid/03503118>

Purchase Price: \$400,000

Council District: 2

34. Property Transactions - CATS ADA Bus Stop Improvements Group 1, Parcel # 8

Action: Approve the following condemnation: CATS ADA Bus Stop Improvements Group 1, Parcel # 8

Project: CATS ADA Bus Stop Improvements Group 1

Owner(s): Sam's Mart, LLC

Property Address: 5210 Reagan Drive

Total Parcel Area: 144,311 sq. ft. (3.313 ac.)

Property to be acquired by Easements: 466 sq. ft. (0.011 ac.) permanent shelter easement and 769 sq. ft. (0.018 ac.) in temporary construction easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree

Zoned: CG

Use: General Commercial

Parcel Identification Number(s): 089-064-42
<https://polaris3g.mecklenburgcountync.gov/pid/08906442>

Appraised Value: \$13,500

Property Owner's Concerns: The property owner is concerned about the potential impacts to the property and compensation offered.

City's Response to Property Owner's Concerns: The city explained the rationale of the design and how it meets the objectives for the project. The city informed the property owner they could obtain their own appraisal or provide supporting documentation to justify their counteroffer. The city continues to negotiate with the property owner.

Recommendation: To avoid delay in the project schedule, the recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 1

Attachment(s): Map

[Map - CATS ADA Bus Stop Improvements Group 1, Parcel #8](#)

35. Property Transactions - CATS ADA Bus Stop Improvements Group 1, Parcel # 15

Action: Approve the following condemnation: CATS ADA Bus Stop Improvements Group 1, Parcel # 15

Project: CATS ADA Bus Stop Improvements Group 1

Owner(s): Bascom's Corner, LLC

Property Address: 2910 Mt. Holly Huntersville Road

Total Parcel Area: 340,051 sq. ft. (7.807 ac.)

Property to be acquired by Easements: 376 sq. ft. (0.009 ac.) permanent shelter easement and 647 sq. ft. (0.015 ac.) in temporary construction easement

Structures/Improvements to be impacted: Irrigation system

Landscaping to be impacted: None

Zoned: B1(CD)

Use: Neighborhood Business (conditional)

Parcel Identification Number(s): 031-132-03
<https://polaris3g.mecklenburgcountync.gov/pid/03113203>

Appraised Value: \$6,525

Property Owner's Concerns: The property owner is concerned about the potential impacts to the property.

City's Response to Property Owner's Concerns: The city explained the rationale of the design and how it meets the objectives for the project.

Recommendation: To avoid delay in the project schedule, the recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 2

Attachment(s): Map

[Map - CATS ADA Bus Stop Improvements Group 1, Parcel #15](#)

36. Property Transactions - Harrisburg Road Shared-Use Path Winterwood to Sam Dee, Parcels # 3 & 4

Action: Approve the following condemnation: Strategic Investment Area Harrisburg Road Shared-Use Path Winterwood to Sam Dee, Parcels # 3 & 4

Project: Strategic Investment Area Harrisburg Road Shared-Use Path Winterwood to Sam Dee

Owner(s): Robert and Lori Long

Property Address: 10107 and 10115 Harrisburg Road

Total Parcel Area: 174,949 sq. ft. (4.016 ac.)

Property to be acquired by Fee Simple: 6,673 sq. ft. (0.153 ac.) fee simple inside right-of-way

Property to be acquired by Easements: 9,078 sq. ft. (0.208 ac.) in sidewalk utility easement and 4,259 sq. ft. (0.098 ac.) in temporary construction easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Various trees and plantings

Zoned: N1-A and N1-B

Use: Neighborhood 1-A and Neighborhood 1-B

Parcel Identification Number(s): 111-061-25 and 111-061-05

<https://polaris3g.mecklenburgcountync.gov/pid/11106125>

<https://polaris3g.mecklenburgcountync.gov/pid/11106105>

Appraised Value: \$22,375

Property Owner's Concerns: The property owner is concerned about the amount of compensation offered.

City's Response to Property Owner's Concerns: The city informed the property owner they could obtain their own appraisal or provide supporting documentation to justify their counteroffer. The city continues to negotiate with the property owner.

Recommendation: In order to move forward with the public use project, it is recommended to proceed to condemnation during which time there will be continued attempts to resolve through negotiation, mediation, and if necessary, court proceedings.

Council District: 5

Attachment(s): Maps

[Map - Harrisburg Rd SUP Winterwood to Sam Dee, Parcel #3](#)

[Map - Harrisburg Rd SUP Winterwood to Sam Dee, Parcel #4](#)

37. Property Transactions - Harrisburg Road Shared-Use Path Winterwood to Sam Dee, Parcel # 6

Action: Approve the following condemnation: Strategic Investment Area Harrisburg Road Shared-Use Path Winterwood to Sam Dee, Parcel # 6

Project: Strategic Investment Area Harrisburg Road Shared-Use Path Winterwood to Sam Dee

Owner(s): Ruth Sullivan Family Trust, Lloyd L Sullivan and L'Tanya Gordon, Trustee

Property Address: 10333 Harrisburg Road

Total Parcel Area: 216,771 sq. ft. (4.977 ac.)

Property to be acquired by Fee Simple: 6,229 sq. ft. (0.143 ac.) fee simple inside right-of-way

Property to be acquired by Easements: 3,015 sq. ft. (0.070 ac.) in storm drainage easement, 432 sq. ft. (0.010) in sidewalk utility easement, and 1,807 sq. ft. (0.041 ac.) in temporary construction easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: N1-A

Use: Neighborhood 1-A

Parcel Identification Number(s): 111-061-08

<https://polaris3g.mecklenburgcountync.gov/pid/11106108>

Appraised Value: \$11,125

Property Owner's Concerns: The city is unable to reach an agreement with the property owner.

City's Response to Property Owner's Concerns: Property owner is unresponsive.

Recommendation: The recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 5

Attachment(s): Map

[Map - Harrisburg Rd SUP Winterwood to Sam Dee, Parcel #6](#)

38. Property Transactions - Pebble Street 4150, Parcel # 2

Action: Approve the following condemnation: Pebble Street 4150, Parcel # 2

Project: Pebble Street 4150

Owner(s): S&S Realty of Charlotte Inc.

Property Address: 4101 Sourwood Street

Total Parcel Area: 28,532 sq. ft. (6.550 ac.)

Property to be acquired by Easements: 296 sq. ft. (0.007 ac.) in storm drainage easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree

Zoned: ML-2

Use: Manufacturing and Logistics

Parcel Identification Number(s): 087-102-04

<https://polaris3g.mecklenburgcountync.gov/pid/08710204>

Appraised Value: \$5,475

Property Owner's Concerns: The property owner is concerned about the potential impacts to the property.

City's Response to Property Owner's Concerns: The city explained the rationale of the design and how it meets the objectives for the project.

Recommendation: To avoid delay in the project schedule, the recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 1

Attachment(s): Map

[Map - Pebble St 4150, Parcel #2](#)

Adjournment

REFERENCES

39. 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.

40. 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.

41. 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.