

City of Charlotte

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



Meeting Agenda

Monday, November 25, 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.

[2024-11-25 Council Agenda QA](#)

2. Consent agenda items 17 through 32 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

Proposed 2025 Federal and State Legislative Agendas

Staff Resource(s):

Dana Fenton, City Manager's Office

Time: Presentation - 10 minutes; Discussion - 40 minutes

Explanation

- Receive an overview of the proposed 2025 State and Federal Legislative Agendas.

2025 Council Calendar

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Time: Presentation - 10 minutes; Discussion - 20 minutes

Explanation

- Receive an overview of the proposed 2025 Council Calendar.

[Proposed 2025 Federal and State Legislative Agendas](#)

[2025 Council Calendar](#)

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

AWARDS AND RECOGNITIONS

6. Homelessness Awareness Month

Action:

Mayor Lyles will read a proclamation recognizing November as Homelessness Awareness Month.

PUBLIC FORUM

7. Public Forum

PUBLIC HEARING

8. Public Hearing on a Resolution to Close a Portion of Alleyway between 1609 and 1615 Matheson Avenue

Action:

- A. Conduct a Public Hearing to close a Portion of Alleyway between 1609 and 1615 Matheson Avenue, and
- B. Adopt a Resolution and Close a Portion of Alleyway between 1609 and 1615 Matheson Avenue.

Staff Resource(s):

Debbie Smith, Transportation
Charlie Jones, 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 alleyway to be closed is located in Council District 1.

Petitioner

Cassidey Sowards

Right-of-Way to be Abandoned

Portion of alleyway between 1609 and 1615 Matheson Avenue

Reason

Per the petition submitted by Cassidey Sowards, the abandonment of the opened right-of-way will facilitate continued-use and maintenance from abutting owners. 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)

Jaime Allen- No objections
Jennifer Helms Collins- No objections
Christine Sargent- No objections
Sharon Powell- No objections
Michael Wetzels- No objections
James Southard- No objections
Paul Godfrey- No objections
Seth Hunter- 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

[2024-001745A - Abandonment Map](#)

[2024-001745A Resolution to Close 11.25.2024](#)

9. Public Hearing on a Resolution to Close a Portion of Cecil Street

Action:

- A. Conduct a Public Hearing to Close a Portion of Cecil Street, and
- B. Adopt a Resolution and Close a Portion of Cecil Street

Staff Resource(s):

Debbie Smith, Transportation
Charlie Jones, 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 1.

Petitioner

Midtown Area Partners II, LLC

Right-of-Way to be Abandoned

Portion of Cecil Street

Reason

Per the petition submitted by Midtown Area Partners II, LLC, the abandonment of the opened 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)

The Cherry Community Organization- No objections
The Asian (Korean) Herald, INC- 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

[2024-004608A - Abandonment Map](#)

[2024-004608A Resolution to Close 11.25.2024](#)

10. Public Hearing on a Resolution to Close a Portion of Sentry Post Road

Action:

- A. Conduct a Public Hearing to Close a Portion of Sentry Post Road, and
- B. Adopt a Resolution and Close a Portion of Sentry Post Road.

Staff Resource(s):

Debbie Smith, Transportation
Charlie Jones, 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 3.

Petitioner

City of Charlotte - Aviation Department

Right-of-Way to be Abandoned

Portion of Sentry Post Road

Reason

Per the petition submitted by City of Charlotte - Aviation Department, the abandonment of the right-of-way will facilitate the future construction of the North End Around Taxiway (NEAT). 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)

City of Charlotte - Aviation Department- 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

[2024-004169A - Abandonment Map](#)

[2024-004169A Resolution to Close 11.25.2024](#)

11. Public Hearing and Decision on Bluemont on Steele Creek Voluntary Annexation

Action:

- A. Conduct a public hearing for Bluemont on Steele Creek Area voluntary annexation, and
- B. Adopt an annexation ordinance with an effective date of November 25, 2024, to extend the corporate limits to include this property and assign it to the adjacent City Council District 3.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development
Holly Cramer, Planning, Design, and Development
Emma Knauerhase, Planning, Design, and Development

Explanation

- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- A petition has been received from the owners of the 10.029-acre "Bluemont on Steele Creek" site, which is located on the west side of Steele Creek Road, south of Hamilton Road.
- The property is owned by Stanley Martin Homes LLC.
- The site is currently vacant. The annexation area is zoned N2-A, Neighborhood 2-A, which allows for multi-family residential, single-family residential, and limited commercial uses.
 - Rezoning Petition 2023-116 rezoned the site in January of 2024 from N1-A to N2-A as a conventional rezoning petition with no associated site plan.
- The petitioned area consists of one parcel: parcel identification number 219-091-03.
- The property is located within Charlotte's extraterritorial jurisdiction and shares boundaries with current city limits.
- The intent of the annexation is to extend municipal services to the site to allow redevelopment of the site with 85 attached multi-family units.
- In the evaluation of this annexation area, Charlotte-Mecklenburg Stormwater Services, Charlotte-Mecklenburg Police Department, Charlotte Department of Transportation, and Charlotte Solid Waste Services noted that this annexation area would have minimal to no impacts to the departments' resources.
- In reviewing the area's current and future industrial uses, the Charlotte Fire Department noted that the site is within the Effective Response Force travel time standards and provided additional advisory considerations.
- The potential revenue generated from this annexation area is projected to exceed the estimated cost of extending municipal services to the site.

Consistent with City Council Policies

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

Attachment(s)

Map (GIS)
Map (Survey)
Annexation Ordinance

[Map - Bluemont at Steele Creek Area Annexation](#)

[Map - Bluemont at Steele Creek Area Annexation \(Survey\)](#)

[Ordinance - Bluemont at Steele Creek Area Annexation](#)

12. Public Hearing and Decision on the Marion R. and Lavonne Marsh House Historic Landmark Designation

Action:

- A. Conduct a public hearing to consider historic landmark designation for the property known as the "Marion R. and Lavonne Marsh House" (parcel identification number 153-061-11), and
- B. Adopt an ordinance with an effective date of November 25, 2024, designating the property known as the "Marion R. and Lavonne Marsh House" (parcel identification number 153-061-11) as a historic landmark.

Charlotte-Mecklenburg Historic Landmarks Commission Representative(s):

Stewart Gray, Historic Landmark Commission Director

Staff Resource(s):

Alyson Craig, Planning, Design, and Development

Erin Chantry, Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the Marion R. and Lavonne Marsh House as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Marion R. and Lavonne Marsh House is located at 1642 Hertford Road in Council District 6.
- Designation of this property could significantly contribute to its long-term preservation.
- The Marion R. and Lavonne Marsh House is listed under Parcel Identification Number 153-061-11, and the recommended designation would include the interior and exterior of the house and the land listed under Tax Parcel Number 153-061-11.
- The property is zoned N1-A.
- The property is owned by Kenneth T. and Laura M. Corsig, who are in agreement with the proposed designation.
- Based on the current value, the potential amount of deferrable taxes would be approximately \$2,875.86 for the City of Charlotte taxes and \$5,068.69 for Mecklenburg County taxes.

Attachment(s)

Ordinance

Information Sheet

Designation Report

[Ordinance - Marion R. and Lavonne Marsh House HLD](#)

[Information Sheet - Marion R. and Lavonne Marsh House](#)

[Designation Report - Marion R. and Lavonne Marsh House](#)

POLICY

13. City Manager's Report

[Public Safety Update](#)

BUSINESS

14. Charlotte-Mecklenburg Government Center Restaurant Lease

Action:

- A. Adopt a resolution approving the lease of approximately 4,730 square feet of city-owned property at 600 East Fourth Street (parcel identification number 125-026-01) to Govt. Restaurant, LLC for the operation of a restaurant, and**
- B. Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the lease of the property.**

Staff Resource(s):

Phil Reiger, General Services
Gregory Crawford, General Services
Sheila Anderson, General Services

Explanation

- Within the Charlotte-Mecklenburg Government Center (CMGC), there is approximately 4,380 square feet in the lobby reserved for restaurant operations and another 350 square feet in the basement for restaurant storage and a walk-in freezer (together, Restaurant Space).
- Since 1999, this Restaurant Space has been leased and operated by Showmars, offering breakfast and lunch options Monday through Friday to occupants of CMGC and the general public.
- The city issued a Request for Proposals (RFP) for the Restaurant Space on November 2, 2023; four responses were received.
- Pita Boy, Inc. (d.b.a. Kostas Kitchen) best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- After selection, the owner of Pita Boy, Inc. established a new LLC, Govt. Restaurant, LLC, for the purpose of leasing the Restaurant Space and assigned the RFP rights to the newly established LLC.
- Kostas Kitchen has decades of restaurant management experience and will provide continuity of operations during the transition, as well as continued employment of existing CMGC Showmars staff.
- Lease terms include:
 - Five-year term, with one option to renew for an additional five years;
 - Rent in the amount of \$2,502.96 per month in the first lease year, increasing at a rate of three percent per year;
 - Kostas Kitchen will assume the remaining balance of the Promissory Note issued to Showmars in 2016 for restaurant improvements, with repayment being amortized over the life of the lease with a two percent annual interest rate, paid monthly.
 - City will pay for water and electricity service, and Kostas Kitchen will pay for all other utilities and services, including gas;
 - Kostas Kitchen will maintain and repair all kitchen equipment, including city-owned leasehold improvements such as the walk-in freezer and walk-in cooler;
 - Kostas Kitchen will maintain and repair all the dining room furnishings, which are owned by the city;
 - Restaurant will provide breakfast and lunch services Monday through Friday from 7:00 a.m. to 3:00 p.m., excluding city-observed holidays and building closures; and
 - Menu will include healthy meal options, such as fresh fruits and vegetables, whole grain products, lean grilled meats, and other foods having one or more of the following characteristics: high fiber, low saturated fat, low calorie, natural or unprocessed, low sodium, and high nutrition value.

Background

- In 1999, the city conducted an RFP for a restaurant at CMGC and selected Showmars. Following this selection, City Council approved a five-year lease for the Restaurant Space with one, two-year renewal option.

- On December 13, 2004, City Council approved a 10-year lease with Showmars for the Restaurant Space with one five-year renewal option.
- On June 13, 2016, City Council:
 - Approved a five-year lease with Showmars for the Restaurant Space with one five-year renewal option;
 - Authorized \$150,000 for tenant improvements, which represented the city's share of renovations to the Restaurant Space; and
 - Authorized an advance of up to \$95,000, which was Showmars' cost share of improvements, with repayment amortized over the life of the lease at a two percent annual interest rate, paid monthly.
- During the renovation in 2016, Showmars invested an additional \$55,000 to replace kitchen equipment with newer, energy-efficient appliances.
- For nearly 25 years, Showmars has been a dependable partner.

Charlotte Business INclusion

This is a Real Estate Leasing and Acquisition Contract and is exempt under the CBI Program.

Fiscal Note

Funding: Revenue from lease will be deposited into the General Fund

Attachment(s)

Resolution

[Resolution - Charlotte-Mecklenburg Government Center Restaurant Lease](#)

15. Shelton Knoll Apartments Naturally Occurring Affordable Housing Preservation and Rental Subsidy Support

Action:

- A. **Approve a \$1,100,000 Housing Trust Fund allocation to Arrowhawk NOAH, LLC, an affiliate of Ascent Housing, LLC, for the acquisition and rehabilitation of Shelton Knoll Apartments,**
- B. **Approve an annual reimbursement to Housing Collaborative in an amount not to exceed the development's city tax bill for a Naturally Occurring Affordable Housing Rental Subsidy Program over a 20-year period for seven new long-term rental subsidies at Shelton Knoll Apartments for households earning 30 percent and below the area median income, and**
- C. **Authorize the City Manager, or his designee, to negotiate, execute, amend, and renew contracts as needed to complete these transactions.**

Staff Resource(s):

Rebecca Hefner, Housing and Neighborhood Services

Warren Wooten, Housing and Neighborhood Services

Explanation

- In May 2023, the city issued a rolling NOAH Acquisition, Rehabilitation and Subsidy Request for Proposal (NOAH RFP), which serves to provide opportunities to NOAH developers/owners to be responsive to quickly changing market conditions and allows the city to evaluate proposals on a rolling basis as market opportunities arise.
- Arrowhawk NOAH, LLC, an affiliate of Ascent Housing, LLC (Developer), proposes to acquire and renovate Shelton Knoll Apartments, including creating new long-term rental subsidies for 30 percent Area Median Income (AMI) households (currently \$31,800 total annual household income for a family of four).
- Shelton Knoll Apartments is a 45-unit existing garden style multi-family naturally occurring affordable housing (NOAH) development on approximately seven acres located at 516 Arrowhawk Drive in Council District 3 (parcel identification number 205-231-01) (Property) and meets the city's NOAH preservation criteria which include:
 - Property's age is greater than 15 years;
 - Rents are in the AMI range that are at risk due to surrounding neighborhood dynamics;
 - Property can be rehabilitated to maintain a good quality of life for residents for the next 20 years or more;
 - Property is located in an area with close proximity to quality jobs, schools, and transportation infrastructure; and
 - Property is located in an area experiencing transformative change and property appreciation.
- The Property was originally developed in the 1980s using low-income housing tax credits (LIHTC) and was owned and operated by INLIVIAN until 1996. Since that time the property has been a part of the portfolio of DreamKey Partners (Seller) who is now selling the Property. With the Property's history of mission-oriented ownership and restricted rents, affordability preservation is crucial to avoid displacement.
- The Developer, in response to the city's NOAH RFP, is requesting the following city support for the development:
 - Action A - Acquisition and Rehabilitation:
 - A city funding allocation of \$1,100,000 for the acquisition and rehabilitation of the Property.
 - The city investment will be contingent upon a current Property appraisal of no less than \$5.9 million, and will be used towards acquisition and rehabilitation costs and include a 20-year deed restriction for the preservation of the 45 units at the following AMI levels:
 - 14 units at or below 30 percent AMI,

- 22 units at or below 60 percent AMI, and
 - 9 units at or below 80 percent AMI.
 - The proposed rehabilitation will consist of the following:
 - HVAC replacements,
 - Roof repairs and upgrades,
 - Staircase and parking lot improvements, and
 - Appliances and other internal upgrades.
- Action B - Rental Subsidies:
 - Of the 14 total units set aside for 30 percent AMI households, the Developer has agreed to specifically set aside seven units for 30 percent AMI households that do not have existing vouchers or other forms of rental assistance, for a period of 20 years.
 - To create new, long-term rental subsidies for these seven units, the city is being asked to commit to annual funding for the length of the property's 20-year deed restriction at an amount not to exceed the development's annual city property tax bill. The maximum amount of the reimbursement will be adjusted each year in correspondence with the actual amount of the current year's property taxes. While the Property has been exempt from property taxes due to the non-profit status of the Seller, the Developer's 2025 city property tax bill is estimated to be approximately \$48,150.
 - The rental subsidies will pay the difference between what the resident household can afford (30 percent of their income) and the lesser of the property's asking rent or fair market rent.
 - Funds will be provided to Housing Collaborative, a local non-profit organization, who will identify eligible tenants and administer the rental subsidy on behalf of the city.
 - Additionally, pursuant to the NOAH Rental Subsidy Program Guidelines, the Developer has agreed to:
 - Allocate a minimum of 80 percent of all units to residents earning 80 percent AMI (currently \$84,800 total annual household income for a family of four) and below, with the majority of units set aside for 60 percent AMI (currently \$63,600 total annual household income for a family of four) and below, through a 20-year long-term deed restriction,
 - Distribute rental subsidies evenly across two-bedroom and three-bedroom units as applicable, and
 - Commit to housing new residents who qualify for the rental subsidy as units come available through natural turnover to avoid displacement.
 - The city's rental subsidy is contingent on Mecklenburg County's participation for the county's portion of the property taxes for 20 years.
- Support of the Shelton Knoll development aligns with the rolling NOAH RFP criteria and supports City Council's Housing Charlotte Framework, which recommends preserving NOAH properties, particularly in areas with strong pathways to opportunity. It also aligns with Guidelines for Preserving Naturally Occurring Affordable Housing, which sets forth guidelines to limit displacement of current residents by preserving existing affordability, and Guidelines for the NOAH Rental Subsidy Program that expands opportunities for low-income households to live in high-quality NOAH developments through the creation of new long-term rental subsidies.

Fiscal Note

Funding: Housing Trust Fund

Attachment(s)

Map

[Map - Shelton Knoll Apartments](#)

16. Recommended Uses for American Rescue Plan Funds

Action:

- A. Approve the use of \$25,401,110.01 from the Coronavirus State and Local Fiscal Recovery Fund for government services to offset revenue lost as a result of the COVID-19 public health emergency, and**
- B. Adopt a budget ordinance appropriating \$25,401,110.01 from the General Operating Fund to the American Rescue Plan Act Fund.**

Staff Resource(s):

Shawn Heath, City Manager's Office

Explanation

- This Request for Council Action will enable the city to fully obligate funds received from the federal government as a result of the American Rescue Plan Act of 2021 (ARPA).
- As of November 15, 2024, of the original \$141.6 million allocation, the city had expended \$92.1 million and encumbered (i.e., obligated) \$23.6 million; \$25.9 million remains unobligated (unspent and unencumbered).
- The deadline to obligate the city's ARPA allocation is December 31, 2024, with a final deadline to expend the funds by December 31, 2026.
- Of the \$25.9 million that is currently unobligated, staff intend to obligate \$520,000 by December 31, 2024, leaving \$25,401,110.01.
- To ensure that the city can invest this remaining \$25.4 million in Charlotte and not return the funds to the federal government, staff have recommended expending these funds on government services to replace lost revenue. The \$23.6 million that is currently encumbered will still be subject to the December 31 deadlines in 2024 and 2026.
- By authorizing these actions, the city will satisfy the federal requirement that all \$141.6 million in ARPA funds allocated to the City of Charlotte be obligated for eligible uses by December 31, 2024.
- By authorizing ARPA to pay for government services typically paid for within the General Operating Fund, the General Operating Fund will realize \$25.4 million in one-time expenditure savings.
- A transfer in the amount of \$25.4 million will be made from the General Operating Fund to the American Rescue Plan Act Fund so that the city has more time to obligate and expend these funds.
 - \$20.1 million has already been programmed by City Council including:
 - \$5.95 million for Anti-Displacement programs,
 - \$4.50 million for a multi-family affordable housing project developed by DreamKey,
 - \$3.00 million tentatively planned for workforce development,
 - \$2.71 million for digital inclusion,
 - \$1.50 million for the faith-based affordable housing initiative, and
 - \$2.38 million for economic development projects.
 - \$5.3 million that was previously programmed is now available for reallocation and redeployment by City Council.

Background

- On March 11, 2021, in response to the COVID-19 public health emergency, President Biden signed the American Rescue Plan Act of 2021 (ARPA).
- ARPA included the Coronavirus State and Local Fiscal Recovery Fund (SLFRF), which provided \$130 billion in direct assistance for local governments to be used to mitigate the fiscal effects stemming from the COVID-19 public health emergency.
- The SLFRF provides direct payments to metropolitan cities and counties. Charlotte was one of the 990 cities across the nation that met the criteria.
- The U.S. Treasury Department released SLFRF funding to local governments in two equal installments. Charlotte received its first installment of approximately \$71 million in May 2021 and the second installment in May 2022, for a total of \$141.6 million.
- Funds from the SLFRF may only be used to cover costs incurred by December 31, 2024, for the

following purposes:

- To respond to the COVID-19 public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
 - To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible city employees who are performing such essential work or by providing grants to eligible employers that have eligible workers who perform essential work;
 - For the provision of government services to the extent of the reduction in revenue in the city's budget due to the COVID-19 public health emergency relative to revenues collected in Fiscal Year 2019; and
 - To make necessary investments in water, sewer, or broadband infrastructure.
- Of the \$115.7 million obligated or expended as of November 15, 2024, approximately 75 percent was allocated by City Council to community-facing investments such as investments in affordable housing, non-profit support, workforce development, advancing digital inclusion, supporting the small business ecosystem, and property tax relief.

Fiscal Note

Funding: American Rescue Plan Act (ARPA) Funds

Attachment(s)

October 28, 2024, Action Review Presentation

Budget Ordinance

[October 28, 2024, Action Review Presentation](#)

[Budget Ordinance](#)

CONSENT

17. Police Recruitment Advertising Services

Action:

- A. Approve contract extension #3 to the contract with Kelso Communications (SBE) for recruitment advertising services for a term of one year, and**

- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract and this extension were approved.**

Staff Resource(s):

Johnny Jennings, Police

Sandra D'Elosua, Police

Explanation

- The Charlotte-Mecklenburg Police Department (CMPD) requires a professional recruitment advertising company to develop and implement a recruitment campaign.
- Kelso Communications currently assists with brand development, marketing, graphic design, website development, and other related services to implement CMPD's recruitment campaign.
- On December 12, 2021, City Council approved a contract with Kelso Communications. The contract is set to expire on January 14, 2025.
- Between 2022 and 2023, CMPD saw a 31 percent increase in overall candidate applications and a 26 percent increase in sworn hires. CMPD would like to continue the work underway with the current vendor.
- In addition to consulting services this extension includes increased ad campaigns and media volume.
- A 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 continuity of service.
- The one-year extension is for an estimated amount of \$350,000 and the new estimated value of the contract, including this extension, is \$1,630,000.

Charlotte Business INclusion

Kelso Communications is a city SBE. Contract goals were not established for this Contract because the scope of work or goods required does not present viable subcontracting opportunities. Kelso Communications 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: Police Operating Budget

18. Fire Apparatus Collision Repair Services and Upfitting

Action:

- A. Approve a unit price contract with Anchor Richey Emergency Vehicle Services Inc. for fire apparatus collision repairs and upfitting 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):

Reginald Johnson, Fire
Jeffrey Matthews, Fire
Phil Reiger, General Services
Chris Trull, General Services

Explanation

- General Services' Fleet Management Division is responsible for the management and maintenance of collision related repairs to the city's fleet including Charlotte Fire vehicles.
- The city uses outside service providers to perform collision repairs on some fire vehicles because custom-made replacement parts, specialty tools, and equipment are necessary to complete these repairs.
- Anchor Richey Emergency Vehicle Service is the only manufacturer-authorized service center within thirty miles of Charlotte. They are also authorized to order original equipment manufacturer parts and complete warranty work.
- 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 was approved on August 8, 2024, based on the limited number of vendors with the required qualifications to provide these services.
- 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 \$660,000.

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. Anchor Richey Emergency Vehicle Service 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: Fleet Management Operating Budget

19. Transit Advertising Sales Representative Services

Action:

Approve contract amendment #3 for \$1,250,000 to the contract with Section 140 LLC for transit advertising sales representative services.

Staff Resource(s):

Brent Cagle, CATS

Elizabeth Presutti, CATS

Catherine Kummer, CATS

Explanation

- Section 140 LLC, an independent contractor, provides services involving the management and execution of the Charlotte Area Transportation System's (CATS) advertising sales for transit-related assets.
- On July 15, 2022, the city entered into a one-year contract for \$202,000 with Section 140 LLC for transit advertising sales representative services.
- On April 4, 2023, the parties agreed to contract amendment #1 to increase the contract amount by \$110,000 and to amend the scope of services, extend the term of the contract by the first of four one-year renewals, and incorporate certain other changes.
- On May 23, 2024, the parties agreed to contract amendment #2 to increase the contract amount by \$180,000, amend the scope of services, and extend the term of the contract by the second of four one-year renewals.
- This action will increase the contract amount by \$1,250,000 to fund the remainder of the contract terms through June 30, 2027.
- Key responsibilities include identifying potential advertisers, building and maintaining relationships with local and national clients, and creating customized advertising solutions that align with the CATS Advertising Policy.
- The goal of this contract is to maximize revenue for the city's transit system while enhancing the visibility of businesses within the community, ultimately contributing to the city's economic development.
- The services provided by Section 140 LLC have resulted in increased revenues from advertisements. With the prior contractor, CATS earned \$1.5 million in revenues from advertisements in fiscal year (FY) 2019, the highest producing pre-pandemic year. With Section 140 LLC, CATS's revenues from advertisements were:
 - \$1.95 million in FY 2023,
 - \$2.84 million in FY 2024, and
 - \$908,978 for the first quarter of FY 2025.
- Section 140 LLC meets the city's needs in terms of qualifications, experience, and cost, and has exceeded sales forecasts and revenue projections.
- 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 continuity of service.
- The current vendor's familiarity with the local market, existing clients, and the unique needs of CATS is significant to maintain the current level of revenue.
- The new estimated value of the contract, including amendment #3, is \$1,742,000.

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. Section 140 LLC 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: CATS Operating Budget

20. Airport CLT Center Renovations Phase 14 and 15 Construction

Action:

- A. **Approve a contract in the amount of \$1,611,687 to the lowest responsive bidder Edison Foard, LLC for the CLT Center Renovations Phase 14 and 15 project, and**
- B. **Authorize the City Manager 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 project will provide for interior renovations at the CLT Center.
- The project involves converting existing spaces into an additional conference room, employee offices and work areas, a video editing suite, and a CLT Tech Help suite.
- On September 12, 2024, the city issued an Invitation to Bid; three bids were received.
- Edison Foard, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the first quarter of Fiscal Year 2026.

Charlotte Business INClusion

Established MBE Goal: 7.00%

Committed MBE Goal: 17.06%

Edison Foard, LLC has exceeded the established contract goal and has committed 17.06% (\$275,000) of the total contract amount to the following certified firm:

- Superior Mechanical Systems, Inc. (MBE) (\$275,000) (HVAC)

Established WSBE Goal: 10.00%

Committed WSBE Goal: 13.91%

Edison Foard, LLC has exceeded the established contract goal and has committed 13.91% (\$224,109) of the total contract amount to the following certified firm(s):

- Charlotte Paint Company, LLC (WBE) (\$25,181) (painting)
- NJR Construction, LLC (SBE) (\$197,900) (drywall)
- Profile Building Services (SBE) (\$1,028) (final cleaning)

Fiscal Note

Funding: Aviation Capital Investment Plan

21. Airport Decorative Displays

Action:

- A. Approve a contract with Blue Sky Commercial Décor, LLC. for Design, Fabrication, and Installation Services for Decorative Displays for an initial term of five 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

Ted Kaplan, Aviation

Explanation

- This contract will provide large-scale custom-built decorative displays for the Airport that will enhance the customer experience.
- Services include design and fabrication of the displays, maintenance and/or repairs as necessary, and installation and deinstallation of the displays on airport property.
- On July 12, 2024, the city issued a Request for Proposals (RFP); two responses were received.
- Blue Sky Commercial Décor, LLC. best meets the city's needs based on qualifications, experience, cost, and responsiveness to the 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 \$200,000.

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. Blue Sky Commercial Décor, LLC 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: Aviation Operating Budget

22. Airport Loading Dock Expansion

Action:

- A. Approve a contract in the amount of \$6,870,477 to the lowest responsive bidder Archer Western Construction, LLC for the Loading Dock Expansion project, and**
- B. Authorize the City Manager 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 project will modify and reconfigure the existing loading dock facility to allow for more efficient operations and future growth at the Airport.
- The project includes three additional truck docks, two new freight elevators, and a new ramp, guard booth, and canopy.
- On August 16, 2024, the city issued an Invitation to Bid (ITB); two bids were 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 September 5, 2024, the city re-issued an ITB; three bids were received.
- Archer Western Construction, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the first quarter of Fiscal Year 2027.

Charlotte Business INclusion

Established MBE Goal: 8.00%

Committed MBE Goal: 12.87%

Archer Western, LLC exceeded the established subcontracting goal and has committed 12.87% (\$884,285) of the total contract amount to the following certified firm(s):

- Besco Electrical (MBE) (\$473,165) (electrical)
- KPM Plumbing (MBE) (\$63,820) (plumbing)
- Superior Mechanical Systems, Inc. (MBE) (\$232,900) (HVAC)
- Trifecta Services Company (MBE) (\$114,400) (demolition)

Established WSBE Goal: 10.00%

Committed WSBE Goal: 10.20%

Archer Western, LLC exceeded the established subcontracting goal and has committed 10.20% (\$700,772) of the total contract amount to the following certified firm(s):

- Fast Signs (SBE) (\$1,428) (temporary signage)
- Highland Roofing Company (WBE) (\$288,503) (wall panels)
- Platinum (WBE) (\$16,000) (painting)
- RAM Pavement Services, Inc. (SBE) (\$224,539) (asphalt and concrete)
- Stevens Interiors, Inc. (SBE) (\$170,302) (drywall)

Fiscal Note

Funding: Aviation Capital Investment Plan

23. Airport Website and Mobile Applications

Action:

- A. Approve a contract extension with Move Agency for the Airport's Website and Mobile Application(s) for an initial term of two years, and**

- B. Authorize the City Manager to renew the contract for up to one, one-year term 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

Ted Kaplan, Aviation

Explanation

- The Aviation Department has a website and mobile application that provides passenger access to online parking booking, interactive terminal maps, flight status, security wait times, bus wait times, and other digital amenities.
- This contract extension will provide for ongoing implementations and changes, including compliance to Federal ADA requirements.
- 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 continuity of service, while the airport goes through a competitive solicitation process.
- 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 \$600,000.

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. Move Agency 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: Aviation Capital Improvement Plan and Aviation Operating Budget

24. Citywide Technology Products and Related Services

Action:

A. Approve contracts with the following companies for technology products and related services for an initial term of three years:

- **CDW Government LLC,**
- **Concise Networks LLC, (WBE)**
- **DISYS Solutions, Inc.,**
- **IBENZER, Inc.,**
- **Insight Public Sector, Inc.,**
- **SHI International Corp. (MBE), 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):

Markell Storay, Innovation and Technology
Phil Reiger, General Services
Shiela Anderson, General Services

Explanation

- The city employs a diverse array of technology products and services to effectively manage daily operations.
- This includes essential hardware such as computers, servers, and networking equipment, as well as software applications for tasks like data management, communication, and project planning. These technologies facilitate efficient workflows, enhance communication among departments, and ensure reliable service delivery to the community.
- On August 8, 2024, the city issued a Request for Proposals (RFP) on behalf of the City of Charlotte's Cooperative Purchasing Alliance (CCPA) and Participating Public Agencies for Technology Products and Related Services; 14 responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- The CCPA is a cooperative purchasing program within General Services with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- 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 \$13,700,000;
 - \$3,300,000 with CDW Government LLC,
 - \$250,000 with Concise Networks LLC,
 - \$3,300,000 with DISYS Solutions, Inc.,
 - \$250,000 with IBENZER, Inc.,
 - \$3,300,000 with Insight Public Sector, Inc., and
 - \$3,300,000 with SHI International Corp.

Charlotte Business INclusion

Concise Networks LLC is a city certified WBE, and SHI International Corp is a city certified MBE. Contract goals were not established for these contracts 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: Varies Departments Operating Budgets

25. Data Circuits for Citywide Data Services

Action:

- A. Approve contract amendment #3 for an additional four-year term to the contracts with AT&T Corp. and Level 3 Communications LLC for data circuits to connect city facilities to the city network and to provide broadband Internet access to the Public Internet,**
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract and this amendment were approved, and**
- C. Authorize the City Manager to purchase such additional services, maintenance, support, and upgrades as required to maintain the services.**

Staff Resource(s):

Markell Storay, Innovation and Technology

Explanation

- The city contracts with AT&T Corp. and Level 3 Communications LLC, which has been subsequently acquired by Lumen Corp., for telecommunications and data circuits to connect city facilities to the city network and provide broadband Internet access to the Public Internet.
- AT&T Corp. and Level 3 Communications LLC provide critical data services to more than 120 city sites, such as the data center and vital public safety facilities.
- AT&T Corp. will remain the primary service provider for all city sites.
- Level 3 Communications LLC will remain the secondary service provider, supplying backup connections to critical facilities.
- On July 28, 2014, City Council approved contracts with AT&T Corp. and Level 3 Communications LLC for an initial term of five years with two, two-year renewal options for continued service.
- A 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 continuity of service.
- The new estimated values of the contracts, including the additional four-year term are \$4,500,000 with AT&T Corp. and \$4,700,000 with Level 3 Communications LLC.

Charlotte Business INclusion

Contract goals were not established for this contract because of the scope of work, or goods required does not present viable subcontracting opportunities. The prime contractors 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: Various Departments' Operating

26. Land Acquisition for Tree Canopy Preservation Program

Action:

- A. Approve the purchase of an approximately 4.049-acre parcel (parcel identification number 189-261-90) located near Valley Haven and Thermal Roads, Charlotte, North Carolina for the purchase price of \$270,000, and**
- B. Authorize the City Manager to negotiate and execute any documents necessary to complete the transaction.**

Staff Resource(s):

Alyson Craig, Planning, Design, and Development

Tim Porter, Planning, Design, and Development

Explanation

- The property owners approached the city to determine its interest in purchase of the property located near Valley Haven and Thermal Roads (located in Council District 6) for the Tree Canopy Preservation Program (TCPP).
- Staff assessed the property using the current TCPP conservation scoring model.
 - The property scored high in comparison to previously TCPP-acquired and targeted properties with significant value related to property location, acres of contiguous tree canopy, overall ecosystem value, forest health, and overall conservation value.
- This property contains high quality mature hardwood trees and other native, beneficial species. Protection of the site will benefit a diversity of resident and migratory wildlife, provide oxygen, and help to protect the water quality of the local watershed.
- The purchase price is based on appraised value and negotiations with the property owners.
- On June 18, 2024, the Planning Committee reviewed the proposed land acquisition and had no comments.
- This transaction is consistent with the City-Owned Real Estate and Facilities Policy, adopted by City Council in June 2017.

Background

- In 2011, City Council adopted a goal of 50 percent tree canopy coverage by the year 2050. The Tree Canopy Preservation Program supports the goal through acquisition and protection of properties that are already forested or provide planting opportunities.
- The city's Unified Development Ordinance allows developers in some cases to pay the city in lieu of preserving trees on site. The city uses these funds for property acquisition to support long-term tree canopy conservation and related expenditures associated with ongoing forest management and property maintenance needs.
- TCPP has acquired and preserved over 350 acres of land to date and protected approximately twice as much land than developers would have been required to under the on-site tree save option.
- TCPP supports tree canopy policy objectives outlined in City Council's 2040 Comprehensive Plan adopted June 21, 2021, and Urban Forest Master Plan adopted September 25, 2017.
- All acquisitions through the program are voluntary.

Fiscal Note

Funding: Neighborhood Development Grants Fund

Attachment(s)

Map

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

27. Marshville Bypass Traffic and Revenue Study Municipal Agreement

Action:

Adopt a resolution authorizing the City Manager to negotiate and execute a Municipal Agreement with North Carolina Department of Transportation to support the traffic and revenue study for the Marshville Bypass in Union County for the Charlotte Regional Transportation Planning Organization.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development
Robert Cook, Planning, Design, and Development
Kendall Clanton, Planning, Design, and Development

Explanation

- The Marshville Bypass is a proposed five-mile, four-lane expressway that will reroute US-74 to the south of the town of Marshville in Union County. It is classified as a Recommended Freeway on the Charlotte Regional Transportation Planning Organization's (CRTPO) Comprehensive Transportation Plan.
- The Union County Board of Commissioners and the Town of Marshville Town Council adopted resolutions requesting that CRTPO formally ask the North Carolina Department of Transportation (NCDOT) and the North Carolina Turnpike Authority (NCTA) to analyze the Marshville Bypass for its feasibility as a toll facility. The CRTPO Board agreed and formally requested that NCDOT/NCTA conduct the analysis.
- The analysis was inconclusive, and all parties agreed that a traffic and revenue (T&R) study was necessary to provide conclusive results.
- NCDOT/NCTA will conduct the T&R study which will result in a 40-year forecast of the traffic and toll revenue and impacts of the Marshville Bypass.
- The CRTPO will be responsible for the cost of the study which is to not exceed \$50,000. CRTPO grant funds will be used to fund the study. The CRTPO approved the allocation of the funds in September 2024.

Fiscal Note

Funding: General Grants Fund - CRTPO grant funds

Attachment(s)

Resolution

[Resolution - Marshville Bypass Traffic and Revenue Study Municipal Agreement](#)

28. INLIVIAN Housing Revenue Bond Issuance Approval for Sycamore Station II Apartments

Action:

Adopt a resolution granting INLIVIAN's request to issue new multi-family housing revenue bonds in an amount not to exceed \$26,000,000, to finance the development of an affordable housing development known as Sycamore Station II.

Staff Resource(s):

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

Explanation

- This action will not obligate the city financially or impact the Capital Investment Plan and is requested to satisfy Section 147(f) of the Internal Revenue Code of 1986, which requires the issuance of housing bonds to be approved by the local governmental unit with jurisdiction over the area where the development is located.
- INLIVIAN is requesting that City Council adopt a resolution authorizing the issuance of new multi-family housing revenue bonds for Sycamore Station II, a 168-unit new construction affordable housing development to be developed, owned, and operated by Sycamore Station II, LLC, an affiliate of Winterwood Development (Developer) or an affiliated or related entity.
- The development will be located on approximately 10 acres at the intersection of Milton Road and Barrington Drive (parcel identification number 099-211-26) located in Council District 1.
- The development will serve households earning up to 60 percent of the Area Median Income.
- The INLIVIAN bonds, not to exceed \$26,000,000, will be used to finance land acquisition and construction of the development.
- This action further supports City Council's September 25, 2023, approval of \$1,700,000 housing development fund support for the development (\$1,200,000 Housing Trust Fund and \$500,000 HOME Investment Partnership Program).

Background

- In conjunction with the Developer's request for city housing development fund support, the Developer applied for four percent low-income housing tax credits and housing bond allocation capacity from the North Carolina Housing Finance Agency to help finance the land acquisition and construction of the development.
- The North Carolina Housing Finance Agency approved the Developer's application pursuant to its Qualified Allocation Plan and awarded the requested four percent tax credits and bond allocation capacity for the development. Tax credit and bond allocations are subject to federal income limits, set-aside rules, and include deed restrictions.
- INLIVIAN, as a public housing authority, is duly authorized to issue housing bonds to finance developments that serve persons of low and moderate income, including developments in which it does not have a direct interest. The INLIVIAN board of directors approved the issuance of the new multi-family housing revenue bonds on October 15, 2024.

Attachment(s)

Resolution
Map

[Resolution - Bond Issuance Approval for Sycamore Station II Apartments](#)

[Map - Sycamore Station II Apartments](#)

29. Meeting Minutes

Action:

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

- January 10, 2023, Housing and Job Summit Day 2,
- January 17, 2023, Zoning Meeting,
- January 23, 2023, Business Meeting,
- January 30, 2023, Annual Strategy Meeting Day 1,
- January 31, 2023, Annual Strategy Meeting Day 2,
- February 6, 2023, Council Committee Discussions,
- February 9, 2023, Budget Workshop,
- February 13, 2023, Business Meeting,
- February 20, 2023, Zoning Meeting,
- February 27, 2023, Business Meeting,
- March 6, 2023, Council Committee Discussions,
- March 9, 2023, Budget Workshop,
- March 10, 2023, State Legislative Briefing,
- March 13, 2023, Business Meeting, and
- March 20, 2023, 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**30. Property Transactions - Bedfordshire Drive 7300, Parcel # 3**

Action: Approve the following Acquisition: Bedfordshire Drive 7300, Parcel # 3

Project: Bedfordshire Drive 7300, Parcel # 3

Program: Bedfordshire Drive 7300

Owner(s): Michael G. Mayer and Allison T. Mayer

Property Address: 7300 Bedfordshire Drive

Total Parcel Area: 14,998 sq. ft. (0.344 ac.)

Property to be acquired by Easements: 2,317 sq. ft. (0.053 ac.) Storm Drainage Easement, 499 sq. ft. (0.011 ac.) Sanitary Sewer Easement, and 669 sq. ft. (0.015 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Garage

Landscaping to be impacted: None

Zoned: N1-A

Use: Neighborhood 1 Zoning District

Parcel Identification Number: 211-064-03

<https://polaris3g.mecklenburgcountync.gov/xy/1463425.8705,500916.0915>

Purchase Price: \$75,000

Council District: 7

31. Property Transactions - Chestnut Hill Drive 11133, Parcel # 1

Action: Approve the following Condemnation: Chestnut Hill Drive 11133, Parcel # 1

Project: Chestnut Hill Drive 11133, Parcel # 1

Program: Chestnut Hill Drive 11133

Owner(s): Howard J. Pollino and Cynthia G. Pollino

Property Address: 11128 Chestnut Hill Drive

Total Parcel Area: 50,557 sq. ft. (1.161 ac.)

Property to be acquired by Easements: 293 sq. ft. (0.007 ac.) Existing Easement to be Accepted as Storm Drainage Easement and 1,060 sq. ft. (0.024 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: N1-A

Use: Neighborhood 1 Zoning District

Parcel Identification Number(s): 231-127-04
<https://polaris3g.mecklenburgcountync.gov/xv/1474417.5673.480775.1190>

Appraised Value: \$950

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

City's Response to Property Owner's Concerns: The city continues to negotiate with the property owner.

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: 7

Attachment(s): Map

[Map - Chestnut Hill Drive 11133, Parcel # 1](#)

32. Property Transactions - Shopton Road West Congestion Management, Parcel # 1

Action: Approve the following Acquisition: Shopton Road West Congestion Management, Parcel # 1

Project: Shopton Road West Congestion Management, Parcel # 1

Program: Shopton Road West Congestion Management

Owner(s): Kasbys, LLC

Property Address: 14040 South Tryon Street

Total Parcel Area: 44,456 Sq. Ft. (1.021 ac.)

Property to be acquired by Fee Simple: 1,801 sq. ft. (0.041 ac.) Fee Simple

Property to be acquired by Easements: 2,890 sq. ft. (0.066 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Driveway

Landscaping to be impacted: Trees and various plantings

Zoned: CG

Use: General Commercial

Parcel Identification Number(s): 199-011-03
<https://polaris3g.mecklenburgcountync.gov/pid/19901103>

Purchase Price: \$100,000

Council District: 3

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.
- 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

Adjournment

REFERENCES

33. 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.

34. 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.

35. 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.