

# **City of Charlotte**

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



## **Meeting Agenda**

**Monday, October 27, 2025**

**Council Chamber**

### **City Council Business Meeting**

*Mayor Vi Lyles  
Mayor Pro Tem Danté Anderson  
Council Member Dimple Ajmera  
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 Edwin Peacock  
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 24 through 46 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.

## **AWARDS AND RECOGNITIONS**

### **3. Crown Tree Awards**

**Action:**

Mayor Lyles will recognize recipients of the Crown Tree Awards.

### **4. Charlotte Women's Small Business Month**

**Action:**

Mayor Lyles will read a proclamation recognizing October as Charlotte Women's Small Business Month.

### **5. Disability Employment Awareness Month**

**Action:**

Mayor Lyles will read a proclamation recognizing October as Disability Employment Awareness Month.

### **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 Right-of-Way off Mecklenburg Avenue

**Action:**

- A. Conduct a public hearing to close a portion of right-of-way off Mecklenburg Avenue, and
- B. Adopt a resolution and close a portion of right-of-way off Mecklenburg Avenue.

**Staff Resource(s):**

Debbie Smith, Transportation

Leslie Bing, 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**

Priscilla K. Eich

**Right-of-Way to be Abandoned**

Portion of right-of-way off Mecklenburg Avenue

**Reason**

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

**Notification**

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

**Adjoining property owner(s)**

None

**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; or
  - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

**Attachment(s)**

Map

Resolution

[2025-001294A - Abandonment Map](#)

[2025-001294A Resolution to Close 10.27.2025](#)

## 9. Public Hearing on a Resolution to Close an Additional Portion of Old Dowd Road and a Portion of Marshall Drive

**Action:**

- A. Conduct a public hearing to close an additional portion of Old Dowd Road and a portion of Marshall Drive, and
- B. Adopt a resolution and close an additional portion of Old Dowd Road and a portion of Marshall Drive.

**Staff Resource(s):**

Debbie Smith, Transportation

Leslie Bing, 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 portions of road to be closed are located in Council District 3.

**Petitioner**

City of Charlotte - Aviation Department

**Right-of-Way to be Abandoned**

Old Dowd Road and Marshall Drive

**Reason**

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

**Notification**

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

**Adjoining property owner(s)**

None

**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; or
  - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

**Attachment(s)**

Map

Resolution

[2024-007368A - Abandonment Map](#)

[2024-007368A Resolution to Close 10.27.2025](#)

## 10. Public Hearing and Decision on Ahsul Phase 1 Voluntary Annexation

### Action:

- A. Conduct a public hearing for Ahsul Phase 1 voluntary annexation, and
- B. Adopt an annexation ordinance with an effective date of October 27, 2025, to extend the corporate limits to include this property and assign it to the adjacent City Council District 2.

### **Staff Resource(s):**

Monica Holmes, 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 this 41.746-acre "Ahsul Phase 1" site in northern Mecklenburg County. The property is located on the south side of Sunset Road, across from Edmore Boulevard, and east of Oakdale Road.
- The property is owned by Sunset Rd Investments, LLC.
- The site is currently developed with five single-family residential units which would be removed prior to redevelopment.
- The annexation area is zoned N1-A (Neighborhood 1 - A), which allows for single-family detached residential uses, duplexes, triplexes, and a limited number of other uses.
- The petitioned area consists of eight parcels: parcel identification numbers 037-041-04, 037-041-05, 037-041-06, 037-042-07, 037-042-12, 037-042-16, 037-042-17, and 037-042-18.
- 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 facilitate the development of 142 duplex units and 69 triplex 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; and
  - 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 - Ahsul Phase 1 Area Annexation](#)

[Survey - Ahsul Phase 1 Area Annexation](#)

[Ordinance - Ahsul Phase 1 Area Annexation](#)

## 11. Public Hearing and Decision on Long Creek at McClure Voluntary Annexation

### Action:

- A. Conduct a public hearing for Long Creek at McClure voluntary annexation, and
- B. Adopt an annexation ordinance with an effective date of October 27, 2025, to extend the corporate limits to include this property and assign it to the adjacent City Council District 2.

### **Staff Resource(s):**

Monica Holmes, 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 this 133.451-acre "Long Creek at McClure" site in northern Mecklenburg County. The property is located east of Brookshire Boulevard, north of Pleasant Grove Road, and south of Interstate 485.
- The property is owned by William McClure, Calvin McClure, Etta Virginia, Thomas McClure, Suzanne McClure, and Rock River Holdings, LLC.
- The site is currently developed with some single-family homes among vacant parcels. All existing structures will be removed prior to redevelopment.
- The annexation area is zoned N1-A (Neighborhood 1 - A), which allows for single-family detached residential uses, duplexes, triplexes, and a limited number of other uses.
- The petitioned area consists of 17 parcels: parcel identification numbers 033-221-03, 033-221-04, 033-221-07, 033-221-08, 033-221-09, 033-221-10, 033-221-11, 033-031-26, 033-051-37, 033-051-38, 033-031-13, 033-051-27, 033-031-12, 033-051-26, 033-051-43, 033-031-10, and 033-031-36.
- The property is located within Charlotte's extraterritorial jurisdiction and shares a boundary with current city limits.
- The intent of the annexation is to extend municipal services to the site to facilitate the development of 146 single-family detached units, 132 duplex units, and 159 triplex 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; and
  - 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 - Long Creek at McClure Annexation](#)

[Survey - Long Creek at McClure Annexation](#)

[Ordinance - Long Creek at McClure Annexation](#)

## **POLICY**

### **12. City Manager's Report**

[Passenger Vehicles for Hire presentation](#)

## 13. Citizens Review Board Requirements

### **Action:**

**Approve the Housing, Safety and Community Committee's recommendation to revise the Citizens Review Board training requirement and process response times by adopting an ordinance amending Sections 16-56 and 16-62 of the City Code of Ordinances.**

### **Committee Chair:**

Victoria Watlington, Housing, Safety and Community

### **Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

Kirk McSwain, City Clerk's Office

### **Explanation**

- The Charlotte City Council established the Citizens Review Board in 1997 to review appeals challenging Charlotte-Mecklenburg Police Department's (CMPD) disciplinary decisions.
- The Board reviews appeals filed by citizens concerning CMPD disciplinary decisions in five types of cases:
  1. Unbecoming conduct by an officer;
  2. Improper use of force by an officer;
  3. Unauthorized arrest, search, seizure by an officer;
  4. The discharge of a firearm by an officer that results in death or injury; and
  5. Arbitrary profiling (added in 2015).
- The Citizens Review Board has eleven members: three appointed by the Mayor, five appointed by City Council, and three appointed by the City Manager.
- In order to qualify to serve, a person must be a registered voter and citizen of Mecklenburg County, have no conviction or nolo contendere plea to a felony or Class A misdemeanor or Class 1 or 2 misdemeanor within three years of nomination, execute a Confidentiality Agreement, and complete the CMPD Citizens' Academy.

### **Proposed Changes**

- The proposed amendments will:
  - Revise Section 16-56 to modify annual training requirement for Citizens Review Board members from eight hours to four hours; and
  - Revise Section 16-62 to modify the required process response times from seven to 14 calendar days as follows:
    - a) The Chief of Police shall review the determination and findings of fact of the Citizens Review Board and any other information at his disposal. The Chief of Police shall take such action as he deems appropriate, consistent with state law and city policy. The Chief of Police will then, within 14 calendar days of the receipt of the Board's recommendations, report his decision to the City Manager.
    - b) The City Manager shall review the decision of the Chief of Police and, within 14 calendar days of the receipt of the decision of the chief of police, take such action as he deems appropriate, consistent with state law, and shall advise the Chief of Police of any intended action.
    - c) The City Manager shall notify all parties, including the Citizens Review Board, of the decision of the City Manager consistent with state law and city policy. The City Manager also shall advise the City Council of the outcome of the appeal. Notifications made under this subsection must be made within 14 calendar days of the date that the decision of the City Manager was initially communicated to the Chief of Police.

### **Committee Discussion**

- On August 4, 2025, during the Housing, Safety and Community (HSC) Committee meeting, the

Citizens Review Board presented requests for three changes:

- Modify the annual training requirement from eight hours to four hours given that available training is largely repetitive;
  - Allocate two scholarships for members of the board to attend the National Association for Civilian Oversight of Law Enforcement Annual Conference; and
  - Amend City Ordinance to give the Police Chief and City Manager more time to review and respond to CRB recommendations. The current response requirement is seven calendar days.
- After discussion, at the September 2, 2025, HSC Committee meeting, the committee voted to recommend two of the three Citizens Review Board requests: modify the annual training requirement and amend City Ordinance to all for more response time from the Police Chief and City Manager (vote in favor: Council Members Victoria Watlington, LaWana Mayfield, Tiawana Brown, Reneé Johnson; Council Member Dimple Ajmera was absent)

**Attachment(s)**

August 4, 2025, HSC Presentation  
Ordinance

[CRB Presentation 08.04.2025](#)

[Ordinance - Amend Chapter 16](#)

## 14. Digital Kiosks

### **Action:**

- A. Authorize the City Manager to negotiate and execute a contract with IKE Smart City, LLC to provide, implement, operate, and maintain up to 30 Digital Kiosks within city-maintained rights-of-way for a term of ten years,**
- B. Authorize the City Manager to renew the contract for up to one, ten-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contract was approved, and**
- C. Adopt an ordinance amending City Code of Ordinances Chapter 10, Article I - In General; Chapter 10, Article III - Public Health Nuisances; and Chapter 19, Article VII - Decorative Signs.**

### **Committee Chair:**

Malcolm Graham, Jobs and Economic Development

### **Staff Resource(s):**

Debbie Smith, Transportation

Brandon Brezeale, Transportation

### **Explanation**

- This contract would allow for the installation of up to 30 interactive digital kiosks to provide wayfinding, public information, free public Wi-Fi, and support for local businesses and events.
- These smart-city devices will enhance connectivity, accessibility, safety, and placemaking across key areas.
- Kiosks will be located in three Municipal Service Districts (South End, SouthPark, and University City) and six Corridors of Opportunity, aligning with the city's goals of improving digital equity, economic development, and resident/visitor experience.
- On December 19, 2024, the city issued a Request for Proposals (RFP); one response was received.
- IKE Smart City, LLC meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- IKE Smart City, LLC will cover all associated costs for the design, construction, and maintenance of the digital kiosks.
- The city will receive advertising revenue from the kiosks equal to the greater of:
  - 30 percent net advertisement revenues; or
  - \$8,000 per kiosk per year, with the minimum annual guarantee increasing ten percent after every five years.

### **Proposed Ordinance Changes**

- The proposed amendments will:
  - Revise Section 10-1 to add a definition for "digital kiosk;"
  - Revise Section 10-141 to allow digital kiosk as a form of signage in the right-of-way;
  - Revise Section 19-207 to notate decorative sign provisions contained in the Unified Development Ordinance; and
  - Revise Section 19-208 to allow for illuminated signs in the right-of-way.

### **Committee Discussion**

- At the September 2, 2025, Jobs and Economic Development (JED) Committee meeting, the committee received a presentation and discussed the opportunity to use digital kiosks as touchscreen digital signage for wayfinding, local content, and advertising.
- After discussion, at the October 6, 2025, JED Committee meeting, the committee voted unanimously to support moving forward for consideration by Council.

**Fiscal Note**

Funding: Revenues will be deposited in the General Fund.

**Attachment(s)**

October 6, 2025, JED Presentation

Ordinance

[Digital Kiosks Presentation 10.06.2025](#)

[Ordinance - Amend Chapters 10 and 19](#)

**BUSINESS****15. Municipal Agreement for Traffic Signal Upgrades at Multiple Intersections****Action:**

- A. Adopt a resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation in the amount of \$35,000 to support traffic signal upgrades at 17 intersections across the city, and**
- B. Adopt a budget ordinance appropriating \$35,000 from the North Carolina Department of Transportation to the General Capital Projects Fund.**

**Staff Resource(s):**

Debbie Smith, Transportation

David Smith, Transportation

**Explanation**

- The North Carolina Department of Transportation (NCDOT) conducted safety evaluations at multiple intersections within the city limits.
- NCDOT will fully fund the design and construction of traffic signal upgrades at 17 intersections across the city, including adding signal heads, overhead signage, backplates, and accessible pedestrian signals.
- This municipal agreement is needed to ensure the city is reimbursed by NCDOT for the review and inspection work performed supporting these projects.
- The Charlotte Department of Transportation will continue to operate this traffic signal as part of the existing signal system in the area.
- This format is consistent with past municipal agreements between the city and NCDOT.

**Fiscal Note**

Funding: NCDOT funding and General Capital Investment Plan

**Attachment(s)**

Map

Resolution

Budget Ordinance

[Map - Municipal Agreement for Traffic Signal Upgrades at Multiple Intersections](#)[Resolution - Municipal Agreement for Traffic Signal Upgrades at Multiple Intersections](#)[Budget Ordinance - Municipal Agreement for Traffic Signal Upgrades at Multiple Intersections](#)

## 16. Bond Resolution for Special Obligation Bonds and Commercial Paper Program

### **Action:**

- A. Adopt a bond resolution authorizing a Commercial Paper Program as part of the Special Obligation Bonds financing plan for Bank of America Stadium and Field House Improvements Project in a principal amount not to exceed \$650,000,000, and**
- B. Authorize city officials to take the necessary actions to complete the financings.**

### **Staff Resource(s):**

Matthew Hastedt, Finance

### **Explanation**

- On June 24, 2024, City Council authorized an agreement to contribute funding for improvements to the city-owned Bank of America Stadium using funds from the Convention Center Tax Fund. These funds are derived from hospitality and tourism taxes and are legally required to be spent on projects to support the city's tourism economy including funding and maintenance for the Convention Center, venues that seat 60,000 people or more, and amateur sports facilities. No property tax revenues or new taxes will be required.
- On October 13, 2025, City Council adopted an initial findings resolution that authorized the application to Local Government Commission (LGC) for issuance of a Commercial Paper Program as part of the Special Obligation Bonds financing plan for Bank of America Stadium and Field House improvements up to \$650,000,000 which is expected to be done in multiple tranches to allow for continuous construction period financing.
- This next step is the adoption of a bond resolution, which formally authorizes the issuance of the Commercial Paper Program as interim financing. The Commercial Paper Program will provide short-term funding in multiple tranches to match construction needs, with an initial tranche of approximately \$350,000,000 anticipated to cover the first two years of renovations. The city expects to refinance the Commercial Paper with long-term Special Obligation Bonds in two to three years.
- The permanent financing for the first tranche of approximately \$350,000,000 of renovations will be secured in long-term debt via Special Obligations bonds in two to three years.
- Special Obligation Bonds are long-term financing tools that are traditionally used for facility construction or renovation. These types of bonds are not repaid from property taxes, and the city's investment does not require any new taxes to be collected.

### **Fiscal Note**

Funding: Convention Center Debt Service Fund

### **Attachment(s)**

Bond Resolution

[Resolution - Special Obligation Bonds and Commercial Paper Program](#)

## 17. Public-Private Partnership to Restore and Redevelop Historic Excelsior Club

### **Action:**

**Authorize the City Manager to negotiate and execute a restoration reimbursement agreement in an amount not to exceed \$1,500,000 with Kennedy Property Development and Crosland Southeast, or a to-be-formed related entity, for the restoration and redevelopment of the historic Excelsior Club.**

### **Staff Resource(s):**

Shahid Rana, Economic Development

Todd DeLong, Economic Development

### **Explanation**

- The Excelsior Club, located in Council District 2, is a cultural landmark which became a sanctuary for African Americans during the era of segregation. Nestled in the heart of Washington Heights, it served as a gathering space for artists, activists, and leaders, hosting jazz greats, civil rights icons, and generations of Charlotte's Black community.
- The Excelsior Club was designated as an historic property for its special significance in terms of history, architecture, and cultural importance.
- The Excelsior Club closed in 2016 and has remained vacant since that time.
- Kennedy Property Development and Crosland Southeast (Developers), or a related entity, intend to purchase the Excelsior Club property for the purposes of redeveloping it as community and entertainment venue.
- The agreement will provide that the Developers shall submit plans to the Historic Landmarks Commission and receive approval of such plans before proceeding with any redevelopment, preservation, restoration, or replications efforts.
- The city and county have agreed to enter into a tri-party agreement to provide financial assistance to the Developers for the restoration and replication of the historic Excelsior Club façade.
- The Board of County Commissioners approved funding for up to \$1.5 million to support the restoration and preservation of the historic community amenity.
- The city's restoration reimbursement not to exceed \$1,500,000 will be funded through a combination of:
  - \$1,313,000 in revenue replacement funds made available by the Coronavirus State and Local Fiscal Recovery Fund. On November 25, 2024, Council approved the use of \$25.4 million from the Coronavirus State and Local Fiscal Recovery Fund for government services to offset lost revenue as a result of the COVID-19 public health emergency. This action resulted in \$25.4 million in one-time expenditure savings, which were transferred to the American Rescue Plan Act Fund to be used on a variety of programs; and
  - \$187,000 in Pay-As-You-Go funding appropriated for Corridors of Opportunity public-private partnership support.
- The agreement will also provide that investments from the city and county will be made as reimbursements upon the completion of specific construction milestones, ensuring accountability and preservation compliance.

### **Committee Discussion**

- The Jobs and Economic Development (JED) Committee discussed the Excelsior Club funding proposal at the September 2 and October 6, 2025, JED Committee meetings.
- On October 6, 2025, the JED Committee voted unanimously to recommend the use of \$1,500,000 of revenue replacement funds made available by the Coronavirus State and Local Fiscal Recovery Fund and Corridors of Opportunity funding to support the redevelopment of the Excelsior Club.

### **Fiscal Note**

Funding: Revenue replacement funds made available by the Coronavirus State and Local Fiscal Recovery

Fund and General Capital Investment Plan

**Attachment(s)**

September 2, 2025, JED Presentation

[Excelsior Club Presentation 09.02.2025](#)

## 18. Do Greater Partnership on Creative Lab

### **Action:**

- A. Approve the Jobs and Economic Development's recommendation to use \$750,000 to support construction costs associated with Do Greater Charlotte's North Tryon Creative Lab location, and**
- B. Authorize the City Manager or his designee to negotiate and execute an agreement with Do Greater Charlotte in an amount not to exceed \$750,000 for construction costs associated with its North Tryon Street Creative Lab.**

### **Committee Chair:**

Malcolm Graham, Jobs and Economic Development

### **Staff Resource(s):**

Sha Rana, Economic Development

Holly Eskridge, Economic Development

### **Explanation**

- Do Greater Charlotte is a non-profit that was established in 2017 to develop the next generation of entrepreneurs and innovators through access to creative technology, entrepreneurship, and workforce skills.
- Do Greater Charlotte designs, delivers, and activates entrepreneurial, creative, and innovation-based solutions to power economic mobility in underestimated communities.
- The Creative Lab Uptown will be designed to connect Uptown's economic power with under-resourced communities, creating new pathways for education, entrepreneurship, and upward mobility.
  - The Creative Lab ecosystem is a vertically integrated innovation hub where entrepreneurs on the top floor receive support and, in turn, mentor opportunity youth on the first floor who are being trained in creative workforce skills.
  - These youth then provide real services, such as design, digital media, marketing, to the entrepreneurial community while the entire space leverages the lower-level digital studio for production, collaboration, and paid service opportunities.
- The North Tryon Street Creative Lab is:
  - Located at 500 North Tryon Street,
  - Expands upon success of original Creative Lab West location,
  - Focused on ecosystem of opportunity, and
  - Provides physical space uptown with programming in entrepreneurship and innovation, creative workforce skill development, and creative technology.
- Construction is 60 percent complete and \$4 million has been secured to date through private contributions.
- The city's support of \$750,000 will come from revenue replacement funds made available by the Coronavirus State and Local Fiscal Recovery Fund (ARPA).
  - On November 25, 2024, Council approved the use of \$25.4 million from the Coronavirus State and Local Fiscal Recovery Fund for government services to offset lost revenue as a result of the COVID-19 public health emergency. This action resulted in \$25.4 million in one-time expenditure savings, which were transferred to the American Rescue Plan Act Fund to be used on a variety of programs.

### **Committee Discussion**

- Based on a committee referral from the Fiscal Year 2026 Budget Development Workshops, the Jobs and Economic Development (JED) Committee discussed the partnership opportunities at the August 4 and October 6, 2025, committee meetings.
- On August 4, 2025, the JED Committee discussed a request from Do Greater Charlotte in the

- amount of \$750,000 to support construction costs of its new North Tryon Street location.
- On October 6, 2025, the JED Committee voted unanimously to recommend the funding for The Creative Lab Uptown project be advanced for full City Council consideration of approval.
  - Council received an overview of the committee's recommendations at the October 6, 2025, City Council Committee Discussions Meeting.

**Fiscal Note**

Funding: Revenue replacement funds made available by the Coronavirus State and Local Fiscal Recovery Fund

**Attachment(s)**

August 4, 2025, JED Presentation

October 6, 2025, JED Presentation

[Do Greater Presentation 08.04.2025](#)

[Do Greater Presentation 10.06.2025](#)

## 19. Legal Fees Processing and Delegation of Settlement Authority

**Action:**

**Adopt a resolution clarifying the authority to pay city incurred legal fees and updating the delegation of settlement authority.**

**Staff Resource(s):**

Anthony Fox, Interim City Attorney

**Explanation**

- In 1995, Council delegated authority to the City Manager to award contracts and amendments that do not exceed \$100,000.
- In 1995, Council also delegated authority to the City Manager and the City Attorney to settle claims and lawsuits (including land condemnation lawsuits) when the amount involved does not exceed \$100,000 (Manager) or \$50,000 (Attorney).
- In 2018, Council updated its delegation of contract award authority to the City Manager, increasing the authority to award contracts and amendments that do not exceed \$500,000. The delegation of settlement authority has not been updated since 1995.
- Legal services are inherently related to claims and the settlement of legal disputes. Such services are often required immediately and the ability to retain the best qualified or most appropriate firm or specific attorney is of critical importance.
- The city has traditionally procured, used, and managed outside legal services flexibly based on the special, and often unique needs, of each individual legal matter. For that reason, the city's annual budget ordinance has granted the Chief Financial Officer the authority to pay legal fees specifically since 2014.
- Raising the City Attorney's settlement authority to \$100,000 would bring it in line with the Manager's settlement authority, thereby creating process consistency and efficiency.
- Affirming the delegation of authority to pay legal fees incurred by the city and specifying that these fees must be approved by the City Attorney enhances consistency and comprehensiveness of the city's processes. This action further clarifies that the delegation to pay legal fees incurred by the city is not dependent on renewal with each annual budget ordinance.

**Attachment(s)**

Resolution

[Resolution - Legal Fees Processing and Delegation of Settlement Authority](#)

## 20. Sale of City-Owned Property on Johnnette Drive for Affordable Housing

### Action:

- A. **Adopt a resolution approving the sale of 0.619 acres of city-owned property at 6048 Johnnette Drive (parcel identification number 103-221-16) to TDC Farm Pond, LLC for \$14,250, and**
- B. **Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the sale of the property.**

### **Staff Resource(s):**

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

### **Explanation**

- The city owns an approximately 0.619-acre property at 6048 Johnnette Drive (Property) in Council District 5.
- The Property was acquired by the city in 2012 and has been identified as suitable for affordable housing.
- TDC Farm Pond, LLC (Buyer), a North Carolina limited liability company and affiliate of The Drakeford Company, desires to obtain the Property to combine it with adjacent contiguous parcels consisting of approximately 19 acres to develop a residential project currently known as the Harvest Hill Drive Subdivision (Development).
- At the Buyer's request, City Council approved rezoning (RZP-2024-072) of the Development, including the Property, to N1-D(CD) on March 17, 2025; a community meeting about the Development was held as part of the rezoning process.
- An appraisal of the Property on July 6, 2023, established a fair market value of \$28,500.
- Staff supports the sale of the Property for affordable housing subject to certain terms and conditions:

#### Affordable Housing Terms

- The Development will provide two for-sale affordable housing units for households earning at or below 80 percent of the area median income at prices not to exceed the then-applicable House Charlotte sales price limit (Affordable Units);
- The Affordable Units shall have an affordability period of 15 years;
- The Affordable Units must be among the first 55 units built within the overall Development; and
- The Affordable Units shall be available for occupancy no later than September 30, 2027, with the option to extend this date for two consecutive 180-day terms or the Property shall revert to the city upon request for \$1.00.

#### Other Terms

- Purchase price: \$14,250;
- Earnest money deposit: \$1,425;
- Due diligence period of 90 days; and
- Closing to occur within 30-days from the end of the due diligence period.

### **Background**

- As part of the mandatory referral process, the Planning Commission reviewed the Property on February 17, 2025, and had no comments.
- This action is consistent with the goals of the Housing Charlotte Framework, Anti-Displacement Strategy, and Affordable Housing Funding Policy to create and expand the supply of high-quality affordable housing homeownership opportunities including leveraging city-owned land for this purpose. It is also consistent with the City-Owned Real Estate and Facilities Policy and Guidelines

for Evaluation and Disposition of City-Owned Land for Affordable Housing.

**Fiscal Note**

Funding: Proceeds from the sale will be deposited in the Pay-As-You-Go (PAYGO) Fund.

**Attachment(s)**

Map

Resolution

[Map - City-Owned Property on Johnnette Dr](#)

[Resolution - Sale of City-Owned Property on Johnnette Dr](#)

## 21. Affordable Housing Development Support Requests

### **Action:**

- A. Approve up to \$13,712,000 in Housing Trust Fund allocations for the following affordable housing developments contingent upon their receiving a Low-Income Housing Tax Credit award from the North Carolina Housing Finance Agency, where applicable:**
- **Kendall Crossing Apartments, \$4,975,000 (four percent Low-Income Housing Tax Credit) in Council District 3,**
  - **River District Apartments, \$900,000 (non- Low-Income Housing Tax Credit) in Council District 3,**
  - **Weddington Road Apartments, \$3,990,000 (four percent Low-Income Housing Tax Credit) in Council District 7,**
  - **Aveline at Newell Townhomes, \$702,000 (Homeownership) in Council District 4,**
  - **Unity Oaks, \$1,395,000 (Homeownership) in Council District 4,**
  - **Ellington Townhomes, \$1,750,000 (Homeownership) in Council District 1,**
- B. Approve up to \$2,000,000 in Housing Trust Fund allocations for the Dream Center Campus (Transitional Housing) in Council District 1,**
- C. Approve up to \$4,250,000 in Housing Trust Fund allocations for the Mecklenburg County hotel conversion (Non-Congregate Shelter) in Council District 2, and**
- D. Authorize the City Manager or his designee to execute, amend, modify, and renew contracts and other required documents to complete the transactions.**

### **Staff Resource(s):**

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

### **Explanation**

- On June 13, 2025, the city issued a Housing Development Funding Request for Proposals (RFP) to aid in the production of affordable housing units. This is the second RFP since Council's adoption of the Affordable Housing Funding Policy.
- In response to the RFP, eight proposals were received seeking various types of gap financing support including four percent tax credits from the North Carolina Housing Finance Agency (NCHFA). Three of the proposals (River District Apartments, Weddington Road Apartments, and Aveline at Newell Townhomes) have existing Housing Trust Fund commitments and are requesting additional city support to help cover new financing gaps.
- Approval of the recommended Housing Trust Fund allocations will add 272 affordable and workforce rental housing units, 120 affordable homeownership units, and 70 transitional housing units and shelter beds to the city's existing supply.
- The recommended developments meet all submission requirements, including land use and rezoning approvals where applicable. Additionally, the evaluation process included assessing the proposals for alignment with Council policies, goals, and priorities including the Affordable Housing Funding Policy, ensuring developer experience, achieving long-term affordability, creating mixed-income opportunities in areas of opportunity, and maximizing the leverage of available resources.
- The NCHFA will base their final tax credit awards on variables such as market demand and local housing needs, ability to serve qualified residents for the longest affordability period, design and quality of construction, and financial structure and long-term viability.

### **City Council Discussion**

- The Housing, Safety and Community Committee received a briefing at its October 6, 2025, Committee meeting.
- City Council received staff funding recommendations including Housing Trust Fund allocations at their October 6, 2025, meeting, and received follow-up information on the supportive housing proposals at their October 13, 2025, meeting.

**Charlotte Business INclusion**

All Housing Trust Fund funded housing projects and their developers are subject to MWSBE goals determined based on the amount of city funding allocation received.

**Fiscal Note**

Funding: Housing Trust Fund

**Attachment(s)**

October 6, 2025, Council Presentation

October 13, 2025, Council Presentation

[HTF Presentation 10.06.2025](#)

[HTF Presentation 10.13.2025](#)

## **22. Mayor and City Council Topics**

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

## **23. Closed Session (as necessary)**

## CONSENT

### 24. Non-Profit Partner Funding for Single-Family Housing Rehabilitation

**Action:**

- A. Approve a contract in an amount not to exceed \$2,200,000 with Habitat for Humanity of the Greater Charlotte Region for single-family housing rehabilitation for a term of one year, and**
- B. Authorize the City Manager or his designee to renew the contract for up to one, one-year term and to negotiate, modify, and amend the contract consistent with the purpose for which it was approved.**

**Staff Resource(s):**

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

**Explanation**

- The need for housing rehabilitation services outpaces the city's ability to respond to every request. To help address this, on August 22, 2025, the city issued a Request for Qualifications (RFQ) to rehabilitate single-family housing units of qualified low- and moderate-income households.
- In response to this RFQ, one proposal was received that met the RFQ's minimum requirements.
- The proposed funding will assist in the rehabilitation of 55 homes owned by low- and moderate-income homeowners.
- Repairs will focus on increasing the useful life of the structure and homeowner safety. Repairs typically include heating, ventilation, air conditioning, plumbing, electrical, and roofing systems along with safety improvements to flooring, stairs, and the installation of ramps.
- This partnership enhances the impact of the city's investment and enables a more effective response to housing rehabilitation needs that would otherwise surpass the city's available resources.

**Background**

- Each year, the city receives Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). The funds are designed to provide a broad range of assistance for low- and moderate-income residents. In fiscal year (FY) 2026, the city received \$5,741,754 in CDBG funding.
- On June 23, 2025, City Council adopted the city's U.S. Department of Housing and Urban Development's FY 2026 Annual Action Plan (Plan), which sets forth the city's strategy for the use of federal funds in providing housing and community development activities, including home rehabilitation services.
- This action supports the Neighborhood Equity and Stabilization (NEST) Commission recommendations, the city's Anti-Displacement Strategy and Plan, and the goals and priorities of the city's Affordable Housing Funding Policy.

**Charlotte Business INclusion**

This contract is subject to HUD requirements and is exempt from the CBI Program.

**Fiscal Note**

Funding: Community Development Block Grant

## 25. School Zone Flashing Light Equipment

### **Action:**

- A. Approve the purchase of school zone flasher equipment by sole source exemption,**
- B. Approve a contract with J.O. Herbert Company Inc. for the purchase of school zone flasher equipment for a term of three years, and**
- C. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Debbie Smith, Transportation  
Geoffrey Sloop, Transportation

### **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 there is only one vendor that can supply the required equipment.
- City Council approval is required for any purchases made under the sole source exemption.

### **Explanation**

- The Charlotte Department of Transportation (CDOT) operates and maintains over 200 school zone flashers for reduced speed zones throughout the city.
- This equipment is the only equipment compatible with the existing system used by CDOT for communication with the school zone flashers.
- Annual expenditures are estimated to be \$75,000.

### **Charlotte Business INclusion**

Sole sourcing was required for this contract because there is only one vendor that can supply the required commodities. 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 Section 143-129(e)(3).

### **Fiscal Note**

Funding: General Capital Investment Plan

## 26. Firehouse #20 Expansion Project

### **Action:**

- A. Reject the low bid submitted by G. W. Liles Construction Co., Inc. for Firehouse #20 Expansion Project, and**
- B. Approve a contract in the amount of \$1,099,047.75 to the lowest responsive, responsible bidder Walter B. Davis Company (MBE) for the Firehouse #20 Expansion Project.**

### **Staff Resource(s):**

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

### **Explanation**

- The Firehouse #20 Expansion Project is located at 9400 Nations Ford Road in Council District 3.
- The project will support the addition of a ladder company at the firehouse.
- The project includes:
  - Construction of a new 800 square-foot, single-story addition to house the captain's office and the battalion chief's bedroom and locker room;
  - Interior renovations to the existing kitchen, dining room, day room, pantry, laundry room, watch room, and restrooms; and
  - The addition of new parking spaces.
- The project was identified as part of the Construct Fire Facilities Program and approved in the Fiscal Year 2025 Budget.
- On August 6, 2025, the city issued an Invitation to Bid; eight bids were received.
- Walter B. Davis Company was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the fourth quarter of 2026.

### **Reject Low Bid Explanation**

The low bid from G.W. Liles Construction Co., Inc. in the amount of \$1,089,000 was found to be non-responsive due to noncompliance with the Charlotte Business INclusion (CBI) Program.

### **Charlotte Business INclusion**

Walter B. Davis Company is a city certified MBE.

Established MBE Goal: 4.00%

Committed MBE Goal: 4.99%

Walter B. Davis Company exceeded the established contract goal and has committed 4.99% (\$54,500) of the total contract amount to the following certified firm(s):

- G&Y Masonry Inc. (MBE) (\$54,500) (masonry)

Established WSBE Goal: 7.00%

Committed WSBE Goal: 7.32%

Walter B. Davis Company exceeded the established contract goal and has committed 7.32% (\$80,492) of the total contract amount to the following certified firm(s):

- Agua Source LLC (MBE, SBE) (\$78,650) (plumbing)
- AOA Signs Inc. (WBE) (\$1,842) (signs)

### **Fiscal Note**

Funding: General Capital Investment Plan

## 27. Heavy-Duty Refuse Truck and Street Sweeper Maintenance and Repair

### **Action:**

- A. **Approve contracts for heavy-duty refuse truck and street sweeper maintenance and repairs for a term of three years with the following:**
- **Atlantic Emergency Solutions,**
  - **Carolina Environmental Systems,**
  - **Joe Johnson Equipment,**
  - **On-The-Go-Fleet Services,**
  - **TLG Peterbilt Charlotte, 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 Division requires comprehensive maintenance and repair services for heavy-duty refuse trucks and street sweepers operated by the city.
- These contracts will include, but are not limited to, maintenance, repair, diagnostic, and warranty services on all heavy-duty refuse trucks and street sweeper trucks.
- On June 16, 2025, the city issued a Request for Proposals (RFP); seven responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$730,000.

### **Charlotte Business INclusion**

Contract goals were not established for this contract because there were no certified MWSBEs available within the city's database capable of performing the required work or providing the necessary goods. This determination was made based on a comprehensive search by CBI and relevant departments, utilizing the city's vendor registration system, relevant market research, and an assessment of the work required by the contract.

### **Fiscal Note**

Funding: Fleet Management Operating Budget

## 28. Real Estate Legal Services

### **Action:**

- A. Approve unit price contracts for real estate legal services for a term of three years with the following:**
- **Bryson Legal Services, PLLC,**
  - **Cranford, Buckley, Schultze, Tomchin, Allen & Buie, PA,**
  - **Legal Title Research,**
  - **Miller & Hall, PA, 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

Gregory Crawford, General Services

### **Explanation**

- Real estate-related legal services are required for all Capital Investment Plan projects.
- These contracts will include title search, closing, and condemnation services.
- On July 30, 2025, the city issued a Request for Proposals (RFP); six responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Projects will be assigned to firms on a work-order basis using unit prices in the contract.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$1,200,000.

### **Charlotte Business INclusion**

This contract is for specialized legal services that are exempt from the CBI Program.

### **Fiscal Note**

Funding: General Capital Investment Plan and CATS Capital Investment Plan

## 29. Flow Monitoring Services

### **Action:**

- A. **Approve a contract with CHA Consulting, Inc. for flow monitoring services for a term of three years, and**
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Keri Cantrell, Charlotte Water

### **Explanation**

- This contract provides for the supply, installation, maintenance, monitoring, and reporting of flow meters and rain gauges at temporary and permanent locations throughout the sanitary sewer system.
- Flow monitoring is a vital component of regulatory compliance that ensures adequate sanitary sewer system capacity is maintained.
- On July 8, 2025, the city issued a Request for Proposals (RFP); four responses were received.
- CHA Consulting, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$800,000.

### **Charlotte Business INclusion**

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

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

### **30. Franklin Water Treatment Plant Clearwell Improvements Contract Amendment**

**Action:**

**Approve a contract amendment for up to \$2,000,000 to the contract with Sanders Utility Construction Co., Inc. for the Franklin Water Treatment Clearwell Improvements project.**

**Staff Resource(s):**

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Chuck Bliss, Charlotte Water

**Explanation**

- On July 10, 2023, City Council approved a contract with Sanders Utility Construction Co., Inc. for \$66,741,735 to install new piping, valves, and fittings at the Franklin Water Treatment Plant (WTP) (Council District 2) to optimize the treatment process.
- After the contract was already in place, leaks were discovered from an existing piping infrastructure within the WTP.
- This amendment is required as a result of the immediate need to fix the leaks and mitigate additional damage.
- The work under this amendment is for emergency fixes that were not known at the time of the original contract.
- The new total value of the contract including the contract amendment is approximately \$68,000,000.

**Charlotte Business INclusion**

The contract with Sanders Utility Construction Co., Inc. has a MWSBE project commitment of 6.00%. All additional work involved in this contract amendment will be performed by Sanders Utility Construction Co., Inc. and their existing subcontractors.

**Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

## 31. Designated Aviation Channeler Services

### **Action:**

- A. Approve a contract with TELOS Identity Management Solutions, Inc. for airport credentialing designated aviation channeler services for a term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Haley Gentry, Aviation

Jerome Woodard, Aviation

### **Explanation**

- Charlotte Douglas International Airport Credentialing Office is required to provide regulatory compliant services to the growing airport badged population of 21,000.
- The Credentialing Office utilizes a TSA-approved designated aviation channeler (DAC) to facilitate the processing and vetting of over 45,000 badge holders annually. The DAC services utilized by the Credentialing Office are operationally essential to ensure a regulatory compliant workforce as required under 49 CFR Part 1542.
- On May 29, 2025, the city issued a Request for Proposals (RFP); two responses were received.
- TELOS Identity Management Solutions, LLC best meets the city's needs in terms of 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 \$300,000.

### **Charlotte Business INclusion**

Contract goals were not established for this contract because there were no certified MWSBEs available within the city's database capable of performing the required work or providing the necessary goods. This determination was made based on a comprehensive search by CBI and relevant departments, utilizing the city's vendor registration system, relevant market research, and an assessment of the work required by the contract.

### **Fiscal Note**

Funding: Aviation Operating Budget

## 32. Airport Utility Relocation Reimbursement Agreement

### **Action:**

- A. **Authorize the City Manager to execute a reimbursement agreement with Duke Energy Carolinas, LLC for the relocation of utilities for the Fourth Parallel Runway South End-Around Taxiway project, and**
- B. **Authorize the City Manager to amend the agreement consistent with the purpose for which the agreement was approved.**

### **Staff Resource(s):**

Haley Gentry, Aviation  
Jack Christine, Aviation

### **Explanation**

- The Fourth Parallel Runway Program will enhance airfield capacity and operational efficiency and reduce the number of active runway crossings.
- The South End-Around Taxiway project includes the construction of a new taxiway that will provide aircraft the ability to continuously taxi around the south end of the two center runways and associated airside and landside elements in preparation for the future Runway 1C-19C.
- This reimbursement agreement will relocate the overhead utilities into an underground duct bank system.
- The city will reimburse Duke Energy Carolinas, LLC for the cost of the work, which is estimated to be \$5,529,941.

### **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. Duke Energy Carolinas, 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 Capital Investment Plan

### 33. Airport Parking Online Booking System

**Action:**

- A. **Approve contract amendment #1 for a term of three years and four months with KMP Associates, Ltd. t/a Aero Parker to continue providing an online parking reservation system and support services,**
- B. **Authorize the City Manager to amend contract consistent with the purpose for which the contract was approved, and**
- C. **Authorize the City Manager to purchase additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the city uses the system.**

**Staff Resource(s):**

Haley Gentry, Aviation

Ted Kaplan, Aviation

**Explanation**

- On March 25, 2019, City Council approved a contract with Aero Parker to provide a parking reservation system and supporting commercial management services which include marketing, digital optimization, customer support services, and product yield management.
- 45 percent of all parking transactions are made via the online booking system, averaging around one million transactions annually.
- Due to the overall success of the system and the significant investment into its deployment and integration with the Airport's parking control system and website, the Airport is recommending a three-year and four-month contract extension to the existing term which currently expires on November 9, 2025, allowing the term of the contract to align with the needs of the business.
- The total value of the contract amendment is estimated to be \$2,415,543.

**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. KMP Associates, Ltd. 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

## 34. Airport Passenger Satisfaction Survey Services

### **Action:**

- A. **Authorize the City Manager to negotiate and execute the contract with Bracey Associates, LLC to provide comprehensive passenger satisfaction survey services for a term of three years, and**
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Haley Gentry, Aviation

Ted Kaplan, Aviation

### **Explanation**

- Since 2008, the Airport has contracted for the creation and execution of face-to-face surveys for passengers in the terminal facility, facilitation of local passenger focus groups, and the comprehensive analysis of the data collected from these sessions.
- This contract will allow the Airport to continue this feedback program, helping the Airport meet passengers' needs by providing managers and stakeholders with useful performance data that can be used to enhance the customer experience and to plan for future investments.
- On June 23, 2025, the city issued a Request for Proposals (RFP); ten responses were received.
- Bracey Associates, 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 \$143,950.

### **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. Bracey Associates, 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

## 35. Survey Services

### **Action:**

- A. Authorize the City Manager to negotiate and execute contracts for survey services for a term of three years with the following:**
- EurekaFacts LLC,
  - DG Insights, 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):**

Cheryl Wright, Contracting and Procurement

### **Explanation**

- The city periodically conducts resident and employee surveys to measure perceptions, awareness, satisfaction, and effectiveness of city communications and services in many different areas.
- On July 29, 2025, the city issued a Request for Proposals (RFP); twelve responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$500,000.

### **Charlotte Business INclusion**

The city negotiates subcontracting participation after the proposal selection process. The specific tasks and subcontracting opportunities associated with this contract are undefined; however, each Prime consultant has identified certified firms to be utilized as the contract evolves and the scopes of work are defined:

#### EurekaFacts LLC

- First Class Presort, Inc. (MBE) (10.00%) (printing and mailing of surveys)

#### DG Insights

- AFJ Consulting (MBE) (survey design, instrument development, and reports)

### **Fiscal Note**

Funding: Various Departments' Operating Budgets

## 36. Refund of Property Taxes

**Action:**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$38,375.12.

**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 10.27.2025](#)

[Resolution - Refund of Property Taxes 10.27.2025](#)

## 37. Land Acquisition for Tree Canopy Preservation Program

### **Action:**

- A. Approve the purchase of an approximately 0.171-acre parcel located at Justice Avenue (parcel identification number 077-089-05) in the amount of \$42,500,**
- B. Authorize the City Manager, or his designee, to grant a conservation easement to the Catawba Lands Conservancy, and**
- C. Authorize the City Manager to negotiate and execute all documents necessary to complete this transaction.**

### **Staff Resource(s):**

Monica Holmes, Planning, Design, and Development

Tim Porter, Planning, Design, and Development

Tara Moore, Planning, Design, and Development

### **Explanation**

- The city approached the owner of this property to determine interest in selling for the Tree Canopy Preservation Program (TCPP). The property is located on Justice Avenue in Council District 1.
- The city is currently working to acquire several additional parcels along Justice Avenue and already owns several properties west of the site along Atando Avenue.
- The parcel is zoned N1-D (Neighborhood 1).
- The terms of the sale include:
  - Purchase price of \$42,500, including \$2,500 earnest money deposit paid within five days of execution, and to be applied to the purchase price at closing;
  - 60-day due diligence period; and
  - 30-days to close.
- On April 15, 2025, the Planning Committee reviewed the proposed land acquisition and had no comments.
- The city may grant a conservation easement to the Catawba Lands Conservancy to ensure stewardship of the tree canopy and monitoring of the property in perpetuity. Catawba Lands Conservancy determines whether they would like to collaborate on an easement.
- The property contains high quality mature hardwood forest and other native, beneficial species. Protection of the site will benefit a diversity of resident and migratory wildlife and help to protect the water quality of the local watershed.
- The 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 TCPP 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 to pay into the Tree Conservation account, housed under the Neighborhood Development Grants Fund and administered by 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.
- To date, the TCPP has acquired and preserved more than 430 acres of land, which is double what developers would have been required to protect under the on-site tree save option.
- The 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](#)

## 38. INLIVIAN Housing Revenue Bond Issuance Approval for 3119 West Boulevard Apartments

**Action:**

Adopt a resolution granting INLIVIAN's request to issue new multi-family housing revenue bonds in an amount not to exceed \$40,725,000 to finance the development of an affordable housing development known as 3119 West Boulevard Apartments.

**Staff Resource(s):**

Rebecca Hefner, Housing and Neighborhood Services

Warren Wooten, Housing and Neighborhood Services

**Explanation**

- The 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 the 3119 West Boulevard Apartments, a 238-unit new construction affordable housing development to be developed, owned, and operated by Roers Charlotte Apartments II, LLC, a North Carolina limited liability company (Developer) or an affiliated or related entity.
- The development will be located on approximately 13 acres at 3119 West Boulevard (parcel identification number 143-081-08) in Council District 3 and will serve households earning up to 80 percent of the area median income.
- The INLIVIAN bonds in an amount not to exceed \$40,725,000 will be used to finance land acquisition and construction of the development.
- There is no Housing Trust Fund allocation or other city financial support affiliated with this development.

**Background**

- The Developer applied for four percent low-income housing tax credits and a housing bond allocation capacity from the North Carolina Housing Finance Agency (NCHFA) to help finance the land acquisition and construction of the Development, both of which received approval from the NCHFA.
- Tax credit and bond allocations are subject to federal income limits and 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 an interest. The INLIVIAN Board of directors approved the issuance of the multi-family housing revenue bonds on October 15, 2024.

**Attachment(s)**

Map

Resolution

[Map - 3119 West Boulevard Apartments](#)

[Resolution - INLIVIAN Approval for 3119 West Boulevard Apartments](#)

## 39. Meeting Minutes

**Action:**

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

- September 2, 2025, Council Committee Discussions,
- September 15, 2025, Zoning Meeting, and
- September 22, 2025, Business Meeting.

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

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

## 40. Set a Public Hearing on Emerson Pond Voluntary Annexation

**Action:**

**Adopt a resolution setting a public hearing for November 24, 2025, for the Emerson Pond Area voluntary annexation petition.**

**Staff Resource(s):**

Monica Holmes, Planning, Design, and Development

Holly Cramer, Planning, Design, and Development

Emma Knauerhase, Planning, Design, and Development

**Explanation**

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 32.3-acre "Emerson Pond" site is in eastern Mecklenburg County. The property is located along the south and east sides of Faires Road and north of Plaza Road Extension.
  - The property is owned by Michael S. Williams and Karen M. Williams.
  - The site is currently undeveloped and has existing structures that will be demolished prior to redevelopment.
  - The petitioner, NVR, Inc., has plans to redevelop the site with 120 duplex and triplex units.
  - The property is zoned N1-A (Neighborhood 1 - A), which allows for single-family detached residential uses, as well as duplexes, triplexes, and a limited number of other uses.
  - The property is located immediately adjacent to Council District 5.
  - The petitioned area consists of three parcels: parcel identification numbers 105-222-11, 105-222-29, and 105-222-30.

**Consistency with City Council Policies**

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

**Attachment(s)**

Map

Resolution

[Map - Emerson Pond Annexation](#)

[Resolution - Emerson Pond Annexation](#)

## 41. Set a Public Hearing on Garrison Industrial Phase 2 Voluntary Annexation

**Action:**

**Adopt a resolution setting a public hearing for November 24, 2025, for Garrison Industrial Phase 2 Area voluntary annexation petition.**

**Staff Resource(s):**

Monica Holmes, Planning, Design, and Development

Holly Cramer, Planning, Design, and Development

Emma Knauerhase, Planning, Design, and Development

**Explanation**

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares boundaries with current city limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 1.9917-acre "Garrison Industrial Phase 2" site is in western Mecklenburg County. The property is located along the east side of Garrison Road, west of Interstate 485, and south of West Boulevard.
  - The property is owned by Garrison Road Holding, LLC.
  - The site is occupied by one dwelling unit that will be removed prior to redevelopment.
  - The petitioner has plans to redevelop the site with approximately 20,000 square feet of light industrial uses.
  - The property is zoned I-1(CD) ANDO (light industrial, conditional, airport noise disclosure overlay) which allows for activities like manufacturing, processing, assembly, and warehousing of goods, with conditional standards.
    - Rezoning Petition 2019-173 rezoned this site and a larger area in February 2021 from R-3 AIR LLWPA (single-family residential, airport noise overlay, Lower Lake Wylie Protected Area) to I-1(CD) AIR LLWPA (light industrial, conditional, airport noise overlay, Lower Lake Wylie Protected Area). The site's entitlements under the approved conditional plan allow 1,450,000 square feet gross floor area of light industrial uses.
  - The property is located immediately adjacent to Council District 3.
  - The petitioned area consists of two parcels: parcel identification numbers 141-181-19 and 141-291-07.

**Consistency with City Council Policies**

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

**Attachment(s)**

Map

Resolution

Rezoning Petition 2019-173 Approved Site Plan

[Map - Garrison Industrial Phase 2 Annexation](#)

[Resolution - Garrison Industrial Phase 2 Annexation](#)

[RZP 2019-173 Approved Site Plan](#)

## 42. Set a Public Hearing on River South Voluntary Annexation

**Action:**

**Adopt a resolution setting a public hearing for November 24, 2025, for River South Area voluntary annexation petition.**

**Staff Resource(s):**

Monica Holmes, Planning, Design, and Development

Holly Cramer, Planning, Design, and Development

Emma Knauerhase, Planning, Design, and Development

**Explanation**

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares boundaries with current city limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 119.397-acre "River South" site is in western Mecklenburg County. The property is located along the Catawba River, on both the east and west sides of Dixie River Road near Garrison Road.
  - The property is owned by DRB Group North Carolina LLC.
  - The site is currently vacant.
  - The petitioner has plans to redevelop the site with 241 residential units, including 100 attached townhouses and 141 detached single-family dwellings.
    - The property is zoned MX-2 INNOV (mixed use, innovative), which allows for a mixture of residential uses.
    - Rezoning Petition 2016-056 for the River District rezoned this site and larger area in November 2016 from R-3, R-5, R-3 (MH-O), and I-1 to MUDD-O and MX-2 INNOV. The site's entitlements under the approved conditional plan allow development of a master planned community. The proposed development in its entirety includes office, commercial, multi-family residential, single-family residential, and institutional uses.
  - The property is located immediately adjacent to Council District 3.
  - The petitioned area consists of three parcels: parcel identification numbers 113-291-08, 113-321-01, and 141-281-01.

**Consistency with City Council Policies**

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

**Attachment(s)**

Map

Resolution

Rezoning Petition 2019-173 Approved Site Plan

[Map - River South Area Annexation](#)

[Resolution - River South Area Annexation](#)

[RZP 2016-056 Approved Site Plan](#)

## CONSENT - PROPERTY TRANSACTIONS

### 43. Aviation Property Transactions - Airport Drive, Ashley Circle, Eaton Circle, and South Airline Street

**Action:** Approve the following Acquisition: Airport Drive, Ashley Circle, Eaton Circle, and South Airline Street

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:** Aviation Master Plan

**Owner(s):** STM Charlotte 3, LLC

**Property Address:** 5325 Airport Drive; 4443, 4535, 4720, 4800, 4814, 4820, 4826, 4834, 4835, 4823, 4910, and 5000 Ashley Circle; 5333 Eaton Circle; and 5315 South Airline Street

**Total Parcel Area:** 654,271 sq. ft. (15.02 ac.)

**Structures/Improvements to be impacted:** Single- and multi-family homes

**Landscaping to be impacted:** Grass and small shrubs

**Zoned:** N1-B & N2-B

**Use:** Single-family residential and multi-family residential

**Parcel Identification Number(s):** 115-062-02, 115-062-03, 115-062-04, 115-062-05, 115-063-06, 115-071-01, 115-071-02, 115-072-01, 115-072-02, 115-074-01, 115-074-02, 115-074-03, 115-074-04, 115-074-05, 115-074-06, and 115-074-08

<https://polaris3g.mecklenburgcountync.gov/pid/11506202>

<https://polaris3g.mecklenburgcountync.gov/pid/11506203>

<https://polaris3g.mecklenburgcountync.gov/pid/11506204>

<https://polaris3g.mecklenburgcountync.gov/pid/11506205>

<https://polaris3g.mecklenburgcountync.gov/pid/11506306>

<https://polaris3g.mecklenburgcountync.gov/pid/11507101>

<https://polaris3g.mecklenburgcountync.gov/pid/11507102>

<https://polaris3g.mecklenburgcountync.gov/pid/11507201>

<https://polaris3g.mecklenburgcountync.gov/pid/11507202>

<https://polaris3g.mecklenburgcountync.gov/pid/11507401>

<https://polaris3g.mecklenburgcountync.gov/pid/11507402>

<https://polaris3g.mecklenburgcountync.gov/pid/11507403>

<https://polaris3g.mecklenburgcountync.gov/pid/11507404>

<https://polaris3g.mecklenburgcountync.gov/pid/11507405>

<https://polaris3g.mecklenburgcountync.gov/pid/11507406>

<https://polaris3g.mecklenburgcountync.gov/pid/11507408>

**Purchase Price:** \$8,043,600 and all relocation benefits in compliance with federal, state, or local regulations

**Council District:** 3

## 44. Aviation Property Transactions - 7606 Christie Lane

**Action:** Approve the following Acquisition: 7606 Christie 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 Federal Aviation Administration Reimbursement.

**Project:** Aviation Master Plan

**Owner(s):** Antoine Robinson

**Property Address:** 7606 Christie Lane

**Total Parcel Area:** 3,942.18 sq. ft. (0.905 ac.)

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Minimal shrubs and small/medium bushes

**Zoned:** N1-A

**Use:** Single-family residential

**Parcel Identification Number(s):** 141-211-10

<https://polaris3g.mecklenburgcountync.gov/pid/14121110>

**Purchase Price:** \$426,000

**Council District:** 3

## 45. Aviation Property Transactions - 7724 Cooper Lane

**Action:** Approve the following Acquisition: 7724 Cooper 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:** Aviation Master Plan

**Owner(s):** Michael Nester Duke, Phyllis K. Duke, and Brandon U. Duke

**Property Address:** 7724 Cooper Lane

**Total Parcel Area:** 49,440.6 sq. ft. (1.135 ac.)

**Structures/Improvements to be impacted:** Single-family home

**Landscaping to be impacted:** Minimal bushes and small shrubs

**Zoned:** N1-A

**Use:** Single-family residential

**Parcel Identification Number(s):** 141-104-06

<https://polaris3g.mecklenburgcountync.gov/pid/14110406>

**Purchase Price:** \$409,000

**Council District:** 3

## 46. Aviation Property Transactions - 8200 Douglas Drive

**Action:** Approve the following Acquisition: 8200 Douglas Drive

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:** Aviation Master Plan

**Owner(s):** Melissa A. Melendez

**Property Address:** 8200 Douglas Drive

**Total Parcel Area:** 30,012.84 sq. ft. (0.689 ac.)

**Structures/Improvements to be impacted:** Single-family home

**Landscaping to be impacted:** Minimal bushes and small shrubs

**Zoned:** N1-A

**Use:** Single-family residential

**Parcel Identification Number(s):** 141-224-08

<https://polaris3g.mecklenburgcountync.gov/pid/14122408>

**Purchase Price:** \$347,000

**Council District:** 3

## Adjournment

## REFERENCES

### 47. 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.

## 48. 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.

## 49. 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.