

City of Charlotte

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



Meeting Agenda

Monday, April 27, 2020

**Charlotte Mecklenburg Government Center, CH-14
(Virtual Meeting)**

City Council Business Meeting

Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Malcolm Graham
Council Member Reneé Johnson
Council Member James Mitchell
Council Member Matt Newton
Council Member Victoria Watlington
Council Member Braxton Winston II

**5:00 P.M. CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, CH
14**

Call to Order

Introductions

Invocation

Pledge of Allegiance

PUBLIC FORUM

1. Public Forum

2. 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, and staff will provide responses.

3. Agenda Overview

4. Closed Session (as necessary)

5. Consent agenda items 19 through 85 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

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

POLICY

6. City Manager's Report

- COVID-19 Response Update
- Department of Justice Grant Award for Republican National Convention

7. Ordinance to Govern Permitting of Events on Public Property for the Republican National Convention

Action:

Adopt an ordinance authorizing the City Manager or his designee to implement content-neutral permitting procedures for allocating City streets and City property during the 2020 Republican National Convention

Staff Resource(s):

Patrick Baker, City Attorney's Office

Explanation

- The Republican National Convention (the "RNC"), to be held in Charlotte from August 24, 2020, through August 27, 2020, is expected to bring many visitors to Charlotte. Some of these visitors will want to participate in parades, protests, public assemblies, and similar activities on public streets and other City properties.
- As a result, there may be significant, and sometimes conflicting, demands for use of City-controlled public spaces during the RNC.
- Special procedures, such as lotteries, may be necessary or useful for fairly and transparently allocating limited public spaces for the RNC and for easing the administrative burden on City staff in allocating those spaces. Convention-specific procedures were used successfully by Charlotte for permitting during the 2012 DNC and have been used by other cities hosting national political conventions.
- This ordinance would expressly authorize the City Manager or his designee to implement RNC-specific permitting procedures for City-controlled public spaces. These procedures would be limited to those that help allocate limited public space. This ordinance would not authorize the City Manager or his designee to impose any other types of requirements or restrictions on events during the RNC.
- This ordinance confirms that any RNC-specific permitting procedures implemented by the City Manager or his designee must be reasonable, content-neutral (meaning that these procedures will apply without regard to the views that a permit applicant wants to express), and otherwise in compliance with all state and federal laws.
- This ordinance would authorize the City Manager or his designee to apply these RNC-specific permitting procedures only to events happening during the period from the third day before the RNC officially opens until the third day after the RNC officially closes.

Attachment(s)

Ordinance

[RNC permitting ordinance](#)

BUSINESS**8. FY 2020 Republican Presidential Candidate Nominating Convention Grant****Action:**

- A. Authorize the Mayor to accept an 18-month 2020 Republican Presidential Candidate Nominating Convention grant in the amount of \$50,000,000 from the Bureau of Justice Assistance within the United States Department of Justice, Office of Justice Programs, and**
- B. Adopt a budget ordinance appropriating \$50,000,000 from the Bureau of Justice Assistance within the United States Department of Justice, Office of Justice Programs for the 2020 Republican Presidential Candidate Nominating Convention.**

Staff Resource(s):

Kerr Putney, Police
Mike Adams, Police
Steven Brochu, Police

Explanation

- The City of Charlotte/Charlotte-Mecklenburg Police Department (CMPD) was invited to submit an application for funding to support law enforcement activities being provided in association with the 2020 Republican Presidential Candidate Nominating Convention to be held August 24-27, 2020.
- The City of Charlotte/CMPD was awarded grant funds in the amount of \$50,000,000 on March 23, 2020.
- Grant funds must be used for law enforcement activities incurred during the 2020 Republican Presidential Nominating Convention
- The drawdown of grant funds must be carefully managed, be based on approved costs, and adhere to the U.S. Department of Justice Financial Guide standards on cash management.
- The grant is for an 18-month term beginning October 1, 2019, and ending March 31, 2021.
- No matching contribution from the city is required.

Fiscal Note

Funding: RNC 2020 Presidential Candidate Nomination

Attachment(s)

Budget Ordinance

[Republican National Convention Budget Ordinance \(Final\)](#)

9. Acquisition, Rehabilitation, and Resell for Homeownership Program Contracts

Action:

- A. Approve contracts in the amount of \$750,000 each for Single-family Acquisition, Rehabilitation, and Resell for Homeownership Programs for an initial term of one year to the following:**
- Habitat for Humanity of the Charlotte Region,
 - Red Cedar / Urban Trends, and
- B. Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments, and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Miles Vaughn, Housing and Neighborhood Services

Warren Wooten, Housing and Neighborhood Services

Explanation

- In the 2020 budget, Council set aside funding for the preservation of single-family workforce and affordable housing.
- The Acquisition, Rehabilitation, and Resell for Homeownership Program works with nonprofit agencies to acquire existing for-sale single-family housing units in need of repair and rehabilitates and sells the homes to eligible low-to-moderate income households earning up to 80 percent of the area median income. The program will seek to preserve at least 12 affordable and workforce single-family homes for homeownership.
- On February 5, 2020, the city issued a Request for Qualifications (RFQ); seven responses were received and evaluated by city and Local Initiatives Support Corporation (LISC) staff.
- The organizations selected are the best qualified to meet the city's needs on the basis of demonstrated competences and qualification of professional services in response to RFQ requirements.
- LISC will support the program by making construction loan financing available to the organizations.

Background

- On August 27, 2018, City Council adopted the Housing Charlotte Framework, which recommends expanding the supply of high-quality rental housing by building new affordable housing, preserving existing naturally occurring affordable housing, and promoting family-self-sufficiency initiatives such as homeownership.
- On April 22, 2019, City Council adopted the U.S. Department of Housing and Urban Development's (HUD) Annual Action Plan (Plan) which identifies the need for affordable, safe and decent housing for low and moderate-income families, and reaffirms the goals of the Housing Charlotte Framework.
- The Acquisition, Rehabilitation, and Resell for Homeownership Program is consistent with the strategies outlined in both the Housing Charlotte Framework and the HUD Plan.

Charlotte Business INclusion

The city negotiates subcontracting participation after the proposal selection process. (Part F: Section 1 of the Charlotte Business INclusion Policy)

Fiscal Note

Funding: General Capital Investment Plan

10. Affordable Housing Development Support Requests

Action:

- A. Approve \$18,918,600 in Housing Trust Fund and Naturally Occurring Affordable Housing Fund allocations for the following multi-family rental affordable housing developments:**
- Connelly Creek Apartments, \$1,965,600, in Council District 3,
 - Dillehay Courts Phase I, \$2,000,000, in Council District 1,
 - Evoke Living at Arrowood, \$2,000,000, in Council District 3,
 - Johnston Oehler Seniors, \$2,000,000, in Council District 4,
 - Mineral Springs Commons, \$803,000, in Council District 4,
 - Vibrant Eastway Park, \$2,000,000, in Council District 1,
 - The Park Seniors Apartments, \$1,950,000, in Council District 2,
 - Statesville Avenue Shelter, \$800,000, in Council District 1,
 - Windsor Park, \$1,400,000 (Housing Trust Fund) and \$4,000,000 (Naturally Occurring Affordable Housing), in Council District 1, and
- B. Authorize the City Manager and staff to continue working with the developer for the New Brookhill development and Local Initiatives Support Corporation to determine the viability of the proposed New Brookhill development.**

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services
Miles Vaughn, Housing and Neighborhood Services

Explanation

- Local Initiatives Support Corporation (LISC) Partnership:
 - In Fiscal Year 2019, City Council approved a partnership with LISC, a national non-profit with a grassroots focus.
 - LISC is one of the largest national community development organizations in the country that supports projects to revitalize communities and bring greater economic opportunity to residents.
 - With the addition of the LISC managed private and philanthropic contributions to the Charlotte Housing Opportunity Investment Fund (CHOIF), the cost to the city for creating affordable housing units has been significantly reduced per development. Such partnering enables the city to better leverage city resources.
- Housing Vouchers:
 - Last year, the city and LISC entered into a Memorandum of Understanding with INLIVIAN, formerly known as the Charlotte Housing Authority, for the provision of project-based vouchers.
 - Through this partnership, INLIVIAN has pledged project-based vouchers each year to be used toward affordable housing developments in areas of high opportunity.
 - The use of the vouchers also contributes to leveraging funding sources.
 - Project-based vouchers have been committed to the following developments:
 - Dillehay Courts Phase I,
 - Evoke Living at Arrowood, and
 - Connelly Creek Apartments.
- On January 17, 2020, the city and LISC issued a joint Request for Proposals (RFP) to aid in the production of affordable housing units.
 - In response to this joint RFP, 10 proposals were received, seeking various types of gap financing support including nine percent and four percent tax credits from the North Carolina Housing Finance Agency (NCHFA), Housing Trust Fund (HTF), Naturally Occurring Affordable Housing (NOAH) local funds, allocations from the CHOIF, and low-cost debt.
 - This RFP is the second dual review process conducted by the city and LISC. The following guiding principles were adhered to:
 - Ensuring affordable, multi-family housing developer experience,

- Creating mixed-income developments in areas of high opportunity,
- Achieving long-term affordability, and
- Maximizing the leverage of available resources.
- Approval of the recommended developments will add 1,155 affordable and workforce housing units and 194 shelter beds to the city's existing supply.
- The recommended developments meet all submission requirements, including land use and rezoning approvals.
- Each four percent low-income multi-family housing tax credit development received a score of over 20 points based on the Housing Locational scoring guidelines site scoring tool, which indicates that each site is in good proximity to job centers and access to amenities such as transportation and parks. Additionally, each site supports the creation of mixed-income communities and anti-displacement of low-to-moderate income residents in rapidly changing neighborhoods.
- Additionally, the NCHFA will base their final awards on:
 - 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.
- For developments seeking nine percent and four percent tax credit awards, the deadline for final NCHFA applications is May 15, 2020. The NCHFA will announce tax credit awards in August 2020.

Background

- On November 26, 2001, City Council established the Housing Trust Fund (HTF) to provide financing for diverse price point housing in the Charlotte area.
- On August 27, 2018, City Council adopted the Housing Charlotte Framework, which recommends expanding the supply of high-quality rental housing by building affordable housing, preserving existing naturally occurring affordable housing, and promoting family self-sufficiency initiatives.
- On April 22, 2019, City Council adopted the U.S. Department of Housing and Urban Development's Annual Action Plan (Plan) which identifies the need for affordable, safe, and decent housing for low-and-moderate income families and reaffirms the goals of the Housing Charlotte Framework.
- Support of HTF allocations is consistent with the strategies outlined in both the Housing Charlotte Framework and the Plan, demonstrates local alignment with state-supported affordable housing developments, and allows for local leveraging of tax credit awards.

City Council Discussion

- Staff provided briefings of the affordable housing development support requests to City Council during their April 6, 2020 Strategy meeting and April 13, 2020 Business meeting.

Charlotte Business INclusion

- All HTF funded projects and their developers are subject to MWSBE goals determined based on the amount of the HTF allocations received.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

April 13, 2020 Council Business Meeting Presentation

[Housing CHOIF Presentation](#)

11. Knight Foundation Grant: North End Smart District

Action:

- A. Authorize the City Manager to accept a grant from the John S. and James L. Knight Foundation for the North End Smart District, and**
- B. Adopt a budget ordinance appropriating \$60,000 from the Knight Foundation for the North End Smart District in the Neighborhood Grants Fund.**

Staff Resource(s):

Phil Reiger, General Services
Sarah Hazel, City Manager's Office

Explanation

- In December 2019, the Knight Foundation awarded the City of Charlotte \$60,000 to fund ongoing smart cities work in the North End Smart District in Council Districts 1 and 2.
- The city applied for the one-year grant, which will allow residents to collaborate with government, nonprofit, and private sector partners on projects including:
 - Urban Arboretum Trail Community Youth Engagement through Mobile Application Development:
 - The Urban Arboretum Trail is a component of a larger tree canopy preservation program, consisting of smaller properties where trees are preserved and amenities are added to create meaningful connections with neighbors through public space.
 - Through the inclusion of smart technologies, the city will engage youth in the planning and use of the trail.
- The grant may be used to purchase supplies and materials needed for public engagement activities, or to fund the delivery of digital community engagement products.
- The city is not required to provide matching funds for this grant.

Background

- The North End Smart District, comprised of eight neighborhoods (Genesis Park, Park at Oaklawn, Greenville, Brightwalk at Historic Double Oaks, Druid Hills, Lockwood, Optimist Park, and Graham Heights), optimizes infrastructure and services for public good through partnerships between government, companies, universities, and neighborhoods.
- Smart cities initiatives leverage technology, data, and partnerships to deliver city services more effectively and improve quality of life for residents.
- The Knight Foundation Community Foundations Program focuses on building an equitable and inclusive city that attracts and retains diverse talent, promotes economic opportunity, and fosters a culture of civic engagement.
- The work funded by this grant will expand upon work that originated in May 2017 under grant funding from The Funders' Network (\$75,000), the Knight Foundation (\$50,000), and OrthoCarolina (\$25,000). Foundational projects completed with the original (2017) grant funding include:
 - Healthy Communities: Engaged participants to take practical, every day steps to improve their health and the health of the community through healthy eating and tracking organic waste diversion.
 - Tech Charlotte: Helped residents develop career pathways by providing access to technology education and training through Road to Hire, Earn a Laptop, Digi-Bridge STEM Saturdays, and Tech Charlotte Youth Internships.
 - Smart Homes: Provided participants with weatherization, training, and smart technologies to reduce the cost burden of high utility bills and resource waste.
 - Build Your Own Kickstart: Addressed the community-identified goal of improving access to fresh, healthy produce through a North End farmers market.

Fiscal Note

Funding: Knight Foundation Grant

Attachment(s)

Map

Budget Ordinance

[Map - Knight Foundation Grant - North End Smart District.pdf](#)[North End Budget Ordinance](#)**12. Airport 2020 Bond Anticipation Notes****Action:**

- A. Adopt an initial finding resolution and authorize the Chief Financial Officer to make appropriate application to the Local Government Commission for issuance of revenue bond anticipation notes not to exceed \$300,000,000, and**
- B. Adopt a resolution setting a public hearing on May 11, 2020 for this financing as required by Internal Revenue Service regulations.**

Staff Resource(s):

Brent Cagle, Aviation

Kelly Flannery, Finance

Explanation

- The city is seeking Council authorization to issue a new construction period financing program for up to \$300,000,000 in short-term notes to provide financing for Aviation projects. It is expected that permanent financing for these projects will be secured in two or three years.
- Internal Revenue Service regulations require a public hearing on new, tax-exempt, debt-funded projects. This action will set a public hearing for May 11, 2020.
- Short-term financing authorized by this action is secured by Airport revenue and the Airport's signatory airlines have approved the projects.
- Debt issuances must be approved by the Local Government Commission (LGC). This action authorizes the city to submit an application to the LGC for approval at its June meeting.

Fiscal Note

Funding: Airport Debt Service Fund

Attachment(s)

Initial Findings Resolution

[Initial Findings Resolution - City of Charlotte NC Airport Revenue Bond Anticipation Note Series 2020 o](#)

13. Charlotte Regional Transportation Planning Organization Funding

Action:

- A. Accept Surface Transportation Block Grant-Direct Attributable funds in the amount of \$329,489 from the Federal Highway Administration for additional planning funds as identified in the Charlotte Regional Transportation Planning Organization's annual Unified Planning Work Program, and**
- B. Adopt a budget ordinance appropriating \$329,489 to the General Grants Fund.**

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Robert Cook, Planning, Design, and Development
Liz Babson, Transportation

Explanation

- The Charlotte Regional Transportation Planning Organization (CRTPO) is the federally-designated Metropolitan Planning Organization (MPO) for the Charlotte urbanized area. It provides long-range transportation planning services to Mecklenburg, Union, and Iredell counties. The city is the CRTPO's lead planning agency, and its staff is housed in the Planning, Design, and Development department.
- Surface Transportation Block Grant-Direct Attributable (STBG-DA) funds are federal funds used to support the CRTPO's transportation planning activities.
- The CRTPO allocates some of its federal STBG-DA funds to its member jurisdictions for local transportation planning activities, and jurisdictions provide the required 20 percent matching funds.
- In March 2018, the CRTPO allocated STBG-DA funds to five local projects: two in Matthews, one in Charlotte, one in Troutman, and one in Stallings. The acceptance of the \$329,489 will allow all projects to be reimbursed for work completed with the federal STBG-DA funds.
- On February 19, 2020, the CRTPO Board acted unanimously to amend the Fiscal Year 2020 Unified Planning Work Program and the Transportation Improvement Program to allocate the \$329,489.

Fiscal Note

Funding: General Grants Fund

Attachment(s)

Budget Ordinance

[BO FHA UPWP 3.23.2020](#)

14. Municipal Agreement for the Idlewild Road/Monroe Road Intersection Project

Action:

- A. Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation to accept Surface Transportation Block Grant funds for the Idlewild Road/Monroe Road Intersection project, and**
- B. Adopt a budget ordinance appropriating \$4,240,000 from the North Carolina Department of Transportation for the Idlewild Road/Monroe Road Intersection project.**

Staff Resource(s):

Liz Babson, Transportation
Ashley Landis, Transportation
Keith Bryant, Transportation

Explanation

- The Idlewild Road/Monroe Road Intersection project is intended to increase vehicular capacity; reduce congestion; and add pedestrian, bicycle, and transit facilities.
- The project is located in Council District 5 and is being constructed in coordination with a water main extension project and a multi-use path project that is part of the East/Southeast Sidewalk and Bikeway Connections program. This planned coordination will result in cost efficiencies between the projects. The intersection is also adjacent to a future LYNX Silver Line Transit Station Area.
- The total project budget is \$17,084,000 and is composed of:
 - \$844,000 in previously-approved 2015 Future Project Planning funds,
 - \$6,100,000 in previously-approved 2016 Bond funds,
 - \$3,400,000 in North Carolina Department of Transportation (NCDOT) funds from a Municipal Agreement approved by City Council on September 14, 2017,
 - \$4,240,000 of additional allocated NCDOT funds approved by the Charlotte Regional Transportation Planning Organization in February 2020, and
 - An additional \$2,500,000 of funding is planned in the 2020 Bond.
- The Idlewild Road/Monroe Road Intersection project was listed as one of eight projects with some budget risk on the Project Update published in January 2020. This additional NCDOT funding alleviates the budget risk, and the project is now on target.
- The Idlewild Road /Monroe Road Intersection project is currently in the real estate phase and construction is expected to begin in 2021.

Fiscal Note

Funding: NCDOT Funds and General Capital Investment Plan

Attachment(s)

Map
Resolution
Budget Ordinance

[Map - IdlewildRamaMonroeRdIntersectionImprovements](#)

[Resolution - IRM Supplemental](#)

[BO NCDOT Idlewild-Monroe](#)

15. Municipal Agreement for the I-85 North Bridge Project

Action:

- A. **Adopt a resolution authorizing the City Manager to negotiate and execute a Municipal Agreement with the North Carolina Department of Transportation for the I-85 North Bridge project, and**
- B. **Adopt a budget ordinance appropriating \$3,753,632 from the North Carolina Department of Transportation for the I-85 North Bridge project.**

Staff Resource(s):

Liz Babson, Transportation
Matt Magnasco, Transportation

Explanation

- The I-85 North Bridge project is intended to increase connectivity in the University City area, construct multi-use paths and two-way separated bike lanes, and create a signature gateway into Charlotte. The project is located in Council District 4.
- This project complements the city's investment in the adjacent J.W. Clay Boulevard Streetscape project by extending it across I-85 into University Research Park.
- The project budget totals \$38,083,632 and is composed of:
 - \$1,750,000 in previously-approved 2018 Congestion Mitigation and Air Quality funding from the North Carolina Department of Transportation (NCDOT),
 - \$7,400,000 in previously-approved 2018 Surface Transportation Block Grant funding from NCDOT,
 - \$25,180,000 in previously-approved 2014, 2016, and 2018 Bond funds, and
 - \$3,753,632 of additional allocated Surface Transportation Block Grant NCDOT funds approved by the Carolina Regional Transportation Planning Organization in March 2020.
- The I-85 North Bridge project is currently in the real estate phase and construction is expected to begin in 2021.

Fiscal Note

Funding: NCDOT Funds and General Capital Investment Plan

Attachment(s)

Map
Resolution
Budget Ordinance

[I-85 North Bridge Map](#)

[Resolution supplemental MA I85](#)

[BO NCDOT I-85 North Bridge](#)

16. Municipal Agreement for the West Mallard Creek Church Road Multi-Use Path Project

Action:

- A. Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation to accept Surface Transportation Block Grant funds for the West Mallard Creek Church Road Multi-Use Path project, and**
- B. Adopt a budget ordinance appropriating \$600,000 from the North Carolina Department of Transportation for the West Mallard Creek Church Multi-Use Path project.**

Staff Resource(s):

Liz Babson, Transportation
Brandon Brezeale, Transportation

Explanation

- The West Mallard Creek Church Road Multi-Use Path is a 0.75 mile bicycle and pedestrian concrete path on West Mallard Creek Church Road between West Mallard Creek Road and Claude Freeman Drive in Council District 4.
- The project includes a 12-foot sidewalk, planting strip, several new Charlotte Area Transit System bus stops, and pedestrian accommodations along Claude Freeman Drive and David Taylor Drive.
- On May 30, 2018, City Council adopted a resolution allocating \$1,273,000 from State Transportation Alternatives and State Transportation Alternatives Direct Attributable funds for the construction of a pedestrian and bicycle path.
- The project budget increased with the design change to use concrete in lieu of asphalt for added longevity and lower life cycle costs.
- The total project budget is \$3,485,000 and is composed of:
 - \$1,612,000 in 2016 Bond funds from the Sidewalk and Pedestrian Safety program,
 - \$1,273,000 in State Transportation Alternatives and State Transportation Alternatives Direct Attributable funds,
 - The Charlotte Regional Transportation Planning Organization approved \$600,000 in additional grant funds to be provided by the North Carolina Department of Transportation (NCDOT) in supplemental Surface Transportation Block Grant (STBG-DA) funds.
 - The STBG-DA funds require a local match of \$150,000. The 2016 bond funding from the Sidewalk and Pedestrian Safety Program will be used to cover this match.
- The West Mallard Creek Church Multi-Use Path project is in the real estate phase, and construction is expected to begin in late 2020.

Fiscal Note

Funding: NCDOT Funds and General Capital Investment Plan

Attachment(s)

Map
Resolution
Budget Ordinance

[MAP-WMallardCreekChurchMultiUsePath](#)

[Resolution West Mallard Creek Church Road Multi-Use Path](#)

[BO NCDOT Mallard Creek Multi-Use](#)

17. Appropriate Private Developer Funds

Action:

- A. Approve developer agreements with 100 West 3rd, LLC; 4100 Meadow Oak, LLC; Verdad Real Estate; and Arboretum Retail, LLC for traffic signal modifications, and**
- B. Adopt a budget ordinance appropriating \$82,240 in private developer funds for road modifications and traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Explanation

- Private developer agreements and appropriations are needed when a developer is required through the city rezoning process to make traffic signal improvements.
- Funding contributions from private developers must be appropriated before the city initiates work.
- The \$82,240 in private developer funds is for road modifications, traffic signals, traffic signal modifications and/or upgrades, and other related work associated with the developers' projects. The funding is restricted to the projects noted below:
 - 100 West 3rd, LLC contributed \$10,000 for signal modifications at the intersection of 3rd Street and Church Street (Council District 2).
 - 4100 Meadow Oak, LLC contributed \$17,500 for road modifications at West Tyvola and Yorkmont Road intersection; and traffic signal modifications and additional pavement markings at Yorkmont Road and Water Ridge Parkway/North Water Ridge Parkway (Council District 3).
 - Verdad Real Estate contributed \$37,375 for signal modifications at Albemarle Road and Farm Pond Lane (Council District 5).
 - Arboretum Retail, LLC contributed \$17,365 for traffic signal modifications at the intersection of Pineville-Matthews Road and Arboretum View (Council District 7).
- These developer contributions are based on cost estimates prepared by the Charlotte Department of Transportation (CDOT).
- Any funding contributed by the developer(s) for a signal project that is unused by the city will be refunded back to the developer(s) after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map
Budget Ordinance

[Traffic Signal Improvements Map](#)

[BO Developer Appropriations 4.27.2020](#)

18. Mayor and City Council Topics

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

CONSENT

19. Resolution of Intent to Abandon an Unopened Portion of an Alleyway between Bertonley Avenue and Millbrook Road

Action:

- A. **Adopt a Resolution of Intent to abandon an unopened portion of the alleyway between Bertonley Avenue and Millbrook Road, and**
- B. **Set a Public Hearing for May 26, 2020.**

Staff Resource(s):

Liz Babson, Transportation

Casey Mashburn, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation 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 status and attaches it to the adjacent property.
- The alleyway is located in Council District 1.

Petitioners

Equity Trust Co. Custodian FBO Robert S. Bunzey Jr. IRA

Attachment(s)

Map

Resolution

[Bertonley Ave Millbrook rd Map](#)

[Resolution of Intent - Bertonley and Millbrook](#)

20. Charlotte-Mecklenburg Government Center Upper Roof Re-Cover Project

Action:

Approve a contract in the amount of \$690,305 to the lowest responsive bidder Tecta America Carolinas, LLC for the Charlotte-Mecklenburg Government Center Upper Roof Re-Cover project.

Staff Resource(s):

Phil Reiger, General Services
David Wolfe, General Services
William Haas, General Services

Explanation

- This project includes re-covering the upper roof of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street in Council District 1.
- The existing roof and insulation will remain in place and a new membrane will be installed to extend the existing manufacturer's warranty for an additional 20 years.
- On January 17, 2020, the city issued an Invitation to Bid; three bids were received.
- Tecta America Carolinas, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2020.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) The city shall not establish Subcontracting Goals for Contracts where: (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

This contract meets the provision of (a) - No subcontracting opportunities.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Construct Charlotte-Mecklenburg Government Center Upper Roof Recover - Map.pdf](#)

21. Citywide Janitorial Supplies

Action:

- A. **Approve a unit price contract to the lowest responsive bidder MSC Industrial Supply Co. for the purchase of janitorial supplies for 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):

Phil Reiger, General Services

Kay Elmore, General Services

Explanation

- City departments routinely purchase janitorial cleaning supplies for daily operations including cleaners and detergents and safety gear such as goggles and gloves.
- On September 4, 2019, the city issued an Invitation to Bid; 13 bids were received.
- MSC Industrial Supply Co. was selected as the lowest responsive, responsible bidder.
- Total annual expenditures are estimated to be \$125,000.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) the city shall not establish Subcontracting Goals for Contracts where (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

This contract meets the provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: Various Departments' Operating Budgets

22. Commercial Flooring

Action:

- A. **Approve the purchase of commercial flooring and related services from cooperative contracts,**
- B. **Approve unit price contracts with the following vendors for the purchase of commercial flooring:**
- **Interface Americas, Inc. for a term of three years under Sourcewell Contract Number 080819-IFA dated October 11, 2019,**
 - **Shaw Industries, Inc. for a term of three years under Sourcewell Contract Number 080819-SII dated October 11, 2019, and**
- C. **Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.**

Staff Resource(s):

Phil Reiger, General Services
David Wolfe, General Services
William Haas, General Services

Explanation

- Approval of these contracts will enable the purchase and installation of floor coverings for city facilities.
- Commercial flooring may include, but is not limited to, carpet, vinyl, laminate, rubber, sheet tile, ceramic tile, and wood flooring.
- The contracts will also provide the option of turn-key installation or replacement services performed by a network of authorized dealer/installation partners to service the city's needs.
- G.S. 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- Cooperative purchasing agreements result from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs, all agencies can leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- Total annual expenditures are estimated to be \$600,000.

Charlotte Business INclusion

These are cooperative purchasing contracts and are exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Services' Operating Budget and Tourism Funds

23. Construct Peachtree Hills Sidewalk Project

Action:

Approve a contract in the amount of \$1,045,000 to the lowest responsive bidder M & V Builders, LLC for the Peachtree Hills Sidewalk project.

Staff Resource(s):

Phil Reiger, General Services
Jennifer Smith, General Services
Veronica Wallace, General Services

Explanation

- This project, identified in the Sunset/Beatties Ford Road Comprehensive Neighborhood Improvement Program, will construct approximately one mile of sidewalk along Peachtree Road from Crandon Drive to Oakdale Road in Council District 2.
- On February 27, 2020, the city issued an Invitation to Bid; 10 bids were received.
- M & V Builders, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2021.

Charlotte Business INclusion

Established MBE Goal: 8.00%
Committed MBE Goal: 13.94%

M & V Builders, LLC exceeded the established MBE subcontracting goal, and has committed 13.94% (\$145,685) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Luvall Asphalt Services Incorporated (MBE, SBE) (\$113,400) (asphalt)
- FIE Logistics, LLC (MBE, SBE) (\$32,285) (hauling)

Established SBE Goal: 18.00%
Committed SBE Goal: 18.00%

M & V Builders, LLC met the established SBE subcontracting goal, and has committed 18.00% (\$188,100) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Luvall Asphalt Services Incorporated (MBE, SBE) (\$113,400) (asphalt)
- FIE Logistics, LLC (MBE, SBE) (\$32,285) (hauling)
- Bird Dog Traffic Control, LLC (SBE) (\$30,600) (traffic control)
- Erosion Defence LLC (SBE) (\$11,815) (erosion, sediment control)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Location Map - Construction Peachtree Hills Sidewalk Project](#)

24. Markings for Vehicles and Equipment

Action:

- A. Approve a unit price contract with Industrial Sign & Graphics Inc. for vehicle and equipment graphics for an initial term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Phil Reiger, General Services
David Wolfe, General Services
Chris Trull, General Services

Explanation

- The City of Charlotte provides vehicle maintenance services for city departments and Mecklenburg County. Mecklenburg County reimburses the city for expenses related to county vehicles.
- Vehicle graphics are required on all city and county light, medium, and heavy-duty fleet vehicles as well as off-road construction equipment.
- This contract provides for the manufacturing, installation, and removal of graphics on vehicles and equipment for Charlotte Fire, Police, Solid Waste, the Airport, and the Mecklenburg County Sheriff's Office.
- On January 22, 2020, the city issued a Request for Proposals (RFP); two responses were received.
- Industrial Sign & Graphics Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$200,000.

Charlotte Business INclusion

The city negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Industrial Sign & Graphics Inc. has committed 5.00% of the total contract amount to the following certified firm:

- HMO Pest Control (MBE) (vehicle relocation services)

Fiscal Note

Funding: Various Departments' Operating Budgets and Mecklenburg County

25. Public Auction for Disposal of Surplus Equipment

Action:

- A. Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus,**
- B. Authorize said items for sale by public auction on May 9, 2020, and**
- C. Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.**

Staff Resource(s):

Phil Reiger, General Services

Kay Elmore, General Services

Explanation

- General Services provides asset recovery and disposal services to city departments, Mecklenburg County, Emergency Management Services, and Charlotte Housing Authority now operating as INLIVIAN.
- Periodic auctions of surplus items are regularly conducted at the city's Asset Recovery and Disposal facility located at 5550 Wilkinson Boulevard in Council District 3.
- Pursuant to North Carolina General Statute 160A-270(b), approval is requested for a public auction to be held on May 9, 2020, at 9:00 a.m. to dispose of city-owned property declared as surplus.
- Due to current concerns and restrictions over mass gatherings, the auction will be virtual with a live simulcast and electronic bidding.
- The auction company will be compensated 8.5 percent of the total gross sale price of rolling stock and miscellaneous items.
- Proceeds from the auction are distributed to the city's General and Enterprise Funds (Aviation, Charlotte Water, and Charlotte Area Transit System) and other agencies based on asset ownership.

Attachment(s):

Property List

Delegation of Authority

Resolution

[Property List](#)

[Delegation of Authority](#)

[Resolution](#)

26. Utility Relocation Agreement for I-85 North Bridge

Action:

Authorize the City Manager to execute an agreement with Duke Energy in an amount up to \$2,500,000 for the relocation of transmission facilities for the I-85 North Bridge.

Staff Resource(s):

Phil Reiger, General Services
Jennifer Smith, General Services
Veronica Wallace, General Services

Explanation

- The Interstate 85 North Bridge Project, located in Charlotte's northeast corridor in Council District 4, will connect Research Drive to J.W. Clay Boulevard.
- The project requires Duke transmission towers, lines, and poles be raised to provide clearance for the new bridge across Doby Creek.
- The bridge will connect University City residential, retail, and educational centers on the east side to University Research Park business and employment centers on the west side.
- This one-time payment to Duke Energy is included in the project's budget.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map - Utility Relocation Agreement for Interstate 85 North Bridge.pdf](#)

27. Construct Storm Water Repairs and Improvements

Action:

- A. Approve a contract in the amount of \$3,893,512 to the lowest responsive bidder Onsite Development, LLC for the Storm Water Repairs and Improvements Fiscal Year 2020-F project, and**
- B. Approve a contract in the amount of \$3,786,775.58 to the lowest responsive bidder United of Carolinas, Inc. for the Storm Water Repairs and Improvements Fiscal Year 2020-G project.**

Staff Resource(s):

Phil Reiger, General Services
Mike Davis, General Services
Susan Tolan, General Services

Explanation

- These contracts are part of an ongoing program to provide repairs and/or improvements to storm drainage systems.
- Approximately 25 projects may be constructed. The number of projects may vary depending on the nature and extent of the repairs constructed. These contract terms will not exceed 24 months.

Action A

- On January 6, 2020, the city issued an Invitation to Bid; five bids were received.
- Onsite Development, LLC was selected as the lowest responsive, responsible bidder.

Action B

- On January 6, 2020, the city issued an Invitation to Bid; five bids were received.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.

Charlotte Business INclusion

Action A

Established MBE Goal: 8.00%

Committed MBE Goal: 8.01%

Onsite Development, LLC has identified MBEs on its project team, and for each work order issued, committed 8.01% of the total contract amount to the following certified firms:

- Affordable Source Trucking, LLC (MBE, SBE) (hauling)
- MTS Trucking Inc. (MBE, SBE) (hauling)
- R.R.C. Concrete Inc (MBE, SBE) (concrete)
- Streeter Trucking Company, Inc. (MBE, SBE) (hauling)
- Tony's Trucking Inc. (MBE, SBE) (hauling)

Established SBE Goal: 19.00%

Committed SBE Goal: 19.01%

Onsite Development, LLC has identified SBEs on its project team, and for each work order issued, committed 19.01% of the total contract amount to the following certified firms:

- AMP Utility Distribution Services, LLC (SBE) (materials)
- Affordable Source Trucking, LLC (MBE, SBE) (hauling)
- Combs Tree Service LLC (SBE) (tree removal)
- JV Trucking, LLC (SBE) (hauling)
- LJR Concrete LLC (SBE) (concrete)
- MTS Trucking Inc. (MBE, SBE) (hauling)
- R.R.C. Concrete Inc (MBE, SBE) (concrete)
- Solanos Trucking Company, Inc. (SBE) (hauling)

- Streeter Trucking Company, Inc. (MBE, SBE) (hauling)
- Tony's Trucking Inc. (MBE, SBE) (hauling)

Action B

Established MBE Goal: 8.00%

Committed MBE Goal: 16.00%

United of Carolinas, Inc. has identified MBEs on its project team, and for each work order issued, committed 16.00% of the total contract amount to the following certified firms:

- Cesar A Leon L.L.C. (MBE, SBE) (hauling)
- R.R.C. Concrete Inc (MBE, SBE) (concrete)
- Streeter Trucking Company, Inc. (MBE, SBE) (hauling)

Established SBE Goal: 19.00%

Committed SBE Goal: 19.00%

United of Carolinas, Inc. has identified SBEs on its project team, and for each work order issued, committed 19.00% of the total contract amount to the following certified firms:

- Cesar A Leon L.L.C. (MBE, SBE) (hauling)
- Global Energy of the Carolinas, LLC (SBE) (asphalt, concrete)
- R.R.C. Concrete Inc (MBE, SBE) (concrete)
- Streeter Trucking Company, Inc. (MBE, SBE) (hauling)

Fiscal Note

Funding: Storm Water Capital Investment Plan

28. Construct Whispering Pines Drive Storm Drainage Improvement Project

Action:

Approve a contract in the amount of \$1,394,558 to the lowest responsive bidder United Construction Company, Inc. for the 445 Whispering Pines Drive Storm Drainage Improvement project.

Staff Resource(s):

Phil Reiger, General Services
Mike Davis, General Services
Stewart Edwards, General Services

Explanation

- This project will replace approximately 1,500 linear feet of storm drainage pipe and associated sanitary sewer, water main, paving, curb, gutter, and driveways.
- The project area is bounded by Sleepy Hollow Road to the north, Westham Ridge Road to the south, Whispering Pines Drive to the west, and Sternwalk Place to the east in Council District 3.
- On October 30, 2019, the city issued an Invitation to Bid; seven bids were received.
- United Construction Company, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2021.

Charlotte Business INclusion

Established MBE Goal: 9.00%

Committed MBE Goal at Bid Opening: 2.22%

MBE Participation to Date: 9.04%

United Construction Company, Inc. failed to meet the established MBE subcontracting goal at bid, but earned the Good Faith Effort Points (Part B: Section 5 of the Charlotte Business INclusion Policy) and are recommended for award. At bid, United Construction Company, Inc. committed 2.22% (\$31,000) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (MBE, SBE) (\$15,000) (concrete)
- Diamond Trucking of NC Inc. (MBE, SBE) (\$8,000) (hauling)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$8,000) (hauling)

Subsequent to Bid Opening, United Construction Company, Inc. has committed an additional 6.81% (\$95,000) to the following MBE certified firm:

- Streeter Trucking Company, Inc. (MBE, SBE) (\$67,000) (hauling)
- R.R.C. Concrete Inc (MBE, SBE) (\$20,000) (concrete)
- FIE Logistics, LLC (MBE, SBE) (\$8,000) (hauling)

Established SBE Goal: 21.00%

Committed SBE Goal at Bid Opening: 9.13%

SBE Participation to Date: 21.03%

United Construction Company, Inc. failed to meet the established SBE subcontracting goal at bid but earned the Good Faith Effort Points (Part B: Section 5 of the Charlotte Business INclusion Policy) and are recommended for award. At bid, United Construction Company, Inc. committed 9.13% (\$127,320) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distribution Services, LLC (SBE) (\$50,000) (material)
- Carolina Cajun Concrete, Inc. (SBE) (\$40,000) (grading, pipe)
- R.R.C. Concrete Inc (MBE, SBE) (\$15,000) (concrete)
- Diamond Trucking of NC Inc. (MBE, SBE) (\$8,000) (hauling)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$8,000) (hauling)

- Maybury Fencing INC. (SBE) (\$6,320) (fence)

Subsequent to Bid Opening, United Construction Company, Inc. has committed an additional 11.90% (\$166,000) to the following certified firm(s):

- Carolina Cajun Concrete, Inc. (SBE) (\$71,000) (grading, pipe)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$67,000) (hauling)
- R.R.C. Concrete Inc (MBE, SBE) (\$20,000) (concrete)
- FIE Logistics, LLC (MBE, SBE) (\$8,000) (hauling)

Fiscal Note

Funding: Storm Water Capital Investment Plan

Attachment(s)

Map

[Map - 445 Whispering Pines Drive Storm Drainage Improvement Project.pdf](#)

29. Professional Engineering Services for Storm Drainage Improvement Projects

Action:

- A. **Approve a contract in the amount of \$875,000 with D&A Wolverine, PLLC for planning services for the Hidden Valley Storm Drainage Improvement Project,**
- B. **Approve a contract in the amount of \$960,000 with The Isaacs Group, PC for design services for the Chatham Storm Drainage Improvement Project,**
- C. **Authorize the City Manager to negotiate and execute a contract in an amount up to \$500,000 with STV Engineers, Inc. for planning services for the Perth/Milton Storm Drainage Improvement Project, and**
- D. **Authorize the City Manager to negotiate and execute a contract in an amount up to \$625,000 with Armstrong Glen, PC for design services for the Farmer Storm Drainage Improvement Project.**

Staff Resource(s):

Phil Reiger, General Services
Mike Davis, General Services
Matt Gustis, General Services

Explanation

- Professional engineering services will evaluate infrastructure and customer requests to determine and design needed improvements to the existing drainage system.
- Specific planning tasks include, but are not limited to:
 - Site assessment activities,
 - Hydrologic and hydraulic analyses,
 - Determination of alternatives to address the applicable drainage issues,
 - Recommendation of a preferred solution,
 - Evaluation of downstream impacts, and
 - Public outreach activities.
- Specific design tasks include, but are not limited to:
 - Design of repairs and/or improvements,
 - Preparation of construction documents,
 - Construction administration, and
 - Public outreach activities.
- On August 23, 2019, the city issued a Request for Qualifications (RFQ); 35 responses were received. Twenty firms were selected to receive contracts.
- D&A Wolverine, PLLC; The Isaacs Group, PC; STV Engineers, Inc.; and Armstrong Glen, PC were among those selected as the best qualified firms to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Additional contracts from this RFP process will be coming forward for Council action once the projects are defined.

Action A

- The Hidden Valley Storm Drainage Improvement Project is bordered by Interstate 85 to the north, Upper Little Sugar Creek to the south, North Tryon Street to the east and West Sugar Creek Road to the west, in Council District 4.

Action B

- The Chatham Storm Drainage Improvement Project is bordered by The Plaza Road to the north,

Belvedere Avenue and Roland Street to the south, Briar Creek and Matheson Avenue to the east and The Plaza and Belvedere Avenue to the west, in Council District 1.

Action C

- The Perth/Milton Storm Drainage Improvement Project is bordered by The Plaza Road to the north, Belle Plaine Drive to the south, Barrington Drive to the east, and Milton Road to the west, in Council District 1.

Action D

- The Farmer Storm Drainage Improvement Project is bordered by West Boulevard to the north, Caronia Street to the south, Clanton Road to the east and Rose Avenue to the west, in Council District 3.

Charlotte Business INClusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INClusion Policy.)

Action A

D&A Wolverine, PLLC (SBE) has committed 10.29% (\$90,000) of the total contract amount to the following certified firms:

- Avioimage Mapping Services, Inc. (SBE) (\$50,000) (surveying/plat production)
- Sweetwater Utility Exploration, LLC (SBE) (\$40,000) (horizontal/vertical underground utility locating)

Action B

The Isaacs Group, PC has committed 13.35% (\$128,200) of the total contract amount to the following certified firms:

- Armstrong Glen (SBE) (\$53,525) (utility coordination)
- Barry Lambert Engineering, PC (SBE) (\$55,100) (structural engineering)
- Sweetwater Utility Exploration, LLC (SBE) (\$19,575) (horizontal/vertical underground utility locating)

Action C

STV Engineers, Inc. has committed 10.00% of the total contract amount to the following certified firm(s):

- RDL Private Utility Locating, LLC (MBE, SBE) (horizontal/vertical underground utility locating)
- Stewart Engineering, Inc. (MBE) (surveying services)

Action D

Armstrong Glen, PC has committed 10.00% of the total contract amount to the following certified firm(s):

- Survey and Mapping Control, Inc. (SBE) (surveying services)

Fiscal Note

Funding: Storm Water Capital Investment Plan

Attachment(s)

Map

[15-13062_Map_Professional_Engineering_Services_for_Storm_Drainage_Improvement_Projects.pdf](#)

30. Airport Area Water Line Design

Action:

- A. Approve a contract in the amount of \$2,028,409.90 with Garney Companies, Inc. for Design-Build design services for the Airport Area Water Line project, and**
- B. Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- This project will provide a redundant source of water in support of continuity of operations to the Airport and western Mecklenburg County, in Council District 3.
- This contract includes design services and development of a guaranteed maximum price (GMP) for construction.
- The project will require the acquisition of easements along the water line corridor. During acquisition negotiation, property owners will have an opportunity to voice comments and concerns about the alignment of the water line and easement acquisition affecting their property.
- On August 26, 2019, the city issued a Request for Qualifications (RFQ); 12 responses were received.
- Garney Companies, Inc. is the best qualified firm to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- In the future, Council will receive a request for the approval of the GMP once it is established.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.4 of the Charlotte Business INclusion Policy). Garney Companies has committed \$763,100 or approximately 37.62% of the total contract for design services to the following certified firms:

- Gulf Coast, LLC (SBE) (\$250,000) (real estate acquisition)
- Froehling & Robertson, Inc (MBE) (\$184,000) (geotechnical and materials testing)
- CES Group Engineering, LLP (WBE, SBE) (\$166,000) (survey)
- Sweetwater Utility Exploration LLC (SBE) (\$99,600) (subsurface utility locating)
- SEPI Engineering (WBE) (\$45,000) (traffic control plan and permitting)
- Avioimage Mapping Services, Inc. (SBE) (\$13,500) (topographic mapping)
- Mid-Carolina Reprographics (WBE, SBE) (\$5,000) (reproduction and copying)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[AAWLD - MAP](#)

31. Charlotte Water Modular Units

Action:

Approve a contract in the amount of \$1,218,768 to the lowest responsive bidder Swartz Building Solutions, Inc. for Charlotte Water modular units.

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- This contract will allow for the purchase and installation of modular units to house maintenance staff at the Irwin Creek Wastewater Treatment Plant (Council District 3) and Zone 2 Field Operations Facility (Council District 1).
- On November 18, 2019, the city issued an Invitation to Bid (ITB); one bid was received.
 - G.S. 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if re-advertisements result in fewer than three competitive bids.
- On December 19, 2019, the ITB was re-issued; two bids were received.
- Swartz Building Solutions, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2020.

Charlotte Business INclusion

Established MSBE Goal: 10.00%

Committed MSBE Goal: 4.88%

Swartz Building Solutions, Inc. did not meet the established subcontracting goal at time of bid but earned the required Good Faith Effort points (Part B: Section 3 of the Charlotte Business INclusion Policy). Swartz Building Solutions, Inc. has committed 4.88% (\$59,449) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- G & Y Masonry, Inc. (MBE, SBE) (\$40,490) (masonry)
- Caryl Mechanical Inc. dba The Boswell Group (WBE, SBE) (\$10,250) (plumbing)
- Buildout Services, LLC (SBE) (\$5,750) (cabinet and countertop installation)
- Full Square Ventures dba 360 Degree Commercial Cleaning (SBE) (\$2,959) (janitorial)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Modular Building Map](#)

32. Idlewild Road Water Supply Design

Action:

- A. Approve a contract in the amount of \$1,470,755 with R.H. Price, Inc. for Design-Build design services for the Idlewild Road Water Supply project, and**
- B. Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- This project will provide resiliency to eastern Charlotte (Council District 5), in case one or more water pump stations are out of service.
- This contract includes design services and development of a guaranteed maximum price (GMP) for construction.
- On August 26, 2019, the city issued a Request for Qualifications (RFQ); 12 responses were received.
- R.H. Price, Inc. is the best qualified firm to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- In the future, Council will receive a request for the approval of the GMP once it is established.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.4 of the Charlotte Business INclusion Policy). R.H. Price, Inc. has committed \$200,081 or approximately 13.60% of the total contract for Design-Build design services to the following certified firms:

- GDC Supplies Equipment & Contracting (MBE, SBE) (\$75,000) (traffic control during field services)
- Capstone Civil Engineering, Inc. (MBE, SBE) (\$43,281) (geotechnical)
- TKG (WBE, SBE) (\$24,000) (permitting and independent QAQC)
- Yellow Duck Marketing (WBE, SBE) (\$24,000) (communications)
- Avioimage Mapping Services, Inc. (SBE) (\$17,250) (aerial mapping)
- Carolina Wetland Services, Inc. (WBE, SBE) (\$16,550) (environmental permitting)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Idlewild Map](#)

33. McMullen Creek Tributary to Coltsgate Road Sanitary Sewer Replacement Construction

Action:

Approve a guaranteed maximum price of \$4,726,230 to Park Construction of North Carolina for Design-Build construction services for the McMullen Creek Tributary to Coltsgate Road Sanitary Sewer Replacement project.

Staff Resource(s):

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- Park Construction of North Carolina has developed a guaranteed maximum price (GMP) for construction of the McMullen Creek Tributary to Coltsgate Road sanitary sewer line.
- The construction will upsize the existing 8-inch sanitary sewer line, with 5,500 linear feet of 16 and 12-inch line, and will require tunnel crossings of Fairview Road and construction on Coltsgate Road and Cameron Valley Parkway in Council District 6.
- On January 14, 2019, Council approved a contract with Park Construction of North Carolina for Design-Build design services. Based on the design, a GMP for construction services was developed.
- The project is anticipated to be complete by the second quarter of 2021.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.4 of the Charlotte Business INclusion Policy). Park Construction of North Carolina has committed \$781,079 or approximately 16.53% of the total contract for Design-Build construction services to the following certified firms:

- Capstone Civil Engineering, Inc. (MBE, SBE) (\$162,000) (material testing, blast monitoring, CCTV inspections)
- AMP Utility Distribution Services, LLC (WBE, SBE) (142,439) (piping, miscellaneous materials)
- Tidemark Land Services (SBE) (\$148,619) (survey, construction staking, settlement monitoring)
- Gulf Coast LLC (SBE) \$138,000) (easement services)
- Martin Landscaping Company, Inc. (MBE, SBE) (\$98,056) (seeding, live staking, erosion control matting)
- Buffkin Trucking, Inc. (MBE, SBE) (\$55,715) (hauling)
- Carolina Wetland Services, Inc. (WBE, SBE) (\$19,000) (environmental review, permitting)
- Carolina Environmental Contractors, Inc. (WBE) (\$17,250) (silt fence)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map-McMullen Creek Tributary to Coltsgate Road Sanitary Sewer Replacement Construction](#)

34. North South Transmission Main Design

Action:

- A. **Approve a contract in the amount of \$9,439,056.14 with the Joint Venture of BRS/Sanders Utility Construction for Design-Build design services for the North South Transmission Main project, and**
- B. **Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- The purpose of this project is to provide more robust water supply to east Charlotte. This change will also improve water pressure in several areas of east Charlotte (Council Districts 1, 4, and 5), including the Hidden Valley Neighborhood.
- This contract includes design services and development of a guaranteed maximum price (GMP) for construction.
- The project will require the acquisition of easements along the water main corridor. During acquisition negotiation, property owners will have an opportunity to voice comments and concerns about the alignment of the water main and easement acquisition affecting their property.
- On August 26, 2019, the city issued a Request for Qualifications (RFQ); 12 responses were received.
- The Joint Venture of BRS/Sanders Utility Construction is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- In the future, Council will receive a request for the approval of the GMP once it is established.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.4 of the Charlotte Business INclusion Policy). The Joint Venture of BRS/Sanders Utility Construction has committed \$2,525,951 or approximately 26.76% of the total contract for design services to the following certified firms:

- Stewart Engineering, Inc. (MBE) (\$945,953) (surveying, easement platting, utility locates)
- CES Group Engineers, LLP (WBE, SBE) (\$525,000) (surveying and easement platting)
- Habitat Assessment and Restoration Professionals (SBE) (\$488,257) (environmental services)
- Froehling & Robertson, Inc (MBE) (\$250,000) (geotechnical)
- Hinde Engineering Inc. (SBE) (\$220,941) (utility coordination)
- Avioimage Mapping Services, Inc. (SBE) (\$95,800) (aerial surveys and mapping services)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[960NS_NT- MAP](#)

35. Replacement Submersible Mixers

Action:

- A. **Approve the purchase of replacement submersible mixers and system parts, by the sole source exemption,**
- B. **Approve a contract with Landia, Inc. for the purchase of replacement submersible mixers and system parts for the term of five years, and**
- C. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Sole Source Exemption

- G.S. 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 standardization or compatibility is the overriding consideration.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- Submersible mixers and mounting systems manufactured by Landia, Inc. have been installed within Charlotte Water Wastewater Treatment Plants through competitively bid construction projects.
- In order to maintain compatibility with the existing mounting systems during a repair, replacement submersible mixers and system parts may only be obtained from the manufacturer.
- Total annual expenditures are estimated to be \$33,000.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Operating Budget

36. South Boulevard Water Main Construction

Action:

Approve a guaranteed maximum price of \$18,162,932.20 to R.H. Price, Inc. for Design-Build construction services for the South Boulevard Water Main project.

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- R.H. Price, Inc. has developed a guaranteed maximum price (GMP) for construction to increase the size of the water main serving the rapidly expanding and growing South Boulevard corridor, in Council Districts 1 and 3, between Scaleybark Drive and Worthington Drive.
- On October 10, 2018, Council approved a contract with R.H. Price, Inc. for Design-Build design services. Based on the design, a GMP for construction services was developed.
- The project is anticipated to be complete by the third quarter of 2021.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.4 of the Charlotte Business INclusion Policy). R.H. Price has committed \$1,880,000 or approximately 10.35% of the total contract for Design-Build design services to the following certified firms:

- Trull Contracting, LLC (WBE, SBE) (\$1,060,000) (paving)
- GDC Supplies Equipment & Contracting LLC (MBE, SBE) (\$675,000) (traffic control)
- Capstone Civil (MBE, SBE) (\$75,000) (testing)
- MTS Trucking, LLC (MBE, SBE) (\$70,000) (hauling)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Project Map](#)

37. Stowe Regional Water Resource Recovery Facility Preliminary Design

Action:

Approve a contract in the amount of \$6,911,323 with Joint Venture of Crowder Construction Company/Garney Companies, Inc. for Design-Build preliminary design services for the Stowe Regional Water Resource Recovery Facility project.

Staff Resource(s):

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- This contract will provide the first phase of design services for the Stowe Regional Water Resource Recovery Facility (SRWRRF) project (adjacent to Council Districts 2 and 3).
- SRWRRF will be owned by the city and operated by Charlotte Water and will treat flows from the existing Long Creek basin as well as flow from the cities of Mount Holly and Belmont.
- On October 29, 2019, the city issued a Request for Qualifications (RFQ); two proposals were received.
- Joint Venture of Crowder Construction Company/Garney Companies, Inc. is the best qualified firm to meet the city's needs on the basis of demonstrated competence and qualifications of professional services in response to the RFQ requirements.
- Joint Venture of Crowder Construction Company/Garney Companies, Inc. will thoroughly evaluate treatment process options in order to allow Charlotte Water to then proceed into detailed design for the selected alternatives. For the next phase of the project, specific design options will be determined, and Council will receive a request for the approval of the detailed design fee for this facility.
- The SRWRRF is estimated to be in operation by the fourth quarter of 2024.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.4 of the Charlotte Business INclusion Policy). Joint Venture of Crowder Construction Company/Garney Companies, Inc. has committed \$555,700 or approximately 8.04% with the following certified firms:

- Froehling & Robertson, Inc. (MBE) (\$175,000) (geotechnical services)
- CES Group Engineers, LLP (WBE, SBE) (\$100,000) (ground survey)
- Neighboring Concepts, PLLC (MBE) (\$75,000) (architectural design)
- Southeastern Consulting Engineer, Inc. (SBE) (\$75,000) (electrical design services)
- Stewart Engineering, Inc. (MBE) (\$50,000) (landscape and greenway design)
- Avioimage Mapping Services, Inc. (SBE) (\$30,000) (aerial survey and topographic mapping services)
- CITI, LLC (MBE) (\$30,000) (instrumentation and control)
- Mid-Carolina Reprographics (WBE, SBE) (\$10,000) (reproduction services)
- PicTec (SBE) (\$5,900) (scheduling)
- Chef Charles Catering, Inc. (SBE) (\$4,800) (catering)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map-Stowe RWRRF Preliminary Design](#)

38. Surveying Services

Action:

- A. Approve unit price contracts with the following companies for surveying services for a term of four years:**
- **CES Group Engineers, LLP;**
 - **Lawrence Associates, PC; and**
- B. Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- These contracts will provide surveying services for construction staking and for boundary, topographical, and physical surveys for various Capital Investment Plan projects on an as-needed basis.
- On May 14, 2019, the city issued a Request for Qualifications (RFQ); 28 responses were received.
- The firms selected are the best qualified to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Total annual expenditures are estimated to be \$800,000.

Charlotte Business INclusion

The city negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Each of the firms listed has identified MWSBE firms to participate as project scopes are defined, and committed 10.00% of the total contract amount to the following certified firms:

CES Group Engineers, LLP (WBE, SBE)

- Avioimage Mapping Services, Inc. (SBE) (photogrammetry)
- Sweet Water Utility Exploration LLC (SBE) (utility locates)

Lawrence Associates, PC

- Avioimage Mapping Services, Inc. (SBE) (photogrammetry)
- Center Line Locating, LLC (WBE, SBE) (utility locates)
- Sweet Water Utility Exploration LLC (SBE) (utility locates)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

39. CATS Mobile Ticket Sales Application

Action:

Approve a contract in the amount of \$250,000 with Passport Labs, Inc. for Transit Mobile Payment Application services for a term of one year.

Staff Resource(s):

John Lewis, CATS

Reenie Askew, Innovation and Technology

Explanation

- The Charlotte Area Transit System (CATS) initiated a pilot program in 2017 with Passport Labs, Inc. for development and implementation of a mobile ticket sales application, the CATS Pass Mobile App.
- The mobile ticketing app allows riders to purchase CATS tickets on their mobile devices for real-time or future use on light rail, bus, or streetcar services. Key benefits of the mobile ticketing solution include:
 - Reduced paper use and cost for paper tickets and reduced cash handling costs;
 - Easy to use mobile application supported across multiple phone platforms;
 - Ability to support promotional transit ticketing, including special ticket programs with community partners (e.g. college and university student transit ticket offerings); and
 - Improved ridership data collection, including more detailed data on location of ticket purchase and usage.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. A waiver has been approved for this contract.
- This contract will provide for a one-year contract while CATS completes a competitive solicitation for a long-term Mobile Ticketing Application Solution.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) The city shall not establish Subcontracting Goals for Contracts where: (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

This contract meets the provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: CATS Operating Budget

40. Airport Electric Bus Recharging Infrastructure and Bus Lot Reclamation

Action:

Approve a contract in the amount of \$2,201,540 to the lowest responsive bidder Showalter Construction Company, Inc. for the Electric Bus Recharging Infrastructure and Bus Lot Reclamation project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The project will provide charging infrastructure and bus lot renovations for the Airport's new electric buses. The project includes:
 - the construction of an electric bus charging station,
 - full depth asphalt reclamation (rebuilding worn out asphalt pavements by recycling the existing asphalt) of a parking lot,
 - installation of a bus lot lighting system, and
 - mill and overlay of the Airport access road.
- On December 13, 2019, the city issued an Invitation to Bid (ITB); one bid was received.
 - G.S. 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if re-advertisements result in fewer than three competitive bids.
- On January 9, 2020, the ITB was re-issued; one bid was received.
- Showalter Construction Company, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter of 2021.
- This activity is occurring on airport property, located in Council District 3.

Charlotte Business INclusion

Established MBE Goal: 6.00%

Committed MBE Goal: 7.22%

Showalter Construction Company, Inc. exceeded the established MBE subcontracting goal, and has committed 7.22% (\$159,000) of the total contract amount to the following certified firms:

- Friends and Brothers Concrete Inc. (MBE, SBE) (\$94,000) (demolition, concrete)
- Dakota Contracting Company (MBE, SBE) (\$35,000) (electrical)
- Sun King Trucking LLC (MBE, SBE) (\$30,000) (hauling)

Established SBE Goal: 10.00%

Committed SBE Goal: 10.00%

Showalter Construction Company, Inc exceeded the established SBE subcontracting goal, and has committed 10.00% (\$220,200) of the total contract amount to the following certified firms:

- Tarpon Construction Inc. (SBE) (\$61,200) (asphalt)
- Friends and Brothers Concrete Inc. (MBE, SBE) (\$94,000) (demolition, concrete)
- Dakota Contracting Company (MBE, SBE) (\$35,000) (electrical)
- Sun King Trucking LLC (MBE, SBE) (\$30,000) (hauling)

Fiscal Note

Funding: Aviation Capital Investment Plan

41. Airport Parking Management Services Contract Extension

Action:

Authorize the City Manager to approve an 18-month contract extension in the amount of \$5,747,544 with SP Plus Corporation for parking management services.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Aviation is in the process of installing a new Parking and Revenue Control System (PARCS) and Online Booking System, currently scheduled to be completed at the close of calendar year 2020.
- Due to current initiative prioritization, Aviation is requesting to extend SP Plus Corporation staffing services for an additional 18 months to help ensure a smooth transition without service interruptions.
- Waiver of competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. A waiver has been approved for these services based on continuity of service.
- SP Plus Corporation has the proven capability, knowledge, and resources to assist Aviation, given their familiarity with the Airport's parking operation, PARCS vendor, and systems.
- The new value of the contract, including this extension, is \$25,738,670.
- This activity is occurring on Airport property, located in Council District 3.

Airport Concessions Disadvantaged Business Enterprise

The ACDBE participation goal is established at (25.38%) and based on the total eligible expenses for goods and services. SP Plus Corporation has agreed to utilize certified ACDBE firms in order to meet or exceed the goal established for the duration of this contract. The obligations of both the city and SP Plus Corporation under this contract shall be subject to the provision of all federal regulations relating to the ACDBE program.

Fiscal Note

Funding: Aviation Operating Budget

42. Piedmont Advantage Credit Union Lease

Action:

Approve a five-year lease agreement with Piedmont Advantage Credit Union for a credit union branch at Charlotte Douglas International Airport.

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- The Aviation Department and American Airlines desire to renew the lease for the Piedmont Advantage Credit Union branch located in 945 square feet of office space in the Airport Terminal.
 - Piedmont Advantage Credit Union has occupied this space since 1994.
- Terms of the lease agreement include:
 - Annual rental payments of \$58,298.27,
 - A five-year lease, and
 - Two percent annual rent increase.
- The total lease value over the five-year term is \$302,298.27.
- This activity is occurring on airport property, located in Council District 3.

Fiscal Note

Funding: Revenue will be deposited into Aviation's Operating Budget

43. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$2,720.15.

Staff Resource(s):

Kelly Flannery, Finance

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers.pdf](#)

[Resolution.pdf](#)

44. Meeting Minutes

Action:

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

- January 12-15, 2020 Annual Strategy Meeting,
- January 21, 2020 Zoning Meeting,
- January 27, 2020 Business Meeting,
- February 3, 2020 Strategy Session,
- February 5, 2020 Budget Workshop, and
- February 10, 2020 Business Meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

45. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #3

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #3

Project: Dairy Branch Tributary Sewer Improvements, Parcel #3

Owner(s): Phillip H Cook

Property Address: 2402 Cumberland Avenue

Total Parcel Area: 34,455 sq. ft. (0.79 ac.)

Property to be acquired by Easements: 4,428.9 sq. ft. (0.101 ac.) Sanitary Sewer Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: n/a

Zoned: R-4

Use: Single-family Residential

Tax Code: 151-033-89

<http://polaris3g.mecklenburgcountync.gov/#mat=549472&pid=15103389&gisid=15103389>

Appraised Value: \$31,500

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

46. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #6

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #6

Project: Dairy Branch Tributary Sewer Improvements, Parcel #6

Owner(s): Lee B Johnson and Stefanie S Johnson

Property Address: 1590 Clayton Drive

Total Parcel Area: 20,397 sq. ft. (0.468 ac.)

Property to be acquired by Easements: 2,123.1 sq. ft. (0.048 ac.) Sanitary Sewer Easement and 1,990.6 sq. ft. (0.045 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: n/a

Zoned: R-5

Use: Single-family Residential

Tax Code: 151-033-56

<http://polaris3g.mecklenburgcountync.gov/#mat=49252&pid=15103356&gisid=15103356>

Appraised Value: \$46,000

Property Owner's Counteroffer: \$90,000

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

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

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

Council District: 1

47. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #7

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #7

Project: Dairy Branch Tributary Sewer Improvements, Parcel #7

Owner(s): Katrina Schott McLin and John Lee McLin

Property Address: 1586 Clayton Drive

Total Parcel Area: 21,052 sq. ft. (0.48 ac.)

Property to be acquired by Easements: 2,104 sq. ft. (0.05 ac.) Sanitary Sewer Easement and 2,040 sq. ft. (0.05 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: none

Landscaping to be impacted: none

Zoned: R-5

Use: R100

Tax Code: 151-033-57

<http://polaris3g.mecklenburcountync.gov/#mat=49233&pid=15103357&qisid=15103357>

Appraised Value: \$42,550

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

Council District: 1

48. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #8

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #8

Project: Dairy Branch Tributary Sewer Improvements, Parcel #8

Owner(s): Robert E Cassell, III and Erin K Cassell

Property Address: 1578 Clayton Drive

Total Parcel Area: 22,370 sq. ft. (0.513 ac.)

Property to be acquired by Easements: 2,117.5 sq. ft. (0.048 ac.) Sanitary Sewer Easement and 2,029.8 sq. ft. (0.046 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: Hedge Trees

Zoned: R-5

Use: Single-family Residential

Tax Code: 151-033-58

<http://polaris3g.mecklenburgcountync.gov/#mat=48945&pid=15103358&gisid=15103358>

Appraised Value: \$42,075

Property Owner's Counteroffer: \$48,898

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

City's Response to Property Owner's Concerns: The city informed the property owner they could obtain their own appraisal in order to justify a counteroffer.

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

Council District: 1

49. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #9

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #9

Project: Dairy Branch Tributary Sewer Improvements, Parcel #9

Owner(s): Jeff Meier and Laura J Meier

Property Address: 1574 Clayton Drive

Total Parcel Area: 23,334 sq. ft. (0.54 ac.)

Property to be acquired by Easements: 2,098 sq. ft. (0.05 ac.) Sanitary Sewer Easement and 1,996 sq. ft. (0.05 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: none

Landscaping to be impacted: 3 large trees

Zoned: R-5

Use: R100

Tax Code: 151-033-59

<http://polaris3g.mecklenburqcountync.gov/#mat=48933&pid=15103359&qisid=15103359>

Appraised Value: \$42,875

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

50. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #10

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #10

Project: Dairy Branch Tributary Sewer Improvements, Parcel #10

Owner(s): Robert S Blair Jr and Susanne W Blair

Property Address: 1568 Clayton Drive

Total Parcel Area: 23,481 sq. ft. (0.54 ac.)

Property to be acquired by Easements: 2,099 sq. ft. (0.05 ac.) Sanitary Sewer Easement, 2,158 sq. ft. (0.05 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: 4 large trees

Zoned: R-5

Use: R100

Tax Code: 151-033-60

<http://polaris3g.mecklenburqcountync.gov/#mat=48703&pid=15103360&qsid=15103360>

Appraised Value: \$35,275

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

51. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #11

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #11

Project: Dairy Branch Tributary Sewer Improvements, Parcel #11

Owner(s): Steven W Larson and Mary Lynn Larson

Property Address: 1562 Clayton Drive

Total Parcel Area: 24,181 sq. ft. (0.555 ac.)

Property to be acquired by Easements: 3,162.4 sq. ft. (0.072 ac.) Sanitary Sewer Easement and 2,207.2 sq. ft. (0.05 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: Two large Hardwood trees

Zoned: R-5

Use: Single-family Residential

Tax Code: 151-033-61

<http://polaris3g.mecklenburgcountync.gov/#mat=48561&pid=15103361&qsid=15103361>

Appraised Value: \$44,675

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

52. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #12

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #12

Project: Dairy Branch Tributary Sewer Improvements, Parcel #12

Owner(s): Geneva P Griffin

Property Address: 1554 Clayton Drive

Total Parcel Area: 28,990 sq. ft. (0.67 ac.)

Property to be acquired by Easements: 2,599 sq. ft. (0.06 ac.) Sanitary Sewer Easement and 2,028 sq. ft. (0.05 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: 9 large hardwood trees

Zoned: R-5

Use: R100

Tax Code: 151-033-62

<http://polaris3g.mecklenburqcountync.gov/#mat=48379&pid=15103362&qsid=15103362>

Appraised Value: \$37,950

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

53. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #13

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #13

Project: Dairy Branch Tributary Sewer Improvements, Parcel #13

Owner(s): Mark R Busch and Valerie Y Bush

Property Address: 1550 Clayton Drive

Total Parcel Area: 30,206 sq. ft. (0.69 ac.)

Property to be acquired by Easements: 2,958.9 sq. ft. (0.067 ac.) Sanitary Sewer Easement and 3,346.3 sq. ft. (0.076 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Four large Harwood trees

Zoned: R-5

Use: Single-family Residential

Tax Code: 151-033-63

<http://polaris3g.mecklenburgcountync.gov/#mat=48198&pid=15103363&gisid=15103363>

Appraised Value: \$39,375

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

54. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #15

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #15

Project: Dairy Branch Tributary Sewer Improvements, Parcel #15

Owner(s): Geoffrey S Shaw and Erin D Shaw

Property Address: 1538 Clayton Drive

Total Parcel Area: 26,020 sq. ft. (0.59 ac.)

Property to be acquired by Easements: 2,931 sq. ft. (0.067 ac.) Sanitary Sewer Easement and 4,818 sq. ft. (0.11 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: 4 large trees, 2 small trees, 6 bushes, ground cover

Zoned: R-5

Use: Single-family Residential

Tax Code: 151-033-65

<http://polaris3g.mecklenburgcountync.gov/#mat=47749&pid=15103365&gclid=15103365>

Appraised Value: \$52,150

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

55. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #16

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #16

Project: Dairy Branch Tributary Sewer Improvements, Parcel #16

Owner(s): Stephen M Thomas and Jennifer C Meth

Property Address: 1532 Clayton Drive

Total Parcel Area: 25,846 sq. ft. (0.59 ac.)

Property to be acquired by Easements: 2,772 sq. ft. (0.06 ac.) Sanitary Sewer Easement, 2,270 sq. ft. (0.05 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: 2 trees, 3 bushes

Zoned: R-5

Use: R100

Tax Code: 151-033-66

<http://polaris3g.mecklenburqcountync.gov/#mat=47448&pid=15103366&qsid=15103366>

Appraised Value: \$36,650

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

56. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #17

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #17

Project: Dairy Branch Tributary Sewer Improvements, Parcel #17

Owner(s): Erika Lopez and Leonard A Lopez

Property Address: 1526 Clayton Drive

Total Parcel Area: 21,544 sq. ft. (0.49 ac.)

Property to be acquired by Easements: 2,161 sq. ft. (0.05 ac.) Sanitary Sewer Easement and 736 sq. ft. (0.02 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: 4 large trees, 10 small trees/large bushes, 10 smaller plants, ground cover

Zoned: R-5

Use: R100

Tax Code: 151-033-67

<http://polaris3g.mecklenburgcountync.gov/#mat=47069&pid=15103367&qsid=15103367>

Appraised Value: \$37,000

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

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

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

Council District: 1

57. Charlotte Water Property Transactions - Dairy Branch Tributary Sewer Improvements, Parcel #18

Action: Approve the following Condemnation: Dairy Branch Tributary Sewer Improvements, Parcel #18

Project: Dairy Branch Tributary Sewer Improvements, Parcel #18

Owner(s): Robert James Brietz Jr. and Ashley B Brietz

Property Address: 1518 Clayton Drive

Total Parcel Area: 18,190 sq. ft. (0.42 ac.)

Property to be acquired by Easements: 1,919 sq. ft. (0.04 ac.) Sanitary Sewer Easement and 668 sq. ft. (0.02 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: n/a

Landscaping to be impacted: 1 large tree, 3 small trees, 11 bushes, ground cover

Zoned: R-5

Use: R100

Tax Code: 151-033-68

<http://polaris3g.mecklenburqcountync.gov/#mat=46384&pid=15103368&qsid=15103368>

Appraised Value: \$32,375

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 1

58. Property Transactions - Alleghany Street Sidewalk Bike Project, Parcel #19

Action: Approve the following Condemnation: Alleghany Street Sidewalk Bike Project, Parcel #19

Project: Alleghany Street Sidewalk Bike Project, Parcel #19

Owner(s): Home SFR Borrower IV LLC

Property Address: 2610 Alleghany Street

Total Parcel Area: 10,411 sq. ft. (0.24 ac.)

Property to be acquired by Easements: 643 sq. ft. (0.015 ac.) Sidewalk Utility Easement, 755 sq. ft. (0.017 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-4

Use: Single-family Residential

Tax Code: 061-081-26

<http://polaris3g.mecklenburgcountync.gov/#mat=88009&pid=06108126&qsid=06108126>

Appraised Value: \$1,525

Property Owner's Concerns: The property owner has become unresponsive.

City's Response to Property Owner's Concerns: N/A

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

Council District: 3

59. Property Transactions - Alleghany Street Sidewalk Bike Project, Parcel #40

Action: Approve the following Condemnation: Alleghany Street Sidewalk Bike Project, Parcel #40

Project: Alleghany Street Sidewalk Bike Project, Parcel #40

Program: Alleghany Street Sidewalk Bike Project

Owner(s): Rosen Charlotte LLC

Property Address: 1610 Ashley Road

Total Parcel Area: 278,699 sq. ft. (6.40 ac.)

Property to be acquired by Easements: 214 sq. ft. (0.005 ac.) Sidewalk Utility Easement, plus 264 sq. ft. (0.006 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-1 (CD)

Use: Commercial

Tax Code: 061-131-01

<http://polaris3g.mecklenburgcountync.gov/#mat=416119&pid=06113101&gisid=06113101>

Appraised Value: \$775

Property Owner's Concerns: The property owner has become unresponsive.

City's Response to Property Owner's Concerns: N/A

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

Council District: 3

60. Property Transactions - I-85 North Bridge, Parcel #3

Action: Approve the following Condemnation: I-85 North Bridge, Parcel #3

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

Project: I-85 North Bridge, Parcel #3

Owner(s): Cellco Partnership

Property Address: 8921 Research Drive

Total Parcel Area: 274,907 sq. ft. (6.311 ac.)

Property to be acquired by Fee: 10,278 sq. ft. (0.236 ac.) in Fee Simple

Property to be acquired by Easements: 1,054 sq. ft. (0.024 ac.) in Storm Drainage Easement, plus 11,501 sq. ft. (0.264 ac.) in Sidewalk and Utility Easement, plus 408 sq. ft. (0.009 ac.) in Waterline Easement, plus 13,039 sq. ft. (0.299 ac.) in Temporary Construction Easement, plus 4,035 sq. ft. (0.093 ac.) in Utility Easement

Structures/Improvements to be impacted: Sign

Landscaping to be impacted: Trees and various plantings

Zoned: RE-2

Use: Laboratory / Research

Tax Code: 047-401-04

<http://polaris3g.mecklenburgcountync.gov/#mat=474504&pid=04740104&gisid=04740104>

Appraised Value: \$103,075

Property Owner's Concerns: The property owner is concerned with the relocation of the utilities during construction.

City's Response to Property Owner's Concerns: The city explained the rationale of the design and is working with the property owner to coordinate utility relocation.

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

Council District: 4

61. Property Transactions - I-85 North Bridge, Parcel #11

Action: Approve the following Condemnation: I-85 North Bridge, Parcel #11

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement.

Project: I-85 North Bridge, Parcel #11

Owner(s): BellSouth Telecommunications LLC

Property Address: 9139 Research Drive

Total Parcel Area: 700,880 sq. ft. (16.090 ac.)

Property to be acquired by Easements: 693 sq. ft. (0.016 ac.) in Sidewalk and Utility Easement, plus 423 sq. ft. (0.01 ac.) in Waterline Easement, plus 32,930 sq. ft. (0.756 ac.) in Temporary Construction Easement, plus 2,741 sq. ft. (0.063 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: RE-2

Use: Laboratory / Research

Tax Code: 047-401-05

<http://polaris3g.mecklenburgcountync.gov/#mat=215444&pid=04740105&gisid=04740105>

Appraised Value: \$50,325

Property Owner's Counteroffer: \$60,325

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

62. Property Transactions - McCullough Drive Streetscape, Parcel #3

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #3

Project: McCullough Drive Streetscape, Parcel #3

Program: McCullough Drive Streetscape

Owner(s): DDC Hotels INC

Property Address: 415 W WT Harris Boulevard

Total Parcel Area: 161,396 sq. ft. (3.71 ac.)

Property to be acquired by Fee: 874 sq. ft. (0.02 ac.) Fee Simple

Property to be acquired by Easements: 4,901 sq. ft. (0.113 ac.) Utility Easement, 4,589 sq. ft. (0.105 ac.) Storm Drainage Easement, 6,128 sq. ft. (0.141 ac.) Sidewalk Utility Easement, 4,667 sq. ft. (0.107 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: O-2 (CD)

Use: Hotel/Motel

Tax Code: 047-211-29

<http://polaris3g.mecklenburgcountync.gov/#mat=124514&pid=04721129&gisid=04721129>

Appraised Value: \$82,625

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

63. Property Transactions - McCullough Drive Streetscape, Parcel #6

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #6

Project: McCullough Drive Streetscape, Parcel #6

Program: McCullough Drive Streetscape

Owner(s): NHG Charlotte Fund I LLC

Property Address: 625 McCullough Drive

Total Parcel Area: 89,761 sq. ft. (2.06 ac.)

Property to be acquired by Easements: 4,294 sq. ft. (0.099 ac.) Sidewalk Utility Easement, 3,508 sq. ft. (0.081 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Sign

Landscaping to be impacted: Trees

Zoned: O-2 (CD)

Use: Hotel/Motel

Tax Code: 047-212-20

<http://polaris3g.mecklenburgcountync.gov/#mat=160262&pid=04721220&gisid=04721220>

Appraised Value: \$36,350

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

64. Property Transactions - McCullough Drive Streetscape, Parcel #7

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #7

Project: McCullough Drive Streetscape, Parcel #7

Program: McCullough Drive Streetscape

Owner(s): CRLP McCullough Drive LLC

Property Address: 429 Tyler Trail Court

Total Parcel Area: 339,809 sq. ft. (7.80 ac.)

Property to be acquired by Easements: 10,225 sq. ft. (0.235 ac.) Utility Easement, 281 sq. ft. (0.006 ac.) Storm Drainage Easement, 7,538 sq. ft. (0.173) Sidewalk Utility Easement, 1,865 sq. ft. (0.043 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: O-3 (CD)

Use: Office district

Tax Code: 047-211-12

<http://polaris3g.mecklenburgcountync.gov/#mat=468454&pid=04721112&gisid=04721112>

Appraised Value: \$64,475

Property Owner's Concerns: The property owner is concerned about the compensation amount and conveyance agreement language.

City's Response to Property Owner's Concerns: The city approved revisions to the agreements and informed the property owner they could obtain their own appraisal in order to justify a counteroffer.

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

Council District: 4

65. Property Transactions - McCullough Drive Streetscape, Parcel #8

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #8

Project: McCullough Drive Streetscape, Parcel #8

Program: McCullough Drive Streetscape

Owner(s): Baseline NC Partners LLC

Property Address: 6510 Brentmoor Drive

Total Parcel Area: 152,091 sq. ft. (3.50 ac.)

Property to be acquired by Easements: 1,662 sq. ft. (0.038 ac.) Sidewalk Utility Easement, 1,728 sq. ft. (0.04 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: NS

Use: Neighborhood Service District

Tax Code: 047-212-18

<http://polaris3g.mecklenburgcountync.gov/#mat=550181&pid=04721218&gisid=04721218>

Appraised Value: \$9,800

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

City's Response to Property Owner's Concerns: The city informed the property owner that they can obtain their own appraisal in order to justify a counteroffer.

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

Council District: 4

66. Property Transactions - McCullough Drive Streetscape, Parcel #11

Action: Approve the following Acquisition: McCullough Drive Streetscape, Parcel #11

Project: McCullough Drive Streetscape, Parcel #11

Program: McCullough Drive Streetscape

Owner(s): PLP Properties LLC

Property Address: 416 McCullough Drive

Total Parcel Area: 234,179 sq. ft. (5.38 ac.)

Property to be acquired by Easements: 5,703 sq. ft. (0.131 ac.) Utility Easement, 2,871 sq. ft. (0.066 ac.) Sidewalk Utility Easement, 610 sq. ft. (0.014 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Sign and brick columns

Landscaping to be impacted: Various plantings

Zoned: O-2 (CD)

Use: Office

Tax Code: 047-211-31

<http://polaris3g.mecklenburgcountync.gov/#mat=548284&pid=04721131&gisid=04721131>

Appraised Value: \$57,940

Council District: 4

67. Property Transactions - McCullough Drive Streetscape, Parcel #13

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #13

Project: McCullough Drive Streetscape, Parcel #13

Program: McCullough Drive Streetscape

Owner(s): ATAPCO UEP INC

Property Address: 8301 University Executive Park Drive

Total Parcel Area: 420,553 sq. ft. (9.65 ac.)

Property to be acquired by Easements: 697 sq. ft. (0.016 ac.) Storm Drainage Easement, 23,535 sq. ft. (0.54 ac.) Sidewalk Utility Easement, 1,115 sq. ft. (0.026 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: TOD-CC

Use: Transit Oriented District

Tax Code: 047-211-10

<http://polaris3g.mecklenburgcountync.gov/#mat=202062&pid=04721110&gisid=04721110>

Appraised Value: \$84,025

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

68. Property Transactions - McCullough Drive Streetscape, Parcel #14

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #14

Project: McCullough Drive Streetscape, Parcel #14

Program: McCullough Drive Streetscape

Owner(s): ATAPCO UEP INC

Property Address: 301 McCullough Drive

Total Parcel Area: 311,999 sq. ft. (7.16 ac.)

Property to be acquired by Easements: 1,068 sq. ft. (0.025 ac.) Utility Easement, 1,420 sq. ft. (0.033 ac.) Storm Drainage Easement, 5,903 sq. ft. (0.136 ac.) Sidewalk Utility Easement, 6,468 sq. ft. (0.148 ac.) Temporary Construction Easement,

Property to be acquired by Fee simple: 930 sq. ft. (0.02 ac.)

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: TOD-CC

Use: Transit Oriented District

Tax Code: 047-451-22

<http://polaris3g.mecklenburgcountync.gov/#mat=97182&pid=04745122&gclid=04745122>

Appraised Value: \$63,050

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

69. Property Transactions - McCullough Drive Streetscape, Parcels #15 and 16

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcels #15 and 16

Project: McCullough Drive Streetscape, Parcels #15 and 16

Program: McCullough Drive Streetscape

Owner(s): ATAPCO UEP INC

Property Address: Ikea Boulevard

Total Parcel Area: 181,184 sq. ft. (4.16 ac.)

Property to be acquired by Easements: 4,522 sq. ft. (0.104 ac.) Storm Drainage Easement, 9,193 sq. ft. (0.211 ac.) Sidewalk Utility Easement, 3,251 sq. ft. (0.075 ac.) Temporary Construction Easement

Property to be acquired by Fee simple: 1,667 sq. ft. (0.04 ac.)

Structures/Improvements to be impacted: Sign

Landscaping to be impacted: Trees, various plantings, and brick paver

Zoned: O-15 (CD), TOD-CC

Use: Office, Transit Oriented District

Tax Code: 047-451-24, 047-451-21

<http://polaris3g.mecklenburgcountync.gov/#pid=04745124&qisid=04745124>

<http://polaris3g.mecklenburgcountync.gov/#mat=559701&pid=04745121&qisid=04745121>

Appraised Value: \$110,650

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

70. Property Transactions - McCullough Drive Streetscape, Parcel #18

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #18

Project: McCullough Drive Streetscape, Parcel #18

Program: McCullough Drive Streetscape

Owner(s): ATAPCO UEP INC

Property Address: 8220 University Executive Park Drive

Total Parcel Area: 147,526 sq. ft. (3.39 ac.)

Property to be acquired by Easements: 6,676 sq. ft. (0.153 ac.) Sidewalk Utility Easement, 3,684 sq. ft. (0.085 ac.) Temporary Construction Easement

Property to be acquired by Fee simple: 230 sq. ft. (0.01 ac.)

Structures/Improvements to be impacted: Sign

Landscaping to be impacted: Trees and various plantings

Zoned: TOD-CC

Use: Transit Oriented District

Tax Code: 047-453-01

<http://polaris3g.mecklenburgcountync.gov/#mat=386492&pid=04745301&gisid=04745301>

Appraised Value: \$69,700

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

71. Property Transactions - McCullough Drive Streetscape, Parcel #31

Action: Approve the following Condemnation: McCullough Drive Streetscape, Parcel #31

Project: McCullough Drive Streetscape, Parcel #31

Program: McCullough Drive Streetscape

Owner(s): LJW Land LLC

Property Address: McCullough Drive

Total Parcel Area: 69,418 sq. ft. (1.59 ac.)

Property to be acquired by Easements: 1,550 sq. ft. (0.036 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: MUDD-O

Use: Multi-use Office

Tax Code: 049-331-38

<http://polaris3g.mecklenburqcountync.gov/#pid=04933138&gisid=04933138>

Appraised Value: \$2,350

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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

Council District: 4

72. Property Transactions - Morehead at Caldwell Pedestrian Safety Project, Parcel #1

Action: Approve the following Acquisition: Morehead at Caldwell Pedestrian Safety Project, Parcel #1

Project: Morehead at Caldwell Pedestrian Safety Project, Parcel #1

Program: Morehead at Caldwell Pedestrian Safety Project

Owner(s): JFW Realty INC

Property Address: 435 East Morehead Street

Total Parcel Area: 16,043 sq. ft. (0.37 ac.)

Property to be acquired by Easements: 533 sq. ft. (0.012 ac.) Utility Easement, 742 sq. ft. (0.017 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-1

Use: Office

Tax Code: 125-137-04

<http://polaris3g.mecklenburgcountync.gov/#mat=129549&pid=12513704&gisid=12513704>

Purchase Price: \$36,900

Council District: 1

73. Property Transactions - Morehead at Caldwell Pedestrian Safety Project, Parcel #2

Action: Approve the following Acquisition: Morehead at Caldwell Pedestrian Safety Project, Parcel #2

Project: Morehead at Caldwell Pedestrian Safety Project, Parcel #2

Program: Morehead at Caldwell Pedestrian Safety Project

Owner(s): 501 Associates LLC

Property Address: 501 East Morehead Street

Total Parcel Area: 17,046 sq. ft. (0.39 ac.)

Property to be acquired by Easements: 33 sq. ft. (0.001 ac.) Utility Easement, 117 sq. ft. (0.003 ac.) Sidewalk Utility Easement, 574 sq. ft. (0.013 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: UMUD

Use: Commercial

Tax Code: 125-175-03

<http://polaris3g.mecklenburgcountync.gov/#mat=140694&pid=12517503&gisid=12517503>

Purchase Price: \$14,789

Council District: 1

74. Property Transactions - Oakhurst Amity Gardens, Parcel #3

Action: Approve the following Acquisition: Oakhurst Amity Gardens, Parcel #3

Project: Oakhurst Amity Gardens, Parcel #3

Program: Oakhurst Amity Gardens

Owner(s): Oakhurst Apartments LLC

Property Address: 1640 Chippendale Road

Total Parcel Area: 246,498 sq. ft. (5.66 ac.)

Property to be acquired by Fee: 13,181 sq. ft (0.31 ac.) Fee Simple

Property to be acquired by Easements: 700 sq. ft. (0.016 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-17MF

Use: Multi-family

Tax Code: 161-052-01

<http://polaris3g.mecklenburqcourtync.gov/#mat=413015&pid=16105201&gisid=16105201>

Purchase Price: \$98,000

Council District: 5

75. Property Transactions - Oakhurst Amity Gardens, Parcel #4

Action: Approve the following Condemnation: Oakhurst Amity Gardens, Parcel #4

Project: Oakhurst Amity Gardens, Parcel #4

Program: Oakhurst Amity Gardens

Owner(s): Luz Latorre

Property Address: 1629 Chippendale Road

Total Parcel Area: 53,193 sq. ft. (1.22 ac.)

Property to be acquired by Fee: 36,633 sq. ft. (0.84 ac.) Fee Simple

Property to be acquired by Easements: 1,890 sq. ft. (0.043 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-5

Use: Single-family Residential

Tax Code: 161-026-07

<http://polaris3g.mecklenburqcountync.gov/#mat=52007&pid=16102607&qisid=16102607>

Appraised Value: \$239,350

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

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

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

Council District: 5

76. Property Transactions - Oakhurst Amity Gardens, Parcel #5

Action: Approve the following Acquisition: Oakhurst Amity Gardens, Parcel #5

Project: Oakhurst Amity Gardens, Parcel #5

Program: Oakhurst Amity Gardens

Owner(s): Try-Star LLC

Property Address: Pierson Drive

Total Parcel Area: 54,675 sq. ft. (1.26 ac.)

Property to be acquired by Fee: 32,031 sq. ft (0.74 ac.) Fee Simple

Property to be acquired by Easements: 1,933 sq. ft. (0.044 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-5

Use: Single-family Residential

Tax Code: 161-026-33

<http://polaris3g.mecklenburqcountync.gov/#mat=463371&pid=16102633&qisid=16102633>

Purchase Price: \$151,725

Council District: 5

77. Property Transactions - Oakhurst Amity Gardens, Parcel #7

Action: Approve the following Acquisition: Oakhurst Amity Gardens, Parcel #7

Project: Oakhurst Amity Gardens, Parcel #7

Program: Oakhurst Amity Gardens

Owner(s): Jung Properties LLC

Property Address: 700 Pierson Drive

Total Parcel Area: 15,812 sq. ft. (0.37 ac.)

Property to be acquired by Fee: 1,611 sq. ft (0.04 ac.) Fee Simple

Property to be acquired by Easements: 167 sq. ft. (0.004 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: O-2

Use: Commercial

Tax Code: 161-026-32

<http://polaris3g.mecklenburqcountync.gov/#mat=511784&pid=16102632&qisid=16102632>

Purchase Price: \$17,700

Council District: 5

78. Property Transactions - Old Providence Road Sidewalk Project, Parcel #8

Action: Approve the following Acquisition: Old Providence Road Sidewalk Project, Parcel #8

Project: Old Providence Road Sidewalk Project, Parcel #8

Owner(s): Duke Energy Carolinas LLC

Property Address: 6828 Old Providence Road

Total Parcel Area: 258,295 sq. ft. (5.93 ac.)

Property to be acquired by Fee: 4,332 sq. ft. (0.099 ac.) Fee Simple in Existing R/W

Property to be acquired by Easements: 5,515 sq. ft. (0.127 ac.) Sidewalk Utility Easement, 2,675 sq. ft. (0.061 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 211-032-37

<http://polaris3g.mecklenburqcountync.gov/#mat=177683&pid=21103237&gisid=21103237>

Purchase Price: \$21,980

Council District: 7

79. Property Transactions - Oneida Road Sidewalk, Parcel #10

Action: Approve the following Acquisition: Oneida Road Sidewalk, Parcel #10

Project: Oneida Road Sidewalk, Parcel #10

Program: Oneida Road Sidewalk

Owner(s): Dimmette Properties LLC

Property Address: 4923 North Graham Street

Total Parcel Area: 367,292 sq. ft. (8.43 ac.)

Property to be acquired by Easements: 845 sq. ft. (0.019 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees/Bush

Zoned: I-1

Use: Industrial

Tax Code: 045-191-02

<http://polaris3g.mecklenburqcountync.gov/#mat=137655&pid=04519102&gisid=04519102>

Appraised Value: \$14,789

Council District: 4

80. Property Transactions - South Tryon Corridor (Dunnivant Street/Brookhill Road), Parcel #2

Action: Approve the following Acquisition: South Tryon Corridor (Dunnivant Street/Brookhill Road), Parcel #2

Project: South Tryon Corridor (Dunnivant Street/Brookhill Road), Parcel #2

Program: South Tryon Corridor Implementation (Dunnivant Street/Brookhill Road)

Owner(s): FHN 2301 South Tryon LLC

Property Address: 2301 South Tryon Street

Total Parcel Area: 19,829 sq. ft. (0.46 ac.)

Property to be acquired by Easements: 51 sq. ft. (0.001 ac.) Utility Easement, 265 sq. ft. (0.006 ac.) Sidewalk Utility Easement, 333 sq. ft. (0.008 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Zoned: TOD-NC

Use: Transit Oriented District Neighborhood Center

Tax Code: 121-043-01

<http://polaris3g.mecklenburgcountync.gov/#mat=79074&pid=12104301&gclid=12104301>

Purchase Price: \$13,047

Council District: 3

81. Property Transactions - Thomasboro Drive Sanitary Sewer Replacement, Parcel #1.1

Action: Approve the following Condemnation: Thomasboro Drive Sanitary Sewer Replacement, Parcel #1.1

Project: Thomasboro Drive Sanitary Sewer Replacement, Parcel #1.1

Owner(s): Starnes Pallet Service INC

Property Address: 1000 Thomasboro Drive

Total Parcel Area: 390,224 sq. ft. (8.958 ac.)

Property to be acquired by Easements: 15,627 sq. ft. (0.359 ac.) in Sanitary Sewer Easement, plus 20,251 sq. ft. (0.465 ac.) in Temporary Construction Easement, plus 9,161 sq. ft. (0.21 ac.) in Easement to be Abandoned, plus 2,792 sq. ft. (0.064 ac.) in Existing Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-22MF

Use: Multi-family

Tax Code: 063-042-38

<http://polaris3g.mecklenburgcountync.gov/#mat=345&pid=06304238&gisid=06304238>

Appraised Value: \$17,925

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

City's Response to Property Owner's Concerns: The city informed the property owner that they can obtain their own appraisal in order to justify a counteroffer.

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

Council District: 2

82. Property Transactions - Water Oak Storm Drainage Improvements, Parcel #6

Action: Approve the following Acquisition: Water Oak Storm Drainage Improvements, Parcel #6

Project: Water Oak Storm Drainage Improvements, Parcel #6

Program: Flood Control

Owner(s): Joel L Adelman and Stephanie W Adelman

Property Address: 4511 Water Oak Road

Total Parcel Area: 16,700 sq. ft. (0.383 ac.)

Property to be acquired by Easements: 609 sq. ft. (0.014 ac.) in Storm Drainage Easement, plus 665 sq. ft. (0.015 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 157-131-11

<http://polaris3g.mecklenburgcountync.gov/#mat=465989&pid=15713111&gisid=15713111>

Purchase Price: \$16,500

Council District: 5

83. Property Transactions - Water Oak Storm Drainage Improvements, Parcel #13

Action: Approve the following Acquisition: Water Oak Storm Drainage Improvements, Parcel #13

Project: Water Oak Storm Drainage Improvements, Parcel #13

Program: Flood Control

Owner(s): Helen Biegel Hackney

Property Address: 4618 Walker Road

Total Parcel Area: 16,928 sq. ft. (0.389 ac.)

Property to be acquired by Easements: 2,367 sq. ft. (0.054 ac.) in Temporary Construction Easement, plus 30 sq. ft. (0.001 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree

Zoned: R-3

Use: Single-family Residential

Tax Code: 157-183-24

<http://polaris3g.mecklenburgcountync.gov/#mat=134197&pid=15718324&gisid=15718324>

Purchase Price: \$14,900

Council District: 5

84. Property Transactions - Water Oak Storm Drainage Improvements, Parcel #18

Action: Approve the following Acquisition: Water Oak Storm Drainage Improvements, Parcel #18

Project: Water Oak Storm Drainage Improvements, Parcel #18

Program: Flood Control

Owner(s): Mary Helen Hackney

Property Address: 1000 Brantham Court

Total Parcel Area: 24,315 sq. ft. (0.558 ac.)

Property to be acquired by Easements: 1,933 sq. ft. (0.044 ac.) in Storm Drainage Easement, plus 328 sq. ft. (0.008 ac.) in Temporary Construction Easement, plus 289 sq. ft. (0.007 ac.) in Utility Easement, plus 765 sq. ft. (0.018 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 157-183-20

<http://polaris3g.mecklenburgcountync.gov/#mat=197&pid=15718320&gisid=15718320>

Purchase Price: \$15,850

Council District: 5

85. Property Transactions - Water Oak Storm Drainage Improvements, Parcel #26

Action: Approve the following Acquisition: Water Oak Storm Drainage Improvements, Parcel #26

Project: Water Oak Storm Drainage Improvements, Parcel #26

Program: Flood Control

Owner(s): Brian Clair and Sharon Clair

Property Address: 4742 Emory Lane

Total Parcel Area: 20,295 sq. ft. (0.466 ac.)

Property to be acquired by Easements: 1,296 sq. ft. (0.03 ac.) in Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 163-082-10

<http://polaris3g.mecklenburgcountync.gov/#mat=136518&pid=16308210&gisid=16308210>

Purchase Price: \$21,850

Council District: 5

Adjournment

REFERENCES

86. Reference - Charlotte Business INclusion Policy

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

Part A: Administration and Enforcement

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Part B: Construction and Commodities Contracts

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

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

Part C: Service Contracts

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

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

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

Part D: Post Contract Award Requirements

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

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

Part G: Alternative Construction Agreements

Part G: Section 2.7: Prior to City Council's vote to award the Alternative Construction Agreement, the Program Manager and the Company shall negotiate and agree on proposed MWSBE Goals for the Project and on a Participation Plan that describes the outreach and efforts the Company will be required to undertake to meet the MWSBE subcontracting goals.

87. 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.

88. 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.