

City of Charlotte

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



Meeting Agenda

Monday, August 27, 2018

Council Chambers

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 Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
Council Member Braxton Winston II*

ACTION REVIEW**1. Mayor and Council Consent Item Questions****Staff Resource(s):**

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the Action Review meeting.

2. Agenda Overview**Staff Resource(s):**

Marcus Jones, City Manager

3. Transportation Strategy - Transit System**Staff Resource(s):**

John Lewis, CATS

Time: 20 minutes

Explanation

- This presentation will provide information on the city's vision and strategy for transit services.
- The overview will include discussion on the 2030 Charlotte Area Transit System Plan and the initiatives underway to ensure we are on the right path for not only 2030, but planning for successes for decades to come.
- Goals of the Charlotte Area Transit System include: promoting safety, mobility, and community building in all that we do.

Future Action

This presentation is for information purposes only.

[Transportation Strategy - Transit System](#)

4. Transportation Strategy - Charlotte Department of Transportation

Staff Resource(s):

Liz Babson, Transportation

Time: 20 minutes

Explanation

- This presentation will provide information on the city's vision and strategy for transportation infrastructure.
- The overview will include discussion on Vision Zero.
- Goals of the Charlotte Department of Transportation include: promoting safety, mobility, and community building in all that we do.

Future Action

At a future meeting, City Council may be asked to consider ordinance amendments regarding dockless bike share and e-scooters based on lessons learned from the 12-month pilot program.

[Transportation Strategy - CDOT](#)

5. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 10 minutes

Synopsis

Staff responses to questions from the beginning of the Action Review meeting.

6. Closed Session (as necessary)

BUSINESS MEETING

CALL TO ORDER

INTRODUCTIONS

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC FORUM

7. Public Forum

8. Consent agenda items 22 through 107 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 citizens signed up to speak to the item.

ZONING**9. Rezoning Petition: 2018-047 by Foundation of the University of North Carolina at Charlotte, Inc.**

Location: Approximately 4.42 acres located on the east side of North Tryon Street across from J.W. Clay Boulevard. (Council District 4 - Phipps)

Current Zoning: INST (institutional) and TOD-M(O) (transit oriented development - mixed use, optional)

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional) and TOD-M(O) SPA (transit oriented development - mixed use, optional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff recommendation:

Staff recommends approval of this petition.

Attachment(s)

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2018-047 reco 7-31-18 done](#)

[2018-47 Final staff 091718 done](#)

[2018-047 RevSitePlan 7-26-18](#)

10. Rezoning Petition: 2018-043 by Pike Nurseries

Location: Approximately 5.85 acres located south of Ridge Road, west of Prosperity Church Road, east of Benfield Road, north of I-485. (Council District 4 - Phipps)

Current Zoning: CC (commercial center)

Proposed Zoning: CC SPA (commercial center, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachment(s)

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2018-043 reco 7-31-18 done](#)

[2018-043 Finalstaff 8-27-done](#)

[2018-043 RevSitePlan 7-23-18](#)

PUBLIC HEARING

11. Public Hearing on a Resolution to Close a Portion of An Alleyway off of West Palmer Street

Action:

- A. Conduct a public hearing to close a portion of an alleyway off of West Palmer Street, and
- B. Adopt a resolution to close a portion of an alleyway off of West Palmer Street.

Staff Resource(s):

Liz Babson, Transportation
Esteban Valverde, 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 off of West Palmer Street is located in Council District 3.

Petitioners

Metrolina Properties of Charlotte, LLC - Mr. D. Hunter Edwards

Right-of-Way to be Abandoned

The alleyway to be abandoned is located within a block bound by West Palmer Street, South Mint Street, Penman Street, and South Graham Street.

Reason

The abutting property owners wish to permanently close the alleyway, allowing them to reassemble the land, and create a more viable parcel for future redevelopment.

Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owner(s)

Dr. James A. Fagan - No objections
Ms. Yolanda Johnson (Mint Street of NC, LLC) - No objections

Neighborhood/Business Association(s)

Wilmore Neighborhood Association - Notified/no comments

Private Utility Companies - No objections

City Departments

Review by City departments identified no apparent reason this closing would:

- Be contrary to the public interest;
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes; and
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment(s)

Map

Resolution

[CityCouncilROWAdandonmentMap_2018-02](#)

[Resolution to Close a portion of an alleyway off of W. Palmer Street](#)

12. Public Hearing on Cresswind Voluntary Annexation

Action:

- A. Hold a public hearing for Cresswind voluntary annexation, and**
- B. Adopt an annexation ordinance with an effective date of August 27, 2018, to extend the corporate limits to include these properties and assign them to the adjacent Council District 5.**

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- The City has received a petition for voluntary annexation of private properties from 485 Investments, LLC.
- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- These properties are located within Charlotte's extraterritorial jurisdiction.
- Area proposed for annexation shares boundary with current city limits.
- Annexation of these areas at this time will allow for more orderly land development review, extension of City services, capital investments, and future annexation processes.
- The 122.494-acres site is located on the east of I-485 and south of Camp Stewart Road in East Mecklenburg County.
 - The properties are currently vacant.
 - The petitioner has plans to develop approximately 247 residential units.
 - The properties are zoned (R-3) single family residential at 3 dwelling units per acre and (MX-1) Innovative.
 - Petitioned area consists of four parcels 111-201-08, 111-201-99, 111-201-05, and 111-221-07.
 - The effective annexation date for these properties is August 27, 2018.
 - The properties are located immediately adjacent to Council District.
 - The Annexation Ordinance assigns the annexed area to adjacent City Council District 5.

Consistency with City Council Policies

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

Attachment(s)

Map

Resolution

[Cresswind Annexation Map BW \(3\)](#)

[Resolution Cresswind Area Annexationrev1](#)

[Cresswind Annexation Ordinance](#)

POLICY

13. City Manager's Report

14. Housing Charlotte Framework

Action:

Approve the Housing Charlotte Framework for building and expanding access to opportunity through housing investments.

Committee Chair:

LaWana Mayfield, Housing and Neighborhood Development

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Explanation

- The Housing Charlotte Framework (Framework) establishes a collaborative effort among the City and other community partners for the allocation of private and public resources to guide the City's affordable housing investments, policies, processes, and related decisions.
- The framework's recommended key strategies and short-term priority financial tools represent specific policy objectives and methods the City and its partners will explore to address housing affordability challenges.
- The framework builds on recent community initiatives, plans, and studies including City Council's 2016 Letter to the Community, the Urban Land Institute's Terwilliger Center for Housing report, the Leading on Opportunity report, and the recently completed Evergreen Task Force report.

Framework Process

- The Framework development process began in April 2017 and involved focus group discussions.
- The development process also included updates to the Housing and Neighborhood Development Committee, as well as updates to City Council during the August 28, 2017, April 2, 2018 and July 23, 2018 Council Meetings.

Framework Outline

- The Framework is guided by three core considerations:
 - Increasing capacity to serve low-income residents with a focus on households earning below 60 percent of area median income,
 - Serving residents vulnerable to housing displacement, and
 - Using housing to build and expand access to opportunity.
- It also entails a three-pronged approach:
 - Expanding the supply of high-quality rental housing and homeownership opportunities,
 - Preserving the affordability and quality of existing rental housing stock, and
 - Supporting family self-sufficiency.
- The Framework includes an executive summary as well as sections that provide an overview of the existing and anticipated future housing conditions; existing local tools, policies, resources and initiatives; proposed strategies; and potential tools to increase the production and preservation of affordable housing.
- While some of the proposed strategies and priority financial tools are items the City can consider implementing, many will require new public and private-sector support and resources.

Committee Discussion

- The Housing and Neighborhood Development Committee (Committee) received updates on the Framework during the Committee meetings on April 26, 2017, and June 28, 2017.
- During the Housing Retreat on April 20, 2018, the Committee reviewed the Framework's core considerations, affirmed the three-pronged approach (housing expansion, preservation, and family self-sufficiency), and reviewed proposed tools for addressing each of the three approaches.
- The Committee continued discussion and review of the Framework at the May 16, 2018, and June 4, 2018, meetings.
- On June 13, 2018, the Committee unanimously recommended the Framework be considered by City

Council.

Attachment(s)

Housing Charlotte Framework

[Housing Charlotte Framework_FINALv2](#)

BUSINESS

15. UNC Charlotte Conference Center Partnership

Action:

Authorize the City Manager to negotiate and execute an agreement with The Foundation of UNC Charlotte for the City to fund up to \$8 million to construct a Conference Center in partnership with UNC Charlotte.

Staff Resource(s):

Tracy Dodson, City Manager's Office
Ron Kimble, City Manager's Office
Robert Campbell, Finance

Explanation

- On June 25, 2018, the Mayor and City Council received a presentation from the UNC Charlotte Chancellor about a proposed partnership with UNC Charlotte for a Conference Center connected to a planned, new hotel on the UNC Charlotte campus.
- The Hotel and Conference Center would be transit oriented development and anchor the JW Clay/UNC Charlotte transit station (Council District 4).
- The estimated \$87 million project will be developed by the Foundation of UNC Charlotte (Foundation).
- The Conference Center will be a 24,000 square foot state of the art facility that will be twice the size of a conference center in a like-sized hotel.
- UNC Charlotte has proposed an \$8 million funding partnership from the City to construct the Conference Center
- On July 23, 2018, City Council conducted a rezoning public hearing for the Hotel and Conference Center. Requested Council action on this rezoning is also on the August 27, 2018, business agenda.
- Key benefits of the Conference Center include:
 - Estimates of nearly \$9 million in City, County, and State tax revenue in the first five years of Hotel and Conference Center operation,
 - Supports the University City Transit Station area plan and the JW Clay master plan,
 - Supports growth of the City's second largest employment hub area,
 - Creates demand for other University City area hotels and helps to accommodate large scale conventions in Center City because the conference space exceeds hotel room capacity,
 - Drives demand for area restaurants and entertainment amenities,
 - Improves attendee access to all parts of the City because of proximity to JW Clay/UNC Charlotte transit station,
 - Strengthens academic reputation of UNC Charlotte by attracting national and international academic conferences and research symposia, and
 - Advances capability to host other events that support faculty and student activities and the hospitality and tourism industry.
- Key terms of the partnership include (full set of terms included in attachment):
 - MWSBE participation (preliminary 10 to 15 percent MBE goal and 10 to 15 percent SBE goal on both the Hotel and Conference Center construction), enrollment in the PIECE program, and University scholarships will be negotiated and agreed upon in the definitive agreements,
 - The facility will be "condominiumized" such that the "Hotel Unit" will be owned by the Foundation/University and the "Conference Center Unit" will be wholly owned by the City,
 - The City's investment will be used exclusively for the cost of construction of the Conference Center,
 - The City's investment will be funded in two, \$4 million payments; the first to be delivered six months after commencement of construction, estimated to be on or about July 31, 2019, and the second when a Certificate of Occupancy is received,
 - The Foundation/University will lease the Conference Center Unit from the City for a 30-year base lease, with up to two, 10-year extension options,
 - The Foundation/University receives an option to purchase the Conference Center Unit any

- time after the completion of year 30 of operation at a price equal to fair market value,
- The Foundation/University, at its cost, is required to upfit, operate, maintain, and repair the Conference Center Unit throughout the term of the lease,
 - The City has secured adequate financial guarantees if the project fails to open, goes dark, or if the project becomes insolvent over the first 20 years,
 - The City has secured a "Room Block Agreement" of up to 100 hotel rooms a night at the hotel for future conventions booked by the Charlotte Regional Visitor's Authority (CRVA), and
 - UNC Charlotte has agreed to negotiate "rent-free" use of selected UNC Charlotte athletic or campus facilities for sports and tourism related events in partnership with the City and CRVA.

Charlotte Business INclusion

Prior to the City Manager executing the agreement, the CBI Office will establish subcontracting goals that include both the Hotel and Conference Center (Part G, Section 2.7 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Convention Center Tax Fund

Attachment(s)

June 25, 2018 Action Review Presentation

Letter from Chancellor Dubois regarding use of athletic facilities

Term Sheet

[Conference Center Proposal 0625 FINAL](#)

[Dubois to Jones Murray re Athletics facilities](#)

[Term Sheet](#)

16. Statewide Contingency Funds Administration Municipal Agreement

Action:

- A. **Accept Statewide Contingency funds in the amount of up to \$1,500,000 on behalf of the North Carolina Department of Transportation,**
- B. **Approve a Municipal Agreement with the North Carolina Department of Transportation to administer the Statewide Contingency funds, and**
- C. **Adopt a budget ordinance appropriating \$1,500,000.**

Staff Resource(s):

Liz Babson, Transportation
Johanna Quinn, Transportation

Explanation

- Charlotte City Council adopted a resolution on June 12, 2017, supporting grants totaling up to \$1,500,000 in Statewide Contingency Funds to the North Carolina Department of Transportation for highway improvements to accommodate new industry development. The new development includes the Corning Optical Communications headquarters (Council District 2).
- The funds will be used exclusively for construction of road improvements to facilitate the relocation of Corning Optical Communication's Headquarters.
- The development requires highway improvements estimated to cost \$10,000,000 at I-485, Brookshire Boulevard, and Mount Holly-Huntersville Road.
- Corning Optical Communications and the developer, Simpson Commercial, will be responsible for the remaining cost of the project.
- The Charlotte Regional Transportation Planning Organization Comprehensive Transportation Plan identifies Brookshire Boulevard, Mount Holly-Huntersville Road, and the I-485/Brookshire Boulevard interchange as needing improvement.

Fiscal Note

Funding: North Carolina Department of Transportation Statewide Contingency Funds

Attachment(s)

Map
Resolution
Budget Ordinance

[Transportation Improvements](#)

[CDOT ord 8-27-18 NCDOT Contribution](#)

[Resolution 8759](#)

17. Sale of City-Owned Property on Matheson Avenue

Action:

Adopt a resolution approving the private sale of a parcel on Matheson Avenue (parcel identification number 083-156-16) consisting of 0.34 acres of vacant land to Four Oaks Builders, LLC, which will include an affordable housing unit.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Pamela Wideman, Housing and Neighborhood Service

Explanation

- One of City Council's priorities is to build and preserve vibrant and diverse neighborhoods by expanding the supply of affordable housing through new construction and preservation of the existing housing stock.
- The sale of City property on Matheson Avenue for use as affordable housing furthers this goal by creating an affordable homeownership opportunity.
- The use of publicly owned land to achieve affordable homeownership for households earning 80 percent and below of the area median income is consistent with both the Housing Charlotte Framework and national best practices.
- This transaction is also consistent with the Council-adopted City-Owned Real Estate and Facilities Policy.
- The City-owned property is a vacant, 0.34-acre parcel currently zoned R-5 (single family) in Council District 1.
- An appraisal of the property on February 21, 2018, established a fair market value of \$25,900.
- Four Oaks Builders desires to purchase the City-owned parcel and assemble it with an adjacent parcel for the development of a diverse price point housing community consisting of three, single-family homes, which will include one, For Sale unit under the HouseCharlotte program.
- The offer from Four Oaks Builders includes the following terms:
 - Purchase price of \$25,900,
 - Earnest money deposit of \$1,295 within five days of City Council's approval to accept the offer,
 - Due diligence period of 60 days, and
 - Closing to occur within 30 days from the end of the due diligence period.
- Additionally, the land will enable a HouseCharlotte approved purchaser to obtain a homeownership opportunity in an area of high opportunity.
- The HouseCharlotte program provides deferred, forgivable down payment assistance loans to qualified applicants to purchase homes within the Charlotte city limits.
- The proposed housing unit will be available to households earning 80 percent or below of the area median income with a 10-year affordability deed restriction placed on the affordable unit.
- The maximum purchase price for the new construction unit is \$224,000, which is approximately \$275,000 less than the other market rate units in the same development.

Fiscal Note

Funding: Proceeds from the sale will be deposited in the City's General Fund.

Attachment(s)

Map
Resolution

[Location Map - Sale of City-Owned Property on Matheson Avenue](#)

[Matheson Ave Resolution 8.27.18](#)

18. Sale of City-owned Property on Parkwood Avenue

Action:

Adopt a resolution approving the private sale of 1621 and 1623 Parkwood Avenue (parcel identification numbers 083-137-12 and 083-137-13), consisting of 0.259 acres of vacant land for \$140,000 to Vista Homes II, LLC for the development of up to five townhome units which will include an affordable unit.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Pamela Wideman, Housing and Neighborhood Services

Explanation

- One of City Council's priorities is to build and preserve vibrant and diverse neighborhoods by expanding the supply of affordable housing through new construction and preservation of the existing housing stock.
- The sale of City properties on Parkwood Avenue for use as affordable housing furthers this goal by creating an affordable homeownership opportunity.
- The use of publicly owned land to achieve affordable homeownership for households earning 80 percent and below of the area median income is consistent with both the Housing Charlotte Framework and national best practices.
- This transaction is also consistent with the Council-adopted Real Estate and Facilities Policy.
- The vacant, City-owned properties total 0.259 acres and are currently zoned B-1 (neighborhood business) permitting residential uses in Council District 1.
- An appraisal of the property on April 9, 2018, established a fair market value of \$209,300.
- Vista Homes II desires to purchase the City-owned parcels for the development of a diverse price point housing community with an affordable, HouseCharlotte qualified unit.
- The offer from Vista Homes II, LLC includes the following terms:
 - Purchase price of \$140,000,
 - Earnest money deposit of \$7,000 within five days of City Council's approval to accept the offer,
 - Due diligence period of 60 days,
 - Closing to occur within 120 days from the end of the due diligence period, and
 - The City will retain a 15-foot easement that will serve as a pedestrian and bike connector to enhance the future Parkwood Avenue and The Plaza improvement project.
- Additionally, the land will enable a HouseCharlotte approved purchaser to obtain a homeownership opportunity, in an area of high opportunity.
- The HouseCharlotte program provides deferred, forgivable down payment assistance loans to qualified applicants to purchase homes within Charlotte City limits.
- The proposed housing unit will be available to households earning 80 percent or below of the area median income with a 10-year affordability deed restriction placed on the affordable unit.
- The maximum purchase price for the new construction unit is \$224,000, which is approximately \$103,000 less than the other market rate units in the same development.

Fiscal Note

Funding: Proceeds from the sale will be deposited into the City's General Fund.

Attachment(s)

Map
Resolution

[Location Map - Sale of City Property 1621-1623 Parkwood Avenue](#)

[Parkwood Avenue Resolution DRAFT 5.14.18](#)

19. Sale of City-owned Property on Spencer Street

Action:

Adopt a resolution approving the private sale of a parcel on Spencer Street (parcel identification number 091-091-04) consisting of 1.37 acres of vacant land to Shea Real Estate Investments, LLC, a wholly owned subsidiary of Shea Homes which will include affordable units.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Pamela Wideman, Housing and Neighborhood Services

Explanation

- One of City Council's priorities is to build and preserve vibrant and diverse neighborhoods by expanding the supply of affordable housing through new construction and preservation of the existing housing stock.
- The sale of City property on Spencer Street for use as affordable housing furthers this goal by creating an affordable homeownership opportunity.
- The use of publicly owned land to achieve affordable homeownership for households earning 80 percent and below of the area median income is consistent with both the Housing Charlotte Framework and national best practices.
- This transaction is also consistent with the Council-adopted City-Owned Real Estate and Facilities Policy.
- The City-owned property is a vacant, 1.37-acre parcel currently zoned R-5 (single family) in Council District 1.
- An appraisal of the property on April 9, 2018, established a fair market value of \$50,000.
- Shea Homes desires to purchase the City-owned, landlocked parcel coupled with adjacent parcels for the development of a diverse price point housing community.
- The offer from Shea Homes includes the following terms:
 - Purchase price of \$50,000,
 - Earnest money deposit of \$2,500 within 10 days of City Council's approval to accept the offer,
 - Due diligence period of 240 days, and
 - Closing to occur within 240 days from the end of the due diligence period.
- Additionally, the land will enable a HouseCharlotte approved purchaser to obtain a homeownership opportunity in an area of high opportunity.
- The HouseCharlotte program provides deferred, forgivable down payment assistance loans to qualified applicants to purchase homes within the Charlotte city limits.
- The proposed housing unit will be available to households earning 80 percent or below of the area median income with a 10-year affordability deed restriction placed on the affordable unit.
- The maximum purchase price for the new construction unit is \$224,000, which is approximately \$125,000 less than the other market rate units in the same development.

Fiscal Note

Funding: Proceeds from the sale will be deposited into the City's General Fund.

Attachment(s)

Map
Resolution

[Location Map - Sale of City Property - Spencer Street](#)

[Spencer Street Resolution DRAFT 5.14.18](#)

20. Appointments to the Arts and Science Council Advisory Councils

Action:

Vote on blue ballots and return to the Clerk at Action Review.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Three appointments for two-year terms beginning July 1, 2018, and ending June 30, 2020.
- Central Advisory Council - One At-Large appointee from District 1, 3, or 5
 - Brooke Gibbons (3), nominated by Council members Mayfield and Winston,
 - Kaitlyn McElwee (1), nominated by Council members Bokhari, Egleston, and Harlow,
 - Marjorie White Molina (5), nominated by Council members Ajmera, Eiselt, Newton, and Phipps.
- South/East Advisory Council - One At-Large appointee from District 6 or 7
 - Cache' Heidel (6), nominated by Council members Newton and Winston, and
 - George Kaperonis (7), nominated by Council members Egleston and Eiselt.
- South/ East Advisory Council
 - One appointee from District 7 (nomination by Council member Driggs).

Attachment(s)

ASC Advisory Council Policy

ASC Central Advisory Council Nominations (Districts 1, 3, and 5)

ASC South/East Advisory Council Nominations (Districts 6 and 7)

21. Mayor and City Council Topics

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

CONSENT**22. Police Aviation Flight Simulator****Action:**

- A. Approve a contract to Frasca International, Inc. for the purchase of a Flight Simulator and maintenance for four years, and**
- B. Authorize the City Manager to renew the contract for up to two, one year-terms and amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Kerr Putney, Police

Kenneth Anderson, Police

Explanation

- Since 2006, the Charlotte Mecklenburg Police Department (CMPD) has used the current flight simulator to assist CMPD's nine pilots in maintaining pilot licenses and increasing proficiency by supplementing aircraft training.
- The flight simulator allows CMPD to train pilots at a lower cost than actual flight time, including training on critical emergency procedures.
- CMPD's current flight simulator is at the end of its useful life and a replacement is required to retain Federal Aviation Administration certification.
- On April 10, 2018, the City issued a Request for Proposals (RFP); three proposals were received.
- Frasca International, Inc. best meets the City's needs in terms of qualifications, customer service, maintenance resources, cost, and responsiveness to RFP requirements.
- Total estimated expenditures are \$199,900.

Charlotte Business INCLUSION

No subcontracting goal was established because there are no opportunities (Part B: Section 2.3 of the Charlotte Business INCLUSION Policy)

Fiscal Note

Funding: Police Operating Budget

23. Police Motorcycle Lease

Action:

Authorize the City Manager to negotiate a unit price contract with The Bancorp, Inc. for the lease of BMW motorcycles for the term of three years.

Staff Resource(s):

Kerr Putney, Police

Nathan King, Police

Explanation

- The Charlotte-Mecklenburg Police Department (CMPD) currently leases 11 motorcycles primarily for traffic enforcement tasks.
- An evaluation was conducted by the CMPD Motorcycle and Accident Reconstruction Unit and based on departmental needs, BMW was chosen as the new model.
- A short term lease was executed in July 2018 for six months.
- BMW Motorcycles of Charlotte submitted the supplemental lease agreement administered through The Bancorp, Inc.
- The current lease for the motorcycles expires September 2018. At that time, CMPD plans to lease 10 new 2018 BMW RTPs for a term of three years to replace the current motorcycles in the department.
- The lease also includes a three year, 60,000 mile warranty, and annual expenditures are estimated at \$93,580.

Charlotte Business INclusion

No subcontracting goal was established because there are no opportunities (Part C: Section 2.1 (a) of the Charlotte Business INclusion Policy)

Fiscal Note

Funding: Police Operating Budget

24. Community Policing Crisis Response Team

Action:

- A. Authorize the City Manager to negotiate and execute a contract to assist law enforcement in responding to people in crisis due to mental health or substance abuse with Matrix Mental Health Alliance, LLC doing business as CriSys, for a term of one year not to exceed \$656,000, and**
- B. Authorize the City Manager to renew the contract for up to four, 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):

Kerr Putney, Police

Nelson Bowling, Police

Explanation

- CMPD's Community Policing Crisis Response Team (CPCRT) is being established to provide improved public safety and service through the deployment of Officers and licensed mental health clinicians.
- The objective of the CPCRT is to decrease the number of injuries and incarcerated mentally ill individuals by acting as an entry point into mental health treatment.
- Situations will be deescalated by providing a licensed mental health professional, paired with law enforcement response, to persons and families suffering from behavioral health crises or substance abuse disorders.
- A contract with Matrix Mental Health Alliance for the implementation of clinical evaluations for the Charlotte-Mecklenburg Police Department may prevent incidents through early intervention with prompt and thorough case follow-up.
- A waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. A waiver has been approved for this item.
- Expenditures under the contract are estimated to be \$656,000 annually.

Charlotte Business INclusion

These are cooperative purchasing contracts and are exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Mecklenburg Police Department Operating Budget

25. Governor's Highway Safety Program Grant for Traffic Safety

Action:

Adopt a resolution authorizing the City to accept the grant award of \$20,000 from the Governor's Highway Safety Program.

Staff Resource(s):

Kerr Putney, Police
Justin Kupfer, Police

Explanation

- The Charlotte-Mecklenburg Police Department (CMPD) has an opportunity to accept the grant award of \$20,000 from the Governor's Highway Safety Program (GHSP), which will provide the following:
 - \$14,000 to purchase four additional dual antenna radar units used in police vehicles to help enforce speed limit laws,
 - \$6,000 for the Regional Law Enforcement Liaison travel, training, and meetings expenses:
 - Local traffic safety meetings coordinated by CMPD,
 - Meetings throughout North Carolina and out-of-state, and
 - Training for other departments in the region and annual, national traffic safety enforcement conference.
- The grant is for a period of one year. No matching funds are required from the City.
- GHSP requires that the City Council pass a resolution authorizing the acceptance of grant funding.

Fiscal Note

Funding: Governor's Highway Safety Program

Attachment(s)

Resolution

[Resolution NC GHSP Grant 2019 Regional Law Enforcement Liaison](#)

26. Governor's Highway Safety Program Grant for Driving While Impaired Task Force

Action:

Adopt a resolution authorizing the City to accept the sixth year grant award for \$187,479 from the Governor's Highway Safety Program for a Driving While Impaired Task Force.

Staff Resource(s):

Kerr Putney, Police
Gavin Jackson, Police

Explanation

- On October 28, 2013, City Council authorized a grant acceptance from the Governor's Highway Safety Program (GHSP) to offset costs of a Driving While Impaired (DWI) Task Force to focus on mitigating DWI and informing the dangers associated with DWI for four years.
- GHSP modified the grant offering and offered a sixth year of funding for the Fiscal Year (FY) 2019 grant for \$187,479, which funds 25 percent of the Task Force's personnel costs for six officers and one sergeant assigned to the DWI Task Force.
 - A City match of \$562,438 is required from the Charlotte-Mecklenburg Police Department's (CMPD) operating budget to fund the remaining costs not funded by the grant.
- The grant funded the DWI Task Force at 100 percent in FY 2014 (\$797,304), 85 percent in FY 2015 (\$488,350), 70 percent in FY 2016 (\$418,415), 50 percent in FY 2017 (\$359,847), 25 percent in FY 2018 (\$187,479), and will fund 25 percent in FY 2019 (\$187,479), which offsets the Task Force costs by \$2,438,874 over the six-year grant award period.
- In FY 2020, the City will resume the total annual cost of the DWI Task Force of \$749,917.
- The DWI Task Force continues to be a significant factor in the number of enforcement actions taken by CMPD. In FY 2018, the DWI Task Force:
 - Charged 398 drivers with DWI,
 - Issued 2,723 traffic citations, and
 - Assisted with 22 DWI related fatality cases.
- In 2018 the DWI Task Force conducted over 30 educational awareness sessions with area high school students and instructed over 100 officers in standardized field sobriety testing.
- GHSP requires that City Council pass a resolution to authorize CMPD to apply for and accept the grant funding.

Fiscal Note

Funding: Police Operating Budget and FY 2019 Governor's Highway Safety Program DWI Task Force Grant

Attachment(s)

Resolution

[Resolution NC GHSP Grant 2019 DWI Task Force](#)

27. Fire Station Diesel Exhaust Extraction Services

Action:

- A. **Approve a contract with Air Cleaning Specialists Inc. for Diesel Exhaust Extraction System Services for a term of three years, and**

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

Staff Resource(s):

Reginald Johnson, Fire

Damian Owens, Fire

Explanation

- Charlotte Fire currently has 42 Fire Stations that have fire apparatus housed inside the station. The diesel exhaust from the trucks contain multiple toxic air contaminants that must be removed from the air in order to provide a safe and clean work environment for the firefighters.
- On May 7, 2018, the City issued a Request for Proposals; two proposals were received.
- Air Cleaning Specialists Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to City requirements, and is an authorized dealer for the system currently in place at all Fire Stations.
- Air Cleaning Specialists, Inc. will furnish all parts and supplies as well as the labor and services related to installation, maintenance and repair of the systems.
- Estimated contract expenditures are \$270,000 annually.

Charlotte Business INclusion

No subcontracting goals were established because there are no subcontracting opportunities (Part C: Section 2.1 9a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Fire Department Operating Budget

28. Transportation Asphalt

Action:

- A. **Approve the purchase of Transportation Asphalt from a North Carolina Department of Transportation (NCDOT) contract,**
- B. **Approve unit price contracts for the purchase of Transportation Asphalt for the term of six months under the NCDOT contract dated May 1, 2015, with the following:**
 - **Blythe Construction Inc.,**
 - **Ferebee Corporation, and**
- C. **Authorize the City Manager to extend the contract for additional six month terms for as long as the vendors are willing to provide asphalt to the City at the same or better terms as provided in the current NCDOT contract and consistent with the purpose for which the contract was awarded.**

Staff Resource(s):

Liz Babson, Transportation
Charles Jones, Transportation

State Contract Exemption

G.S. 143-129(e)(9) allows local government to purchase from state contracts if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the state contract.

Explanation

- On June 22, 2015, Council awarded the purchase of asphalt through the existing NCDOT contracts. The contracts will expire on August 31, 2018. The NCDOT reserves the right to renew these contracts for an additional one-year term.
- Both Blythe Construction, Inc. and Ferebee Corporation are willing to provide asphalt to the City at the same or better terms as are provided in its contract with the state of North Carolina.
- The six month contract approval is needed to allow the state time to complete the contract renewal.
- Annual expenditures are estimated to be \$2,850,000.

Charlotte Business INclusion

This contract is purchased off a State contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Street Maintenance Powell Fund

29. Aluminum Sheeting and Sign Posts

Action:

- A. Approve a unit price contract to the lowest responsive bidder Vulcan Aluminum for the purchase of aluminum sheeting and sign posts for a three-year term, 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):

Liz Babson, Transportation
Ronnie Ashburner, Transportation

Explanation

- The Charlotte Department of Transportation uses aluminum sheeting for the fabrication of traffic signs, which are mounted on sign posts.
- The main purpose of traffic control devices such as signs is to provide information to road users so that they can safely and efficiently move along a highway, street, pedestrian facility, or bikeway.
- On June 25, 2018, the City issued an Invitation to Bid; four bids were received.
- Vulcan Aluminum was selected as the lowest responsive, responsible bidder.
- Estimated annual expenditures are \$275,000.

Charlotte Business INclusion

No subcontracting goal is established because there are no subcontracting opportunities (Part B: Section 2.1 (a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Transportation Operating Budget

30. Private Developer Funds Appropriation

Action:

- A. Approve Developer Agreements with 601 South Tryon, LLC, Lennar Carolinas LLC and Pappas Midtown, LLC for traffic signal installations and improvements, and**
- B. Adopt a budget ordinance appropriating \$715,841 in private developer funds for traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Explanation

- Private developer agreements and funds 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 prior to the City's initiation of work.
- The \$715,841 in private developer funding is for 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:
 - 601 South Tryon, LLC contributed \$407,241 for new traffic signals at Hill Street and South College Street and Hill Street and South Tryon Street (Council District 1),
 - Lennar Carolinas LLC contributed \$250,600 for a new traffic signal at Choate Circle and Smith Road (Council District 3), and
 - Pappas Midtown, LLC contributed \$58,000 for traffic signal modifications at Pearl Park Way and Kenilworth Road (Council District 1).
- These developer contributions are based on cost estimates prepared by the Charlotte Department of Transportation (CDOT).
- Any funding contributed by the developers 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 Contribution

Attachment(s)

Map
Budget Ordinance

[Traffic Signal Improvements 071218](#)

[CDOT ord 8-27-18 Developer Contributions](#)

31. Resurfacing Fiscal Year 2019

Action:

Approve a contract in the amount of \$9,891,700.66 to the lowest responsive bidder Blythe Brothers Asphalt Co., LLC for the Resurfacing Fiscal Year 2019 project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Mae Bryant, Engineering and Property Management
Liz Babson, Transportation
Charles Jones, Transportation

Explanation

- The 2019 resurfacing contract will pave an estimated 126 miles in the city. Work will include traffic control, asphalt and concrete pavement milling, asphalt paving, base failure repair, asphalt surface treatment, utility adjustments, manhole frame and cover replacements, wheelchair ramp installation, sidewalk, curb repairs, and pavement markings.
- The total mileage to be paved is dependent on asphalt price stability throughout the contract.
- Resurfacing is the most effective treatment to preserve and maintain the condition of streets within the City of Charlotte.
- Timely resurfacing of streets improves ride quality, reduces the occurrence of potholes, and reduces the need for more costly future repairs.
- Streets are selected for repaving based on pavement condition ratings, field evaluations by staff, and information from a computerized pavement management system.
- Notice of resurfacing is provided to motorists through the use of highly visible signs placed on the street at least two weeks prior to the start of construction activities. Paving generally occurs between April and October.
- On July 3, 2018, the City issued an Invitation to Bid; three bids were received.
- Blythe Brothers Asphalt Co., LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2019.

Charlotte Business INclusion

Established SBE Goal: 22.00%
Committed SBE Goal: 22.20%

Blythe Brothers Asphalt Co., LLC. exceeded the established SBE subcontracting goal, and has committed 22.20% (\$2,195,957.55) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- DOT Construction, Inc. (SBE) (\$1,161,415) (concrete)
- Express Logistics Services, Inc. (SBE, MBE) (\$999,061.77) (hauling)
- Kingdom Trucking, LLC (SBE) (\$35,480.78) (hauling)

Established MBE Goal: 9.00%
Committed MBE Goal: 10.10%

Blythe Brothers Asphalt Co., LLC. exceeded the established MBE subcontracting goal, and has committed 10.10% (\$999,061.77) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Express Logistics Services, Inc. (SBE, MBE) (\$999,061.77) (hauling)

Fiscal Note

Funding: Powell Bill funds and Charlotte Water Community Investment Plan

Attachment(s)

Map

List of streets

[FY19 Resurfacing Contract map](#)

[List of Streets](#)

32. Charlotte-Mecklenburg Police Department South Division Station Design Services

Action:

Approve a contract in the amount of \$914,975 with C Design Inc. for architectural design services for Charlotte-Mecklenburg Police Department (CMPD) South Division and Housing and Neighborhood Services South Area Service Team facility.

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management
Kerr Putney, Police
Jeff Estes, Police

Explanation

- This contract with C Design Inc. will provide design services for an approximately 16,500 square foot, one-story facility at 11217 Providence Road West (parcel identification number 223-132-08), in Council District 7.
- This new facility will include:
 - Approximately 14,500 square feet for the CMPD,
 - Approximately 2,000 square feet for Housing and Neighborhood Services,
 - Secured parking for 140 vehicles, and
 - Visitors parking for 15 vehicles.
- Design services include, but are not limited to, site and building planning, design and engineering services, construction administration, closeout, and warranty.
- In 2010, City Council approved the Facilities Strategic Plan for division stations, with goals that stations are:
 - Owned and maintained by the City, not located in leased facilities,
 - Constructed in highly visible and accessible locations that contribute to the community perception of safety and security,
 - Sized to accommodate future personnel growth and support the functions a patrol division is expected to provide the community,
 - Designed to be highly recognizable as a CMPD division station while reflecting the exterior design context of the community where it is located, and
 - Support the functional needs of a patrol division based on a standardized facility design template.
- To date, five of the planned 13 division stations have been completed, with six others fully funded, including South Division.
- City Council approved the land acquisition for the South Division on July 23, 2018.
- The South Division Station will be designed to achieve LEED version 4 certification, per the City Policy on Sustainable Facilities. LEED certification is awarded to buildings that demonstrate a high level of energy efficiency and sustainable design.
- CMPD South Division currently leases 9,510 square feet in the building at 8050 Corporate Center Drive for \$167,212.08 annually. The lease expires October 31, 2021.
- On March 22, 2016, the City issued a Request for Qualifications (RFQ); 10 proposals were received.
- C Design Inc. is the firm 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.

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). C Design Inc. is an SBE certified firm and has committed 29.38% (\$268,800 of the total contract amount) to the following certified firms:

- AME Consulting Engineers, PC (SBE) (\$210,000) (mechanical, electrical and plumbing design services/fire protection design services)

- Stewart Engineering, Inc. (MBE) (\$47,200) (structural engineering services)
- R.M. Rutherford & Associates, Inc. (SBE) (\$11,600) (estimating engineering services)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Charlotte-Mecklenburg Police Department South Division Station Design Services](#)

33. Fire Station 27 Facility Expansion

Action:

- A. Reject the low-bid submitted by Dosan Corp for the Fire Station 27 Facility Expansion, and**
- B. Approve a contract in the amount of \$707,213.83 to the lowest responsive bidder D. E. Brown Construction, Inc. for the Fire Station 27 Facility Expansion.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management
Reginald Johnson, Fire
Kevin Gordon, Fire

Explanation

- Fire Station 27, at 111 Ken Hoffman Drive in Council District 4, will be expanded by 525 square feet to add a women's locker room. The work also includes renovation of the existing men's locker/shower room and modifications to the plumbing and HVAC systems.
- The City has been making improvements to fire stations, including the fitness rooms, and adding women's locker rooms since the mid-1990s.
- Firefighters are on duty for 24-hour shifts and the department requires they maintain a level of physical fitness. Gym facilities allow firefighters to maintain the fitness level necessary to pass physical standards and be fit for duty.
- The current standard for fire stations is to include locker rooms for men and women, fitness rooms, sleeping quarters for eight to 10 firefighters, kitchens, and a living room area.
- On May 10, 2018, the City issued an Invitation to Bid; two bids were received.
- D. E. Brown Construction, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by spring of 2019.

Reject Low-Bid Explanation

- Dosan Corp. bid in the amount of \$488,280 was found to be non-responsive as a result of failing to meet the City's Charlotte Business INclusion (CBI) program established subcontracting goal.

Charlotte Business INclusion

Established SBE Goal: 12.00%
Committed SBE Goal: 39.32%

DE Brown Construction, Inc. exceeded the established SBE subcontracting goal, and has committed 39.32% (\$278,070) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Electrical System Specialists, Inc. (SBE) (\$225,000) (electrical)
- G&Y Masonry Inc (SBE, MBE) (\$45,000) (masonry)
- Mountain Oak Millwork LLC (SBE, WBE) (\$4,720) (millwork)
- Treadaway & Sons Painting & Wallcovering, Inc. (SBE) (\$3,350) (paint)

Established MBE Goal: 6.00%
Committed MBE Goal: 6.36%

DE Brown Construction, Inc. exceeded the established MBE subcontracting goal, and has committed 6.36% (\$45,000) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- G&Y Masonry Inc (SBE, MBE) (\$45,000) (masonry)

DE Brown Construction, Inc. is also a city certified SBE

Fiscal Note

Funding: General Facilities Community Investment Plan

Attachment(s)

Map

[Location Map - Fire Station 27 Facility Expansion](#)

34. Street Maintenance Storage Facility Repair

Action:

Approve a contract in the amount of \$178,880.40 to the lowest responsive bidder D.E. Brown Construction, Inc. for the street maintenance storage facility repair project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management
Liz Babson, Transportation
Michelle Littlejohn, Transportation

Explanation

- This project will make necessary repairs to a 30-year-old storage facility at the Charlotte Department of Transportation's Northeast yard at 6001 General Commerce Drive, in Council District 1.
- Upon routine inspection, deficiencies were observed and a structural engineer was engaged to perform testing, design, and construction administration.
- Work will include:
 - Pre-cast concrete wall repairs,
 - Concrete flooring removal and replacement,
 - Improvements to the building's footings,
 - Installation of structural wall and ceiling reinforcements, and
 - Installation of structural steel supports.
- On June 8, 2018, the City issued an Invitation to Bid; two bids were received.
- D. E. Brown Construction, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2018.

Charlotte Business INCLUSION

Construction Contracts estimated to be less than \$300,000 are informal and exempt from the goal setting process (Part A: Section 3:1 of the Charlotte Business INCLUSION Policy). However, D. E. Brown Construction, Inc. is a City SBE.

Fiscal Note

Funding: Charlotte Department of Transportation Operating funds and General Community Investment Plan Building Maintenance funds

Attachment(s)

Map

[Location Map - Street Maintenance Storage Facility Repair](#)

35. Hyundai Construction Equipment Parts and Maintenance Services

Action:

- A. **Approve a unit price contract with May Heavy Equipment for Hyundai construction equipment parts and maintenance services for an initial term of three years, and**

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

Staff Resource(s):

Mike Davis, Engineering and Property Management

Chris Trull, Engineering and Property Management

Explanation

- All construction equipment in the City's fleet receives preventative maintenance including warranty repairs, and general repairs and maintenance.
- Warranty repairs are required to be completed by an authorized manufacturer repair facility.
- May Heavy Equipment is the only company authorized by the manufacturer in western North Carolina to perform these services on Hyundai construction equipment.
- Waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.
- Annual expenditures are estimated to be \$250,000.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Engineering and Property Management Operating Budget

36. Brown Grier Road Upgrades Project

Action:

Approve a contract in the amount of \$632,000 with Calyx Engineers and Consultants, Inc. (Calyx) for engineering design services for the Brown Grier Road Upgrades Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Veronica Wallace, Engineering and Property Management

Explanation

- This contract will provide design phase services for the Brown Grier Road Upgrades Project identified in the Whitehall/Ayrsley Comprehensive Neighborhood Improvement Program, in Council District 3.
- The project will improve safety, traffic flow, and pedestrian access to Brown Grier Road between Steele Creek Road and Whitehall Parkway.
- Improvements will include, but are not limited to, additional travel lanes, medians, planting strips, bicycle and pedestrian facilities, storm drainage design, coordination of utility relocations, North Carolina Department of Transportation coordination, right-of-way/easement mapping and traffic control.
- On February 17, 2014, the City issued a Request for Qualifications (RFQ); 17 proposals were received.
- Calyx was selected as the firm 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.
- On May 6, 2016, City Council approved a contract in the amount of \$415,000 with Calyx for planning services for the Brown Grier Road Upgrades and Sandy Porter Road Projects.
- Calyx has completed the planning phase, which included traffic analysis, public meetings and outreach, conceptual plans, field surveys and mapping.

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. Calyx has committed 13.57% (\$85,772) of the total contract amount to the following certified firms:

- Carolina Wetland Services, Inc. (SBE) (\$16,927) (natural resource permitting)
- Hinde Engineering, Inc. (SBE) (\$68,845) (utility coordination)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Brown Grier Road Design](#)

37. McKee Road and Providence Road Intersection Improvements

Action:

Approve a contract in the amount of \$4,758,910 to the lowest responsive bidder Blythe Development Co. for the McKee Road and Providence Road Intersection Improvements project.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Leslie Bing, Engineering and Property Management

Explanation

- This project will improve capacity and relieve congestion at the intersection of McKee Road, Ballantyne Commons Parkway, and Providence Road, in Council District 7.
- Construction will include:
 - Additional southbound left turn lane on McKee Road,
 - New eastbound left turn lane on Ballantyne Commons Parkway, and
 - New eastbound through lane from Ballantyne Commons Parkway to Tilley Morris Road.
- Work will include, but is not limited to, pedestrian refuge islands, sidewalks, bicycle lanes, curb and gutter, driveways, wheel chair ramps, pipe culvert, drainage structures, retaining walls, and asphalt pavement.
- On June 18, 2018, the City issued an Invitation to Bid; two bids were received.
- Blythe Development Co. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2020.

Disadvantaged Business Enterprise (DBE) Opportunity

Established DBE Goal: 14.00%

Committed DBE Goal: 14.02%

Blythe Development Co. exceeded the established subcontracting goal, and has committed 14.02% (\$667,251) of the total contract amount to the following certified firms:

- Diamond Trucking of NC Inc. (DBE) (\$308,975) (hauling)
- RRC Concrete (DBE) (\$358,276) (concrete)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - McKee Road and Providence Road Intersection Improvements](#)

38. CATS Bus Stop Improvements

Action:

Approve a contract in the amount of \$199,412.50 to the lowest responsive bidder BSL Galbreath, Inc. for the CATS Bus Stop Improvements.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Becky Chambers, Engineering and Property Management
John Lewis, CATS
Larry Kopf, CATS

Explanation

- This project will construct improvements to existing and new CATS bus stops throughout the City (Council Districts 1, 2, 3, 4, and 5), including several locations along the Blue Line Extension.
- Work includes installation of concrete pads, curb and gutter, sidewalks, wheel chair ramps, and other incidental work to ensure bus stops are compliant with the Americans with Disabilities Act.
- On July 3, 2018, the City issued an Invitation to Bid; two bids were received.
- BSL Galbreath, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2019.

Disadvantaged Business Enterprise

Established DBE Goal: 10.20%
Committed DBE Goal: 100.00%

BSL Galbreath, Inc. is listed as a DBE contractor in the United Certification Program database for the State of North Carolina, and since they were able to show that they intend to utilize following DBE subcontractor at a rate of 10.38% of the bid amount, it is determined that BSL Galbreath's total DBE participation is 100.00%, which exceeds the established DBE goal.

- Neely Brothers Construction and Plumbing, LLC (DBE) (\$20,000) (seeding, grading, excavation, and hauling)

Fiscal Note

Funding: CATS Community Investment Plan

Attachment(s)

Map

[BusStops map with Council areas](#)

39. Lease of City-Owned Property at University City Boulevard Parking Deck

Action:

- A. Adopt a resolution approving a retail lease agreement with LOFTS by TBodyBar for the lease of approximately 2,687 square feet in the University City Boulevard Parking Deck for a seven-year term, and**
- B. Authorize the City Manager to negotiate and execute a lease consistent with its terms.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
John Lewis, CATS

Explanation

- The Blue Line Extension (BLE) includes three parking decks. Two decks, at JW Clay and University City Boulevard, incorporate approximately 25,265 total square feet of leasable retail and office space per Transit Oriented Development ordinance. Both decks are in Council District 4.
- The leasable spaces provide opportunities for retail and business firms to offer goods and services to customers using the LYNX Blue Line, along with walk-up customers from surrounding areas.
- LOFTS by TBodyBar (TBodyBar) is a locally owned, small business offering salon and spa services.
- The retail space will not be needed by the City for the term of the proposed lease. The revenue generated by the lease will be used for operation of the BLE.
- The lease terms with TBodyBar are:
 - Premises: 2,687 square feet of retail space in the University City Boulevard Parking Deck,
 - Term: Seven years, and
 - Rent: \$4,142.46 per month (\$49,709 per year) with 2.5 percent annual increases. This rate is consistent with market rates.

Fiscal Note

Funding: Revenue will be deposited in the CATS Operating Budget

Attachment(s)

Map
Resolution

[Location Map - Lease of City-Owned Property at University City Boulevard Parking Deck](#)

[TBodyBar Resolution.docx](#)

40. Lease of City-Owned Property at JW Clay Boulevard Parking Deck

Action:

- A. Adopt a resolution approving a retail lease agreement with Velocity Boutique, Inc. (Velocity) for the lease of approximately 2,352 square feet in the JW Clay Boulevard Parking Deck for a five-year term, and**
- B. Authorize the City Manager to negotiate and execute the lease consistent with its terms.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
John Lewis, CATS

Explanation

- The Blue Line Extension (BLE) includes three parking decks. Two decks, at JW Clay and University City Boulevard, incorporate approximately 25,265 total square feet of leasable retail and office space per Transit Oriented Development ordinance. Both decks are in Council District 4.
- The leasable spaces provide opportunities for retail and business firms to offer goods and services to customers using the LYNX Blue Line, along with walk-up customers from surrounding areas.
- Velocity is a locally owned, small business operating a retail clothing store carrying shoes, apparel and accessories.
- The retail space will not be needed by the City for the term of the proposed lease. The revenue generated by the lease will be used for operation of the BLE.
- The lease terms with Velocity are:
 - Premises: 2,352 square feet of retail space in the JW Clay Boulevard Parking Deck;
 - Term: Five years,
 - Base Rent: \$5,096 per month (\$61,152 per year) with 2.5 percent annual increases. This is consistent with market rates.

Fiscal Note

Funding: Revenue will be deposited in the CATS Operating Budget

Attachment(s)

Map
Resolution

[Location Map - Lease of City-Owned Property at JW Clay Boulevard Parking Deck](#)

[Velocity Resolution.docx](#)

41. On-Call Stream Restoration and Sanitary Sewer Repair

Action:

- A. Approve a unit price contract to the lowest responsive bidder Eagle Wood, Inc. for On-Call Stream Restoration and Sanitary Sewer Repair for one year, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- This project includes repair of Charlotte Water infrastructure at multiple locations near streams. Stream stabilization structures shall be constructed to protect existing and proposed sanitary sewer infrastructure.
- Project components include natural in-stream structures, plantings, site grading, sanitary sewer replacement, sheet pile installation, bypass pumping and erosion, and sediment control measures.
- The following six project locations are identified in the contract documents and additional sites will be released during the contract duration.
 - Eastway and Irwin Creek (Council District 1)
 - Toby Creek (Council District 4)
 - McMullen and Creekridge (Council District 6)
 - Cherry Tree Lane (Council District 7)
- On July 20, 2018, the City issued an Invitation to Bid; two bids were received.
- Eagle Wood, Inc. was selected as the lowest responsive, responsible bidder.
- The renewals allow for possible price adjustments based on the Engineering News Record Construction Cost Index.
- Estimated annual expenditures are \$3,251,000.

Charlotte Business INclusion

Established MSBE Goal: 7.00%

Committed MSBE Goal: 7.63%

Eagle Wood, Inc. met the established subcontracting goal and has committed 7.63% (\$248,234) of the total contract amount to the following certified firm (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Coastline Partners Equipment Leasing (SBE, WBE) (\$248,234) (stream restoration)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

42. Clem's Branch Lift Station and Force Main Project Construction Change Order #1

Action:

Approve change order #1 for \$139,851 to English Construction Company, Inc. for the Clem's Branch Lift Station and Force Main Project.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- This project will replace the existing Clem's Branch lift station, and includes 4,500 linear feet of 16-inch sewer force main and 475 linear feet of 24-inch gravity sewer along Prescott Hill Avenue and Lancaster Highway (Council District 7).
- These improvements will provide additional sewer capacity for growth in this area of Charlotte, as well as a small portion of Lancaster County, South Carolina.
- The original contract included a unit price for rock. However, based on construction to date, the actual quantity of rock discovered is more than what was initially estimated.
- On January 8, 2018, Council awarded a construction contract to English Construction Company, Inc. for \$5,605,965.94 for this Project.
- The new total value of the contract is \$5,745,816.94.
- This project is expected to be complete by the first quarter of 2019.

Charlotte Business INclusion

All additional work involved in this Change Order will be performed by English Construction Company, Inc. and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Clem's Branch Pump Station and Force Main Map](#)

43. Buffer Impact Mitigation for the Stevens Creek Lift Station, Forcemain and Gravity Sewer Project

Action:

Authorize a one-time expenditure of \$422,069.31 to N.C. Department of Environmental Quality for project permit fees.

Staff Resource(s):

Angela Lee, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- This project is located within, and will impact, the Goose Creek Stream Buffer. Charlotte Water has obtained a permit from the North Carolina Department of Environmental Quality (NCDEQ) to impact the buffer, therefore mitigation is required.
- The project includes the construction of a regional lift station, approximately 14,600 linear feet of 20-inch sewer forcemain, 12,800 linear feet of gravity sewer ranging in size from eight to 24 inches, and all associated infrastructure, and will provide an area of the Town of Mint Hill with access to the public sewer system.
- The lift station will serve the Goose Creek and Stevens Creek drainage basins and will be located on Mecklenburg County's Stevens Creek Nature Preserve property.
- This project is partially funded through a five-year developer reimbursable contract with the Bridges of Mint Hill, LLC, previously approved by City Council on October 28, 2014.
- On July 23, 2018, Council approved the construction contract for this project.
- This project is anticipated to be complete by first quarter 2020.

Fiscal Note

Funding: Charlotte Water Community Investment Plan

44. Laboratory Equipment and Supplies for Metals Analysis

Action:

- A. Approve the purchase of Laboratory Equipment and Consumable Supplies, as authorized by the sole source exemption of G.S. 143-129(e)(6),**
- B. Approve a contract with Environmental Express Inc. for the purchase of Laboratory Equipment and Supplies for a term of three years, and**
- C. Authorize the City Manager to renew the contract for up to two, two-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water
David Czerr, 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 and compatibility with existing equipment is the overriding consideration.
- The City Council must approve purchases made under the sole source exception.

Explanation

- Charlotte Water conducts extensive and ongoing laboratory environmental testing to meet public health and water quality needs, including the analysis of metals.
- Charlotte Water's existing state and federal laboratory certifications are dependent on the use of equipment and supplies obtained from Environmental Express, Inc., which are used in the analysis of metals in water and are compatible with existing laboratory equipment.
- The company will be paid the unit prices set forth in the contract.
- Annual expenditures under the contract are estimated to be \$50,000.

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

45. Wastewater Treatment Chemicals

Action:

- A. Approve unit price contracts to the following lowest responsive bidders for the purchase of Wastewater Treatment Chemicals for a term of one year:**
- JCI Jones Chemicals, Inc.,
 - Olin Corporation, and
- B. Authorize the City Manager to renew the contracts for a one-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Reserve Auction

- G.S. 143-129.9 allows local governments to use the reverse auction method to obtain competitive bids for the purchase of apparatus, supplies, materials, or equipment as an alternative to the otherwise applicable requirements for competitive bidding.
 - Reverse auction is a real-time purchasing process in which bidders compete to provide goods at the lowest selling price in an open and interactive environment.
 - Reverse auctions must be conducted by a third party under contract with the City.

Explanation

- Charlotte Water uses a variety of chemicals in the wastewater treatment process.
- On June 27, 2018, the City issued an Invitation to Bid; four bids were received.
- On July 18, 2018, the City held a reverse auction to obtain pricing.
- The listed companies were selected as the lowest responsive, responsible bidders.
- Total contract expenditures are estimated to be \$650,000 annually.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Operating Budget

46. Central Business District Water Distribution System Improvement Plan

Action:

- A. **Approve a unit price contract with Hazen and Sawyer to provide Engineering Services for the Evaluation of the Water Distribution System within and surrounding the Central Business District of Charlotte for an initial term of two years, and**
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water
Keri Cantrell, Charlotte Water

Explanation

- This contract will provide construction management for the replacement and repair of 55 valves within the Central Business District (CBD) (Council Districts 1, 2, and 3).
- It will also support hydraulic modeling, growth projections, a comprehensive condition assessment, field testing, communications, and a prioritized rehabilitation and replacement plan for the public water infrastructure within the CBD, including a half mile radius outside of the Interstate 277 Loop.
- The 2015 Water Distribution Master Plan identified areas in the CBD that contained infrastructure approaching the end of its useful life. However, due to the development and growth within the study area since then, an accurate hydraulic model and a comprehensive rehabilitation and replacement plan are needed to ensure continuous water supply, adequate fire flows, and minimal future service disruptions.
- On April 2, 2018, the City issued a Request for Qualifications (RFQ); three proposals were received.
- Hazen and Sawyer was determined to be 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.
- Estimated contract expenditures are \$3,000,000 in the aggregate over the possible four-year term.

Charlotte Business INclusion

The City negotiated subcontracting participation after the proposal process (Part C: Section 2.1 (h) of the Charlotte Business INclusion Policy). Hazen and Sawyer has committed to 11.37% (\$341,010) of the total contract amount to the following certified firms:

- Sweetwater Utility Exploration LLC (SBE) (\$130,250) (utility locates)
- Crittek Engineering Group, P.C. (SBE, MBE) (\$100,630) (engineering services)
- Hinde Engineering (SBE) (\$100,630) (engineering services)
- Mid-Carolina ReproGraphics, LLC (SBE) (\$9,500) (copying and printing services)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Study area Map](#)

47. Charlotte Water Research and Learning Services

Action:

- A. **Approve unit price contract with the University of North Carolina at Charlotte for Charlotte Water Research and Learning Services for an initial term of one year, and**
- B. **Authorize the City Manager to renew the contract for up to four, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water
Ron Hargrove, Charlotte Water
Jackie Jarrell, Charlotte Water

Explanation

- Charlotte Water will partner with the University of North Carolina at Charlotte (UNCC) Energy Production and Infrastructure Center, which provides education and applied research opportunities to students with energy and science related interests.
- UNCC will identify professors and students in these curriculums to provide Charlotte Water with research assistance to identify and evaluate solutions for optimizing operations. Nationwide, utilities are partnering with universities to provide research that benefit operations.
- Services include data analysis and research, developing standard operating procedures, and specific projects and research based on current and future needs which optimize Charlotte Water operations.
- This platform provides opportunities for engaging students in research that benefits the Charlotte community and environment, as well as raising the national visibility of UNCC and Charlotte Water.
- A waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.
- Estimated contract expenditures are \$160,000 annually.

Fiscal Note

Funding: Charlotte Water Operating Budget

48. CATS and Centralina Council of Governments Agreement Contract Amendment

Action:

Approve contract amendment #1 for \$147,000 to the Centralina Council of Governments to partner with and provide additional services for the Charlotte Area Transit System (CATS) to continue regional transit planning efforts.

Staff Resource(s):

John Lewis, CATS

John Muth, CATS

Explanation

- During calendar year 2017, CATS and the Centralina Council of Governments (CCOG) collaborated on an extensive public engagement process as part of the Regional Transit Engagement Series (RTES).
- The public engagement process included Mecklenburg and the surrounding counties of Union, Cabarrus, Iredell, Gaston, Lincoln, York SC, and Lancaster SC.
- The RTES culminated in a Transit Summit held May 16, 2018, at UNC Charlotte. A key takeaway from the Summit was the consensus need for a Regional Transit Plan.
- CATS and the CCOG plan to collaborate on the next phase of project outreach. The tasks envisioned in the next phase of work are:
 - Regional Transit Plan Scope Development and Buy-In,
 - Develop Transit Supportive Core messaging,
 - Identify/Develop Cross-Sector Regional Transit Champions,
 - Secure Resources for the Regional Transit Plan,
 - Develop a Transit Resource Guide,
 - Develop the Request for Qualifications for securing a consultant team to create the regional transit plan, and
 - Conduct Project and Process Outreach.
- The adopted Fiscal Year 2019 CATS Operating Budget includes funds for this effort.
- The CCOG will be contributing an additional \$50,000 to this effort

Fiscal Note

Funding: CATS Operating Budget

49. Transportation Management Consulting Services

Action:

Approve contract amendment one with TransPro Consulting LLC in the amount of \$170,813.

Staff Resource(s):

John Lewis, CATS

Blanche Sherman, CATS

Explanation

- In an effort to evaluate and improve upon its services CATS requires a sophisticated analysis of performance and customer opinion data. The expertise of a professional consultant is necessary to accommodate this need.
- CATS contracts with TransPro to provide organizational assessment, customer satisfaction surveys, development of a performance scorecard and recommendations
- TransPro has assisted CATS with three objectives in assessing the results of the Performance Scorecard Measurements:
 - Quarterly analysis, predictive analytics and ongoing evaluation, and prioritization of strategic goals,
 - Community engagement, and
 - Employee engagements.
- This TransPro contract was originally approved by City Council on September 11, 2017, for the amount of \$203,000.
- A contract amendment is required to support the continuation of the project.
- The \$170,813 contract amendment brings the total contract to \$373,813.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: CATS Operating Budget

50. Airport FedEx Cargo Building Expansion and Parking Facility Design

Action:

- A. **Approve a contract with Landrum & Brown, Inc. for \$354,465 for Professional Design Services associated with FedEx Cargo Building Expansion, and**
- B. **Approve a contract with WSP and Associates for \$272,499.83 for Professional Design Services associated with FedEx Parking Facility.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Background

- City Council approved a lease on November 27, 2017, for the FedEx Corporation for cargo space and a parking facility.
- Under this lease, FedEx is consolidating into one facility that requires Aviation to construct an expansion of the maintenance facility and tractor trailer parking facility.
- FedEx will reimburse Aviation for this cost.
- This activity is occurring on airport property, Council District 3.

Action A

- The design services contract for the Cargo Building Expansion will include design services and construction administration for a 4,500 square foot expansion to an existing cargo building located at 4200 Yorkmont Road.
- The building expansion will accommodate ground service equipment to be parked and maintained by FedEx.
- On March 23, 2017, the City issued a Request for Qualifications (RFQ); 16 proposals were received.
- Landrum & Brown, Inc. was selected as the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements and their experience in designing cargo building expansions.

Action B

- The design services contract for the Parking Facility will include design services and construction administration for a three-acre site for remote parking of tractor trailers for FedEx's cargo operations.
- The parking lot will accommodate approximately 51 tractor trailers, 20 tractors, and 20 employee parking spaces.
- On March 23, 2017, the City issued an RFQ; 24 proposals were received.
- WSP and Associates was selected as the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements and their experience in designing parking lots at Airports.

Charlotte Business INclusion

Action A

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

Landrum & Brown has committed 4.88% (\$17,300) of the total contract amount to the following certified firms:

- Elm Engineering (SBE) (\$9,500) (MEP engineering)
- Urban Design Partners (SBE) (\$7,500) (landscape design)

Action B

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

WSP and Associates has committed 11.80% (\$32,165) of the total contract amount to the following certified firms:

- CES Group Engineers (SBE, WBE) (\$32,165) (civil engineering)

Fiscal Note

Funding: Aviation Community Investment Plan

51. Airport Credentialing Office Renovation

Action:

Approve a contract in the amount of \$1,345,300 to the lowest responsive bidder Encompass Building Group, Inc. for Credentialing Office Renovation project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Aviation Credentialing Office provides badging and access control services for the Airport.
- This project will expand the space to add badging and testing stations, a larger lobby waiting area and a larger area to accommodate law enforcement officials.
- On March 14, 2018, the City issued an Invitation to Bid; no bids were received.
- On May, 21, 2018, the project was re-advertised for bid; two bids were received.
- Encompass Building Group, Inc was the lowest, responsible bidder.
- This activity is occurring on airport property, Council District 3.

Charlotte Business INclusion

Established SBE Goal: 10.00%

Committed SBE Goal: 17.35%

Encompass Building Group, Inc exceeded the established subcontracting goal, and has committed 17.35% (\$233,474) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Stevens Interior (SBE) (\$167,208) (metal stud framing, gypsum drywall and insulation)
- Mekki Modular Systems, Inc. (SBE, MBE) (\$52,166) (resilient base, tile and sheet carpeting)
- United Painting Services, Inc. (SBE, MBE) (\$14,100) (painting)

Established MBE Goal: 7.00%

Committed MBE Goal: 18.79%

Encompass Building Group, Inc exceeded the established subcontracting goal, and has committed 18.79% (\$252,766) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Superior Mechanical Systems, Inc. (MBE) (\$182,500) (HVAC)
- Mekki Modular Systems, Inc. (MBE, SBE) (\$52,166) (resilient base, tile and sheet carpeting)
- United Painting Services, Inc. (MBE, SBE) (\$14,100) (painting)
- All Points Waste Service, Inc. (MBE) (\$4,000) (waste management services)

Fiscal Note

Funding: Aviation Community Investment Plan

52. Airport Runway Rehabilitation and Taxiway Demolition

Action:

Approve a contract in the amount of \$ 982,000 with Delta Airport Consultants, Inc. for the design of the Runway 18L/36R Rehabilitation project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Aviation performs a biennial Pavement Management Plan to assess the pavement condition of runways and taxiways on the airfield.
- Runway 18L/36R has a fair pavement condition; however, engineering analysis confirms the need to resurface the runway with asphalt.
- In addition to the runway resurfacing, Aviation in conjunction with the Federal Aviation Administration has identified Taxiways C7 to be removed due to low traffic and runway safety area improvements.
- The design contract will include geotechnical investigation, pavement design, electrical design, pavement marking design, and safety risk assessment.
- On March 23, 2017, the City issued a Request for Qualifications (RFQ); 24 proposals were received.
- Delta Airport Consultants, 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 and their experience with pavement and airfield design.
- This activity is occurring on airport property, Council District 3.

Disadvantaged Business Enterprise

The City negotiates subcontracting participation after the proposal selection process.

Delta Airport Consultants has committed 12.22% (\$119,180) of the total contract amount to the following certified firms:

- On-Spec Engineering (DBE) (\$114,365) (QA testing, coring)
- Connico (DBE) (\$5,615) (constructability review)

Fiscal Note

Funding: Aviation Community Investment Plan

53. Airport Concrete Spall Repair Project Contract Amendment

Action:

Approve contract amendment #1 for \$4,800 with Delta Airport Consultants, Inc. for Concrete Spall Repair for additional surveying services.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- A spall is the result of water entering concrete, forcing the concrete to peel or flake. This generates debris, which can impact the safety of aircraft and the traveling public.
- In accordance with Federal Aviation Administration Part 139, it is required that all spalls be repaired to ensure the safety of the airfield and movement areas of aircraft.
- On November 8, 2017, the City entered into a professional services contract with Delta Airport Consultants, Inc. for the concrete spall repair project.
- Contract amendment #1 is needed to add additional funds for surveying services. The initial estimated amount of spalls to be surveyed was 250 and is now a total of 600.
- On March 23, 2017, the City Issued a Request for Qualifications (RFQ); 24 proposals were received.
- Delta Airport Consultants, Inc. was selected as the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- The total contract amount including amendment #1 is \$102,800.
- This activity is occurring on airport property, Council District 3.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Operating Budget

54. Airport Parking Deck Supplemental Guardrails

Action:

Approve a contract in the amount of \$165,000 to the lowest responsive bidder Kelby Construction, Inc. for installation of supplemental guardrails.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- This project will install supplemental steel guardrails, as safety enhancements, on six levels at the open-air stair towers in the Rental Car Facility/Hourly Deck.
- On May 1, 2018, the City issued an Invitation to Bid; one bid was received.
- Kelby Construction, Inc. was selected as the lowest responsive, responsible bidder.
- This project is anticipated to be complete by first quarter 2019.
- This activity is occurring on airport property, Council District 3.

Charlotte Business INclusion

No subcontracting goals were established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

However, Kelby Construction, Inc is a City SBE.

Fiscal Note

Funding: Aviation Community Investment Plan

55. Airport Vehicle Maintenance Mechanic Services Contract

Action:

- A. Approve a professional services contract with Carolina Auto, Truck and Coach Service, Inc. for vehicle maintenance mechanic services for a term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Aviation Department's vehicle maintenance facility maintains over 450 pieces of equipment, including airport rescue/firefighting equipment, airfield maintenance equipment, department vehicles, and a fleet of 80 buses. At this juncture, the facility has reached its space and personnel capacity.
- This contract will provide supplemental maintenance fleet services while the Aviation Department constructs and staffs a new vehicle maintenance facility.
- On April 26, 2018, the City issued a Request for Proposals; two proposals were received.
- Carolina Auto, Truck and Coach Service, Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- The annual expenditures are estimated to be \$300,000.
- These activities are occurring on airport or Carolina Auto, Truck and Coach Service, Inc. property, Council District 3.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Operating Budget

56. Airport Communications System Maintenance Contract

Action:

- A. Approve a five year contract with Mobile Communications America for the Airport Control Room Communication System Maintenance,
- B. Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was awarded,
- C. Authorize the City Manager to purchase maintenance and support for as long as the City uses the system, and
- D. Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the system.

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- This system integrates and provides radio and telephone communications with City emergency agencies.
- A waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.
- Annual expenditures for maintenance and support are estimated to be \$85,000 per year.
- This activity is occurring on airport property, Council District 3.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Operating Budget

57. Airport Consolidated Geospatial Platform

Action:

- A. **Approve a three year contract with X-Spatial to provide and implement a consolidated geospatial platform,**
- B. **Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was awarded,**
- C. **Authorize the City Manager to purchase maintenance and support for as long as the City uses the system, and**
- D. **Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the system.**

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- The Federal Aviation Administration (FAA) requires airports to have data in the following two formats: AutoCAD and GIS. Aviation has a large amount of data duplication between AutoCAD and GIS, which creates unnecessary work and conflicting data.
- This recommended software solution will create common data storage that can be consumed by both GIS and AutoCAD software, while also meeting FAA data requirements.
- This solution will also allow interoperability between geospatial data and other Airport technology systems. Some of the functionality/compatibility components include:
 - Add-on modules that use geospatial data to manage the Airport's assets including pavement management, IT asset management, electrical panel management, and airfield sign management for Part-139 compliance, and
 - 3D functionality, reporting, location/vehicle tracking, and closed-circuit TV video management.
- On December 22, 2017, the City issued a Request for Proposals (RFP); four proposals were received.
- X-Spatial, LLC best meets the City's needs in terms of experience, implementation plan, system functionality, staffing, compensation and responsiveness to RFP requirements.
- Expenditures for licensing and implementing the system are estimated to be \$520,000.
- This activity is occurring on airport property, Council District 3.

Disadvantaged Business Enterprise

The City negotiates subcontracting participation after the proposal selection process.

X-Spatial has identified the following certified firm to participate as project scopes are defined:

- Arora Engineers, Inc (DBE) (data development)

Fiscal Note

Funding: Aviation Community Investment Plan

58. Airport Visitor Info Center Management

Action:

- A. **Approve a contract with the Charlotte Regional Visitor's Authority for management and operation of the Airport Visitor Info Center 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):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The primary function of the Airport Visitor Info Center is to provide airport customers with information relating to airport wayfinding, baggage claim, hotels and lodging, and ground transportation. The Airport Visitor Info Center also focuses heavily on promoting tourism in the Charlotte region.
- On September 24, 2007, the City Council approved a management agreement with the Charlotte Regional Visitor's Authority (CRVA) to manage the Airport's Visitor Info Center.
- Under this agreement, the Airport will reimburse the CRVA for all expenses associated with the management and operation of the center.
- A waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.
- Estimated contract expenditures are \$1,107,406 in the aggregate over the three-year term.
- This activity is occurring on airport property, Council District 3.

Charlotte Business INclusion

No subcontracting goal was established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Operating Budget

59. Airport Environmental Impact Statement

Action:

Approve contract amendment #1 for \$113,988 with RS&H Architects-Engineers-Planners, Inc. for preparation of an independent fee estimate for the Environmental Impact Study.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On September 20, 2016, the City Manager approved a contract in the amount of \$85,246 with RS&H Architects-Engineers-Planners, Inc. to conduct an independent fee estimate (IFE).
- Federal regulations require a third party to conduct an IFE for federally funded negotiated professional services, such as consultant costs for the Environmental Impact Study (EIS).
- The Federal Aviation Administration (FAA) has requested the EIS be completed in multiple phases in order to better estimate costs for the project. This has increased RS&H Architects-Engineers-Planners, Inc.'s scope of work and an amendment to the original contract is necessary to provide continued services.
- This amendment will allow RS&H Architects-Engineers-Planners, Inc. to work through the remaining portions of the EIS.
- The new value of the contract, including amendment #1, is \$199,234.
- This activity is occurring on airport property, Council District 3.

Background

- On March 2, 2016, the City of Charlotte and the FAA executed a Memorandum of Understanding that establishes the framework in which the FAA will prepare an EIS for proposed projects at the Airport.
- On April 24, 2017, City Council approved a contract, in the amount of \$3,107,090, with VHB Engineering NC, PC to provide the public and agency scoping services and the first amendment on May 30, 2018, to conduct the affected environment portion of the study.

Disadvantaged Business Enterprise

No subcontracting goal was established because there are no subcontracting opportunities.

Fiscal Note

Funding: Aviation Community Investment Plan

60. Airport Federal Aviation Administration Grant Acceptance

Action:

Adopt a resolution accepting a grant in the amount of \$3,000,000 from the Federal Aviation Administration for Airport projects.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Federal Aviation Administration annually apportions Airport Improvement Program funds into several categories. Any remaining funds are considered discretionary and distributed based on a national prioritization system.
- The total amount of the discretionary grant funding for Fiscal Year 2018 is \$3,000,000.
- Per the grant terms, proceeds from this grant will fund 75 percent of the project cost for the reimbursement of the Environmental Impact Statement.
- Aviation will pay for the remaining 25 percent of the project costs, which is \$1,000,000.
- The Aviation Department intends to seek approval from the Federal Aviation Administration to reimburse local funds spent with future Passenger Facility Charge funds.
- This activity is occurring on airport property, Council District 3.

Fiscal Note

Funding: Aviation Community Investment Plan

Attachment(s)

Resolution

[RES.FAAGRANT082718.docx](#)

61. Habitat for Humanity of Charlotte Funding for Housing Rehabilitation

Action:

Approve a Community Development Block Grant allocation in the amount of \$375,000 to Habitat for Humanity of Charlotte for single-family housing rehabilitation.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Miles Vaughn, Housing and Neighborhood Services

Explanation

- Habitat for Humanity of Charlotte (Habitat) is requesting \$375,000 of Community Development Block Grant (CDBG) funding to continue partnering with the City to rehabilitate 33 homes of low and moderate-income families through its Critical Home Repair Program.
- Since 2010, Habitat has collaborated with the City on this program to rehabilitate more than 300 homes. Habitat has an existing pipeline of eligible clients and anticipates expending these funds by July 2019.
- The need for this service outpaces the City's ability to respond to the demand. By partnering with Habitat, the City can serve more families. The organization's unique business model, business partners, and volunteer network allow it to leverage the City's investment at a 1:1 ratio. These results are achieved primarily through volunteer hours, private funding, and donated materials.
- This funding will help the City meet its housing program goals, which include:
 - Preserving the existing affordable housing stock,
 - Preventing displacement of homeowners, and
 - Allowing homeowners to age in place by creating a suitable living environment.

Background

- On May 14, 2018, City Council adopted the U.S. Department of Housing and Urban Development (HUD) Annual Action Plan (Plan). The CDBG program supports the Plan, which:
 - Identifies the need for affordable, safe, and decent housing for low and moderate-income families, and
 - Reaffirms three basic goals of the City's Housing Policy:
 - Preserve the existing housing stock,
 - Expand the supply of affordable housing, and
 - Support family self-sufficiency initiatives.
- The CDBG program's primary goal is to increase the stock and quality of affordable housing units serving households earning 80 percent of the area median income (\$56,550) or below.

Fiscal Note

Funding: Community Development Block Grant (HUD Funding)

62. AARP Community Challenge Grant

Action:

- A. Adopt a budget ordinance accepting AARP Community Challenge grant of \$15,500, and**
- B. Adopt a resolution approving the conveyance of two porch-style metal swings and frames to the nonprofit organization Sustain Charlotte, Inc.**

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services
Taiwo Jaiyeoba, Planning, Design and Development

Explanation

- Pursuant to North Carolina General Statute (N.C.G.S.) 160A-279 staff is requesting City Council's approval to convey two porch-style metal swings and frames for public use to Sustain Charlotte, Inc.
- In July 2018, Housing and Neighborhood Services and Planning, Design and Development were awarded a \$15,500 AARP Community Challenge grant to install porch-style swings for public use near bus stops along Belmont Avenue in the Belmont Community.
- The AARP Community Challenge is a program sponsored by the AARP Livable Communities that awards "quick-action" grants to make communities livable for people of all ages.
- The purpose of the swing project is to create "place" and opportunities for community interaction by installing unique and comfortable features where people gather, while improving the experience of waiting for a bus and the experience of walking to business destinations.
- Belmont Avenue was identified as a prime candidate for the porch swing project due to the community's continual engagement around the revitalization of the corridor. The locations along Belmont Avenue which were selected based on proximity to CATS Bus Route 4, proximity to existing and emerging community businesses/organizations, topography for ease of construction, and ownership that can provide oversight and the minimal maintenance that may be required.
- Estimated value of each swing and frame unit is \$2,890, making the total estimated value \$5,780. Additionally, the City will contract with Sustain Charlotte, Inc. for the installation of the swings, which is estimated at approximately \$7,500.

Fiscal Note

Funding: AARP Community Challenge Grant

Attachment(s)

Photo
Preliminary Site Plan
Resolution
Budget Ordinance

[Swing Example Photograph](#)

[Swings Site Plan](#)

[Swing Resolution](#)

[AARP Budget Ordinance](#)

63. Northlake 3 Area Voluntary Annexation Public Hearing Date

Action:

Adopt a resolution setting the public hearing for September 10, 2018, for Northlake 3 Annexation.

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- The City has received a petition for voluntary annexation of private properties.
- Public hearings are required prior to City Council action on annexation requests.
- These properties are located within Charlotte's extraterritorial jurisdiction.
- Area proposed for annexation shares boundary with current city limits.
- Annexation of these areas at this time will allow for more orderly land development review, extension of City services, capital investments, and future annexation processes.
- The 15.047-acre site is located between I-485 and Northlake Centre Parkway in Northwest Mecklenburg County.
 - The properties are currently vacant,
 - The petitioner has plans to develop approximately 273 residential units,
 - The properties are zoned (R-3) single family residential at three dwelling units per acre,
 - The properties are located immediately adjacent to City Council District 2, and
 - Petitioned area consists of parcels 025-103-02, 025-081-23B (which is part of parcel 025-081-23), 025-103-09, and 025-081-22B (which is part of parcel 025-081-22).

Consistency with City Council Policies

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

Public Hearing Date

The resolution sets Monday, September 10, 2018, for the public hearing.

Attachment(s)

Application

Map

Resolution

[VoluntaryAnnexation Northlake3 5 30 18](#)

[Map - Northlake 3 Voluntary Annexation](#)

[Resolution to set hearing - Northlake 3 Annexation](#)

64. 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 September 15, 2018,**
- C. **Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events, and**
- D. **Adopt an amended resolution prescribing procedures for disposal of surplus personal property valued at less than \$30,000.**

Staff Resource(s):

Robert Campbell, Finance

Kay Elmore, Finance

Explanation

Actions A - C

- Pursuant to North Carolina General Statute 160A-270(b), approval is requested for a public auction as follows:
 - On September 15, 2018, at 9:00 a.m. to dispose of City-owned property declared as surplus.
- Finance provides asset recovery and disposal services to the City, Mecklenburg County, Emergency Management Services, and the Charlotte Housing Authority.
- Auctions are conducted at the City's Asset Recovery and Disposal facility located at 5550 Wilkinson Boulevard, Charlotte, North Carolina.
- On January 11, 2016, Council approved a contract with Rogers Realty and Auction Company, Inc. for auctioneer and related services as the result of a competitive selection process.
- The auction company will be compensated 8.5 percent of the total gross sale price of rolling stock and miscellaneous items through auction proceeds.
- Proceeds from the auction are distributed to the City's General Fund and City's Enterprise Funds, (Aviation, Charlotte Water, and CATS), and other agencies based on asset ownership.

Action D

- On March 27, 2006, City Council adopted a resolution authorizing the Director of Shared Services (a former City department) to dispose of surplus personal property valued at less than \$30,000, as allowed under North Carolina General Statutes 160A-266 and 160A-279. City Council amended the resolution on July 23, 2012, to extend the surplus disposal to rolling stock (vehicles), which were omitted from the original resolution.
- After 2012, the Shared Services department was eliminated, and its functions were transferred to Management and Financial Services.
- The purpose of the revised resolution is to update the 2012 version by granting the disposal authority to the City Manager, who may then delegate it to such City employees as deemed appropriate for the efficient disposition of the property. This will eliminate the need for future updates as department names and responsibilities evolve over time.

Attachment(s)

Property Lists (Exhibit - A city owned property)

Delegation of Authority

Resolution for Disposal of Surplus Equipment

Resolution to Amend Disposal Procedures

[20180827 - 01 Rolling Stock auction \(Exhibit A\)](#)

[Rolling stock auction - Delegation of Authority](#)

[Rolling stock auction - Resolution](#)

[Disposal of \\$30K Property Resolution Amendment 8-8-18](#)

65. Tax Year 2018 Order of Collection and Fiscal Year 2018 Mecklenburg County Tax Collector's Settlement Statement

Action:

- A. Adopt an Order of Collection, as per North Carolina General Statute 105-321(b) authorizing the Tax Collector of Mecklenburg County to collect the taxes set forth in settlement statement for tax year 2018, and**
- B. Receive as information and record in the minutes the Mecklenburg County Tax Collector's Settlement Statement for Fiscal Year 2018.**

Staff Resource(s)

Stephanie Kelly, City Clerk
Robert Campbell, Finance

Explanation

Action A

- According to North Carolina General Statute 105-321(b), an order directing the Tax Collector to collect the taxes charged in tax records and receipts must be entered into the official record of the governing board.
- The Tax Collector's Office issued an Order of Collection to authorize the collection of real estate and motor vehicle taxes for the tax year 2018.
- The Order of Collection must be ratified and returned to Mecklenburg County, Office of the Tax Collector, by September 1, 2018.

Action B

- According to North Carolina General Statute 105-373:
 - The Tax Collector must submit to the governing board an annual report of the amount collected on each year's taxes with which he/she is charged, the amount remaining uncollected, and the steps being taken to encourage or enforce payment of uncollected taxes, and
 - The Tax Collector's Settlement Statement must be entered into the official record of the governing board.
- The Tax Collector's Settlement is used to present the real estate and motor vehicle collection rates for the previous tax year and prior years.
- The Tax Collector's Settlement is an informational report on property tax collection activity for the Fiscal Year that just completed (July 1, 2017 - June 30, 2018), and has no impact on the upcoming revaluation.

Attachment(s)

Tax Year 2018 Order of Collection
Tax Collector's Settlement Statement

[Charlotte Order of Collection 2018](#)

[Charlotte FY 2018 Settlement](#)

66. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$814.24.

Staff Resource(s):

Robert Campbell, Finance
Betty Mattos, Finance

Explanation

- Mecklenburg County notified and provided the City of Charlotte 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 and Refunds Requested.pdf](#)

[Resolution.pdf](#)

67. Meeting Minutes

Action:

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

- **June 11, 2018 Business Meeting,**
- **June 18, 2018, Zoning Meeting,**
- **June 25, 2018, Business Meeting,**
- **July 16, 2018, Special Meeting, and**
- **July 16, 2018, Zoning Meeting.**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS**68. Property Transactions - Cross Charlotte Trail Bradywine - Tyvola, Parcel #13**

Action: Approve the following Acquisition: Cross Charlotte Trail Bradywine - Tyvola, Parcel #13

Project: Cross Charlotte Trail Bradywine - Tyvola, Parcel #13

Owner(s): Matthew Mosby and Kelly Mosby

Property Address: 2108 Hassell Place

Total Parcel Area: 18,893 sq. ft. (.434 ac.)

Property to be acquired by Easements: 4,348 sq. ft. (.1 ac.) in Greenway Easement, plus 1,439 sq. ft. (.033 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-5

Use: Single-family Residential

Tax Code: 175-151-09

Purchase Price: \$47,600

Council District: 6

69. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #2

Action: Approve the following Acquisition: Cutchin Drive Drainage Improvements, Parcel #2

Project: Cutchin Drive Drainage Improvements, Parcel #2

Program: Flood Control

Owner(s): Jeffrey C. Cline and Molly F. Cline

Property Address: 3340 Cambria Road

Total Parcel Area: 20,253 sq. ft. (.465 ac.)

Property to be acquired by Easements: 18 sq. ft. (ac.) in Storm Drainage Easement, plus 683 sq. ft. (.016 ac.) in Temporary Construction Easement, plus 2,376 sq. ft. (.055 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-054-07

Purchase Price: \$12,975

Council District: 6

70. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #8

Action: Approve the following Acquisition: Cutchin Drive Drainage Improvements, Parcel #8

Project: Cutchin Drive Drainage Improvements, Parcel #8

Program: Flood Control

Owner(s): Manuel Garmilla and Carmen Carcer

Property Address: 3222 Mountainbrook Road

Total Parcel Area: 42,691 sq. ft. (.980 ac.)

Property to be acquired by Easements: 1,154 sq. ft. (.026 ac.) in Storm Drainage Easement, plus 763 sq. ft. (.018 ac.) in Temporary Construction Easement, plus 120 sq. ft. (.003 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: 209-083-65

Purchase Price: \$12,000

Council District: 6

71. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #11

Action: Approve the following Acquisition: Cutchin Drive Drainage Improvements, Parcel #11

Project: Cutchin Drive Drainage Improvements, Parcel #11

Program: Flood Control

Owner(s): Matthew S. Wedding and Katharine R. Wedding

Property Address: 3200 Chaucer Drive

Total Parcel Area: 19,747 sq. ft. (.453 ac.)

Property to be acquired by Easements: 2,395 sq. ft. (.055 ac.) in Storm Drainage Easement, plus 1,866 sq. ft. (.043 ac.) in Temporary Construction Easement, plus 3,064 sq. ft. (.07 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: Brick mailbox

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-083-16

Purchase Price: \$65,425

Council District: 6

72. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #12

Action: Approve the following Condemnation: Cutchin Drive Drainage Improvements, Parcel #12

Project: Cutchin Drive Drainage Improvements, Parcel #12

Program: Flood Control

Owner(s): Debra G. Detwiler

Property Address: 3142 Chaucer Drive

Total Parcel Area: 19,953 sq. ft. (.458 ac.)

Property to be acquired by Easements: 763 sq. ft. (.018 ac.) in Storm Drainage Easement, plus 543 sq. ft. (.012 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-083-15

Appraised Value: \$21,850

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 6

73. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #13

Action: Approve the following Condemnation: Cutchin Drive Drainage Improvements, Parcel #13

Project: Cutchin Drive Drainage Improvements, Parcel #13

Program: Flood Control

Owner(s): John E. Grupp and Kathleen W. Grupp

Property Address: 3133 Chaucer Drive

Total Parcel Area: 16,998 sq. ft. (.390 ac.)

Property to be acquired by Easements: 2,404 sq. ft. (.055 ac.) in Storm Drainage Easement, plus 374 sq. ft. (.009 ac.) in Temporary Construction Easement, plus 936 sq. ft. (.021 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: Driveway, fencing and basketball goal

Landscaping to be impacted: Trees and shrubs

Zoned: R-1

Use: Single-family Residential

Tax Code: 209-064-28

Appraised Value: \$56,850

Recommendation: Staff is currently waiting on signed documents but to avoid delay in the project schedule, staff 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: 6

74. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #16

Action: Approve the following Acquisition: Cutchin Drive Drainage Improvements, Parcel #16

Project: Cutchin Drive Drainage Improvements, Parcel #16

Program: Flood Control

Owner(s): W. Leighton Carmichael and Linda E. Carmichael

Property Address: 3116 Cutchin Drive

Total Parcel Area: 17,831 sq. ft. (.409 ac.)

Property to be acquired by Easements: 314 sq. ft. (.007 ac.) in Storm Drainage Easement, plus 996 sq. ft. (.023 ac.) in Temporary Construction Easement, plus 1,584 sq. ft. (.036 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: Footbridge and irrigation

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-064-10

Purchase Price: \$40,850

Council District: 6

75. Property Transactions - Cutchin Drive Drainage Improvements, Parcel #20

Action: Approve the following Condemnation: Cutchin Drive Drainage Improvements, Parcel #20

Project: Cutchin Drive Drainage Improvements, Parcel #20

Program: Flood Control

Owner(s): Nancy C. Howell

Property Address: 3100 Wamath Drive

Total Parcel Area: 19,958 sq. ft. (.458 ac.)

Property to be acquired by Easements: 1,444 sq. ft. (.033 ac.) in Storm Drainage Easement, plus 519 sq. ft. (.012 ac.) in Temporary Construction Easement, plus 2,187 sq. ft. (.05 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 209-063-08

Appraised Value: \$25,875

Property Owner's Concerns: The property owner was concerned about driveway access during construction.

City's Response to Property Owner's Concerns: Staff met with the property owner to explain how access will be handled during construction.

Recommendation: To avoid delay in the project schedule, staff 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: 6

76. Property Transactions - East Ford Road 3244, Parcel #1

Action: Approve the following Condemnation: East Ford Road 3244, Parcel #1

Project: East Ford Road 3244, Parcel #1

Program: Flood Control

Owner(s): Beverly T. Farmer and Walter James Estes, III

Property Address: 3244 East Ford Road

Total Parcel Area: 24,410 sq. ft. (.560 ac.)

Property to be acquired by Easements: 1,765.05 sq. ft. (.041 ac.) in Temporary Construction Easement, plus 2,131.47 sq. ft. (.049 ac.) in Existing Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-17MF

Use: Single-family Residential

Tax Code: 093-107-11

Appraised Value: \$1,275

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 1

77. Property Transactions - Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #18

Action: Approve the following Condemnation: Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #18

Project: Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #18

Owner(s): Kimberly L. Grier

Property Address: 1137 Rollingwood Drive

Total Parcel Area: 13,495 sq. ft. (.310 ac.)

Property to be acquired by Easements: 1,713.09 sq. ft. (.039 ac.) in Sanitary Sewer Easement, plus 2,086.21 sq. ft. (.048 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-4

Use: Single-family Residential

Tax Code: 145-152-21

Appraised Value: \$4,925

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 3

78. Property Transactions - Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #25

Action: Approve the following Condemnation: Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #25

Project: Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #25

Owner(s): TAH 2016-I Borrower LLC

Property Address: 1039 Rollingwood Drive

Total Parcel Area: 8,670 sq. ft. (.199 ac.)

Property to be acquired by Easements: 1,109.32 sq. ft. (.025 ac.) in Sanitary Sewer Easement, plus 1,295.6 sq. ft. (.03 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-4

Use: Single-family Residential

Tax Code: 145-152-14

Appraised Value: \$3,900

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 3

79. Property Transactions - Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #29

Action: Approve the following Condemnation: Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #29

Project: Fieldcrest Road to Barringer Drive Sanitary Sewer Replacement, Parcel #29

Owner(s): Brianna Terrace Property Owners Association, Inc.

Property Address: Brianna Way

Total Parcel Area: 258,549 sq. ft. (5.935 ac.)

Property to be acquired by Easements: 12,122.92 sq. ft. (.278 ac.) in Sanitary Sewer Easement, plus 14,702.51 sq. ft. (.338 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Tax Code: 145-152-91

Appraised Value: \$800

Recommendation: To avoid delay in the project schedule, staff 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: 3

80. Property Transactions - Four Mile Creek Tributary Sewer Replacement, Parcel #1 and 37

Action: Approve the following Condemnation: Four Mile Creek Tributary Sewer Replacement, Parcel #1 and 37

Project: Four Mile Creek Tributary Sewer Replacement, Parcel #1 and 37

Owner(s): Mahlon H. Privette and Jean M. Privette

Property Address: Weddington Road

Total Parcel Area: 208,109 sq. ft. (4.778 ac.)

Property to be acquired by Easements: 1,191 sq. ft. (.027 ac.) in Sanitary Sewer Easement, plus 4,548 sq. ft. (.104 ac.) in Access Easement, plus 6,010 sq. ft. (.138 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-15

Use: Rural Homesite

Tax Code: 227-612-70 and 227-612-33

Appraised Value: \$10,200

Property Owner's Counteroffer: \$30,000

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

City's Response to Property Owner's Concerns: Staff met with the property owner, discussed his concerns, but did not reach an agreement.

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Matthews)

81. Property Transactions - Four Mile Creek Tributary Sewer Replacement, Parcel #8

Action: Approve the following Condemnation: Four Mile Creek Tributary Sewer Replacement, Parcel #8

Project: Four Mile Creek Tributary Sewer Replacement, Parcel #8

Owner(s): Margaret K. Dowd, Mary C. Dowd, William E. Harrington, III and C. Neal Harrington

Property Address: Honey Creek Lane

Total Parcel Area: 45,450 sq. ft. (1.043 ac.)

Property to be acquired by Easements: 1,260 sq. ft. (.029 ac.) in Sanitary Sewer Easement, plus 3,867 sq. ft. (.089 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-15

Use: Rural Homesite

Tax Code: 227-402-98

Appraised Value: \$825

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Matthews)

82. Property Transactions - Goose Creek Pump Station, Parcel #8

Action: Approve the following Condemnation: Goose Creek Pump Station, Parcel #8

Project: Goose Creek Pump Station, Parcel #8

Owner(s): The Van A. Greene and Lola G. Greene Living Trust

Property Address: 12912 Lawyers Road

Total Parcel Area: 396,092 sq. ft. (9.093 ac.)

Property to be acquired by Easements: 14,199 sq. ft. (.326 ac.) in Sanitary Sewer Easement, plus 5,478 sq. ft. (.126 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 195-093-08

Appraised Value: \$9,650

Recommendation: We are currently waiting on signed documents but to avoid delay in the project schedule, staff 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: N/A (Mint Hill)

83. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #13

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #13

Project: Goose Creek Pump Station - Part 2, Parcel #13

Owner(s): Peggy C. Helms

Property Address: 16210 Thompson Road

Total Parcel Area: 651,871 sq. ft. (14.965 ac.)

Property to be acquired by Easements: 24,792 sq. ft. (.569 ac.) in Sanitary Sewer Easement, plus 19,303 sq. ft. (.443 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Use: Single-family Residential

Tax Code: 195-151-10

Appraised Value: \$17,825

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

84. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #14

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #14

Project: Goose Creek Pump Station - Part 2, Parcel #14

Owner(s): Nicholas R. Helms and Samantha H. Helms

Property Address: 16050 Thompson Road

Total Parcel Area: 31,365 sq. ft. (.720 ac.)

Property to be acquired by Easements: 3,095 sq. ft. (.071 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Use: Single-family Residential

Tax Code: 195-151-29

Appraised Value: \$4,150

Property Owner's Counteroffer: \$10,700

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

City's Response to Property Owner's Concerns: Staff informed the property owner's representative that they can obtain their own appraisal to justify a counter offer.

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

85. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #42

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #42

Project: Goose Creek Pump Station - Part 2, Parcel #42

Owner(s): Paul D. Henderson and Ashely S. Henderson

Property Address: Northside of Thompson Road

Total Parcel Area: 57,936 sq. ft. (1.330 ac.)

Property to be acquired by Easements: 3,080 sq. ft. (.071 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Use: Single-family Residential

Tax Code: 195-081-33

Appraised Value: \$4,425

Property Owner's Concerns: The property owner's representative is concerned with the compensation amount being offered and project impacts.

City's Response to Property Owner's Concerns: Staff informed the property owner's representative that they can obtain their own appraisal to justify a counter offer and addressed their concerns but no agreement was reached.

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

86. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #43

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #43

Project: Goose Creek Pump Station - Part 2, Parcel #43

Owner(s): Sherry T. Henderson

Property Address: 15711 Thompson Road

Total Parcel Area: 55,518 sq. ft. (1.275 ac.)

Property to be acquired by Easements: 1,985 sq. ft. (.046 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 195-081-26

Appraised Value: \$1,475

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

87. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #44

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #44

Project: Goose Creek Pump Station - Part 2, Parcel #44

Owner(s): Douglas M. Henderson and Sherry T. Henderson

Property Address: 15817 Thompson Road

Total Parcel Area: 53,314 sq. ft. (1.224 ac.)

Property to be acquired by Easements: 1,922 sq. ft. (.044 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 195-081-16

Appraised Value: \$1,425

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

88. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #45

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #45

Project: Goose Creek Pump Station - Part 2, Parcel #45

Owner(s): Sherry Dennise T. Henderson and Douglas M. Henderson

Property Address: Northside of Thompson Road

Total Parcel Area: 59,632 sq. ft. (1.369 ac.)

Property to be acquired by Easements: 4,425 sq. ft. (.102 ac.) in Sanitary Sewer Easement, plus 1,898 sq. ft. (.044 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 195-081-32

Appraised Value: \$3,675

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

89. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #49

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #49

Project: Goose Creek Pump Station - Part 2, Parcel #49

Owner(s): Peggy C. Helms

Property Address: 16100 Thompson Road

Total Parcel Area: 60,352 sq. ft. (1.385 ac.)

Property to be acquired by Easements: 4,200 sq. ft. (.096 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Use: Single-family Residential

Tax Code: 195-151-11

Appraised Value: \$3,350

Property Owner's Concerns: Property owner was concerned with driveway access during construction.

City's Response to Property Owner's Concerns: Staff addressed property owner concerns, but no agreement was reached.

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

90. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #65

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #65

Project: Goose Creek Pump Station - Part 2, Parcel #65

Owner(s): Carolina Water Service, Inc. of North Carolina

Property Address: 2627 Health Lake Drive

Total Parcel Area: 45,608 sq. ft. (1.047 ac.)

Property to be acquired by Easements: 830 sq. ft. (.019 ac.) in Sanitary Sewer Easement, plus 159 sq. ft. (.004 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Use: Unsuitable For Septic

Tax Code: 195-072-44

Appraised Value: \$2,775

Property Owner's Concerns: The property owner is concerned with project impacts.

City's Response to Property Owner's Concerns: Staff addressed property owner's concerns, but no agreement was reached.

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

91. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #66

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #66

Project: Goose Creek Pump Station - Part 2, Parcel #66

Owner(s): Sean Exum and Dianne J. Exum

Property Address: 2654 Shelburne Place

Total Parcel Area: 42,754 sq. ft. (.981 ac.)

Property to be acquired by Easements: 2,211 sq. ft. (.051 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: Fence

Landscaping to be impacted: Shrubs

Use: Single-family Residential

Tax Code: 195-053-01

Appraised Value: \$11,400

Property Owner's Concerns: The property owner is concerned with compensation amount and project impacts.

City's Response to Property Owner's Concerns: Staff informed the property owner's representative that they can obtain their own appraisal to justify a counter offer and addressed their concerns but no agreement was reached.

Recommendation: To avoid delay in the project schedule, staff 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: N/A (Mint Hill)

92. Property Transactions - Gum Branch Sanitary Sewer, Parcel #14.1

Action: Approve the following Condemnation: Gum Branch Sanitary Sewer, Parcel #14.1

Project: Gum Branch Sanitary Sewer, Parcel #14.1

Owner(s): McClure Real Estate & Investments, Inc.

Property Address: 511 Gum Branch Road

Total Parcel Area: 27,830 sq. ft. (.639 ac.)

Property to be acquired by Easements: 428 sq. ft. (.01 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 031-073-26

Appraised Value: \$50

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 2

93. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #23

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #23

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #23

Program: Flood Control

Owner(s): Jennifer H. Canter

Property Address: 5508 Warewhip Lane

Total Parcel Area: 24,935 sq. ft. (.572 ac.)

Property to be acquired by Easements: 2,346.45 sq. ft. (.054 ac.) in Storm Drainage Easement, plus 2,127.1 sq. ft. (.049 ac.) in Temporary Construction Easement, plus 127.27 sq. ft. (.003 ac.) in Utility Easement, plus 2,233.37 sq. ft. (.051 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: 209-073-10

Purchase Price: \$37,650

Council District: 6

94. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #48

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #48

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #48

Program: Flood Control

Owner(s): Kim M. Kazmaier and Carol B. Kazmaier

Property Address: 3425 Champaign Street

Total Parcel Area: 16,200 sq. ft. (.372 ac.)

Property to be acquired by Easements: 1,978.2 sq. ft. (.045 ac.) in Storm Drainage Easement, plus 1,518.58 sq. ft. (.035 ac.) in Sanitary Sewer Easement, plus 959.66 sq. ft. (.022 ac.) in Temporary Construction Easement, plus 25 sq. ft. (.001 ac.) in Utility Easement, plus 260.87 sq. ft. (.006 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: 209-072-22

Purchase Price: \$36,475

Council District: 6

95. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #55

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #55

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #55

Program: Flood Control

Owner(s): Mary Lynn Thigpen

Property Address: 3408 Cotillion Avenue

Total Parcel Area: 21,094 sq. ft. (.484 ac.)

Property to be acquired by Easements: 1,141.05 sq. ft. (.026 ac.) in Storm Drainage Easement, plus 1,392.59 sq. ft. (.032 ac.) in Sanitary Sewer Easement, plus 2,274.77 sq. ft. (.052 ac.) in Temporary Construction Easement, plus 234.02 sq. ft. (.005 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: 209-072-04

Purchase Price: \$39,600

Council District: 6

96. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #196

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #196

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #196

Program: Flood Control

Owner(s): Robert Arthur Yeterian and Aiping Ying

Property Address: 2918 Hinsdale Street

Total Parcel Area: 22,774 sq. ft. (.523 ac.)

Property to be acquired by Easements: 51.67 sq. ft. (.001 ac.) in Storm Drainage Easement, plus 4,809.3 sq. ft. (.11 ac.) in Temporary Construction Easement, plus 330.76 sq. ft. (.008 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: 209-103-17

Purchase Price: \$33,500

Council District: 6

97. Property Transactions - McAlpine Creek Relief Sewer Phase IV, Parcel #196

Action: Approve the following Condemnation: McAlpine Creek Relief Sewer Phase IV, Parcel #196

Project: McAlpine Creek Relief Sewer Phase IV, Parcel #196

Owner(s): Realty Income Properties 25, LLC

Property Address: 7700 Krefeld Drive

Total Parcel Area: 684,023 sq. ft. (15.703 ac.)

Property to be acquired by Easements: 9,500 sq. ft. (.218 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: B-2(CD)

Use: Commercial

Tax Code: 193-073-01

Appraised Value: \$30,150

Recommendation: To avoid delay in the project schedule, staff 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: 5

98. Property Transactions - Pickway Pond, Parcel #3.1

Action: Approve the following Condemnation: Pickway Pond, Parcel #3.1

Project: Pickway Pond, Parcel #3.1

Program: Flood Control

Owner(s): James Terry Yandle

Property Address: Pickway Drive

Total Parcel Area: 195,672 sq. ft. (4.492 ac.)

Property to be acquired by Fee: 2,724 sq. ft. (.063 ac.) in Fee Simple

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 045-171-10

Appraised Value: \$900

Recommendation: To avoid delay in the project schedule, staff 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: 4

99. Property Transactions - Pickway Pond, Parcel #8

Action: Approve the following Condemnation: Pickway Pond, Parcel #8

Project: Pickway Pond, Parcel #8

Program: Flood Control

Owner(s): Grover Jean Wilkinson and Julie Wilkinson

Property Address: 2540 Pickway Drive

Total Parcel Area: 103,439 sq. ft. (2.375 ac.)

Property to be acquired by Fee: 3,990 sq. ft. (.092 ac.) in Fee Simple

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 045-171-11

Appraised Value: \$7,750

Recommendation: To avoid delay in the project schedule, staff 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: 4

100. Property Transactions - Rocky River Road Improvement, Parcel #19.2

Action: Approve the following Condemnation: Rocky River Road Improvement, Parcel #19.2

Project: Rocky River Road Improvement, Parcel #19.2

Owner(s): Hollis Samuel and Bridgette Samuel

Property Address: 7500 Batavia Lane

Total Parcel Area: 20,640 sq. ft. (.474 ac.)

Property to be acquired by Fee: 1,593 sq. ft. (.037 ac.) in Fee Simple

Property to be acquired by Easements: 6,990 sq. ft. (.16 ac.) in Utility Easement, plus 3,509 sq. ft. (.081 ac.) in Sidewalk Utility Retaining Wall Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 049-231-49

Appraised Value: \$20,650

Recommendation: To avoid delay in the project schedule, staff 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: 4

101. Property Transactions - Steele Creek Sanitary Sewer Improvements, Parcel #3

Action: Approve the following Condemnation: Steele Creek Sanitary Sewer Improvements, Parcel #3

Project: Steele Creek Sanitary Sewer Improvements, Parcel #3

Owner(s): Anna B. Holbrook and Marsha F. Holbrook, Co-Trustee of the William M. Holbrook Family Trust

Property Address: 3798 Pleasant Road

Total Parcel Area: 327,572 sq. ft. (7.520 ac.)

Property to be acquired by Easements: 12,396.07 sq. ft. (.285 ac.) in Sanitary Sewer Easement, plus 1,779.62 sq. ft. (.041 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-2

Use: Industrial

Tax Code: 203-152-06

Appraised Value: \$3,900

Property Owner's Concerns: Property owner is concerned with the amount of compensation offered.

City's Response to Property Owner's Concerns: City staff informed property owner they could obtain their own appraisal to justify a counter offer.

Recommendation: To avoid delay in the project schedule, staff 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: 3

102. Property Transactions - Steele Creek Sanitary Sewer Improvements, Parcel #6

Action: Approve the following Condemnation: Steele Creek Sanitary Sewer Improvements, Parcel #6

Project: Steele Creek Sanitary Sewer Improvements, Parcel #6

Owner(s): HMI Lakemont West, LLC

Property Address: 13315 Carowinds Boulevard

Total Parcel Area: 3,204,852 sq. ft. (73.573 ac.)

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-1

Use: Industrial

Tax Code: 203-152-02

Appraised Value: \$24,600

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

City's Response to Property Owner's Concerns: City staff informed property owner they could obtain their own appraisal in order to justify a counter offer.

Recommendation: To avoid delay in the project schedule, staff 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: 3

103. Property Transactions - Steele Creek Sanitary Sewer Improvements, Parcel #9

Action: Approve the following Condemnation: Steele Creek Sanitary Sewer Improvements, Parcel #9

Project: Steele Creek Sanitary Sewer Improvements, Parcel #9

Owner(s): Steele Creek Apartment Property Owner, LLC

Property Address: 13311 Crescent Springs Drive

Total Parcel Area: 1,028,848 sq. ft. (23.619 ac.)

Property to be acquired by Easements: 2,739.66 sq. ft. (.063 ac.) in Sanitary Sewer Easement, plus 3,539.99 sq. ft. (.081 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-12MF(CD)

Use: Multi-family

Tax Code: 203-152-09

Appraised Value: \$3,550

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 3

104. Property Transactions - Steele Creek Sanitary Sewer Improvements, Parcel #12

Action: Approve the following Condemnation: Steele Creek Sanitary Sewer Improvements, Parcel #12

Project: Steele Creek Sanitary Sewer Improvements, Parcel #12

Owner(s): Earl Terry James, Sr.

Property Address: 13321 York Center Drive

Total Parcel Area: 270,073 sq. ft. (6.200 ac.)

Property to be acquired by Easements: 9,925.41 sq. ft. (.228 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-1

Use: Industrial

Tax Code: 201-181-19

Appraised Value: \$2,725

Recommendation: To avoid delay in the project schedule, staff 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: 3

105. Property Transactions - Steele Creek Sanitary Sewer Improvements, Parcel #24

Action: Approve the following Condemnation: Steele Creek Sanitary Sewer Improvements, Parcel #24

Project: Steele Creek Sanitary Sewer Improvements, Parcel #24

Owner(s): HMI Lakemont West, LLC

Property Address: 13833 Carowinds Boulevard

Total Parcel Area: 512,137 sq. ft. (11.757 ac.)

Property to be acquired by Easements: 1,816.71 sq. ft. (.042 ac.) in Access Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-1

Use: Industrial

Tax Code: 203-152-04

Appraised Value: \$600

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

City's Response to Property Owner's Concerns: City staff informed property owner they could obtain their own appraisal in order to justify a counter offer.

Recommendation: To avoid delay in the project schedule, staff 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: 3

106. Property Transactions - Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #1

Action: Approve the following Condemnation: Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #1

Project: Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #1

Owner(s): RRB Investment Group, LLC

Property Address: 2400 Tuckaseegee Road

Total Parcel Area: 7,871 sq. ft. (.181 ac.)

Property to be acquired by Fee: 894 sq. ft. (.021 ac.) in Fee Simple

Property to be acquired by Easements: 1,199 sq. ft. (.028 ac.) in Sidewalk and Utility Easement, plus 1,518 sq. ft. (.035 ac.) in Temporary Construction Easement, plus 231 sq. ft. (.005 ac.) in Utility Easement

Structures/Improvements to be impacted: Sign and parking spaces

Landscaping to be impacted: Trees and various plantings

Zoned: B-1

Use: Commercial

Tax Code: 071-093-19

Appraised Value: \$15,875

Property Owner's Counteroffer: \$30,000

Property Owner's Concerns: Property owner is concerned with the compensation amount and project impacts.

City's Response to Property Owner's Concerns: Staff informed the property owner that they can obtain their own appraisal to justify a counter offer and addressed their concerns.

Recommendation: Staff is currently waiting on signed documents but to avoid delay in the project schedule, staff 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: 3

107. Property Transactions - Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #6

Action: Approve the following Condemnation: Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #6

Project: Tuckaseegee - Berryhill-Thrift Roundabout, Parcel #6

Owner(s): Richard B. Nagy

Property Address: 1100 Tuckaseegee Road

Total Parcel Area: 74,474 sq. ft. (1.710 ac.)

Property to be acquired by Fee: 4,506 sq. ft. (.103 ac.) in Fee Simple

Property to be acquired by Easements: 844 sq. ft. (.019 ac.) in Sidewalk and Utility Easement, plus 3,024 sq. ft. (.069 ac.) in Temporary Construction Easement, plus 1,446 sq. ft. (.033 ac.) in Utility Easement

Structures/Improvements to be impacted: Parking spaces

Landscaping to be impacted: Trees

Zoned: I-2

Use: Industrial

Tax Code: 071-081-13

Appraised Value: \$90,775

Property Owner's Concerns: The property owner is concerned with the compensation amount.

City's Response to Property Owner's Concerns: Staff informed the property owner, he could obtain his own appraisal in order to justify a counter offer.

Recommendation: To avoid delay in the project schedule, staff 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: 3

ADJOURNMENT

REFERENCES

108. Reference - Charlotte Business INClusion Policy

The following excerpts from the City'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; 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.

109. 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
 - Leave voice messages.
- For most condemnation cases, City staff 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 definition of fee simple 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, commonly, synonym for ownership.

110. 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, City staff 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.