

City of Charlotte

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



Meeting Agenda

Monday, December 14, 2020

Electronic Regular Meeting Hosted from Room 267

City Council Business Meeting

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

**5:00 P.M. CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
ELECTRONIC REGULAR MEETING HOSTED FROM ROOM
267**

Call to Order

Introductions

Invocation

Pledge of Allegiance

1. Mayor and Council Consent Item Questions and Answers

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items.

2. Action Review Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

3. Legacy Commission Recommendations

Staff Resource(s):

Tiffany Blackwell, Strategy and Budget

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Provide an overview of the Legacy Commission's recommendations to City Council.

[Legacy Commission Recommendations Presentation](#)

[Legacy Commission Final Report](#)

[Street Name Historical Documentation](#)

4. Charlotte MOVES Recommendations

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Provide an overview on the Charlotte MOVES Task Force recommendations.

[Charlotte MOVES Recommendations](#)

[Letter of Support_BAC](#)

[Letter of Support_CRBA](#)

5. Cure Violence Assessment

Staff Resource(s):

Lacey Williams, Housing and Neighborhood Services

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Provide an overview of the Cure Violence assessment.

[Cure Violence Assessment](#)

6. Closed Session (as necessary)

PUBLIC FORUM

7. Public Forum

CONSENT

8. Consent agenda items 24 through 93 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

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

PUBLIC HEARING

9. Public Hearing on a Resolution to Close Joe Whitener Road

Action:

Conduct a public hearing to close Joe Whitener Road.

Staff Resource(s):

Liz Babson, Transportation

Casey Mashburn, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The proposed action removes land from public right-of-way and attaches it to the adjacent property.
- The road to be closed is located in Council District 4.
- In compliance with NC G.S. 166A-19.24. *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through December 15, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Petitioner

Spectrum Companies

Right-of-Way to be Abandoned

Joe Whitener Road

Reason

Per the petition submitted by Spectrum Companies, the petitioner needs this abandonment to allow the redevelopment of the parcels abutting Joe Whitener Road. The city has no objections.

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)

Carolyn Associates Owner, LLC - No objections

City Departments

- Review by city departments identified no apparent reason this closing would:
 - Be contrary to the public interest;
 - Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to their property as outlined in the statutes; and
 - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment(s)

Map

[2020-12A Joe Whitener Rd Abandonment Map](#)

10. Public Hearing on the Ashford House Historic Landmark Designation

Action:

Conduct a public hearing to consider historic landmark designation for the property known as the "Ashford House" (Parcel Identification Numbers 063-061-02 and 063-061-03).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
David Pettine; Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to designate the Ashford House as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Ashford House is located at 241 Hoskins Mill Avenue and is part of the Hoskins Cotton Mill Village in Council District 2.
- Designation of these properties could significantly contribute to their long-term preservation.
- The Ashford House is listed under Parcel Identification Number (PID) 063-061-03, and the recommended designation would include the exterior of the house and the land associated with the tax parcels.
- PID 063-060-12 is also recommended for designation and is historically associated with the house.
- The properties are both zoned B-1.
- The properties are owned by Travis M. Ashford and have remained family owned for four generations.
- The potential amount of deferrable taxes would be \$187 for the City of Charlotte taxes and \$331 for Mecklenburg County taxes.
- In compliance with NC G.S. 166A-19.24 Remote meetings during certain declarations of emergency, written comments on the public hearing topic will be accepted by the Clerk's Office through December 15, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information Sheet
Draft Ordinance
Designation Report
Record of the vote of the HLC
Summary of Department Review
State Historic Preservation Office (SHPO) Comment Letter
HLC's Response to SHPO Letter

[Ashford Information Sheet](#)

[Ashford Draft Ordinance](#)

[Ashford Designation Report](#)

[Ashford HLC Vote](#)

[Ashford Summary of Department Review](#)

[Ashford SHPO Letter](#)

[Ashford HLC Response to SHPO Letter](#)

11. Public Hearing on the Dowd House Historic Landmark Designation

Action:

Conduct a public hearing to consider amending the existing historic landmark designation ordinance for the property known as the "Dowd House" (Parcel Identification Numbers 067-061-05 and 067-061-06).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
David Pettine; Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to amend the existing designation ordinance for the Dowd House.
- Public hearings are required prior to City Council action on designation requests.
- The Dowd House is located at 2216 Monument Street in Council District 3.
- Amending the designation ordinance could significantly contribute to the long-term preservation of the Dowd House.
- The Dowd House is listed under Parcel Identification Number (PID) 067-061-05, and the ordinance would be amended to clarify that the interior of the house and the land associated with the tax parcel are included in the designation. The amendment would also add .1916 acres of land historically associated with the house (a portion of Tax parcel 067-06-106) to the designation.
- The properties are both zoned MUDD-O mixed use development.
- The properties are owned by Mecklenburg County.
- The property is currently exempt from property taxes. Based on the current value, if the ordinance were amended the potential amount of deferrable taxes would increase approximately \$41 for the City of Charlotte taxes and \$73 for Mecklenburg County taxes.
- In compliance with NC G.S. 166A-19.24 Remote meetings during certain declarations of emergency, written comments on the public hearing topic will be accepted by the Clerk's Office through December 15, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information Sheet
Draft Ordinance
Designation Report
Record of the vote of the HLC
Summary of Department Review
State Historic Preservation Office (SHPO) Comment Letter
HLC's Response to SHPO Letter

[Dowd Addendum Information Sheet](#)

[Dowd Draft Amendment Ordinance](#)

[Dowd Addendum Designation Report](#)

[Dowd HLC Vote](#)

[Dowd Summary of Department Review](#)

[Dowd SHPO Letter](#)

[Dowd HLC Response to SHPO Letter](#)

12. Public Hearing on the F.M. Simmons House Historic Landmark Designation

Action:

Conduct a public hearing to consider historic landmark designation for the property known as the "F.M. Simmons House" (Parcel Identification Number 155-023-01).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
David Pettine; Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to designate the F.M. Simmons House as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The F.M. Simmons House is located at 625 Hermitage Court in Council District 1.
- Designation of this property could significantly contribute to its long-term preservation.
- The F.M. Simmons House is listed under Tax Parcel Identification Number 155-023-01, and the recommended designation would include the exterior of the house and outbuildings and the land associated with the tax parcel.
- The property is zoned R-3 single family residential zone.
- The property is owned by James and Mary Margaret Jordan.
- The potential amount of deferrable taxes would be approximately \$2,715 for the City of Charlotte taxes and \$4,812 for Mecklenburg County taxes.
- In compliance with NC G.S. 166A-19.24 Remote meetings during certain declarations of emergency, written comments on the public hearing topic will be accepted by the Clerk's Office through December 15, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information Sheet
Draft Ordinance
Designation Report
Record of the vote of the HLC
Summary of Department Review
State Historic Preservation Office (SHPO) Comment Letter
HLC's Response to SHPO Letter

[F.M. Simmons Information Sheet](#)

[F.M. Simmons Draft Ordinance](#)

[F.M. Simmons Designation Report](#)

[F.M. Simmons HLC Vote](#)

[F.M. Simmons Summary of Department Review](#)

[F.M. Simmons SHPO Comment Letter](#)

[F.M. Simmons HLC Response to SHPO Letter](#)

13. Public Hearing on the Former Charlotte Fire Station Number 10 Historic Landmark Designation

Action:

Conduct a public hearing to consider historic landmark designation for the Property known as the "Former Charlotte Fire Station Number 10" (Parcel Identification Number 06-706-102).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
David Pettine; Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to designate the Former Charlotte Fire Station Number 10 as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Former Charlotte Fire Station Number 10 is located at 2136 Remount Road in Council District 3.
- Designation of this property could significantly contribute to its long-term preservation.
- The Former Charlotte Fire Station Number 10 is listed under Parcel Identification Number 06-706-102, and the recommended designation would include the exterior of the structure and the land associated with the tax parcel.
- The property is zoned MUDD-O mixed use development.
- The property is owned by Mecklenburg County.
- The property is exempt from property taxes. Based on the current value, the potential amount of deferrable taxes would be approximately \$1,282 for the City of Charlotte taxes and \$2,276 for Mecklenburg County taxes.
- In compliance with NC G.S. 166A-19.24 Remote meetings during certain declarations of emergency, written comments on the public hearing topic will be accepted by the Clerk's Office through December 15, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information Sheet

Draft Ordinance

Designation Report

Record of the Vote of the HLC

Summary of Department Review

State Historic Preservation Office Comment Letter

HLC's Response to SHPO Letter

[Fire Station 10 Information Sheet](#)

[Fire Station 10 Draft Ordinance](#)

[Fire Station 10 Designation Report](#)

[Fire Station 10 HLC Vote](#)

[Fire Station 10 Summary of Department Review](#)

[Fire Station 10 Signed SHPO letter](#)

[Fire Station 10 HLC Response to SHPO Letter](#)

POLICY

14. 2021 Federal and State Legislative Agendas

Action:

Approve the Intergovernmental Relations Committee recommendation to approve the 2021 Federal and State Legislative Agendas.

Committee Chairs:

Tariq Bokhari, Intergovernmental Relations
Braxton Winston, Intergovernmental Relations

Staff Resource(s):

Dana Fenton, City Manager's Office

Explanation

- At the November 2, 2020 Council Strategy Session, Intergovernmental Relations Committee Co-Chairs briefed the Mayor and City Council on the proposed 2021 Federal and State Legislative Agendas.
- At the November 9, 2020 Council Business Meeting, a presentation on the proposed 2021 Federal and State Legislative Agendas was given to full Council.
- The proposed 2021 Federal Legislative Agenda addresses issues relating to COVID-19 guidelines for airports, comprehensive immigration reform, and transportation and infrastructure.
- The proposed 2021 State Legislative Agenda addresses issues relating to mobility, digital divide, subpoena power for the citizens review board, and the North Carolina airport improvement program.

Intergovernmental Relations Committee Action

- On October 19, 2020, the Intergovernmental Relations Committee voted unanimously (Bokhari, Winston, Egleston, Mitchell, Newton) to recommend the issues in the 2021 Federal Legislative Agenda.
- On October 19, 2020, the Intergovernmental Relations Committee voted unanimously (Bokhari, Winston, Egleston, Mitchell, Newton) to recommend the issues in the 2021 State Legislative Agenda.

Next Steps

- The approved 2021 Federal Legislative Agenda will be presented to the Mecklenburg Congressional Delegation during the National League of Cities Congressional City Conference scheduled for March 7 - 10, 2021.
- The approved 2021 State Legislative Agenda will be presented to the Mecklenburg State Delegation at a future date to be determined.

Attachment(s)

Proposed 2021 State Legislative Agenda

Proposed 2021 Federal Legislative Agenda

11-09-2020 Proposed 2021 State and Federal Legislative Agendas Presentation

[2020-11-16 2021 federal legislative agenda](#)

[2020-11-16 2021 state legislative agenda](#)

[11.09.2020 Proposed 2021 State and Federal Legislative Agendas Presentation](#)

15. City Manager's Report

- Sustainable Facilities Policy Update

BUSINESS**16. 2021 City Council Meeting Schedule****Action:**

Approve the 2021 City Council Regular and Budget Meeting Schedule.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- North Carolina General Statute 143-318.12 requires that the City Clerk maintain on file a schedule of the City Council's regular meetings and that the approved schedule be posted to the city's website. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.
- Due to the COVID-19 pandemic, the proposed City Council Meeting Schedule has been created to accommodate remote meetings and use of an electronic meeting format.
- The 2021 City Council Retreat and Council Budget Meeting dates have been included on this proposed schedule of meetings, as well as other meetings of state and national organizations in which the city has memberships.
- For more information on City Council Meetings, visit the City Clerk's webpage at <https://charlottenc.gov/CityClerk/Pages/CityClerk.aspx>.

Attachment(s)

Proposed 2021 City Council Regular and Budget Meeting Schedule

[2021 PROPOSED Council and Budget Mtg Calendar](#)

17. Goose Creek Sanitary Sewer Extension to Cresthill Reimbursable Agreement

Action:

- A. **Approve a five-year reimbursable agreement with Green Street Land Company LLC for construction of the Goose Creek Sanitary Sewer Extension project in the amount of \$2,400,000, and**

- B. **Adopt a budget ordinance appropriating \$2,400,000 from Green Street Land Company LLC.**

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- This agreement will include design, real estate acquisition, permitting, construction, inspection services, project administration, and any other expenses accrued from construction for the Goose Creek Sanitary Sewer Extension project in the Town of Mint Hill (adjacent to Council District 5).
- The project will construct approximately 5,400 linear feet of 8-inch sanitary sewer line from Lawyers Road to Cresthill Drive and will provide public sanitary sewer service for the area.
- This project is included in the Charlotte Water Capital Investment Plan (CIP) with funding scheduled for Fiscal Year 2025.
- In accordance with the Water and Sewer Extension Policy, Green Street Land Company LLC has applied for a five-year reimbursable agreement to accelerate the project in the CIP.
- Green Street Land Company LLC will donate the design, and Charlotte Water will procure the contractor for construction.
- The initial deposit required to be paid by the applicant is ten percent of the estimated total eligible cost or \$2,400,000. A budget ordinance is required to accept the developer funds.
- In accordance with the Water and Sewer Extension Policy, Green Street Land Company LLC will be reimbursed 84.3 percent of the total eligible project costs in five equal annual payments starting one year after completion of construction.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Budget Ordinance

Map

[Budget Ordinance](#)

[Map](#)

18. Sale of City-Owned Property on Teeter Drive

Action:

- A. Adopt a resolution approving the sale of 1.178 acres of city-owned property on Teeter Drive (parcel identification number 111-065-95) to Broadstreet Homes Inc. for \$39,000, and
- B. Authorize the City Manager to negotiate and execute all documents necessary to complete the sale of the property.

Staff Resource(s):

Phil Reiger, General Services

Angela Charles, Charlotte Water

Pamela Wideman, Housing and Neighborhood Services

Explanation

- Broadstreet Homes Inc., a private builder, proposes to purchase approximately 1.178 acres of city-owned property along Teeter Drive in Council District 4 to construct a single-family residential home.
- The single-family residential home will be sold to a House Charlotte-eligible household with a long-term 15-year affordability deed restriction. Broadstreet Homes Inc. agrees that the affordable unit shall be developed within three years of the date of the deed conveying the property to the buyers.
- This parcel is zoned R-4 (residential) and is no longer needed by the city. The parcel was part of the 2009 Annexation - Hood Road South Area Project.
- The Planning Commission reviewed the property for surplus sale in June 2020 and supported the sale of the vacant lot with no additional comments.
- The property was appraised March 4, 2020, for \$39,000.
- The offer from Broadstreet Homes Inc., includes the following terms:
 - Price of \$39,000,
 - Due diligence period of 180 days, and
 - Closing to occur within 30 days after the expiration of the due diligence period.
- This action is consistent with City Council's adopted Housing Charlotte Framework, which recommends leveraging city-owned land and expanding the supply of high-quality affordable housing by building new affordable housing and preserving existing affordable housing.
- This transaction is also consistent with the City Council's adopted City-Owned Real Estate and Facilities Policy and Guidelines for Evaluation and Disposition of City-Owned Land for Affordable Housing.

Fiscal Note

Funding: Proceeds from the sale will be deposited in the Charlotte Water Operating Budget.

Attachment(s)

Map

Resolution

[Map_Sale of City-owned Property on Teeter Drive.pdf](#)

[Resolution to Sale](#)

19. Appropriate Private Developer Funds for Traffic Signal Installations and Improvements

Action:

- A. Approve developer agreements with Centene Management Company, LLC; WIN-Graham, LLC; BIN-CLP, LLC; and Central Piedmont Community College for traffic signal modifications,**
- B. Adopt a budget ordinance appropriating \$113,875 in private developer funds for traffic signal installations and improvements, and**
- C. Adopt a budget ordinance appropriating \$38,231 in supplemental developer funds for traffic signal installations and improvements on projects currently under construction.**

Staff Resource(s):

Liz Babson, Transportation

Charles Abel, Transportation

Explanation

- Private developer agreements and appropriations are needed when a developer is required through the city rezoning process to make traffic signal improvements.
- Funding contributions from private developers must be appropriated prior to the city's initiation of work.
- The \$113,875 in private developer funds is for road modifications, traffic signals, traffic signal modifications, and/or upgrades, and other related work associated with the developers' projects. The funding is restricted to the projects noted below:
 - Centene Management Company, LLC contributed \$55,000 for signal modifications at Governor Hunt Road and Mallard Creek Road, Mallard Creek Road and Medical Plaza Drive, David Taylor Drive and Claude Freeman Drive, Governor Hunt Road and David Taylor Drive, David Taylor Drive and Site Access D, David Taylor Drive and Senator Royall Place, and Corvian Community School Flasher (Council Districts 2 and 4).
 - WIN-Graham, LLC contributed \$31,625 for signal modifications at Graham Street and Interstate 85 North Bound Ramp and Interstate 85 South Bound Ramp (Council District 1).
 - BIN-CLP, LLC contributed \$10,000 for signal modifications at Westinghouse Boulevard and Nations Ford Road (Council District 3).
 - Central Piedmont Community College contributed \$17,250 for signal modifications at Elizabeth Avenue and Pease Lane (Council District 1).
- The \$38,231 in supplemental developer funds is for signal modifications and other work associated with the developer's projects. The funding is restricted to the projects note below:
 - Old Concord Apartments at the Blue Line, LLC contributed \$30,731 in additional funds for traffic signal modifications at the intersection of North Tryon Street and Old Concord Road (Council District 4). The original appropriation for these modifications were approved by City Council on November 26, 2018.
 - Presbyterian Home at Charlotte, Inc contributed \$7,500 in additional funds for traffic signal modifications at the intersection of Sharon Road and Sharon View Road (Council District 6). The original appropriation for these modifications were approved by City Council on May 28, 2019.
- These developer contributions are based on cost estimates prepared by the Charlotte Department of Transportation (CDOT).
- Any funding contributed by the developer(s) for a signal project that is unused by the city will be refunded back to the developer(s) after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map

Private Developer Funds Budget Ordinance

Supplemental Developer Funds Budget Ordinance

[Traffic Signal Improvements Map](#)[Private Developer Funds Budget Ordinance](#)[Supplemental Developer Funds Budget Ordinance](#)

20. Appropriate Private Developer Funds for the Walker Branch Connection Project

Action:

Adopt a budget ordinance appropriating \$150,000 in private developer funds for the Walker Branch Connection Project.

Staff Resource(s):

Liz Babson, Transportation

Johanna Quinn, Transportation

Felix Obregon, Transportation

Explanation

- This appropriation of private developer funds is for the Walker Branch Connection Project, which will include the design and construction of a bridge to connect the proposed Rivergate Parkway to the existing Rivergate Parkway located in Council District 3.
- The connection project is in coordination with development plans outlined in previously approved rezonings.
 - On October 18, 2004, City Council approved a rezoning petition (2004-064) by Childress Klein Properties, Inc. that included a condition of a developer contribution of \$150,000 for the Walker Branch Connection Project.
 - Since the 2004 rezoning petition approval, Steele Creek Rivergate Apartments, LLC has acquired the development.
- The city will use the funds contributed by Childress Klein Properties, Inc. to reimburse Steele Creek Rivergate Apartments, LLC for this project.
- The project will implement the city's goal of improving road networks, traffic mitigations, and sidewalk connectivity.
- Staff will continue to work with the developer to enter into an agreement for the bridge construction which will be presented to City Council by the second quarter of 2021.
- Construction is estimated to begin in mid-2021.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map

Budget Ordinance

[Rivergate Pkwy Bridge Location Map](#)[Budget Ordinance](#)

21. Appointments to the Arts and Science Council Advisory Council

Action:

Appoint residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a two-year term for an At-Large Public Sector South and East Advisory Committee Representative beginning upon appointment and ending December 30, 2020. (Nomination by any Councilmember)
 - Tangela Faulk, nominated by Council members Driggs, Egleston, Eiselt, and Newton.
 - Kelly Thompson, nominated by Council members Ajmera, Bokhari, and Mitchell.
- One appointment for a two-year term for a City Council District 4 Public Sector North and West Advisory Committee Representative beginning upon appointment and ending December 30, 2020. (Nomination by Councilmember Renee' Johnson)

Attachment(s)

Arts and Science Council Advisory Council Applications

22. Appointments to the Charlotte Tree Advisory Commission

Action:

Appoint residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning December 14, 2020, and ending December 13, 2023.
 - Charlie Welch, nominated by Council members Ajmera, Egleston, and Eiselt.

Attachment(s)

Charlotte Tree Advisory Commission Applications

23. Appointments to the Housing Appeals Board

Action:

Appoint residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a Housing Industry Representative for a three-year term beginning January 1, 2021, and ending December 31, 2023.
 - Kamilah Peebles, nominated by Council members Bokhari, Driggs, Egleston, and Newton.
 - Cemental Grayson Rountree, nominated by Council members Ajmera and Mitchell.

Attachment(s)

Housing Appeals Board Applications

CONSENT

24. Fire Department Uniforms

Action:

A. **Approve unit price contracts for the purchase of Fire Department Uniforms for three years to the following:**

- Galls, LLC,
- Municipal Emergency Services, Inc,
- Read's Uniforms, and

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

Staff Resource(s):

Reginald Johnson, Fire

Damian Owens, Fire

Explanation

- The Charlotte Fire Department (CFD) purchases uniforms including, but not limited to, dress uniforms, long and short sleeve shirts, pants, hats, ties, leather belts, shoes, and boots.
- On July 27, 2020, the city issued an Invitation to Bid; four bids were received.
- Three companies were selected as the lowest responsive, responsible bidders for specific products to accommodate the diverse needs of CFD.
- Total annual expenditures are estimated to be \$850,000.

Charlotte Business INclusion

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

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

Fiscal Note

Funding: Fire Operating Budget

25. Crash Reporting and Traffic Data Software Services

Action:

- A. **Authorize the City Manager to negotiate and approve a contract with Numetric, Inc. to provide, implement, and maintain crash reporting and traffic data software for an initial term of five years, and**

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

Staff Resource(s):

Liz Babson, Transportation

Keith Bryant, Transportation

Reenie Askew, Information and Technology

Explanation

- The city's Department of Transportation requires comprehensive, cloud-based software to manage, aggregate, analyze, report, and visualize crash and traffic count data in order to provide a safe and efficient transportation system and to effectively plan for the city's future growth.
- On July 1, 2020, the city issued a Request for Proposals; three responses were received.
- Numetric, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$200,000 in the first year and \$100,000 per year for the remainder of the period of performance.

Charlotte Business INclusion

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

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

Fiscal Note

Funding: General Grants Fund and General Capital Investment Plan

26. Midtown/Pearl Park Way Redevelopment Project - Infrastructure Reimbursement Agreement

Action:

Authorize the City Manager to negotiate and approve a developer agreement with Pappas Midtown, LLC for infrastructure improvements at the Kenilworth Avenue and Pearl Park Way intersection in the amount of \$570,000.

Staff Resource(s):

Liz Babson, Transportation
Johanna Quinn, Transportation
Felix Obregon, Transportation

Explanation

- Pappas Midtown, LLC is redeveloping a piece of property at the intersection of Kenilworth Avenue and Pearl Park Way and partnering with the city to improve the pedestrian and bicycle infrastructure at this intersection.
- The work will create enhanced crossings for pedestrians and cyclists between Pearl Street Park and Little Sugar Creek Greenway located in Council District 1.
- Improvements include enhanced pavement markings for pedestrians and bicyclists, traffic signals for pedestrians and bicyclists, and a physical barrier separating pedestrians and bicycles from vehicles.
- The agreement will provide the city's reimbursement to Pappas Midtown, LLC.

Charlotte Business INClusion

All additional work involved on this contract amendment will be performed by Pappas Midtown, LLC and their existing subcontractors. (Part G: Section 2.6 of the Charlotte Business INClusion Policy)
Pappas Midtown, LLC has committed 7.00% (MBE) and 19.00% (SBE) of the total contract to MSBE certified firms.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Kenilworth Avenue and Pearl Parkway Map](#)

27. Auctioneer and Related Services

Action:

- A. **Authorize the City Manager to negotiate and approve a contract with Rogers Realty & Auction Company, Inc. for an initial term of three years, and**
- B. **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):

Phil Reiger, General Services

Kay Elmore, General Services

Explanation

- This contract provides for auctioneer and related services for the live auctions used by the city to dispose of surplus rolling stock and equipment.
- The selected service provider will work with the city to plan, execute, and advertise these auctions with the goal of maximizing the city's net sales revenues.
- The city currently holds three live auctions per year in January, May, and September.
- On September 14, 2020, the city issued a Request for Proposals (RFP); three responses were received.
- Rogers Realty & Auction Company, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$250,000 and are shared among the departments and organizations participating in each auction.

Background

- General Services provides asset recovery and disposal services to city departments and other organizations including Mecklenburg County, Emergency Management Services, and INLIVIAN.

Charlotte Business INclusion

Rogers Realty & Auction Company, Inc. is a Women-Owned Business.

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

These contracts meet the provisions of (b) - No MWBEs or SBEs certified to perform the scope of work.

Fiscal Note

Funding: General Services Operating Budget and Various Departments' Operating Budgets

28. Citywide Vehicle Cleaning, Detailing, and Decontamination Services

Action:

A. **Approve unit price contracts with the following companies for vehicle cleaning, detailing, and decontamination services for an initial term of three years:**

- Autobell Car Wash, Inc.,
- Diamond Finish Car Wash & Lube Center (MBE,SBE),
- Doctor Detail of Matthews, LLC,
- MooreCars, LLC (MBE, SBE),
- Mr. Refurbisher, Inc. (MBE, SBE), and
- Williams Detailing Services, Inc.

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

Staff Resource(s):

Phil Reiger, General Services

Kay Elmore, General Services

Explanation

- The city utilizes on-site and off-site companies to supply vehicle cleaning, detailing, and decontamination services for a variety of vehicles and equipment within the city's fleet.
- The services include multiple tiers of vehicle cleaning as well as à la carte pricing for as-needed services.
- The demand for on-site vehicle cleaning and decontamination services has increased due to COVID-19 and multiple vendors are needed to ensure minimal downtime for vehicles.
- On September 1, 2020, the city issued a Request for Proposals (RFP); nine responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$360,000.

Charlotte Business INclusion

Diamond Finish Car Wash & Lube Center; MooreCars, LLC; and Mr. Refurbisher, Inc. are city-certified MBEs and SBEs.

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

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

Fiscal Note

Funding: Various Departments' Operating Budgets

29. Construct Alleghany Street Pedestrian/Bicycle Improvements

Action:

Approve a contract in the amount of \$831,821.76 to the lowest responsive bidder Armen Construction, LLC for the Alleghany Pedestrian/Bicycle Improvements project.

Staff Resource(s):

Phil Reiger, General Services
Jennifer Smith, General Services

Explanation

- This project will include the construction of approximately 1.2 miles of sidewalk on the north side of Alleghany Street from Wilkinson Boulevard to Ashley Road in Council District 3.
- Work includes sidewalk, curb and gutter, pedestrian refuge islands, new curb ramps, milling, resurfacing, and restriping.
- Bicycle lanes will also be included along Alleghany Street as part of the project.
- On October 6, 2020, the city issued an Invitation to Bid; four bids were received. Armen Construction bid \$831,821.76 with an 8.0% MBE Goal. Carolina Cajun Concrete, Inc. bid \$929,959.80 with an 8.1% MBE Goal. Little Mountain Builders of Catawba, Inc. bid \$937,072.12 with an 9.9% MBE Goal. United Construction Company, Inc. bid \$982,466.10 with an 8.04% MBE Goal.
- Armen Construction, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2021.

Charlotte Business INClusion

Armen Construction, LLC is a city certified MBE and SBE.

Established MBE Goal: 8.00%

Committed MBE Goal: 8.00%

Armen Construction, LLC met the established MBE subcontracting goal, and has committed 8.00% (\$66,585) of the total contract amount to the following MBE certified firm(s) (Part B: Section 3 of the Charlotte Business INClusion Policy):

- B & M Concrete, Inc. (MBE, SBE) (\$36,955) (concrete)
- Cesar A Leon L.L.C. (MBE, SBE) (\$17,000) (hauling)
- Mid-Atlantic Erosion Control, Inc. (MBE, SBE) (\$12,630) (erosion control)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map_Construct Alleghany Street Pedestrian-Bicycle Improvements.pdf](#)

30. Construct Tuckaseegee Berryhill Thrift Roundabout Project

Action:

- A. **Reject the first low-bid submitted by Boggs Contracting, Inc. for the Tuckaseegee Berryhill Thrift Roundabout project, and**
- B. **Reject the second low-bid submitted by United of Carolinas, Inc. for the Tuckaseegee Berryhill Thrift Roundabout project, and**
- C. **Approve a contract in the amount of \$2,289,247.95 to the lowest responsive bidder Sealand Contractors Corp. for the Tuckaseegee Berryhill Thrift Roundabout project.**

Staff Resource(s):

Phil Reiger, General Services

Jennifer Smith, General Services

Explanation

- This project will include the construction of a roundabout at the Tuckaseegee/Berryhill/Thrift Road intersection located in Council District 3.
- Work includes sidewalks, curb and gutter, driveways, concrete islands, accessible ramps, retaining walls, storm drainage, asphalt pavement, pavement markings, signage, and utility relocation.
- On October 12, 2020, the city issued an Invitation to Bid; eight bids were received.
- The first two low-bids submitted by Boggs Contracting, Inc. and United of Carolinas, Inc. did not meet the criteria to be deemed responsible for this project.
- Sealand Contractors Corp. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2022.
- The project was authorized to receive up to \$3,150,000 in reimbursement from the North Carolina Department of Transportation's Congestion Mitigation and Air Quality program due to the significant delays created by the traffic signal at this intersection.

Disadvantage Business Enterprise

Established DBE Goal: 9.00%

Committed DBE Goal: 9.00%

Sealand Contractors Corp. met the established subcontracting goal and has committed 9.0% of the total contract amount to the following certified firms:

- Darnell Jones Trucking Inc. (DBE) (\$147,375) (hauling)
- Diamond Trucking of NC Inc. (DBE) (\$58,725) (hauling)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map_Construct Tuckaseegee Berryhill Thrift Roundabout Project.pdf](#)

31. Construct Uptown Cycle Track Project

Action:

Approve a contract in the amount of \$4,142,506.50 to the lowest responsive bidder Blythe Development Co. for the Uptown Cycle Track project.

Staff Resource(s):

Phil Reiger, General Services

Jennifer Smith, General Services

Explanation

- This project will include the construction of a two-way, separated cycle track in uptown Charlotte along portions of Fifth and Sixth Streets extending the current Sixth Street cycle track between McDowell Street and the LYNX Blue Line Rail Trail in Council Districts 1 and 2.
- Once completed, the project will connect more than 40 miles of bikeways providing more transportation choices for Charlotte residents and commuters.
- Work includes the construction of concrete medians, wheelchair ramps, pavement markings, milling, resurfacing, traffic signals, signage, and an at-grade crossing of the LYNX Blue Line.
- This project is the result of four years of planning and public outreach, including two pilot projects to test different design solutions and gather feedback.
- On October 16, 2020, the city issued an Invitation to Bid; four bids were received.
- Blythe Development Co. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2021.

Charlotte Business INClusion

Established MBE Goal: 6.00%

Committed MBE Goal: 10.42%

Blythe Development Co. exceeded the established subcontracting goal, and has committed 10.42% (\$431,538) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INClusion Policy):

- R.R.C. Concrete Inc (MBE, SBE) (\$431,538) (concrete, curb and gutter, sidewalk)

Established SBE Goal: 19.00%

Committed SBE Goal: 19.51%

Blythe Development Co. met the established subcontracting goal, and has committed 19.51% (\$808,007) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Striping Concepts, LLC (SBE) (\$432,231) (pavement markings)
- R.R.C. Concrete Inc (MBE, SBE) (\$375,776) (concrete access ramp, bus platform)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map_Construct Uptown Cycle Track Project.pdf](#)

32. Cost Estimating and Analysis Services for Capital Investment Plan Projects

Action:

A. **Approve unit price contracts with the following companies for cost estimating and analysis services for an initial term of one year with the following companies:**

- **M. B. Kahn Construction Co., Inc.,**
- **Michael Baker International, Inc.,**
- **OCMI, Inc.,**
- **Paraclete Incorporated (MBE, SBE),**
- **PEG Contracting, Inc., and**

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

Staff Resource(s):

Phil Reiger, General Services
Jennifer Smith, General Services
Angela Charles, Charlotte Water

Explanation

- These contracts will support recommendations identified in the Capital Project Management and Construction Manager At-Risk audit report completed in July 2020.
- Services will include performing project cost estimates, preparing independent construction cost estimates, performing economic analysis to assess the impact of cost escalation, and assisting staff in refining and executing best practices for project cost management.
- On May 26, 2020, the city issued a Request for Qualifications (RFQ); 10 responses were received.
- The firms selected are the best qualified to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Total annual expenditures are estimated to be \$1,500,000.

Charlotte Business INclusion

Paraclete Incorporated is a city certified MBE and SBE.

The city negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INclusion Policy). On these contracts, the Prime Consultants have each committed 10.00% of the total contract amount to the following certified firms:

M. B. Kahn Construction Co., Inc.

Hearns Real Estate Solutions, LLC (MBE, SBE) (real estate cost estimating)
Hinde Engineering, Inc. (SBE) (utilities cost estimating)
McKinley Davis, LLC (MBE, SBE) (videography)
Sepi Engineering & Construction, Inc. (WBE) (cost estimating)

Michael Baker International, Inc.

Avcon, Inc. (MBE) (cost estimating)
Boyle Consulting Engineers, PLLC (SBE) (geotechnical engineering)
Gulf Coast, LLC (SBE) (real estate services estimating)

OCMI, Inc.

AME Consulting Engineers, PC (SBE) (mechanical engineering, fire protection engineering)
CES Group Engineers, LLP (WBE, SBE) (structural engineering, civil engineering)
Hearns Real Estate Solutions, LLC (MBE, SBE) (real estate cost estimating)

Paraclete Incorporated (MBE, SBE)

Facilitator One, LLC (MBE) (cost estimating, scheduling, reporting)
Wolf Trail Engineering PLLC (SBE) (cost estimating)

PEG Contracting, Inc.

John Davenport Engineering Incorporated dba Davenport (MBE) (civil engineering)

Fiscal Note

Funding: General Capital Investment Plan, Charlotte Water Capital Investment Plan, and Storm Water Capital Investment Plan

33. HVAC Systems, Equipment, Installation, Services, and Related Supplies

Action:

- A. Approve the purchase of heating, ventilation, and air conditioning equipment, parts, supplies, and services from cooperative contracts,**
- B. Approve a unit price contract with Carrier Corporation for the purchase of equipment, supplies, and services for a term of 18 months under Sourcewell, May 8, 2017, contract 030817,**
- C. Approve a unit price contract with Daikin Applied Americas, Inc. for the purchase of HVAC equipment, installation, services, and related products for a term of three years under Omnia Partners, Contract Number R201400, October 1, 2020, and**
- D. Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.**

Staff Resource(s):

Phil Reiger, General Services

David Wolfe, General Services

Steve Marlowe, General Services

Explanation

- The city is responsible for the operations and maintenance of municipal facilities, structures, and assets, including office, warehouse, and storage space, public safety facilities, and facilities to provide vehicle maintenance.
- G.S. 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.

Action B

- Many city facilities use Carrier heating, ventilation, and air conditioning (HVAC) equipment, and this contract will provide original equipment manufacturer equipment and services for Carrier equipment.
- Carrier Corporation is willing to provide HVAC equipment and services at the same or better terms as are provided in its contract with Sourcewell.
- Total annual expenditures are estimated to be \$2,500,000.

Action C

- Daikin Applied Americas, Inc. designs and manufactures commercial HVAC systems and offers:
 - Advanced HVAC technology that is energy efficient and compatible with the building automation systems currently in use in city-managed facilities,
 - Turnkey solutions for HVAC system replacements to ensure project and start-up efficiency, and
 - Comprehensive maintenance and repair services.
- Total annual expenditures are estimated to be \$600,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: General Services Operating Budget, General Capital Investment Plan, and Cultural Fund

34. Land Acquisition for Tree Canopy Preservation Program

Action:

- A. **Approve the purchase of an approximately 2.1-acre parcel (parcel identification number 031-212-03) located at 12010 Riverhaven Drive in the amount of \$57,750, and**

- B. **Authorize the City Manager to negotiate and grant a conservation easement to the Catawba Lands Conservancy.**

Staff Resource(s):

Phil Reiger, General Services
Tony Korolos, General Services
Erin Oliverio, General Services

Explanation

- As part of the Tree Canopy Preservation Program (Program), the city recently identified a parcel to purchase which will further the goals of the Program and City Council's Urban Forest Master Plan.
- The parcel (identification number 031-212-03) is adjacent to the Catawba Wildflower Glen and will provide additional acreage to a contiguous protected area located outside Council District 2.
- The proposed purchase price of \$57,750 is based on appraised value and negotiations with the current property owner.
- The city will donate a conservation easement to the Catawba Lands Conservancy to ensure stewardship of the tree canopy and monitoring of the property in perpetuity.
- The Charlotte-Mecklenburg Planning Commission recommended approval of the land purchase on October 20, 2020.

Background

- The city's Tree Ordinance allows developers to pay a fee in lieu of saving trees on site. The city uses these funds for property acquisition and expenditures associated with ongoing tree preservation and maintenance.
- The Tree Canopy Preservation Program supports the goals and initiatives outlined in City Council's Urban Forest Master Plan, adopted on September 25, 2017. The program supports the goal of canopy cover and preservation through acquisition and protection of properties that are already forested or provide planting opportunities.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map_Land Acquisition for Tree Canopy Preservation Program.pdf](#)

35. 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 January 9, 2021, and
- C. Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.

Staff Resource(s):

Phil Reiger, General Services
Kay Elmore, General Services

Explanation

- Pursuant to North Carolina General Statute 160A-270(b), approval is requested for a public auction to be held on January 9, 2021, at 9:00 a.m. to dispose of city-owned property declared as surplus.
- The auction will be virtual with a live simulcast and electronic bidding.
- The auction company will be compensated 8.5 percent of the total gross sale price of rolling stock and miscellaneous items.
- Proceeds from the auction are distributed to the city's General Fund and Enterprise Funds (Aviation, Charlotte Water, and Charlotte Area Transit System) and other agencies based on asset ownership.

Background

- General Services provides asset recovery and disposal services to city departments, Mecklenburg County, Emergency Management Services, and INLIVIAN.
- Periodic auctions of surplus items are regularly conducted at the city's Asset Recovery and Disposal facility located at 5550 Wilkinson Boulevard, Charlotte, North Carolina, in Council District 3.

Attachment(s):

Property List
Delegation of Authority
Resolution
Virtual auction information

[20201214 - 01 Rolling Stock auction \(Exhibit - A\)](#)

[20201214 - 03 Rolling stock auction - Delegation of Authority](#)

[20201214 - 02 Rolling stock auction - Resolution](#)

[20201214 - 04 Virtual Rolling Stock Auction](#)

36. Construct Collective Storm Drainage Improvement Projects Series G

Action:

Approve a contract in the amount of \$1,639,877.14 to the lowest responsive bidder OnSite Development, LLC for the Collective Storm Drainage Improvement Projects Series G project.

Staff Resource(s):

Angela Charles, Charlotte Water
Mike Davis, Storm Water Services
Matt Gustis, Storm Water Services

Explanation

- This contract is part of an ongoing program to provide repairs and/or improvements to storm drainage systems.
- This contract will address failing storm drainage systems in the following locations:
 - 300 Hampton Church Road (Council District 4),
 - 2046 Lynwood Drive (Council Districts 1 and 6),
 - 1357 Sharon Road West (Council District 6), and
 - 10109 Zackery Avenue (Council District 7).
- Work includes grading, drainage, sidewalks, and curb and gutter.
- On October 20, 2020, the city issued an Invitation to Bid; five bids were received.
- OnSite Development, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2022.

Charlotte Business INclusion

Established MBE Goal: 8.00%

Committed MBE Goal: 10.32%

Onsite Development, LLC met the established MBE subcontracting goal and has committed 10.32% (\$169,230) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (MBE, SBE) (\$75,000) (concrete)
- MTS Trucking Inc. (MBE, SBE) (\$47,115) (hauling)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$47,115) (hauling)

Established SBE Goal: 21.00%

Committed SBE Goal: 21.01%

Onsite Development, LLC met the established SBE subcontracting goal and has committed 21.01% (\$344,460) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distribution Services, LLC (WBE, SBE) (\$76,000) (materials)
- LJR Concrete LLC (SBE) (\$80,000) (concrete)
- Affordable Source Trucking, LLC (MBE, SBE) (\$47,115) (hauling)
- RAH Trucking Inc. (MBE, SBE) (\$47,115) (hauling)
- Solanos Trucking Company, Inc. (SBE) (\$47,115) (hauling)
- Tony's Trucking Inc. (MBE, SBE) (\$47,115) (hauling)

Fiscal Note

Funding: Storm Water Capital Investment Plan

Attachment(s)

Map

[Map_Construct Collective Storm Drainage Improvement Projects Series G.pdf](#)

37. Shamrock Gardens Storm Drainage Improvement Project

Action:

- A. **Authorize the City Manager to approve an agreement with Triforte, LLC for commitments associated with the installation of a new storm drainage system, and**
- B. **Approve the following Acquisition: Shamrock Gardens Storm Drainage Improvement Project, Parcel #1, 2, 3 and 4.**

Staff Resource(s):

Angela Charles, Charlotte Water
Mike Davis, Storm Water Services
Matthew Gustis, Storm Water Services

Explanation**Action A**

- This project is located in the Briar Creek watershed with boundaries of Purser Drive to the north, Shamrock Drive to the south, Briar Creek to the east, and Eastway Drive to the west, in Council District 1.
- This project will improve deteriorating drainage infrastructure and reduce structure and roadway flooding.
- Triforte, LLC owns properties (parcel identification numbers 099-01-410, 099-01-416, 099-05-104, and 099-05-228) within the project area. These properties are encumbered by an existing private storm drainage system that is deteriorating and not sized adequately.
- The city and Triforte, LLC have determined mutual objectives can be met by installation of a new storm drainage system in this location.
- Triforte, LLC has agreed to partially remove and restore portions of the buildings within the vicinity of the storm drainage system prior to construction.
- Council approval for easement acquisition is being requested under Action B.
- Council will be asked to approve a construction contract for this project at a future meeting.

Action B**Owner(s):** Triforte, LLC**Property Address:** 3020 - 3725 Audrey Street, 3744 Frontenac Avenue and 3746 Michigan Avenue**Total Parcel Area:** 14.4 acres**Property to be acquired by Easements:** 37,855 sq. ft. (0.87 ac.) Permanent Easement; 48,340 sq. ft. (1.11 ac.) Temporary Construction Easement**Structures/Improvements to be Impacted:** A portion of five apartment buildings totaling 7,265 sq. ft.**Landscaping to be impacted:** None**Zoned:** R-17 MF**Use:** Residential**Tax Code:** 099-01-410, 099-01-416, 099-05-104, and 099-05-228**Purchase Price:** \$250,000**Council District:** 1

Fiscal Note

Funding: Storm Water Capital Investment Plan

Attachment(s)

Map

[Map_Shamrock Gardens Storm Drainage Improvement Project.pdf](#)

38. Storm Water Channel Cleaning Services Fiscal Year 2021

Action:

- A. **Approve a unit price contract with Bell's Tree Service, Inc. for Storm Water Channel Cleaning 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):

Angela Charles, Charlotte Water

Mike Davis, Storm Water Services

Susan Tolan, Storm Water Services

Explanation

- This contract is part of an ongoing maintenance program to remove and dispose of debris in existing storm water channels within the city limits of Charlotte.
- Each request is investigated and prioritized based on the severity of potential property flooding.
- This contract will address approximately 120-150 locations per year. The number of locations vary depending on the nature and extent of the blockages actually removed.
- On September 24, 2020, the city issued a Request for Proposals (RFP); seven responses were received.
- Bell's Tree Service, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$420,000.

Charlotte Business INclusion

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

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

Fiscal Note

Funding: Storm Water Services Operating Budget

39. Acquire Land for Stowe Regional Water Resource Recovery Facility Access Road

Action:

- A. **Approve the purchase of 1450 Belmeade Drive (Parcel Identification Number 053-061-01) and a subdivided portion of 11701 Mount Holly Road (Parcel Identification Number 053-05-102B) in the amount of \$4,102,340, and**

- B. **Authorize the City Manager to execute all necessary documents to complete the transaction.**

Staff Resource(s):

Angela Charles, Charlotte Water
Ron Hargrove, Charlotte Water

Explanation

- Charlotte Water is currently in the design phase of the Stowe Regional Water Resource Recovery Facility (SRWRRF) (adjacent to Council Districts 2 and 3). The SRWRRF will be owned by the city and operated by Charlotte Water and will expand wastewater treatment capacity in western Mecklenburg County. The current access to the city property is currently off of Whitewater Center Parkway which can be significantly impacted by event traffic at the US National Whitewater Center.
- An adjacent privately-owned property of approximately 120 acres was identified through an access study as the best option to provide a dedicated access to the SRWRRF, as well as an additional buffer. The study focused on providing a dedicated entrance road to avoid traffic conflicts during construction and daily operations of the SRWRRF.
- The acquisition includes the purchase of an existing 90-acre parcel adjacent to the SRWRRF and approximately 30 acres subdivided from an existing larger parcel.
- Following acquisition, construction of an access road and bridge on the property is planned to begin in 2021.
- The terms of the acquisition are as follows:
 - Purchase price of \$4,102,340 (appraised value),
 - Due diligence of 120 days, and
 - Closing within 30 days.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map-Acquire Land for Stowe Regional Water Resource Recovery Facility Access Road](#)

40. Construction Rental Tools and Equipment

Action:

- A. **Approve the rental of tools and equipment from cooperative contracts,**
- B. **Approve a unit price contract with Sunbelt Rentals, Inc., for the rental of tools and equipment for a term of three years under Omnia Partners contract number R200601, dated November 1, 2020,**
- C. **Approve a unit price contract with United Rentals (North America), Inc., for the rental of tools and equipment for a term of four years under Sourcewell contract number 062520 -URI, dated August 27, 2020, and**
- D. **Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.**

Staff Resource(s):

Angela Charles, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- These contracts will provide for the rental of specialty equipment and tools, such as excavators, backhoes, large trench boxes, and bull dozers, used when completing water and sewer repairs.
- North Carolina General Statute 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs, all agencies are able to leverage economies of scale, including volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- Total annual expenditures are estimated to be \$500,000.

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 Water Operating Budget

41. Flow Monitoring Services

Action:

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

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Keri Cantrell, Charlotte Water

Explanation

- This contract will provide for the installation, maintenance, and relocation of permanent and temporary sanitary sewer flow monitors and manhole monitoring devices. The measurement of sanitary sewer flows and levels is required to manage the sanitary sewer system.
- On August 28, 2020, the city issued a Request for Proposals (RFP); one response was received.
- Frazier Engineering, P.A. meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$750,000.

Charlotte Business INclusion

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

These contracts meet the provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

42. Franklin Water Treatment Plant Clearwell Improvements

Action:

Approve a contract in the amount of \$1,445,450 with Hazen and Sawyer for engineering services for the Franklin Water Treatment Plant Clearwell Improvements project.

Staff Resource(s):

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- This contract is for detailed design of clearwell improvements at the Franklin Water Treatment Plant (WTP) (Council District 2). A clearwell is a storage vessel that provides for proper disinfection of drinking water.
- On September 16, 2014, the city issued a Request for Qualifications for several water quality process improvements at each of the WTPs. Hazen and Sawyer was selected for all phases of work, including feasibility studies and evaluation of alternatives, design, and construction administration.
- On March 23, 2015, City Council approved a contract for the WTP feasibility studies.
- A request to approve the construction of the clearwell improvements will be presented to City Council in the future.

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). Hazen and Sawyer has committed \$53,600 or approximately 3.71% of the total contract amount to the following certified firms:

- Froehling and Robertson, Inc. (MBE) (\$20,000) (geotechnical, construction materials testing)
- Sweetwater Utility Exploration, LLC (SBE) (\$18,600) (subsurface locates, vacuum excavations)
- CES Group Engineers, LLP (WBE, SBE) (\$10,500) (field surveying)
- Mid-Carolina Reprographics (WBE, SBE) (\$4,500) (printing, reproduction)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

43. Multi-Phased Program Management Services for Mallard Creek Basin and Wastewater Treatment Plant Improvements Phase 2

Action:

- A. Approve a contract in the amount of \$7,972,915 with Brown and Caldwell for program management services for Mallard Creek Basin and Wastewater Treatment Plant Improvements Phase 2, and**

- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- Charlotte Water has initiated a multi-phased program spanning several years within the Mallard Creek Basin (Council District 4), which includes:
 - Expansion of the Mallard Creek Wastewater Treatment Plant;
 - Pipeline expansion, new construction, and rehabilitation;
 - Engineering services and evaluation of permitted water transfer for the basin.
- On July 22, 2019, City Council approved a contract for preliminary engineering and Phase 1 program management services with Brown and Caldwell.
- This contract includes engineering services and evaluation for permitted water transfer between Catawba River Basin and Rocky River Basin, as well as for pipeline and plant expansion.
- As the program progresses, additional contracts will be presented to City Council for approval.

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). Brown and Caldwell has committed 10.86% (\$866,000) of the total contract amount to the following certified firms to be utilized as project scopes are defined:

- Southeastern Consulting Engineers, Inc. (SBE) (\$351,000) (electrical services)
- Gavel & Dorn Engineering, PLLC (SBE) (\$235,000) (engineering services)
- CriTek Engineering Group, P.C. (MBE, SBE) (\$90,000) (inspection services)
- Habitat Assessment and Restoration Program, Inc. (WBE, SBE) (\$70,000) (wetland delineation)
- Froehling & Robertson, Inc. (MBE) (\$60,000) (materials testing, inspection services)
- LDSI, Inc. (SBE) (\$60,000) (topographic survey, subsurface utility locating)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map-Multi-Phased Program Management Services for Mallard Creek Basin and Wastewater Treatment I](#)

44. On-Call Sanitary Sewer Inspections and Cleaning Services

Action:

- A. **Approve a unit price contract with Pipe Pros LLC (SBE) for on-call sanitary sewer inspections and cleaning services for an initial term of two years, and**
- B. **Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
Jackie Jarrell, Charlotte Water
Scott Clark, Charlotte Water

Explanation

- This contract will provide on-call closed-circuit television video inspection and pipe cleaning services in response to sanitary sewer overflows and main line blockages to meet regulatory guidelines.
- On October 1, 2020, the city issued a Request for Proposals (RFP); five responses were received.
- Pipe Pros LLC best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$1,000,000.

Charlotte Business INclusion

Pipe Pros LLC is a city certified SBE.

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

These contracts meet the provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: Charlotte Water Operating Budget

45. Sanitary Sewer Point Repair and Replacements

Action:

- A. **Approve a unit price contract with Atlantic Coast Contractors, Inc. for sanitary sewer point repair and replacements for an initial term of one year, and**
- B. **Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
Jackie Jarrell, Charlotte Water
Scott Clark, Charlotte Water

Explanation

- This contract will provide contractor services to Charlotte Water for pipe repair, replacement, and rehabilitation projects.
- The work is necessary in order to maintain operational integrity of the sanitary sewer system. Charlotte Water will also be able to address structural issues as a preventative measure to reduce sanitary sewer overflows with this contract.
- On August 27, 2020, the city issued an Invitation to Bid (ITB); one bid was received.
 - North Carolina General Statute 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if re-advertisements result in fewer than three competitive bids.
- On October 8, 2020, the ITB was re-issued; one bid was received.
- Atlantic Coast Contractors, Inc. was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$2,786,049.

Charlotte Business INClusion

Established MBE Goal: 3.00%

Committed MBE Goal: 3.23%

Atlantic Coast Contractors, Inc. met the established subcontracting goal and has committed \$90,000 or approximately 3.23% of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Right of Way Contractors, LLC (MBE) (\$65,000) (utility construction)
- Silverback Brothers, LLC (MBE, SBE) (\$10,000) (hauling services)
- Buffkin Trucking, Inc. (MBE, SBE) (\$7,500) (hauling services)
- Streeter Trucking Company (MBE, SBE) (\$7,500) (hauling services)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

46. Treatment Plant Equipment Preventative Maintenance Services

Action:

- A. **Approve a unit price contract with Endress+Hauser, Inc. for process control equipment preventative maintenance services for a term of five years, and**
- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
Ron Hargrove, Charlotte Water

Explanation

- This contract provides for the calibration, maintenance, and repair of Endress+Hauser, Inc. brand equipment.
- Charlotte Water uses Endress+Hauser, Inc. electronic equipment to monitor and control treatment processes in its wastewater treatment plants.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. A waiver has been approved for these services since the company is the manufacturer of the equipment and can provide maintenance services.
- Annual expenditures are estimated to be \$113,000.

Charlotte Business INClusion

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

This contract meets the provisions of (b) - No MWBEs or SBEs certified to perform the scopes of work.

Fiscal Note

Funding: Charlotte Water Operating Budget

47. Vest Water Treatment Plant Clearwell Roof Replacement

Action:

Approve a contract in the amount of \$2,992,290 to the lowest responsive bidder Davco Roofing & Sheet Metal, Inc. for the Vest Water Treatment Plant Clearwell Roof Replacement project.

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- This contract will replace the roof of a clearwell at the Vest Water Treatment Plant, located on Beatties Ford Road (Council District 2).
- A clearwell is a storage vessel that provides for proper disinfection of drinking water. The structural decking of the clearwell was found to be deteriorated and needs to be replaced for the proposed new roofing system.
- On September 3, 2020, the city issued an Invitation to Bid; three bids were received.
- Davco Roofing & Sheet Metal, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2021.

Charlotte Business INClusion

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

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

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

48. CATS Blue Line/Gold Line Rail Track Driver eXtra Software On-Going Maintenance and Support

Action:

- A. **Authorize the City Manager to negotiate and approve a contract in an amount not to exceed \$2,000,000 with Modern Communication Systems to provide support for the proprietary Track Driver eXtra software system;**
- B. **Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved; and**
- C. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance and support, and system upgrades/expansions as required to maintain the system for as long as the city uses the system.**

Staff Resource(s):

John Lewis, CATS

Reenie Askew, Information and Technology

Explanation

- The Track Driver eXtra (TDX) software provides the rail and control signaling used to direct railway traffic and to keep trains clear of each other at all times on the original Blue Line, Blue Line Extension, and the upcoming Gold Line Streetcar.
- Modern Communication Systems (MCS) (formerly Modern Railway Systems) developed and installed the proprietary TDX software as a part of the Blue Line Extension project.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. A waiver has been approved for these services based on continuity of service as no other vendors support this proprietary system.
- Annual expenditures are estimated to be \$288,000.

Charlotte Business INclusion

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

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

Fiscal Note

Funding: CATS Operating Budget

49. CATS Cummins Bus Engines

Action:

- A. **Approve a unit price contract to the lowest responsive bidder MHC Kenworth for the purchase of Cummins Engines for the CATS bus fleet 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):

John Lewis, CATS
Jennifer Fehribach, CATS

Explanation

- The contract with MHC Kenworth will provide replacement Cummins engines for maintenance of the CATS bus fleet.
- On May 12, 2020, CATS issued an Invitation to Bid; three bids were received
- MHC Kenworth was selected as the lowest responsive, responsible bidder.
- Bus engines will be purchased on an as-needed basis under the contract terms.
- Annual expenditures are estimated to be \$750,000.

Disadvantaged Business Enterprise (DBE)

No goals shall be established on contracts where: (a) there are no subcontracting opportunities identified for the contract; or (b) there are no DBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

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

Fiscal Note

Funding: CATS Operating Budget

50. CityLYNX Gold Line Phase 2 Contract Amendment #2

Action:

Authorize the City Manager to negotiate and execute contract amendment #2 for \$1,700,000 with AECOM Inc (formerly URS Corporation - North Carolina) for design services during construction.

Staff Resource(s):

John Lewis, CATS

Phil Reiger, General Services

Explanation

- The CityLYNX Gold Line Phase 2 project will extend the CityLYNX Gold Line Phase 1 project by 2.5 miles from the Charlotte Transportation Center west to French Street in the Historic West End and east from Novant Hospital to Sunnyside Avenue in Elizabeth in Council Districts 2 and 1 respectively.
- This phase will include 11 additional stops, six modern streetcars, level-boarding for passengers, art integration into stop shelters and vehicles, realignment of Frazier Avenue in West End in Council District 2, and Reconstruction of Hawthorne Lane Bridge in Elizabeth in Council District 1.
- On May 5, 2014, with prior City Council authorization, the city entered into a contract with AECOM Inc (formerly URS Corporation - North Carolina) for \$6,721,965 for consultancy services for the Gold Line Phase 2 project.
- On June 22, 2015, City Council approved amendment #1 with AECOM Inc in the amount of \$7,699,479 to advance design, to prepare final bid documents and specifications, and for design services during construction for the project.
- Amendment #2 provides design services during construction as well as assistance with project certification, start-up and testing, and final project close-out activities to bring this project to completion.
- The new value of the contract, including amendment #2, is 16,121,444.
- The value of this amendment may be recovered in the final close-out of the project and the contract with the prime contractor for the Gold Line Streetcar Project.
- The project is anticipated to be complete and open for Revenue Service by second quarter 2021; however, project close out is anticipated to extend into 2022.

Disadvantaged Business Enterprise Opportunity

All additional work involved in this amendment will be performed by AECOM and their existing DBE subcontractors. AECOM Inc. has committed (11.66%) (\$1,879,671) of the total contract amount to the following certified firms.

- Neighboring Concept (DBE) (\$408,423) (Stop Design, Public Involvement, Graphic Support)
- SEPI Engineering (DBE-graduated) (\$829,222) (Field Survey, Plat Preparation, Conduit Design) (utilization before graduation from the program)
- Dovetail Consulting (DBE) (\$515,944) (Safety and Security Certification)
- Bree & Associates, Inc. (DBE) (\$126,082) (Scheduling and Cost Estimating)

Fiscal Note

Funding: General Capital Investment Plan

51. Airport Custom Carpet

Action:

- A. **Approve the purchase of custom carpet, by the sole source exemption,**
- B. **Approve a contract with Tarkett USA Inc. for the purchase of custom carpet for the term of five years, and**
- C. **Authorize the City Manager to renew the contract for up to five, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

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 there is only one supply source.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- The airport terminal currently has custom carpet installed throughout public areas. Carpet in high travel areas of the terminal typically needs replacement every three years.
- The requested carpet is a custom color and design specific to the airport. Tarkett USA Inc. is the only vendor that can provide matching carpet.
- This contract will provide the custom carpet which will be used as needed for replacement throughout the airport terminal.
- Annual expenditures are estimated to be \$75,000.
- This activity is occurring on airport property located in Council District 3.

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: Aviation Operating Budget

52. Airport Facility Lease

Action:

- A. Approve a three-year lease with Jetstream Ground Services, Inc. for a facility located at Charlotte Douglas International Airport, and
- B. Authorize the City Manager to extend the lease for one additional two-year extension term.

Staff Resource(s):

Haley Gentry, Aviation
Ted Kaplan, Aviation

Explanation

- Jetstream Ground Services Inc. has leased this facility for 15 years. The current lease will expire on December 31, 2020.
- This facility consists of 3,400 square feet of office space and 18,500 warehouse space.
- The initial three-year lease value is estimated to be \$635,291.
- Rents will be adjusted periodically per the terms and conditions of the lease to keep pace with market conditions.
- This activity is occurring on airport property located in Council District 3.

Fiscal Note

Funding: Revenue from the lease agreement will be deposited in Aviation's Operating Budget.

53. Airport Passenger Satisfaction Survey Services

Action:

- A. **Approve a three-year contract with Phoenix Marketing International for comprehensive passenger satisfaction survey services, and**
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Haley Gentry, Aviation

Ted Kaplan, Aviation

Explanation

- This contract will provide airport managers and stakeholders with valuable performance data that can be used to identify strengths and weaknesses, anticipate shortcomings, and plan for future revenue investments.
- This contract will include additional services such as focus groups facilitation, passenger survey questionnaire development and alternate survey approaches in response to the current pandemic environment.
- On June 23, 2020, the city issued a Request for Proposals (RFP); seven responses were received.
- Phoenix Marketing International best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$150,000.

Charlotte Business INclusion

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

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

Fiscal Note

Funding: Aviation Operating Budget

54. Corridors of Opportunity Rehab Loan and Community Development Grant to E-Fix Development Corporation for 2023 Beatties Ford Road

Action:

- A. **Authorize the City Manager to negotiate and execute a Community Development Grant agreement with E-Fix Development Corporation (Developer) in an amount not to exceed \$250,000 for costs associated with revitalizing the property located at 2023 Beatties Ford Road (the Property), which will facilitate the rehabilitation of an aging building and the preservation of a historic neighborhood, and**
- B. **Approve a Rehab Loan in an amount not to exceed \$500,000 to the Developer for rehabilitating the Property.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Todd DeLong, Economic Development

Explanation

- The City of Charlotte City Council Rules of Procedure state that Council shall proceed by motion and that all motions require a second.
- At the November 9, 2020 Council Business Meeting, this request for Council action was discussed and voted on. The item was unanimously approved, however, a specific motion on actions a and b was not stated.
- This item is returning to Council for formal approval to include the required motion.

Background

- In 2007, City Council adopted the policy for the city to take a leadership role in developing and implementing public and private collaborative strategies and investments that aim to:
 - Attract private sector investment to grow jobs, businesses, and services;
 - Expand the tax base in the business corridors; and
 - Support the revitalization of the corridors into mixed use areas promoting the adjacent neighborhoods as safe, viable, and sustainable.
- In 2020, City Council enhanced the city's commitment to corridor revitalization through the Corridors of Opportunity initiative.
 - The city is concentrating its resources at the intersection of Beatties Ford Road and LaSalle Street by investing and facilitating initiatives in specific locations within each corridor to ensure long-lasting and positive impacts are realized sooner than they would be through a piece-meal approach. This includes work in transportation and infrastructure, talent and employment, public Wi-Fi, placemaking, etc.
- The Developer acquired the Property, which is located in Council District 2, in April 2020.
- The Property is a commercial strip center that was built in 1971 and has approximately 6,600 square feet.
- The Developer proposes a full rehab of the interior and exterior space of the property located at the intersection of Beatties Ford Road and LaSalle Street.
- The Developer has signed JPMorgan Chase as the Site's anchor tenant, which is planned to open in early 2021.
- City staff is coordinating with the Developer throughout the development review process
- The city awarded the following 50 percent matching grants to the Developer in June 2020:
 - Façade Improvement - \$130,000,
 - Security - \$20,000,
 - Interior Upfit - \$30,000,
 - Total Matching Grant Awards = up to \$180,000,
 - An additional 10 percent match may be applied if the developer engages certified MWSBE

firms for eligible work, and

- Matching grants will be reimbursed by the Business Corridor Revitalization Fund.
- Pursuant to the city's desire to rehabilitate, restore, and preserve buildings and properties in its Corridors of Opportunity and authority found in the North Carolina General Statute on community development programs and activities (N.C.G.S § 160A-456), the city identified the need for financial support for the rehabilitation of the Property and building, which will support the preservation of this historic neighborhood and aging property.
 - The city is recommending Council support a Community Development Grant in an amount not to exceed \$250,000 that would reimburse the Developer for applicable costs, which will be in line with N.C.G.S. § 160A-456 and will be finally determined by the actual costs incurred by the Developer.
 - Applicable reimbursement expenses must be above and beyond those accounted for in the Developer's request for reimbursement associated with the previously awarded Business Matching Grants.
 - The Community Development Grant will be reimbursed from the Corridors of Opportunity funds.
- The Developer is seeking additional financial support to renovate the site located at the Beatties Ford Road / LaSalle Street intersection.
- The Developer has requested a \$500,000 loan from the city to support its revitalization efforts.
 - Staff recommends that Council consider an interest-only Rehab Loan with the following general terms:
 - Interest at prime plus 1 percent (4.25 percent),
 - Full repayment of principal balance upon second refinance, sale of property, assignment of ownership of the property, or 20 years, whichever occurs first,
 - The city will require interest only payments on monthly basis,
 - Deed of trust will be placed on the property until such time the principal balance is paid in full,
 - Loan funds must be specifically applied to rehabilitation of commercial space located at 2023 Beatties Ford Road, and may not be allocated to any other use,
 - The city will retain a third party to service the loan on behalf of the city,
 - The applicant will be subjected to the third party's underwriting criteria, and
 - The loan will be funded by the Corridors of Opportunity.

Fiscal Note

Funding: General Capital Investment Fund

Attachment(s)

Map

[2023 Beatties Ford Road - Map](#)

55. Enterprise Resource Planning Software Ongoing Maintenance and Support

Action:

- A. **Approve a contract extension of a maintenance services agreement with Tyler Technologies, Inc. for MUNIS software for a term of one year,**
- B. **Approve a contract extension of a maintenance services agreement with Amadeus Airport IT Americas, Inc. for accounts receivable software for a term of one year,**
- C. **Authorize the City Manager to approve price adjustments and amend the contracts consistent with the purpose for which the contracts were approved, and**
- D. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the systems for as long as the city uses the systems.**

Staff Resource(s):

Reenie Askew, Innovation and Technology

Explanation

- Enterprise Resource Planning (ERP) integrates internal and external management information across the entire organization. The city's ERP solution includes financial, procurement, project cost accounting, and grant cost accounting functions.
- After a competitive solicitation process, City Council approved the software and implementation project on November 28, 2011.
 - This project included contracts to purchase and implement the MUNIS financial and procurement system from Tyler Technologies, Inc. and an accounts receivable system from Air-Transport IT, Services, Inc., now Amadeus Airport IT Americas, Inc.
- On August 25, 2014, City Council approved contract renewals for up to five years for Tyler Technologies, Inc. and Air-Transport IT, Services, Inc.
- Total annual expenditures are estimated to be \$339,734. It is anticipated that both contracts may be renewed for up to five years.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part B: Section 2.3(a) The city shall not establish Subcontracting Goals for contracts where (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no MWBEs or SBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

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

Fiscal Note

Funding: Innovation and Technology Operating Budget

56. Investment Custodian and Trustee Services

Action:

- A. **Authorize the City Manager to negotiate and approve a contract with US Bank for investment custodian and trustee 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):

Kelly Flannery, Finance
Sandy Ryland, Finance
Matthew Hastedt, Finance

Explanation

- Investment custodian and trustee services are needed to provide trust custody accounts and safe-keeping services for the city's Consolidated Investment Pool, the Long-Term Investment Program (LTIP), and the debt program.
- The city manages a \$2.5 billion Consolidated Investment Pool as part of its daily operations and is invested in accordance with North Carolina General Statutes (G.S.) 159-30 and 159-31. Investments in this portfolio are managed with the objectives of safety, liquidity, and return, and typically have daily settlement activity.
- The city also manages the LTIP in which the city's long-term capital reserves are invested under expanded investment authorization outlined in G.S. 147-69.2(b)(1)-(6) and (8) to diversify investment assets and provide a funding source for future Other Post-Employment Benefits (OPEB) obligations.
- Lastly, the city manages a \$4.4 billion debt program authorized under G.S. 160A-20 and G.S. Chapter 159, Article 7. Long-term and short-term debt may be used to finance essential capital facilities, projects, and capital equipment purchases.
- On September 18, 2020, the city issued a Request for Proposals (RFP); four responses were received.
- US Bank best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$216,500.

Charlotte Business INclusion

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

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

Fiscal Note

Funding: Consolidated Investment Pool, OPEB Trust Fund, and Debt Service Funds

57. Resolution to Certify and Declare the Results of the November 3, 2020 Special Bond Referendum

Action:

Adopt a resolution certifying and declaring the results of the November 3, 2020 Special Bond Referendum.

Staff Resource(s):

Kelly Flannery, Finance

Explanation

- On July 13, 2020, City Council conducted a public hearing, and on July 27, 2020, City Council adopted a resolution approving the call for referendum on November 3, 2020. In accordance with the Capital Investment Plan for Fiscal Years 2021 through 2025 the bonds included:
 - \$102,732,000 general obligation transportation bonds,
 - \$50,000,000 general obligation housing bonds, and
 - \$44,500,000 general obligation neighborhood improvement bonds.
- The referendum was conducted on November 3, 2020, and the Mecklenburg County Board of Elections has presented the Canvass of Results of the Referendum. The Mecklenburg County Board of Elections certified the results of the Special Bond Referendum on November 13, 2020.
- The results were:
 - 321,026 in favor of the Transportation Bonds and 93,552 opposed,
 - 320,414 in favor of the Housing Bonds and 95,028 opposed, and
 - 326,836 in favor of the Neighborhood Bonds and 87,748 opposed.
- This City Council action certifies and declares the official results of the voter referendum.
- Following the City Council action, a Statement of Results will be published for each bond issuance. Publication initiates a 30-day action period to dispute election results.

Fiscal Note

Funding: Municipal Debt Service Fund

Attachment(s)

Certificate of Canvass

Statement of Results

Resolution

[2020 GO Referendum Certified Results](#)

[Statement of Results of Special Bond Referendum - City of Charlotte - 2020 GO Referendum](#)

[Resolutions Certifying and Declaring Results of Special Bond Referendum - City of Charlotte - 2020 GO](#)

58. Set Public Hearing on Oak Hills Property Area Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for January 25, 2021, for the Oak Hills Property Area voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Holly Cramer; Planning, Design, and Development

Explanation

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- Area proposed for annexation does not share a boundary with current city limits.
- Annexation of this area will allow for more orderly land development review, extension of city services, capital investments, and future annexation processes.
- The 23.1523 acre "Oak Hills Property" site is located along the northeast side of Oakdale Road and south of Interstate 485.
 - The property is mostly vacant with some single family uses on a portion of the site.
 - The petitioner has plans to develop a townhome-style residential community. The residential uses include 138 single-family attached units.
 - The property is zoned MX-2(CD) which allows for residential mixed-use development and nonresidential development on larger tracts.
 - The property is located near City Council District 2.
 - Petitioned area consists of four parcels, parcel identification numbers 033-251-04, 033-251-02, 033-251-03, 033-251-18.

Consistency with City Council Policies

- The annexation is consistent with all city voluntary annexation policies approved by the City Council on March 24, 2003:
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services; and
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map
Resolution

[Oak Hills Property Area Annexation Map](#)

[Resolution for Oak Hills Property Area Annexation](#)

59. Set Public Hearing on Watermark at Mallard Creek Area Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for January 25, 2021, for the Watermark at Mallard Creek Area voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Holly Cramer; Planning, Design, and Development

Explanation

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- Area proposed for annexation does not share a boundary with current city limits.
- Annexation of this area will allow for more orderly land development review, extension of city services, capital investments, and future annexation processes.
- The 14.893 acre "Watermark at Mallard Creek" site is located along the east and west side of Odell School Road and south of Mallard Creek Road.
 - The property is currently vacant.
 - The petitioner has plans to develop a residential community. The residential uses include 276 multi-family units with a standalone clubhouse, fitness center, and pool area.
 - The property is zoned CC which allows for commercial developments as well as residential uses.
 - The property is located near City Council District 4.
 - Petitioned area consists of six parcels, parcel identification numbers 029-201-24, 029-664-05, 029-664-04, 029-171-21, 029-171-03, 029-664-06.

Consistency with City Council Policies

- The annexation is consistent with all city voluntary annexation policies approved by the City Council on March 24, 2003:
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services; and
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map
Resolution

[Watermark at Mallard Creek Area Annexation Map](#)

[Resolution for Watermark at Mallard Creek Area Annexation](#)

60. Resolution of Intent to Abandon an Alleyway between East 22nd Street and East 23rd Street

Action:

- A. Adopt a Resolution of Intent to abandon an Alleyway between East 22nd Street and East 23rd Street, and
- B. Set a Public Hearing for January 4, 2021.

Staff Resource(s):

Liz Babson, Transportation
Casey Mashburn, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The alleyway is located in Council District 1.

Petitioners

Sumter Packaging Corporation

Attachment(s)

Map
Resolution

[Alleyway between 22nd & 23rd Abandonment Map](#)

[Resolution of Intent](#)

61. Resolution of Intent to Abandon an Alleyway between Lola Avenue and Barry Street

Action:

- A. Adopt a Resolution of Intent to abandon an alleyway between Lola Avenue and Barry Street, and
- B. Set a Public Hearing for January 4, 2021.

Staff Resource(s):

Liz Babson, Transportation

Casey Mashburn, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The alleyway is located in Council District 1.

Petitioners

Lola Parkwood, LLC

Attachment(s)

Map

Resolution

[Lola and Barry Abandonment Map](#)

[Resolution of Intent](#)

62. Resolution of Intent to Abandon Macie Street

Action:

- A. Adopt a Resolution of Intent to abandon Macie Street, and
- B. Set a Public Hearing for January 4, 2021.

Staff Resource(s):

Liz Babson, Transportation
Casey Mashburn, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The street is located in Council District 3.

Petitioners

CC Fund 3, LLC

Attachment(s)

Map
Resolution

[Macie Street Abandonment Map](#)

[Resolution of Intent](#)

63. Resolution of Intent to Abandon the Western Right-of-Way between Bullard Street and Unopened Joy Street

Action:

- A. Adopt a Resolution of Intent to abandon the Western Right-of-Way between Bullard Street and Unopened Joy Street, and
- B. Set a Public Hearing for January 4, 2021.

Staff Resource(s):

Liz Babson, Transportation
Casey Mashburn, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The right-of-way is located in Council District 3.

Petitioners

Elmington Capital Group, LLC

Attachment(s)

Map
Resolution

[2020-19A Western ROW Abandonment Map](#)

[2020-19A Resolution of Intent 12.14.2020](#)

64. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$38,019.59.

Staff Resource(s):

Kelly Flannery, Finance

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers.pdf](#)

[Resolution.pdf](#)

65. Meeting Minutes

Action:

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

- October 19, 2020 Zoning Meeting,
- October 26, 2020 Business Meeting, and
- November 02, 2020 Strategy Session.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

66. Charlotte Water Property Transactions - Upper McAlpine Creek Sewer Interceptor, Parcel #20

Action: **Approve the following Condemnation: Upper McAlpine Creek Sewer Interceptor, Parcel #20**

Project: Upper McAlpine Creek Sewer Interceptor, Parcel #20

Owner(s): TAH 2018-1 Borrower, LLC

Property Address: 5922 Old Meadow Road

Total Parcel Area: 10,890 sq. ft. (0.25 ac.)

Property to be acquired by Easements: 740 sq. ft. (0.017 ac.) in Sanitary Sewer Easement and 684 sq. ft. (0.016 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Two large shrubs

Zoned: R3

Use: Single Family

Tax Code: 109-425-15

<https://polaris3q.mecklenburgcountync.gov/#mat=157775&pid=10942515&gisid=10942515>

Appraised Value: \$1,600

Property Owner's Concerns: None

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

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

Council District: 5

67. Charlotte Water Property Transactions - Upper McAlpine Creek Sewer Interceptor, Parcel #32

Action: **Approve the following Condemnation: Upper McAlpine Creek Sewer Interceptor, Parcel #32**

Project: Upper McAlpine Creek Sewer Interceptor, Parcel #32

Owner(s): Delorse E. Campo, Et. Al.

Property Address: 9716 Albemarle Road

Total Parcel Area: 375,052 sq. ft. (8.61 ac.)

Property to be acquired by Easements: 21,163 sq. ft. (0.49 ac.) in Sanitary Sewer Easement, 29,353 sq. ft. (0.67 ac.) in Temporary Access Easement and 36,580 sq. ft. (0.84 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees, screening, groundcover

Zoned: R3 and B2

Use: Single family, business

Tax Code: 109-381-03

<https://polaris3g.mecklenburgcountync.gov/#mat=223769&pid=10938103&qsid=10938103>

Appraised Value: \$71,650

Property Owner's Concerns: None

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

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

Council District: 5

68. Charlotte Water Property Transactions - Upper McAlpine Creek Sewer Interceptor, Parcel #38

Action: **Approve the following Condemnation: Upper McAlpine Creek Sewer Interceptor, Parcel #38**

Project: Upper McAlpine Creek Sewer Interceptor, Parcel #38

Owner(s): Dallas Development, LLC

Property Address: 10026 Albemarle Road

Total Parcel Area: 146,993 sq. ft. (3.37 ac.)

Property to be acquired by Easements: 7,159 sq. ft. (0.16 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: Exterior light

Landscaping to be impacted: Shrubs, tree

Zoned: B2

Use: Business

Tax Code: 109-401-10

<https://polaris3g.mecklenburgcountync.gov/#mat=506712&pid=10940110&gisid=10940110>

Appraised Value: \$15,050

Property Owner's Concerns: None

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

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

Council District: 5

69. Property Transactions - Briar Creek Relief Sewer Phase IV, Parcel #2

Action: **Approve the following Acquisition: Briar Creek Relief Sewer Phase IV, Parcel #2**

Project: Briar Creek Relief Sewer Phase IV, Parcel #2

Program: Briar Creek Relief Sewer Phase IV

Owner(s): Jack W. Ward Jr and Kristy A. Ward

Property Address: 2220 Founders Circle

Total Parcel Area: 43,737 sq. ft. (1.00 ac.)

Property to be acquired by Easements: 1,196 sq. ft. (0.027 ac.) Permanent Access Easement, 2,440 sq. ft. (0.056 ac.) Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 175-021-33

<https://polaris3g.mecklenburgcountync.gov/#mat=475263&pid=17502133&qsid=17502133>

Purchase Price: \$55,000

Council District: 6

70. Property Transactions - Edgewater - Rosecrest, Parcel #4

Action: Approve the following Acquisition: Edgewater - Rosecrest, Parcel #4

Project: Edgewater - Rosecrest, Parcel #4

Program: Edgewater - Rosecrest

Owner(s): Matthew Koeman and Melissa Koeman

Property Address: 6437 Rosecrest Drive

Total Parcel Area: 28,006 sq. ft. (0.64 ac.)

Property to be acquired by Easements: 2,922 sq. ft. (0.067 ac.) Storm Drainage Easement, 135 sq. ft. (0.003 ac.) Sanitary Sewer Easement, 1,021 sq. ft. (0.023 ac.) 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: 173-051-40

<https://polaris3g.mecklenburgcountync.gov/#mat=169923&pid=17305140&gisid=17305140>

Purchase Price: \$11,975

Council District: 6

71. Property Transactions - Idlewild and Monroe Intersection - Phase I, Parcel #3

Action: **Approve the following Condemnation: Idlewild and Monroe Intersection - Phase I, Parcel #3**

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

Project: Idlewild and Monroe Intersection - Phase I, Parcel #3

Program: Idlewild and Monroe Intersection - Phase I

Owner(s): Kathleen L. Higgins LLC

Property Address: 5822 Monroe Road

Total Parcel Area: 53,849 sq. ft. (1.24 ac.)

Property to be acquired by Easements: 1,111 sq. ft. (0.026 ac.) Temporary Construction Easement, 1,200 sq. ft. (0.028 ac.) Waterline Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: O-1

Use: Office District

Tax Code: 163-051-22

<https://polaris3g.mecklenburgcountync.gov/#mat=576691&pid=16305122&gisid=16305122>

Appraised Value: \$7,925

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

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

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

Council District: 5

72. Property Transactions - Idlewild and Monroe Intersection - Phase I, Parcel #11

Action: **Approve the following Condemnation: Idlewild and Monroe Intersection - Phase I, Parcel #11**

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

Project: Idlewild and Monroe Intersection - Phase I, Parcel #11

Program: Idlewild and Monroe Intersection - Phase I

Owner(s): Jethem Investments LLC

Property Address: 5940 Monroe Road

Total Parcel Area: 23,794 sq. ft. (0.55 ac.)

Property to be acquired by Fee: 1,479 sq. ft. (0.03 ac.) Fee Simple

Property to be acquired by Easements: 1,124 sq. ft. (0.026 ac.) Utility Easement, 289 sq. ft. (0.007 ac.) Retaining Wall Easement, 1,539 sq. ft. (0.035 ac.) Sidewalk Utility Easement, 2,144 sq. ft. (0.049 ac.) Temporary Construction Easement, 1,539 sq. ft. (0.035 ac.) Waterline Easement

Structures/Improvements to be impacted: Sign and stamped driveway

Landscaping to be impacted: Trees

Zoned: O-1

Use: Office District

Tax Code: 163-051-98

<https://polaris3g.mecklenburgcountync.gov/#mat=619290&pid=16305198&qsid=16305198>

Appraised Value: \$65,275

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

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

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

Council District: 5

73. Property Transactions - Idlewild and Monroe Intersection - Phase II, Parcel #22

Action: **Approve the following Condemnation: Idlewild and Monroe Intersection - Phase II, Parcel #22**

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

Project: Idlewild and Monroe Intersection - Phase II, Parcel #22

Program: Idlewild and Monroe Intersection - Phase II

Owner(s): Munawar Butt

Property Address: 6200 Bainbridge Road

Total Parcel Area: 23,189 sq. ft. (0.53 ac.)

Property to be acquired by Fee: 2,197 sq. ft. (0.05 ac.) Fee Simple

Property to be acquired by Easements: 1,009 sq. ft. (0.023 ac.) Utility Easement, 2,003 sq. ft. (0.046 ac.) Sidewalk Utility Easement, 499 sq. ft. (0.011 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-013-09

<https://polaris3g.mecklenburgcountync.gov/#mat=163672&pid=18901309&gisid=18901309>

Appraised Value: \$40,750

Property Owner's Concerns: None

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

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

Council District: 5

74. Property Transactions - Idlewild and Monroe Intersection - Phase II, Parcel #24

Action: **Approve the following Acquisition: Idlewild and Monroe Intersection - Phase II, Parcel #24**

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

Project: Idlewild and Monroe Intersection - Phase II, Parcel #24

Program: Idlewild and Monroe Intersection - Phase II

Owner(s): Nestor Nunez

Property Address: 6210 Monroe Road

Total Parcel Area: 32,674 sq. ft. (0.50 ac.)

Property to be acquired by Fee: 3,931 sq. ft. (0.09ac.) Fee Simple

Property to be acquired by Easements: 1,450 sq. ft. (0.033 ac.) Utility Easement, 3,586 sq. ft. (0.082 ac.) Retaining Wall Easement, 3,652 sq. ft. (0.084 ac.) Sidewalk Utility Easement, 47 sq. ft. (0.001 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Brick sign and retaining wall

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-012-01

<https://polaris3g.mecklenburgcountync.gov/#mat=163802&pid=18901201&qisid=18901201>

Purchase Price: \$88,500

Council District: 5

75. Property Transactions - Idlewild and Monroe Intersection - Phase II, Parcel #29

Action: **Approve the following Acquisition: Idlewild and Monroe Intersection - Phase II, Parcel #29**

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

Project: Idlewild and Monroe Intersection - Phase II, Parcel #29

Program: Idlewild and Monroe Intersection - Phase II

Owner(s): Walid Asmar and Abdeljabbar Asmar

Property Address: 2449 Knickerbocker Drive

Total Parcel Area: 15,610 sq. ft. (0.36 ac.)

Property to be acquired by Fee: 1,000 sq. ft. (0.02 ac.) Fee Simple

Property to be acquired by Easements: 972 sq. ft. (0.022 ac.) Utility Easement, 914 sq. ft. (0.021 ac.) Retaining Wall Easement, 1,603 sq. ft. (0.037 ac.) Sidewalk Utility Easement, 424 sq. ft. (0.01 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Fence

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-011-13

<https://polaris3g.mecklenburgcountync.gov/#mat=84496&pid=18901113&qsid=18901113>

Purchase Price: \$45,425

Council District: 5

76. Property Transactions - Idlewild and Monroe Intersection - Phase II, Parcel #40

Action: **Approve the following Condemnation: Idlewild and Monroe Intersection - Phase II, Parcel #40**

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

Project: Idlewild and Monroe Intersection - Phase II, Parcel #40

Program: Idlewild and Monroe Intersection - Phase II

Owner(s): Independence Shopping Center Charlotte NC L.P.

Property Address: 5622 East Independence Boulevard

Total Parcel Area: 587,632 sq. ft. (13.49 ac.)

Property to be acquired by Easements: 2,501 sq. ft. (0.057 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-2

Use: Business

Tax Code: 191-011-02

<https://polaris3g.mecklenburgcountync.gov/#mat=152655&pid=19101102&gisid=19101102>

Appraised Value: \$9,625

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

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

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

Council District: 5

77. Property Transactions - Kilborne Drive Streetscape, Parcel #10

Action: **Approve the following Acquisition: Kilborne Drive Streetscape, Parcel #10**

Project: Kilborne Drive Streetscape, Parcel #10

Program: Kilborne Drive Streetscape

Owner(s): Richard D. Stern

Property Address: 2713 Kilborne Drive

Total Parcel Area: 27,092 sq. ft. (0.62 ac.)

Property to be acquired by Easements: 14 sq. ft. (0 ac.) Utility Easement, 634 sq. ft. (0.015 ac.) Sidewalk Utility Easement, 2,246 sq. ft. (0.052 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Zoned: R-4

Use: Single-family Residential

Tax Code: 101-112-18

<https://polaris3g.mecklenburgcountync.gov/#mat=90564&pid=10112118&qisid=10112118>

Purchased Price: \$10,555

Council District: 1

78. Property Transactions - Kilborne Drive Streetscape, Parcel #14

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

Project: Kilborne Drive Streetscape, Parcel #14

Program: Kilborne Drive Streetscape

Owner(s): Kilborne in the Woods Condominiums

Property Address: 2501 - 2509 Kilborne Drive

Total Parcel Area: 473,594 sq. ft. (10.87 ac.)

Property to be acquired by Easements: 384 sq. ft. (0.009 ac.) Utility Easement, 3,851 sq. ft. (0.088 ac.) Sidewalk Utility Easement, 13,777 sq. ft. (0.316 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Bed prep and various plantings

Zoned: R-9MF (CD)

Use: Multi-family Residential

Tax Code: 101-11C-99

<https://polaris3g.mecklenburgcountync.gov/#mat=234602&pid=10111168&qsid=10111C99>

Appraised Value: \$37,975

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: None

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

Council District: 1

79. Property Transactions - Kilborne Drive Streetscape, Parcel #54

Action: **Approve the following Acquisition: Kilborne Drive Streetscape, Parcel #54**

Project: Kilborne Drive Streetscape, Parcel #54

Program: Kilborne Drive Streetscape

Owner(s): ART II SPE LLC

Property Address: 2123 - 2225 Kilborne Drive

Total Parcel Area: 335,377 sq. ft. (7.70 ac.)

Property to be acquired by Easements: 37 sq. ft. (0.001 ac.) Utility Easement, 4,269 sq. ft. (0.098 ac.) Sidewalk Utility Easement, 6,039 sq. ft. (0.139 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Sign

Landscaping to be impacted: Trees

Zoned: R-17MF

Use: Multi-family Residential

Tax Code: 101-052-23

<https://polaris3q.mecklenburgcountync.gov/#mat=297645&pid=10105223&gisid=10105223>

Purchased Price: \$40,625

Council District: 1

80. Property Transactions - Kilborne Drive Streetscape, Parcel #72

Action: **Approve the following Condemnation: Kilborne Drive Streetscape, Parcel #72**

Project: Kilborne Drive Streetscape, Parcel #72

Program: Kilborne Drive Streetscape

Owner(s): Cayco Realty and Investments Inc

Property Address: 0 Sudbury Road

Total Parcel Area: 2,289 sq. ft. (0.05 ac.)

Property to be acquired by Easements: 46 sq. ft. (0.001 ac.) Sidewalk Utility Easement, 170 sq. ft. (0.004 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Tax Code: 101-111-01

<https://polaris3g.mecklenburgcountync.gov/#pid=10111101&qsid=10111101>

Appraised Value: \$175

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: None

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

Council District: 1

81. Property Transactions - Montford Drive Extension, Parcel #3

Action: Approve the following Acquisition: Montford Drive Extension, Parcel #3

Project: Montford Drive Extension, Parcel #3

Program: Montford Drive Extension

Owner(s): Homewood Stanchion Park Road LLC

Property Address: 4535 Park Road

Total Parcel Area: 43,292 sq. ft. (0.99 ac.)

Property to be acquired by Fee: 581 sq. ft. (0.01 ac.) Fee Simple

Property to be acquired by Easements: 1,787 sq. ft. (0.041 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: O-1

Use: Office District

Tax Code: 175-145-08

<https://polaris3g.mecklenburgcountync.gov/#mat=133087&pid=17514508&qsid=17514508>

Purchased Price: \$50,000

Council District: 6

82. Property Transactions - Montford Drive Extension, Parcel #4

Action: Approve the following Condemnation: Montford Drive Extension, Parcel #4

Project: Montford Drive Extension, Parcel #4

Program: Montford Drive Extension

Owner(s): Grahams office condominiums association

Property Address: 4523 and 4525 Park Road

Total Parcel Area: 79,117 sq. ft. (1.82 ac.)

Property to be acquired by Fee: 233 sq. ft. (0.005 ac.) Fee Simple

Property to be acquired by Easements: 1,197 sq. ft. (0.027 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: O-1

Use: Office District

Tax Code: 175-14C-99

<https://polaris3g.mecklenburgcountync.gov/#mat=436141&pid=17514509&qsid=17514C99>

Appraised Value: \$20,450

Property Owner's Concerns: None

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

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

Council District: 6

83. Property Transactions - North Sharon Amity Road Sidewalk Project, Parcel #7

Action: **Approve the following Condemnation: North Sharon Amity Road Sidewalk Project, Parcel #7**

Project: North Sharon Amity Road Sidewalk Project, Parcel #7

Program: North Sharon Amity Road Sidewalk Project

Owner(s): Michael M. Haugh and Hannah D. Oleksak

Property Address: 1320 North Sharon Amity Road

Total Parcel Area: 21,512 sq. ft. (0.49 ac.)

Property to be acquired by Easements: 979 sq. ft. (0.022 ac.) Sidewalk Utility Easement, 1,007 sq. ft. (0.023 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and bushes

Zoned: R-3

Use: Single-family Residential

Tax Code: 163-143-12

<https://polaris3g.mecklenburgcountync.gov/#mat=34298&pid=16314312&qisid=16314312>

Appraised Value: \$9,350

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

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

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

Council District: 5

84. Property Transactions - Parkwood Avenue Streetscape, Parcel #8

Action: **Approve the following Acquisition: Parkwood Avenue Streetscape, Parcel #8**

Project: Parkwood Avenue Streetscape, Parcel #8

Program: Parkwood Avenue Streetscape

Owner(s): Christian Church (Disciples of Christ) in North Carolina and Mission Gathering Christian Church

Property Address: 420 East 15th Street

Total Parcel Area: 42,155 sq. ft. (0.97 ac.)

Property to be acquired by Fee: 23 sq. ft. (0.0005 ac.) Fee Simple

Property to be acquired by Easements: 1,194 sq. ft. (0.027 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: TOD-UC

Use: Transit Oriented Development

Tax Code: 081-062-08

<https://polaris3g.mecklenburgcountync.gov/#mat=125095&pid=08106208&gisid=08106208>

Purchased Price: \$10,706

Council District: 1

85. Property Transactions - Parkwood Avenue Streetscape, Parcel #22

Action: **Approve the following Acquisition: Parkwood Avenue Streetscape, Parcel #22**

Project: Parkwood Avenue Streetscape, Parcel #22

Program: Parkwood Avenue Streetscape

Owner(s): White Point Paces Partners LP

Property Address: 321 East 16th Street

Total Parcel Area: 12,914 sq. ft. (0.30 ac.)

Property to be acquired by Easements: 1,079 sq. ft. (0.025 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Bushes

Zoned: TOD-MO

Use: Transit Oriented Development

Tax Code: 083-011-25

<https://polaris3g.mecklenburgcountync.gov/#mat=603461&pid=08301125&qsid=08301125>

Purchase Price: \$10,311

Council District: 1

86. Property Transactions - Pineville Matthews Road and Alexander Road Sidewalk, Parcel #5

Action: **Approve the following Condemnation: Pineville Matthews Road and Alexander Road Sidewalk, Parcel #5**

Project: Pineville Matthews Road and Alexander Road Sidewalk, Parcel #5

Program: Pineville Matthews Road and Alexander Road Sidewalk

Owner(s): WC and C 8 LLC and WC and C INC

Property Address: 0 Pineville-Matthews Road

Total Parcel Area: 1,768,306 sq. ft. (40.59 ac.)

Property to be acquired by Easements: 8,148 sq. ft. (0.187 ac.) Storm Drainage Easement, 4,383 sq. ft. (0.100 ac.) Sidewalk Utility Easement, 9,459 sq. ft. (0.217 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3 and R-12 (CD)

Use: Single-family Residential

Tax Code: 213-041-01

<https://polaris3g.mecklenburgcountync.gov/#pid=21304101&gisid=21304101>

Appraised Value: \$53,875

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

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

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

Council District: 7

87. Property Transactions - Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #17

Action: **Approve the following Acquisition: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #17**

Project: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #17

Program: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane)

Owner(s): Amy Wartham and Mark Wartham

Property Address: 3710 Providence Road

Total Parcel Area: 18,052 sq. ft. (0.41 ac.)

Property to be acquired by Fee: 1,378 sq. ft. (0.03 ac.) Fee Simple

Property to be acquired by Easements: 2,826 sq. ft. (0.065 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 183-091-01

<https://polaris3g.mecklenburgcountync.gov/#mat=114482&pid=18309101&qsid=18309101>

Purchase Price: \$48,100

Council District: 6

88. Property Transactions - Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #20

Action: **Approve the following Condemnation: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #20**

Project: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #20

Program: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane)

Owner(s): Damon Decristoforo and Veronica P Decristoforo

Property Address: 3800 Providence Road

Total Parcel Area: 27,332 sq. ft. (0.63 ac.)

Property to be acquired by Easements: 2,388 sq. ft. (0.055 ac.) Sidewalk Utility Easement, 1,751 sq. ft. (0.04 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 183-095-05

<https://polaris3g.mecklenburgcountync.gov/#mat=115839&pid=18309505&gisid=18309505>

Appraised Value: \$15,700

Property Owner's Concerns: The property owner is concerned about the design of the project.

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

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

Council District: 6

89. Property Transactions - Tryon Street - 36th Street Streetscape, Parcel #9, 17

Action: **Approve the following Condemnation: Tryon Street - 36th Street Streetscape, Parcel #9, 17**

Project: Tryon Street - 36th Street Streetscape, Parcel #9, 17

Program: Tryon Street - 36th Street Streetscape

Owner(s): William Martin Ivey

Property Address: 3300 and 3308 North Tryon Street

Total Parcel Area: 45,195 sq. ft. (1.04 ac.)

Property to be acquired by Fee: 76 sq. ft. (0.002 ac.) Fee Simple

Property to be acquired by Easements: 5,041 sq. ft. (0.12 ac.) Sidewalk Utility Easement, 7,260 sq. ft. (0.17 ac.) Temporary Construction Easement, 72 sq. ft. (0.001 ac.) Utility Easement, 354 sq. ft. (0.008 ac.) Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: B-2 and R-5

Use: Business and Single-family Resident

Tax Code: 091-115-01, 091-115-21

<https://polaris3g.mecklenburgcountync.gov/#mat=105999&pid=09111501&gisid=09111501>

<https://polaris3g.mecklenburgcountync.gov/#mat=106318&pid=09111521&gisid=09111521>

Appraised Value: \$129,425

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

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

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

Council District: 1

90. Property Transactions - Tryon Street - 36th Street Streetscape, Parcel #18

Action: **Approve the following Acquisition: Tryon Street - 36th Street Streetscape, Parcel #18**

Project: Tryon Street - 36th Street Streetscape, Parcel #18

Program: Tryon Street - 36th Street Streetscape

Owner(s): Mecklenburg County Alcoholic Beverage Control Board

Property Address: 3333 North Tryon Street

Total Parcel Area: 815,233 sq. ft. (18.72 ac.)

Property to be acquired by Easements: 631 sq. ft. (0.014 ac.) Utility Easement, 2,115 sq. ft. (0.049 ac.) Sidewalk Utility Easement, 11,281 sq. ft. (0.259 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-1

Use: Industrial

Tax Code: 085-031-06

<https://polaris3g.mecklenburgcountync.gov/#mat=107522&pid=08503106&gisid=08503106>

Purchased Price: \$32,035

Council District: 1

91. Property Transactions - Tryon Street - 36th Street Streetscape, Parcel #19

Action: **Approve the following Condemnation: Tryon Street - 36th Street Streetscape, Parcel #19**

Project: Tryon Street - 36th Street Streetscape, Parcel #19

Program: Tryon Street - 36th Street Streetscape

Owner(s): Mary Louise B. Bell

Property Address: 3316 and 3324 North Tryon Street

Total Parcel Area: 39,982 sq. ft. (0.92 ac.)

Property to be acquired by Easements: 71 sq. ft. (0.002 ac.) Utility Easement, 1,975 sq. ft. (0.045 ac.) Sidewalk Utility Easement, 3,888 sq. ft. (0.089 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Barrier Posts

Landscaping to be impacted: None

Zoned: B-2

Use: Business

Tax Code: 091-115-19

<https://polaris3q.mecklenburgcountync.gov/#mat=106769&pid=09111519&gisid=09111519>

Appraised Value: \$47,225

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

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

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

Council District: 1

92. Property Transactions - Tryon Street - 36th Street Streetscape, Parcel #20

Action: **Approve the following Condemnation: Tryon Street - 36th Street Streetscape, Parcel #20**

Project: Tryon Street - 36th Street Streetscape, Parcel #20

Program: Tryon Street - 36th Street Streetscape

Owner(s): Mary Louise B. Bell

Property Address: 3330 North Tryon Street

Total Parcel Area: 20,011 sq. ft. (0.46 ac.)

Property to be acquired by Easements: 767 sq. ft. (0.018 ac.) Sidewalk Utility Easement, 1,675 sq. ft. (0.038 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Parking Spaces

Landscaping to be impacted: None

Zoned: B-2

Use: Business

Tax Code: 091-115-18

<https://polaris3g.mecklenburgcountync.gov/#mat=555706&pid=09111518&qisid=09111518>

Appraised Value: \$24,750

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

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

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

Council District: 1

93. Property Transactions - Tryon Street - 36th Street Streetscape, Parcel #21

Action: **Approve the following Condemnation: Tryon Street - 36th Street Streetscape, Parcel #21**

Project: Tryon Street - 36th Street Streetscape, Parcel #21

Program: Tryon Street - 36th Street Streetscape

Owner(s): Angela D. Hicks and Angela D. Mundy

Property Address: 3400 North Tryon Street

Total Parcel Area: 20,011sq. ft. (0.46 ac.)

Property to be acquired by Easements: 42 sq. ft. (0.001 ac.) Utility Easement, 293 sq. ft. (0.007 ac.) Sidewalk Utility Easement, 1,272 sq. ft. (0.029 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-2

Use: Business

Tax Code: 091-115-17

<https://polaris3g.mecklenburgcountync.gov/#mat=108235&pid=09111517&gisid=09111517>

Appraised Value: \$10,775

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

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

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

Council District: 1

Adjournment

REFERENCES

94. Reference - Charlotte Business INClusion Policy

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

Part A: Administration and Enforcement

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

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

Part A: Section 3.1: Subcontracting Goals

The city shall establish one or more Subcontracting Goals for all Construction Contracts of 200,000 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 a (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 MBEs, WBEs, or SBEs (as applicable) to perform scopes of work or provide products or services that the city regards as realistic opportunities for subcontracting.

Part C: Service Contracts

Part C: Section 2.1(a) Subcontracting Goals: No Goal When There Are No MWSBE Subcontracting Opportunities. The city shall not establish Subcontracting Goals for Service Contracts where (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no MWBEs or SBEs 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 MWBEs or SBEs it intends to use on the Contract.

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

Part D: Post Contract Award Requirements

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

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

Part F: Financial Partners

Part F: Section 4: Financial Partners shall undertake the following outreach efforts with respect to MWBEs and SBEs:

- 4.1 Notify MWBEs and SBEs of any contracting or procurement opportunities that may exits in the Financial Partner's business for which there are MWBEs and SBEs listed in the city's database; and
- 4.2 Request advice and assistance from the CBI Office as to what additional SBE measures might be helpful if and when it becomes apparent that outreach alone will be insufficient to meet the Financial Partner's MWBE and SBE Goal; and
- 4.3 Follow such additional measures as the CBI Office reasonably recommends.

Part G: Alternative Construction Agreements

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

95. Reference - Property Acquisitions and Condemnations

- The city has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- Real Estate staff diligently attempts to contact all property owners by:
 - Sending introductory letters via regular and certified mail,
 - Making several site visits,
 - Leaving door hangers and business cards,
 - Seeking information from neighbors,
 - Searching the internet,
 - Obtaining title abstracts, and
 - Leaving voice messages.
- For most condemnation cases, the city and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If the City Council approves the resolutions, the City Attorney's office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to a trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.
- The definition of easement is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or "in gross," such as public utility easement.
- The term "fee simple" is a synonym for ownership and is an estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited.

96. Reference - Property Transaction Process

Property Transaction Process Following City Council Approval for Condemnation

The following overview is intended to provide further explanation for the process of property transactions that are approved by City Council for condemnation.

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During this time, the city continues to negotiate with the property owner in an effort to reach a mutual settlement.

- If a settlement is reached, the condemnation process is stopped, and the property transaction proceeds to a real estate closing.
- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the city's legal representative. Filing of the condemnation documents allows:
 - The city to gain access and title to the subject property so the capital project can proceed on schedule.
 - The city to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.
- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The city's condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
 - North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.