

City of Charlotte

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



Meeting Agenda

Monday, January 23, 2023

Council Chamber

City Council Business Meeting

Mayor Vi Lyles

Mayor Pro Tem Braxton Winston II

Council Member Dimple Ajmera

Council Member Danté Anderson

Council Member Tariq Scott Bokhari

Council Member Ed Driggs

Council Member Malcolm Graham

Council Member Reneé Johnson

Council Member LaWana Mayfield

Council Member James Mitchell

Council Member Marjorie Molina

Council Member Victoria Watlington

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

This meeting will also be accessible via the Government Channel, the City's Facebook page, and the City's YouTube channel.

1. Mayor and Council Consent Item Questions and Answers

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items.

[2023-01-23 Council Agenda QA](#)

2. Consent agenda items 18 through 89 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Time: 5 minutes

Consideration of Consent Items shall occur in the following order:

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

3. Action Review Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

4. Action Review Items

Police Update

Staff Resource(s):

Johnny Jennings, Police

Time: Presentation - 10 minutes; Discussion - 20 minutes

Explanation

- Receive a year-end update from the Charlotte-Mecklenburg Police Department.

Fire Update (deferred to February 13, 2023)

Staff Resource(s):

Reginald Johnson, Fire

Time: Presentation - 10 minutes; Discussion - 15 minutes

Explanation

- Receive a year-end update from the Charlotte Fire Department.

MEDIC Update

Staff Resource(s):

John Peterson, Mecklenburg EMS Agency

Time: Presentation - 10 minutes; Discussion - 15 minutes

Explanation

- Receive a response configuration update from the Mecklenburg EMS Agency.

[Action Review 4.1 - CMPD Presentation](#)

[Action Review 4.3 - MEDIC Presentation](#)

5. Closed Session (as necessary)

**6:30 P.M. CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
COUNCIL CHAMBER**

Call to Order

Introductions

Invocation

Pledge of Allegiance

PUBLIC FORUM

6. Public Forum

PUBLIC HEARING

7. Public Hearing for Albemarle Corporation Business Investment Grant

Action:

- A. **Conduct a public hearing regarding approval of a City of Charlotte Business Investment Grant to Albemarle Corporation, and**

- B. **Approve the City's share of a Business Investment Grant to Albemarle Corporation for a not to exceed amount of \$7,239,818 over 12 years.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Alyssa Brown, Economic Development

Explanation

- On December 13, 2022, Albemarle Corporation announced it would locate an advanced lithium technology center in Charlotte.
- On November 28th, 2022, City Council indicated their intent to approve this Business Investment Grant during council discussions.
- Albemarle Corporation has committed to a capital investment of \$200,000,000 and creation of 200 jobs to be hired with an average wage of \$87,381.
- In addition to the City of Charlotte Business Investment Grant:
 - Mecklenburg County Board of County Commissioners approved a Business Investment Grant in the amount of \$4,201,706, and
 - The State of North Carolina approved a Jobs Development Investment Grant of up to \$1,239,000 for a term of 12 years and \$410,000 in community college training funds.

Background

- Albemarle Corporation is a Fortune 500 leading chemical manufacturer.
- The company relocated its headquarters to Charlotte in 2015 where it currently employs 463 people.
- On September 28, 2015, City Council approved a Business Investment Grant for Albemarle Corporation in the amount of \$75,711 for a term of three years. This grant has been paid out.
- The company has purchased the site at 6800 Solectron Drive in Council District 2 for the new advanced materials facility.
- This new center will house research on novel materials, advanced process development, and advance lithium products.

Business Investment Grant

- The general terms and conditions of this grant include:
 - Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
 - Property taxes due from Albemarle Corporation must be paid before a grant payment is made.
 - If Albemarle Corporation removes the investment from Charlotte during the grant term, it shall pay back 100 percent of the investment grant paid to date.
 - If Albemarle Corporation moves the investment from Charlotte within twelve years of the end of the Business Investment Program (BIP) grant term, a portion of the grant must be repaid as follows:
 - Within one year of the end of the BIP Term - 90 percent of grant payments
 - Within two years of the end of the BIP Term - 75 percent of grant payments
 - Within three years of the end of the BIP Term - 60 percent of grant payments
 - Within four years of the end of the BIP Term - 45 percent of grant payments
 - Within five years of the end of the BIP Term - 30 percent of grant payments
 - Within six years of the end of the BIP Term - 20 percent of grant payments

- Within seven to twelve years of the end of the BIP Term - 10 percent of grant payments

Fiscal Note

Funding: Business Investment Grant

POLICY

8. City Manager's Report

9. 2023 Federal and State Legislative Agendas

Action:

Approve the Budget, Governance, and Intergovernmental Relations Committee recommendation to approve the 2023 Federal and State Legislative Agendas.

Committee Chair:

Dimple Ajmera, Budget, Governance, and Intergovernmental Relations

Staff Resource(s):

Ryan Bergman, City Manager's Office

Dana Fenton, City Manager's Office

Explanation

- On January 3, 2023, the Budget, Governance, and Intergovernmental Relations Committee Chair Ajmera briefed the Mayor and City Council on the committee-proposed 2023 Federal and State Legislative Agendas followed by City Council discussion and feedback.
- The proposed agendas presented tonight reflect much of the feedback provided to the Budget, Governance, and Intergovernmental Relations Committee on January 3.
- The proposed 2023 Federal Legislative Agenda addresses issues relating to aviation, surface transportation, public transportation, immigration, digital inclusion, environment, and sustainability and resilience.
- The proposed 2023 State Legislative Agenda addresses issues relating to regional mobility, aviation, surface transportation, sustainability and resilience, digital inclusion, environment, and public safety.

Committee Discussion

- On January 3, 2023, the Budget, Governance, and Intergovernmental Relations Committee voted 3-0 (Ajmera, Mitchell, and Mayfield) to recommend the issues in the 2023 Federal and State Legislative Agendas to the City Council.

Next Steps

- The approved 2023 Federal Legislative Agenda will be presented to the Mecklenburg Congressional Delegation during the National League of Cities Congressional City Conference scheduled for March 26 - 28, 2023.
- The approved 2023 State Legislative Agenda will be presented to the Mecklenburg State Delegation at a future date to be determined.

Attachment(s)

Proposed 2023 Federal Legislative Agenda

Proposed 2023 State Legislative Agenda

[Proposed Federal Agenda](#)

[Proposed State Agenda](#)

10. Amendments to the Water, Sewers and Industrial Waste Discharge Restrictions Ordinance

Action:

Adopt an ordinance approving amendments to Sections 23-41 and 23-126 of the City Code.

Staff Resource(s):

Angela Charles, Charlotte Water
Shawn Coffman, Charlotte Water
Patrick Baker, City Attorney
Thomas Powers III, City Attorney's Office

Current Ordinance

- City Code Section 23-41 currently states:
 - The sewage treatment and disposal facilities and sewage collection system shall be operated as, and considered to be, a single, integrated system. The amount necessary to meet the annual interest payable on the debt incurred for construction of the sewer system; the amount necessary for the amortization of the debt; and the amount necessary for repairs, maintenance and operation of the system shall comprise the user charge for sewer service collected by the city.
- City Code Section 23-126 currently states:
 - The water treatment facilities and water distribution system shall be operated as, and considered to be, a single, integrated system. The amount necessary to meet the annual interest payable on the debt incurred for construction for the water system; the amount necessary for the amortization of the debt; and the amount necessary for repairs, for fire protection, maintenance and operation of the system shall comprise the rate for water service collected by the city.

Proposed Changes

- Amend City Code Section 23-41 to state:
 - The sewage treatment and disposal facilities and sewage collection system shall be operated as, and considered to be, a single, integrated system. Any revenue collected by Charlotte Water shall be sufficient to meet: (i) the annual principal and interest payable and any associated fees on the debt incurred for construction of the sewer system and associated infrastructure; and (ii) the amount necessary for repairs, maintenance and operation of the system.
- Amend City Code Section 23-126 to state:
 - The water treatment facilities and water distribution system shall be operated as, and considered to be, a single, integrated system. Any revenue collected by Charlotte Water shall be sufficient to meet: (i) the annual principal and interest payable and any associated fees on the debt incurred for construction for the water system and associated infrastructure; and (ii) the amount necessary for repairs, for fire protection, maintenance and operation of the system.

Explanation

- City Code Chapter 23 is known as the Water, Sewers and Industrial Waste Discharge Restrictions Ordinance and establishes the operating and regulatory parameters for Charlotte Water.
- The amendments are to reflect that Charlotte Water collects several forms of revenues that are used to fund capital and/or operating costs for the water and sanitary sewer system.

Attachment(s)

City of Charlotte Code of Ordinances, Chapter 23 Amendment

[Charlotte Water Ordinance \(2023-01-23\)](#)

BUSINESS

11. Affordable Housing Development Support

Action:

- A. **Approve an additional \$800,000 HOME Investment Partnership Program allocation to Urban Trends Real Estate, Inc. for Lakewood Apartments,**
- B. **Approve an \$894,000 Community Development Block Grant allocation to Habitat for Humanity of the Charlotte Region for East Lane Townhomes, and**
- C. **Authorize the City Manager to execute, amend, and renew contracts and other required documents to complete the transactions approved by these actions.**

Staff Resource(s):

Shawn Heath, Housing and Neighborhood Services
Warren Wooten, Housing and Neighborhood Services

Explanation

Action A - Lakewood Apartments

- On November 22, 2021, City Council authorized the use of \$2,250,000 of HOME Investment Partnership Program (HOME) funds for the development of Lakewood Apartments, a 36-unit new construction affordable housing development to be developed, owned and operated by Urban Trends Real Estate (Developer).
- The development is located on approximately 1.7 acres located at 104 Lakewood Avenue (parcel identification numbers: 065-12-819, 065-128-09, 065-128-11) in Council District 2 and will serve households earning 60 percent and below the area median income (AMI).
- The development has experienced a new financing gap as a result of unprecedented changes in market conditions, including construction material pricing and interest rates.
- In response to the September 19, 2022 Notice of Funding Availability for Gap Financing for Previously Supported Affordable Housing Developments, the Developer has requested, and staff supports, \$800,000 in additional assistance through the HOME program to help fill the resulting gap.
- The funding gap was communicated to City Council at the October 24, 2022 Business Meeting, as part of the discussion regarding housing projects facing cost pressures. Additionally, at the November 24, 2022 Business Meeting, City Council was informed that the funding gap for Lakewood Apartments would be addressed through available federal funds rather than the Housing Trust Fund or stimulus funds (ARPA).

Action B - East Lane Townhomes

- At the April 4, 2022 City Council Strategy Session, Council received an overview of the proposed East Lane Townhomes development including \$230,000 Housing Trust Fund (HTF) support in conjunction with approximately \$894,000 Community Development Block Grant (CDBG) support for the development of 17 for-sale townhome units to be developed by Habitat for Humanity.
- The development proposal was received in response to a January 25, 2022 Request for Proposals for Affordable Housing Development, and is located on approximately 2.47 acres on East Lane Drive (parcel identification numbers: 165-121-23, 165-121-19) in Council District 5 and will provide homeownership opportunities for households earning 80 percent and below the AMI.
- On April 11, 2022, City Council approved the \$230,000 HTF support, with the CDBG request planned for a later date. Action B affirms the CDBG funding allocation.

Background

- On August 27, 2018, City Council adopted the Housing Charlotte Framework (Framework), which recommends expanding the supply of high-quality housing and increasing family self-sufficiency by building new affordable for-rent and for-sale housing.
- On June 13, 2022, City Council adopted the U.S. Department of Housing and Urban Development's (HUD) Annual Action Plan, which identifies the need for affordable, safe, and decent housing for low-and-moderate income families and reaffirms the goals of the Framework.

- Each year, the City of Charlotte receives program grants from HUD, including:
 - The HOME Investments Partnership Program which is designed to increase affordable housing opportunities for low and very low-income residents, and
 - The Community Development Block Grant program which provides broad support for low and moderate-income neighborhoods including housing development.

Charlotte Business INclusion

This contract is federally funded and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion policy).

Fiscal Note

Funding: HOME Investment Partnership Program, Community Development Block Grant

Attachment(s)

Map - Lakewood Apartments

Map - East Lane Townhomes

[Lakewood Apartments](#)

[East Lane Townhomes](#)

12. Amendment of the Green Source Advantage Service Agreement

Action:

Authorize the City Manager to negotiate and execute a contract amendment to the service agreement for solar energy generation with Duke Energy Corporation, Ecoplexus Inc., Olin Creek Farm Solar, LLC, and their respective subsidiaries and affiliates for the city's participation in Duke Energy's Green Source Advantage Program, for a term of up to twenty years.

Staff Resource(s):

Phil Reiger, General Services

Sarah Hazel, General Services

Explanation

- On February 24, 2020, the city entered into an agreement with Duke Energy and Olin Creek Farm Solar, LLC, an indirect subsidiary of Ecoplexus Inc, to participate in the Green Source Advantage (GSA) Program.
- The GSA Program is Duke Energy's renewable energy program for large North Carolina customers who want to support the development of renewable resources and lower their carbon emissions.
- Large customers select and negotiate all price terms directly with a solar developer, including the purchase of renewable energy certificates generated by that facility.
- This agreement is for a 35-megawatt solar facility, in Iredell County.
- Once this single 35-megawatt solar project is constructed, the system will bring the city approximately 35 percent closer to its Strategic Energy Action Plan (SEAP) goal of net zero carbon municipal buildings by 2030 and will offset approximately 17 percent of the city's electricity use.
- This system will reduce carbon emissions by 53,000 metric tons.
- Based on the terms of the agreement, economic analysis demonstrated an average savings over the 20-year term of \$100,000/year.
- Since 2020, Duke Energy has granted several extensions on the project with the current completion date scheduled for November 2023.
- The solar developer recently notified the city that due to macroeconomic factors they will need to amend the agreement to raise their product charge 25 percent or default on the agreement.
- The challenges leading to the increase include:
 - COVID-19 pandemic related delays,
 - Rapid increases in commodity prices,
 - Supply chain delays and constraints,
 - Interest rate hikes, and
 - Tariffs on solar panels imported from China, and at least temporarily, other southeast Asian countries as well.
- These factors are industrywide and are continuing to have an impact on small and large solar projects across the United States.
- Staff and a third-party modeler have worked to assess the impact of this price increase.
- Based on the updated economic analysis, the GSA project now yields an average annual premium of \$750,000 split between enterprise funds and the General Fund.
- This average annual premium for solar energy produced is between two and three percent of the city's annual electricity spend, which totaled \$28,500,000 in 2021.
- The city will not incur any expenditures until the solar farm is completed and the energy comes online.

Fiscal Note

Funding: Various Departments' Operating Budgets

13. Resident Utility Assistance and Displacement Support

Action:

- A. **Approve the use of \$1,936,602.82 from the Coronavirus State and Local Fiscal Recovery Fund to provide utility assistance for Charlotte Water customers,**
- B. **Approve \$1,936,602.82 in Emergency Rental Assistance Fund allocations to support Charlotte residents experiencing displacement, and**
- C. **Authorize the City Manager to negotiate, execute, amend, and renew contracts as needed to complete these transactions.**

Staff Resource(s):

Shawn Heath, Housing and Neighborhood Services

Angela Charles, Charlotte Water

Explanation

- The Emergency Rental Assistance (ERA2) program provided by the American Rescue Plan Act of 2021 included funding to assist households unable to pay rent or utilities during the coronavirus pandemic and recovery.
- \$3,600,000 in Charlotte Water utility assistance provided by ERA2 funding was included as a component of the RAMP CLT program (RAMP) administered by DreamKey Partners on behalf of the City of Charlotte and Mecklenburg County.
- The RAMP program closed on December 15, 2022, having fully allocated all rent assistance funds, and a portion of the available utility assistance funds. Despite multiple efforts to market the available Charlotte Water utility assistance (e.g., RAMP website, CharMeck 311, city and community partner communications), eligible applications for these funds remained low throughout the RAMP program, and a balance of \$1,936,602.82 in Charlotte Water utility assistance funds remain.
- In recognition of the challenges faced by local municipalities in distributing utility assistance, the U.S. Treasury has provided increasing flexibility in program guidelines including updating the American Rescue Plan Act (ARPA) guidelines to allow the Coronavirus State and Local Fiscal Recovery Fund to be used for lump-sum payments to municipal utilities like Charlotte Water for pandemic related customer arrears.

Action A

- Action A will replace the remaining \$1,936,602.82 ERA2 utility assistance funds with funding provided by the American Rescue Plan Act of 2021 (Coronavirus State and Local Fiscal Recovery Funds), enabling Charlotte Water to directly assist its customers with pandemic-related delinquencies.
- This action allows the city to assist residents with pandemic-related water assistance and expend the federal funds in an efficient and timely manner.

Action B

- Action B will re-allocate the resulting balance of \$1,936,602.82 in ERA2 funds to support the displacement event protocol that the city has initiated for large-scale displacement events in Charlotte.
- Per ERA2 guidelines, the funds may be used for housing stability and relocation expenses for low-income households, (e.g., security deposits, application fees, rent payments, case management, and legal services).

Background

- On March 11, 2021, in response to the COVID-19 public health emergency, Congress enacted the American Rescue Plan Act of 2021 (ARPA), which included the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) and the Emergency Rental Assistance Fund (ERA2). Charlotte was one of almost 1,000 cities across the nation that received these funds.
- On August 9, 2021, Council appropriated \$28,841,40.10 in ERA2 funding for rent and utility

assistance and allocated \$3.6 million of the appropriation to be used to support Charlotte Water customers.

- On December 5, 2022, the Housing, Safety and Community Committee received a brief update on the need to replace the ERA2 funds with ARPA funds in support of Charlotte Water customers.

Fiscal Note

Funding: American Rescue Plan Act Fund (ARPA)

14. Charlotte Rescue Mission Support

Action:

- A. Approve the use of \$2,000,000 from the Coronavirus State and Local Fiscal Recovery Fund in support of Charlotte Rescue Mission's overall capital campaign to construct a new building and enable expanded programming for men experiencing homelessness, and**
- B. Authorize the City Manager to execute, amend and renew contracts as needed to complete this transaction.**

Staff Resource(s):

Shawn Heath, Housing and Neighborhood Services
Warren Wooten, Housing and Neighborhood Services

Explanation

- On December 6, 2021, Council approved \$4,000,000 in support of Charlotte Rescue Mission's overall capital campaign to construct a new building and expand programming for men experiencing homelessness at its Rebound campus, including \$2,000,000 in American Rescue Plan funds administered through the Department of Housing and Urban Development's HOME Investment Partnerships Program (HOME-ARP) and \$2,000,000 in Coronavirus Aid Relief and Economic Security Act Community Development Block Grant (CARES-CDBG) funds.
- The city's support, together with funding commitments from the private-sector, will enable Charlotte Rescue Mission to modernize its Rebound campus, including replacing the existing nearly 100-year old building, located at 907 W. 1st Street (parcel identification number: 073-24-217) in Council District 2, and expand its residential drug and alcohol recovery programming at the campus. This expansion will allow Charlotte Rescue Mission to serve more than 100 additional men each year.
- Since December 2021, the city has learned more about the federal requirements related to HOME-ARP funds and have determined that, due to the complexity of these federal requirements, the HOME-ARP funds are not a viable funding source for the Charlotte Rescue Mission project.
- The HOME-ARP funds are separate and distinct from the Coronavirus State and Local Fiscal Recovery Funds, which were also provided to the city through the American Rescue Plan Act. Because the Coronavirus State and Local Fiscal Recovery Funds are more flexible in their allowable uses than HOME-ARP funds, they are a more appropriate source of funding for the project.
- The \$2,000,000 allocation from the Coronavirus State and Local Fiscal Recovery Fund will replace the original HOME-ARP funds and, paired with the previously allocated \$2,000,000 CARES-CDBG funds, enables the city to honor its original \$4,000,000 commitment towards the Charlotte Rescue Mission project.

Background

- On March 11, 2021, in response to the COVID-19 public health emergency, President Biden signed the American Rescue Plan Act of 2021 (ARPA), which included the Coronavirus State and Local Fiscal Recovery Fund. Charlotte was one of almost 1,000 cities across the nation that received these funds.
- On December 5, 2022, the Housing, Safety and Community Committee received a brief update on the need to replace the HOME-ARP funds originally proposed in support of the CRM project with ARPA funds.

Fiscal Note

Funding: American Rescue Plan Act Funds (ARPA)

Attachment(s)

Map

[Charlotte Rescue Mission Rebound Campus](#)

15. Enterprise Resource Planning System and Related Services

Action:

- A. **Approve the purchase of an Enterprise Resource Planning system including implementation, subscription, and other related services from cooperative contracts,**
- B. **Authorize the City Manager to negotiate and execute a contract with Accenture LLP to implement the city's Workday Enterprise Resource Planning system for an initial term of up to 28 months under the Texas Department of Information Resources agreement (#DIR-CPO-4923),**
- C. **Approve a contract with Workday, Inc. to provide and support the city's Workday Enterprise Resource Planning system for an initial term of 10 years under the National Cooperative Purchasing Alliance/Region 14 Education Service Center agreement (Contract #01-103, RFP #25-19),**
- D. **Authorize the City Manager to extend the cooperative contracts for additional terms as long as orders placed under the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts,**
- E. **Authorize the City Manager to negotiate and execute various other contracts that support the Enterprise Resource Planning system for services such as third-party applications, software implementation, change management, data conversion, hardware, and other specialized implementation, training, consulting, or support services,**
- F. **Authorize the City Manager to renew the contracts with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved, and**
- G. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the city uses the system.**

Staff Resource(s):

Reenie Askew, City Manager's Office
Markell Storay, Innovation & Technology

Explanation

Actions A-D

- Approval of contracts with Accenture LLP and Workday, Inc. will enable staff to begin implementing a new Enterprise Resource Planning (ERP) system, which will further integrate information technology systems for human resources, finance, budget, and procurement functions.
- A comprehensive, robust, and fully integrated system is critical to enable the advancement of improved business processes across the organization, and to enhance information collection and reporting capabilities in support of analysis and decision making.
- If approved, beginning in March 2023, city staff will partner with Accenture LLP on the implementation of the new Workday ERP system, with an estimated implementation timeframe, including all third-party applications, of 24-28 months.
- On March 30, 2022, the city issued a Request for Qualifications (RFQ); five responses were received.
- Accenture LLP and Workday, Inc. are the best qualified firms to meet the city's needs on the basis of demonstrated competence and system performance, qualification of professional services and experience, and cost in response to the RFQ requirements.
- NC General Statute Section 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.

Actions E and F

- In addition to the Workday system, four additional third-party applications are required to support the ERP System:
 - NCR (cashiering);
 - The Mortgage Office (loan management);
 - Training Orchestra (training management); and
 - Workiva (internal controls and financial reporting).
- Staff are preemptively seeking authorizations for additional contracts that will be needed during implementation to enable an uninterrupted implementation process. Specific additional services include, but are not limited to:
 - Consulting Services; and/or
 - Business Process Mapping; and/or
 - Organizational Change Management; and/or
 - Data Conversion related services.

All Actions Summary

- Initial aggregate expenditures across all contracts, including contingency, for the implementation are estimated to be \$59,000,000.
- Ongoing annual aggregate expenditures across all contracts are estimated to be \$4,500,000.

Background

- At the April 6, 2022 City Council Budget Workshop, Innovation and Technology staff presented the need for a new ERP system to City Council and outlined the next steps for replacing the current ERP system.
- The FY 2023 Budget adopted by City Council in May 2022 included an initial appropriation of \$10 million for the replacement of the ERP system.
- Since then, staff have conducted a rigorous evaluation process including demonstrations, client reference checks, cost analysis, and hands-on workshops, before concluding that Accenture LLP and Workday, Inc. were the best qualified firms to meet the city's needs.

Charlotte Business INclusion

These are cooperative purchasing contracts and are exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy). However, Accenture LLP has committed to use the following certified firm(s) to participate:

- Random Bit (WBE) (5.1%) (technical architecture, change management)
- Texcido LLC (MBE, SBE) (10.5%) (data management, test management, and project administration)

Fiscal Note

Funding: General Capital Investment Plan and Enterprise Funds

16. Central Avenue Property Transaction

Action:

- A. Adopt a resolution approving the sale of city-owned property located at 5516 Central Avenue (Parcel Identification Number 103-021-02) to Starmount Management, LLC for \$2.76 million, and**
- B. Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to close the transaction as authorized.**

Staff Resource(s):

Tracy Dodson, City Manager's Office
Todd DeLong, Economic Development
Andrew Kelly, City Attorney's Office

Explanation

- In 2018, the City of Charlotte acquired approximately 3.89 acres at 5516 Central Avenue for \$2.2 million that included a 36,348 square foot building.
- The city planned to consolidate the Innovation & Technology staff on the site, but a significant investment would be required to make the building suitable for this purpose.
- Starmount Management, LLC, a Charlotte-based management services company ("Starmount"), contacted the city regarding their desire to acquire the property to develop a Pediatric and Adolescent Behavioral Health Facility (the "Facility") and Training Program. Starmount expects to create 124 jobs (95 full-time) as a result of operating the Facility and Program.
- The offer from Starmount includes the following terms:
 - Purchase price of \$2.76 million (\$25,000 Earnest Money Deposit);
 - Due diligence period of 90 days (with possibility of two 30 day extensions);
 - Closing to occur within 30 days after the expiration of the due diligence period; and
 - The conveyance is subject to the city keeping a right to re-acquire the Property for the purchase price plus three percent per year if Starmount does not begin the process to redevelop the property within three years from the closing date.
- Starmount has also agreed to commit to a Training Program, the terms which require Starmount to:
 - Initiate a training program for paid interns within 5 years from the closing date;
 - Hire a minimum of 10 individuals each year for at least five years; and
 - Pay \$170,000 to the city if any of the Training Program terms are not fulfilled.
- The Property was appraised on July 20, 2022; fair market value was estimated to be \$2.93 million.
- This acquisition will allow Starmount to support their mission through:
 - Job creation;
 - Employee education and training;
 - Employee mentorship program;
 - Community support and giveback; and
 - Providing a service that is in short supply.
- The Planning Commission reviewed the Property for sale in September 2022.

Fiscal Note

Funding: Revenue from the sale will be deposited to the General Capital Investment Plan

Attachment(s)

Property Map
Resolution

[5516 Central Avenue Map](#)

[Resolution to Sale](#)

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

Action:

- A. Adopt a resolution to approve a lease agreement with Carolina Fit Foods, LLC, operating as Project Lean Nation, with a 63-month term for retail space in the JW Clay Parking Deck,**
- B. Authorize the City Manager to renew the lease for up to one, 60-month term, and**
- C. Authorize the City Manager to negotiate and execute all documents necessary to complete the transaction.**

Staff Resource(s):

Brent Cagle, CATS
Kelly Goforth, CATS
Lori Lencheski, CATS

Explanation

- The JW Clay Parking Deck serves the LYNX Blue Line in Council District 4 and incorporates approximately 15,470 square feet of leasable space for office and retail, in accordance with the Transit Oriented Development ordinance.
- The leasable spaces provide opportunities for retail and business firms to offer goods and services to customers using the Blue Line, along with walk-up customers from surrounding areas.
- Project Lean Nation proposes to open a facility for selling supplements; hygiene products and services; wellness and nutrition consumables; and prepackaged meals.
- The terms of the lease agreement are as follows:
 - Approximately 1,711 square feet of retail space in the JW Clay Parking Deck (Suite 211);
 - A 63-month term, with one option to extend the lease term for an additional 60 months;
 - Rent in the amount of \$3,564.58 per month (\$42,774.96 per year) for year one, escalating at a rate of three percent annually for each year thereafter. This rate is consistent with market rates; and
 - The tenant would pay a share of common area maintenance costs.
- Tenants are responsible for improvement costs related to upfit of the parking deck office and retail space.
- The city agrees to reimburse the tenant for tenant improvement costs only if the city terminates the lease during the initial term for transit-related activity. The total amount of reimbursable expenses shall not exceed \$40 per square foot or \$68,440.

Charlotte Business INclusion

This is a real estate leasing and acquisition contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Revenue from the lease will be deposited in the CATS Operating Budget

Attachment(s)

Resolution

[Resolution - JW CLAY -PLN](#)

CONSENT

18. 2022 Urban Area Security Initiative Grant Acceptance

Action:

Authorize the Charlotte Area Homeland Security Director (Charlotte Fire Chief) to accept a grant for \$3,040,000 from the United States Department of Homeland Security for the 2022 Urban Area Security Initiative Grant Program.

Staff Resource(s):

Reginald Johnson, Fire

Jerry Winkles, Fire

Robert Graham, Fire

Explanation

- The 2022 Urban Area Security Initiative (UASI) Grant Program allowed eligible applicants to apply for funding to aid in the prevention, protection, response, and recovery from terrorist attacks.
- The total amount of the grant awarded to the Charlotte UASI was \$3,800,000
- The North Carolina Division of Emergency Management is eligible to retain up to 20 percent of the funds under the program guidelines. As such, the Division has elected to retain the full \$760,000 for the management and administration of the grant program.
- The city has been awarded the remaining \$3,040,000.
- The focus of these funds will be on the following National Priority Areas:
 - Combatting Domestic Violence Extremism
 - Protecting Soft Targets/Crowded Places
 - Enhancing Community Preparedness
 - Cybersecurity
 - Election Security
- In developing a regional approach, as mandated by the grant guidelines, the following 10 counties were included as part of a regional implementation concept: Cabarrus, Catawba, Gaston, Iredell, Lincoln, Lancaster, Mecklenburg, Stanly, Union, and York.
- There are no city matching funds required for this grant.

Fiscal Note

Funding: 2022 Urban Area Security Initiative Grant

19. Residential and Community Spaces Wired and Wireless Internet Services

Action:

- A. **Approve the use of Coronavirus State and Local Fiscal Recovery Funds for Residential and Community Spaces Wired and Wireless Internet Services,**
- B. **Authorize the City Manager to negotiate and execute a contract with Spectrum Southeast for Residential and Community Spaces Wired and Wireless Internet Services for an initial term of two years, and**
- C. **Authorize the City Manager to renew the contract for up to one, one-year term with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Reenie Askew, City Manager's Office
Randy Moulton, Innovation & Technology

Explanation

- On March 11, 2021, in response to the COVID-19 public health emergency, Congress enacted the American Rescue Plan Act of 2021, which included the Coronavirus State and Local Fiscal Recovery Fund. This funding can be used to support a wide range of community investments.
- This contract will provide high-speed internet services to a variety of residential dwellings and community sites including approximately 5,200 households, 15 community sites, and one city-owned learning lab.
- Census data shows that approximately 67,000 households in Charlotte lack a high-speed internet connection; 12,000 of these households fall within the city's Corridors of Opportunity.
- This lack of high-speed internet connection further exacerbates barriers to economic mobility and community resilience.
- This contract bridges a gap in affordable internet options and improves staff's ability to connect households to the Affordable Connectivity Program (ACP) offered by the Federal Government.
- On September 20, 2022, the city issued a Request for Proposals (RFP); three responses were received.
- The company selected best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual aggregate expenditures are estimated to be \$1,600,000.

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 provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: American Rescue Plan Act (ARPA) Funds

20. Catch Basins, Grates, Frames, and Hoods

Action:

- A. Approve a unit price contract to the lowest responsive bidder Ferguson Enterprises, Inc. for the purchase of catch basins, grates, frames, and hoods 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):

Debbie Smith, Transportation

Charles Jones, Transportation

Explanation

- The city installs and maintains road drainage structures within the right-of-way to prevent flooding and water ponding on streets.
- Catch basins, grates, frames, and hoods are necessary to collect runoff from the roadway and direct it to the stormwater collection systems.
- On October 26, 2022, the city issued an Invitation to Bid; one bid was received.
- Ferguson Enterprises, Inc. was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$100,000.

Charlotte Business INclusion

Per Charlotte Business Inclusion Policy: Part B: Section 2.3, the city shall not establish Subcontracting Goals for Contracts where (a) there are no subcontracting opportunities identified for the Contracts; 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 (a) - No subcontracting opportunities.

Fiscal Note

Funding: Powell Bill Funds

21. Purchase of Portland Cement

Action:

- A. Approve a unit price contract to the lowest responsive bidder Cemex Construction Materials Atlantic, LLC. for the purchase of portland cement 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):

Debbie Smith, Transportation

Charles Jones, Transportation

Explanation

- Portland cement is an ingredient used to manufacture concrete.
- The Charlotte Department of Transportation utilizes a volumetric concrete truck that produces concrete for repairs.
- Concrete is used in the maintenance, repair, and installation of sidewalks, curbs, gutters, driveways, traffic signal cabinet foundations, pedestrian signal foundations, and accessible ramps.
- On October 5, 2022, the city issued an Invitation to Bid; one bid was received.
- Cemex Construction Materials Atlantic, LLC. was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$125,000.

Charlotte Business INclusion

Per Charlotte Business Inclusion Policy: Part B: Section 2.3, 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 provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: Powell Bill Funds

22. Roadway Object Markers

Action:

- A. Approve unit price contracts for the purchase of roadway object markers for two years to the following:**
- **Qwick Kurb, Inc., and**
 - **Stay Alert Safety Services, LLC., and**
- B. Authorize the City Manager to renew the contracts for up to three, 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):

Debbie Smith, Transportation

David Smith, Transportation

Explanation

- Roadway object markers are vertical traffic control elements that assist with traffic flow by providing clarity for roadway users in congested areas.
- Markers may include signs, paddles, and plastic bollards that are set into asphalt or concrete and are designed to be visible in both daytime and nighttime driving conditions.
- Examples of how markers are used by the city include indicating separation between bike and travel lanes and alerting drivers of the presence of medians and other traffic islands.
- The vendors selected offer a variety of products that will be used to maintain existing projects as well as install new devices.
- On August 23, 2022, the city issued an Invitation to Bid; three bids were received.
- Qwick Kurb, Inc. and Stay Alert Safety Service, LLC. were selected as the lowest responsive, responsible bidders.
- Annual aggregate expenditures are estimated to be \$850,000.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part B: Section 2.3, 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: Transportation Operating Budget and various Capital Investment Program Funds

23. Traffic Sign Installation Services

Action:

- A. Approve a unit price contract with AWP, Inc. dba Area Wide Protective, for traffic sign installation 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):

Debbie Smith, Transportation

David Smith, Transportation

Angela Berry, Transportation

Explanation

- The Charlotte Department of Transportation (CDOT) maintains approximately 200,000 signs across the city.
- CDOT supplements staff labor by using an outside service provider to install new traffic signs, especially those on local streets to support neighborhood traffic calming efforts.
- Examples of traffic signs to be installed by this vendor include speed limit, speed hump warning, and no parking signs.
- On October 5, 2022, the city issued a Request for Proposals (RFP); three responses were received.
- AWP, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$500,000.

Charlotte Business INClusion

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

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

Fiscal Note

Funding: General Capital Investment Plan

24. Construct Sidewalk Gaps and Ramps Fiscal Year 2023

Action:

Approve a contract in the amount of \$1,767,570.00 to the lowest responsive bidder United of Carolinas, Inc. for the Sidewalk Gaps and Ramps Fiscal Year 2023 project.

Staff Resource(s):

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

Explanation

- This contract is part of an ongoing program to provide sidewalk gap and accessible ramp improvements throughout Charlotte.
- On October 24, 2022, the city issued an Invitation to Bid; three bids were received.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.
- Approximately 16 projects may be constructed within the contract term. The number of projects may vary depending on the nature and extent of construction.
- The contract is anticipated to be complete by fourth quarter 2024.

Charlotte Business INclusion

Established MBE Goal: 5.00%

Committed MBE Goal: 5.00%

United of Carolinas, Inc. has met the established subcontracting goal, and committed 5.00% of the total contract amount to the following MBE certified firm(s). (Part B. Section 3 of the Charlotte Business INclusion Policy):

- Cesar A. Leon L.L.C. (MBE, SBE) (hauling)
- Silverback Brothers Trucking LLC (MBE, SBE) (hauling)
- Sun King Trucking, LLC. (MBE, SBE) (hauling)

Established SBE Goal: 13.00%

Committed SBE Goal: 13.00%

United of Carolinas, Inc. has met the established subcontracting goal, and committed 13.00% of the total contract amount to the following MBE certified firm(s). (Part B. Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (MBE, SBE) (concrete work)
- Striping Concepts, LLC (SBE) (pavement markings)

Fiscal Note

Funding: General Capital Investment Plan

25. Lease of Warehouse Space for Charlotte Fire Operations

Action:

- A. Approve a lease with BIN-VD12210, LLC for warehouse space located at 12210 Vance Davis Drive for relocation of Charlotte Fire Department's Center for All Hazards Resource and Operations, and**
- B. Authorize the City Manager to negotiate and execute any documents necessary to complete this transaction.**

Staff Resource(s):

Reginald Johnson, Fire
Phil Reiger, General Services
Greg Crawford, General Services

Explanation

- The Center for All Hazards Resource and Operations warehouse, formerly referred to as the USAR warehouse, is an all-hazards warehouse and deployment hub for the storage of critical equipment and supplies to support the Charlotte Fire Department (CFD), Emergency Management, the Urban Areas Security Initiative (UASI), and any other local, state, or federal emergency resources during emergency operations, significant city events, and disaster declarations.
- The needs for storage and staging have outgrown the capacity of the space currently leased for the All Hazards Resource and Operations warehouse and the current lease is expiring in March 2023.
- Relocation is necessary to centralize the storage of equipment needed to assemble, deploy, and operate efficiently during emergencies. Space is also needed for the permanent setup of the Fireground Physical Ability Test, a recruitment testing course.
- A long-term lease is the preferred option for this need. A feasibility estimate provided by General Services indicates that designing and constructing a 60,000 square foot warehouse (not including land purchase) would cost as much as \$40 million.
- The lease is for approximately 66,649 square feet of warehouse space, which includes office and parking in Council District 4.
- The proposed terms of the lease agreement are as follows:
 - A 180-month term,
 - Rent in the amount of \$42,488.74 monthly (base \$7.65/square foot),
 - An initial security deposit of \$49,542.42, and
 - Estimated monthly taxes, insurance, common-area maintenance of \$7,054.

Fiscal Note

Funding: Fire Department Operating Budget and Urban Area Security Initiative Grant

26. Fire Apparatus Repair and Maintenance Services

Action:

- A. Approve a unit price contract with Atlantic Coast Fire Trucks for fire apparatus repair and maintenance services for an initial term of three years, and**

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

Staff Resource(s):

Phil Reiger, General Services

Chris Trull, General Services

Explanation

- The city provides maintenance services along with general and warranty repair work for all fire apparatus. Warranty repairs are required to be completed by an authorized manufacturer repair facility.
- Atlantic Coast Fire Trucks is the only company in the area authorized for both Spartan cab and chassis, as well as Smeal body, ladder, and pump systems.
- Using Atlantic Coast Fire Trucks reduces downtime of equipment and reduces or eliminates additional transportation and towing costs.
- 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 limited vendors with the required qualifications.
- Total annual expenditures are estimated to be \$700,000.

Charlotte Business INclusion

This is a contract with a waiver of solicitation for services and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Services Operating Budget

27. Cooperative Purchasing Contracts for Generators, Accessories, Maintenance, and Repair Services

Action:

- A. Approve the purchase of generators, accessories, and preventative maintenance and repair services from cooperative contracts,
- B. Approve unit price contracts with the following vendors for the purchase of generators, accessories, and preventative maintenance and repair services for a term ending November 22, 2026, under Sourcewell:
- Carolina Tractor & Equipment Company (contract #092222-CAT),
 - Cummins Inc. dba Cummins Sales and Service (contract #092222-CMM),
 - Nixon Power Services, LLC (contract #092222-KOH), and
- C. Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.

Staff Resource(s):

Phil Reiger, General Services

Marcy Mars, General Services

Explanation

- Generators are routinely required by city departments to provide sufficient emergency and backup power to support current and future operating demands.
- The contracts will be utilized for the purchase of generators, associated power distribution control system equipment, and preventative maintenance and repair services.
- NC General Statute Section 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 can leverage economies of scale, such as volume discounts, improved terms, and conditions, reduced administrative costs, and access to professional and technical expertise.
- Annual aggregate expenditures are estimated to be \$20,000,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: General Capital Investment Plan and Enterprise Capital Investment Plans

28. Landscape Maintenance Services Contracts

Action:

- A. Approve contracts with the following companies for landscape maintenance for an initial term of three years:**
- **Pristine Properties of NC, Inc. (SBE),**
 - **Roundtree Companies, LLC (MBE, SBE),**
 - **Triple L. Landscape, LLC (MBE, SBE),**
 - **Champion Landscapes, Inc.,**
 - **Southern EEZ Landscaping (SBE), 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
Erin Oliverio, General Services

Explanation

- These contracts provide continuous landscape maintenance services for city-owned facilities and properties to include cemeteries, properties located in the City of Charlotte's Central maintenance District and Center City East maintenance District (East-A); and city-maintained medians in the City of Charlotte's east districts, west districts, and South Corridor Infrastructure Project.
- On October 19, 2022, the city issued a Request for Proposals (RFP); six responses were received.
- The companies selected best meet the city's needs in terms of qualifications and experience of the firm in providing similar services for similar projects, qualifications and relevant experience of key team members, availability of team members, available equipment resources, price, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$830,000.

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: General Services Operating Budget

Attachment(s)

City of Charlotte Median Maintenance District Reference Map

[Overall Median Maintenance District Map 2023](#)

29. Storm Drainage Video Inspection and Pipe Cleaning Services

Action:

- A. Approve contracts with the following companies for storm drainage video inspection and pipe cleaning services for an initial term of three years:**
- **Bio-Nomic Services, Inc.,**
 - **EnviroWaste Services Group, Inc.,**
 - **Champion Cleaning Specialist, 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

Marcy Mars, General Services

Explanation

- These contracts will be used by various departments for video inspection services for storm drainage systems to assess pipe condition and pipe cleaning services to assist in maintenance and operation of the storm water system.
- The city inspects newly constructed pipes utilizing digital pipe video inspection technologies to ensure storm drain and sewer pipes are built to the project contract specifications.
- On November 4, 2022, the city issued a Request for Proposals (RFP); four 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 \$420,000.

Charlotte Business INclusion

This contract is federally funded and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion policy).

Fiscal Note

Funding: Various Departments' Operating Budgets

30. Transport Equipment for Electric Vehicle Chargers

Action:

- A. **Approve the purchase of solar powered electric vehicle charging transport equipment and solar powered electric vehicle chargers by sole source exemption,**
- B. **Approve a contract with Beam Global for the purchase of electric vehicle charging transport equipment and solar powered electric vehicle chargers for the term of three years, and**
- C. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Phil Reiger, General Services
Sarah Hazel, General Services
Heather Bolick, General Services

Sole Source Exemption

- NC General Statute Section 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available.
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because the needed products are available from only one source or supply.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- The City of Charlotte was awarded a matching grant from the Clean Fuel Advanced Technology Project in 2019 and funding was used to purchase four solar-powered electric vehicle chargers (EV Arcs).
- The EV Arcs provide 100 percent solar powered electricity, helping move Charlotte closer to 100 percent zero-carbon fuel sources by 2030 as outlined in the Strategic Energy Action Plan.
- The city-owned EV Arcs have been moved from various locations to support off-the-grid public charging, including the Corridors of Opportunity geographies.
- This contract will be used for the purchase of transport equipment to more efficiently and safely transport EV Arc chargers.
- This contract can also be used for future purchases of EV Arcs.
- Total annual expenditures are estimated to be \$250,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: General Capital Investment Plan

31. Construct Storm Drainage Improvement Projects

Action:

Approve a contract in the amount of \$2,647,601.39 to the lowest responsive bidder United of Carolinas, Inc. for the Collective Storm Drainage Improvement Project Series S.

Staff Resource(s):

Angela Charles, Charlotte Water
Mike Davis, Storm Water Services
Matthew 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 storm drainage systems at:
 - 1515 Starita Road (Council District 1),
 - 1222 Rollins Avenue (Council District 1),
 - 3600 Avalone Avenue (Council District 2),
 - 1130 Scottsdale Road (Council District 3), and
 - 1831 Shannonhouse Drive (Council District 1)
- The work includes grading; drainage; pipe lining water/sanitary sewer; sidewalks; asphalt replacement; and curb and gutter.
- On October 14, 2022, the city issued an Invitation to Bid; four bids were received.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the third quarter of 2024.

Charlotte Business INclusion

Established MBE Goal: 8.00%

Committed MBE Goal: 8.00%

United of Carolinas Inc. met the established subcontracting goal and has committed 8.00% (\$211,808) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- RRC Concrete (MBE, SBE) (\$174,959) (concrete, various)
- Sun King Trucking (MBE, SBE) (\$36,849.11) (hauling)

Established SBE Goal: 19.00%

Committed SBE Goal: 19.00%

United of Carolinas Inc. met the established subcontracting goal and has committed 19.00% (\$503,044) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Whitesell Trucking, Inc. (SBE) (\$212,958.61) (hauling)
- AMP Utility Distribution Services, LLC (WBE, SBE) (\$110,395.96) (pipe tubing & accessories)
- Silverback Brothers LLC (MBE, SBE) (\$85,000) (hauling)
- Cesar A Leon (MBE, SBE) (\$85,000) (hauling)
- Erosion Defence (SBE) (\$4,269.70) (erosion control services)
- Pentacle Inc. (WBE, SBE) (\$5,420) (pavement markings)

Fiscal Note

Funding: Storm Water Capital Investment Plan

Attachments:

Map

[RCA Map](#)

32. Construction Materials for Franklin Water Treatment Plant Improvements

Action:

- A. Approve a unit price contract to the lowest responsive bidder Ferguson Enterprises, Inc. for the purchase of large diameter valves, pipe, and fittings for an initial term of two years, and
- B. Authorize the City Manager to renew the contract for up to one, one-year term with possible price adjustments and to amend the contract consistent with the purpose for which the contracts were approved.

Staff Resource(s):

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- This contract will provide valves, pipe, and fittings needed for improvements at the Franklin Water Treatment Plant (Council District 2).
- On November 9, 2022, the city issued an Invitation to Bid; two bids were received.
- Ferguson Enterprises, Inc. was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$2,866,096.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part B: Section 2.3, 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 provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

33. Elevated Storage Tank Construction and Construction Administration Services

Action:

- A. Approve a contract in the amount of \$10,395,735.00 to the lowest responsive bidder CB&I Storage Tank Solutions LLC for the Elevated Storage Tank project, and**
- B. Approve a contract amendment #1 for \$1,344,848.00 to the contract with Black & Veatch International Company for construction administration services for the Elevated Storage Tank project.**

Staff Resource(s):

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

Explanation

- This project will primarily serve the north Mecklenburg County area, including north Charlotte area, by providing a more reliable water supply and improved water quality. The project is located at the Sunset Road and Statesville Road intersection (Council District 2) and is anticipated to be complete by fourth quarter 2024.

Action A

- This contract will construct a two-million-gallon elevated water tank and will install approximately 400 linear feet of 30-inch waterline to feed the tank.
- On November 3, 2022, the city issued an Invitation to Bid (ITB); two bids were received.
 - N.C. General Statute Section 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if re-advertisements result in fewer than three competitive bids.
- On December 6, 2022, the ITB was re-issued; three bids were received.
- CB&I Storage Tank Solutions LLC was selected as the lowest responsive, responsible bidder.

Action B

- This contract amendment will provide for all construction administration responsibilities, including but not limited to, inspection, materials testing, and blast monitoring.
- On March 22, 2021, City Council approved a contract with Black & Veatch International Company for design services.
- Black & Veatch International Company was selected to perform design and construction administration services and this amendment is needed to finish the project.
- The new estimated value of the contract, including amendment one, is \$2,936,908.

Charlotte Business INclusion

Action A

Established MSBE Goal: 3.00%

Committed MSBE Goal: 5.04%

CB&I Storage Tank Solutions LLC exceeded the established MSBE subcontracting goal and has committed 5.04% (\$523,577) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Page Power Systems, Inc. (SBE, WBE) (\$271,187) (electrical)
- CITI, LLC (MBE) (\$139,785) (system integration)
- Trull Contracting, LLC (SBE, WBE) (\$57,245) (asphalt paving, concrete curb, and gutter)
- Pentacle, Inc. (SBE, WBE) (\$34,360) (chain link fencing)
- Five Boys Trucking (MBE, SBE) (\$21,000) (hauling)

Action B

All additional work involved in this amendment will be performed by Black & Veatch International Company and their subconsultants (Part D: Section 6 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map-Elevated Storage Tank Construction and Construction Administration Services](#)

34. Generator Preventative Maintenance and Repair Services

Action:

- A. **Approve a unit price contract with Clarke Power Services for generator preventative and repair maintenance services for an initial term of three 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
Ron Hargrove, Charlotte Water
Travis Hunnicutt, Charlotte Water

Explanation

- The contract will provide for the preventative maintenance and repair of generators and the associated power distribution control system equipment within facilities.
- Charlotte Water uses diesel generators as reliable backup power at its water and wastewater treatment facilities and booster and lift stations when utility power is lost.
- 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 the complexity of the systems. Factory trained technicians with access to proprietary control programming and original equipment manufacturer parts are necessary to properly maintain the diesel generators and power distribution equipment.
- Annual expenditures are estimated to be \$300,000.

Charlotte Business INClusion

Per the 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 provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: Charlotte Water Operating Budget

35. Specialized Water Testing Services

Action:

- A. Approve unit price contracts with the following companies for specialized water testing services for an initial term of two years:**
- **The GEL Group, Inc. dba GEL Laboratories, LLC,**
 - **Pace Analytical Services, LLC, and**
 - **Montrose Environmental Group, Inc. dba Enthalpy Analytical LLC, and**
- B. Authorize the City Manager to renew the contracts for up to three, 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):

Angela Charles, Charlotte Water
Shawn Coffman, Charlotte Water
Gina Kimble, Charlotte Water

Explanation

- The Environmental Protection Agency and North Carolina Department of Environmental Quality have issued guidance stating their intention to regulate Per- and Polyfluoroalkyl substances. This guidance would affect Charlotte Water and these companies are being contracted with to meet this new requirement.
- On November 15, 2022, the city issued a Request for Proposals (RFP); five responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual aggregate expenditures are estimated to be \$1,000,000.

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 SBEs or MBEs certified to perform the scope of work that the city regards as realistic opportunities for subcontracting.

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

Fiscal Note

Funding: Charlotte Water Operating Budget

36. Stowe Regional Water Resource Recovery Facility Access Drive

Action:

Approve a contract in the amount of \$7,984,332.62 to the lowest responsive bidder Blythe Development Company for the Stowe Regional Water Resource Recovery Facility Access Drive project.

Staff Resource(s):

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

Explanation

- This contract is for the construction of the access road to the Stowe Regional Water Resource Recovery Facility that is also under construction (adjacent to Council Districts 2 and 3).
- On October 19, 2022, the city issued an Invitation to Bid; three bids were received.
- Blythe Development Company was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2023.

Charlotte Business INclusion

Established MBE Goal: 3.00%

Committed MBE Goal: 3.01%

Blythe Development Company met the established MBE subcontracting goal and has committed 3.01% (\$240,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Express Logistics Services, Inc. (MBE, SBE) (\$240,000) (hauling)

Established SBE Goal: 7.00%

Committed SBE Goal: 7.01%

Blythe Development Company met the established SBE subcontracting goal and has committed 7.01% (\$560,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Erosion Defence (SBE) (\$405,200) (erosion control)
- Diamond Trucking of NC, Inc. (MBE, SBE) (\$113,060) (hauling)
- Pentacle, Inc. (SBE, WBE) (\$28,900) (fencing)
- Striping Concepts, LLC (SBE) (\$12,840) (pavement marking)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map-Stowe Regional Water Resource Recovery Facility Access Drive](#)

37. Water and Sanitary Sewer Main Construction

Action:

Approve a contract in the amount of \$9,594,536.00 to the lowest responsive bidder R.H. Price Inc. for water and sanitary sewer main construction.

Staff Resource(s):

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Keri Cantrell, Charlotte Water

Explanation

- This contract will provide for new water and sanitary sewer main construction throughout the Charlotte Water service area.
- On November 3, 2022, the city issued an Invitation to Bid (ITB); two bids were received.
 - N.C. General Statute Section 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if re-advertisements result in fewer than three competitive bids.
- On December 6, 2022, the ITB was re-issued; three bids were received.
- R.H. Price Inc. was selected as the lowest responsive, responsible bidder.
- This project is anticipated to be complete by second quarter 2025.

Charlotte Business INclusion

Established MBE Goal: 3.00%

Committed MBE Goal: 3.00%

R.H. Price Inc. met the established MBE subcontracting goal and has committed 3.00% (\$288,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- MTS Trucking Inc. (MBE, SBE) (\$185,000) (hauling)
- Capstone Civil Engineering, Inc. (MBE, SBE) (\$103,000) (testing and closed-circuit television)

Established SBE Goal: 8.00%

Committed SBE Goal: 8.03%

R.H. Price Inc. met the established SBE subcontracting goal and has committed 8.03% (\$770,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Trull Contracting, LLC (SBE, WBE) (\$350,000) (asphalt paving)
- Uniforce Construction Corporation (MBE, SBE) (\$350,000) (water and sanitary sewer installations)
- AMP Utility Distribution Services, LLC (SBE, WBE) (\$70,000) (materials supplier)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

38. Water and Sanitary Sewer Service Installations

Action:

Approve a contract in the amount of \$11,436,260.00 to the lowest responsive bidder Mainlining America, LLC for the water and sanitary sewer service installations project.

Staff Resource(s):

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Keri Cantrell, Charlotte Water

Explanation

- This contract is for small diameter water and sanitary sewer service installations and service dismantlements.
- On September 15, 2022, the city issued an Invitation to Bid; four bids were received.
- Mainlining America, LLC was selected as the lowest responsive, responsible bidder.
- This project is anticipated to be complete by second quarter 2025.

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 SBEs or MBEs certified to perform the scope of work that the city regards as realistic opportunities for subcontracting.

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

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

39. Medium and Heavy-Duty Non-Revenue CATS Support Vehicles

Action:

- A. **Approve a unit price contract to the lowest responsive bidder Piedmont Truck Center for the purchase of medium and heavy-duty non-revenue support vehicles for an initial term of one year, and**
- B. **Authorize the City Manager to renew the contract for up to four, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, CATS

Allen C. Smith III, CATS

Jennifer Fehribach, CATS

Explanation

- CATS departmental support vehicles are assessed on an annual basis to determine replacement needs based on rating of vehicle usage, age, maintenance cost, and condition.
- Vehicles being purchased include medium-duty pickup trucks and heavy-duty cab and chassis.
- No vendor currently offers an electric, plug-in hybrid electric or hybrid option that meets the FTA Buy America Requirements.
- This contract will cover CATS' immediate departmental needs to replace the oldest vehicles and ensure support vehicles are reliable and safe.
- With the five-year replacement cycle, CATS will continue to review technology advances and available options to meet the Strategic Energy Action Plan goals before 2030.
- On December 21, 2021, CATS issued an Invitation to Bid (ITB); no bids were received. On July 20, 2022, the ITB was re-issued; one bid was received.
- Piedmont Truck Center was selected as the lowest responsive, responsible bidder.
- CATS' departmental support vehicles will be purchased on an as-needed basis within the confines of the current budgeted amounts and under contract terms.
- The first-year expenditures are estimated to be \$716,768.

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.

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

Fiscal Note

Funding: CATS Capital Investment Plan

40. Airport Perimeter Fence Upgrade Design Contract

Action:

- A. Approve a contract for up to \$696,998 with WSP USA Inc. for Perimeter Fence Upgrade Phase II Design services, and
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

- The Airport is surrounded by approximately 20 miles of perimeter fence, which provides security and restricts wildlife access to the airfield.
- In 2016, the Federal Aviation Administration approved Aviation's Wildlife Hazard Management Plan, including perimeter fence improvements.
- On May 14, 2018, City Council approved a contract in the amount of \$324,500 with WSP USA Inc. for Perimeter Fence Upgrade Phase I Design Services.
- This contract will provide for the engineering, design, bidding, and construction administration services for the Perimeter Fence Upgrade Phase II.
- On March 20, 2020, the city issued a Request for Qualifications (RFQ); thirteen responses were received.
- WSP USA Inc. is the best qualified firm to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements and its experience with perimeter fence improvements at multiple large airports including Charlotte.
- Design is anticipated to be complete by August of 2023. Aviation intends to return to City Council in the fall of 2023 with a contract for construction.
- This activity is occurring on airport property, located in Council District 3.

Charlotte Business INclusion

Established WBE Goal: 6.46%

Committed WBE Goal: 6.46%

WSP USA Inc. met the established subcontracting goal and has committed 6.46% (\$45,000) of the total contract amount to the following certified firm(s) (Part C: Section 2.1 of the Charlotte Business INclusion Policy):

- CES Group Engineers, LLP (WBE) (\$45,000) (topographical survey services, location survey services, and subsurface utility designating)

Fiscal Note

Funding: Aviation Capital Investment Plan

41. Airport Personal Mobility Lift Purchase and Installation Contract

Action:

- A. **Approve a unit price contract to the lowest responsive bidder P&W Quality Machine Inc. for the purchase and installation of Vertical Conveyor Personal Mobility Lifts for an initial term of two years, and**
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

- The Personal Mobility Equipment Lift Project will install hydraulic equipment lifts on jetbridges to transport large personal mobility devices such as scooters and electric wheelchairs between the ramp and terminal levels.
- Jetbridge-mounted lifts provide a cost-effective alternative to traditional personnel elevators and provide greater operational flexibility.
- On September 20, 2022, the city issued an Invitation to Bid (ITB); one bid was received and upon review, deemed non-responsive.
- On October 26, 2022, the city re-issued an ITB; two bids were received.
- P&W Quality Machine Inc. was selected as the lowest responsive, responsible bidder.
- Annual expenditure is estimated to be \$1,113,320.
- Installation is anticipated to be complete in July of 2024.
- This activity is occurring on airport property (Council District 3).

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: Aviation Capital Investment Plan

42. Airport Property Lease - Menzies Aviation (USA), Inc.

Action:

- A. **Approve two five-year lease agreements with Aviation Services International, Inc., dba Menzies Aviation (USA), Inc. for offices and warehouse space at the airport related to its fueling services, and**
- B. **Authorize the City Manager to renew each of the leases for up to one, five-year extension.**

Staff Resource(s):

Haley Gentry, Aviation

Ted Kaplan, Aviation

Explanation

- Aircraft Services International, Inc. DBA Menzies Aviation (USA), Inc. (Menzies Aviation) has been the primary fueler at the Airport for over a decade. These facilities have been leased by Menzies Aviation for over five years in support of its operation at the airport.
- The leases with Menzies Aviation include:
 - 2,870 square feet of warehouse and 430 square feet of office space located at 4840-C Express Drive. The rent is \$25,825 annually.
 - 6,763 square feet of office located at the Old Terminal. The rent is \$86,348.50 annually.

Fiscal Note

Funding: Revenue to be deposited in Airport Operating Fund.

43. Airport Roadway Relocation Design Services Contract

Action:

- A. Approve a contract in the amount of \$2,296,662 with STV Engineers, Inc. for West Boulevard Relocation Design services, and
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

- This contract will provide for the engineering, design, and bidding services to replace a portion of the existing West Boulevard roadway that conflicts with the South End-Around Taxiway and Fourth Parallel Runway projects currently underway at the Airport.
- On July 26, 2022, the City issued a Request for Qualifications (RFQ); five responses were received.
- STV Engineers, Inc. is the best qualified firm to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Design is anticipated to be completed by October of 2023. Aviation intends to return to City Council in the Spring of 2024 with a contract amendment to include construction administration services.
- This activity is occurring on airport property.

Disadvantaged Business Enterprise

The city negotiates subcontracting participation after the firm is selected for this service contract. STV Engineers has committed 9.20% (\$211,235) of the total contract amount to the following certified firms:

- Eden & Associates (DBE)(\$78,785)(FAA coordination)
- Bree & Associates (DBE)(\$74,000)(cost estimating)
- Jarrett Engineering (DBE)(\$58,450)(utility coordination)

Fiscal Note

Funding: Aviation Capital Investment Plan

44. Airport Terminal Lobby Expansion Construction Change Order

Action:

Approve change order #1 for \$1,381,211 to Holder Edison Foard Leeper - A Joint Venture for the Terminal Lobby Expansion project.

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- The Terminal Lobby Expansion (TLE) project is currently underway at the Airport. Floor plans for the TLE were re-evaluated during the construction phase, to accommodate anticipated growth of the terminal operation.
- This change order will provide for space reallocations on the basement, baggage, and ticket levels to meet the needs of Business & Innovation, Airport Operations, and Airline Operations.
- On October 28, 2019, City Council approved a Construction Manager at Risk services contract with Holder Edison Foard Leeper - A Joint Venture, with a guaranteed maximum price of \$500,277,842.21.
- The new total of the contract, including this amendment, will be \$501,659,053.21.

Charlotte Business INclusion

All additional work involved in this Change Order will be performed by Holder Edison Foard Leeper - A Joint Venture and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Capital Investment Plan

45. Passenger Boarding Bridge Spare Parts

Action:

- A. **Approve the purchase of spare parts for passenger boarding bridges DEW models by the sole source exemption,**
- B. **Approve a contract with A-Bridge LLC for the purchase of spare parts for passenger boarding bridges DEW models for the term of five years, and**
- C. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Sole Source Exemption

- NC General Statute Section 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because performance or price competition are not available.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- A-Bridge LLC has recently taken on the mechanical and electrical support for all models of the DEW Bridges that Ameribridge supported before their liquidation.
- At Charlotte Douglas International Airport, DEW Bridges are located on E-Concourse and any bridge malfunction would cause significant delay in airline operations.
- Annual expenditures are estimated to be \$60,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Aviation Operating Budget

46. Wilson Air Center North Terminal Building Renovation Contract

Action:

Approve a contract in the amount of \$1,000,000.00 to the lowest responsive bidder Keach Construction, Inc. for the Wilson Air Center North Terminal Building Renovation project.

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- The Wilson Air Center North Charter Terminal Renovation Project will reconfigure and renovate the existing terminal building to accommodate the increased on-demand, unscheduled air service, and sports charter operations.
- On October 27, 2022, the city issued an Invitation to Bid; three bids were received.
- Keach Construction, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2024.
- This activity is occurring on Airport property located in Council District 3.

Charlotte Business INclusion

Established MBE Goal: 3.00%

Committed MBE Goal: 30.00%

MBE Participation to Date: 30.00%

Keach Construction, Inc. exceeded the established subcontracting goal and has committed 30.00% (\$300,000) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Besco Electrical Corporation (MBE) (\$300,000) (electrical)

Established SBE Goal: 5.00%

Committed SBE Goal: 5.69%

SBE Participation to Date: 5.69%

Keach Construction, Inc. exceeded the established subcontracting goal and has committed 5.69% (\$56,940) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Ground Thunder Trucking LLC (SBE) (\$4,000) (construction dumpster)
- Caryl Mechanicals Inc dba The Boswell Group (SBE) (\$52,940) (plumbing)

Fiscal Note

Funding: Aviation Capital Investment Plan

47. Set a Public Hearing on Avery Place Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for February 27, 2023, for Avery Place Area voluntary annexation petition.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development
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.
- The area proposed for annexation shares a boundary with current City Limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 7.2384-acre "Avery Place" site is located east of Interstate 485, along the north side of Shopton Road, and the east side of Steele Creek Road in southwest Mecklenburg County.
 - The property is currently vacant.
 - The petitioner has plans to develop 58 single family attached residential units on the site.
 - The property is zoned B-1, which allows for neighborhood business uses.
 - The property is located immediately adjacent to Council District 3.
 - The petitioned area consists of one parcel; parcel identification number: 141-101-24.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003; more specifically this annexation:
 - 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;
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map

Resolution

[Avery Place Area Annexation Map](#)

[Resolution for Avery Place Area Annexation](#)

48. Set a Public Hearing on Evolve Northlake Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for February 27, 2023, for Evolve Northlake Area voluntary annexation petition.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development
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.
- The area proposed for annexation shares boundaries with current city limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 17.55-acre "Evolve Northlake" site is located just south of Interstate 485 and east of Northlake Centre Parkway in northern Mecklenburg County.
 - The property is currently vacant.
 - The petitioner has plans to develop 336 multi-family units on the site.
 - The property is zoned UR-2(CD), which allows for urban residential uses.
 - The property is located immediately adjacent to Council District 4.
 - The petitioned area consists of one parcel; parcel identification number: 025-081-29.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003; more specifically this annexation:
 - 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;
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map

Resolution

[Evolve Northlake Area Annexation](#)

[Resolution for Evolve Northlake Annexation](#)

49. Set a Public Hearing on Mallard Wood Phase 4 Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for February 27, 2023, for Mallard Wood Phase 4 Area voluntary annexation petition.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development
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.
- The area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 3.323-acre "Mallard Wood Phase 4" site is located west of Interstate 485 at the dead-end of Wilton Gate Drive in northeastern Mecklenburg County.
 - The site is currently developed with one single family home that will be removed prior to future development.
 - The petitioner has plans to develop 5 single family units on the site.
 - The property is zoned R-3, which allows for single family residential uses up to three dwelling units per acre.
 - The property is located immediately adjacent to Council District 4.
 - The petitioned area consists of one parcel; parcel identification number: 029-661-95.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003; more specifically this annexation:
 - 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;
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map
Resolution

[Mallard Wood Phase 4 Area Annexation Map](#)

[Resolution for Mallard Wood Phase 4 Area Annexation](#)

50. Set a Public Hearing on Mt. Holly Riverside Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for February 27, 2023, for Mt. Holly Riverside Area voluntary annexation petition.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development

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.
- The area proposed for annexation does not share boundaries with current city limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 100.547-acre "Mt. Holly Riverside" site is located along the north side of Mount Holly Road in western Mecklenburg County.
 - The property is currently vacant aside from an existing regional lift station that will stay in place and in use as future development occurs.
 - The petitioner has plans to develop 258 single family attached units, 159 single family detached units, and 336 multi-family units on the site.
 - The property is zoned MX-2, which allows for residential mixed-use development.
 - The property is located near Council District 2.
 - The petitioned area consists of one parcel; parcel identification number: 031-441-01.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003; more specifically this annexation:
 - 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;
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map

Resolution

[Mt. Holly Riverside Area Annexation](#)

[Resolution for Mt. Holly Riverside Annexation](#)

51. Resolution of Intent to Abandon a Portion of Unopened Right-of-Way Between 828 and 900 Matheson Avenue

Action:

- A. Adopt a Resolution of Intent to abandon a Portion of Unopened Right-of-Way Between 828 and 900 Matheson Avenue, and**

- B. Set a Public Hearing for February 27, 2023.**

Staff Resource(s):

Debbie Smith, Transportation

Anthony Mendez, 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 1.

Petitioners

George Herron and Edith Herron

Attachment(s)

Map

Resolution

[2021-16A Abandonment Map](#)

[2021-16A Resolution of Intent 12.19.2022](#)

52. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$23,613.89.

Staff Resource(s):

Teresa Smith, Finance Department

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers](#)

[Resolution January 23rd](#)

53. Meeting Minutes

Action:

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

- February 07, 2022 Strategy Session, and
- February 09, 2022 Budget Workshop.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- City Council meeting minutes can be accessed at <https://charlottenc.gov/CityClerk/Pages/Minutes.aspx>.

PROPERTY TRANSACTIONS

54. In Rem Remedy: 421 Montrose Street

For In Rem Remedy, the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence,
- Reduce the proportion of substandard housing,
- Increase tax value of property by making land available for potential infill housing development, and
- Support public safety initiatives.

Policy:

- Housing and Neighborhood Development and Community Safety

In Rem Remedy items are initiated from 3 categories:

1. Public Safety - Police and/or Fire Departments
2. Complaint - petition by citizens, tenant complaint, or public agency referral
3. Field Observation - concentrated code enforcement program

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

Public Safety: 421 Montrose Street, Council District 1

Action:

Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 421 Montrose Street (Neighborhood Profile Area 370).

Attachment(s)

In Rem Packet for 421 Montrose Street (Council District 1)

[421 Montrose St](#)

55. Charlotte Water Property Transactions - Clarke Creek Basin PS and FM Project, Parcel # 17

Action: Approve the following Condemnation: Clarke Creek Basin PS and FM Project, Parcel # 17

Project: Clarke Creek Basin PS and FM, Parcel # 17

Owner(s): Jeffrey Wilson Brown, Joann Brown Miller and Ruth Marilyn Brown

Property Address: 13506 Asbury Chapel Road, Huntersville

Total Parcel Area: 1,119,492 sq. ft. (25.70 ac.)

Property to be acquired by Easements: 16,419 sq. ft. (0.38 ac.) in Permanent Sewer Easement, 4,358 sq. ft. (0.10 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: Fencing, Gates

Landscaping to be impacted: None

Zoned: TR

Use: Agricultural-Commercial Production

Parcel Identification Number(s): 021-041-03
<https://polaris3g.mecklenburgcountync.gov/#mat=666002&pid=02104103&qisid=02104103>

Appraised Value: \$12,325

Property Owner's Concerns: None

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

Recommendation:

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

Council District: Adjacent to Council District 4

56. Charlotte Water Property Transactions - Clarke Creek Basin PS and FM Project, Parcel # 18

Action: Approve the following Condemnation: Clarke Creek Basin PS and FM Project, Parcel # 18

Project: Clarke Creek Basin PS and FM, Parcel # 18

Owner(s): Beatriz Cabrera and husband, John Michael Cabrera

Property Address: 13507 Asbury Chapel Road, Huntersville

Total Parcel Area: 138,707 sq. ft. (3.18 ac.)

Property to be acquired by Easements: 19,263 sq. ft. (0.44 ac.) in Permanent Sewer Easement

Structures/Improvements to be impacted: Gravel Drive, Fencing

Landscaping to be impacted: Trees

Zoned: TR

Use: Single Family Residential-Acreage

Parcel Identification Number(s): 019-212-23
<https://polaris3g.mecklenburgcountync.gov/#mat=36672&pid=01921223&gisid=01921223>

Appraised Value: \$13,625

Property Owner's Concerns: None

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

Recommendation:

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

Council District: Adjacent to Council District 4

57. Charlotte Water Property Transactions - Idlewild Road Water Supply Project, Parcel #12

Action: Approve the following Condemnation: Idlewild Road Water Supply Project, Parcel #12

Project: Idlewild Road Water Supply, Parcel #12

Owner(s): Spectrum Southeast, LLC (f/k/a Time Warner Cable Southeast LLC)

Property Address: 1500 N. Sharon Amity Road

Total Parcel Area: 372,565 sq. ft. (8.55 ac.)

Property to be acquired by Easements: 7,117 sq. ft. (0.16 ac.) in Permanent Utility Easement, 5,301 sq. ft. (0.12 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: O-1 (CD)

Use: Office

Parcel Identification Number(s): 163-071-01
<https://polaris3g.mecklenburgcountync.gov/#pid=16307101&qisid=16307101>

Appraised Value: \$42,150

Property Owner's Concerns: None

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

Recommendation:

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

Council District: 5

58. Property Transactions - 14700 Black Farms Road, Parcel # 1

Action: Approve the following Acquisition: 14700 Black Farms Road, Parcel # 1

Project: 14700 Black Farms Road, Parcel # 1

Program: 14700 Black Farms Road

Owner(s): Ronald W. Johncox and Amy M. Johncox

Property Address: 14508 Black Farms Road, Huntersville

Total Parcel Area: 605,907 sq. ft. (13.910 ac.)

Property to be acquired by Easements: 3079 sq. ft. (0.071 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R

Use: Rural District

Parcel Identification Number: 011-151-15

<https://polaris3g.mecklenburgcountync.gov/#mat=43068&pid=01115115&qisid=01115115>

Purchase Price: \$12,500

Council District: Adjacent to Council District 4

59. Property Transactions - 1437 E. Sugar Creek Ped Beacon, Parcel # 1

Action: Approve the following Condemnation: 1437 E. Sugar Creek Ped Beacon, Parcel # 1

Project: 1437 E. Sugar Creek Ped Beacon, Parcel # 1

Program: 1437 E. Sugar Creek Ped Beacon

Owner(s): Vanessa A. Graves

Property Address: 1500 E Sugar Creek Road

Total Parcel Area: 6,608 sq. ft. (0.15 ac.)

Property to be acquired by Easements: 376 sq. ft. (0.009 ac.) Sidewalk Utility Easement and 187 sq. ft. (0.004 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree and various plantings

Zoned: R-17MF

Use: Multi-family

Parcel Identification Number: 093-023-31

<https://polaris3g.mecklenburgcountync.gov/#mat=44666&pid=09302331&qisid=09302331>

Appraised Value: \$6,050

Property Owner's Concerns: The property owner is concerned about the design of the project and the amount of compensation offered; the city is unable to reach an agreement with the property owner.

City's Response to Property Owner's Concerns: Property owner is unresponsive.

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

60. Property Transactions - 5413 Rocky River Road, Parcel # 1

Action: Approve the following Condemnation: 5413 Rocky River Road, Parcel # 1

Project: 5413 Rocky River Road, Parcel # 1

Program: 5413 Rocky River Road

Owner(s): Tommy H. Starnes, Jr. and Pamela D. Starnes

Property Address: 5326 Rocky River Road

Total Parcel Area: 226,310 sq. ft. (5.19 ac.)

Property to be acquired by Easements: 10,097 sq. ft. (0.232 ac.) Permanent Sanitary Sewer/Waterline Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Parcel Identification Number: 105-302-97

<https://polaris3g.mecklenburgcountync.gov/#mat=147912&pid=10530297&qisid=10530297>

Appraised Value: \$4,625

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 continues to negotiate with the property owner.

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

61. Property Transactions - 7023 Gilead Road, Parcel # 5

Action: Approve the following Condemnation: 7023 Gilead Road, Parcel # 5

Project: 7023 Gilead Road, Parcel # 5

Program: 7023 Gilead Road

Owner(s): William Alonzo Craig, Jr. and the heirs of Samantha Jean Jensen

Property Address: 7201 Gilead Road, Huntersville

Total Parcel Area: 29,098 sq. ft. (0.66 ac.)

Property to be acquired by Easements: 2,285 sq. ft. (0.052 ac.) Permanent Sewer Easement and 1,242 sq. ft. (0.028 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Driveway

Landscaping to be impacted: Trees and various plantings

Zoned: TR

Use: Transitional Residential District

Parcel Identification Number: 009-032-23

<https://polaris3g.mecklenburgcountync.gov/#mat=184502&pid=00903223&qisid=00903223>

Appraised Value: \$19,175

Property Owner's Concerns: The property has outstanding title issues, and the city is unable to reach an agreement with the property owner.

City's Response to Property Owner's Concerns: The city has been unable to reach an agreement or resolve outstanding title issues at this time.

Recommendation: In order to move forward with the public use project, it is recommended proceeding to condemnation during which time there will be continued attempts to resolve through negotiation, mediation, and if necessary, court proceedings.

Council District: Adjacent to Council District 4

62. Property Transactions - 7023 Gilead Road, Parcel # 8

Action: Approve the following Condemnation: 7023 Gilead Road, Parcel # 8

Project: 7023 Gilead Road, Parcel # 8

Program: 7023 Gilead Road

Owner(s): Jimmy Rojas and Ma. De Lourdes Alvarez and the heirs of Guillermo Rojas and Arcelia C. Rojas

Property Address: 7101 Gilead Road, Huntersville

Total Parcel Area: 70,964 sq. ft. (1.62 ac.)

Property to be acquired by Easements: 3,641 sq. ft. (0.083 ac.) Permanent Sewer Easement and 1,670 sq. ft. (0.038 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Driveway and fence

Landscaping to be impacted: Trees and various plantings

Zoned: TR

Use: Transitional Residential District

Parcel Identification Number: 009-032-17

<https://polaris3g.mecklenburgcountync.gov/#mat=182108&pid=00903217&qisid=00903217>

Appraised Value: \$8,900

Property Owner's Concerns: The property has outstanding title issues.

City's Response to Property Owner's Concerns: The city has been unable to reach an agreement or resolve outstanding title issues at this time.

Recommendation: In order to move forward with the public use project, it is recommended proceeding to condemnation during which time there will be continued attempts to resolve through negotiation, mediation, and if necessary, court proceedings.

Council District: Adjacent to Council District 4

63. Property Transactions - Beatties Ford Sidewalk Phase 1, Parcel # 4

Action: Approve the following Acquisition: Beatties Ford Sidewalk Phase 1, Parcel # 4

Project: Beatties Ford Sidewalk Phase 1, Parcel # 4

Program: Beatties Ford Sidewalk Phase 1

Owner(s): Nations Financial, LLC

Property Address: 1915 Beatties Ford Road

Total Parcel Area: 14,000 sq. ft. (0.32 ac.)

Property to be acquired by Easements: 838 sq. ft. (0.019 ac.) Sidewalk Utility Easement and 1,623 sq. ft. (0.037 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree

Zoned: O-2

Use: Office District

Parcel Identification Number: 069-126-19

<https://polaris3g.mecklenburgcountync.gov/#mat=62593&pid=06912619&gisid=06912619>

Purchase Price: \$17,000

Council District: 2

64. Property Transactions - Elevated Storage Tanks, Parcel # 1

Action: Approve the following Acquisition: Elevated Storage Tanks, Parcel # 1

Project: Elevated Storage Tanks, Parcel # 1

Program: Elevated Storage Tanks

Owner(s): PEG Charlotte Property, LLC

Property Address: 321 W Woodlawn Road

Total Parcel Area: 158,467 sq. ft. (3.638 ac.)

Property to be acquired by Easements: 28,310 sq. ft. (0.650 ac.) Water Line Easement

Structures/Improvements to be impacted: Light poles and wall

Landscaping to be impacted: Trees and various plantings

Zoned: B-2

Use: Business

Parcel Identification Number: 169-033-01

<https://polaris3g.mecklenburgcountync.gov/#mat=103692&pid=16903301&qsid=16903301>

Purchase Price: \$260,600

Council District: 3

65. Property Transactions - Idlewild BPS Supply Main, Parcel # 1

Action: Approve the following Condemnation: Idlewild BPS Supply Main, Parcel # 1

Project: Idlewild BPS Supply Main, Parcel # 1

Program: Idlewild BPS Supply Main

Owner(s): SCI North Carolina Funeral Services, LLC

Property Address: 5400 Monroe Road

Total Parcel Area: 5,667,278 sq. ft. (130.10 ac.)

Property to be acquired by Easements: 124,611 sq. ft. (2.861 ac.) Water Line Easement and 22,286 sq. ft. (0.511 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 163-041-01 (163-041-01A)

<https://polaris3g.mecklenburgcountync.gov/#mat=148730&pid=16304101&qisid=16304101>

Appraised Value: \$93,175

Property Owner's Concerns: The property owner is concerned about the potential impacts to the property and 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

66. Property Transactions - Monroe Road Streetscape, Parcel #13

Action: Approve the following Acquisition: Monroe Road Streetscape, Parcel #13

Project: Monroe Road Streetscape, Parcel #13

Program: Monroe Road Streetscape

Owner(s): 4229 Monroe Road, LLC

Property Address: 4229, 4231 and 4235 Monroe Road

Total Parcel Area: 46,669 sq. ft. (1.07 ac.)

Property to be acquired by Easements: 2,116 sq. ft. (0.05 ac.) Sidewalk Utility Easement and 6,904 sq. ft. (0.16 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Asphalt parking lot spaces

Landscaping to be impacted: Trees and various plantings

Zoned: B-2

Use: Business

Parcel Identification Number: 159-061-11

<https://polaris3g.mecklenburgcountync.gov/#mat=126615&pid=15906111&qisid=15906111>

Purchase Price: \$161,900

Council District: 5

67. Property Transactions - Monroe Road Streetscape, Parcel # 26

Action: Approve the following Acquisition: Monroe Road Streetscape, Parcel # 26

Project: Monroe Road Streetscape, Parcel # 26

Program: Monroe Road Streetscape

Owner(s): Oakhurst Investments, LLC

Property Address: 4415 Monroe Road

Total Parcel Area: 26,529 sq. ft. (0.61 ac.)

Property to be acquired by Easements: 966 sq. ft. (0.022 ac.) Sidewalk Utility Easement, 720 sq. ft. (0.017 ac.) Utility Easement and 373 sq. ft. (0.009 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Sign

Landscaping to be impacted: Trees and various plantings

Zoned: B-1

Use: Business

Parcel Identification Number: 159-061-18

<https://polaris3g.mecklenburgcountync.gov/#mat=130614&pid=15906118&qisid=15906118>

Purchase Price: \$32,700

Council District: 5

68. Property Transactions - Shamrock Drive Improvements, Parcel # 29

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 29

Project: Shamrock Drive Improvements, Parcel # 29

Program: Shamrock Drive Improvements

Owner(s): Gregory D. Hall

Property Address: 3220 East Ford Road

Total Parcel Area: 12,485 sq. ft. (0.29 ac.)

Property to be acquired by Easements: 1,207 sq. ft. (0.028 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-5

Use: Single-family Residential

Parcel Identification Number: 093-107-14

<https://polaris3g.mecklenburgcountync.gov/#mat=104307&pid=09310714&qisid=09310714>

Purchase Price: \$14,000

Council District: 1

69. Property Transactions - Shamrock Drive Improvements, Parcel # 34

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 34

Project: Shamrock Drive Improvements, Parcel # 34

Program: Shamrock Drive Improvements

Owner(s): Tod Edwards

Property Address: 1931 and 1933 Shamrock Drive

Total Parcel Area: 7,527 sq. ft. (0.17 ac.)

Property to be acquired by Easements: 530 sq. ft. (0.012 ac.) Utility Easement, 109 sq. ft. (0.003 ac.) Storm Drainage Easement, and 401 sq. ft. (0.009 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Driveway

Landscaping to be impacted: None

Zoned: R-22MF

Use: Multi-family

Parcel Identification Number: 093-062-94

<https://polaris3g.mecklenburgcountync.gov/#mat=416893&pid=09306294&qisid=09306294>

Purchase Price: \$12,000

Council District: 1

70. Property Transactions - Shamrock Drive Improvements, Parcel # 37

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 37

Project: Shamrock Drive Improvements, Parcel # 37

Program: Shamrock Drive Improvements

Owner(s): Muoi Luong and Dai Dinh Ngo

Property Address: 2001 Shamrock Drive

Total Parcel Area: 16,664 sq. ft. (0.38 ac.)

Property to be acquired by Easements: 978 sq. ft. (0.022 ac.) Sidewalk Utility Easement, 129 sq. ft. (0.003 ac.) Utility Easement and 1,860 sq. ft. (0.043 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-063-23

<https://polaris3g.mecklenburgcountync.gov/#mat=534585&pid=09306323&qisid=09306323>

Purchase Price: \$13,332

Council District: 1

71. Property Transactions - Shamrock Drive Improvements, Parcel # 43

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 43

Project: Shamrock Drive Improvements, Parcel # 43

Program: Shamrock Drive Improvements

Owner(s): Ryan Richard Oertel

Property Address: 2200 Shamrock Drive

Total Parcel Area: 9,486 sq. ft. (0.22 ac.)

Property to be acquired by Easements: 1,623 sq. ft. (0.037 ac.) Utility Easement, 366 sq. ft. (0.008 ac.) Sidewalk Utility Easement, 268 sq. ft. (0.006 ac.) Storm Drainage Easement and 181 sq. ft. (0.004 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Fence and Walkway

Landscaping to be impacted: Trees and various plantings

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-113-01

<https://polaris3g.mecklenburgcountync.gov/#mat=75264&pid=09311301&qisid=09311301>

Purchase Price: \$42,050

Council District: 1

72. Property Transactions - Shamrock Drive Improvements, Parcel # 46

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 46

Project: Shamrock Drive Improvements, Parcel # 46

Program: Shamrock Drive Improvements

Owner(s): Chad Fultz and Samantha Fultz

Property Address: 2218 Shamrock Drive

Total Parcel Area: 11,057 sq. ft. (0.25 ac.)

Property to be acquired by Easements: 1,472 sq. ft. (0.034 ac.) Utility Easement, 410 sq. ft. (0.009 ac.) Sidewalk Utility Easement, 190 sq. ft. (0.004 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Driveway

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-113-06

<https://polaris3g.mecklenburgcountync.gov/#mat=76638&pid=09311306&gisid=09311306>

Purchase Price: \$13,500

Council District: 1

73. Property Transactions - Shamrock Drive Improvements, Parcel # 49

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 49

Project: Shamrock Drive Improvements, Parcel # 49

Program: Shamrock Drive Improvements

Owner(s): Amy Lynn Trochum

Property Address: 2219 Shamrock Drive

Total Parcel Area: 7,777 sq. ft. (0.18 ac.)

Property to be acquired by Easements: 538 sq. ft. (0.012 ac.) Sidewalk Utility Easement and 408 sq. ft. (0.009 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family

Parcel Identification Number: 093-073-05

<https://polaris3g.mecklenburgcountync.gov/#mat=76705&pid=09307305&gisid=09307305>

Purchase Price: \$12,000

Council District: 1

74. Property Transactions - Shamrock Drive Improvements, Parcel # 54

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 54

Project: Shamrock Drive Improvements, Parcel # 54

Program: Shamrock Drive Improvements

Owner(s): C. Watson Properties, LLC

Property Address: 2237 Shamrock Drive

Total Parcel Area: 10,067 sq. ft. (0.23 ac.)

Property to be acquired by Easements: 699 sq. ft. (0.016 ac.) Sidewalk Utility Easement and 567 sq. ft. (0.013 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree and various plantings

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-073-08

<https://polaris3g.mecklenburgcountync.gov/#mat=77801&pid=09307308&gisid=09307308>

Purchase Price: \$15,375

Council District: 1

75. Property Transactions - Shamrock Drive Improvements, Parcel # 56

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 56

Project: Shamrock Drive Improvements, Parcel # 56

Program: Shamrock Drive Improvements

Owner(s): Myra Benbow

Property Address: 2515 Hilliard Drive

Total Parcel Area: 8,896 sq. ft. (0.20 ac.)

Property to be acquired by Fee Simple: 29 sq. ft. (0.001 ac.) Fee Simple

Property to be acquired by Easements: 1,641 sq. ft. (0.038 ac.) Utility Easement, 537 sq. ft. (0.012 ac.) Sidewalk Utility Easement and 48 sq. ft. (0.001 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-074-01

<https://polaris3g.mecklenburgcountync.gov/#mat=442756&pid=09307401&gjsid=09307401>

Purchase Price: \$19,999

Council District: 1

76. Property Transactions - Shamrock Drive Improvements, Parcel # 62

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 62

Project: Shamrock Drive Improvements, Parcel # 62

Program: Shamrock Drive Improvements

Owner(s): The Loftis Family Trust

Property Address: 2308 Shamrock Drive

Total Parcel Area: 11,882 sq. ft. (0.27 ac.)

Property to be acquired by Fee Simple: 132 sq. ft. (0.003 ac.) Fee Simple

Property to be acquired by Easements: 1,421 sq. ft. (0.03 ac.) Utility Easement and 838 sq. ft. (0.019 ac.) Sidewalk Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-074-20

<https://polaris3g.mecklenburgcountync.gov/#mat=79387&pid=09307420&qisid=09307420>

Purchase Price: \$19,999

Council District: 1

77. Property Transactions - Shamrock Drive Improvements, Parcel # 63

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 63

Project: Shamrock Drive Improvements, Parcel # 63

Program: Shamrock Drive Improvements

Owner(s): Smoking Oak, LLC

Property Address: 2317 Shamrock Drive

Total Parcel Area: 8,820 sq. ft. (0.20 ac.)

Property to be acquired by Easements: 696 sq. ft. (0.016 ac.) Sidewalk Utility Easement and 901 sq. ft. (0.021 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-072-14

<https://polaris3g.mecklenburgcountync.gov/#mat=80127&pid=09307214&gisid=09307214>

Purchase Price: \$15,000

Council District: 1

78. Property Transactions - Shamrock Drive Improvements, Parcel # 73

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 73

Project: Shamrock Drive Improvements, Parcel # 73

Program: Shamrock Drive Improvements

Owner(s): Kara Michelich and Chris Tomlinson

Property Address: 2413 Shamrock Drive

Total Parcel Area: 11,991 sq. ft. (0.28 ac.)

Property to be acquired by Fee Simple: 235 sq. ft. (0.005 ac.) Fee Simple

Property to be acquired by Easements: 971 sq. ft. (0.022 ac.) Utility Easement, 841 sq. ft. (0.019 ac.) Sidewalk Utility Easement and 56 sq. ft. (0.001 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-071-04

<https://polaris3g.mecklenburgcountync.gov/#mat=82931&pid=09307104&gisid=09307104>

Purchase Price: \$18,000

Council District: 1

79. Property Transactions - Shamrock Drive Improvements, Parcel # 74

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 74

Project: Shamrock Drive Improvements, Parcel # 74

Program: Shamrock Drive Improvements

Owner(s): Ian S. Counts

Property Address: 2417 Shamrock Drive

Total Parcel Area: 11,983 sq. ft. (0.27 ac.)

Property to be acquired by Fee Simple: 295 sq. ft. (0.007 ac.) Fee Simple

Property to be acquired by Easements: 973 sq. ft. (0.022 ac.) Utility Easement, 839 sq. ft. (0.019 ac.) Sidewalk Utility Easement and 71 sq. ft. (0.002 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-071-05

<https://polaris3g.mecklenburgcountync.gov/#mat=83219&pid=09307105&gisid=09307105>

Purchase Price: \$18,000

Council District: 1

80. Property Transactions - Shamrock Drive Improvements, Parcel # 75

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 75

Project: Shamrock Drive Improvements, Parcel # 75

Program: Shamrock Drive Improvements

Owner(s): Pamela Nicole Harris

Property Address: 2421 Shamrock Drive

Total Parcel Area: 12,039 sq. ft. (0.28 ac.)

Property to be acquired by Fee Simple: 361 sq. ft. (0.008 ac.) Fee Simple

Property to be acquired by Easements: 1,135 sq. ft. (0.026 ac.) Utility Easement, 685 sq. ft (0.016 ac.) Sidewalk Utility Easement and 159 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

Parcel Identification Number: 093-071-06

<https://polaris3g.mecklenburgcountync.gov/#mat=83498&pid=09307106&gisid=09307106>

Purchase Price: \$17,000

Council District: 1

81. Property Transactions - Shamrock Drive Improvements, Parcel # 84

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 84

Project: Shamrock Drive Improvements, Parcel # 84

Program: Shamrock Drive Improvements

Owner(s): Albert Quarles and Francine D. Quarles

Property Address: 2521 Shamrock Drive

Total Parcel Area: 12,453 sq. ft. (0.29 ac.)

Property to be acquired by Fee Simple: 119 sq. ft. (0.003 ac.) Fee Simple

Property to be acquired by Easements: 1,424 sq. ft. (0.033 ac.) Utility Easement, 815 sq. ft. (0.019 ac.) Storm Drainage Easement, 333 sq. ft. (0.008 ac.) Sidewalk Utility Easement, and 3,049 sq. ft. (0.070 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Driveway

Landscaping to be impacted: Trees and various plantings

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-071-12

<https://polaris3g.mecklenburgcountync.gov/#mat=86251&pid=09307112&qisid=09307112>

Purchase Price: \$28,000

Council District: 1

82. Property Transactions - Shamrock Drive Improvements, Parcel # 103

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 103

Project: Shamrock Drive Improvements, Parcel # 103

Program: Shamrock Drive Improvements

Owner(s): William Lewis Saunders, III and Kristen Leigh Saunders

Property Address: 2600 Palm Avenue

Total Parcel Area: 8,221 sq. ft. (0.19 ac.)

Property to be acquired by Easements: 2,312 sq. ft. (0.005 ac.) Utility Easement and 272 sq. ft. (0.006 ac.) Sidewalk Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-074-28

<https://polaris3g.mecklenburgcountync.gov/#mat=87463&pid=09307428&gisid=09307428>

Purchase Price: \$13,201

Council District: 1

83. Property Transactions - Steele Creek and Erwin Congestion Mgmt Project, Parcel # 1

Action: Approve the following Acquisition: Steele Creek and Erwin Congestion Mgmt Project, Parcel # 1

Project: Steele Creek and Erwin Congestion Mgmt Project, Parcel # 1

Program: Steele Creek and Erwin Congestion Mgmt Project

Owner(s): Carolinas Properties, LLC

Property Address: 12841 Steele Creek Road

Total Parcel Area: 447,999 sq. ft. (10.28 ac.)

Property to be acquired by Fee Simple: 23,674 sq. ft. (0.54 ac.) Fee Simple

Structures/Improvements to be impacted: Driveway, fence, and mailbox

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Parcel Identification Number: 201-431-02

<https://polaris3g.mecklenburgcountync.gov/#mat=31830&pid=20143102&gisid=20143102>

Purchase Price: \$15,000

Council District: 3

84. Property Transactions - Tryon Street at Herman Ave Pedestrian Hybrid Beacon, Parcel # 2

Action: Approve the following Acquisition: Tryon Street at Herman Ave Pedestrian Hybrid Beacon, Parcel # 2

Project: Tryon Street at Herman Ave Pedestrian Hybrid Beacon, Parcel # 2

Program: Tryon Street at Herman Ave Pedestrian Hybrid Beacon

Owner(s): Danny O'Shea Keaton

Property Address: 3126 South Tryon Street

Total Parcel Area: 7,250 sq. ft. (0.17 ac.)

Property to be acquired by Easements: 41 sq. ft. (0.00094 ac.) Utility Easement and 528 sq. ft. (0.012 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-1

Use: Industrial

Parcel Identification Number: 145-054-08

<https://polaris3g.mecklenburgcountync.gov/#mat=101479&pid=14505408&qisid=14505408>

Purchase Price: \$15,000

Council District: 3

85. Property Transactions - Tuckaseegee Road Sidewalk Project, Parcel # 2

Action: Approve the following Condemnation: Tuckaseegee Road Sidewalk Project, Parcel # 2

Project: Tuckaseegee Road Sidewalk Project, Parcel # 2

Program: Tuckaseegee Road Sidewalk Project

Owner(s): The heirs Peggy R. Black, Remigio Morales Villegas and Maria Atanacia Lovo

Property Address: 7435 Tuckaseegee Road

Total Parcel Area: 71,587 sq. ft. (1.64 ac.)

Property to be acquired by Fee Simple: 7,047 sq. ft. (0.16 ac.) Fee Simple

Property to be acquired by Easements: 1,660 sq. ft. (0.038 ac.) Sidewalk Utility Easement, 95 sq. ft. (0.002 ac.) Storm Drainage Easement and 6,090 sq. ft. (0.140 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Mailbox

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Parcel Identification Number: 055-511-13

<https://polaris3g.mecklenburgcountync.gov/#mat=189994&pid=05551113&qisid=05551113>

Appraised Value: \$6,600

Property Owner's Concerns: The property has outstanding title issues.

City's Response to Property Owner's Concerns: The city has been unable to reach an agreement or resolve outstanding title issues at this time.

Recommendation: In order to move forward with the public use project, it is recommended proceeding to condemnation during which time there will be continued attempts to resolve through negotiation, mediation, and if necessary, court proceedings.

Council District: 3

86. Property Transactions - Tuckaseegee Road Sidewalk Project, Parcel # 3

Action: Approve the following Condemnation: Tuckaseegee Road Sidewalk Project, Parcel # 3

Project: Tuckaseegee Road Sidewalk Project, Parcel # 3

Program: Tuckaseegee Road Sidewalk Project

Owner(s): East EDU Foundation, LLC

Property Address: 7429 Tuckaseegee Road

Total Parcel Area: 795,302 sq. ft. (18.26 ac.)

Property to be acquired by Fee Simple: 13,802 sq. ft. (0.317 ac.) Fee Simple

Property to be acquired by Easements: 2,142 sq. ft. (0.049 ac.) Sidewalk Utility Easement, 123 sq. ft. (0.003 ac.) Utility Easement, and 3,689 sq. ft. (0.085 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Parcel Identification Number: 055-511-12

<https://polaris3g.mecklenburgcountync.gov/#mat=587407&pid=05551112&qisid=05551112>

Appraised Value: \$3,800

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 continues to negotiate with the property owner.

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

Council District: 3

87. Property Transactions - University Research Park Sidewalk, Parcel # 4

Action: Approve the following Condemnation: University Research Park Sidewalk, Parcel # 4

Project: University Research Park Sidewalk, Parcel # 4

Program: University Research Park Sidewalk, Parcel # 4

Owner(s): Galaxy Properties I LP

Property Address: 10330 David Taylor Road

Total Parcel Area: 598,417 sq. ft. (13.74 ac.)

Property to be acquired by Easements: 3,198 sq. ft. (0.073 ac.) Sidewalk Utility Easement and 3,745 sq. ft. (0.086 ac) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: RE-2

Use: Research District

Parcel Identification Number: 047-155-02

<https://polaris3g.mecklenburgcountync.gov/#mat=542969&pid=04715502&qisid=04715502>

Appraised Value: \$33,700

Property Owner's Concerns: The property owner is concerned about the easement language.

City's Response to Property Owner's Concerns: The city explained the rationale of the easement language 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: 4

88. Property Transactions - XCLT Tryon to Orr, Parcel # 11

Action: Approve the following Acquisition: XCLT Tryon to Orr, Parcel # 11

Project: XCLT Tryon to Orr, Parcel # 11

Program: XCLT Tryon to Orr

Owner(s): Alice Beatrice Camara

Property Address: 224 Bennett Street

Total Parcel Area: 37,041 sq. ft. (0.85 ac.)

Property to be acquired by Easements: 1,247 sq. ft. (0.029 ac.) Sidewalk Utility Easement, 328 sq. ft. (0.008 ac.) Utility Easement, 287 sq. ft. (0.007 ac.) Storm Drainage Easement and 1,612 sq. ft. (0.037 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-12 MF

Use: Multi-family

Parcel Identification Number: 089-024-12

<https://polaris3g.mecklenburgcountync.gov/#mat=77849&pid=08902412&gisid=08902412>

Purchase Price: \$17,000

Council District: 1

89. Property Transactions - XCLT Tryon to Orr, Parcel #14

Action: Approve the following Acquisition: XCLT Tryon to Orr, Parcel #14

Project: XCLT Tryon to Orr, Parcel #14

Program: XCLT Tryon to Orr

Owner(s): Day Care Properties, Inc.

Property Address: 225 Lambeth Drive

Total Parcel Area: 86,344 sq. ft. (1.98 ac.)

Property to be acquired by Easements: 2,836 sq. ft. (0.065 ac.) Sidewalk Utility Easement and 2,994 sq. ft. (0.069 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: B-2

Use: Business

Parcel Identification Number: 089-024-08

<https://polaris3g.mecklenburgcountync.gov/#mat=78156&pid=08902408&qisid=08902408>

Purchase Price: \$31,350

Council District: 1

Adjournment

REFERENCES

90. 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 exist 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.

91. 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.

92. 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.