

City of Charlotte

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



Meeting Agenda

Monday, May 22, 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****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.

[2023-05-22 Council Agenda QA](#)

2. Consent agenda items 34 through 58 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

ARPA Housing and Community Resilience Funding Opportunities

Staff Resource(s):

Shawn Heath, Housing & Neighborhood Services

Time: Presentation - 10 minutes; Discussion - 20 minutes

Explanation

- Provide information on new grant opportunities

NOAH Investment Opportunity

Staff Resource(s):

Shawn Heath, Housing & Neighborhood Services

Time: Presentation - 5 minutes; Discussion - 15 minutes

Explanation

- Provide update on NOAH investment opportunity

Project Break Point

Staff Resource(s):

Tracy Dodson, Economic Development

Time: Presentation - 10 minutes; Discussion - 20 minutes

Explanation

- Provide an overview of a public-private partnership opportunity

[Housing Update Community Resilience Fund and NOAH CLT Woods 05.22.23](#)

[Project Break Point May 22 FINAL](#)

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

AWARDS AND RECOGNITIONS

6. Mecklenburg Declaration of Independence Week

Action:

Council member Bokhari will read a proclamation recognizing May 20-24, 2023 as Mecklenburg Declaration of Independence Week.

7. Internal Audit Awareness Month

Action:

Mayor Lyles will read a proclamation recognizing May 2023 as Internal Audit Awareness Month.

8. Mental Health Awareness Month

Action:

Mayor Lyles will read a proclamation recognizing May 2023 as Mental Health Awareness Month.

PUBLIC FORUM

9. Public Forum

PUBLIC HEARING

10. Public Hearing and Decision on Galloway Ridge Area Voluntary Annexation

Action:

- A. Conduct a public hearing for Galloway Ridge Area voluntary annexation, and
- B. Adopt an annexation ordinance with an effective date of May 22, 2023, to extend the corporate limits to include this property and assign it to the nearby City Council District 2.

Staff Resource(s):

Alyson Craig, Planning, Design, and Development
Holly Cramer, Planning, Design, and Development

Explanation

- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- A petition has been received from the owners of this 81.039-acre property located on the east side of Hutchinson Lane, the west side of Kelly Road, and just north of Pleasant Grove Road.
- The property is owned by Meritage Homes of the Carolinas, Inc.
- A portion of the site is currently developed with five single family homes and the remainder of the site is vacant. The site is zoned MX-2 Innov, which allows for residential mixed-use development with innovative standards.
- The petitioned area consists of eleven parcels; parcel identification numbers: 033-231-01, 033-051-03, 033-051-16, 033-051-21, 033-051-31, 033-051-32, 033-051-33, 033-051-34, 033-051-41, 033-051-10, and 033-051-15.
- The property is located within Charlotte's extraterritorial jurisdiction and does not share boundaries with current city limits.
- The intent of the annexation is to enable the development of 280 multi-family units on the site.

Consistent with City Council Policies

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

Attachment(s)

Map (GIS)
Map (Survey)
Annexation Ordinance

[Galloway Ridge Area Annexation Map](#)

[Galloway Ridge Area Annexation Survey 8.5X11](#)

[Galloway Ridge Area Annexation Ordinance](#)

11. Public Hearing on a Resolution to Close a Portion of Cleveland Avenue

Action:

- A. Conduct a public hearing to close a Portion of Cleveland Avenue, and
- B. Adopt a resolution and close a Portion of Cleveland Avenue.

Staff Resource(s):

Debbie Smith, Transportation

Anthony Mendez, Transportation

Explanation

- NC General Statute Section 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation (CDOT) received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way and attaches it to the adjacent property.
- The attached Resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The portion of Cleveland Avenue to be closed is located in Council District 1.

Petitioner

Mason Ellerbe

Right-of-Way to be Abandoned

A Portion of Cleveland Avenue

Reason

Per the petition submitted by Mason Ellerbe, the abandonment of the right-of-way will facilitate the future redevelopment of abutting parcels of land. The city has no objections.

Notification

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

Adjoining property owner(s)

SBLVD Sparta, LLC- No objections

TDK SBLVD, LLC- No objections

Jesse P. Campbell - No objections

City Departments

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

Attachment(s)

Map

Resolution

[2023-000115A - Portion of Cleveland Ave Abandonment Map](#)

[2023-000115A Resolution to Close 05.22.2023](#)

POLICY

12. City Manager's Report

- CLT Community Platform Overview

[5.22.2023 City Manager's Memo](#)

13. Unified Development Ordinance Discussion on Infill Redevelopment with Triplexes and Duplexes

Action:

Conduct a discussion on the Unified Development Ordinance specific to infill redevelopment as it relates to triplexes and duplexes.

Staff Resource(s):

Alyson Craig, Planning, Design and Development

Explanation

- At the May 15, 2023 City Council Zoning Meeting, Council requested an item to be included on the next business meeting for a discussion of information related to the implementation of the Unified Development Ordinance specific to infill redevelopment as it relates to triplexes and duplexes.

[UDO and Housing Supply](#)

14. Updated Process for Appointed Staff Performance Evaluations

Action:

Approve the Budget, Governance, and Intergovernmental Relations Committee recommendation to implement process enhancements for the performance evaluations for appointed staff.

Committee Chair:

Dimple Ajmera, Budget, Governance, and Intergovernmental Relations

Staff Resource(s):

Sheila Simpson, Human Resources

Ryan Bergman, Strategy and Budget

Explanation

- On May 8, 2023, the Budget, Governance, and Intergovernmental Relations (BGIR) Committee Chair Ajmera briefed Mayor and City Council on the committee-proposed enhancements and updated timeline for conducting performance reviews of appointed staff positions (City Attorney, City Clerk and City Manager).
- Recommended process enhancements include to:
 - Complete the current year performance evaluation process.
 - Re-establish the regimen to conduct an annual performance evaluation with each appointee. Designate the fiscal year to be the performance period.
 - Adopt a business practice to set goals for each appointee, within three to six months of the close of the strategy session where council's priorities and key initiatives are confirmed.
 - Decide if Council wants to include a formal mid-year performance conference or maintain the current process of holding one annual, fiscal year-end performance conference.
 - Have HR conduct training to inform Council of their appointee's performance evaluation process at New Council Member Orientation.

Committee Discussion

- On April 3 and May 1, 2023, the BGIR Committee received an overview of the current process for appointed employee performance evaluations, best practices for performance reviews, and discussed options for process enhancements.
- At the May 1st meeting, the committee voted to recommend the proposed process changes to full council (Council members Bokhari, Mayfield, and Mitchell voted in favor; Council members Ajmera and Anderson voted against).
- At the May 8th Council Business Meeting, the BGIR committee reported out to Council along with clarifications being provided from the HR Director.

Proposed Next Steps

- Complete the FY2023 current cycle performance evaluations for appointed staff.
- Begin FY2024 process with the January 2023 Strategic Priorities as the foundation for performance goals
 - June-July 2023: Identify Key Performance Indicators, Set Goals and Critical Milestones
 - December/January: Full Council Closed Session Midyear Performance Conversation
 - June 2024: End of Year Performance Evaluation

Attachment(s)

BGIR Pre-read

BGIR presentations

[BGIR HR pre-read for 5.1.2023](#)

[Proposed Evaluation Proc for Appointed](#)

BUSINESS

15. Affordable Housing Development Support Request

Action:

- A. **Approve a \$1,700,000 Housing Trust Fund allocation for the Sycamore Station Apartments multi-family affordable housing development, and**
- B. **Authorize the City Manager to execute, amend, and renew any documents necessary to complete the transaction.**

Staff Resource(s):

Shawn Heath, Housing and Neighborhood Services

Explanation

- On April 24, 2023, City Council referred the Sycamore Station Apartments multi-family affordable housing development to the Housing, Safety and Community Committee.
- Sycamore Station is a 168-unit new construction four percent low-income housing tax credit affordable housing development developed, owned and operated by Barrington Drive Apartments, LLC, an affiliate of Winterwood Development, LLC (Developer), and located on approximately 15 acres at 6055 Calle Lumina Way (parcel identification number 099-21-101) in Council District 1, and serves households earning up to 60 percent of the Area Median Income (AMI).
- The development is approximately 99 percent complete, and over half of the 168 units are already leased/occupied.
- The Housing Trust Fund (HTF) support will allow the Developer to provide 34 rental housing units (20 percent of the total development) for households earning 30 percent and below of the AMI, with an overall unit mix as follows:
 - 34 units ≤30% AMI, and
 - 134 units 51% - 60% AMI.
- Without the HTF support, the Developer will be unable to provide the units for 30 percent and below AMI households.
- On May 1, 2023, the Housing, Safety and Community Committee voted three to one to advance the Developer's request to support the completion of the Sycamore Station Apartments development to full Council for consideration (Council members Watlington, Bokhari, and Johnson voted in favor; Council member Mayfield voted against; Council member Molina was absent).

Background

- In 2019, the Developer applied for and received four percent low-income housing tax credits and housing bond allocation capacity from the North Carolina Housing Finance Agency to help finance construction of the development. Tax credit and bond allocations are subject to federal income limits, set-aside rules and include deed restrictions.
- On May 11, 2020, City Council adopted a resolution granting INLIVIAN's request to issue multi-family housing revenue bonds in an amount not to exceed \$18,800,000 to finance the Sycamore Station Apartments development.
- On January 13, 2023, the city and Local Initiatives Support Corporation (LISC) issued a joint Request for Proposals (RFP) to aid in the production of affordable housing units. This was the fifth joint RFP conducted by the city and LISC.
- In response to this RFP, 11 proposals were received seeking various types of gap financing support including the Sycamore Station Apartments development.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[MAP Sycamore Station Apartments](#)

16. Municipal Agreement for the DeArmon Road Complete Street Project

Action:

- A. **Adopt a Resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation to accept Surface Transportation Block Grant funds in the amount of \$5,486,000 for the DeArmon Road Complete Street project, and**
- B. **Adopt a budget ordinance appropriating \$5,486,000 in Surface Transportation Block Grant funds from NCDOT for construction to be used on the DeArmon Road Complete Street project.**

Staff Resource(s):

Debbie Smith, Transportation
Johanna Quinn, Transportation
Matt Magnasco, Transportation

Explanation

- The DeArmon Road Complete Street Project is a city project that will improve DeArmon Road for pedestrians, bicyclists, and motorists in the Prosperity Village area of northeast Charlotte (Council District 4).
- The project limits extend from Benfield Road to Browne Road, a distance of approximately 0.8 miles.
- The project scope includes the following primary components:
 - Widening DeArmon Road to include two vehicular lanes and a center median/turn lane
 - Installing pedestrian and bicycle accommodations
 - Updating street lighting
 - Correcting existing roadway storm drainage issues, and
 - Accommodating a future grade-separated Clark's Creek Greenway crossing.
- These scope elements complement the city's investments in the Prosperity Village community over the past two decades and connect surrounding neighborhoods to the future Clark's Creek Greenway and the Prosperity Village Community Activity Center.
- The total funding for the DeArmon project is \$22,021,000 and is as follows:
 - \$5,486,000 in Surface Transportation Block Grant federal funding
 - \$16,535,000 city funding from four bond referendums between 2014-2020.
- This format is consistent with past municipal agreements between the city and NCDOT.
- Project construction is expected to begin in January 2025.

Charlotte Business INCLUSION

This is a Municipal Agreement contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INCLUSION Policy).

Fiscal Note

Funding: NCDOT Funding and General Capital Investment Plan

Attachment(s)

Map
Resolution
Budget Ordinance

[DeArmon Road Project Map](#)

[DeArmon Resolution](#)

[FY 2023 Budget Ordinance - DeArmon Road](#)

17. Supplemental Agreement for the I-85 North Bridge Project

Action:

- A. Adopt a resolution authorizing the City Manager to execute a Supplemental Agreement with the North Carolina Department of Transportation to accept Surface Transportation Block Grant funds in the amount of \$4,752,000 for the I-85 North Bridge project, and**
- B. Adopt a budget ordinance appropriating \$4,752,000 in Surface Transportation Block Grant funds from NCDOT for construction to be used on the I-85 North Bridge project.**

Staff Resource(s):

Debbie Smith, Transportation
Johanna Quinn, Transportation
Matt Magnasco, Transportation

Explanation

- The I-85 North Bridge Project is intended to increase connectivity in the University area. The project will construct a new street across I-85 (connecting J.W. Clay Boulevard to Research/David Taylor Drives), construct shared-use paths, and create a gateway into Charlotte. The project is located in Council District 4.
- This project complements the city's investment in the adjacent J.W. Clay Boulevard Streetscape project by extending it across I-85 into the University Research Park.
- The total funding for the I-85 North Bridge project is \$42,835,632 and is as follows:
 - \$17,655,632 in Federal funding
 - \$12,903,632 - previously-appropriated funds
 - \$4,752,000 - the subject supplemental agreement
 - \$25,180,000 in city funding from 2014, 2016, and 2018 bond referendum
- This format is consistent with past municipal agreements between the city and NCDOT.
- Construction is expected to begin in early 2024.

Charlotte Business INclusion

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

Fiscal Note

Funding: NCDOT Funding

Attachment(s)

Map
Resolution
Budget Ordinance

[I-85 North Bridge Project Map](#)

[I-85 North Bridge Resolution](#)

[FY 2023 Budget Ordinance - I85 North Bridge](#)

18. Charlotte Water Electrification Program Grant Application

Action:

- A. **Adopt a resolution authorizing the City Manager, or his designee, to apply for a grant in an amount of up to \$2,871,388.66 with the U.S. Department of Transportation/Federal Highway Administration for the Charlotte Water Electrification program,**
- B. **Authorize the City Manager, or his designee, to accept a grant in an amount of up to \$2,871,388.66 from the U.S. Department of Transportation/Federal Highway Administration for the Charlotte Water Electrification program, and**
- C. **Adopt a budget ordinance appropriating \$2,871,388.66 from the U.S. Department of Transportation/Federal Highway Administration to the Charlotte Water Capital Projects Fund contingent upon being named a successful grant recipient.**

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Jackie Jarrell, Charlotte Water

Explanation

- This grant will support Charlotte Water's installation of publicly accessible electric vehicle charging stations at two Charlotte Water facilities, the Brookshire Administrative Building (Council District 2) and the Environmental Services Facility (Council District 3).
- Vehicle charging stations will be available to the public at these locations.
- The grant will provide a maximum 80 percent reimbursement of the project costs. The city must provide at least 20 percent of the total project cost as a matching share. The grant would reimburse an amount of \$2,871,388.66 (80 percent).
- Awarded funds are available for obligation through September 30, 2026 and must be expended by September 30, 2031.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Budget Ordinance
Resolution

[Budget Ordinance-Charlotte Water Electrification Program Grant Application](#)

[Resolution - Charlotte Water Electrification Program Grant Application](#)

19. Goose Creek Sanitary Sewer Extension Reimbursable Agreement

Action:

- A. **Approve a five-year reimbursable agreement with Classic Neighborhood Development, LLC for construction of a portion of the Goose Creek Sanitary Sewer Extension to Cresthill Drive project, and**
- B. **Adopt a budget ordinance appropriating \$2,400,000.00 from Classic Neighborhood Development, LLC to the Charlotte Water Capital Projects Fund.**

Staff Resource(s):

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- On August 23, 2021, Council approved a developer reimbursement agreement with Arey Properties, LLC for funding toward the Goose Creek Sanitary Sewer Extension to Cresthill project. Due to organizational changes, the agreement resulting from Council's previous approval of the sanitary sewer extension project needs to be terminated and replaced with a new agreement with Classic Neighborhood Development, LLC.
- The agreement will include design, construction, and project administration for construction of a portion of the Goose Creek Sanitary Sewer Extension project in the Town of Mint Hill (adjacent to Council District 5).
- The project will construct approximately 5,400 linear feet of sanitary sewer line from Lawyers Road to Cresthill Drive and will provide sanitary sewer service for the area.
- In accordance with the Water and Sewer Extension Policy, Classic Neighborhood Development, LLC will be reimbursed for 84.3 percent of the total eligible project costs in five equal annual payments starting one year after completion of construction.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map

Budget Ordinance

[Map-Goose Creek Sanitary Sewer Extension Reimbursable Agreement](#)

[Budget Ordinance-Goose Creek Sanitary Sewer Extension Reimbursable Agreement](#)

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

Action:

- A. Adopt a resolution to approve a lease agreement with ArKay Beauty Supply LLC, with a 61-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 is on the LYNX Blue Line Extension in Council District 4 and incorporates approximately 15,470 square feet of leasable space for office and retail, per 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 Extension, along with walk-up customers from surrounding areas.
- ArKay Beauty Supply proposes using the space to sell beauty supplies.
- The lease terms are:
 - Premises: Approximately 2,352 square feet of retail space in the JW Clay Parking Deck (Suite 222);
 - Term: 61-months, with one option to extend the lease term for an additional sixty (60) months;
 - Base Rent: \$4,900 per month (\$58,800 per year) for year one, escalating at a rate of 3 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 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 \$94,080.

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 ArKay](#)

21. Telecommunication License Agreement

Action:

- A. **Authorize the City Manager to execute a telecommunication license agreement with Crown Castle South LLC to license two shelter pads totaling approximately 215 square feet and to mount wireless equipment on a tower owned by Crown Castle South LLC for a term of 10 years,**
- B. **Authorize the City Manager to negotiate and execute all documents necessary to complete the transaction, and**
- C. **Authorize the City Manager to renew the agreement for up to four, 60-month terms and to approve such other amendments as are consistent with the original intent of the agreement.**

Staff Resource(s):

Reenie Askew, City Manager's Office
Markell Storay, Innovation & Technology
Phil Reiger, General Services
Gregory Crawford, General Services

Explanation

- Innovation & Technology needs a telecommunication tower to process and direct residents' emergency calls from 911 service centers to CMPD, Medic, Fire, and other first responders.
- Crown Castle LLC owns and operates a communications tower that will meet the City's requirements.
- The license agreement will enable first responders to serve residents in a timely matter during emergencies.
- The license terms are as follows:
 - Premises: Approximately 50 square feet for pad #1, 165 square feet for pad #2, and space on the tower for seven wireless antennas.
 - Renewal Term: 10 years, with four options to extend the license term for an additional 60 months each; and
 - Base License Fee: \$4,535 per month (\$54,420 per year) for the first year, escalating at a rate of three percent annually for each year thereafter beginning June 1, 2024. This rate is consistent with market rates.
 - Innovation & Technology will also be responsible for paying a share of the utilities' costs at a pro-rated amount.

Fiscal Note

Funding: Public Safety Communications Fund

22. Upset Bid Process for City-Owned Property on French Street

Action:

- A. Adopt a resolution to accept an offer and authorize the upset bid process for a portion of city-owned property (parcel identification number 078-212-01) located at 600 French Street for construction of a planned townhome development, and**
- B. Authorize the City Clerk to publish a notice of the proposed sale, which notice shall provide the description of the property, amount of the offer, and terms under which the offer may be upset.**

Staff Resource(s):

Phil Reiger, General Services
Gregory Crawford, General Services
Angela Charles, Charlotte Water

Explanation

- TDC Biddleville II, LLC ("TDC"), offered to purchase a small portion of city-owned property (parcel identification number 078-212-01) located at 600 French Street ("Property"), which is approximately 2,396 square feet (0.06 ac.), in Council District 2. The Property is zoned I-2 Industrial.
- TDC intends to combine the portion of city-owned property with its adjacent three properties of land for a townhome development project. As part of this transaction, the city will also convey 1,825 square feet (0.04 ac.) of temporary construction easement to TDC for the purpose of equipment and material laydown during construction.
- Charlotte Water uses the property at 600 French Street, as well as adjacent property leased from the Seaboard Coast Line Railroad Company, as a primary location for its operations and storage.
- Charlotte Water agreed to sell the portion of property for TDC to meet the planning and zoning requirements for its planned townhome development.
- City Council has the authority to sell property in accordance with NCGS §160A-229, and the City Charter Section 8.22.
- On December 21, 2021, the Charlotte-Mecklenburg Planning Commission reviewed the proposed request to sell and had no comments.
- The Property was last appraised by an independent appraiser for the City of Charlotte on February 13, 2023, and the fair market value of the Property is \$64,900.
- TDC has offered to purchase the Property for the appraised amount of \$64,900 and deposited the required five percent of the proposed purchase price.

Fiscal Note

Funding: Proceeds from the sale will be deposited in the Charlotte Water Capital Investment Plan

Attachment(s)

Map
Rendering
Resolution

[Map - Upset Bid Process for City-Owned Property on French Street.pdf](#)

[Rendering](#)

[Resolution Authorizing Upset Bid Process](#)

NOMINATIONS

23. Nominations to the Alternative Compliance Review Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term for a Community Representative beginning July 1, 2023, and ending June 30, 2026.
 - Priscilla Ashe is eligible and interested in reappointment.
- One appointment for a three-year term for a Real Estate Development Industry Representative beginning July 1, 2023, and ending June 30, 2026.
 - Eric Zaverl is eligible and interested in reappointment.

Attachment(s)

Alternative Compliance Review Committee Applications

24. Nominations to the Bechtler Arts Foundation

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning July 1, 2023, and ending June 30, 2026.
 - Margaret Switzer is eligible and interested in reappointment.

Attachment(s)

Bechtler Arts Foundation Applications

25. Nominations to the Business Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term recommended by the Asian-American Chamber of Commerce beginning April 29, 2023, and ending April 28, 2026.
 - Div Bhingradia did not meet attendance requirements.
- One appointment for a three-year term recommended by the Black Chamber of Commerce beginning upon beginning April 29, 2023, and ending April 28, 2026.
 - Steven Lewis did not meet attendance requirements.
- One appointment for a three-year term recommended by the Certified SBE-Hispanic Contractors Association beginning April 29, 2023, and ending April 28, 2026.
 - Domenico Santilli is eligible but not interested in reappointment.
- One appointment for a three-year term recommended by the Charlotte Regional Business Alliance beginning April 29, 2022, and ending April 28, 2025.
 - Tonia Woodbury did not meet attendance requirements and is ineligible for reappointment.
- Two appointments for a three-year term recommended by the Charlotte Regional Business Alliance beginning April 29, 2023, and ending April 28, 2026.
 - Derick Davis has resigned.
 - Christopher Moxley is eligible but not interested in reappointment.
- One appointment for a three-year term recommended by the Latin American Chamber of Commerce beginning April 29, 2023, and ending April 28, 2026.
 - Richard Cuebas is eligible but not interested in reappointment.
- One appointment for a three-year term recommended by the Metrolina Native American Association beginning April 29, 2023, and ending April 28, 2026.
 - Rebecca LaClaire has served two terms and is ineligible for reappointment.
- One appointment for a three-year term recommended by the National Association of Women Business Owners beginning April 29, 2023, and ending April 28, 2026.
 - Marise Fernandes Kumar is eligible and interested in reappointment.
- One appointment for a three-year term beginning April 29, 2023, and ending April 28, 2026.
 - Shenequa Thomas is eligible and interested in reappointment.

Attachment(s)

Business Advisory Committee Applications

26. Nominations to the Charlotte Business INClusion Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a two-year term recommended by the Hispanic Contactors Association of the Carolinas beginning March 1, 2022, and ending February 28, 2024.
 - Sandra Velez did not meet attendance requirements and is ineligible for reappointment.

Attachment(s)

Charlotte Business INClusion Advisory Committee Applications

27. Nominations to the Charlotte International Cabinet

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term for an Airport Staff Member category representative beginning upon appointment and ending June 30, 2024.
 - Rikard Hinrichs has resigned.
- One appointment for a three-year term beginning July 1, 2023, and ending June 30, 2026.
 - Sven Gerzer is eligible but not interested in reappointment.

Attachment(s)

Charlotte International Cabinet Applications

28. Nominations to the Charlotte Mecklenburg Public Access Corporation

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning upon appointment and ending June 30, 2025.
 - Jennifer Bratyanski has resigned.
- Two appointments for a three-year term beginning July 1, 2023, and ending June 30, 2026.
 - Jakob Gattinger is eligible and interested in reappointment.
 - Pamela McCarter is eligible and interested in reappointment.

Attachment(s)

Charlotte Mecklenburg Public Access Corporation Applications

29. Nominations to the Charlotte Neighborhood Equity and Stabilization Commission

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a For-Profit Affordable Housing Developer for a partial term beginning upon appointment and ending August 31, 2024.
 - Vanessa Allen did not meet attendance requirements.
- One appointment for a Resident Experienced / Experiencing Displacement for a partial term beginning upon appointment and ending August 31, 2024.
 - Naiyar Ghaswala did not meet attendance requirements.
- One appointment for a Market Rate Housing Developer for a partial term beginning upon appointment and ending August 31, 2024.
 - Kathleen Maloomian did not meet attendance requirements.

Attachment(s)

Charlotte Neighborhood Equity and Stabilization Commission Applications

30. Nominations to the Historic District Commission

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term for a Resident Owner of Hermitage Court beginning upon appointment and ending June 30, 2024.
 - James Jordan has resigned.
- One appointment for a three-year term beginning July 1, 2023, and ending June 30, 2026.
 - Phillip Goodwin is eligible and interested in reappointment.

Attachment(s)

Historic District Commission Applications

31. Nominations to the Passenger Vehicle for Hire Board

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term for a Representative of Persons with Disabilities beginning July 1, 2023, and ending June 30, 2026.
 - Joe Gentry is eligible and interested in reappointment.
- One appointment for a Hospitality / Tourism Industry category representative for a partial term beginning upon appointment and ending June 30, 2024.
 - Sheila Etheridge-Boddie has served two terms and is ineligible for reappointment.

Attachment(s)

Passenger Vehicle for Hire Board Applications

32. Nominations to the Storm Water Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a General Contractor category representative for a three-year term beginning July 1, 2022, and ending June 30, 2025.
 - Bill Cornett has served two terms and is ineligible for reappointment

Attachment(s)

Storm Water Advisory Committee Applications

33. Nominations to the Transit Services Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a Vanpool Rider category representative for a three-year term beginning February 1, 2022, and ending January 31, 2025.
 - Parker Cains has resigned.

Attachment(s)

Transit Services Advisory Committee Applications

CONSENT

34. Traffic Signal Installation and Maintenance

Action:

Approve a contract in the amount of \$2,420,725.00 to the lowest responsive bidder Whiting Construction Company, Inc. for traffic signal installation and maintenance.

Staff Resource(s):

Debbie Smith, Transportation
David Smith, Transportation
Tony Tagliaferri, Transportation

Explanation

- The Charlotte Department of Transportation (CDOT) operates and maintains a transportation system that includes traffic signals and supporting infrastructure to manage traffic operations throughout the city.
- CDOT maintains traffic signals at over 900 intersections across the city.
- Charlotte's population growth and new development increase the demand for new and modified traffic signals and infrastructure.
- This traffic signal contract will provide resources to install and maintain traffic signals and support infrastructure citywide.
- On March 3, 2023, the city issued an Invitation to Bid (ITB); one bid was received.
 - NC 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 March 30, 2023, the ITB was re-issued; one bid was received.
- Whiting Construction Company, Inc. was selected as the lowest responsive, responsible bidder.

Charlotte Business INclusion

Established Combined MSBE Goal: 2.00%

Committed Combined MSBE Goal: 2.10%

Whiting Construction Co., Inc. exceeded the established subcontracting goal, and has committed 2.10% (\$50,835) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- M.H. Graves Construction Co. (SBE) (\$50,835) (incidental concrete work and traffic signal installation)

Fiscal Note

Funding: General Capital Investment Plan

35. Cooperative Purchasing Contract for Citywide Office Supplies

Action:

- A. Approve the purchase of office supplies from a cooperative contract,
- B. Approve a unit price contract with American Office Products Distributors, Inc. for the purchase of office supplies for a term of two years under NCPA, an OMNIA Partners Company, contract #11-18, and
- C. Authorize the City Manager to extend the contract for additional terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Staff Resource(s):

Phil Reiger, General Services

Marcy Mars, General Services

Explanation

- The city requires a variety of office supplies and products including paper, toner, binders, pens, filing and storage products.
- American Office Products Distributors, Inc. (AODP) utilizes a network of independent dealers that consists only of small businesses.
- Forms & Supply, Inc., DBA FSIoffice (WBE) is the local, Charlotte-based dealer for the AODP contract and is a North Carolina HUB-certified SWBE and nationally certified WBENC.
- 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.
- Annual expenditures are estimated to be \$625,000.

Charlotte Business INclusion

Forms and Supply, Inc., DBA FSIoffice is a city certified WBE.

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

Fiscal Note

Funding: Departments' Operating Budgets

36. Central Business District Sanitary Sewer Construction Change Order

Action:

Approve change order #2 to Sanders Utility Construction Co., Inc. for the Little Sugar Creek Tributary to Central Business District Sanitary Sewer project.

Staff Resource(s):

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- This project involves the procurement, replacement, and construction of a sanitary sewer to serve a portion of the Central Business District (Council District 1).
- This change order is estimated to be \$703,000 for the repair of a recently installed 48-inch sanitary sewer main, which was damaged by a contractor working on an adjacent project.
- The repairs are required now, and Charlotte Water will seek recovery of all costs associated with this repair.
- On December 10, 2018, City Council approved a contract with Sanders Utility Construction Co., Inc. for Design-Build design services.
- On February 10, 2020, City Council approved a guaranteed maximum price with Sanders Utility Construction Co., Inc. for Design-Build construction services of the Little Sugar Creek Tributary to Central Business District Sanitary Sewer project, which included installation of the 48-inch sanitary sewer, portions of which are still under construction.
- The project is anticipated to be complete fourth quarter 2022.
- The new total value of the contract, including this change order, is estimated to be \$43,761,664.69.

Charlotte Business INCLUSION

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

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map - Central Business District Sanitary Sewer Construction](#)

37. Mallard Creek Wastewater Treatment Plant Water System Rehabilitation

Action:

Approve a contract in the amount of \$699,772.22 to the lowest responsive bidder BW Service Solutions, LLC (SBE) for the Mallard Creek Wastewater Treatment Plant Non-Potable Water and Potable Water System Rehabilitation project.

Staff Resource(s):

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

Explanation

- This contract will rehabilitate and upgrade the potable water and non-potable water system within the Mallard Creek Wastewater Treatment Plant to ensure continued system reliability and function (Council District 4).
- On March 27, 2023, the city issued an Invitation to Bid; 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 April 17, 2023, the ITB was re-issued; two bids were received.
- BW Service Solutions, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2024.

Charlotte Business INclusion

BW Service Solutions, LLC is a city certified SBE.

Established MSBE Goal: 8.00%

Committed MSBE Goal: 10.84%

BW Service Solutions, LLC exceeded the established subcontracting goal and has committed 10.84% (\$75,872) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- CITI, LLC (MBE) (\$48,005) (instrumentation)
- Page Power Systems, Inc. (SBE, WBE) (\$27,867) (electrical)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

38. On-Call Professional Engineering Services

Action:

- A. Approve contracts with the following firms for a term of three years for on-call professional engineering services:**
- **Black & Veatch International Company,**
 - **Brown & Caldwell,**
 - **CDM-Smith,**
 - **Hazen & Sawyer,**
 - **HDR Engineering of the Carolinas,**
 - **Southeastern Consulting Engineers (SBE),**
 - **Sturgill Engineering, and**
- B. Authorize the City Manager to amend the contracts 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

- Charlotte Water requires specialized technical assistance from outside engineering firms to support maintenance and upgrades at water and wastewater treatment plants as well as the collection and distribution systems.
- These on-call engineering services contracts are used for the following areas of specialization:
 - Industrial and commercial electrical engineering
 - Mechanical engineering
 - Water and wastewater conveyance analysis, system modeling, planning and design
 - Water and wastewater treatment plant engineering
 - Building systems engineering
- On January 27, 2023, the city issued a Request for Qualifications (RFQ); 32 responses were received.
- The companies selected are the best qualified firms to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Annual aggregate expenditures are estimated to be \$6,000,000.

Charlotte Business INclusion

Southeastern Consulting Engineers, Inc. is a city certified SBE.

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

Black & Veatch International Company

- Avioimage Mapping Services, Inc. (SBE) (aerial mapping services)
- Capstone Civil Engineering, Inc. (MBE, SBE) (geotechnical, material testing services, and RPR)
- CITI, LLC (MBE) (systems integration)
- CriTek Engineering Group, P.C. (MBE, SBE) (design and construction support services)
- Habitat Assessment and Restoration Professionals (SBE, WBE) (environmental permitting services)
- Gavel & Dorn Engineering, PLLC (SBE) (civil engineering services, SSES, and inspection)
- Hinde Engineering, Inc. (SBE) (engineering design and utility coordination support)
- Richa Graphics (MBE, SBE) (reprographics)

- Southeastern Consulting Engineers, Inc. (SBE) (electrical engineering services)
- Stewart Engineering, Inc. (MBE) (surveying and geotechnical services)
- TKG, PLLC (SBE, WBE) (construction and project management and inspection services)

Brown & Caldwell, Inc.

- AME Consulting Engineers, PC (SBE) (mechanical engineering/HVAC design services)
- Gavel & Dorn Engineering, PLLC (SBE) (SESS and flow monitoring services)
- Habitat Assessment and Restoration Professionals (SBE, WBE) (wetlands and environmental fieldwork)
- Hinde Engineering, Inc. (SBE) (pipeline design, utility encroachment and permitting assistance)
- Richa Graphics (MBE, SBE) (reproduction services)
- Southeastern Consulting Engineers, Inc. (SBE) (electrical engineering services)
- Stewart Engineering, Inc. (MBE) (subsurface utility location and surveying services)

CDM Smith, Inc.

- AME Consulting Engineers, PC (SBE) (mechanical and plumbing engineering services)
- Avioimage Mapping Services, Inc. (SBE) (aerial photography)
- CES Group Engineers, LLP (WBE) (surveying/SUEs)
- EDT, PLLC (MBE) (field engineering and inspections)
- Froehling & Robertson, Inc. (MBE) (geotechnical engineering, drilling)
- Richa Graphics (MBE, SBE) (printing and documentation reproduction)
- Southeastern Consulting Engineers, Inc. (SBE) (electrical engineering)
- Stewart Engineering, Inc. (MBE) (surveying/SUEs)

Hazen & Sawyer, P.C.

- Avioimage Mapping Services, Inc. (SBE) (aerial mapping)
- CES Group Engineers, LLP (WBE) (surveying)
- EDT, PLLC (MBE) (supplemental construction field services)
- Froehling & Robertson, Inc. (MBE) (geotechnical engineering and construction material testing)
- Gulf Coast, LLC (SBE) (real estate/easement acquisition)
- Mid-Carolina Reprographics (SBE, WBE) (document reproduction)
- Southeastern Consulting Engineers, Inc. (SBE) (electrical engineering services)
- Sweetwater Utility Exploration, LLC (SBE) (subsurface utility locates)

HDR Engineering, Inc. of the Carolinas

- AME Consulting Engineers, PC (SBE) (mechanical and plumbing engineering services)
- Avioimage Mapping Services, Inc. (SBE) (imaging, mapping, photogrammetry)
- Capstone Civil Engineering, Inc. (MBE, SBE) (geotechnical)
- CES Group Engineers, LLP (WBE) (schedule review and support)
- CriTek Engineering Group, PC (MBE, SBE) (conveyance, resident project representative)
- Froehling & Robertson, Inc. (MBE) (geotechnical)
- Gavel & Dorn Engineering, PLLC (SBE) (special inspections, resident project representative)
- Mechanical Resources, LLC (MBE, SBE) (condition assessment)
- PicTec, Inc. (SBE) (schedule review and support)
- Richa Graphics (MBE, SBE) (printing)
- SAMR, PLLC (MBE) (mechanical)
- Southeastern Consulting Engineers, Inc. (SBE) (electrical)
- Stewart Engineering, Inc. (MBE) (structural and civil)
- TKG, PLLC (SBE, WBE) (project support and data management)
- The Survey Company, Inc. (SBE) (surveying)

Southeastern Consulting Engineers, Inc. (SBE)

- Capstone Civil Engineering, Inc. (MBE, SBE) (civil subsurface work)
- Dunbar Geomatics Group, PLLC (SBE) (civil surveying)

- Maloney & Associates dba Maloney Engineering (SBE) (mechanical engineering)

Sturgill Engineering, PA,

- Richa Graphics (MBE, SBE) (signage, printing, and document reproduction)
- Smart Electric Company, Inc. (WBE) (field data collection)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

39. Professional Engineering Services for Surface Water Quality Enhancement Projects

Action:

- A. Approve a unit price contract with Armstrong Glen, P.C. for surface water quality enhancement 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):

Angela Charles, Charlotte Water
Mike Davis, Storm Water Services
Robert Zink, Storm Water Services

Explanation

- Storm Water Services constructs surface water quality enhancement projects to remove pollutants from stormwater runoff before the water is discharged into creeks. Many of these creeks do not currently meet state water quality standards, and these projects are intended to improve surface water quality towards meeting these standards.
- This contract will be utilized to evaluate the feasibility of and provide design services for surface water quality enhancement projects.
- This contract also includes evaluations and improvements of existing city-owned stormwater control measures.
- On March 13, 2023, the city issued a Request for Qualifications (RFQ); 11 responses were received.
- Armstrong Glen, P.C. 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.
- Annual contract expenditures are estimated to be \$250,000.

Charlotte Business INclusion

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

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

- Froehling & Robertson, Inc. (MBE) (geotechnical assessment)
- Survey and Mapping Control, Inc. (SBE) (field surveying)

Fiscal Note

Funding: Storm Water Services Capital Investment Plan

40. Sugar Creek Wastewater Treatment Plant Alkalinity Storage Replacement

Action:

Approve a contract in the amount of \$2,434,793.00 to the lowest responsive bidder Gilbert Engineering Company for the Sugar Creek Wastewater Treatment Plant Alkalinity Storage Replacement project.

Staff Resource(s):

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

Explanation

- This contract will provide replacement of the alkalinity chemical storage facility for the Sugar Creek Wastewater Treatment Plant (Council District 6).
- The chemical being stored is a critical component of the wastewater treatment process and the replacement of this facility, which is now past its useful life, will ensure the reliability and durability of plant operations.
- On March 21, 2023, the city issued an Invitation to Bid; one bid was 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 April 18, 2023 the ITB was re-issued; three bids were received.
- Gilbert Engineering Company was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2025.

Charlotte Business INClusion

Established MSBE Goal: 10.00%
Committed MSBE Goal: 13.66%

Gilbert Engineering Company exceeded the established subcontracting goal and has committed 13.66% (\$332,521) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- CITI, LLC (MBE) (\$170,280) (SCADA/instrumentation)
- Page Power Systems, Inc. (SBE, WBE) (\$162,241) (electrical)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

41. LYNX Silver Line Equitable Transit-Oriented Development Study

Action:

- A. **Approve a contract for up to \$506,250 with Community Building Initiative for the LYNX Silver Line Equitable Transit-Oriented Development Study, and**
- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Alyson Craig, Planning, Design and Development
Monica Holmes, Planning, Design and Development
Brent Cagle, CATS
Debbie Smith, Transportation

Explanation

- In January 2022, the city was awarded a \$405,000 Transit-Oriented Development Pilot Grant from the Federal Transit Administration to develop a policy and implementation study for equitable development along the proposed LYNX Silver Line light rail line.
- The study area includes station areas within the City of Charlotte, unincorporated Mecklenburg County, and the Town of Matthews. Within the City of Charlotte, the project extends through Council districts 1, 2, 3, 5, and 6.
- The Equitable Transit-Oriented Development (ETOD) Study will be broken down into two phases.
 - Phase 1 Coalition Building: a community-driven road map to develop equitable policies to create cultural, social, economic, and environmental resilience and housing stability within station areas. This phase will involve intensive engagement with hard-to-reach community members along the LYNX Silver Line. The policies will be co-created with vulnerable station-area community members and small-business owners facing displacement risks, and result in an ETOD Policy Plan and performance metrics.
 - Phase 2 Implementation Strategy: focused on transforming policy frameworks into actionable steps for equitable development. This phase includes project prioritization, pilot projects, and community investment programs, to be included in an ETOD Implementation Strategy.
- On January 25, 2023, the city issued a Request for Proposals (RFP); four responses were received.
- Community Building Initiative best meets the city's needs in terms of qualifications, experience, proposed approach, cost, and responsiveness of the RFP requirements.
- Grant matching funds are being provided by the CATS, Planning, and CDOT. The matching funds total \$101,250.

Disadvantaged Business Enterprise (DBE)

Established DBE Goal: 16.00%

Committed DBE Goal: 16.00%

Community Building Initiative has agreed to meet the established subcontracting goal using the following certified DBE firms:

- Pride Public Relations (SBE, MBE, DBE) (public outreach)
- Neighboring Concepts PLLC (MBE, DBE) (community engagement)

Fiscal Note

Funding: Transit-Oriented Development Pilot Grant - Federal Transit Administration; and CATS, Planning, and CDOT Operating Budget

42. Envision My Ride Implementation Study

Action:

- A. **Approve a contract with Foursquare ITP for professional planning and design services related to the Route Restoration Planning Study, and**
- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, CATS
Jason Lawrence, CATS
Brian Horton, CATS

Explanation

- In June 2022, CATS was awarded a competitive FTA grant for Route Restoration Planning.
- This grant-funded initiative seeks a community-based assessment to build upon Envision My Ride and the Bus Priority Study with special focus on micro-transit and mobility hub strategies to improve travel time and access for disadvantaged areas throughout Mecklenburg County.
- The Route Restoration Planning Study will:
 - Prioritize and define strategies to implement Envision My Ride recommendations of a robust, interconnected public transportation network that will combine high-frequency bus routes, expanded mobility hubs, and innovative, on-demand first-mile and last-mile connections,
 - Coordinate involvement of various communities throughout Mecklenburg County, especially transportation disadvantaged areas,
 - Create a more resilient and approachable transit network that addresses the realities of a post pandemic travel market,
 - Refine recommendations on locations and typologies of mobility hubs and micro-transit zones, and
 - Develop recommendations around funding, technology, capital infrastructure, and partnerships that will assist CATS in serving more households with improved travel and access to more opportunities.
- On March 13, 2023, the city issued a Request for Qualifications (RFQ); one response was received.
- Foursquare was selected as the best qualified firm to meet the city's needs on the basis of demonstrated experience, project understanding, and project approach in response to the RFQ requirements.
- Estimated total expenditures are \$750,000.

Disadvantaged Business Enterprise (DBE)

Foursquare ITP is a certified DBE.

Established DBE Goal: 16.00%

Committed DBE Goal: 50.00%

Foursquare ITP (DBE) will serve as the prime consultant on the project and has exceeded the established contracting goal and committed 50.00% of the total contract amount.

Fiscal Note

Funding: USDOT Route Restoration Planning Grant

43. Airport Arborist Services Contract

Action:

- A. Approve a contract with Bartlett Tree Experts to provide Arborist 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):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- Aviation contracts for Arborist services to maintain a clean and effective visual appearance and provide a safer and more aesthetic environment for clients and passengers.
- The Airport is also required by Federal Aviation Administration regulations to maintain trees to a safe height in order to protect arriving and departing aircraft.
- The contract will cover stump grinding, deep root fertilization, disease and pest treatment, tree removal, and structural pruning among other services.
- On February 9, 2023 the city issued a Request for Proposals (RFP); one response was received.
- Bartlett Tree Experts meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$120,000.

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: Aviation Operating Budget

44. Airport Landscape Services Contract

Action:

- A. Approve contracts with the following companies for landscape services for an initial term of three years:**
- **Brightview Landscape Services**
 - **Leisure Time Lawn Care, LP (SBE) and**
- B. Authorize the City Manager to renew the contracts for up to two, one-year terms and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- These contracts allow the Airport to maintain a clean and effective outer roadway system and provide a safer and more aesthetic environment for clients and employees.
- The contracts will cover landscaping maintenance services for Airport Zones 1 and 2 which includes areas such as facilities, roadways, field and drainage areas, turf, shrubs, ground cover and trees, mulching, fall over seeding, bedding areas, annual color, and trash control.
- On January 9, 2023, the city issued a Request for Proposals (RFP); four responses were received.
- Brightview Landscape Services and Leisure Time Lawn Care, LP best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated annual expenditures for the initial three-year term are \$5,374,220:
 - Brightview Landscape Services was awarded zone 1 with initial term expenditures estimated at \$4,069,320
 - Leisure Time Lawn Care LP, was awarded zone 2 with initial term expenditures estimated at \$1,304,900

Charlotte Business INclusion

Leisure Time Lawn Care, LP is a city certified SBE

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

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

Fiscal Note

Funding: Aviation Operating Budget

Attachment(s)

Map of Airport Zones

[CLT Landscape ZONES 19MAY2022](#)

45. Airport Paving and Lighting Construction

Action:

- A. **Approve a contract in the amount of \$56,030,176.50 to the lowest responsive bidder, Hi-Way Paving, Inc., for the North End-Around Taxiway Project Package 2, 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

- Aviation is currently in the construction phase for the North End Around Taxiway project which will increase operational efficiency and enhance safety by reducing runway crossings for runway 18C-36C.
- The overall project consists of seven packages of work. This package includes the paving and lighting for the new taxiway. Specific work includes erosion control, asphalt and concrete paving, drainage installation, pavement markings, signage, conduit installation, and electrical work.
- On March 6, 2023, the city issued an Invitation to Bid; four bids were received.
- Hi-Way Paving, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter FY 2025.
- This activity is occurring on airport property, located in Council District 3.

Disadvantaged Business Enterprise

Established DBE Goal: 19.18%

Committed DBE Goal (at time of Bid): 19.19%

Hi-Way Paving exceeded the established subcontracting goal, and has committed 19.19% (\$10,754,721) of the base bid amount to the following certified firm(s):

- Martin Landscaping (DBE) (\$1,350,000) (seeding/mulching)
- Apex Petroleum Corporation (DBE) (\$249,500) (supply fuel)
- Archangel Protective Service (DBE) (\$2,403,320) (security office/flagger)
- BC Cannon (DBE) (\$184,200) (traffic control materials)
- Express Logistics Services (DBE) (\$1,792,000) (traffic control materials)
- Express Logistics Services (DBE) (\$2,876,000) (furnish aggregates)
- Gosalia Concrete Constructors (DBE) (\$352,701) (joint sealing)
- JJ Dal Supply Company (DBE) (\$1,080,000) (electrical underground supplier)
- SB Johnson Construction, LLC (DBE) (\$467,000) (concrete embed supplier)

Fiscal Note

Funding: Aviation Capital Investment Plan

46. Airport Real Estate Demolition Services

Action:

- A. Approve unit price contracts with the following companies for Demolition Services for an initial term of three years:**
- **DH Griffin Wrecking Co. Inc.**
 - **Double D Construction Services Inc. (DBE)**
 - **WC Black & Sons 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 the purpose for which the contract was approved.**

Staff Resource(s):

Haley Gentry, Aviation

Ted Kaplan, Aviation

Explanation

- The Airport is currently purchasing a number of properties for expansion and noise mitigation.
- Demolition contractors must remove any structures that are located on the properties the Airport purchases.
- On February 16, 2023, the city issued a Request for Proposal (RFP); four were received.
- DH Griffin Wrecking Co. Inc., Double D Construction Services Inc., and WC Black & Sons Inc. best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Parcels will be assigned on a work order basis using the unit prices provided for in the contracts.
- The combined expenditures are estimated to be \$7,500,000 over the initial three-year term.

Disadvantaged Business Enterprise

There are no subcontracting goals associated with this selection. However, DBE goals will be negotiated as scopes of work are assigned. Aviation will monitor goal achievement throughout the life of the contracts.

- Double D Construction Services Inc., is a certified DBE firm

Fiscal Note

Funding: Aviation Capital Investment Plan

47. Airport Roadway Relocation Construction Change Order

Action:

Approve change order #5 for \$532,500 to Crowder Construction Company for the North End-Around Taxiway Old Dowd Road construction project.

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

- A portion of the existing Old Dowd Road conflicts with the North End-Around Taxiway (NEAT) project currently underway at the Airport.
- This contract provides for the construction of a new section of roadway and overhead bridge to replace the portion in conflict.
- This change order will provide for railroad protection services to comply with federal railroad requirements.
- Aviation entered into an agreement with Norfolk Southern Railway Company (NSRR) on June 3, 2022, which allowed for the construction of this new section of roadway and overhead bridge in the vicinity of NSRR property. The agreement included railroad protection services provided by NSRR. At the request of NSRR, the responsibility of these services has been descoped from the agreement and transferred to the contractor.
- On August 22, 2022, City Council approved a contract in the amount of \$39,422,735 with Crowder Construction Company for the North End-Around Taxiway Old Dowd Road construction project.
- Change Orders 1-4 increased the total contract expenditures to \$39,880,371.20.
- The new total value of the contract is \$40,412,871.20.

Disadvantaged Business Enterprise

Established DBE Goal: 19.00%

Committed DBE Goal (at time of Bid): 19.00%

All additional work involved in this change order will be performed by Crowder Construction Company and their existing sub-contractors.

Fiscal Note

Funding: Aviation Capital Investment Plan

48. Airport South Crossfield Taxiway Construction Change Order

Action:

Approve change order #1 for \$4,162,113 to Hi-Way Paving, Inc. for the Deicing Pad and South Crossfield Taxiway Project Package 2.

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

- The Deicing Pad and South Crossfield Taxiway Project consists of three packages of work which will increase airfield operational efficiency. Construction activities in these three packages include the extension of Taxiway F, the construction of a new cross-field taxiway connecting the center and eastern-most runways, and the relocation of existing aircraft deicing pads from the cargo area to the south end of the center runway.
- On February 13, 2023, City Council approved a contract in the amount of \$75,551,803.60 with Hi-Way Paving, Inc. for the Deicing Pad and South Crossfield Taxiway Project Package 2 for pavement and lighting for the new taxiway extensions and deicing pad.
- This change order includes earthwork that was descoped from Package 1, which was determined will be more efficiently performed within the scope of Package 2 in order to maintain project schedule.
- The new total value of the Package 2 contract is \$79,713,916.60.
- This activity is occurring on airport property.

Disadvantaged Business Enterprise

Established DBE Goal: 11.00%
Committed DBE Goal: 11.18%

All additional work involved in this change order will be performed by Hi-Way Paving and their existing subcontractors.

Fiscal Note

Funding: Aviation Capital Investment Plan

49. Workers' Compensation Third Party Administration Services

Action:

- A. **Approve a contract with PMA Management Corp. for Workers' Compensation Third Party Administration 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):

Betty Coulter, Finance

Explanation

- The Risk Management Division of the city's Finance Department currently processes Workers' Compensation claims for the City of Charlotte, Mecklenburg County, Charlotte Mecklenburg Board of Education, Mecklenburg Emergency Medical Services Agency (MEDIC), and the Charlotte Regional Visitors Authority (CRVA).
- Risk Management has used a Third-Party Administrator since 2017 to supervise, manage, and administer the city's self-insured workers' compensation program.
- Specific services include, but are not limited to:
 - Reviewing and investigating claims, claim file reporting, and administrative support;
 - Coordinating and authorizing appropriate medical treatment;
 - Coordination and investigating litigated claims' and
 - Representing the city at workers' compensation mediations and/or hearings.
- On March 8, 2023, the city issued a Request for Proposals (RFP); ten responses were received.
- PMA Management Corp. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- The annual estimated expenditures across all agencies for these services are \$1,175,000 for administrative fees plus additional expenditures related to other Workers' Compensation charges, including claims, estimated to be \$17,000,000.

Charlotte Business INclusion

Established MWSBE Goal: 10.00%

Committed MWSBE Goal (at time of Proposal): 10.00%

PMA Management Corp. met the established subcontracting goal and has committed 10.00% of the total contract amount to the following certified firm(s) (Part C: Section 2.1 of the Charlotte Business INclusion Policy):

- Absolute Staffing & Consulting Solutions (MBE) (administration staffing and litigation specialist)

Fiscal Note

Funding: Risk Management Fund

50. Set a Public Hearing on Hamilton Woods Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for June 26, 2023, for the Hamilton Woods 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 along parcel identification numbers: 219-091-30, and 219-091-12.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 26.094-acre "Hamilton Woods" site is located along the south side of Hamilton Road, west of Steele Creek Road in southwest Mecklenburg County.
 - The site has existing single family homes that will be removed prior to any redevelopment.
 - The petitioner has plans to develop 119 single family detached residential units.
 - The property is zoned R-3, which allows for single family residential uses up to three dwelling units per acre.
 - The property is located adjacent to City Council District 3.
 - The petitioned area consists of eleven parcels; parcel identification numbers: 219-09-130, 219-091-31, 219-091-32, 219-091-13, 219-091-33, 219-091-14, 219-091-15, 219-091-19, 219-091-12, 219-091-17, and 219-091-16.

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; and
 - Is consistent with the policy to not have undue negative impact on city finances or services.
 - Per policy, voluntary annexations that encompass unincorporated areas by new city limits may be approved if the following conditions exist:
 - A petitioner for a voluntary annexation would experience a significant hardship if the annexation were not approved;
 - It is not feasible to annex the unincorporated parcels that may be surrounded by new city limits; or
 - Under the facts of a particular voluntary annexation petition, the City's interests are served by varying the application of one of more of these policies.
 - This voluntary annexation is being recommended because it will have a positive impact on City resources and aid the future development of the area.

Attachment(s)

Map

Resolution

[Hamilton Woods Area Annexation Map](#)

[Resolution for Hamilton Woods](#)

51. Set a Public Hearing on Northlake Town Center Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for June 26, 2023, for Northlake Town Center 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 22.02-acre "Northlake Town Center" site is located south of Interstate 485, west of interstate 77, east of Northlake Centre Parkway in northern Mecklenburg County.
 - The site is currently vacant.
 - The petitioner has plans to develop 312 multi-family units on the site.
 - A majority of the property is zoned UR-2(CD) which allows for urban residential uses, and portion of the site is zoned BP which allows for business park uses.
 - The property is located immediately adjacent to City Council District 4.
 - The petitioned area consists of four parcels; parcel identification numbers: 025-081-12, 025-081-01, a portion of 025-081-30B, and 025-081-02.

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

[Northlake Town Center Area Annexation Map](#)

[Resolution for Northlake Town Center](#)

52. Set a Public Hearing on Oak Lake Area Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for June 26, 2023, for Oak Lake 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 21.7621-acre "Oak Lake" site is located on the east side of Mt. Holly Huntersville Road west of I-485 in northwest Mecklenburg County.
 - The site is largely vacant, and the existing single-family home will be removed prior to any redevelopment.
 - The petitioner has plans to build 140 single family attached units on the site.
 - The property is zoned R-8 (CD) and R-3, which allow for single family residential uses.
 - The property is located near Council District 4.
 - The petitioned area consists of four parcels; parcel identification numbers: 033-111-07, 033-111-16, 033-281-01, and 033-111-18.

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

[Oak Lake Area Annexation Map](#)

[Resolution for Oak Lake](#)

PROPERTY TRANSACTIONS

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

Action: Approve the following Acquisition: 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>

Purchase Price: \$12,000

Council District: Adjacent to Council District 4

54. Property Transactions - Beatties Ford Sidewalk Phase 1, Parcel # 5

Action: Approve the following Acquisition: Beatties Ford Sidewalk Phase 1, Parcel # 5

Project: Beatties Ford Sidewalk Phase 1, Parcel # 5

Program: Beatties Ford Sidewalk Phase 1

Owner(s): Second Ward High School National Alumni Foundation, Inc.

Property Address: 1905 Beatties Ford Road

Total Parcel Area: 7,000 sq. ft. (0.161 ac.)

Property to be acquired by Easements: 373 sq. ft. (0.009 ac.) Sidewalk Utility Easement and 1,065 sq. ft. (0.024 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree, various plantings and landscape masonry

Zoned: R-5

Use: Single-family Residential

Parcel Identification Number: 069-126-18

<https://polaris3g.mecklenburgcountync.gov/#mat=62109&pid=06912618&qisid=06912618>

Purchase Price: \$13,000

Council District: 2

55. Property Transactions - Prosperity Church Road (Old Ridge to Benfield), Parcel # 25

Action: Approve the following Acquisition: Prosperity Church Road (Old Ridge to Benfield), Parcel # 25

Project: Prosperity Church Road (Old Ridge to Benfield), Parcel # 25

Program: Prosperity Church Road (Old Ridge to Benfield)

Owner(s): Nisbet Oil Company f/k/a E.P. Nisbet Company

Property Address: 6135 Prosperity Church Road, Huntersville

Total Parcel Area: 887,063 sq. ft. (20.364 ac.)

Property to be acquired by Fee Simple: 22,110 sq. ft. (0.508 ac.) Fee Simple

Property to be acquired by Easements: 11,316 sq. ft. (0.260 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: 027-561-08

<https://polaris3g.mecklenburgcountync.gov/#mat=551639&pid=02756108&qisid=02756108>

Purchase Price: \$125,000

Council District: 4

56. Property Transactions - Shamrock Drive Improvements, Parcel # 33

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 33

Project: Shamrock Drive Improvements, Parcel # 33

Program: Shamrock Drive Improvements

Owner(s): Beverly T. Farmer

Property Address: 3244 East Ford Road

Total Parcel Area: 24,409 sq. ft. (0.560 ac.)

Property to be acquired by Fee Simple: 1,857 sq. ft. (0.043 ac.) Fee Simple inside right-of-way and 1,354 sq. ft. (0.031 ac.) Fee Simple outside right-of-way

Property to be acquired by Easements: 4,876 sq. ft. (0.112 ac.) Storm Drainage Easement, 1,790 sq. ft. (0.041 ac.) Utility Easement, 2,455 sq. ft. (0.056 ac.) Sidewalk Utility Easement and 2,465 sq. ft. (0.057 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Fence

Landscaping to be impacted: Trees

Zoned: R-5 & R-3

Use: Single-family Residential

Parcel Identification Number: 093-107-11

<https://polaris3g.mecklenburgcountync.gov/#mat=357909&pid=09310711&qisid=09310711>

Purchase Price: \$75,000

Council District: 1

57. Property Transactions - Shamrock Drive Improvements, Parcel # 67

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 67

Project: Shamrock Drive Improvements, Parcel # 67

Program: Shamrock Drive Improvements

Owner(s): The Yanyan Weiwei Revocable Living Trust

Property Address: 2601 Palm Avenue

Total Parcel Area: 18,597 sq. ft. (0.427 ac.)

Property to be acquired by Fee Simple: 1,356 sq. ft. (0.031 ac.) Fee Simple

Property to be acquired by Easements: 1,204 sq. ft. (0.028 ac.) Sidewalk Utility Easement, 219 sq. ft. (0.005 ac.) Utility Easement, 134 sq. ft. (0.003 ac.) Storm Drainage Easement, 3,304 sq. ft. (0.076 ac.) Temporary Construction Easement and 2,759 sq. ft. (0.063 ac.) Post Construction Control Easement

Structures/Improvements to be impacted: Driveway

Landscaping to be impacted: Trees

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-075-01

<https://polaris3g.mecklenburgcountync.gov/#mat=87612&pid=09307501&gisid=09307501>

Purchase Price: \$79,475

Council District: 1

58. Property Transactions - Shamrock Drive Improvements, Parcel # 83

Action: Approve the following Acquisition: Shamrock Drive Improvements, Parcel # 83

Project: Shamrock Drive Improvements, Parcel # 83

Program: Shamrock Drive Improvements

Owner(s): Del Valle Properties, Inc

Property Address: 2517 Shamrock Drive

Total Parcel Area: 10,111 sq. ft. (0.232 ac.)

Property to be acquired by Fee Simple: 35 sq. ft. (0.001 ac.) Fee Simple

Property to be acquired by Easements: 641 sq. ft. (0.015 ac.) Sidewalk Utility Easement, 108 sq. ft. (0.002 ac.) Utility Easement and 1,356 sq. ft. (0.031 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: Driveway

Landscaping to be impacted: Trees

Zoned: R-4

Use: Single-family Residential

Parcel Identification Number: 093-071-11

<https://polaris3g.mecklenburgcountync.gov/#mat=85968&pid=09307111&gisid=09307111>

Purchase Price: \$20,775

Council District: 1

Adjournment

REFERENCES

59. 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.

60. 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.

61. 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.