

# **City of Charlotte**

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



## **Meeting Agenda**

**Monday, May 13, 2024**

**Council Chamber**

### **City Council Business Meeting**

*Mayor Vi Lyles  
Mayor Pro Tem Danté Anderson  
Council Member Dimple Ajmera  
Council Member Tariq Scott Bokhari  
Council Member Tiawana Brown  
Council Member Ed Driggs  
Council Member Malcolm Graham  
Council Member Reneé Johnson  
Council Member LaWana Mayfield  
Council Member James Mitchell  
Council Member Marjorie Molina  
Council Member Victoria Watlington*

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

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

### **1. Mayor and Council Consent Item Questions and Answers**

**Staff Resource(s):**

Marie Harris, Strategy and Budget

**Time:** 5 minutes

**Synopsis**

Mayor and Council may ask questions about Consent agenda items.

[2024-05-13 Council Agenda QA](#)

### **2. Consent agenda items 29 through 59 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.**

**Time:** 10 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

### Center City Partners

**Staff Resource(s):**

Ryan Bergman, Strategy and Budget

**Time:** Presentation - 10 minutes; Discussion - 15 minutes

**Explanation**

- Annual updates will be provided on Center City Municipal Service Districts.

### Council Committee Highlights

**Time:** Presentation - 20 minutes; Discussion - 15 minutes

**Explanation**

- Council Committee Chairs will provide Council with updates on any committee items that currently need input from Council.

[CCCP Action Review Presentation](#)

## 5. Closed Session (as necessary)

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

*Call to Order*

*Introductions*

*Invocation*

*Pledge of Allegiance*

## **AWARDS AND RECOGNITIONS**

### **6. Provider Appreciation Day**

**Action:**

Council member Ajmera will read a proclamation recognizing May 10, 2024, as Provider Appreciation Day.

### **7. National Mental Health Awareness Month**

**Action:**

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

## **PUBLIC HEARING**

## 8. Public Hearing on a Resolution to Close a Portion of Two Alleyways between Heath Court and Hawthorne Lane

### Action:

- A. Conduct a public hearing to close a Portion of Two Alleyways between Heath Court and Hawthorne Lane, and
- B. Adopt a resolution and close a Portion of Two Alleyways between Heath Court and Hawthorne Lane.

### **Staff Resource(s):**

Debbie Smith, Transportation

Casey Mashburn, 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 alleyway to be closed is located in Council District 1.

### **Petitioner**

Queen City Hotel Investors, LLC

### **Right-of-Way to be Abandoned**

Portion of Two Alleyways between Heath Court and Hawthorne Lane

### **Reason**

Per the petition submitted by Queen City Hotel Investors, LLC, the abandonment is for the development of a future hotel. 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)

None

### 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

[2023-007396A - Abandonment Map](#)

[2024-007396A - Resolution to Close](#)

## 9. Public Hearing on the Proposed Fiscal Year 2025 Operating Budget and Fiscal Years 2025-2029 Capital Investment Plan

### **Action:**

**Conduct a public hearing on the City Manager's Proposed Fiscal Year 2025 Operating Budget and Fiscal Years 2025 - 2029 Capital Investment Plan.**

### **Committee Chair:**

Dimple Ajmera, Budget, Governance and Intergovernmental Committee

### **Staff Resource(s):**

Marcus Jones, City Manager's Office

Ryan Bergman, Strategy and Budget

Teresa Smith, Finance

### **Explanation**

- On May 6, 2024, the City Manager presented the Proposed Fiscal Year (FY) 2025 Operating Budget and FY 2025-2029 Capital Investment Plan. The proposed budget represents the city's proposed operating and capital budgets for the fiscal year which begins July 1, 2024.
- State law requires the city hold a public hearing following the presentation of the Manager's Proposed Budget and prior to the City Council adoption of the budget, currently scheduled for June 10, 2024.
- Charlotte's Proposed FY 2025 Budget was developed to lead the City of Charlotte toward addressing the most foundational and pressing needs of the city.

### **Proposed FY 2025 Operating and Capital Budgets' Summary**

- The City Manager's Proposed FY 2025 Operating Budget and FY 2025-2029 Capital Investment Plan were developed consistent with the City Council's strategic priorities. These priorities served as the foundational elements against which all FY 2025 budget decisions were measured.
- The proposed budget includes a property tax rate of 27.54¢ per \$100 of assessed valuation, which is a 1.5¢ increase from FY 2024.
- The proposed budget for the city consists of three major components supported by general tax revenues:
  - A General Fund budget of \$898.2 million for FY 2025, representing a 7.7 percent increase from FY 2024, to support initiatives that will continue to deliver exceptional government services to the community;
  - A \$207.5 million Municipal Debt Service Fund; and
  - A \$524.3 million General Capital Investment Plan for FY 2025.

### **Proposed FY 2025 Budget Highlights**

- Structurally Balanced Budget with a two-year lens.
- Proposes 1.5¢ - Property Tax increase:
  - 0.9¢ - Operating (primarily Public Safety)
  - 0.3¢ - Capital (primarily Mobility and Housing)
  - 0.3¢ - Arts and Culture
- The FY 2025 Solid Waste Fee is proposed to increase \$0.78 per month.
- Launches four new apprenticeship roles to citywide apprenticeship program.
- Supports Police telecommunications by providing funding for 15 telecommunications positions (this is in addition to \$9 million to support 911 Call Center renovations).
- Adds 72 Fire positions: including 12 additional fire investigators, 54 staff for three new ladder companies, three battalion chiefs to establish Battalion 9, and three administrative/technical staff.
- Supports a sustainable arts ecosystem: \$11 million for Arts and Culture.
- Provides \$500,000 for on-going Alternatives to Violence support at Beatties Ford Road and utilizes



grant funds to continue Project BOOST with Atrium Health, and ATV at West Blvd and Nations Ford/Arrowood locations.

- Adds 10 new positions to Animal Care and Control, increasing animal care staffing by 29 percent.
- Expands partnership with the Center for Employment Opportunities allocating \$250,000 to reduce litter and help previously incarcerated individuals build work experience.
- Collaborates with Charlotte-Mecklenburg Schools (CMS) to hire 17 CMS high school graduates and offer starting pay at \$47,480.

#### **Proposed FY 2025 Employee Compensation and Benefits**

- Provides a five percent increase in FY 2025 for hourly employees: 2.5 percent in July and 2.5 percent in November.
- Boosts the minimum total increase for general hourly employees to \$3,280, providing more than a seven percent increase to the city's lowest paid employees.
- Provides a four percent merit pool for salaried employees.
- Continues pay incentives - 2.5 percent CDL; 2.5 percent 2nd and 3rd shift (includes Police); All-Access Transit Pass.
- Continues flexible work options for appropriate administrative positions.
- Provides 5-7.5 percent pay increases (including step) for most Police Pay Plan Employees.
- Supports Fire Pay Plan employees with pay increases up to 7.5 percent (including step).
- Increases the top pay for Police Officers by five percent resulting in a 16 percent increase over two years.
- Provides nearly 2.5x the planned increase in funding for the Firefighters' Retirement System (4.9 percentage points).
- Provides a Financial Support Coordinator for employees.
- Establishes employee Emergency Loan Program for hardships.
- Enhances home ownership opportunities within House Charlotte Plus.

#### **Proposed FY 2025 Nongeneral Departments' Revenue**

- Charlotte Water: The FY 2025 Water and Sewer Fee for the typical homeowner is proposed to increase by 5.75 percent. The typical homeowner would experience a \$4.37 per month increase.
- Storm Water: The FY 2025 Storm Water Services Fee is proposed to increase by 4.9 percent. The typical homeowner would experience a \$0.47 per month increase.
- Aviation: Select non-regulatory fees were adjusted to increase or decrease based on Aviation's cost-recovery model.
- CATS: In FY 2025, CATS' fares will remain the same as in FY 2024.

#### **Proposed FY 2025 Financial Partners and Outside Agency Funding**

- Two new Pay-As-You-Go (PAYGO) fund-supported financial partners, the Housing Collaborative and The United Way of Greater Charlotte, are being proposed for funding in FY 2025.
- General Fund-supported financial partners that were funded in FY 2024 are being recommended for the same funding levels in FY 2025, with the exception of the Charlotte Regional Business Alliance, which will receive a slight increase due to funding based on population served.
- The FY 2025 budgets for Charlotte Center City Partners, University City Partners, and SouthPark Community Partners Municipal Service Districts #1-6 support economic, cultural, and social development within designated districts. Their allocations are based on the valuation of properties in their respective districts.
- The Charlotte Regional Visitors Authority budget reflects a 6.9 percent increase over FY 2024.
- Crisis Assistance Ministries is to receive the same funding level in FY 2025 of \$550,000. The \$125,000 previous American Rescue Plan Act (ARPA) allocation from FY 2024 will be absorbed in the PAYGO fund.
- Financial partners that were funded with ARPA allocations in FY 2024 and reapplied are being funded through the PAYGO fund in FY 2025.
- DreamKey Partners, which receives both PAYGO and Federal Grant Funds, will receive the same funding level in FY 2025 for Affordable Housing.

**Proposed FY 2025-2029 Capital Investment Plan (CIP)**

- The five-year total Proposed FY 2025-2029 CIP is \$6.51 billion (this includes the total General CIP, as well as the five-year capital plan totals for nongeneral departments: Aviation, CATS, Charlotte Water, and Storm Water).
- The five-year General CIP totals \$1.17 billion (this includes general obligation bonds, other sources, reappropriation of prior authorization, and PAYGO funds).
- The Proposed FY 2025 General CIP includes:
  - Double the previous affordable housing investment with a \$100 million allocation to create and preserve affordable housing, the largest investment in program history,
  - A new, data-driven approach to project identification with \$55 million for Strategic Investment Areas,
  - \$25 million for infrastructure improvements in the Corridors of Opportunity, in addition to \$5 million in the PAYGO Fund,
  - Sidewalk funding of \$50 million, matching the largest investment in program history,
  - Vision Zero funding of \$20 million, the largest investment in program history,
  - \$3.5 million for future Council recommendations addressing youth violence,
  - Support for economic development partnerships with \$36.7 million,
  - Continued support of the multi-year, \$107 million program to construct and renovate Fire facilities with a \$14.5 million allocation in FY 2025,
  - Funds to expand the 911 Call Center at Charlotte-Mecklenburg Police Department Headquarters and the Police and Fire Training Academy with \$7 million in FY 2025 and another \$2 million planned in FY 2026, and
  - Support for the Strategic Energy Action Plan with \$3.5 million in the CIP for the installation of sustainable infrastructure in city-owned facilities, along with purchasing 70 electric vehicles.
- The nongeneral departments' five-year capital plans total \$4.98 billion and are summarized below:
  - Aviation totals \$1.9 billion, a 13.6 percent decrease,
  - CATS totals \$394 million, a 34.6 percent increase,
  - Charlotte Water totals \$2.25 billion, a 14.5 percent decrease, and
  - Storm Water totals \$436 million, a 7.2 percent decrease.

**Budget Process**

- The following is the Council-adopted remaining budget meeting schedule:
  - May 20 - Budget adjustments;
  - May 30 - Budget straw votes; and
  - June 10 - Budget adoption.
- State law requires local governments to adopt a budget by July 1 of each year.
- A complete copy of the proposed budget is available online at:  
<https://charlottenc.gov/budget/Pages/default.aspx>

**Attachment(s)**

Proposed FY 2025 Budget Presentation

Proposed FY 2025 Budget in Brief

[FY 2025 Proposed Budget Presentation](#)

[FY 2025 Proposed Budget in Brief](#)

## **POLICY**

### **10. City Manager's Report**

[05.13.2024 City Manager's Memo](#)

## 11. Charlotte Business Inclusion Advisory Committee Term Length

### **Action:**

**Approve the Jobs and Economic Development Committee's recommendation to change the term length for appointments to the existing Charlotte Business Inclusion Advisory Committee from two-year terms to three-year terms.**

### **Council Committee Chair:**

Malcom Graham, Jobs and Economic Development

### **Staff Resource(s):**

Tracy Dodson, City Manager's Office  
Holly Eskridge, Economic Development  
Steven Coker, Charlotte Business INclusion

### **Explanation**

- The Charlotte Business INclusion Advisory Committee (CBIAC) was established by City Council in 2017 to review, advise, and recommend policies to support the Charlotte Business INclusion (CBI) program.
- The CBIAC is responsible for the following:
  - Reviewing Minority-Owned Business Enterprise, Women-Owned Business Enterprise, and Small Business Enterprise (MWSBE) utilization and participation on city contracts
  - Providing recommendations and advice to City Council on ways the city can enhance diversity and inclusion of MWSBEs in city contracting and procurement
  - Providing a forum for CBI stakeholders to raise issues and have input into CBI recommendations
  - Advising the city of business community conditions that may affect business-government relations
  - Serving as advisors on any disparity study
- The CBIAC consists of seventeen members appointed by the following:
  - Three by Mayor,
    - At-large Charlotte Regional Business Alliance representative
    - At-large Prime Construction Company representative
    - At-large Professional Services representative
  - Fourteen by City Council,
    - Carolinas Asian-American Chamber of Commerce representative
    - Carolinas Association of General Contractors representative
    - Carolinas LGBT+ Chamber of Commerce representative
    - Charlotte Mecklenburg Black Chamber of Commerce representative
    - Hispanic Contractors Association of the Carolinas representative
    - Latin American Chamber of Commerce representative
    - Metrolina Minority Contractors Association representative
    - Metrolina Native American Association representative
    - National Association of Women Business Owners representative
    - Three at-large representatives
    - Two at-large Prime Construction Company representatives
- The CBIAC appointees currently serve two-year terms. The proposed change would be to update the term length to three years to be consistent with the city's other advisory boards and commissions and would only apply to future appointments by the Mayor and Council.

### **Committee Discussion**

- At the May 6, 2024, the Jobs and Economic Development Committee voted unanimously to recommend to Council updating the term length of the CBIAC from a two-year term for appointees to a three-year term for all future appointments by the Mayor and Council.

## BUSINESS

### 12. General Obligation Bond Referendum

**Action:**

**Adopt resolutions authorizing staff to proceed with the necessary actions to conduct a general obligation bond referendum on November 5, 2024.**

**Staff Resource(s):**

Teresa Smith, Finance

Matthew Hastedt, Finance

**Explanation**

- The City Council is scheduled to adopt the Fiscal Year 2025 budget and Fiscal Years 2025-2029 Community Investment Plan at the June 10, 2024, business meeting. The plan includes a \$400,000,000 bond referendum on November 5, 2024.
- This proposed referendum includes \$238,300,000 of street bonds, \$100,000,000 of housing bonds, and \$61,700,000 of neighborhood improvement bonds.
- The statutory requirements for the legal process include applying to the Local Government Commission for approval, holding a public hearing on the proposed bond orders, setting of the special referendum and certification of the results.
- The current action is the first of three Council actions associated with the 2024 Bond Referendum. This first action will specifically authorize:
  - Publication of a notice of intent to apply to the Local Government Commission;
  - Application to the Local Government Commission; and
  - Certain statements of facts concerning the proposed bonds.

**Next Steps**

- On June 10, 2024, the bond orders will be introduced, and Council will be asked to set a public hearing on the bond orders for June 24, 2024.
- On June 24, 2024, Council will be asked to hold a public hearing on each of the bond orders, approve the bond orders and set a bond referendum for November 5, 2024.
- After November 5, 2024, Council will be asked to adopt a resolution certifying and declaring the results of the special bond referendum after the Certificate of Canvass is signed by the Mecklenburg Board of Elections.

**Fiscal Note**

Funding: Municipal Debt Service Fund, Capital Projects Fund

**Attachment(s)**

Resolutions

[Resolution - Notice of Intent to Apply - 2024 GO Referendum](#)

[Resolution - Statement of Facts - 2024 GO Referendum](#)

## 13. General Obligation Refunding Bonds

### Action:

- A. **Adopt an Initial Finding Resolution Authorizing Refunding of existing Outstanding General Obligation Bonds series 2014A not to exceed \$70,000,000,**
- B. **Authorize City Officials to take necessary actions to complete the financing, including making the application to the Local Government Commission, and**
- C. **Adopt a budget ordinance appropriating \$70,000,000 to the Municipal Debt Service Fund.**

### **Staff Resource(s):**

Teresa Smith, Finance

Matt Hastedt, Finance

### **Explanation**

- The city continually evaluated outstanding debt for refunding opportunities to achieve savings, reduce risk and to modernize financing documents.
- Authorize the issuance of up to \$70,000,000 of General Obligation Refunding Bonds of which the refunding proceeds will be used to refund the existing 2014A General Obligation bonds.
- This action will:
  - Provide information required for Local Government Commission approval of the financing, and
  - Provide approval to the City Manager and the Authorized Officers named in the Resolution to take necessary actions to complete the financing and related documentation for the life of the debt.
- With the City Council approval, it is anticipated the Local Government Commission will approve this action at its July meeting.

### **Fiscal Note**

Funding: Municipal Debt Service Fund

### **Attachment(s)**

Resolution

Budget Ordinance

[Resolution making Statements of Fact - 2024 Refunding GO Bonds](#)

[FY24 Budget Ordinance - GO Bond Refunding](#)

## 14. Water Sewer Revenue Bonds and Revenue Bond Anticipation Note

### Action:

- A. **Adopt bond orders and resolutions authorizing and approving issuance of Water Sewer Revenue Bonds and Bond Anticipation Note and calling for the execution and delivery of various documents necessary to complete the sale,**
- B. **Provide for the issuance of Water Sewer Revenue Bonds in an amount not to exceed \$610 million to refund outstanding 2022 Bond Anticipation Notes and provide financing for water sewer projects,**
- C. **Provide for the issuance of Water Sewer Revenue Bond Anticipation Notes in an amount not to exceed \$500,000,000, and**
- D. **Adopt a budget ordinance appropriating \$500 million in revenue bond proceeds and \$5 million from the Charlotte Water Operating Fund to the Charlotte Water Revenue Bond Debt Service Fund.**

### **Staff Resource(s):**

Teresa Smith, Finance  
Matt Hastedt, Finance  
Angela Charles, Charlotte Water

### **Explanation**

- At its April 22, 2024, Business Meeting, City Council authorized the application to the Local Government Commission for debt issuance to fund Charlotte Water Capital Investment Plan projects and to refund existing debt.
- This action provides for the issuance of up to \$610 million comprised of the following:
  - New revenue bonds up to \$110 million to provide financing for projects listed below, and
  - Refunding of the 2022 Bond Anticipation Note (BAN) of approximately \$500 million. In 2022, the City obtained a \$500 million Revenue BAN to fund projects on a short-term, interim basis and planned to convert it to long-term, fixed rate revenue bonds at the end of the 24-month construction period.
- This action would also authorize a new construction period financing program for up to
  - \$500 million in short-term notes to provide financing for other projects that are in the design phase.
- The 2024 Revenue BAN of up to \$500 million is planned in two steps: a short-term construction period draw program lasting up to 36 months, which will then be converted into long-term, fixed rate revenue bonds once construction nears completion. This financing approach reduces interest cost, promotes rate stability, and provides flexibility in the timing of the spending.
- The revenue bonds and BAN will provide funding for projects concentrated in below areas:
  - Maintenance of existing treatment facilities to ensure reliable treatment process and regulatory compliance,
  - Rehabilitation and replacement of existing water and sewer infrastructure that has met its useful performance life, and
  - Water and sewer infrastructure capacity and expansion due to growth of the service area.
- These actions do not require any additional rate increases.

### **Fiscal Note**

Funding: Charlotte Water Revenue Bond Debt Service Fund

### **Attachment(s)**

Bond Orders

Resolutions

Budget Ordinance

[Bond Order - Charlotte Water Sewer Revenue Bonds, Series 2024](#)

[Bond Order - Charlotte Water Sewer Bond Anticipation Note, Series 2024](#)

[Bond Resolution - Charlotte Water Sewer Revenue Bonds, Series 2024](#)

[Bond Anticipation Note Resolution - Charlotte Water Sewer BANs, Series 2024](#)

[Budget Ordinance - Water Sewer Revenue Bonds](#)



## 15. Naturally Occurring Affordable Housing Preservation Support Request

### Action:

- A. Approve a \$1,000,000 Housing Opportunities for Persons with Aids (HOPWA) allocation to Pineville NOAH, LLC, an affiliate of Ascent Real Estate Capital, LLC, for the rehabilitation of Ascent Pineville Apartments, and**
- B. Authorize the City Manager to negotiate, execute, amend, extend, and renew contracts as needed to complete this transaction.**

### **Staff Resource(s):**

Rebecca Hefner, Housing & Neighborhood Services

Warren Wooten, Housing & Neighborhood Services

### **Explanation**

- Pineville NOAH, LLC, an affiliate of Ascent Real Estate Capital, LLC (Owner), recently acquired Ascent Pineville Apartments, a 240-unit existing multi-family naturally occurring affordable housing (NOAH) development located at 8401 Habersham Pointe Circle (parcel identification number 221-191-13) in the Town of Pineville. The total project cost including acquisition is \$40,650,000.
- The Owner requests \$1,000,000 of city support to undertake rehabilitation of the property, preserve affordability, and provide supportive housing including:
  - Affordability:
    - 20-year deed restriction
    - 72 units at 30 percent Area Median Income (AMI)
    - 120 units at 31 to 60 percent AMI
    - 48 units at 61 to 80 percent AMI
  - Supportive Housing:
    - Provide a minimum of 20 units to support households living with HIV/AIDS
  - Rehabilitation:
    - The Owner's total rehabilitation budget is \$1,500,000 and includes:
      - Roof replacement
      - HVAC replacement and interior plumbing upgrades
      - Siding replacement and repair
    - A third-party inspection has been performed on the property to determine the existing property conditions and needs assessment.
- The request meets the city's NOAH preservation guidelines including:
  - The property's age is greater than 15 years;
  - Rents are in the AMI range that are at risk due to surrounding neighborhood dynamics;
  - The property can be rehabilitated to maintain a good quality of life for residents for the next 20 years or more;
  - The property is located in an area with close proximity to quality jobs, schools, and transportation infrastructure; and
  - The property is located in an area experiencing transformative change and property appreciation.
- Housing Opportunities for Persons with Aids (HOPWA) is a federal funding allocation that the city administers on behalf of an 11-county service area. HOPWA funding provides a variety of programs and supportive services for households with a family member living with HIV/AIDS.
- The Mecklenburg County Board of County Commissioners has committed \$8,500,000 to support the project, including a \$3 million one-time loan, and \$5.5 million, based on the property's annual County property taxes for 20-years, to provide rental subsidies for 36 units to serve households earning 30 percent or below of the area median income who do not have existing rental subsidies.
- Additionally, the LISC Charlotte Opportunity Investment Fund (CHOIF) proposes up to a \$1 million investment to support the development.

**Background**

- In August 2018, Council adopted the Housing Charlotte Framework which recommends preserving NOAH properties and particularly in areas with strong pathways to opportunity.
- In March 2019, Council adopted the Guidelines for Preserving Naturally Occurring Affordable Housing. The goals of the guidelines include limiting displacement of current residents by preserving existing affordability, preserving quality affordable and workforce housing by increasing the number of available deed-restricted units and addressing deferred maintenance, and leveraging city resources to preserve NOAH affordability.
- In April 2023, the Housing, Safety and Community Committee received an overview of the Housing Trust Fund Tune-up Implementation, including leveraging the city's federal allocations to create and preserve affordable housing opportunities in the city and regionally, and releasing a rolling NOAH Request for Proposals (RFP).
- On May 8, 2023, City Council adopted the U.S. Department of Housing and Urban Development's Annual Action Plan which describes the city's use of federal funding allocations.
- In May 2023, the city issued a rolling NOAH Acquisition, Rehabilitation and Subsidy RFP. The RFP allows NOAH developers/owners to be responsive to quickly changing market conditions, and allows the city to evaluate proposals on a rolling basis as market opportunities arise.
- On May 6, 2024, the Housing, Safety & Community Committee received an overview of this current NOAH opportunity and proposed allocation.
- Support of the proposed allocation is consistent with the strategies outlined in the Housing Charlotte Framework, NOAH preservation guidelines, the Annual Action Plan, and the Housing Trust Fund Tune-up.

**Fiscal Note**

Funding: Housing Opportunities for Persons with AIDS (HOPWA)

**Attachment(s)**

Map

[Map - Ascent Pineville Apartments](#)

## APPOINTMENTS

### 16. Appointments to the Charlotte Business INClusion Advisory Committee

**Action:**

**Appoint 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 February 28, 2025.
- Two appointments for terms beginning upon appointment and ending based on term length as designated by Council for the committee.
  - Cherri Flinn, nominated by Council member Anderson and Driggs.
  - Candice Gaddy, nominated by Council member Brown and Mayfield.
  - Raghunadha Kotha, nominated by Council member Ajmera, Driggs, and Johnson.
  - Jacqueline Roseboro, nominated by Council member Brown and Mayfield.
  - Lakesha Womack, nominated by Council member Driggs and Molina.

**Attachment(s)**

Charlotte Business INClusion Advisory Committee Applications

## NOMINATIONS

### 17. Nominations to the Bechtler Arts Foundation 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 beginning July 1, 2024, and ending June 30, 2027.
  - Sam Spencer is eligible for reappointment.

**Attachment(s)**

Bechtler Arts Foundation Board Applications

### 18. 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 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 partial term recommended by the LGBT+ Chamber of Commerce beginning upon appointment and ending June 30, 2026.
  - Chad Turner did not meet attendance requirements.

**Attachment(s)**

Business Advisory Committee Applications

## 19. 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 Black Chamber of Commerce representative for a term beginning March 1, 2024, and ending based on term length as designated by Council for the committee.
  - Harrison Williams has served two terms and is ineligible for reappointment.
- One appointment for a Carolinas Asian-American Chamber of Commerce representative for a term beginning March 1, 2024, and ending based on term length as designated by Council for the committee.
  - Alex Bui is eligible but not interested in reappointment.
- One appointment for a Metrolina Minority Contractors Association representative for a term beginning March 1, 2024, and ending based on term length as designated by Council for the committee.
  - Valerie Del has served two terms and is ineligible for reappointment.

**Attachment(s)**

Charlotte Business INClusion Advisory Committee Applications

## 20. 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, 2026.
  - Jakob Gattinger has resigned.

**Attachment(s)**

Charlotte Mecklenburg Public Access Corporation Applications

## 21. 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 partial term for a Neighborhood Conditions Representative beginning upon appointment and ending August 31, 2024.
  - Tonya Jameson has resigned.

**Attachment(s)**

Charlotte Neighborhood Equity and Stabilization Commission Applications

## 22. Nominations to the Civil Service Board

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- Four appointments for a three-year term beginning May 16, 2024, and ending May 15, 2027.
  - Shelia Etheridge is eligible for reappointment.
  - Charlitta Hatch has served two terms and is ineligible for reappointment.
  - David McCleary has served two terms and is ineligible for reappointment.
  - Carolyn Millen has served two terms and is ineligible for reappointment.

**Attachment(s)**

Civil Service Board Applications

## 23. Nominations to the Community Relations Committee

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- Three appointments for a partial term beginning upon appointment and ending June 30, 2025.
  - Sridhar Dasari has resigned.
  - Aleksandra Degernes has resigned.
  - Quintin Graves did not meet attendance requirements.
- One appointment for a three-year term beginning July 1, 2024, and ending June 30, 2027.
  - Matthew Roden is eligible but not interested in reappointment.

**Attachment(s)**

Community Relations Committee Applications

## 24. 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 Fourth Ward beginning upon appointment and ending June 30, 2025.
  - Noelle Bell resigned.
- One appointment for a partial term for a Resident Owner of Hermitage Court beginning upon appointment and ending June 30, 2024, and a three-year term beginning July 1, 2024, and ending June 30, 2027.
  - James Jordan has resigned.

**Attachment(s)**

Historic District Commission Applications

## 25. Nominations to the Keep Charlotte Beautiful Committee

**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.
  - Linda DiTroia has resigned.
- Five appointments for a three-year term beginning July 1, 2024, and ending June 30, 2027.
  - Charita Coleman is eligible but not interested in reappointment.
  - Michael Davis is eligible for reappointment.
  - Grace Few is eligible for reappointment.
  - Doris Shivers is eligible but not interested in reappointment.
  - Edieberto Torres is eligible for reappointment.

**Attachment(s)**

Keep Charlotte Beautiful Committee Applications

## 26. Nominations to the Neighborhood Matching Grants Fund

**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 School Superintendent beginning April 16, 2024, and ending April 15, 2026.
  - Doris Shivers has served two terms and is ineligible for reappointment.

**Attachment(s)**

Neighborhood Matching Grants Fund Applications

## 27. 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 Hospitality / Tourism Industry category representative for a partial term beginning upon appointment and ending June 30, 2024, and a three-year term beginning July 1, 2024, and ending June 30, 2027.
  - Sheila Etheridge-Boddie has served two terms and is ineligible for reappointment.

**Attachment(s)**

Passenger Vehicle for Hire Board Applications

## 28. 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 Local/Express Service Passenger category representative for a partial term beginning upon appointment and ending January 31, 2026.
  - Robert Moran resigned and was appointed to the Committee by the Mecklenburg County Board of Commissioners.
- One appointment for a Vanpool Rider category representative for a partial term beginning upon appointment and ending January 31, 2025.
  - Parker Cains has resigned.

**Attachment(s)**

Transit Services Advisory Committee Applications



## CONSENT

### 29. Police Crime Laboratory Equipment, Supplies, and Services

**Action:**

- A. Approve the purchase of DNA equipment, supplies, and services by the sole source exemption,**
- B. Approve a contract with Life Technologies Corporation for the purchase of DNA equipment, supplies, and services for a term of three years, and**
- C. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

**Staff Resource(s):**

Johnny Jennings, Police

Matthew Mathis, Police

**Sole Source Exemption**

- NC General Statute Section 143-129(e)(6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because Life Technologies Corporation is the only vendor capable of supplying DNA testing kits, consumables, and software that are compatible with the DNA testing equipment currently used by Charlotte-Mecklenburg Police Department's (CMPD) crime lab.
- City Council approval is required for any purchases made under the sole source exception.

**Explanation**

- Analyzing DNA samples is a routine service of the CMPD crime lab.
- The software and supplies provided by Life Technologies Corporation have been validated through an extensive testing process required for the crime lab's accreditation and for coordination with the Federal Bureau of Investigation's national DNA database.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual expenditures are estimated to be \$400,000.

**Charlotte Business INClusion**

This is a sole source contract and is exempt from the CBI program.

**Fiscal Note**

Funding: CMPD Operating Budget

## 30. Replacement Protective Bomb Suit Ensemble

### Action:

- A. Approve the purchase of a protective bomb suit ensemble by the sole source exemption,
- B. Approve a contract with Med-Eng for the purchase of a protective bomb suite ensemble for the term of one year, and
- C. Authorize the City Manager to renew the contract for up to four, one-year renewal terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

### **Staff Resource(s):**

Johnny Jennings, Police

Michael Harris, Police

### **Sole Source Exemption**

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

### **Explanation**

- Charlotte-Mecklenburg Police Department's Bomb Unit currently owns five bomb suit ensembles that provide the bomb technicians with ballistic and fragmentation protection when performing render safe procedures, analysis, and disposal activities.
- Each bomb suit must comply with the Public Safety Bomb Suit Standard and National Institute of Justice Standard and must be replaced every five years to maintain performance and safety standards.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual expenditures are estimated to be \$44,000.

### **Charlotte Business INclusion**

This is a sole source contract and is exempt from the CBI Program.

### **Fiscal Note**

Funding: 2023 Urban Area Security Initiative Grant

## 31. Air Fill Station Equipment

### Action:

- A. Approve the purchase of air-fill station equipment by the sole source exemption,
- B. Approve a contract with Safe Air Systems, for Bauer Unitized Air System equipment, and
- C. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

### **Staff Resource(s):**

Reginald T. Johnson, Fire

Jerry Winkles, Fire

Jeffrey Matthews, Fire

### **Sole Source Exemption**

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

### **Explanation**

- This contract will provide Bauer Unitized Air System equipment at five new firehouses during construction.
- Compressed breathing air recharging systems are utilized to compress ambient air for use in Self Contained Breathing Apparatus equipment.
- The city currently utilizes the Bauer compressed air recharging stations. The stations are strategically located at firehouses throughout the city and firefighters are trained on use.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Total expenditures are estimated to be \$440,000.

### **Charlotte Business INclusion**

This is a sole source contract and is exempt from the CBI Program.

### **Fiscal Note**

Funding: General Capital Investment Plan

## 32. Fire Boat Engine Equipment and Repairs

### Action:

- A. **Approve a contract for proprietary Fire Boat engine equipment and on-call repairs by sole source exemption,**
- B. **Approve a contract with Marinemax, for Fire Boat engine equipment and on-call repairs for a term of one year, and**
- C. **Authorize the City Manager to renew the contract for up to one, one-year term, with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Reginald T. Johnson, Fire  
Jerry Winkles, Fire  
Jeffrey Matthews, Fire

### **Sole Source Exemption**

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

### **Explanation**

- This contract will provide Fire Boat engine equipment and labor for the boat apparatus housed at Station 38.
- Fire Boat 38 is used for fire suppression and water rescue in the Lake Wylie area and the lower part of Mountain Island Lake.
- Marinemax services Fire Boat 38 and is a factory certified repair technician.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual expenditures are estimated to be \$108,000.

### **Charlotte Business INclusion**

This is a sole source contract and is exempt from the CBI Program.

### **Fiscal Note**

Funding: General Capital Investment Plan

### 33. Fire Emergency Medical Supplies

**Action:**

- A. Approve unit price contracts for the purchase of Fire Emergency Medical Supplies for a term of three years to the following:**
- Bound Tree Medical, LLC,
  - The Glove Box, Inc., and
- B. Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

**Staff Resource(s):**

Reginald Johnson, Fire  
Jerry Winkles, Fire  
Jeffrey Matthews, Fire

**Explanation**

- Medical supplies are carried on fire trucks to allow firefighters to provide aid and basic life support. These supplies include oxygen masks, trauma bags, catheters, bandages, airflow monitors, tubes, stethoscopes, and gloves as well as other medical supplies.
- The city issued the Invitation to Bid (ITB) on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA). CCPA is a cooperative purchasing program established by City Procurement with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- On February 13, 2024, the city issued an ITB; eight bids were received.
- Bound Tree Medical, LLC and The Glove Box, Inc. were selected as the lowest responsive, responsible bidders.
- Potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases if warranted.
- Annual aggregate expenditures are estimated to be \$500,000.

**Charlotte Business INclusion**

Contract goals were not established on this Contract as there were no viable subcontracting opportunities.

**Fiscal Note**

Funding: Fire Operating Budget

## 34. Unspecified Demolition and Environmental Services

### **Action:**

- A. Approve contracts with the following companies for Unspecified Demolition and Environmental Services for an initial term of three years:**
- **Double D Construction Services, Inc. (WBE),**
  - **Jones Grading and Fencing, Inc. (MBE),**
  - **NEO Corporation,**
  - **W.C. Black and Sons, Inc. (SBE), and**
- B. Authorize the City Manager to renew the contracts for up to two, one-year renewal terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

### **Staff Resource(s):**

Rebecca Hefner, Housing & Neighborhood Services  
 Jerry Green, Housing & Neighborhood Services

### **Explanation**

- Housing and Neighborhood Services Code Enforcement Division enforces the city's Non-residential Building Code and the Minimum Housing Code Ordinances, which regulate and provide minimum standards for commercial and residential buildings and ensure the health and safety of the city's neighborhoods and its residents.
- Demolition is required when code violations are not corrected.
- Multiple contracts for demolition services are recommended to ensure adequate and timely demolition resources are available.
- On February 15, 2024, the city issued a Request for Proposals (RFP); five responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$400,000.

### **Charlotte Business INclusion**

The city negotiates contract participation after the proposal selection process. Each Prime has identified the following certified firm(s) to be utilized:

#### Double D Construction Services, Inc. (WBE)

- Elite Environmental Services, Inc. (SBE) (erosion control)

#### Jones Grading & Fencing, Inc. (MBE)

- Silverback Brothers LLC (MBE, SBE) (backfill services, sitework)
- Quality Environmental LLC (MBE) (remediation services)

#### Neo Corporation

- Diva Dumps, LLC (MBE, SBE) (hauling)
- Maybury Fencing, Inc. (WBE) (temporary fencing)

#### W.C. Black & Sons, Inc. (SBE)

- Superior Abatement Services Inc. (SBE) (asbestos services)

### **Fiscal Note**

Funding: Housing and Neighborhood Services Code Enforcement Operating Budget

## 35. Rectangular Rapid Flashing Beacons

### Action:

- A. **Approve a unit price contract with Econolite Control Products, Inc. for the purchase of Rectangular Rapid Flashing Beacons for a term of three years, and**
  
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Debbie Smith, Transportation

Bryan Tarlton, Transportation

### **Explanation**

- The Strategic Mobility Plan (SMP), adopted by Council in June 2022, outlines the mobility policies to achieve a safe, connected, equitable, sustainable, prosperous, and innovative transportation network for Charlotte.
- Rectangular rapid flashing beacons (RRFBs) are pedestrian-activated devices that warn motorists of pedestrians crossing at mid-block locations. RRFBs use a rapid flash pattern to supplement warning signs.
- RRFBs offer significant safety and cost benefits because they achieve high rates of driver-yielding compliance in comparison to other flashing beacons. These devices align with the Vision Zero goals, one of the key objectives in the SMP, of providing safe crossings for pedestrians in mid-block and other uncontrolled locations.
- On March 15, 2024, the city issued an Invitation to Bid; two bids were received.
- Econolite Control Products, Inc. was selected as the lowest responsive, responsible bidder.
- The contract prices shall remain fixed for the initial three-year term. At renewal, price adjustments may be considered based on legitimate and justified increases in the cost of doing business.
- Annual expenditures are estimated to be \$300,000.

### **Charlotte Business INclusion**

Contract goals were not established on this Contract as there were no viable subcontracting opportunities.

### **Fiscal Note**

Funding: Transportation Operating Budget & General Capital Investment Plan

## 36. Capital Investment Plan Cost Estimating and Analysis Services

### Action:

- A. Approve unit price contracts with the following companies for Cost Estimating and Analysis Services for an initial term of three years:**
- American Engineering Associates-Southeast PA,
  - Michael Baker International, Inc.,
  - OCMI, Inc.,
  - Transystems Corporation, and
- B. Authorize the City Manager to renew the contracts for one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

### **Staff Resource(s):**

Phil Reiger, General Services  
 Jennifer Smith, General Services  
 Becky Chambers, General Services

### **Explanation**

- Services may include, but are not limited to, independent cost estimating and constructability reviews for various phases of horizontal and vertical construction projects.
- On December 21, 2023, the city issued a Request for Qualifications (RFQ); 6 responses were received.
- The firms selected best meet the city's needs in terms of qualifications, relevant experience, availability, and responsiveness to RFQ requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$450,000.

### **Charlotte Business INclusion**

The city negotiates contract participation after the proposal selection process. Each of the Prime firms listed has identified MWSBEs on their project team, and for each work order issued, committed 10.00% of the total contract amount to the following certified firms:

#### American Engineering Associates-Southeast PA

- Capstone Civil Engineering, Inc. (MBE, SBE) (geotechnical, cost estimating and analysis)

#### Michael Baker International, Inc.

- Project Cost Solutions Inc. (SBE) (cost estimating, scheduling services)
- Gulf Coast, LLC (MBE, SBE) (right-of-way-acquisition, cost estimating)
- Boyle Consulting Engineers, PLLC (SBE) (geotechnical, cost estimating and analysis)

#### OCMI, Inc.

- AME Consulting Engineers (SBE) (constructability reviews)
- CES Group Engineers (WBE) (constructability reviews)

#### Transystems Corporation

- Froehling & Robertson Inc. (MBE) (geotechnical, cost estimating and analysis)

### **Fiscal Note**

Funding: General Capital Investment Plan



## 37. Commercial Fitness Equipment

### Action:

- A. **Approve a unit price contract with Carolina Fitness Equipment LLC for the purchase of Commercial Fitness Equipment for an initial term of one year, and**
  
- B. **Authorize the City Manager to renew the contract for up to four, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Phil Reiger, General Services

Shelia Anderson, General Services

### **Explanation**

- The city has multiple locations with fitness equipment for city employees to use on a regular basis, including but not limited to the Charlotte Mecklenburg Police Department and Charlotte Fire Department facilities.
- On February 21, 2024, the city issued an Invitation to Bid; nine bids were received.
- Carolina Fitness Equipment LLC was selected as the lowest responsive, responsible bidder.
- The contract prices shall remain fixed for the initial one-year term. At renewal, price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual expenditures are estimated to be \$200,000.

### **Charlotte Business INclusion**

Contract goals were not established on this Contract as there were no viable subcontracting opportunities.

### **Fiscal Note**

Funding: Various Departments' Operating Budgets

## 38. Construct Cross Charlotte Trail - Craighead Road to Tryon Street

### **Action:**

**Approve a contract in the amount of \$2,543,728 to the lowest responsive, responsible bidder OnSite Development, LLC for the Cross Charlotte Trail - Craighead Road to Tryon Street project.**

### **Staff Resource(s):**

Phil Reiger, General Services  
Jennifer Smith, General Services  
Keith Bryant, General Services

### **Explanation**

- The Cross Charlotte Trail (XCLT) is a joint project between the City of Charlotte and Mecklenburg County to create over 30 miles of continuous trail and greenway facilities.
- This contract includes construction services for segment #7, Craighead Road to North Tryon Street, (approximate project length = 1.1 miles) of the XCLT in Council District 1.
- Work will include grading, milling, storm drainage, curb and gutter, concrete multi-use path, retaining wall, in-street cycle track, and Charlotte Water line adjustments.
- On April 4, 2024, the city issued an Invitation to Bid; eight bids were received.
- OnSite Development, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2025.

### **Charlotte Business INclusion**

Established MBE Goal: 7.00%

Committed MBE Goal: 7.00%

OnSite Development, LLC met the established contract goal and has committed 7.00% (\$178,100) of the total contract amount to the following certified firm(s):

- LJR Concrete LLC (MBE, SBE) (\$178,100) (concrete)

Established WBE Goal: 3.00%

Committed WBE Goal: 3.00%

OnSite Development, LLC met the established contract goal and has committed 3.00% (\$76,400) of the total contract amount to the following certified firm(s):

- Bird Dog Traffic Control, LLC (WBE, SBE) (\$76,400) (traffic control)

### **Fiscal Note**

Funding: General Capital Investment Plan

### **Attachment(s)**

Map

[Map - Construct Cross Charlotte Trail - Craighead Road to Tryon Street](#)

## 39. Professional Planning and Design Services for Various Storm Water Services Projects

### Action:

- A. **Approve a contract for up to \$1,200,000 with Armstrong Glen, PC for planning and design services for the Collective Culverts #2 Storm Drainage Improvement Project,**
- B. **Approve a contract for up to \$1,300,000 with Dewberry Engineers, Inc. for planning and design services for the Bonnybrook Storm Drainage Improvement Project, and**
- C. **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  
 Mike Davis, Storm Water Services  
 Matthew Gustis, Storm Water Services

### **Explanation**

- Professional engineering services will include evaluation of infrastructure and reported storm drainage concerns to determine and design needed improvements to the existing drainage system.
- Specific planning tasks include, but are not limited to:
  - Site assessment activities,
  - Hydrologic and hydraulic analyses,
  - Determination of alternatives to address the applicable drainage issues,
  - Recommendations of a preferred solution, and
  - Evaluation of downstream impacts, and
  - Selection of project delivery method.
- Specific design tasks include, but are not limited to:
  - Design of repairs and/or improvements,
  - Preparation of construction documents, and
  - Construction administration.
- On December 22, 2023 the city issued a Request for Qualifications (RFQ); 22 responses were received.
- Armstrong Glen, PC, Dewberry Engineers, Inc., McAdams, WithersRavenel, Inc, and WK Dickson and Co., Inc. were selected as the best qualified to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

### Action A

- The Collective Culverts #2 Storm Drainage Improvement Project consists of three separate drainage culverts located at: North Brevard Street, Autumnwood Lane and Addison Drive. These three locations are in Council districts 5 and 7.

### Action B

- The Bonnybrook Storm Drainage Improvement Project is bordered by Lawrence Orr Drive to the north, Bonnybrook Lane to the south, The Oasis at Regal Oaks Apartments to the east, and Campbell Creek to the west in Council District 5.

### **Charlotte Business INclusion**

The city negotiates subcontracting participation after the proposal selection process. Each of the Primes has identified certified firm(s) for participation as project scopes are defined:

### Armstrong Glen, PC

- Froehling & Robertson, Inc. (MBE) (geotechnical engineering services)
- Pipe Pros. (SBE) (pipe inspection and cleaning)

- Survey & Mapping Control Inc. (SBE) (field surveying)

Dewberry Engineers, Inc.

- Avioimage Mapping Services, Inc. (SBE) (aerial imagery photogrammetry)
- Center Line Locating, LLC (WBE, SBE) (utility locating, soft digs)
- Froehling & Robertson, Inc. (MBE) (geotechnical engineering services)
- Hinde Engineering, Inc. (SBE) (utility coordination services)
- The Survey Company, Inc. (SBE) (surveying)

**Fiscal Note**

Funding: Storm Water Capital Investment Plan

**Attachment(s)**

Maps

[Collective Culvert #2 SDIP Map](#)

[Bonnybrook SDIP Map](#)

## 40. Professional Design Services for Various Storm Water Services Projects

### Action:

- A. **Approve a contract for up to \$1,000,000 with ESP Associates, Inc. for design services for the Westmere Storm Drainage Improvement Project,**
- B. **Approve a contract for up to \$650,000 with STV Engineers, Inc. for design services for the East 35th Storm Drainage Improvement Project, and**
- C. **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  
Mike Davis, Storm Water Services  
Matthew Gustis, Storm Water Services

### **Explanation**

- Professional engineering services will include design of needed improvements to the existing drainage system.
- Specific design tasks include, but are not limited to:
  - Selection of project delivery method,
  - Design of repairs and/or improvements,
  - Preparation of construction documents, and
  - Construction administration.
- On December 22, 2023, the city issued a Request for Qualifications (RFQ); 22 responses were received.
- ESP Associates, Inc., and STV Engineers, Inc., were selected as the best qualified to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

### Action A

- The Westmere Storm Drainage Improvement Project is bordered by North Carolina Railroad to the north, West Morehead Street to the south, South Cedar Street to the east, and Irwin Creek to the west in Council District 2.

### Action B

- The East 35th Storm Drainage Improvement Project is bordered by East 35th Street to the north, East 34th Street to the south, Alexander Street to the east, and North Davidson Street to the west in Council District 1.

### **Charlotte Business INclusion**

The city negotiates subcontracting participation after the proposal selection process. Each of the Primes has identified certified firms for participation as project scopes are defined:

#### ESP Associates, Inc.

- Centerline Locating, LLC. (SBE, WBE) (utility locating and SUE services)
- CS4 Services (MBE) (utility locating and SUE services)
- Habitat Assessment and Restoration Professionals (SBE, WBE) (environmental and ecological services)
- Barry Lambert Engineering, PC (SBE) (structural engineering)
- The Survey Company, Inc. (SBE) (land surveying)
- Wells Geotech LLC (SBE) (geotechnical investigations)

#### STV Engineers, Inc.

- Hinde Engineering, Inc. (SBE) (utility coordination services)
- Froehling & Robertson, Inc. (MBE) (geotechnical engineering services)
- Stewart Engineering, Inc. (MBE) (surveying, utility locating, plat preparation services)

**Fiscal Note**

Funding: Storm Water Capital Investment Plan

**Attachment(s)**

Maps

[Westmere SDIP Map](#)

[East 35th SDIP Map](#)

## 41. Interlocal Agreement for Mallard Creek Sanitary Sewer and Cross Charlotte Trail

**Action:**

- Adopt a resolution authorizing the City Manager, or his designee, to negotiate and execute an interlocal agreement with Mecklenburg County for the shared cost for purchasing land associated with the Cross Charlotte Trail and the Mallard Creek Sanitary Sewer projects, and**
- Authorize the City Manager, or his designee, to approve the reimbursement request for the actual cost of the property acquisitions.**

**Staff Resource(s):**

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

**Explanation**

- This interlocal agreement is for the shared cost between the city and Mecklenburg County for Mecklenburg County to purchase all of four parcels of land owned by Martin Marietta Materials, Inc. and a portion of a parcel owned by CHR VIII-PCP MHC Charlotte Queens, LLC in Council District 4.
- The purchase of these parcels will allow for construction of the three upcoming projects along Mallard Creek: Segments 10 and 11 of the Cross Charlotte Trail; Charlotte Water Mallard Creek Interceptor Sanitary Sewer Phase 1; and Mecklenburg County Stream Bank Improvements project.
- The city will reimburse Mecklenburg County for the city's share of the actual purchase costs and the necessary easements for the Cross Charlotte Trail and the Mallard Creek Interceptor Sanitary Sewer Phase 1.
- The total estimated city shared cost of these purchases is \$269,955. The total estimated County shared cost of these purchases is \$557,460.

**Fiscal Note**

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

**Attachment(s)**

Resolution

Maps

[Resolution - Interlocal Agreement for Mallard Creek Sanitary Sewer and Cross Charlotte Trail](#)

[Maps - Interlocal Agreement for Mallard Creek Sanitary Sewer and Cross Charlotte Trail](#)

## 42. Underground Boring Tools and Pipe Splitters

### **Action:**

- A. **Approve the purchase of underground boring tools and pipe splitters by the sole source exemption,**
- B. **Approve a contract with TT Technologies, Inc. for the purchase of underground boring tools and pipe splitters for the term of five years, and**
- C. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water  
Marion Sanders, Charlotte Water

### **Sole Source Exemption**

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

### **Explanation**

- This contract will provide underground boring tools and pipe splitters which Charlotte Water uses to replace pipes without compromising roadways and driveways, as well as providing needed maintenance and repairs performed on the tools as needed.
- Annual expenditures are estimated to be \$80,000.

### **Charlotte Business INclusion**

This is a sole source contract and is exempt from the CBI Program.

### **Fiscal Note**

Funding: Charlotte Water Operating Budget

## 43. CATS Fare Collection System Modules, Equipment, and Services

### Action:

- A. **Approve the purchase of Fare Box System Modules and Equipment by the sole source exemption,**
- B. **Authorize the City Manager to negotiate and execute a contract with Genfare-SPX for the purchase of Fare Box System and Equipment for the term of five years,**
- C. **Authorize the City Manager to negotiate and execute a contract with Genfare-SPX for cloud application services for a term of five years,**
- D. **Authorize the City Manager to renew the contracts for up to two, two-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved, and**
- E. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance and support, and system upgrades/expansions as required to maintain the system for as long as the city uses the system.**

### **Staff Resource(s):**

Brent Cagle, CATS

Elizabeth Presutti, CATS

Randy Moulton, Innovation & Technology

### **Sole Source Exemption**

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

### **Explanation**

- The Charlotte Area Transit System (CATS) seeks to upgrade end-of-life hardware and software to maintain the viability and longevity of the current fare box system and related equipment system.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the city's best interest. Waivers have been approved for fare collection services based on continuity of service, limiting the complexity of service, and Genfare acting as the sole provider of hardware and software support for their products.
- The contracts will support the roadmap for CATS' fare collection system for future fare system enhancements.
- Annual expenditures for both contracts are estimated to be \$1,593,000.

### **Charlotte Business INclusion**

This is a sole source contract and is exempt from the CBI Program.

### **Fiscal Note**

Funding: CATS Operating and Capital Budgets



## 44. Cooperative Purchasing Contract for Commuter Bus Purchase

### Action:

- A. **Approve the purchase of Commuter Buses from a cooperative contract,**
- B. **Approve unit price contracts with the following vendors for the purchase of heavy-duty commuter Buses for a term of one-year under the State of Washington Cooperative Master Contract #06719:**
  - **New Flyer of American Inc.,**
  - **Motor Coach Industries, and**
- C. **Authorize the City Manager to extend the contract for additional terms while the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contact.**

### **Staff Resource(s):**

Brent Cagle, CATS

Elizabeth Presutti, CATS

Jennifer Fehribach, CATS

### **Explanation**

- The Charlotte Area Transit System (CATS) has 37 commuter buses that, per federal guidelines, are eligible to retire and replace buses that have reached the end of useful life, which is defined as 12 years or 500,000 miles.
- The commuter buses are primarily used for the CATS express routes that are on major highways and thoroughfares. These include the regional express routes as well the routes that serve the I-77 and Independence Boulevard corridors.
- NC General Statute Section 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies can leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- The purchase of the five diesel D45 CRT LE commuter buses is estimated to cost \$4,950,000.
- CATS is applying for Federal Transit Administration discretionary grant funding for additional commuter buses and plans to purchase the Motor Coach Industries zero emission battery-electric commuter bus if funding is secured.

### **Disadvantaged Business Enterprise**

The manufacturers of buses are in compliance with the Federal Transit Administration regulation 49 CFR Part 26.49, which requires DBE Opportunity certifications from Transit Vehicle Manufacturers as a condition of being authorized to bid on transit procurements funded by the FTA.

### **Fiscal Note**

Funding: CATS Capital Investment Plan

## 45. Cooperative Purchasing Contract for Mobile Fueling

### Action:

- A. **Approve the purchase of mobile fueling services from a cooperative contract,**
- B. **Approve a unit price contract with Mansfield Oil for the purchase of fueling services for paratransit cutaway buses for a term of three years under Sourcewell Contract #121522 -MNF, and**
- C. **Authorize the City Manager to extend the contract for additional terms if the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contact.**

### **Staff Resource(s):**

Brent Cagle, CATS

Elizabeth Presutti, CATS

Jennifer Fehribach, CATS

### **Explanation**

- The Charlotte Area Transit System (CATS) currently has 85 Paratransit Revenue Vehicles for use in the Special Transportation Division.
- CATS has on-premises diesel fueling capabilities but does not have on-premises gasoline fueling capabilities.
- NC General Statute Section 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies can leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- Annual expenditures are estimated to be \$523,000.

### **Charlotte Business INclusion**

This is a cooperative purchasing contract and is exempt under the CBI Program.

### **Fiscal Note**

Funding: CATS Operating Budget

## 46. Transit Technical and Planning Assistance Consultant Services

### Action:

- A. Authorize the City Manager to negotiate and execute unit price contracts with the following companies for professional transit technical and planning assistance services for an initial term of three years:**
- Gensler Architecture Design & Planning PC,
  - Hatch Associates Consultants Inc.,
  - HNTB North Carolina PC,
  - Kimley-Horn & Associates, Inc.,
  - Kittelson & Associates, Inc.,
  - Nelson/Nygaard Consulting Associates, Inc.,
  - STV Engineers Inc.,
  - TY Lin International,
  - VHB Engineering NC PC,
  - WSP USA Inc., and
- B. Authorize the City Manager to renew the contracts for one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

### **Staff Resource(s):**

Brent Cagle, CATS

Elizabeth Presutti, CATS

### **Explanation**

- These contracts will provide professional transit technical and planning assistance services for Charlotte Area Transit System (CATS) projects and initiatives requiring technical assistance.
- The transit technical and planning professional services as part of these contracts will support all CATS modes and service types.
- The professional transit technical and planning assistance services and selected vendors include:
  - Transit Vehicles and Maintenance Support for Bus and Rail:
    - Hatch Associates Consultants Inc.
    - WSP USA Inc.
    - HNTB North Carolina PC
  - Transit Facilities Assessments and Design:
    - Gensler Architecture Design & Planning PC
    - HNTB North Carolina PC
    - Kimley-Horn & Associates, Inc.
  - Transit Operations and Service Planning:
    - Kittelson & Associates, Inc.
    - Nelson/Nygaard Consulting Associates, Inc.
  - Transit Management Support:
    - STV Engineering Inc.
    - VHB Engineering NC PC
  - Transit Safety, Training, and Security Planning:
    - Hatch Associates Consultants Inc.
    - HNTB North Carolina PC
  - Transit Technology Support:
    - TY Lin International
    - Hatch Associates Consultants Inc.
    - HNTB North Carolina PC
- On January 9, 2024, the city issued a Request for Qualifications (RFQ); 14 responses were received.

- The companies selected best meet the city's needs in terms of qualifications, experience, and responsiveness to RFQ requirements.
- Annual aggregate expenditures are estimated to be between \$5,000,000 and \$6,500,000 depending on project and technical assistance needs in the various areas.

**Disadvantaged Business Enterprise**

The city negotiates contract participation after the proposal selection process. Each Prime has committed 10.00% of the total contract amount to the following certified firm(s):

Gensler Architecture Design & Planning PC

- Lynch Mykins Structural Engineers (DBE, WBE) (structural engineering)
- Connico LLC (DBE) (cost estimating)

Hatch Associates Consultants Inc.

- Dovetail Consulting, Inc. (DBE) (system planning, security planning)
- Foursquare Integrated Transportation Planning, Inc. (DBE) (transit service development, fleet asset management)
- Modern Mobility Partners (DBE) (service contracting strategies, asset management)
- Lumenor Consulting (DBE) (environmental planning, asset management)
- Virginkar & Associates, Inc. (DBE) (transit vehicle market research, vehicle inspections)

HNTB North Carolina, PC

- Lumenor Consulting (DBE) (fare collection, asset management, data management)
- Virginkar & Associates Inc. (DBE) (management and technical consulting)
- Raul V. Bravo + Associates, Inc. (DBE) (engineering, quality assurance, program management, construction management)
- Stellar Services, Inc (DBE) (data management, technology support, development support)
- New South Associates, Inc (DBE, WBE) (cultural resource, archaeology, architectural history)
- A Customer's Point of View (DBE) (mystery shopper and mystery rider services)

Kittelson & Associates, Inc.

- Foursquare Integrated Transportation Planning, Inc. (DBE) (transit, service, and technology planning)

Nelson/Nygaard Consulting Associates, Inc.

- Pride Communications Inc. (DBE, MBE, SBE) (communications, community engagement, public relations)
- Insight Transportation Consulting, Inc. (DBE) (survey processing, ridership modeling, data analysis)
- A Customer's Point of View Inc. (DBE) (mystery shopper and mystery rider services)

TY Lin International

- Niti Systems Consultants, Inc. (DBE) (consulting services)
- Encada, LLC (DBE) (consulting services)

**Fiscal Note**

Funding: CATS Operating and Capital Budget and General Capital Investment Plan

## 47. Set a Public Hearing on River Point Area Voluntary Annexation

### **Action:**

**Adopt a resolution setting a public hearing for June 10, 2024, for River Point Area voluntary annexation petition.**

### **Staff Resource(s):**

Alyson Craig, Planning, Design, & Development  
Holly Cramer, Planning, Design, & Development  
Emma Knauerhase, Planning, Design, & 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 54.192-acre "River Point" site is located along the west side of Dixie River Road, north of Lynn Parker Lane in western Mecklenburg County.
  - The site is currently vacant.
  - The petitioner has plans to develop the site with 193 single family units.
  - The property is zoned MUDD-O ANDO (mixed-use development district, optional; airport noise disclosure overlay).
    - Rezoning petition 2016-056 rezoned this site in November of 2016 as part of the larger River District master-planned community.
  - The property is located in the vicinity of Council District 3.
  - The petitioned area consists of one parcel; parcel identification number: 113-291-07.

### **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:
  - Will not adversely affect the city's ability to undertake future annexations;
  - Will not have undue negative impact on city finances or services;
  - Will not result in a situation where unincorporated areas will be encompassed by new city limits.

### **Attachment(s)**

Map

Resolution

Rezoning Petition Approved Site Plan

[Map - River Point Area Annexation](#)

[Resolution - River Point Area Annexation](#)

[2016-056 Approved Site Plan](#)

## 48. Adopt a Resolution to Close a Portion of Alleyway Between Scott Avenue and Fountain View Street

### **Action:**

**Adopt a Resolution to Close a Portion of Alleyway Between Scott Avenue and Fountain View Street**

### **Staff Resource(s):**

Debbie Smith, Transportation

Charlie Jones, Transportation

Casey Mashburn, Transportation

### **Background**

- A public hearing to close a Portion of Alleyway between Scott Avenue and Fountain View Street was opened at the March 25, 2024, Council Business Meeting.
- The public hearing was continued until the April 22, 2024, Council Business Meeting to allow for additional time for planning and review of options by surrounding property owners.
- Council heard from many concerned parties as to the resulting property access created by the proposed alley closure. The petitioner, concerned property owners, and staff met on multiple occasions to share concerns and potential solutions.
- To resolve the community's concerns, the petitioner agreed to the following:
  - Widen and improve the public access easement connection to Fountain View Street and add striping to Fountain View Street to enable delivery/trash vehicles to serve the shopping center at 1417 East Boulevard (Collias Dev Co).
  - Provide continuous access to 1417 East Boulevard (Collias Dev Co) except for the time necessary to conduct the hardscape improvements (driveway, asphalt, etc.).
  - Construct a splitter island at the easement connection with Scott Avenue to discourage cut-through traffic from the 1315 East Boulevard property.
  - Dedicate a new 10-foot alleyway that is realigned to provide better access to the future public access easement between Scott Avenue and Fountain View Street.

### **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 alleyway to be closed is located in Council District 1.

### **Petitioner**

SHG East Boulevard, LLC

### **Right-of-Way to be Abandoned**

Portion of Alleyway between Scott Avenue and Fountain View Street

### **Reason**

Per the petition submitted by SHG East Boulevard, LLC, The abandonment of the alleyway 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)

None

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

[2023-000881A - Revised Abandonment Map](#)

[2023-000881A - Resolution to Close](#)

## 49. Resolution of Intent to Abandon a Portion of Alleyway parallel to Ashley Road

**Action:**

- A. Adopt a Resolution of Intent to abandon a Portion of Alleyway parallel to Ashley Road, and**
- B. Set a Public Hearing for June 10, 2024.**

**Staff Resource(s):**

Debbie Smith, Transportation

Casey Mashburn, Transportation

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The alleyway is located in Council District 2.

**Petitioners**

Robert Drakeford

**Attachment(s)**

Map

Resolution

[2024-000574A - Abandonment Map](#)

[2024-000574A - Resolution of Intent](#)

## 50. Resolution of Intent to Abandon a Portion of Right-of-Way off Johoy Drive

**Action:**

- A. Adopt a Resolution of Intent to abandon a Portion of right-of-way off Johoy Drive, and
- B. Set a Public Hearing for June 10, 2024.

**Staff Resource(s):**

Debbie Smith, Transportation  
Casey Mashburn, Transportation

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The right-of-way is located in Council District 2.

**Petitioners**

BV Belk Jr.

**Attachment(s)**

Map  
Resolution

[2022-002496A - Abandonment Map](#)

[2022-002496A - Resolution of Intent](#)



## 51. Resolution of Intent to Abandon a Portion of Opened Right-of-Way off Coker Avenue

### **Action:**

- A. Adopt a Resolution of Intent to abandon a Portion of Opened Right-of-Way off Coker Avenue, and**
- B. Set a Public Hearing for June 10, 2024.**

### **Staff Resource(s):**

Debbie Smith, Transportation  
Casey Mashburn, Transportation

### **Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The right-of-way is located in Council District 2.

### **Petitioners**

Mecklenburg County

### **Attachment(s)**

Map  
Resolution

[2023-006572A - Abandonment Map](#)

[2024-006572A - Resolution of Intent](#)

## 52. Refund of Property Taxes

### **Action:**

**Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$1,113,466.41.**

### **Staff Resource(s):**

Teresa Smith, Finance

### **Explanation**

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

### **Attachment(s)**

Taxpayers and Refunds Requested  
Resolution

[List of Taxpayers and Refunds Requested](#)

[Resolution - Property Tax Refunds](#)

**CONSENT - PROPERTY TRANSACTIONS****53. Property Transactions - Cross Charlotte Trail Segment 10,  
Parcel # 6**

**Action:** Approve the following Acquisition: XCLT Trail MCC2P (Segment 10), Parcel # 6

**Project:** Cross Charlotte Trail Segment 10, Parcel # 6

**Program:** Cross Charlotte Trail Segment 10

**Owner(s):** PS NC I, LP

**Property Address:** 11020 Morningstar Place Drive

**Total Parcel Area:** 836,581 sq. ft. (19.205 ac.)

**Property to be acquired by Easements:** 8,983 sq. ft. (0.206 ac.) Permanent Greenway Easement and 26,648 sq. ft. (0.612 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** B-D(CD)

**Use:** Business

**Parcel Identification Number:** 051-033-02

<https://polaris3g.mecklenburgcountync.gov/xv/1487045.4956.579262.0475>

**Purchase Price:** \$27,100

**Council District:** 4

## 54. Property Transactions - Cross Charlotte Trail Segment 10, Parcel # 9

**Action:** Approve the following Condemnation: Cross Charlotte Trail Segment 10, Parcel # 9

**Project:** Cross Charlotte Trail Segment 10, Parcel # 9

**Program:** Cross Charlotte Trail Segment 10

**Owner(s):** Pavilion Partners

**Property Address:** 236 Pavilion Boulevard

**Total Parcel Area:** 595,583 sq. ft. (13.673 ac.)

**Property to be acquired by Easements:** 41,324 sq. ft. (0.949 ac.) Permanent Greenway Easement and 35,904 sq. ft. (0.824 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** N1-A

**Use:** Neighborhood 1 Zoning District

**Parcel Identification Number(s):** 051-032-33  
<https://polaris3g.mecklenburgcountync.gov/xv/1487977.0213.579895.8954/>

**Appraised Value:** \$26,100

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

**City's Response to Property Owner's Concerns:** The city explained the rationale of the easement language and how it meets the objectives for the project. The city continues to negotiate with the property owner.

**Recommendation:** The recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

**Council District:** 4

**Attachment(s):** Map

[Map - Cross Charlotte Trail Segment 10, Parcel # 9](#)

## 55. Property Transactions - Cross Charlotte Trail Segment 11, Parcel # 1

**Action:** Approve the following Condemnation: Cross Charlotte Trail Segment 11, Parcel # 1

**Project:** Cross Charlotte Trail Segment 11, Parcel # 1

**Program:** Cross Charlotte Trail Segment 11

**Owner(s):** Pavilion Partners

**Property Address:** Pavilion Boulevard

**Total Parcel Area:** 1,077,481 sq. ft. (24.736 ac.)

**Property to be acquired by Easements:** 7,122 sq. ft. (0.163 ac.) Permanent Greenway Easement and 8,359 sq. ft. (0.192 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** N1-A

**Use:** Neighborhood 1 Zoning District

**Parcel Identification Number(s):** 051-061-18

<https://polaris3g.mecklenburgcountync.gov/#mat=376483&pid=05106118&qisid=05106118>

**Appraised Value:** \$13,600

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

**City's Response to Property Owner's Concerns:** The city explained the rationale of the easement language and how it meets the objectives for the project. The city continues to negotiate with the property owner.

**Recommendation:** The recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

**Council District:** 4

**Attachment(s):** Map

[Map - Cross Charlotte Trail Segment 11, Parcel # 1](#)

## 56. Property Transactions - Regional Solids Conveyance Phase 1A, Parcels # 1, 2, & 3

**Action:** Approve the following Acquisition: Regional Solids Conveyance Phase 1A, Parcels # 1, 2, & 3

**Project:** Regional Solids Conveyance Phase 1A, Parcels # 1, 2, & 3

**Program:** Regional Solids Conveyance Phase 1A

**Owner(s):** U.S. National Whitewater Center, Inc.

**Property Address:** 0 Whitewater Center Parkway

**Total Parcel Area:** 6,540,350 sq. ft. (14.571 ac.)

**Property to be acquired by Easements:** 122,851 sq. ft. (2.820 ac.) Sanitary Sewer Easement and 9,648 sq. ft. (0.221 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** MX-3(INNOV)

**Use:** Mixed-Use District

**Parcel Identification Number:** 053-061-15, 053-061-16, 053-281-03

<https://polaris3g.mecklenburgcountync.gov/xv/1404261.0697,562125.1223>

<https://polaris3g.mecklenburgcountync.gov/xv/1405104.3425,562750.2184>

<https://polaris3g.mecklenburgcountync.gov/xv/1406171.8707,561905.5687>

**Purchase Price:** \$126,009

**Council District:** Adjacent to Council District 3

## 57. Property Transactions - Severn-Tyndale Ave Storm Drainage Improvement Project, Parcel # 21

**Action:** Approve the following Acquisition: Severn-Tyndale Ave SDIP, Parcel # 21

**Project:** Severn-Tyndale Ave SDIP, Parcel # 21

**Program:** Severn-Tyndale Ave SDIP

**Owner(s):** Matthew D Carfaro

**Property Address:** 3815 Severn Avenue

**Total Parcel Area:** 12,955 sq. ft. (0.297 ac.)

**Property to be acquired by Easements:** 2,029 sq. ft. (0.047 ac.) Storm Drainage Easement

**Structures/Improvements to be impacted:** Driveway

**Landscaping to be impacted:** Trees, sod, irrigation and landscape lighting

**Zoned:** N1-A

**Use:** Neighborhood 1 Zoning District

**Parcel Identification Number:** 179-075-16

<https://polaris3g.mecklenburgcountync.gov/xv/1449211.1706.509713.5039/>

**Purchase Price:** \$22,969

**Council District:** 6

## 58. Property Transactions - Severn-Tyndale Ave Storm Drainage Improvement Project, Parcel # 22

**Action:** Approve the following Acquisition: Severn-Tyndale Ave SDIP, Parcel # 22

**Project:** Severn-Tyndale Ave SDIP, Parcel # 22

**Program:** Severn-Tyndale Ave SDIP

**Owner(s):** Otavio Barbon and Jessica L. Barbon

**Property Address:** 3809 Severn Avenue

**Total Parcel Area:** 12,928 sq. ft. (0.297 ac.)

**Property to be acquired by Easements:** 2,098 sq. ft. (0.048 ac.) Storm Drainage Easement

**Structures/Improvements to be impacted:** Driveway

**Landscaping to be impacted:** Trees

**Zoned:** N1-A

**Use:** Neighborhood 1 Zoning District

**Parcel Identification Number:** 179-075-15

<https://polaris3g.mecklenburgcountync.gov/xv/1449278.2664.509757.9020>

**Purchase Price:** \$21,047

**Council District:** 6

## 59. Property Transactions - Severn-Tyndale Ave Storm Drainage Improvement Project, Parcel # 23

**Action:** Approve the following Acquisition: Severn-Tyndale Ave SDIP, Parcel # 23

**Project:** Severn-Tyndale Ave SDIP, Parcel # 23

**Program:** Severn-Tyndale Ave SDIP

**Owner(s):** Steven Kris Ely

**Property Address:** 3801 Severn Avenue

**Total Parcel Area:** 12,901 sq. ft. (0.296 ac.)

**Property to be acquired by Easements:** 2,167 sq. ft. (0.050 ac.) Storm Drainage Easement

**Structures/Improvements to be impacted:** Driveway

**Landscaping to be impacted:** Tree, irrigation and landscape lighting

**Zoned:** N1-A

**Use:** Neighborhood 1 Zoning District

**Parcel Identification Number:** 179-075-14

<https://polaris3g.mecklenburgcountync.gov/xv/1449315.6331.509822.6893>

**Purchase Price:** \$25,718

**Council District:** 6



## Adjournment

## REFERENCES

## 60. Reference - Charlotte Business INclusion Program

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

### Section 7.11 Small Business Market Strategy

**Section 7.11:** The Business Inclusion Officer may develop a market strategy for SBEs that may consist of setting aside certain classes or sizes of contracts for targeted Solicitations to SBEs.

### Section 3.1 Contract Goals

**Section 3.1.2: Contract Goals:** One or more contract goals may be established for all Contracts of \$100,000 or more.

**Section 3.1.3: Types of Contract Goals:** A Contract Goal can be a (i) MWSBE Goal, (ii) MBE Goal, (iii) SBE Goal, (iv) WBE Goal, (v) MSBE Goal, (vi) WSBE Goal or (vii) MWBE Goal.

#### Section 3.1.4: Participation Plan for Specific City Agreements:

**3.1.4.1:** Participation Plans shall be used for Contracts using the Infrastructure Reimbursements Agreements, Developer Agreements, Financial Partner agreements, design-build construction delivery method, construction manager at-risk delivery method, and public-private partnership construction delivery method. The Business Inclusion Officer may require a Participation Plan for other Contracts not specified in this section.

**3.1.4.2:** The Business Inclusion Officer shall draft a Participation Plan describing what outreach and other efforts the Contractor will be required to undertake to meet the Contract Goals established for the Contract. Any revisions to a Participation Plan after submission shall be approved in writing by the Business Inclusion Officer.

#### Section 3.1.5: Negotiated Contract Goals:

**3.1.5.1:** The City may negotiate with a Business Enterprise regarding prospective MWSBE utilization on a Contract prior to its Solicitation. In such instances, the negotiation regarding any Contract Goals may involve scopes of work that are undefined prior to Solicitation but will consist of an overall City expenditure of funds that is known.

**Section 3.1.6: No Contract Goals:** Contract Goals will not be established on a Contract if (i) there are no MWSBEs to perform the work for the Contract or (ii) it is an Exempt Contract.

### Section 8.0 Definitions

**Section 8.15: Contract:** Any written agreement between the City and Business Enterprise, or any modification thereof, obligating the Business Enterprise to furnish goods or services to the City or perform construction activities for the City. This term shall not include exempt contracts.

**Section 8.21: Exempt Contracts:** The following Contracts are exempt from all aspects of the CBI Program unless a Department elects otherwise:

**8.21.1 Federal Funded Agreements:** 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.

**8.21.2 Financial Partner Agreements:** Contracts with a Financial Partner that has an existing MWSBE program or DBE program that the Financial Partner uses regularly and can provide evidence thereof.

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

**8.21.4 Legal Services:** Contracts to provide legal services on behalf of the City or its employees or elected officials.

**8.21.5 No Competitive Process:** Contracts 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 agreements 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 North Carolina General Statutes § 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

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

**8.21.7 Special Exemptions:** Contracts where the Department and the Business Inclusion Officer agree that there was no discretion to hire an MWSBE including, but not limited to, payments or reimbursements to City employees or the procurement of utilities.

**8.21.8 State Funded Agreements.** Contracts that are subject to an MWBE Goal set by the State of North Carolina pursuant to North Carolina General Statutes § 143- 128.2

## **Section 5.0: Responsibilities After Contract Award**

### **Section 5.4: New Subcontracting Opportunities**

**5.4.1:** If a Contract has a previously unidentified opportunity for MWSBE participation or if a scope of work has been enlarged or increased, then the Contractor shall notify the Department Head.

**5.4.2 Notice:** Contractor shall promptly notify the Department Head of the new opportunity for MWSBE participation and whether existing MWSBE Subcontractors on the Contract can and/or will perform the new work.

**5.4.3 Response:** Upon receipt of the notice under Section 5.4.2, the Department Head shall notify the Contractor that (i) there will be no Supplemental Goal or (ii) there will be a Supplemental Goal based on MWSBE availability.

### **Section 7.12: Financial Partners**

**7.12.1 Exemption:** If a Financial Partner currently administers a program for MWSBEs, then the Financial Partner may seek an exemption from the Business Inclusion Officer by communicating an intent to use the Financial Partner's existing program in lieu of adhering to the CBI Program. Determinations are made on a case-by-case basis by Business Inclusion Officer.

**7.12.2 Contract Goals:** A Financial Partner shall be subject to Section 3 (Goals) and Section 4 (Good Faith Efforts) if the Financial Partner has not been exempted pursuant to Section 7.11.1.

## 61. 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.

## 62. 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.