

City of Charlotte

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



Meeting Agenda

Monday, June 12, 2017

Council Chambers

City Council Business Meeting

*Mayor Jennifer W. Roberts
Mayor Pro Tem Vi Lyles
Council Member Dimple Ajmera
Council Member Al Austin
Council Member Ed Driggs
Council Member Julie Eiselt
Council Member Claire Fallon
Council Member Patsy Kinsey
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Greg Phipps
Council Member Kenny Smith*

5:00 P.M. DINNER BRIEFING, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, ROOM 267

1. Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

2. Mayor and Council Consent Item Questions

Staff Resource(s):

Ann Wall, City Manager's Office

Time: 5 minutes

Synopsis

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

3. City of Charlotte Car Share Pilot Program

Committee Chair:

Vi Lyles, Transportation and Planning

Staff Resource(s):

Danny Pleasant, Transportation

Alex Riemondy, Transportation

Time: 10 minutes

Explanation

- The purpose of the presentation is to brief City Council on a two-year car share pilot program that is ready to launch this summer.
- Car share provides a new tool to complement Charlotte's existing suite of transportation options. Car share supports the many implementation strategies of the Transportation Action Plan, recently adopted by City Council.
- Car share is a self-service vehicle rental program where customers rent vehicles, often by the hour, using an online platform (very similar to B-cycle, the city's bike share program).
- Car share services are becoming a common transportation option in many cities across the nation including Austin, Minneapolis, Atlanta, Tampa, and Denver.
- Staff will share with City Council the highlights of the program and the next steps necessary to implement.

Future Action

For informational purposes only.

[Car Share Dinner Briefing Final](#)

4. Parkwood Avenue and The Plaza Study Update

Committee Chair:

Vi Lyles, Transportation and Planning

Staff Resource(s):

Danny Pleasant, Transportation

Dan Gallagher, Transportation

Time: 20 minutes

Explanation

- The purpose of the presentation is to brief City Council on the recommendations from the Parkwood and The Plaza corridor study.
- In January 2016, City Council referred the Parkwood Avenue and The Plaza corridor study to the Transportation and Planning Committee (TAP) to address bicycling and pedestrian safety issues.
- Over the last year, the Charlotte Department of Transportation worked with the community and the TAP Committee to assess the corridor and identify corridor modifications that would improve bicycle and pedestrian safety issues.
- Staff will present the findings from the Parkwood Avenue and The Plaza corridor study and identify next steps.
- In addition, staff will provide a brief status update regarding the South Boulevard, South Tryon, and West Boulevard corridor studies which are currently underway.

Future Action

For informational purposes only.

[Parkwood and The Plaza - Dinner Workshop Presentation Final](#)

[PPCS report final](#)

5. Uptown Connects Study Update

Committee Chair:

Vi Lyles, Transportation and Planning

Staff Resource(s):

Danny Pleasant, Transportation

Vivian Coleman, Transportation

Time: 15 minutes

Explanation

- The Uptown Connects Study identifies challenges and recommends solutions for bicycling through uptown to connect existing and future greenways. The study specifically evaluates how to connect the Little Sugar Creek Greenway to the Irwin Creek Greenway by providing additional bicycle facilities through uptown.
- The Study supports many of the implementation strategies of the Transportation Action Plan, recently adopted by City Council.
- Staff will provide an update on the findings, process, public engagement and recommendations.
- The City of Charlotte and Charlotte Center City Partners teamed to sponsor this study.

Future Action

For informational purposes only.

[Uptown Connects City Council Dinner Briefing 061217](#)

6. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Ann Wall, City Manager's Office

Time: 10 minutes

Synopsis

Staff responses to questions from the beginning of the dinner meeting.

Call to Order

Roll Call

Introductions

Invocation

Pledge of Allegiance

7:00 P.M. AWARDS AND RECOGNITION

7. Consent agenda items 28 through 47 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

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

PUBLIC HEARING

8. AXA Equitable Life Insurance Company Business Investment Grant

Action:

- A. Conduct a public hearing regarding approval of a Business Investment Grant to AXA Equitable Life Insurance Company, and
- B. Approve the City's share of a Business Investment Grant to AXA Equitable Life Insurance Company for a total estimated amount of \$486,149 over seven years.

Staff Resource(s):

Patrick Mumford, Economic Development

Kevin Dick, Economic Development

Explanation

- On May 9, 2017, AXA Equitable Life Insurance Company (AXA announced its selection of Charlotte for an investment of \$17.2 million for the expansion of its regional headquarters in Charlotte.
- Staff is requesting City Council approve a Business Investment Grant estimated to be \$486,149 over seven years. Mecklenburg County's share is estimated at \$460,218.
 - On May 2, 2017, the Mecklenburg County Board of Commissioners, in Closed Session, indicated its intent to approve a Business Investment Grant to AXA and held a public hearing on Tuesday, June 6, 2017.
 - On May 8, 2017, the City Council, in Closed Session, indicated its intent to approve a Business Investment Grant to AXA.
 - The total City/County combined grant is estimated to be \$946,367 over seven years.
 - In addition to the grant for the expansion, the State of North Carolina also approved a Job Development Investment Grant in the amount of \$11.8 million and \$935,000 in community college training funds.
- In addition to the \$17.2 million capital investment, AXA committed to:
 - 550 new jobs over five years with an average annual wage of \$95,000 (191 percent of the regional average wage).
 - 315 of the new positions are expected to be hired locally
 - 580 current employees in Charlotte to be retained for the term of the grant
- Additional benefits also include:
 - Workforce development partnerships and relationship with company can be utilized to connect talent to available positions
 - The project's alignment with:
 - City Values and Winning Cities Characteristics
 - Letter to the Community (Good Paying Jobs)
 - Equitable Economic Development, and Economic Opportunity
 - Diversity of jobs on proposed project
 - Job retention through Corporate Expansion
 - Growth industry with significant job and contracting opportunities

Background

- AXA, headquartered in New York, was founded in 1859 and provides life insurance, annuities, and other financial products and services. AXA currently employs 580 people at its Charlotte operations center. With the addition of 550 new jobs, the location will become AXA's largest operation center in the United States.
 - The company plans to lease an additional \$147,000 square feet of office space for a ten-year term at 8501, 7201 and 7207 IBM Drive in the University City area. The company will invest \$17.2 million for leasehold improvements, machinery, and equipment.
 - The location is within the Business Investment Zone and City Council District 4.

Business Investment Grant

- The request meets the City Council approved criteria for a seven-year, 90 percent regional headquarters expansion grant.
- The general terms and conditions of this grant include:
 - The company will be asked to coordinate job fairs and recruitment events for both temporary and permanent jobs with the City and County. Community organizations and residents will receive ample notice of these employment activities in addition to training opportunities with City job training and placement partnerships.
 - Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
 - All property taxes due from AXA must be paid before a grant payment is made.
 - If AXA removes the investment from Charlotte during the grant term, it shall pay back 100 percent of the investment grant paid to date.
 - If AXA moves the investment from Charlotte within seven year of the end of the Business Investment Program (BIP) grant term, a portion of the grant must be repaid as follows:
 - Within One Year of the end of the BIP Term - 90 percent of grant payments
 - Within Two Years of the end of the BIP Term - 75 percent of grant payments
 - Within Three Years of the end of the BIP Term - 60 percent of grant payments
 - Within Four Years of the end of the BIP Term - 45 percent of grant payments
 - Within Five Years of the end of the BIP Term - 30 percent of grant payments
 - Within Six Years of the end of the BIP Term - 30 percent of grant payments
 - Within Seven Years of the end of the BIP Term - 30 percent of grant payments.

Fiscal Note

Funding: Business Investment Grant

POLICY

9. City Manager's Report

10. City-Owned Real Estate and Facilities Policy

Action:

Approve the Housing and Neighborhood Development Committee's recommendation to adopt the City-Owned Real Estate and Facilities Policy.

Committee Chair:

LaWana Mayfield, Housing and Neighborhood Development

Staff Resource(s):

Mike Davis, Engineering and Property Management

Gina Shell, Engineering and Property Management

Tony Korolos, Engineering and Property Management

Explanation

- On March 27, 2017 City Council repealed the *Guidelines for Asset Management*, which were established by the Privatization/Competition Advisory Committee (PCAC) and adopted by City Council on July 25, 1994.
- The Policy on City-Owned Real Estate and Facilities will establish a comprehensive portfolio management strategy.
- The intent of the Policy is to ensure the acquisition, use, management, and disposition of City-owned property demonstrate responsible, responsive, and transparent management of public resources and are consistent with City Council priorities.
- In managing the City property and facility portfolio, the Policy will direct staff to:
 - Address City operational needs and City Council priorities;
 - Fully analyze financial implications and alternatives;
 - Gather and respond to community input as appropriate; and
 - Comply with applicable federal, state and other property encumbrance requirements in the management of City real estate and facilities.

Committee Discussion

- On April 26, 2017, the Housing and Neighborhood Development Committee voted unanimously (Mayfield, Austin, Ajmera, Driggs, Kinsey) to recommend the adoption of the *Policy on City-Owned Real Estate and Facilities: Directives for a Portfolio Management Model*.
- The Policy was favorably reviewed by members of the Budget Committee (Phipps, Driggs, Kinsey, Lyles, Mayfield) for financial implications.

Attachment(s)

City-Owned Real Estate and Facilities Policy

[City-Owned Real Estate and Facilities Policy](#)

11. Extension of Charlotte Business INClusion Program's Race and Gender Conscious Measures

Action:

Amend Part A, Section 8 of the Charlotte Business INClusion Program to extend race-conscious measures through December 31, 2017.

Staff Resource(s):

Bob Hagemann, City Attorney's Office
Randy Harrington, Management and Financial Services
Thomas Powers III, City Attorney's Office
Nancy Rosado, Management and Financial Services

Explanation

- City Council's Charlotte Business INClusion Policy includes a sunset provision for June 30, 2017.
- The request for approval of a short extension of the race-conscious measures will allow the City to continue soliciting bids with minority business enterprise goals based on the 2011 Disparity Study and allow the City time to complete and review the 2017 Disparity Study results with City Council.
- The proposed change to the CBI Program language in *Part A, Section 8: Sunset for Race and Gender Conscious Measures* is for the expiration date to be changed from June 30, 2017 to December 31, 2017.
- Race-conscious measures, such as minority business enterprise goals, must correlate to a recent disparity study. Staff believes this short-term extension does not compromise the City's legal continuation of the Charlotte Business INClusion Policy.

Background

- On June 25, 2012, Council accepted and adopted the findings, conclusions and analyses set forth in the 2011 Disparity Study and the Franklin Lee Report. Both the 2011 Disparity Study and Franklin Lee Report indicated that race-neutral measures were not adequate to address marketplace discrimination.
- On April 8, 2013, Council adopted the Charlotte Business INClusion Program to remediate the ongoing effects of marketplace discrimination and to promote participation and competition in City procurement of minority-owned businesses, women-owned businesses, and small businesses.
- On June 13, 2016, Council awarded a contract to BBC Research & Consulting to conduct the City's 2017 Disparity Study. Staff anticipates the 2017 Disparity Study to be released no later than September 2017.

Attachment(s)

Proposed Amendment

[AMENDMENT](#)

BUSINESS

12. FY 2018 Operating Budget and FY 2018 - 2022 Community Investment Plan

Action:

Adopt the FY 2018 Appropriations and Tax Levy Ordinance, the Capital Investment Plan Resolution for FY 2018 - 2022, the FY 2018 Pay and Benefits Resolution and associated Human Resources contracts, and other items related to the Annual Ordinance adoption:

- A. The FY 2018 Operating Appropriations and Tax Levy Ordinance,
- B. The FY 2018 - 2022 Community Investment Plan Resolution,
- C. The FY 2018 General Solid Waste Fee for Single-Family and Multi-Family Residential Units,
- D. The FY 2018 Storm Water Interlocal Agreement,
- E. The FY 2018 Transit Operating Budget and Debt Service Budget, which was approved by the Metropolitan Transit Commission on April 26, 2017,
- F. The FY 2018 Charlotte Water Rates,
- G. The FY 2018 Pay and Benefits Plan Resolution and associated Human Resources contracts,
- H. Outside Agencies and Municipal Service Districts Contracts, and
- I. Other Budget Items

Committee Chair:

Greg Phipps, Budget Committee

Staff Resource(s):

Marcus Jones, City Manager's Office

Kim Eagle, City Manager's Office

Policy

- As required by state law, the City of Charlotte adopts annual appropriations and a tax levy ordinance and considers related actions by July 1 of each fiscal year.

Background

- Since January 2017, the Mayor and City Council held five Budget Workshops and the required Public Hearing to shape development of the budget.
- The City Manager's Recommended Budget was presented on May 1, 2017.
- The FY 2018 total budget is structurally balanced, enhances services and investments based on the Mayor and City Council's priorities, including the 10 Traits of Winning Cities, the five Focus Areas, and the Community Letter, maintains current services and commitments, and fulfills the compensation philosophy for employees.
- General Fund highlights include:
 - No increase in the property tax rate
 - Increases to public safety personnel:
 - 91 police full-time equivalents (62 sworn, 25 civilian, and four Aviation officers)
 - 18 firefighters for a new engine company at Station 42 in the Eastland area
 - Two Fire Code Inspector and One Administrative Officer positions
- 61 new General Fund positions outside of public safety - most have external funding sources, many of which are funded fully or in part with fees to meet demand for development, by enterprise funds, or the Community Investment Plan.
- The FY 2018 - 2022 Community Investment Plan matches the City's highest priority needs with a financing schedule. The General Community Investment Plan is focused on investing in projects that generate the most community benefit, improve the overall quality of life in Charlotte, and support the strategic foundation elements of the Letter to the Community. The Enterprise capital investments respond to aging infrastructure and increasing service demands associated with the

provision of water and sewer, storm water, transit, and aviation services.

Approved Changes to the City Manager's FY 2018 Proposed Budget from May 24 City Council Straw Votes

- During the May 24 Straw Votes meeting, City Council approved the following budget amendments to the City Manager's FY 2018 Proposed Budget:
 - Amendment 1: Add \$250,000 for one additional Code Enforcement crew to support safe, healthy, inclusive, and prosperous neighborhoods
 - Amendment 2: Add \$250,000 to the Arts & Science Council to expand the community/neighborhood-based Cultural Vision Grants that align with the recommendations of the Opportunity Task Force
 - Amendment 3: Implement Paid Parental Leave for City Employees
 - Amendment 4: Add \$38,000 to Crisis Assistance Ministries to fully fund their FY 2018 Financial Partner request supporting the City Energy Assistance Program and Emergency Rental Assistance Program
 - Amendment 5: Add \$50,000 to help fund the relocation of the Siloam School to the Charlotte Museum of History
 - Amendment 6: Add \$25,000 to support the Centralina Economic Development Commission's Career Headlight initiative
 - Amendment 7: Add \$25,000 to the City's Tree Canopy Program to provide targeted neighborhood funding for tree care
 - Amendment 8: Add \$50,000 to the YMCA to support the "Summer of Opportunity Partnership" providing summer programming for teens

A. Adopt the FY 2018 Operating Appropriations and Tax Levy Ordinance

Budget Overview

- The budget ensures accountability to the public by maintaining a well-managed government while supporting safe, healthy, and inclusive neighborhoods, promoting economic opportunity and development, and advancing efforts to become an employer of choice.
- The total FY 2018 budget is \$2.39 billion, with \$1.37 billion for operating expenditures and \$1.02 billion for capital expenditures (all funds). The General Fund operating budget totals \$668.8 million.
- The total budget includes the following key revenues:
 - Property tax rate of 47.87¢ per \$100 of assessed valuation, which remains unchanged from the prior year. The FY 2018 assessed value is estimated at \$96.62 billion, with an estimated collection rate of 98.75 percent
 - Water and Sewer rate increase of \$1.73 per month for Availability and Fixed Billing Fees, which are not dependent on how much water customers use. There are no changes to existing water and sewer usage rates.
 - The average General Fund subsidy of regulatory user fees increased from 5.2 percent in FY 2017 to 6.2 percent in FY 2018
 - The four tier Storm Water rate methodology that was adopted in FY 2016 remains unchanged in FY 2018. This methodology charges a flat rate for each tier based on the same per square foot rate (\$0.0033) applied to the median impervious area of each tier
 - Charlotte Area Transit System (CATS) modified its transit pass structure so that there would not be a base transit fare increase in FY 2018

B. Adopt the FY 2018 - 2022 Community Investment Plan Resolution

- The resolution approves the five-year Community Investment Plan expenditure and financing plan totaling \$4.1 billion (all funds).

General Fund Community Investment Plan

- The capital program is based on property tax rates as follows:
 - 9.26¢ for the Municipal Debt Service Fund, unchanged from the prior year

- 1.20¢ for the Pay-As-You-Go Fund, unchanged from the prior year
- The FY 2018 - 2022 five-year General Community Investment Plan totals \$751.8 million, comprised of the following categories:
 - Housing and Neighborhood Development: \$208.6 million
 - Transportation: \$300.0 million
 - Economic Development: \$45.3 million
 - Environmental Services: \$24.0 million
 - Facility Investments: \$173.9 million
- The General Community Investment Plan is supported by two of four proposed bond referenda in November 2018 and 2020.

Enterprise-Funded Community Investment Plans

- Enterprise programs are financially self-sustaining and do not rely on property tax or general government revenues.
- Charlotte Area Transit System totals \$464.4 million and is funded by federal and state grants and the one half-cent sales tax for transit.
- Aviation totals \$1.5 billion and is funded by \$369.3 million in revenue bonds, \$841.3 million in Federal Aviation Administration and Transportation Security Administration funding, and \$324.0 million in cash.
- Storm Water totals \$350.5 million and is funded by \$185.5 million in cash and \$165.0 million in revenue bonds.
- Charlotte Water (Water and Sewer) totals \$944.0 million, funded by \$408.5 million in cash and \$535.5 million in revenue bonds.

C. Amend the General Solid Waste Fee for Single-Family and Multi-Family Residential Units

- As a part of the City Manager's Proposed Budget, the annual Solid Waste Fee for single-family and multi-family customers changes from \$33 to \$39.
- These changes become effective on July 1, 2017.
 - The revised fee will be included in the tax bills that will be mailed to property owners by September of 2017 and are due by December 31, 2017

D. Approve the FY 2018 Storm Water Interlocal Agreement

- The fees for FY 2018 remain unchanged from FY 2016 when the City revised the tier structure methodology to four tiers and began to charge a flat rate for each tier based on the same per square foot rate (\$0.0033).

E. Adopt the FY 2018 Transit Operating Budget and Debt Service Budget which was approved by the Metropolitan Transit Commission on April 26, 2017

Policy

The Transit Governance Interlocal Agreement calls for the Metropolitan Transit Commission (MTC) to annually approve a Transit Operating Program and a Transit Capital Program by April 30. Following the MTC's approval, the Transit Operating and Capital Programs are forwarded to the Charlotte City Council for approval. Upon approval, the Charlotte City Council shall fund the programs through its budget process and/or project ordinances.

Budget Overview

- The proposed FY 2018 Transit Operating and Debt Service Budgets and the proposed FY 2018 - 2022 Transit Community Investment Plan have been developed in compliance with CATS Financial Policies including annual contribution to the Transit Revenue Reserve Fund, year-end fund balance, debt service coverage ratios, and the transfer of balances to the Capital program.
- The FY 2018 Transit Operating Budget:
 - Reflects a 18.2 percent growth in annual operating and maintenance costs in FY 2018 for start-up and testing of new rail services for the LYNX Blue Line Extension (BLE) project (these costs are fully covered as a part of the BLE Project)

F. Adopt the FY 2018 Charlotte Water Rates

- Water and sewer fees are necessary to maintain current infrastructure, accommodate growth, and respond to changing regulatory requirements.
- Charlotte Water will maintain the rate methodology that was adopted in FY 2016.
- FY 2018 rate changes include:
 - Increase the water and sewer availability fees from \$9.84 to \$10.67 per month
 - Increase the water and sewer fixed fees from \$7.14 to \$8.04 per month
 - No changes to the existing water and sewer usage rates
 - The proposed typical monthly total water and sewer bill for residential customers is estimated to be \$62.72 in FY 2018, an increase of \$1.73 per month
 - The typical bill assumes 5,236 gallons or 7 ccf used each month. Based on the current rate structure, users consuming more than the typical level of consumption are charged a higher rate to encourage conservation and responsible use of this resource

G. Adopt the FY 2018 Employee Pay and Benefits Plan Resolution and associated Human Resources contracts

- The recommendations included in the FY 2018 Pay and Benefits Report include the following:

Pay Plans

- In the Public Safety Pay Plan, the budget includes the following:
 - 2.5 percent or 5.0 percent step adjustments, and
 - 2.0 percent market adjustment
- In the Broadbanding Pay Plan (exempt/salaried employees), the recommended budget includes a 3.0 percent merit pool.
- 1.5 percent non-exempt/hourly pay plan merit budget and 1.5 percent market adjustment.
- Increase minimum pay to \$31,200 (equivalent to \$15.00 per hour)
 - The proposed adjustment to minimum starting pay is consistent with the Mayor and City Council's established practice of hiring employees at or above 60 percent of Area Median Income
 - With this adjustment, Council will have met the goal of bringing the minimum starting pay for City of Charlotte employees to \$15 per hour, a goal which was originally set to be met in FY 2020.

Benefits

- The City contribution to group insurance coverage increase is three percent. This is aligned with the Council adopted philosophy of: aggressive cost management for benefits, employees expected to fairly share in the cost of benefits, moderate level of benefits and pay, and proactive support of wellness programs to reduce future costs.
- Medical Premiums
 - Effective January 1, 2018, implement a multi-plan medical plan option which will include Preferred Provider Organization (PPO) and Account Based (ABHP) health plans. The Account Based Health Plans will include Health Savings Account (HSA) and Health Reimbursement Account (HRA) options.
 - Implement an employee benefits decision support platform to simplify, personalize and optimize how employees elect and enroll in benefits.
 - Effective January 1, 2018, the annual wellness incentive will be redesigned to align with the new medical plan options. The wellness incentive will be provided to employees and Non-Medicare Eligible Retirees.
 - Effective January 1, 2018 separate employee and retiree claims experience and create premium equivalents based on the actual experience of each group.
 - Effective January 1, 2018, adjust the employee cost sharing in the tiers of each medical plan based on separated plan experience of the retiree group and the actuarial value and the cost of the new multi-plan medical plan option.

- The prescription drug plan design will be modified in order to align with the new multi-option medical plan, to contain costs, promote generic utilization and remain competitive with market practices. Changes include increases in copays and coinsurance.
- Dental Plan/Premiums
 - Effective, January 1, 2018 set the City's dental contribution at \$28 for the Basic and Plus dental plans.
- Other Benefits
 - Continue to monitor industry trends to ensure competitive benefits
 - Modify the benefits waiting period for new employees to align with Employer of Choice goals.
- Community Support Leave
 - Replace School Support Leave with Community Support Leave. The current School Support Leave provides for a four-hour match of paid leave per year to support schools, whereas Community Support Leave will provide eight hours of employer paid leave per year to encourage our employees to support recognized 501(c)(3) community service organizations, as well as school support activities.

H. Approve Outside Agencies and Municipal Service Districts Contracts

- The Outside Agency and Municipal Service District contracts are outlined below.
- A "Scope of Services" for these agencies is provided as an attachment.

FY 2018 Annual Outside Agency Contracts

- General Fund Financial Partners
 - Arts & Science Council: \$3,190,823
(includes annual General Fund allocation of \$2,940,823 and a one-time allocation of \$250,000 from the Pay-As-You-Go Fund)
 - Community Building Initiative: \$50,000
 - Safe Alliance: \$333,977
- Dedicated Revenue Sources Financial Partners
 - Charlotte Regional Visitors Authority (CRVA): \$15,896,727
Charlotte Regional Visitors Authority: \$3,000,000 in one-time funding to assist with expanded visitor promotion and marketing. The \$3.0 million will be disbursed following review by City Council of a spending plan to be presented by CRVA.
 - CRVA Regional Film Commission: \$150,000
- 100 Percent Federal Grant Funded Financial Partners
 - Carolinas Care Partnership: Up to \$4,187,079 Includes FY 2018 projected federal grant of \$2,165,860 plus a grant carryforward of \$2,021,219
 - Charlotte Family Housing: \$330,000
- 100 Percent PAYGO Funded Financial Partners
 - Community Link: \$450,000
 - Crisis Assistance Ministry: \$418,000
- PAYGO/Federal Share Funded Financial Partners
 - Charlotte-Mecklenburg Housing Partnership - Affordable Housing: \$1,860,000
 - Charlotte-Mecklenburg Housing Partnership - House Charlotte \$231,000
- Out of School Time Financial Partners
 - Greater Enrichment Program: \$200,000
 - Police Activities League: \$156,000
 - YWCA: \$200,000
 - Arts & Science Council Studio 345: \$200,000
 - Behailu Academy: \$66,000
 - Above and Beyond Students: \$157,934

Municipal Service District Contracts

- The FY 2018 tax rates for the five Municipal Service Districts remain unchanged from the FY 2017 rates.

Municipal Service District Contracts with Charlotte Center City Partners*

- District 1 -Center City
 - Tax Rate: 1.68¢
 - FY 2018 Contract: \$1,308,261
- District 2 -Center City
 - Tax Rate: 2.33¢
 - FY 2018 Contract: \$755,782
- District 3 -Center City
 - Tax Rate: 3.58¢
 - FY 2018 Contract: \$1,187,241
- District 4 -South End
 - Tax Rate: 6.68¢
 - FY 2018 Contract: \$913,212

*Actual contract amounts are determined by property tax revenue projections

Municipal Service District Contract with Charlotte University City Partners*

- District 5 -University City
 - Tax Rate: 2.79¢
 - FY 2018 Contract: \$743,095

*Actual contract amount is determined by property tax revenue projections

City Memberships and Subscriptions

- The following four General Fund membership and subscriptions contracts are above \$100,000 and require Council approval:
 - Centralina Council of Governments: \$198,503
 - Charlotte Regional Partnership: \$155,111
 - North Carolina League of Municipalities: \$111,084
 - University of North Carolina School of Government: \$100,246

Other Outside Agency Funding

- \$250,000 in Pay-As-You-Go capital funding to contribute to the TreesCharlotte Endowment. The endowment will be administered by Foundation for the Carolinas, where principal contributions would be preserved and only proceeds from interest and dividends would be used to buy trees and fund operations. The current goal for the endowment is \$15 million. The City has a goal of providing \$250,000 in annual payments for four fiscal years (FY 2017 - FY 2020). Payment of the City's four annual contributions will be contingent upon TreesCharlotte successfully raising additional private contributions to support the endowment.
- \$300,000 in Pay-As-You-Go capital funding to support the National League of Cities (NLC) 2017 Annual Conference. The NLC convenes its Congress of Cities and Exposition in various cities around the country. Charlotte has been selected to host this annual four-day conference in 2017. Funding is recommended to support the City's role as host of the conference, including designating a Host City Coordinator to work with NLC staff, conducting mobile workshops to highlight successful City programs, and sponsoring the NLC Board of Directors/VIP welcoming dinner and Host City closing event.

FY 2018 Public Art Work Plan

- The Arts & Science Council administers the Public Art Program, receiving 15 percent of the one percent allocated to Public Art as specified in Section 15-233 of the Charlotte City Code.
- The FY 2018 Public Art Work Plan was presented to the City Council during the May 22, 2017, Council Dinner Briefing meeting.

- The FY 2018 Public Art Allocations include:
 - General Community Investment Fund: \$235,733
 - Aviation Community Investment Fund: \$438,982

Charlotte-Mecklenburg Workforce Development Board

- Job Training Contract for implementing federally funded Workforce Investment Act in an amount up to \$6,200,000.
 - Funding source is federal Workforce Investment Act Grant

School Resource Officer Program for Charlotte-Mecklenburg Schools

- The Charlotte-Mecklenburg Police Department (CMPD), through the School Resource Officer (SRO) program, has a security presence at almost all Charlotte-Mecklenburg Schools (CMS) middle and high schools in their jurisdiction.
- The SROs provide police services to their respective school communities as their primary assignment.
- CMPD will provide approximately 51 Police Officers and one Sergeant to CMS for the 2017-2018 school year.
- Based on the previously agreed upon funding formula, CMS will pay the City up to \$5,025,661 for the SRO program.

Support to the District Attorney's Office - Property Crime Unit

- Since 2008, the City has provided annual funding (via the Charlotte-Mecklenburg Police Department operating budget) to the District Attorney to support two Assistant District Attorneys and three Victim/Witness Legal Assistants from the North Carolina Administrative Office of the Courts to address the backlog of cases in Mecklenburg County and support Police Department crime fighting initiatives.
- This action authorizes the City Manager to negotiate and execute the FY 2018 contract with the District Attorney and NC Administrative Office of the Courts for continued funding of these five positions.

I. Approve Other Budget Items

- The budget ordinance included is the City's annual budgetary operating ordinance. Sections 1 through 13 of this Ordinance reflect the items included in the Manager's Recommended Budget and all Council amendments.
- The remainder of the Annual Ordinance (Sections 14 through 119) serves to make budgetary corrections to the current fiscal year for technical, accounting and other "wind-up" tasks necessary prior to the fiscal year's end.

Sections 14 through 37 General Capital Project Funds

- Sections 14 through 37 appropriate and consolidate funding to prepare existing accounts for transactions presented in the FY 2017-2021 Community Investment Plan and make other capital project technical adjustments.

Sections 38 through 41 CATS Operating and Capital Projects Funds

- Sections 38 through 41 adjust appropriations and expenditures for CATS.

Sections 42 through 46 Charlotte Water Operating and Capital Projects Funds

- Sections 42 through 43 appropriate various capital expenditures.
- Sections 44 through 46 transfer capital expenditures to appropriate accounts.

Sections 47 through 63 Aviation Operating and Capital Projects Funds

- Sections 47 through 49 appropriate various capital expenditures.
- Sections 50 through 63 transfer capital expenditures to appropriate accounts.

Sections 64 through 65 Storm Water Operating and Capital Projects Funds

- Section 64 appropriates various capital expenditures.
- Section 65 appropriates fund balance in the Storm Water Operating fund.

Sections 66 through 89 Other Funds

- Sections 66 through 90 appropriate and transfer funds from various sources for projects throughout the City budget.

Sections 90 through 119

- Section 90 includes technical accounting changes necessary to clarify or correct FY 2017 and other prior-year budgetary ordinances.
- Sections 91 through 119 give the Chief Financial Officer authority to make specific routine appropriations and transfers within the adopted budget.

Attachment(s)

Annual Budget Ordinance

CIP Resolution

Resolution by MTC

Pay and Benefits Resolution

Description of Services

Storm Water Interlocal Agreement

[FY18 Annual Ordinance FINAL 6-6-17](#)

[FY18-22 CIP RESOLUTION 6-12-17](#)

[Attach Action #1B-Budget Resolution](#)

[FY18 Pay & Benefits Resolution](#)

[FY18 FPs Descriptions 6-12-17 Agenda](#)

[STW Interlocal Agreement](#)

13. Nomination to the Bechtler Arts Foundation Board

Action:

Nominate citizen to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning July 1, 2017, and ending June 30, 2020.
 - Matthew Benson is eligible and interested in reappointment.

Attachment(s)

Bechtler Arts Foundation Board Applicants

14. Nomination to the Charlotte International Cabinet

Action:

Nominate citizen to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term in the At-Large category beginning July 1, 2017, and ending June 30, 2020.
 - Cindy Barnes has served two full terms; therefore, she is not eligible for reappointment.

Attachment(s)

Charlotte International Cabinet Applicants

15. Nominations to the Charlotte Mecklenburg Public Access Corporation

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for three-year terms beginning July 1, 2017, and ending June 30, 2020.
 - Antrice Mitchell is eligible and interested in reappointment.
 - Jill Sochacki is eligible and interested in reappointment.

Attachment(s)

Charlotte Mecklenburg Public Access Corporation Applicants

16. Nominations to the Charlotte Regional Visitors Authority

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term in the Full Service Hotel category beginning July 1, 2017, and ending June 30, 2020.
 - William Deloache is eligible and interested in reappointment.
- One appointment for a partial term in the General Travel category beginning immediately and ending June 30, 2019.
 - Thomas Sasser currently holds this seat; the CRVA is recommending that Mr. Sasser, based on his experience, be changed to the Restaurant category.
- One appointment for a three-year term in the Restaurant category beginning July 1, 2017, and ending June 30, 2020.
 - Arthur Gallagher is eligible and interested in reappointment in the At-Large category.
- One appointment for a three-year term in the Mecklenburg County Town category beginning July 1, 2017, and ending June 30, 2020.
 - Paul Jamison has served two full terms; therefore, he is not eligible for reappointment.
- Two appointments for three-year terms in the At-Large category beginning July 1, 2017, and ending June 30, 2020.
 - Tracy Montross is eligible and interested in reappointment.
 - Russell Sizemore has served two full terms; therefore, he is not eligible for reappointment.
- One appointment for a partial term in the At-Large category beginning immediately and ending June 30, 2018.
 - Vanessa Harrison has resigned.

Attachment(s)

Charlotte Regional Visitors Authority Applicants

17. Nomination to the Charlotte Water Advisory Committee

Action:

Nominate citizen to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term in the Contractor category beginning July 1, 2017, and ending June 30, 2020.
 - Pride Patton, Jr. has served two full terms; therefore, he is not eligible for reappointment.

Attachment(s)

Charlotte Water Advisory Committee Applicants

18. Nominations to the Citizens' Transit Advisory Group

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for three-year terms beginning July 1, 2017, and ending June 30, 2020.
 - Frank Kretschmer has served two full terms; therefore, he is not eligible for reappointment.
 - Robert Padgett is eligible and interested in reappointment.

Attachment(s)

Citizens' Transit Advisory Group Applicants

19. Nomination to the Domestic Violence Advisory Board

Action:

Nominate citizen to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending September 21, 2018.
 - Eddie Sanders has resigned.

Attachment(s)

Domestic Violence Advisory Board Applicants

20. Nominations to the Historic Landmarks Commission

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for three-year terms beginning July 17, 2017, and ending July 16, 2020.
 - Leonard Norman is eligible and interested in reappointment.
 - Larken Egleston is eligible and interested in reappointment.

Attachment(s)

Historic Landmarks Commission Applicants

21. Nominations to the Housing Advisory Board

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year terms in the Affordable Housing category beginning July 1, 2017, and ending June 30, 2020.
 - Dennis Boothe, Jr. is eligible and interested in reappointment.
- One appointment for a three-year term in the Financial representative category beginning July 1, 2017, and ending June 30, 2020.
 - Emily Crow is eligible and interested in reappointment.

Attachment(s)

Housing Advisory Board Applicants

22. Nominations to Keep Charlotte Beautiful

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for three-year terms beginning July 1, 2017, and ending June 30, 2020.
 - Brie Carlson is eligible and interested in reappointment.
 - Brian Withrow is eligible and interested in reappointment.
- One appointment for a partial term beginning immediately and ending June 30, 2019.
 - Jessica Hutchins has resigned.
- One appointment for a partial term beginning immediately and ending June 30, 2018.
 - Audrey Singer has resigned.

Attachment(s)

Keep Charlotte Beautiful Applicants

23. Nominations to Passenger Vehicle for Hire Board

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a one-year term in the Representative of the Hospitality/Tourism Industry category beginning July 1, 2017, and ending June 30, 2018.
 - Sheila Etheridge is eligible and interested in reappointment.
- One appointment for a two-year term in the Company Operating Certificate Licensee category beginning July 1, 2017, and ending June 30, 2019.
 - Robert Walker is eligible and interested in reappointment.
- One appointment for a three-year term in the Representative of Persons with Disabilities category beginning July 1, 2017, and ending June 30, 2020.
 - Byron Mumford did not meet attendance requirements.

Attachment(s)

Passenger Vehicle for Hire Applicants

24. Nominations to the Planning Commission

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning July 1, 2017, and ending June 30, 2020.
 - Karen Labovitz has completed two terms; therefore, she is not eligible for reappointment.

Attachment(s)

Planning Commission Applicants

25. Nominations to the Public Art Commission

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning July 1, 2017, and ending June 30, 2020.
 - Charles Barger III has completed two full terms; therefore, he is not eligible for reappointment.

Attachment(s)

Public Art Commission Applicants

26. Nominations to the Storm Water Advisory Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term in the Environmental Professional category beginning July 1, 2017, and ending June 30, 2020.
 - Leslie Jones is eligible and interested in reappointment.

Attachment(s)

Storm Water Advisory Committee Applicants

27. Mayor and City Council Topics

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

CONSENT

28. Juvenile Offender Diversion Program Grant

Action:

- A. Accept a grant in the amount of \$95,389 from the Mecklenburg County Juvenile Crime Prevention Council to fund the Juvenile Offender Diversion Program, and**
- B. Adopt a budget ordinance appropriating \$95,389 in funds from Mecklenburg County.**

Staff Resource(s):

Kerr Putney, Police

Diego Anselmo, Police

Cara Evans-Patterson, Police

Explanation

- Annually, Mecklenburg County's Juvenile Crime Prevention Council (JCPC) receives funds from the North Carolina Division of Juvenile Justice for programs targeting youth offenders.
- The JCPC has awarded the Charlotte-Mecklenburg Police Department (CMPD) \$95,389 to fund the sixth year of CMPD's Juvenile Offender Diversion Program.
- The grant funding will fully fund the salary and benefits for a Diversion Specialist position and workshops for juvenile offenders and their parents or guardians.
- The program grant will enable school resource officers, patrol, and court counselors to refer up to 140 first-time juvenile offenders to a diversion program focused on building interpersonal and decision-making skills.
- In addition, parental skill training will be provided to the parents/guardians of program participants.
- Juvenile offenders who have committed a first offense, such as simple assault, larceny, public disturbance, trespassing, or damage to property may be referred to the program if they meet the criteria established by CMPD and the Mecklenburg County District Attorney.
 - The youth are referred to the program in lieu of being arrested for the offense they have committed.
 - Pre-adjudicated youth who are given the opportunity to attend the diversion program in lieu of arrest, but fail to do so, will then be subject to arrest.
- To date, the program has served 1,919 youth, 1,716 (89.4%) of whom did not commit any further offenses 12 months after program completion.
- The grant requires a 30 percent in-kind match which will be achieved using a portion of the Juvenile Offender Program Manager's salary and the use of CMPD facility space as the program site location. The match requirement will be funded within CMPD's operating budget.
- The grant period is from July 1, 2017 through June 30, 2018.

Fiscal Note

Funding: Juvenile Crime Prevention Council Grant and Police Operating Budget

Attachment(s)

Budget Ordinance

[Juvenile Offender Diversion Prog Ord 6-12-17](#)

29. Secondary Public Safety Answering Point Funding Program

Action:

- A. Approve a contract with the North Carolina 911 Board to implement the Secondary Public Safety Point funding program, and**
- B. Adopt a Resolution approving an Interlocal Agreement with Mecklenburg Emergency Medical Services Agency, a secondary Public Safety Answering Point for the 911 system, as required by the North Carolina 911 Board.**

Staff Resource(s):

Kerr Putney, Police

Lisa Goelz, Police

Explanation

- The North Carolina 911 Board distributes funds collected through the state's 911 service charge to the Public Safety Answering Point (PSAP).
- The Charlotte-Mecklenburg Police Department is a primary PSAP for answering 911 calls. Mecklenburg Emergency Medical Services Agency (MEDIC) and the Charlotte Fire Department are secondary PSAP agencies.
- The North Carolina 911 Board created a program in 2014 that distributes funds to the secondary agencies through their primary agency.
 - The Board requires all PSAPs, with a secondary agency in the 911 system, to enter into a contract in order to implement the secondary funding program.
- The North Carolina 911 Board requires an Interlocal Agreement between the primary and secondary agencies in the same system to define and assign responsibilities for answering and responding to 911 calls. The Agreement must be signed by the Executive Director of the North Carolina 911 Board.
- On June 9, 2014, the City Council approved a one-year contract with the North Carolina 911 Board and an Interlocal Agreement with MEDIC. The contract automatically renewed for an additional one-year term.
- The proposed contract and Interlocal Agreements will have a term of one year and will automatically renew for an additional one-year term.
- The North Carolina 911 Board determines the amount of funding provided to secondary agencies by a formula-based on call volume to each individual agency.
- Funding is used to pay for technology, furniture, and supplies in order to successfully operate the 911 system:
 - This includes phone systems, TTY devices, consoles, radios, furniture (desks/chairs/cabinets) Computer Aided Dispatching (CAD) software, recording systems, computer workstations, backup power supplies (generators/UPS), and printers.
- Funding to secondary agencies will not affect funding for the primary agency.

Charlotte Business INclusion

This is an Interlocal Agreement contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy)

Attachment(s)

Interlocal Agreement

Secondary Public Safety Answering Point Funding Program Resolution

[911 Board CMPD Secondary PSAP Agreement \(draft clean\)](#)

[01242014_secondary_psap_policy](#)

[MEDICInterlocalAgreementResolutionJune12](#)

30. Private Developer Funds for Traffic Signal Improvements

Action:

Adopt a budget ordinance appropriating \$159,000 in private developer funds for traffic signal improvements and related work.

Staff Resource(s):

Danny Pleasant, Transportation
Scott Putnam, Transportation

Explanation

- The \$159,000 in private developer funding is for traffic signals, upgrades, and related work associated with developer projects. The funding is restricted to the projects noted below.
- The following developers are fully funding traffic signal installations and improvements to mitigate traffic impacts around their respective development projects:
 - Marvin Road Office, LLC contributed \$18,500 for traffic signal modifications at the intersection of Marvin Road and Ardrey Kell Road.
 - Rodgers Builders and Carolinas Healthcare System contributed \$11,000 for traffic signal modifications at the intersection of Kenilworth Avenue and Harding Place.
 - Charlotte-Mecklenburg Board of Education contributed \$1,000 for traffic signal modifications at 6800 Monroe Road and East Mecklenburg High School.
 - Meritage Homes of the Carolinas, Inc. contributed \$85,000 for a new traffic signal at the intersection of Providence Road and Candlewyck Lane.
 - DC Charlotte Plaza, LLLP contributed \$43,500 for traffic signal modifications at the intersection of South Tryon Street and West Park Avenue.
- The above signals meet the same criteria as other traffic signals approved by the City.
- Payments made by the developers are in response to estimates of work prepared by the Charlotte Department of Transportation (CDOT) and supplied to the developers.
- Any funding contributed by developers for signal projects that is unused by the City will be refunded after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map
Budget Ordinance

[Traffic Signal Improvements 061217](#)

[CDOT ord 6-12-17 Developer Contributions](#)

31. Intelligent Transportation System Projects Engineering Services

Action:

Approve professional services contracts in the estimated amount of \$1,160,000 for the design and construction administration of fiber optic cable routes and traffic signal interconnection with the following firms:

- DRMP, Inc. (\$375,000),
- Kimley-Horn and Associates, Inc. (\$360,000), and
- STV Engineers, Inc. (\$425,000).

Staff Resource(s):

Danny Pleasant, Transportation
Angela Berry, Transportation

Explanation

- Intelligent Transportation Systems (ITS) projects are part of the implementation of the Intelligent Transportation System Master Plan described in the Transportation Action Plan.
- The City continues to install fiber optic cable to support its growing communications system with almost 300 miles of fiber optic cable connecting over 500 traffic signals.
- Fiber optic cabling, traffic signal interconnection, and video traffic management cameras provide the ability to remotely adjust traffic signals in response to traffic flow and emergency conditions.
- These contracts will vary from project to project and may range from concept planning and evaluations, complete plan preparations, utility relocation services, construction administration/inspection, and a master plan update.
- On March 23, 2017, the City issued a Request for Qualifications (RFQ); seven statements of qualifications were received from interested engineering firms.
- DRMP, Inc., Kimley-Horn and Associates, Inc., and STV Engineers, Inc. were selected as the best firms to meet the City's needs.
- The contract amounts were estimated and determined based on the anticipated ITS projects, which will be assigned to each firm. The projects vary in length, the number of traffic signals, and the number of cameras.

Charlotte Business INclusion

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

DRMP, Inc. (10%)

- Hinde Engineering, Inc. (SBE) (Utility management services, construction management services)
- US Infrastructure of Carolina, Inc. (SBE) (Utility make-ready)

Kimley-Horn (10%)

- Hinde Engineering, Inc. (SBE) (Utility management services, construction management services)

STV Engineers, Inc. (14%)

- Utility Coordination Consultants, Inc. (SBE) (Utility make-ready)
- Jarrett Engineering, PLLC (SBE) (Utility coordination)

Fiscal Note

Funding: General Community Investment Plan

32. Resolution Supporting Statewide Contingency Funds for the North Carolina Department of Transportation

Action:

Adopt a resolution supporting grants totaling \$1,500,000 in Statewide Contingency Funds to the North Carolina Department of Transportation for highway improvements to accommodate new industry development.

Staff Resource(s):

Danny Pleasant, Transportation

Explanation

- Resolutions of support from the local governments are routinely requested for the North Carolina Department of Transportation to receive contingency funds.
- Through the adoption of this resolution, the City is indicating its support for the North Carolina Department of Transportation to receive \$1,500,000 in Statewide Contingency Funds over the next two fiscal years.
- Corning Optical Communications is relocating its headquarters to Charlotte, North Carolina and plans to employ 650 people over the next five years.
- This development requires highway improvements estimated to cost \$10,000,000 at I-485, Brookshire Boulevard (Highway 16), and Mount Holly-Huntersville Road.
- The State of North Carolina has Statewide Contingency Funds available for transportation projects supporting economic development.
- The funds will be used exclusively for completing the preliminary design and construction of the road improvements to facilitate the relocation of Corning Optical Communication's headquarters.
- Corning Optical Communications and the developer, Simpson Commercial, will be responsible for the remaining cost of the project.
- The Comprehensive Transportation Plan adopted by the Charlotte Regional Transportation Planning Organization (CRTPO) classifies Brookshire Boulevard, Mt Holly-Huntersville Road, and the I-485/Brookshire interchange as "needs improvement."

Attachment(s)

Map

Resolution

[TransportationImprovements_05092017](#)

[Corning Resolution](#)

33. Lakeview Road Farm-to-Market Project

Action:

Authorize the City Manager to execute a contract not to exceed \$1,510,300 with HNTB North Carolina, P.C., to provide engineering services for the Lakeview Road Farm-to-Market project.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Bette Frederick, Engineering and Property Management

Explanation

- The North Carolina Department of Transportation (NCDOT) has allocated \$9,000,000 from State Bonus Allocation Funds for the City to administer the planning, design, and construction of the Lakeview Road Farm-to-Market project.
 - These funds were accepted by City Council on March 1, 2017, via a Municipal Agreement with NCDOT. No City funds will be used for this project.
- The City has worked with NCDOT and committed to advance the project into the construction phase and obligate construction funds by Fiscal Year 2020. The City is managing the project on behalf of NCDOT.
- This project will add transportation capacity along Lakeview Road from Reames Road to Old Statesville Road, and accommodate the additional traffic expected as a result of the construction of NCDOT's I-77 Lakeview Road Direct Connect Interchange. Intersection modifications, additional through/turning lanes, pedestrian facilities, and bicycle facilities will be considered.
- The contract will provide project planning and design services. The engineering services will include, but are not limited to:
 - Traffic analysis,
 - Public involvement,
 - Coordination with NCDOT and private development,
 - Right-of-way plans,
 - Traffic control plans,
 - Final construction documents, and
 - General construction administration.
- On November 08, 2016, the City issued a Request for Qualifications (RFQ); seven proposals were received from interested professional service providers.
- HNTB North Carolina, P.C. was selected as the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

Small Professional Services Firms (SPSF) Opportunity

For Federal Highway Administration funded projects, the North Carolina Department of Transportation (NCDOT) does not mandate a goal through the State's SPSF program; however HNTB North Carolina has committed 7.65% (\$115,542) of the total contract amount to the following SPSF firms:

- Hinde Engineering (SPSF, SBE) (\$97,187) (utility coordination)
- Carolina Wetland Services (SPSF, SBE) (\$18,355) (environmental services)

Fiscal Note

Funding: North Carolina Department of Transportation State Bonus Allocation Funds

Attachment(s)

Map

[Location Map - Lakeview Road Farm-to-Market Project](#)

34. 1633 Starbrook Drive Storm Drainage Improvement Project

Action:

Award a contract in the amount of \$736,238.40 to the lowest responsive bidder Harvest Environmental Services, Inc. for the 1633 Starbrook Drive Storm Drainage Improvement Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Stewart Edwards, Engineering and Property Management

Explanation

- The project will install approximately 770 feet of new storm drainage and replace associated utilities along Starbrook Drive, Wrentree Drive and Woodstream Drive.
- The work will include, but is not limited to:
 - Storm drainage,
 - Sidewalk,
 - Curb and gutter,
 - Driveways, and
 - Asphalt pavement replacement.
- On April 12, 2017, the City issued an Invitation to Bid for the 1633 Starbrook Drive Storm Drainage Improvement Project. Only two bids were received. Since a minimum of three bidders are required to open per North Carolina General Statute, the project was re-advertised on May 2, 2017; two bids were received from interested service providers.
- Harvest Environmental Services, Inc. was selected as the lowest responsive, responsible bidder.
- City Council approval includes authorization to use budgeted project funds allocated as contingency for subsequent change orders and/or amendments, which may be required for project completion.
- The project is anticipated to be complete by the end of fourth quarter 2017.

Charlotte Business INclusion

Established SBE Goal: 12.00%

Committed SBE Goal: 14.98%

Harvest Environmental Services, Inc. exceeded the established SBE subcontracting goal, and has committed 14.98% (\$110,325) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Trull Contracting, LLC (SBE, WBE) (\$50,365) (asphalt)
- Abram Construction Inc. (SBE, MBE) (\$41,881) (concrete and storm drainage)
- Maybury Fencing Inc. (SBE, WBE) (\$11,079) (fencing)
- Jones Grading & Fencing, Inc. (SBE, MBE) (\$4,000) (hauling)
- All Points Trucking, Inc. (SBE, WBE) (\$3,000) (hauling)

Established MBE Goal: 6.00%

Committed MBE Goal: 6.23%

Harvest Environmental Services, Inc. exceeded the established MBE subcontracting goal, and has committed 6.23% (\$45,881) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Abram Construction Inc. (SBE, MBE) (\$41,881) (concrete and storm drainage)
- Jones Grading & Fencing, Inc. (SBE, MBE) (\$4,000) (hauling)

Fiscal Note

Funding: Storm Water Services Community Investment Plan

Attachment(s)

Map

[Location Map - 1633 Starbrook Drive Storm Drainage Improvement Project](#)

35. Windyrush Road Storm Water Improvement Project

Action:

Award a contract in the amount of \$599,965.20 to the lowest responsive bidder United of Carolinas, Inc. for the Windyrush Road Storm Water Improvement Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Stewart Edwards, Engineering and Property Management

Explanation

- The Windyrush Road Storm Water Improvement Project will improve 600 feet of aging storm drainage infrastructure in the 6600 block of Windyrush Road and 7500 block of Lancer Drive and address failures identified along the existing storm drainage system.
- The project is located within the Olde Providence Neighborhood, which is bound by Old Providence Road, Rea Road, and Colony Road.
- The work will include, but is not limited to:
 - Storm drainage replacement
 - Installation of concrete box culvert
 - Curb, gutter, and sidewalk replacement; and
 - Asphalt pavement repair.
- On April 20, 2017, the City issued an Invitation to Bid for the Windyrush Road Storm Water Improvement Project; four bids were received from interested service providers.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the end of first quarter 2018.

Charlotte Business INclusion

Established SBE Goal: 14.00%

Committed SBE Goal: 14.33%

United of Carolinas, Inc. exceeded the established SBE subcontracting goal, and has committed 14.33% (\$86,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Whitesell Trucking, Inc. (SBE) (\$39,700) (concrete)
- Streeter Trucking, Inc. (SBE, MBE) (\$19,600) (hauling)
- Cesar A. Leon, LLC (SBE, MBE) (\$16,600) (hauling)
- R.R.C. Concrete, Inc. (SBE, MBE) (\$10,100) (concrete)

Established MBE Goal: 6.00%

Committed MBE Goal: 7.72%

United of Carolinas, Inc. exceeded the established MBE subcontracting goal, and has committed 7.72% (\$46,300) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Streeter Trucking, Inc. (SBE, MBE) (\$19,600) (hauling)
- Cesar A. Leon, LLC (SBE, MBE) (\$16,600) (hauling)
- R.R.C. Concrete, Inc. (SBE, MBE) (\$10,100) (concrete)

Fiscal Note

Funding: Storm Water Services Community Investment Plan

Attachment(s)

Map

[Location Map - Windyrush Road Storm Water Improvement Project](#)

36. Transit Advertising Contract Amendment

Action:

Approve contract amendment #1 to extend the contract through December 31, 2018 for \$600,000 with Luguire George Andrews for advertising and marketing services.

Staff Resource(s):

John Lewis, CATS

Explanation

- On May 29, 2012, City Council approved a five-year contract with Luguire George Andrews (LGA) for advertising and marketing services in the amount of \$1,750,000.
- This action will extend the contract through December 31, 2018 and increase the amount by up to \$600,000.
- The contract with LGA provides marketing and advertising services to help promote transit ridership and communicate critical information about CATS operations and services with riders and residents. These services include:
 - Creative design
 - Strategic development
 - Campaign development and execution
 - Radio, direct media, digital, print, electronic, media placement, etc.
- LGA services are required to help promote use of transit service and keep the public informed on key developments with projects including:
 - Blue Line Extension pre-launch, launch and initial revenue service,
 - North Mecklenburg service and service adjustments during toll lane construction,
 - Mobile Payment app Phase 1 and Phase 2 implementation,
 - Rail and Rail Pedestrian safety campaigns, and
 - Other new transit service, service adjustments, or initiatives.
- This amendment will be covered within the existing budget and bring the total contract amount to \$2,350,000.

Charlotte Business INclusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Luquire George Andrews (LGA) has committed 10% (\$60,000) of the total amendment amount to the following certified firm(s):

- Action Graphics (SBE,WBE) (Printing services)
- Allegra Marketing and Print (SBE) (Printing services)
- Fast Signs- S. Tryon (SBE) (Printing services)

Fiscal Note

Funding: CATS Operating Budget

37. Airport Signage Design Services

Action:

- A. Approve a contract in the amount of \$621,366 with GS&P/NC, P.C. for signage design services for various projects, and
- B. Adopt a budget ordinance appropriating \$621,366 from the Aviation Discretionary Fund to the Airport Community Investment Plan Fund.

Staff Resource(s):

Brent Cagle, Aviation

Explanation

- The Aviation Department is in the process of completing an Airport Wayfinding Assessment and Master Plan with GS&P/NC, P.C., which encompasses the organization and coordination of advertising, artwork, branding, concessions, marketing, and location/direction signage for 1.8 million square feet of Airport Terminal space.
- This contract will provide signage design services for projects currently under construction using the concepts being developed in the master plan including:
 - Elevated Roadway/Curbside - Phase 3 Temporary Signage,
 - Concourse E New Signage Additions and Signage Upgrades to Concourse,
 - East Terminal Phase 2,
 - Concourse A Renovation/Expansion Additional Services, and
 - Additional Airport signage needs.
- On July 10, 2015, the City issued a Request for Qualifications for airport signage and wayfinding master plan and signage design services; six firms submitted a proposal.
- GS&P/NC, P.C. was selected based on their extensive wayfinding master planning experience, particularly as it relates to large hub airports.
- Due to specialization, there are limited opportunities to subcontract work.

Charlotte Business INclusion

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

Due to specialization, there are limited opportunities to subcontract work. GS&P/NC, P.C. has committed 5.61% (\$34,850) of the total contract amount to the following certified firm:

- DAWA, Inc. (SBE) (\$34,850) (environmental graphic design)

Fiscal Note

Funding: Aviation Community Investment Plan

Attachment(s)

Budget Ordinance

[AviaBdgtOrd 171206 Airport Signage Design Services](#)

38. Airport Concourse Renovation Design Services

Action:

Approve contract amendment #1 in the amount of \$1,480,090 with C-Design, Inc. for design services for the Concourse A Expansion and for changes in renovation design for Concourses A, B, and C.

Staff Resource(s):

Brent Cagle, Aviation

Explanation

- Recently, American Airlines expressed the need for larger holdrooms to accommodate passengers waiting for larger aircraft.
- In addition to accommodating larger aircraft and because of increased passenger volume, the Airport identified the need for additional renovations, including the concourse restrooms, addition of an air handler, generator replacement, and required upgrades to the existing fire sprinkler system.
- On March 23, 2015, the City Council approved a contract in the amount of \$1,402,000 with C-Design, Inc. for design services to renovate Concourses A, B, and C.
- The new total estimated amount of the contract, including this amendment, will be \$2,882,090.

Charlotte Business INclusion

All additional work involved in this amendment will be performed by C-design, Inc and their existing sub consultants (Part D: Section 6 of the Charlotte Business INclusion Policy).

C-Design, Inc. has committed 22.45% (\$332,340) of the total contract amendment amount to the following certified firms:

- AME Consulting Engineers (SBE) (\$250,000) (mechanical and electrical engineering, plumbing and fire protection)
- Laurence, Rickher and Sorrell, PC (SBE) (\$42,445) (structural engineering)
- Hartranft Lighting Design (SBE) (\$30,465) (lighting design)
- Accutech Surveying & Mapping (SBE) (\$9,430) (surveyor services/land)

Fiscal Note

Funding: Aviation Community Investment Plan Fund

39. Airport Emergency Call Station System

Action:

- A. Approve a contract with Johnson Controls, Inc. for term of five years and ten months to provide an Emergency Call Station System,**
- B. Authorize the City Manager to purchase additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the system, and to approve other amendments consistent with the purpose for which the contract was approved, including price adjustments, and**
- C. Adopt a budget ordinance appropriating \$1,547,723 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Explanation

- The Airport is installing an Emergency Call Station System in all of the surface parking lots and parking decks in order to provide emergency assistance, directions, and customer service.
- The contract provides for installation over a ten-month term, as well as maintenance, support, and full warranty of the system by Johnson Controls, Inc. for an initial term of five years.
- On October 13, 2016, the City issued a Request for Proposal (RFP); four proposals were received from interested service providers.
- Johnson Controls, Inc. best meets the City's needs in terms of experience, the ability to provide the proposed solution, staffing, cost, and responsiveness to RFP requirements.
- Johnson Controls, Inc. has thorough knowledge of the Airport's emergency systems, and prior experience integrating emergency systems into the Airport's communication network.
- System implementation is estimated at \$1,547,723, and maintenance and support is estimated at \$50,000 per year.

Charlotte Business INclusion

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

Johnson Controls Inc. has committed 29.67% (\$459,157) of the total contract amount to the following certified firms:

- Besco Electrical (MBE) (\$404,157) (installation of electric cable and conduit)
- Tarpon Construction (SBE) (\$55,000) (concrete provision and installation)

Fiscal Note

Funding: Aviation Operating Budget and Aviation Community Investment Plan

Attachment(s)

Budget Ordinance

[AviaBdgtOrd_171206_Airport Emergency Call Station System](#)

40. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$2,071.32.

Staff Resource(s):

Randy Harrington, Management and Financial Services
Betty Mattos, Management and Financial Services

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers and Refunds Requested](#)

[Resolution](#)

41. Meeting Minutes

Action:

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

- **May 08, 2017, Business Meeting**
- **May 10, 2017, Budget Adjustments**
- **May 15, 2017, Zoning Meeting**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

42. In Rem Remedy: 7820 E. W T Harris Blvd.

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Complaint: (7820 E. W T Harris Blvd.)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (7820 E. W T Harris Blvd.) (Neighborhood Profile Area 183).

Attachment

In Rem Packet for (7820 E. W T Harris Blvd.)

[In Rem Remedy 7820 E WT Harris Bv.pdf](#)

43. In Rem Remedy: 7501 Bondhaven Drive

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Field Observation: (7801 Bondhaven Drive)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (7501 Bondhaven Drive) (Neighborhood Profile Area 229).

Attachment

In Rem Packet for (7501 Bondhaven Drive)

[In Rem Remedy 7501 Bondhaven Dr.pdf](#)

44. In Rem Remedy: 2000 Purser Drive

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Field Observation: (2000 Purser Drive)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (2000 Purser Drive) (Neighborhood Profile Area 128).

Attachment

In Rem Packet for (2000 Purser Drive)

[In Rem Remedy 2000 Purser Dr.pdf](#)

45. Aviation Property Transactions - 9540 Dorcas Lane/7108 Steele Creek Road

Action:

Approve the following property acquisition.

Acquisition

Project: Airport Environmental Impact Statement Mitigation Land

Owner(s): John M. Long and Jessica Long

Property Address: 9540 Dorcas Lane/7108 Steele Creek Road

Total Parcel Area: 45.95 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Vacant Land

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 141-261-69

Purchase Price: \$4,365,250 and all relocation benefits in compliance with federal, state, or local regulations

Council District: N/A

46. Property Transactions - Kenilworth/Romany Storm Water Improvement Project, Parcel #14

Action: Approve the following Acquisition: Kenilworth/Romany Storm Water Improvement Project, Parcel #14

Project: Kenilworth/Romany Storm Water Improvement Project, Parcel #14

Program: Flood Control

Owner(s): Parkview Condominium Owner's Association Inc.

Property Address: 1302 Kenilworth Avenue

Total Parcel Area: 40,941 sq. ft. (.940 ac.)

Property to be acquired by Easements: 1,818.99 sq. ft. (.042 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Shrubs

Zoned: UR-2

Use: Condominium

Tax Code: 123-12C-96

Purchase Price: \$16,550

Council District: 1

47. Property Transactions - Raw Waterlines Right-of-Way Protection Tennessee Avenue, Parcel #1

Action: Approve the following Acquisition: Raw Waterlines Right-of-Way Protection Tennessee Avenue, Parcel #1

Project: Raw Waterlines Right-of-Way Protection Tennessee Avenue, Parcel #1

Owner(s): Pablo Alonzo Villeda Aguillar

Property Address: 4007 Tennessee Avenue

Total Parcel Area: 16,117 sq. ft. (.370 ac.)

Property to be acquired by Fee: 16,117 sq. ft. (.37 ac.) in Fee Simple

Structures/Improvements to be impacted: Single-family dwelling

Landscaping to be impacted: None

Zoned: R-5

Use: Single-family Residential

Tax Code: 039-047-07

Purchase Price: \$95,000

Council District: 2

Adjournment

REFERENCES

48. Reference - Charlotte Business INClusion Policy

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

Part A: Administration & Enforcement

Appendix Section 20: Contract: For the purposes of establishing an MWSBE subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration and remodeling; (b) architectural work, engineering, surveying, testing, construction management and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services) , and (d) apparatus, supplies, goods or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE, MBE or WBE Goal has been set.
- Financial Partner Agreements, Development Agreements, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the Charlotte Business INClusion Program Policy.

Appendix Section 27: Exempt Contracts: Contracts that fall within one or more of the following categories shall be "Exempt Contracts" from all aspects of the Charlotte Business INClusion Policy, unless the Department responsible for procuring the Contract decides otherwise:

No Competitive Process Contracts: Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City shall be Exempt Contracts, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

Managed Competition Contracts: Managed competition contracts pursuant to which a City Department or division competes with Business Enterprises to perform a City function shall be Exempt Contracts.

Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate shall be Exempt Contracts.

Federal Contracts Subject to DBE Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as set forth in 49 CFR Part 26 or any successor legislation shall be Exempt Contracts.

State Contracts Subject to MWBE Requirements: Contracts for which a minority and women business participation goal is set pursuant to G.S. 143-128.2(a) due to a building project receiving funding from the State of North Carolina shall be Exempt Contracts.

Financial Partner Agreements with DBE or MWBE Requirements: Contracts that are subject to a disadvantaged business development program or minority and women business development program maintained by a Financial Partner shall be Exempt Contracts.

Interlocal Agreements: Contracts with other units of federal, state, or local government shall be Exempt Contracts.

Contracts for Legal Services: Contracts for legal services shall be Exempt Contracts, unless otherwise indicated by the City Attorney.

Contracts with Waivers: Contracts for which the SBO Program Manager or the City Manager waives the SBO Program requirements shall be Exempt Contracts (such as when there are no SBE subcontracting

opportunities on a Contract).

Special Exemptions: Contracts where the Department and the Program Manager agree that the Department had no discretion to hire an SBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

Appendix Section 35: Informal Contracts: Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

Construction Contracts Less Than or Equal To \$500,000:

Service and Commodities Contracts That Are Less Than or Equal To \$100,000:

Part B: Formal Construction Bidding

Part B: Section 2.1: When the City Solicitation Documents for a Construction Contract contain an MWSBE Goal, each Bidder must either: (a) meet the MWSBE Goal, or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements. Failure to do so constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

Part B: Section 2.3: No Goals When There Are No Subcontracting Opportunities.

The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

Part C: Services Procurement

Part C: Section 2.1: When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each MWSBE that responds to the Proposer's solicitations and each MWSBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

Part C: Section 2.1: No Goal When There Are No MWSBE Subcontracting Opportunities. The City shall not establish an MWSBE Goal for Service Contracts where there are no MWSBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part D: Post Contract Award Requirements

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

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new MWSBE subcontracting opportunity, the City shall either:

- Notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or
- Establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.

49. Reference - Property Transaction Process

Property Transaction Process Following City Council Approval for Condemnation

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

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

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

50. Reference - Property Acquisitions and Condemnations

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