

City of Charlotte

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



Meeting Agenda

Monday, July 24, 2017

Council Chambers

City Council Business Meeting

*Mayor Jennifer W. Roberts
Mayor Pro Tem Vi Lyles
Council Member Dimple Ajmera
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):**

Randy Harrington, Management and Financial Services

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. Closed Session**4. Professional Golfers' Association Championship Preview****Staff Resource(s):**

Randy Harrington, Management and Financial Services

Jason Mengel, PGA of America

Ralph Breedon, PGA Championship and Quail Hollow Club

John Harris, PGA Championship and Quail Hollow Club

Time: 10 minutes

Explanation

- The 99th Professional Golfers' Association (PGA) Championship tournament and preceding events will occur at Quail Hollow Club August 7 - 13, 2017.
- The PGA Championship is one of professional golf's four major annual championships, and will include top international golfers and attract over 200,000 visitors from around the world.
- This is the first time the Charlotte community has hosted a major golf championship.
- Staff and representatives from the PGA of America and Quail Hollow Club will preview the tournament week and related community inclusion and engagement efforts.

Future Action

A Proclamation recognizing the tournament will occur later tonight at the Business Meeting.

[2017 PGA Championship Video \(H.264 Mixed Final\)-SD](#)

5. Carolina Theatre Redevelopment Update

Staff Resource(s):

Michael Marsicano, Foundation for the Carolinas
Debra Campbell, City Manager's Office
Ron Kimble, City Manager's Office
Randy Harrington, Management and Financial Services

Time: 20 minutes

Explanation

- On April 8, 2013, City Council approved a resolution for a purchase and sale agreement with the Foundation for the Carolinas (FFTC) for the Carolina Theatre site through a sale for \$1.00, contingent upon the preservation and renovation of the theater.
- The purpose of the original agreement was to restore the historic Carolina Theatre as an iconic, community asset and support redevelopment on North Tryon.
- On July 13, 2017, the Economic Development Committee received a presentation on the current status of the Carolina Theatre redevelopment project, the request for a revised City funding partnership, and next steps.
- On July 13, 2017, the Economic Development Committee voted unanimously to recommend that the full City Council authorize the City Manager to negotiate an amended Purchase and Sale agreement with the FFTC for the inclusion of \$4,500,000 million of City funding for the Carolina Theatre restoration project.
- The presentation will update City Council on the Carolina Theatre project and funding request.

Future Action

At tonight's Business Meeting, City Council is requested to authorize the City Manager to negotiate and execute (A) a second amendment to the Purchase and Sale Agreement with the Foundation for the Carolinas (FFTC) for the Carolina Theatre site, and (B) a Public Private Development agreement as authorized by City Charter Sec. 7.109 for the restoration of the Carolina Theatre to include a \$4,500,000 City funding partnership.

Attachment(s)

April 8, 2013 City Council Action
July 13, 2017 Economic Development Committee Presentation

[Carolina Theatre Council Action 04082013](#)

[July 13 2017 ED Cmte Presentation](#)

[Carolina Theatre Dinner Briefing 2017-07-24 - FINALdc](#)

6. Status of Community Investment Plan Project Costs

Staff Resource(s):

Mike Davis, Engineering and Property Management

Time: 15 minutes

Explanation

- The purpose of the presentation is to inform City Council about the impacts of construction costs on the Community Investment Plan (CIP).
- Real estate acquisition and construction costs have been impacted significantly by the recession and subsequent recovery.
- During the recession, favorable bid prices and real estate acquisition costs combined with revenues from grants reduced the spending rate of bond funds, causing a need to extend the seven-year authorization for the 2010 bond referendum.
- Construction and real estate costs are now rising rapidly and may exceed previous cost projections for transportation and building projects included in the CIP.

Future Action

City Council will be requested to authorize the City Manager to apply to the Local Government Commission for a three-year extension of the 2010 General Obligation Bond Authorization for streets and neighborhood improvements and set a public hearing date for August 28, 2017.

[July Dinner Meeting - Project Costs Final](#)

7. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Randy Harrington, Management and Financial Services

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**

6:30 P.M. PUBLIC FORUM

8. Public Forum

AWARDS AND RECOGNITION

**9. Professional Golfers' Association (PGA) Championship
Proclamation**

Action:

Mayor Roberts will read a proclamation recognizing the week of August 7 - 13 as PGA Championship week.

10. Consent agenda items 21 through 72 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.

POLICY**11. City Manager's Report****12. Council Appointment to Fill Council District 2 Vacancy****Action:**

Appointment of a qualified individual to fill the current vacancy in City Council District 2.

Committee Chair:

Kenny Smith, Governance and Accountability

Staff Resource(s):

Stephanie Kelly, City Clerk

Bob Hagemann, City Attorney

Explanation

- Council member Al Austin, representing District 2, submitted his resignation effective July 16, 2017.
- State Statutes provide that the vacancy be filled by appointment of the City Council. In cities whose elections are conducted on a partisan basis, the person appointed shall be a member of the same political party as the person being replaced. Other qualifications as provided for by Statute are that the appointed successor:
 - Be a registered voter;
 - Be 20 years of age or older; and
 - Be a resident in and registered to vote in District 2.
- On June 5, 2017, City Council approved the process and schedule to fill the District 2 Council member vacancy. The following steps in the process have been completed:
 - Wednesday, June 7, 2017: application process opened;
 - Wednesday, June 21, 2017: application process closed;
 - Thursday, June 22, 2017: completed applications provided to City Council; and
 - Monday, June 26, 2017: Public Forum for qualified applicants.
- Council will now vote to appoint a qualified applicant to fill the vacancy.

Future Action

- Tuesday, July 25, 2017: Swearing-In
 - The person appointed to fill the vacancy will be sworn in by the Mayor or City Clerk.
- Monday, August 28, 2017: Formal Swearing-In Ceremony
 - A formal swearing-in ceremony will be held where the new Council member will join the full Council at the dais for the August 28, 2017 Business Meeting.

13. Carolina Theatre Redevelopment Amendment

Action:

Authorize the City Manager to negotiate and execute the following:

- A. A second amendment to the Purchase and Sale Agreement with the Foundation for the Carolinas (FFTC) for the Carolina Theatre site, and**
- B. A Public Private Development agreement as authorized by City Charter Sec. 7.109 for the restoration of the Carolina Theatre to include a \$4,500,000 City funding partnership.**

Committee Chair:

James Mitchell, Economic Development

Staff Resource(s):

Debra Campbell, City Manager's Office

Ron Kimble, City Manager's Office

Randy Harrington, Management and Financial Services

Explanation

- On April 8, 2013, City Council approved a resolution for a purchase and sale agreement with the Foundation for the Carolinas (FFTC) for the Carolina Theatre site through a sale for \$1.00, contingent upon the preservation and renovation of the theatre.
- The purpose of the original agreement was to restore the historic Carolina Theatre as an iconic, community asset and support redevelopment on North Tryon.
- The Theatre will be used for the arts, rentals, convention center/tourism events, and as a community civic theatre for civic engagement, debates, panels, and citizen forums.
- In addition to the Theatre renovation, FFTC will partner with a private entity to construct a \$94 million hotel above the Theatre.
- Projected construction costs for the Carolina Theatre at \$56 million are higher than originally anticipated due to construction cost inflation, delayed construction due to securing the hotel, greater abatement work (mold, lead paint, and asbestos), and unanticipated structural challenges associated with a 1927 facility.
- Value engineering and project cutbacks have since reduced the total Theatre project cost to \$51.5 million. The FFTC is assembling \$47 million in funding for the project. This leaves a \$4.5 million funding gap that the FFTC is requesting the City's funding partnership to close.
- Upon completion, the total investment at the Carolina Theatre site is estimated at \$145.5 million comprised of a \$94 million hotel and \$51.5 million for the Theatre restoration.
 - The City's \$4.5 million contribution produces a 1:31 public/private investment leverage ratio for the site redevelopment.
- The FFTC estimates that new hospitality and tourism tax revenues from the hotel will provide a return on investment for the \$4.5 million funding request within approximately four years after project completion.
- Key terms of the revised partnership will include:
 - City issuance of Certificates of Participation debt to cover the \$4.5 million funding gap.
 - City funding to repay the debt will come from "Tourism 1" hospitality and tourism taxes (occupancy tax and rental car tax).
 - Normal financing terms and conditions including timing of when City funds are applied, default provisions, usage by the hospitality and tourism industry, and collateral.

Committee Discussion

- The Carolina Theatre was referred to the Economic Development (ED) Committee by City Council on June 26, 2017.
- On July 13, 2017, the ED Committee received a presentation on the status of the Theatre project and funding needs required to successfully complete the project.

- The ED Committee voted unanimously that the full City Council authorize the City Manager to negotiate an amended the Purchase and Sale agreement with the FFTC for the inclusion of \$4.5 million of City funding for the Carolina Theatre restoration project.

Fiscal Note

Funding: Tourism Fund

Attachment(s)

April 8, 2013 City Council Action

July 13, 2017 ED Committee Presentation

[Carolina Theatre Council Action 04082013](#)

[July 13 2017 ED Cmte Presentation](#)

14. Bojangles Coliseum and Ovens Auditorium Link Facility

Action:

- A. Approve the Economic Development Committee's recommendation to allocate the remaining \$18.5 million in existing Community Investment Plan funds for Bojangles/Ovens Area Redevelopment to construct a new connector facility between the Bojangles Coliseum and Ovens Auditorium,**
- B. Approve a contract in the amount up to \$1,550,000 with Odell Associates, Inc. for architectural services for the Bojangles-Ovens Link Facility, and**
- C. Approve a contract in the amount up to \$150,000 with Barnhill Contracting Company for pre-construction services for the Bojangles-Ovens Link Facility.**

Committee Chair:

James Mitchell, Economic Development

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management
Randy Harrington, Management and Financial Services

Explanation

- The FY 2014 Community Investment Plan appropriated \$25 million for Bojangles Coliseum/Ovens Auditorium area redevelopment as part of Eastside investments.
- Following the purchase and demolition of the adjacent EconoLodge Motel and construction of additional parking at the site, \$18.5 million in original project funding remains.
- A new "Link" facility is proposed to connect Bojangles Coliseum and Ovens Auditorium and address strategic hospitality needs for both facilities.
- Objectives of the Link are to:
 - Enhance key entertainment and tourism assets in east Charlotte,
 - Support continued growth in and around the Bojangles Coliseum and Ovens Auditorium area,
 - Maintain the strong historical significance of the Bojangles Coliseum and Ovens Auditorium,
 - Strengthen partnerships with the Charlotte Checkers and Blumenthal Performing Arts, and
 - Expand both facilities to accommodate: pre-function and hospitality space, concession needs, restrooms, offices for Charlotte Regional Visitors Authority (CRVA) and partners, and storage for both facilities.
- This proposed facility presents a unique opportunity to improve coliseum and auditorium functions, enhance patron experiences and strengthen the economic vitality of the area.
- Based on preliminary conceptual designs, the facility will be two stories tall and approximately 40,000 square feet.
- A Construction Manager-at-Risk contract has been selected as the project delivery method for the construction of the project. City Council will be asked to approve an initial Guaranteed Maximum Price construction contract with Barnhill Contracting Company in second quarter 2018.

Architectural Services

- On January 28, 2017, the City issued a Request for Qualifications (RFQ); four proposals were received from interested service providers.
- Odell Associates Inc. is the best qualified firm to meet the City's needs.

Construction Manager-at-Risk Services

- On January 27, 2017, the City issued a Request for Qualifications (RFQ); five proposals were received from interested service providers.

- Barnhill Contracting Company is the best qualified firm to meet the City's needs.

Committee Discussion

- Original, intended investment to the Bojangles Coliseum/Ovens Auditorium area sought an indoor amateur sports facility, but efforts were unsuccessful to obtain a private partner.
- In February 2015, staff was asked to evaluate other options/opportunities for this location.
- On May 11, 2017, the Economic Development Committee received a presentation on the benefits of the Link facility. The committee voted unanimously (Mitchell, Eiselt, Ajmera, Driggs, and Mayfield) to recommend allocating the remaining \$18.5 million in CIP funds to the proposed Link facility.

Charlotte Business INclusionArchitectural Services

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Odell & Associates has committed 30.26 percent (\$469,000) of the total contract amount to the following firms:

- AME Consulting Engineers, PC (SBE) (\$325,000) (mechanical, electrical, plumbing, engineering and fire protection)
- Structural Capacity (MBE) (\$144,000) (structural engineering)

Pre-Construction Services

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Barnhill Contracting Company has committed 10.00 percent (\$15,000) of the total contract amount to the following firms:

- DA Everett Construction Group (NC HUB Certified MBE) (\$15,000) (pre-construction services)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

May 11, 2017 ED Committee Presentation

15. Authorize Earlier Sales of Alcoholic Beverages on Sundays

Action:

Approve the Economic Development Committee's recommendation to adopt an Ordinance amending Chapter 6 of the City Code, entitled "Businesses and Trade", that authorizes the on- and off-premise sale of malt beverages, unfortified wine, fortified wine, and mixed beverages on Sundays beginning at 10:00 A.M.

Committee Chair:

James Mitchell, Economic Development

Staff Resource(s):

Debra Campbell, City Manager's Office

Dana Fenton, City Manager's Office

Current State Law

- In North Carolina, the on- and off-premise sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is prohibited on Sundays between the hours of 2:00 A.M and 12:00 Noon.
- 2017 Omnibus ABC Legislation (SB 155) allows the on- and off-premise sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sundays, subject only to local government approval.
- SB 155 was signed into law by Governor Roy Cooper on June 30, 2017.
- In order to allow sales to begin at 10:00 A.M. on Sundays, the City Council must adopt an Ordinance that would be effective in the corporate limits of the City.
- Any ordinance adopted would not affect the hours of sale of alcoholic beverages sold in any ABC store.

Proposed Changes

- The recommended Ordinance provides that pursuant to N.C. Gen. Stat. §§ 18B-1004, 160A-205.3, and other applicable law, it shall be lawful on any licensed premises located in the corporate limits of the City of Charlotte to sell malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under N.C. Gen. Stat. § 18B-1001.

Committee Discussion

- On July 13, 2017, the Economic Development Committee discussed the advisability of allowing sales of alcoholic beverages beginning at 10:00 A.M. on Sundays. The Economic Development Committee voted unanimously (Mitchell, Eiselt, Ajmera, Driggs, and Mayfield) to recommend to City Council the adoption of such an Ordinance.

Attachment(s)

Ordinance Authorizing Earlier Sales of Alcoholic Beverages on Sundays
Sunday Sales Ordinance

Ordinance authorizing earlier sales of alcohol on Sundays

[Sunday Sales Ordinance \(2\)](#)

BUSINESS**16. Extension of 2010 General Obligation Bond Authorization****Action:**

- A. Authorize the City Manager to apply to the Local Government Commission (LGC) to extend the General Obligation Bond authorization, approved for seven years in November 2010, for an additional three years.**
- B. Set a public hearing for August 28, 2017 as required by State statute.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Randy Harrington, Management and Financial Services

Explanation

- Bond authorization approved by referendum expires in seven years according to State statute. The statute allows a three year extension upon request and subject to LGC approval.
- On November 2, 2010, voters approved a bond referendum for \$156.6 million street bonds and \$32 million neighborhood improvement bonds, which expires on November 2, 2017.
- Since street and neighborhood bonds are only issued as expenditures occur, approximately \$98 million of 2010 authorized bonds remain unissued to date. It is anticipated that an additional \$20 million will be issued prior to the expiration date.
- Substantial savings were realized on some projects due to lower than expected construction and real estate costs over the past several years, which slowed issuance.
- Federal stimulus and other grants were received which also slowed issuance.
- In recent years, the strong local economy has increased the timeline and cost of construction projects, resulting in a need for the extension.
- Extension of bond authorization is not an uncommon practice for cities and counties in North Carolina.
- All projects associated with the 2010 bond referendum are complete or in process.

Attachment(s)

Resolution

[Resolution authorizing LGC application for City of Charlotte GO extension \(7 24 17 action\)](#)

17. Nominations to the Charlotte Tree Advisory Commission**Action:**

Nominate citizens 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 16, 2019.
 - Michael Hughes did not meet attendance requirements.
- One appointment for a partial term beginning immediately and ending December 13, 2017, then followed by a full three-year term until December 12, 2020.
 - Joe Zuyus did not meet attendance requirements.

Attachment(s)

Charlotte Tree Advisory Commission Applicants

18. Nominations to the Historic District 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 in the Business Operator of Dilworth category beginning July 1, 2017 and ending June 30, 2020.
 - Dominick Ristaino has served two full terms; therefore, he is not eligible for reappointment.
- One appointment in the Resident Owner of Wesley Heights category for a partial term beginning immediately and ending June 30, 2019.
 - Rodric Lenhart has resigned.

Attachment(s)

Historic District Commission Applicants

19. 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 three-year term in the Representative of Persons with Disabilities category beginning immediately and ending June 30, 2020.
 - Byron Mumford did not meet attendance requirements.

Attachment(s)

Passenger Vehicle for Hire Applicants

20. Mayor and City Council Topics

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

CONSENT**21. Drug Court Attorney Funding****Action:**

- A. Approve the FY 2018 contract in the estimated amount of \$39,546.59 with the Administrative Office of the Courts for funding of four Assistant District Attorney positions, and**
- B. Authorize the City Manager to renew the contract for up to two additional 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):

Kerr Putney, Police

Kellie High-Foster, Police

Explanation

- Under N.C. General Statute 160A-289.1, the City may contract with the Administrative Office of the Courts to provide additional resources to assist with the timely disposition of cases involving threats to public safety.
- In FY 2017, the City provided partial funding for four Assistant District Attorneys for the Drug Court to address the backlog of cases in Mecklenburg County and support the Charlotte-Mecklenburg Police Department's crime-fighting initiatives.
- This funding allows the District Attorney's Office to properly staff the drug team to ensure efficiency in handling drug cases in Mecklenburg County.
- The FY 2018 contract provides \$39,546.59, which represents 12.5 percent of funding for the Assistant District Attorneys' salaries to assist with the timely disposition of drug cases.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business Inclusion Policy).

Fiscal Note

Funding: Police Operating Budget

22. Habitat for Humanity of Charlotte Funding

Action:

Approve a Community Development Block Grant allocation in the amount of \$375,000 to Habitat for Humanity of Charlotte for single-family rehabilitation.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Warren Wooten, Housing and Neighborhood Services

Explanation

- Since 2010, Habitat for Humanity of Charlotte has partnered with the City to rehabilitate more than 150 homes owned by low and moderate-income families.
- The need for this service outpaces the City's ability to respond to the demand. By partnering with Habitat for Humanity, the City is able to provide service to more families. The organization's unique business model, business partners and volunteer network allow it to leverage the City's investment at a 1:1 ratio. These results are achieved primarily through volunteer hours, private funding and donated materials.
- Habitat is requesting \$375,000 of Community Development Block Grant (CDBG) funding to continue partnering with the City to rehabilitate 33 homes of low and moderate-income families through their Critical Home Repair Program.
- Approval of this funding is recommended as it meets the City's housing program's goals, which include:
 - Preserving the existing affordable housing stock,
 - Preventing displacement of homeowners, and
 - Allowing homeowners to age in place by creating a suitable living environment.

Background

- On May 8, 2017, City Council adopted the U.S Department of Housing and Urban Development (HUD) Annual Action Plan (Plan).
- The CDBG program supports the Plan, which:
 - Identifies the need for affordable, safe, and decent housing for low and moderate-income families, and
 - Reaffirms three basic goals of the City's Housing Policy:
 - Preserve the existing housing stock
 - Expand the supply of affordable housing
 - Support family self-sufficiency initiatives.
- The CDBG program's primary goal is to increase the stock and quality of affordable housing units serving households earning 80% of the Area Median Income (\$56,550) or below.

Charlotte Business INclusion

Community Development Block Grant funds are awarded through the HUD Program and therefore are exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Community Development Block Grant

Attachment(s)

FY 2018 HUD Annual Action Plan

[FY2018 Action Plan Final exec](#)

23. Code Enforcement Demolition Services

Action:

Approve contracts with the following companies for demolition services for an initial term of three years:

- D.H. Griffin Wrecking Company, Inc.,
- Double D Construction Services, Inc.,
- Trifecta Services Company,
- W.C. Black and Sons, Inc., and

B. Authorize the City Manager to renew the contracts for up to two additional 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):

Pamela Wideman, Housing and Neighborhood Services

Ben Krise, Housing and 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 17, 2017, the City issued a Request for Proposals (RFP); six proposals were received from interested service providers.
- The identified service providers best met the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures for all contracts are \$500,000 annually/\$2.5 million in the aggregate over the five-year term.

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). Trifecta Services Company, one of the recommended prime contractors, is an MBE certified company. Additionally, the following prime contractors have committed to using the following subcontractors to perform the related demolition services in support of the City's MWSBE program:

- D.H. Griffin has committed to utilizing:
 - Mid Atlantic Erosion Control (MSBE)
 - Mugo Trucking (WBE)
- Double D Construction Services has committed to utilizing:
 - W.C. Black and Sons (SBE)
 - Roy Consulting (WBE)
 - Get The Lead Out (WBE)
- W.C. Black and Sons (SBE) has committed to utilizing:
 - Superior Abatement (SBE)

Fiscal Note

Funding: Code Enforcement In Remedy Funding

24. Tree Removal and Pruning Services

Action:

- A. Approve contracts with the following firms for tree removal services in an amount not to exceed:**
- **The Davey Tree Expert Company (\$220,000),**
 - **E. Schneider Enterprises, LLC dba Schneider Tree Care (\$200,000),**
 - **Heartwood Tree Service, LLC (\$180,000),**
 - **Fraday Tree Care (\$170,000), and**
 - **AAA Tree Experts, Inc. (\$170,000)**
- B. Approve contracts with the following firms for tree pruning services in an amount not to exceed:**
- **Arboguard, Inc. dba Arboguard Tree Specialists (\$100,000),**
 - **The Davey Tree Expert Company (\$100,000),**
 - **E. Schneider Enterprises, LLC dba Schneider Tree Care (\$75,000), and**
 - **The F.A. Bartlett Expert Company (\$75,000).**

Staff Resource(s):

Mike Davis, Engineering and Property Management

Tim Porter, Engineering and Property Management

Explanation

- These contracts will include the removal of trees identified by the City that are storm damaged, diseased/deteriorated or pose a safety hazard to the public.
- Services include, but are not limited to:
 - Stump grinding,
 - Debris removal and disposal,
 - Seeding,
 - Mulching, and
 - Clean up.
- These contracts will also include systematic tree pruning services throughout the City to address safety and liability issues, as well as maintaining the overall health of street trees.
- The City will issue work orders for specific individual projects separately to each contractor.
- Multiple crews can be retained for faster, ongoing pruning services, as well as quick response to storm events.
- On May 10, 2017, the City issues a Request for Proposals (RFP); nine service providers submitted proposals - eight for tree removal services and nine for tree pruning services for a total of 17 proposals.
- Firms selected were the best qualified to meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.

Charlotte Business INclusion

No subcontracting goals were established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INCLUSION Policy). However, Fraday Tree Care is a City SBE and The Davey Tree Expert Company has committed to use the following certified firm to participate as work scopes are defined:

The Davey Tree Expert Company

- Southern Stump Removal (SBE) (stump grinding, stump removal)

Fiscal Note

Funding: General Community Investment Plan

25. Cross Charlotte Trail Design Services

Action:

Approve a contract in the amount of \$549,100 with Alta Planning and Design, Inc. for design services for the 7th Street to 10th Street segment of the Cross Charlotte Trail Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Joe Frey, Engineering and Property Management
Walta Brumskine, Engineering and Property Management

Explanation

- On June 10, 2013, City Council approved an \$816.4 million General Community Investment Plan, which included the Cross Charlotte Trail (XCLT).
- The completed XCLT will consist of a combination of new and existing greenways connected by new urban trails to form a continuous pathway extending approximately 26 miles across the City of Charlotte.
- This contract provides design and permitting services for a segment of the XCLT as identified in the XCLT Master Plan, from 7th Street to 10th Street (approximately 3,700 linear feet of the XCLT).
- The design services include, but are not limited to:
 - Public involvement,
 - Design analyses (e.g. geometric design, geotechnical, storm drainage, environmental, traffic, etc.),
 - Construction plans, and
 - Cost estimates.
- On October 25, 2016, the City issued a Request for Qualifications (RFQ); eight proposals were received from interested professional service providers.
- Alta Planning and Design, Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

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). Alta Planning and Design, Inc. has committed 11.00% (\$60,450) of the total contract amount to the following firms:

- The Dodd Studio (SBE) (\$60,450) (landscape architecture)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Cross Charlotte Trail Design Services](#)

26. Park South Drive Extension Project

Action:

Approve a contract in the amount of \$520,000 with AECOM Technical Services of North Carolina, Inc. for planning and design services for the Park South Extension Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Bette Frederick, Engineering and Property Management

Explanation

- Park South Drive Extension was approved by voters in the amount of \$4 million as part of the City's 2016 Bond Referendum, and an additional \$4.6 million will be recommended for the 2018 Bond Referendum for a potential total of \$8.6 million.
- This project will extend Park South Drive from Fairview Road to Carnegie Boulevard and will extend the existing eastbound left-turn lane on Fairview Road.
- The project goals include enhancing the street network, reducing delays at other signalized intersections along Fairview Road and creating an additional street connection to help support SouthPark as a vibrant, mixed-use activity corridor.
- Work will include, but is not limited to:
 - Community engagement,
 - Urban street design,
 - Alternative analysis,
 - Field investigations,
 - Preliminary plans,
 - Right-of-way plans,
 - Cost estimates, and
 - Final design plans for construction.
- On November 30, 2016, the City issued a Request for Qualifications (RFQ); six proposals were received from interested professional service providers.
- AECOM Technical Services of North Carolina, Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

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). AECOM has committed 18.19 percent (\$94,635) of the total contract amount to the following firms:

- Hinde Engineering, Inc. (SBE) (\$29,800) (utility coordination)
- Neighboring Concepts, PLLC (MBE) (\$53,334) (planning and community engagement services)
- The Survey Company, Inc. (SBE) (\$3,480) (surveying services)
- Joel E. Wood & Associates, PLLC (SBE) (\$8,021) (geotechnical services)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Park South Drive Extension Project](#)

27. Central Avenue at Clement Avenue Pedestrian Safety Project

Action:

Approve payment to Duke Energy for up to \$110,000 for the relocation and installation of new poles at the intersection of Central Avenue and Clement Avenue.

Staff Resource(s):

Danny Pleasant, Transportation

Angela Berry, Transportation

Explanation

- The Charlotte Department of Transportation (CDOT) identified the intersection of Central Avenue and Clement Avenue as needing pedestrian safety and connectivity improvements.
- A future traffic signal was planned for this intersection as part of the Gold Line project.
- CDOT programmed funding to install the traffic signal which includes pedestrian signals in order to provide more immediate pedestrian improvements.
- This amount is for full payment for all Duke utility relocations for the project as well as the new poles required for the proposed traffic signal.
- Construction, including the traffic signal installation, is expected to be complete by the 2nd quarter of 2018.

Charlotte Business INclusion

Construction contracts estimated to be less than \$300,000 are informal and exempt from the goal setting process (Part A: Section 3.1 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Transportation Community Investment Plan

28. Telecommunications Ground Lease

Action:

- A. Adopt a Resolution approving a 25-year ground lease with Communications Tower Group, LLC, at 5824 Jim Kidd Road at a base rent rate of \$1,500 per month with 15 percent escalation every five years, and**
- B. Authorize the City Manager to negotiate and execute the ground lease.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Barry Gullet, Charlotte Water

Explanation

- The City owns an approximately 194-acre property at 5824 Jim Kidd Road as part of the McDowell Wastewater Treatment Plant facility.
- Staff determined space was available for a ground lease of a 10,000 square foot area with Communications Tower Group, LLC for construction and operation of a telecommunications tower.
- The terms of the lease are:
 - Lessee: Communications Tower Group, LLC
 - Term: 25 years
 - Base rent rate: \$1,500/month
 - Escalation: 15% every five years
 - Revenue share: \$500/month paid by lessee for each sublessee added to the telecommunications tower, in addition to base rent
- The rent rate was negotiated based on other City telecommunications ground lease rates and available market information.
- This lease is consistent with the recently approved City-owned Real Estate and Facilities Policy.

Fiscal Note

Funding: Charlotte Water Operating Budget

Attachment(s)

Map
Resolution

[Location Map - Telecommunications Ground Lease](#)

[Communications Tower Group Lease Res McDowell WWTP](#)

29. Twinfield Drive Storm Drainage Improvement Project

Action:

Award a contract in the amount of \$598,733.30 to the lowest responsive bidder United of Carolinas, Inc. for the Twinfield Drive Storm Drainage Improvement project.

Staff Resource(s):

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

Explanation

- The Twinfield Drive Storm Water Improvement project will replace failing drainage pipe and address flooding along Twinfield Drive and Kendall Drive.
- The work will include:
 - Replacement of approximately 478 feet of storm drainage pipe and associated drainage structures,
 - Installation of approximately 61 feet of pipe liner,
 - Asphalt pavement repair,
 - Driveway repair, and
 - Incidental water and sanitary sewer pipe replacement.
- On May 15, 2017, the City issued an Invitation to Bid; six 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 completed by second quarter 2018.

Charlotte Business INclusion

Established SBE Goal: 15.00%

Committed SBE Goal: 15.03%

United of Carolinas, Inc. exceeded the established SBE subcontracting goal, and has committed 15.03% (\$90,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (SBE, MBE) (\$35,000) (concrete)
- Whitesell Trucking, Inc. (SBE) (\$25,000) (clearing, pipe)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$18,000) (hauling)
- Cesar A. Leon LLC (SBE, MBE) (\$12,000) (hauling)

Established MBE Goal: 5.00%

Committed MBE Goal: 10.86%

United of Carolinas, Inc. exceeded the established MBE subcontracting goal, and has committed 10.86% (\$65,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (SBE, MBE) (\$35,000) (concrete)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$18,000) (hauling)
- Cesar A. Leon LLC (SBE, MBE) (\$12,000) (hauling)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

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

30. Prosperity Village Intelligent Transportation System Project

Action:

Award a contract in the amount of \$229,054.99 to the lowest responsive bidder Whiting Construction Company, Inc. for the Prosperity Village Intelligent Transportation System project.

Staff Resource(s):

Danny Pleasant, Transportation

Angela Berry, Transportation

Explanation

- Intelligent Transportation System 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 over 360 miles of fiber optic cable connecting over 620 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 projects are important links in completing the next phase of the communications infrastructure.
- This project will install fiber optic cable in the Prosperity Village area to connect the signals to the north of I-485 along Prosperity Church Road to the signals south of I-485. This project will use conduit installed by NCDOT under the I-485 project and install new conduit for the fiber optic cable to connect to signalized intersections.
- On May 23, 2017, the City issued an Invitation to Bid for Prosperity Village Intelligent Transportation System (ITS) Project; two bids were received from interested service providers.
- Whiting Construction Company, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by winter 2018.

Charlotte Business INclusion

Informal contracts are not subject to establishing subcontracting goals and are considered exempt contracts (Part A: Appendix Section 23.1 of the CBI Policy), however, Whiting Construction Company, Inc. has committed 7% with M. H. Graves, an SBE, for various fiber assembly work.

Fiscal Note

Funding: General Transportation Community Investment Plan

31. Sidewalk Trip Hazard Removal Services

Action:

- A. Approve a unit price contract with Precision Safe Sidewalks, Inc. for the removal of trip hazards on sidewalks and curbs for an initial term of one year, and**
- B. Authorize the City Manager to renew the contract for up to two, two-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.**

Staff Resource(s):

Danny Pleasant, Transportation
Charles Jones, Transportation

Explanation

- The Street Maintenance Division is responsible for the maintenance of more than 2,200 miles of sidewalk and more than 7,000 accessible ramps within the City of Charlotte.
- The contract provides services to remove trip hazards on City-maintained pedestrian infrastructure without requiring complete replacement.
- Precision Safe Sidewalks, Inc. uses a proprietary method of concrete grinding to remove trip hazards of up to 2.5 inches in vertical height from sidewalk, accessible ramps, and curb and gutter.
- Street Maintenance determined that it is more cost effective to contract this service and focus City staff on traditional construction and replacement of sidewalk infrastructure that cannot be repaired using this method.
- On May 12, 2017, the City issued a Request for Proposals (RFP); one proposal was received from an interested service provider. Precision Safe Sidewalks, Inc. was selected using the Council-approved, qualifications-based selection process.
- Estimated contract expenditure is \$200,000 over a two-year contract term.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: State of North Carolina Powell Bill Street Maintenance Funding

32. Monroe Road Phase 4 Fiber Installation Project

Action:

Award a contract in the amount of \$144,918.68 to the lowest responsive bidder Whiting Construction Company, Inc. for the Monroe Road Phase 4 Fiber Installation project.

Staff Resource(s):

Danny Pleasant, Transportation

Angela Berry, Transportation

Explanation

- In collaboration with Charlotte Water and Innovation and Technology (I&T), this project will install approximately eight miles of fiber optic cable along 7th Street and Monroe Road beginning at Central Avenue and ending at the Charlotte Mecklenburg Police Department Independence Division Station.
- The majority of the fiber will be installed above ground. There is also approximately 7,100 feet of fiber that will be installed in existing conduit.
- Fiber will be routed into the CMPD Independence Division Station building at 9315-G Monroe Road Charlotte, NC 28270 and the Charlotte Water Pump Station at Monroe and Idlewild Road. This will connect these facilities to the City's network.
- On May 24, 2017, the City issued an Invitation to Bid; two bids were received from interested service providers.
- Whiting Construction Company, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by winter 2018.

Charlotte Business INclusion

Informal contracts are not subject to establishing subcontracting goals and are considered exempt contracts (Part A: Appendix Section 23.1 of the CBI Policy).

Fiscal Note

Funding: General Transportation Community Investment Plan

33. Construction Manager at Risk Services for Sanitary Sewer Improvements

Action:

Approve a contract in the amount of \$491,270.30 with Garney Companies, Inc. for the preconstruction phase services associated with the Doby Creek and Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvement projects.

Staff Resource(s):

Barry Gullet, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- The Doby Creek and Little Sugar Creek Tributary to Fairview Road gravity sewer lines serves residences and businesses along the Blue Line Extension in the northeast and SouthPark area of Charlotte, respectively.
 - These gravity sewer lines are 40-50 years old and cannot accommodate projected growth within the respective service areas. The areas served by these two lines have experienced changes in land use.
- The City will use the Construction Manager at Risk (CMAR) project delivery method to provide more certainty with respect to project cost and schedule, mitigate risk during construction, enhance Minority/Woman/Small Business Enterprise participation, and allow for more effective coordination of construction and start-up activities with the City.
- On April 13, 2017, the City issued a Request for Qualifications; two responses were received from interested service providers.
- Garney Companies, Inc. best meets the City's needs in terms of firm and project team member experience.
- The contract with Garney Companies, Inc. will provide for the CMAR's preconstruction services during design. Preconstruction phase services include working collaboratively with the City and the Design Engineers, Hazen & Sawyer, and STV Engineers, Inc., to identify and mitigate risk, develop project schedules, develop construction cost estimates and bid packages, perform constructability reviews, and to establish and negotiate the guaranteed maximum price.
- The CMAR project delivery method will require one additional contract for the construction phase, which will be brought to the City Council in early 2018. The construction phase of work is anticipated to be completed in the first half of 2019.
- Garney Companies, Inc., as the CMAR, will not be allowed to self-perform the construction work. The company will bid out work to subcontractors.
- Garney Companies, Inc. will be responsible for managing the subcontractors work and delivering the project on schedule and on budget.

Background

- On November 28, 2016, City Council:
 - Approved a contract with Hazen & Sawyer for planning, preliminary design, and final engineering design services for the Doby Creek Sanitary Sewer Improvements project,
 - Approved a five-year reimbursable contract with Barclay Properties of Southpark, LLC. to pay for the design and construction of the Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements project, and
 - Approved a budget ordinance appropriating \$350,000 from Barclay Properties of Southpark, LLC. for Fiscal Year 2017.
- On December 12, 2016, City Council approved a contract with STV Engineers, Inc. for planning, preliminary design, and final engineering design services for the Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements project.

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 the specialized nature of this work, there are limited subcontracting opportunities; however, Garney Companies, Inc. has identified the following certified firms to participate as the contract evolves and the scopes of work are defined:

- Hinde Engineering (SBE) (traffic control design)
- Joel E. Wood (SBE) (material testing)
- Mid-Carolina Reprographics, LLC (SBE) (printing)
- Origin Land Surveying & Mapping (SBE) (surveying)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Maps

[RCA Map](#)

34. Water and Wastewater Treatment Facilities Electrical Engineering Services

Action:

Approve a contract in the amount of \$287,135 with Sturgill Engineering, PA for professional electrical engineering services.

Staff Resource(s):

Barry Gullett, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- The City relies on critical electrical systems and equipment to treat and transfer water and wastewater.
- Staff requires professional engineering services in order to prepare bid documents and provide construction administration and inspection.
- On March 24, 2017, the City issued a Request for Qualifications; three proposals were received from interested professional service providers.
- Sturgill Engineering, PA was determined to be the best qualified firm to meet the City's needs in terms of competence and professional services qualifications for these projects.
- Construction contracts for treatment plant electrical systems renovations such as control panel, switchgear, and generator replacement are anticipated to return to City Council for award in Fiscal Year 2018.

Charlotte Business INClusion

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

35. Charlotte Water Electrical Maintenance and Repair Services

Action:

- A. Approve unit price contracts with the following companies for electrical maintenance and repair services for an initial term of three years:**
- **Energy Erectors, Inc., and**
 - **Northern Electric, Inc.,**
- B. Authorize the City Manager to renew the contracts for up to two additional 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):

Barry Gullet, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- The City's water and wastewater treatment plants and associated facilities (water pump stations, sewer lift stations, and administrative buildings) require a variety of electrical maintenance and repair services to ensure continuous operation.
- Service providers will install wire and conduit, support daily troubleshooting, and modifications of power distribution and industrial control systems and maintain lighting and communication networks.
- These contracts will be used to supplement staff in making routine, unplanned, and critical electrical repairs.
- On April 19, 2017, the City issued a Request for Proposals (RFP); two proposals were received from interested service providers. Energy Erectors, Inc. and Northern Electric, Inc. were selected on the basis of their qualifications, experience, cost, and responsiveness to RFP requirements.
- Staff anticipates renewing both contracts for up to two additional, one-year terms at prices to be negotiated based on market conditions.
- Total estimated contract expenditures for both contracts are \$1,750,000 annually.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1 (a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Operating Budget and Community Investment Plan

36. Water and Sewer System Repairs

Action:

- A. Award a contract in the amount of \$2,837,592 to the lowest responsive bidder, State Utility Contractors Inc. for Water and Sewer Repairs, and**
- B. Authorize the City Manager to approve up to three renewals with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Barry Gullet, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- The Water and Sewer Repairs contract will be used to supplement staff in making routine, unplanned, and critical repairs to the water distribution and sanitary sewer collection systems, county-wide, such as fire hydrant replacement, water main repair and replacement, sanitary sewer main repair, sanitary sewer lateral repair, and sanitary sewer manhole replacement.
- Each contract term will last approximately 18 months.
- On May 4, 2017, the City issued an Invitation to Bid; three bids were received from interested contractors.
- State Utility Contractors Inc. was selected as the lowest responsive, responsible bidder.
- On April 27, 2015, City Council awarded a similar contract. Our current unspecified contract is on its last renewal, and we have a need for a second contract.

Charlotte Business INclusion

Established MSBE Goal: 3.00%

Committed SBE Goal: 3.07%

State Utility Contractors, Inc. met the established subcontracting goal and has committed 3.07% (\$87,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Barton Contracting (SBE) (\$35,000) (paving)
- D's Trucking Service, Inc. (SBE, WBE) (\$52,000) (hauling)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

37. Water and Wastewater Treatment Facilities Roofing Replacement Program Management Services

Action:

Approve a contract in the amount of \$1,623,443 with Amec Foster Wheeler Environment & Infrastructure for program management services for the Charlotte Water Roofing Replacement Program.

Staff Resource(s):

Barry Gullett, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- The Roofing Replacement Program in the current Community Investment Plan for Fiscal Years 2018 -2022 will replace roofs at various water and wastewater facilities.
- The number of roofs distributed over this large geographic area will result in multiple design/construction projects. It is anticipated that 38 roofs at five facilities will be replaced.
- The Roofing Replacement Program is proposed to be delivered by program management methodology to obtain efficiency and cost benefits. The program manager will supplement staff, thereby allowing Charlotte Water staff to deliver more core projects.
- The program management service contract includes, but is not limited to:
 - Overall planning, scheduling, coordination, and reporting,
 - Preparation of bidding/construction documents,
 - Expediting plan review and permit approval through County Building Inspections,
 - Bid Phase Services,
 - Construction Administration and Inspection, and
 - Post Construction Phase Services (warranty).
- It is proposed that the Program Manager will contract directly with the design subconsultants.
- On March 1, 2017, the City issued a Request for Qualifications; three proposals were received from interested service providers.
- Amec Foster Wheeler Environment & Infrastructure was determined to be the best qualified firm to meet the City's needs in terms of competence and professional services qualifications for the Roofing Replacement Program Management.
- Construction contracts for the Roofing Replacement Program are anticipated to return to City Council for approval starting in Fiscal Year 2019.

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). Amec Foster Wheeler has committed 5.00% (\$81,172) of the total contract amount to the following firms:

- Ionian Consulting Services, Inc. (SBE) (\$40,586) (inspection and testing services)
- Structural Strategies (SBE) (\$40,586) (structural engineering services)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

38. Charlotte Water Miscellaneous Engineering Services

Action:

Approve contracts with the following companies for engineering services for a term of three years:

- **Black & Veatch International Company,**
- **CDM Smith, Inc.,**
- **HDR Engineering, Inc. of the Carolinas,**
- **Hazen and Sawyer,**
- **Brown and Caldwell,**
- **Stantec Consulting Services Inc.,**
- **Willis Engineers, Inc., an SBE, and**
- **WK Dickson & Co., Inc.**

Staff Resource(s):

Barry Gullet, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- Charlotte Water staff requires specialized technical assistance from outside engineering firms to support maintenance and upgrades at water and wastewater treatment plants as well as the collection and distribution systems.
- These on-call professional services contracts are for engineering services such as:
 - Planning, design, and construction management for water and wastewater treatment plant and pipeline projects,
 - Structural analysis,
 - Regulatory process control, and
 - Hydraulic modeling.
- On April 11, 2017, the City issued a Request for Qualifications (RFQ); 13 proposals were received from interested service providers.
- The above firms were determined to be the best qualified firms to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Total contract expenditures for all of the contracts are estimated to be \$3,350,000 annually.
 - Approximately \$2 million of these expenditures are expected to be utilized for planning, design and construction management on approximately \$40 million of water and wastewater treatment plant rehabilitation projects identified in the Community Investment Plan (CIP) over the next three years.
 - The remaining \$1.35 million are for engineering services such as structural analysis, regulatory process control, hydraulic modeling, preliminary engineering reports, cost estimates, studies, evaluations, special inspections, etc. as they become necessary for various other CIP projects.

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). The specific tasks and subcontracting opportunities associated with this contract are undefined; however, each Prime consultant has identified certified firms to be utilized as the contract evolves and the scopes of work are defined:

Black & Veatch International Company

- Avioimage Mapping Services, Inc. (SBE) (aerial mapping)
- Capstone Civil Group, PA (SBE, MBE) (geotechnical and inspections)
- Carolina Wetland Services, Inc. (SBE, WBE) (environmental services)

- CES Group (SBE, WBE) (subsurface utility engineering and surveying services)
- CITI, LLC (MBE) (system integration)

CDM Smith Inc.

- CES Group Engineers, LLP (SBE, WBE) (surveying services)
- CITI, LLC (MBE) (system integration)
- Richa Graphics (SBE) (printing)
- Southeastern Consulting Engineers, Inc. (SBE) (electrical engineering services)
- Sweetwater Utility Exploration, LLC (SBE) (utility locating)

HDR Inc. of the Carolinas

- CITI, LLC (MBE) (systems integration services)
- Gavel & Dorn Engineering, PLLC (SBE) (inspections)
- Joel E. Wood & Associates, LLC (SBE) (geotechnical services)
- R. Joe Harris & Associates, LLC (SBE) (surveying services)
- Richa Graphics (SBE) (printing)

Hazen & Sawyer

- Avioimage Mapping Services, Inc. (SBE) (aerial mapping)
- Hinde Engineering, Inc. (SBE) (traffic control plans)
- Mid-Carolina Reprographics (SBE) (document reproduction)
- Southeastern Consulting Engineers, Inc. (SBE) (electrical engineering services)
- Survey & Mapping Control, Inc. (SBE) (field surveying)

Brown & Caldwell

- C Design Inc. (SBE)(architectural support)
- Capstone Civil Group, PA (SBE, MBE) (geotechnical Support)
- LDSI, Inc. (SBE) (surveying)

Stantec Consulting Services, Inc.

- Avioimage Mapping Services, Inc. (SBE) (aerial mapping)
- Capstone Civil Group, PA (SBE, MBE) (geotechnical Support)
- Carolina Wetland Services, Inc. (SBE, WBE) (environmental services)
- Gavel & Dorn Engineering, PLLC (SBE) (inspections)

Willis Engineers (SBE)

- Gavel & Dorn Engineering, PLLC (SBE) (inspections)
- Survey & Mapping Control, Inc. (SBE) (field surveying)

WK Dickson & Co., Inc.

- Capstone Civil Group, PA (SBE, MBE) (geotechnical engineering & materials testing)
- CES Group Engineers, LLP (SBE, WBE) (surveying services)
- Southeastern Consulting Engineers, Inc. (SBE) (electrical engineering services)
- Southeast Geomatics Group (SBE) (surveying support)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

39. FY 2018 Water and Sewer New Service Installations

Action:

- A. Award a contract in the amount of \$2,696,930.50 to the lowest responsive bidder B.R.S, Inc. for the installation of water and sewer services, and**
- B. Authorize the City Manager to renew the contract for up to two additional renewals with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Barry Gullet, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- Charlotte Water outsources the majority of new water and sewer service installations, using construction contracts in order to ensure timely installation.
- These installations will include:
 - Water service connections extending from the Charlotte Water main to the meter at the property, including a meter, meter box/vault, applicable valves and fittings, and
 - Sewer service connections extending from the Charlotte Water sewer line to the cleanout, which is typically just outside the road right-of-way.
- The work covered by each term of this contract should provide approximately 900 total service connections within approximately 12 months.
- Customers pay connection fees for new services, which are based on costs incurred by Charlotte Water in these contracts.
- On June 9, 2017, the City issued an Invitation to Bid; zero bids were received. On June 27, 2017, the Invitation to Bid was re-issued; one bid was received from an interested service provider.
- B.R.S., Inc. was selected as the lowest responsive, responsible bidder.
- The contract may be renewed for two renewals (approximately one year per renewal) at unit prices based on the Engineering News Record Construction Cost Index.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

40. Utility Billing, Payment, and Related Services

Action:

- A. Authorize the City Manager to approve an amendment to extend the current contract with Kubra for Utility Billing, Payment and Related Services for a period of three months to support the transition of services to the new contract,**
- B. Authorize the City Manager to negotiate and approve a five-year contract with four one-year renewals with Kubra, the current billing vendor, to provide and implement Utility Billing, Payment, and Related Services,**
- C. Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was awarded, and**
- D. Authorize the City Manager to approve additional purchases as needed from time to time to optimize the Utility Billing, Payment and Related Services program.**

Staff Resource(s):

Randy Harrington, Management and Financial Services

Barry Gullet, Charlotte Water

Robert Campbell, Management and Financial Services

Explanation

- The City and Mecklenburg County currently partner with Kubra to provide approximately 3.4 million bills annually to customers totaling \$490 million.
- These services include bill processing, printing, mail insertion, archival/bill viewing, electronic bill distribution, collection of customer payments, backup facilities, and seamless integration with the City's current web portal provider.
- The current contract is set to expire and a three month amendment extending the current Utility Billing Services contract will be needed to maintain the continuity of services and support during the transition to the new services contract. The projected cost for three months of service with Kubra is \$425,000.
- On March 31, 2017, the City issued a Request for Proposals (RFP); the City received two proposals from interested service providers.
- Kubra best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Cost over the initial five year contract for the implementation, licensing, support, consulting, goods, services, postage, and maintenance are estimated to be \$8.3 million for current services and \$6.6 million for the four one-year possible renewal periods, with the potential implementation of \$13.2 million in additional services and payment options for a total of \$28.1 million.
- The RFP resulted in new, projected annual savings of \$123,000.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Management and Financial Services Operating Budget

41. Charlotte Water Engineering Design Services Contracts

Action:

Approve contracts in the amount of \$200,000 with each of the following companies for professional engineering design services:

- GHD Consulting Services, Inc., and
- Yarbrough-Williams & Houle, Inc.

Staff Resource(s):

Barry Gullet, Charlotte Water

Carl Wilson, Charlotte Water

Explanation:

- The City designs and constructs new water and sewer lines or system enhancements to provide service to customers in new service areas or areas needing additional capacity.
- To ensure timely response to customers, consultants are used to support staff during times when demand is high.
- These contracts provide as-needed preliminary design, final design, drafting services, and permitting through regulatory agencies.
- On January 24, 2017, the City issued a Request for Qualifications; 12 proposals were received. GHD Consulting Services, Inc., and Yarbrough-Williams & Houle, Inc. were selected based on their experience in providing similar services, timeliness of past projects, and overall qualifications of key project team members.
- Staff anticipates each firm will design an estimated 20 projects or approximately 20,000 feet of sewer or water lines.

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). GHD Consulting Services, Inc. has committed 6.00% (\$12,000) of the total contract amount to the following certified firms:

- Carolina Wetland Services Inc. (SBE, WBE) (\$5,000) (permitting)
- Joel E. Wood and Associates PLLC (SBE) (\$5,000) (geotechnical)
- Spot 'em, Inc. (MBE) (\$2,000) (utility location)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

42. Transit Right of Way Trash Removal Services Contract

Action:

- A. **Approve a contract for up to \$75,000 with Green's Commercial Cleaning, Inc. for trash removal services for a term of two years, and**
- B. **Authorize the City Manager to renew the contract for up to one additional two year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

John Lewis, CATS

Tou Vang, CATS

Explanation

- As a part of the operation of the LYNX Blue Line and CityLYNX Gold Line, CATS must ensure rail lines are unobstructed by debris.
- CATS currently maintains approximately 20 miles of rail right of way along the existing LYNX Blue Line, which includes 15 miles of light rail. An additional 12 stations will be added with the completion of the Blue Line Extension.
- This contract is for removal of trash on the actual rail road track where the trains operate through the light rail stations and approximately 100 feet to the north and south and is very labor intensive work.
- On April 12, 2017, the City issued a SBE Only Request for Proposals (RFP) for Right of Way Trash Removal Services.
- Green's Commercial Cleaning, Inc. best meets the City's needs in terms of qualifications, experience, cost and responsiveness to the RFP requirement.
- The contract expenditure for the two year period is \$75,000.

Charlotte Business INclusion

The City solicited proposals only from City certified SBEs, therefore 100% of the project participation is being committed to the following certified firm (Part A: Section 2.3 of the Charlotte Business INclusion Policy): Green's Commercial Cleaning, Inc. (SBE)

Fiscal Note

Funding: CATS Operating Budget

43. LYNX Blue Line Extension Facilities Furniture

Action:

- A. Approve the purchase of furniture for new Blue Line Extension (BLE) facilities and the renovated South Boulevard Light Rail Facility from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), and
- B. Approve a contract with Alfred Williams & Company for the purchase of furniture for Blue Line Extension facilities and the renovated South Boulevard Light Rail Facility for \$150,000 from the North Carolina Statewide Term Contract 420A.

Staff Resource(s):

John Lewis, CATS

Jill Brim, CATS

Cooperative Purchasing Exemption

NC S.L. 2001-328, effective August 2, 2001, authorizes competitive group purchasing.

Explanation

- This purchase is to provide office furniture for the new facilities along the BLE, including:
 - 16,750 square foot operations, service, and inspections space at the North Brevard Street Light Rail Facility;
 - 2,031 square foot office space at the Sugar Creek Parking Garage facility;
 - Six ticketing offices (two at each parking garage) at the Sugar Creek Parking Garage, University City Boulevard Parking Garage, and J.W. Clay Boulevard Parking Garage; and
 - One new office at the renovated Rail Operations Command Center (ROCC) in the existing South Boulevard Light Rail Facility.
- The facilities include modular workstations, office furniture and seating, file storage and lockers for approximately 45 cubicles/offices/workstations, conference, training and break rooms and an assembly area.
- Alfred Williams & Company has a contract awarded through the North Carolina Division of Purchase & Contract's Statewide Term Contracts program that offers competitively obtained contracts to public agencies statewide.
- The company will be paid the unit prices set forth in the contract, a copy of which is available upon request.

Disadvantage Business Enterprise

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

Fiscal Note

Funding: CATS Community Investment Plan

44. Enhanced Mobility of Seniors and Individuals with Disabilities Sub-Recipient Contracts

Action:

Authorize the City Manager to negotiate and execute contracts with the following organizations as sub-recipients for Federal Transit Administration Section 5310 grant projects:

- Centralina Council of Governments (CCOG) in an amount not-to-exceed \$187,109,
- Iredell County (operating) in an amount not-to-exceed \$125,000,
- Iredell County (capital) in an amount not-to-exceed \$112,000,
- Mainstreaming Consultants, Inc. d/b/a Disability Rights & Resources in an amount not-to-exceed \$182,278,
- Metrolina Association for the Blind (operating) in an amount not-to-exceed \$129,663,
- Metrolina Association for the Blind (capital) in an amount not-to-exceed \$2,000, and
- Union County in an amount not-to-exceed \$72,000.

Staff Resource(s):

John Lewis, CATS

David McDonald, CATS

Susana Vang, CATS

Explanation

- The Federal Transit Administration Section 5310 Program (FTA Program) is designed to award grants to improve transportation services to seniors and individuals with disabilities.
- CATS is the designated recipient of FTA Program funds for the urbanized area, which includes the responsibility of administering funds for appropriate sub-recipient projects. Eligible CATS projects may also receive FTA Program funds.
- Federal grants pay a percentage of the project costs, up to 50 percent for operating projects and up to 80 percent for capital and mobility management projects.
- The award of FTA Program funds, will be matched by award recipients, as described below:
 - Centralina (CCOG):
 - This project will provide enhanced coordination between service providers to improve transportation services for seniors and individuals with disabilities.
 - The FTA award is \$187,109 in addition to \$46,778 from CCOG.
 - Iredell County (operating):
 - This project will provide transportation options for seniors and individuals with disabilities traveling within and to the urbanized area.
 - The FTA award is \$125,000 in addition to \$125,000 from Iredell County.
 - Iredell County (capital):
 - This project will upgrade Iredell County's scheduling software.
 - The FTA award is \$112,000 in addition to \$28,000 from Iredell County.
 - Mainstreaming Consultants d/b/a Disability Rights and Resources (DRR):
 - This project is designed to provide travel training services to increase transportation options for individuals with disabilities. The FTA award is \$182,278 in addition to \$45,570 from DRR.
 - Metrolina Association for the Blind (operating):
 - This project is designed to go beyond the ADA required door-to-door service to provide additional assistance to visually impaired passengers in managing support within buildings.
 - The FTA award for this project is \$129,663 with an additional \$129,663 from Metrolina Association for the Blind.
 - Metrolina Association for the Blind (capital):
 - This project will provide for a training video for public and private providers on safely transporting visually impaired passengers.
 - The FTA award for this project is \$2,000 with an additional \$500 from Metrolina

- Association for the Blind.
- Union County:
 - This project will provide demand response transportation services to seniors and individuals with disabilities.
 - The FTA award for this project is \$72,000 in addition to \$72,000 from Union County.
- In addition to the sub-recipient projects above, the following three CATS projects will also be funded by this FTA Program:
 - CATS Bus Stop Accessibility Improvements:
 - This project will make ADA compliant improvements to bus routes with connections along the Blue Line Extension.
 - The FTA Award for this project is \$196,000 with an additional \$49,000 from CATS Community Investment Plan.
 - CATS scheduling software:
 - This project will purchase and implement scheduling software for CATS STS demand response service.
 - The FTA award is \$440,000 with an additional \$110,000 from CATS Community Investment Plan.
 - CATS Program Administration:
 - As allowed under the FTA Program \$160,672 will be used to fund CATS administration of the grant associated business with the sub-recipients.
- Contracts related to these CATS projects will be brought to City Council before the end of the year 2017.
- 5310 grant funding is made available annually from FTA based on a federal formula, then awarded to eligible programs on a competitive basis.
- The next round of formula funds for the urbanized area will be administered and awarded by the North Carolina Department of Transportation.

Fiscal Note

Funding: Federal Transit Administration Grant with matching Contributions from Sub-Recipients and CATS Community Investment Plan

45. Bus Tire Leasing and Services

Action:

- A. Approve a unit price contract with Bridgestone Americas Tire Operations, LLC for Bus Tire Leasing and Services for an initial term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

John Lewis, CATS

Tangee Mobley, CATS

Explanation

- Leasing tires for use on buses is the predominant practice of transit agencies nationally. The benefits of leasing include:
 - Low inventory,
 - On-going technical support,
 - Equipment and tire disposal, and
 - Minimal employee overhead.
- The City has used a bus tire leasing company to provide tires for the bus fleet since 1980.
- On March 1, 2017, the City issued a Request for Proposals (RFP); three proposals were received from interested service providers.
- Bridgestone Americas Tire Operations, LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to the RFP requirements.
- Estimated contract expenditures are \$918,354 for the first year, with annual increases of approximately 3.22 percent. With both renewals the total expenditure is estimated to be \$4,888,231 over the five-year term.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy)

Fiscal Note

Funding: CATS Operating Budget

46. Airport Communication Consulting Services

Action:

- A. Approve a contract with the following companies for Communication Infrastructure design consulting services for an initial term of three years:
- AME Consulting Engineers, PC,
 - db Consulting, Inc.,
 - The JW Group Inc., and
- B. Authorize the City Manager to renew the contracts for up to two additional, 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):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- These contracts will provide Aviation and Airport tenants with consultation services for large Airport communication infrastructure projects, varying in complexity and scope, to include construction projects.
- On March 30, 2017, the City issued a Request for Proposals (RFP); seven proposals were received from interested service providers.
- AME Consulting Engineers, PC, db Consulting, Inc., and The JW Group Inc., best meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Collectively, contract expenditures are estimated at \$250,000 annually.

Disadvantage Business Enterprise

No subcontracting goal was established because there are no subcontracting opportunities for this selection.

Fiscal Note

Funding: Aviation Operating Budget

47. Airport Planning Consultation Services

Action:

Approve a contract for planning consultation services with the following vendors for a three-year term:

- Landrum and Brown, Inc.,
- RS&H Architects Engineers Planners, Inc.,
- GS&P/NC PC, and
- Ricondo & Associates, Inc.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Aviation Department uses planning consultation services for master, airfield, terminal, landside, environmental, noise, and land use planning efforts.
- On March 23, 2017, the City issued a Request for Qualifications; 13 proposals were received from interested service providers.
- RS&H, Landrum & Brown, GS&P/NC PC, and Ricondo & Associates best meet the City's needs in terms of qualifications and experience.
- Pricing for these services will be based on the size and nature of the project.
- Total estimated contract expenditures for all contracts over the three-year term is \$3,500,000.

Disadvantaged Business Enterprise

No subcontracting goal was established because there are no subcontracting opportunities for this selection.

Fiscal Note

Funding: Aviation Community Investment Plan

48. Airport Communication Room Fiber Installation

Action:

- A. Approve a contract in the amount of \$1,169,723 with Universal Phone Systems, Inc. for Airport Communication Room Fiber Installation, and**
- B. Adopt a budget ordinance appropriating \$1,169,723 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- As part of the concourse renovation, this contract will provide for the installation of fiber connections throughout the Terminal to support communication systems at the Airport.
- On April 11, 2017, the City issued a Request for Proposals (RFP); three proposals were received from interested service providers.
- Universal Phone Systems, Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- This project is estimated to be completed by September of 2017.

Charlotte Business INclusion

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

Universal Phone Systems, Inc. has committed 37.57% (\$432,002) of the total contract amount to the following certified firms:

- Besco Electrical (MBE) (\$283,802) (cable tray system, ductless split systems electrical, and upgrade grounding)
- Superior Mechanical Systems (SBE, MBE) (\$148,200) (ductless split systems)

Fiscal Note

Funding: Aviation Community Investment Plan

Attachment(s)

Budget Ordinance

[Airport ORD072417 - Airport Communication Room Fiber Installation](#)

49. Airport Pressure Washing Services Contract

Action:

- A. Approve a unit price contract with JSL Services, LLC for Airport pressure washing for an initial term of three years, and
- B. Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Aviation pressure washes concrete, asphalt, and other areas of the Airport for aesthetic appeal and customer safety. This contract will provide pressure washing services for the Airport as needed.
- On April 21, 2017, the City issued a Request for Proposals (RFP); three proposals were received from interested service providers.
- JSL Services, LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures are \$50,000 annually.

Charlotte Business INclusion

No subcontracting goal was established for this contract because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

JSL Services, LLC is a City SBE.

Fiscal Note

Funding: Aviation Operating Budget

50. Airport Concourse E Baggage Transfer Station Contract Amendment

Action:

- A. **Approve contract amendment #1 for \$229,240 with RS&H Architects Engineers Planners, Inc. for additional design services for the Concourse E Baggage Transfer Station, and**
- B. **Adopt a budget ordinance appropriating \$229,240 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- American Airlines identified a need to relocate maintenance operation space for regional carriers, in order for their maintenance staff to be closer to the aircraft.
- The Aviation Department determined that the Concourse E Baggage Transfer Station, currently under construction, would be the best location to accommodate this need.
- Contract amendment #1, in the amount of \$229,240, with RS&H Architects Engineers Planners, Inc. will provide additional design services for space expansion to include the new maintenance operation space. The amendment will also allow for additional construction administration services.
- The new total value of the contract, including the contract amendment, is \$945,068.
- Aviation anticipates returning to City Council with a construction change order request in fall of 2017.

Fiscal Note

Funding: Aviation Community Investment Plan

Funding to be replaced by future passenger facility charge funds

Charlotte Business Inclusion

RS&H Architects Engineers Planners, Inc. has committed 20.60% (\$47,212) of the total contract amendment (\$229,240) amount to the following certified firms:

- McCracken & Lopez, PA (SBE) (\$28,540) (MEP engineering)
- Laurene, Rickher & Sorrell, PC (SBE) (\$18,672) (structural engineering)

Attachment(s)

Budget Ordinance

[Airport ORD070717 - Councourse E Baggage Transfer Facility Station](#)

51. Aircraft Deicing Facility Management Contract

Action:

- A. Approve a contract with Integrated Deicing Services, LLC to operate a consolidated aircraft deicing facility at the Airport for a five-year term, and**
- B. Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The deicing process of removing ice and snow from aircraft prior to takeoff is essential in the winter.
- The Aviation Department provides aircraft deicing services for the airlines, which is reimbursed through rates and charges.
- On January 24, 2017, the City issued a Request for Proposals (RFP); one proposal was received.
- Integrated Deicing Services, LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures are \$2,622,400 annually.

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 the specialized nature of this work, there are limited subcontracting opportunities; however, Integrated Deicing Facility, LLC (IDS) has identified the following certified firm to participate as project scopes are defined:

- AC Pro Cleaning & Environmental Services, LLC (SBE, MBE) (\$34,488) (cleaning services)

Fiscal Note

Funding: Aviation Operating Budget

52. Airport State Grant Acceptance

Action:

- A. Adopt a resolution accepting a North Carolina Department of Transportation Division of Aviation grant in the amount of \$1,000,000 for the Runway 18L Rehabilitation project, and**
- B. Adopt a budget ordinance replacing \$1,000,000 in Aviation Discretionary Funds with \$1,000,000 in North Carolina Department of Transportation Division of Aviation grant proceeds.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The North Carolina Department of Transportation Division of Aviation provides aid to State airports for the purpose of planning, acquiring, constructing, or improving airport facilities.
- For fiscal years 2014 and 2015, the Aviation Department received total of \$1,000,000 (\$500,000 each year) to support Airport projects.
- This grant will reimburse the \$1,000,000 in Aviation Discretionary Funds used on the Runway 18L Rehabilitation project, which was completed in 2016.

Fiscal Note

Funding: Airport Community Investment Plan

Attachment(s)

Budget Ordinance

Resolution

[Airport ORD072417 - Airport Grant Acceptance](#)

[Airport Grant Acceptance Resolution 7.24.2017](#)

53. American Airlines Line Maintenance Hangar Expansion

Action:

- A. Award a contract in the amount of \$2,809,400 to the lowest responsive bidder Messer Construction Company for the American Airlines Line Maintenance Hangar Expansion project, and
- B. Adopt a budget ordinance appropriating \$2,809,400 from the Aviation Excluded Discretionary Fund Balance to the Aviation Community Investment Plan.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- This project includes the addition of approximately 10,773 square feet of new hangar space and renovations to the existing office space at the American Airlines Line Maintenance Hangar.
- On January 24, 2017, the City issued an Invitation to Bid; four bids were received from interested service providers.
- Messer Construction Company was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be completed by winter of 2018.

Charlotte Business INclusion

Messer Construction Company failed to meet the established subcontracting goals, but earned the required Good Faith Effort (GFE) Points (Part B: Section 5 of the Charlotte Business INclusion Policy).

Subsequent to bid opening, Messer Construction Company has committed additional participation and now exceeds both the established SBE and MBE subcontracting goals.

Established SBE Goal: 12.00%

Committed SBE Goal (at time of Bid): 11.53%

Committed SBE Goal to date: 12.01%

Messer Construction Company has committed 12.01% (\$337,524) of the total contract amount to the following certified firms:

- Gastonia Iron Works (SBE) (\$245,807) (structural steel)
- GDC Supplies, Equipment & Contracting (SBE, MBE) (\$55,302) (demolition)
- Berry's Containers (SBE) (\$15,200) (dumpsters)
- CES Group Engineering (SBE, WBE) (\$5,100) (surveying)
- Boyle Consulting Engineers (SBE) (\$5,000) (field quality control inspection)
- Window2Wall (SBE) (\$3,950) (aluminum doors/frames)
- Sir Speedy (SBE) (\$3,750) (construction signage)
- Sweetwater Utility Exploration (SBE) (\$2,415) (utility location)
- Richa Graphics (SBE) (\$1,000) (blueprinting services)

Established MBE Goal: 6.00%

Committed MBE Goal (at time of Bid): 1.97%

Committed MBE Goal to date: 7.74%

Messer Construction Company has committed 7.74% (\$217,324) of the total contract amount to the following certified firms:

- NC Interiors (MBE) (\$157,272) (drywall/acoustic)
- GDC Supplies, Equipment & Contracting (MBE, SBE) (\$55,302) (demolition)
- Sir Speedy (MBE, SBE) (\$3,750) (construction signage)

- Richa Graphics (MBE, SBE) (\$1,000) (blueprinting services)

Fiscal Note

Funding: Aviation Community Investment Plan

Attachment(s)

Budget Ordinance

[Airport ORD072417 - American Airlines Line Maintenance Hangar Expansion](#)

54. Airport Sewer Line Design Services

Action:

Approve a contract in the amount of \$399,400 with STV Engineers, Inc. for sewer design services for the Concourse A and Terminal Lobby Expansion projects.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- To accommodate future expansion and development at the Airport, Aviation has identified the need to begin preliminary work for constructing a new sanitary sewer system at the Airport.
- This contract includes surveying, geotechnical and utility coordination, traffic control, and sewer design engineering services.
- On April 14, 2014, the City issued a Request for Qualifications (RFQ); 14 proposals were received from interested service providers.
- STV Engineers, Inc. best meets the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- The project is estimated to be complete by the end of 2018.

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).

STV Engineers, Inc. has committed 12.06% (\$48,185) of the total contract amount to the following certified firm:

- Gavel & Dorn Engineering, PLLC (SBE) (\$48,185) (geotechnical and construction material testing)

Fiscal Note

Funding: Aviation Community Investment Plan

55. Airport Real Estate Appraisal Services

Action:

- A. Approve unit price contracts with the following companies for Real Estate Appraisal Services for an initial term of three years:**
- Paul E. Finnen and Associates,
 - JC Morgan Co.,
 - John J. Locke, and
 - T.B. Harris Jr. & Associates, Inc.,
- B. Authorize the City Manager to renew the contracts for up to two additional, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contract was approved, and**
- C. Adopt a budget ordinance appropriating \$665,000 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Certified independent real estate appraisal services are required during the real estate acquisition phase of the Airport Master Plan, economic development, part 150 noise compatibility projects.
- Each property must have an appraisal and each appraisal must be reviewed by a separate appraiser before just compensation can be established.
- On May 3, 2017, the City issued a Request for Proposals (RFP); seven proposals were received from interested service providers.
- Paul E. Finnen and Associates, JC Morgan Co., John J. Locke, and T.B. Harris Jr & Associates, Inc. best meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Parcels will be assigned on a work order basis using the unit prices provided in the contracts.
- The annual combined expenditures are estimated to be \$133,000.

Disadvantaged Business Enterprise

No subcontracting goal was established because there are no subcontracting opportunities.

Fiscal Note

Funding: Aviation Community Investment Plan

Funding to be replaced by future grant proceeds, general airport revenue bonds, or passenger facility charge funds

Attachment(s)

Budget Ordinance

[Airport ORD072417 - Airport Real Estate Appraisal Services](#)

56. Runway 18R/36L Safety Area Grading Improvements

Action:

Award a contract in the amount of \$1,017,825 to the lowest responsive bidder Hi-Way Paving, Inc. for the Runway 18R/36L Safety Area Grading Improvement project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- This project consists of grading, erosion control, and grass seeding of the Runway Safety Areas (RSA) for Runway 18R-36L in order to meet Federal Aviation Administration requirements.
- On May 22, 2017, the City issued an Invitation to Bid; three bids were received from interested service providers.
- Hi-Way Paving, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the end of calendar year 2017.

Disadvantaged Business Enterprise (DBE)

Established DBE Goal: 31.00%

Committed DBE Goal: 31.00%

Hi-Way Paving, Inc. met the established subcontracting goal, and has committed 31.00% (\$315,526) of the total contract amount to the following certified firm:

- Herndon, Inc. (DBE) (\$315,526) (seeding, erosion control, compost)

Fiscal Note

Funding: Aviation Community Investment Plan

57. Runway 18R/36L Airport Joint Sealant Improvements

Action:

Award a contract in the amount of \$1,799,547 to the lowest responsive bidder, Interstate Sealant and Concrete, Inc. for the Runway 18R/36L Joint Sealant Improvement project.

Explanation

- On November 28, 2016, City Council approved a design contract with Talbert, Bright, and Ellington to develop a set of construction documents to address the improvement of the joint sealant material.
- This project consists of replacing approximately 450,000 linear feet of joint sealant material along the existing concrete pavement and associated taxiways for Runway 18R-36L.
- On May 22, 2017, the City issued an Invitation to Bid; three bids were received from interested service providers.
- Interstate Sealant and Concrete, Inc. was selected as the lowest responsive, responsible bidder.
- Interstate Sealant and Concrete, Inc. is registered as a Small Business Enterprise and a Disadvantaged Business Enterprise.
- The project is anticipated to be complete by September of 2018.

Disadvantaged Business Enterprise (DBE)

Established DBE Goal: 16.00%

Committed DBE Goal: 98.08%

Interstate Sealant and Concrete, Inc. exceeded the established subcontracting goal, and has committed 98.08% (\$1,764,947) of the total contract amount to the following certified firms:

- Interstate Sealant and Concrete, Inc. (DBE) (\$1,650,119) (joint sealing, spall repair, crack sealing)
- Airfield Solutions, LLC (DBE) (\$66,828) (airport barricades manufacturer and supplier)
- Alamance Striping & Equipment (DBE) (\$48,000) (pavement marking)

Interstate Sealant and Concrete, Inc. is a DBE firm. Per 49 Code of Federal Regulations Part 26, a DBE firm can count all work performed by their own forces toward the established goals.

Fiscal Note

Funding: Aviation Community Investment Plan

This project is partially funded (75% of the cost) by an Airport Improvement Program grant from the Federal Aviation Administration.

58. Airport Vending Services Contract Amendment

Action:

- A. Approve contract amendment #1 with Compass Group USA, Inc. to provide vending services for an additional two-year term, and
- B. Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- As a 24 hour/7 day a week operation, the Airport constantly serves customers and employees at the CLT Center located at 5601 Wilkinson Boulevard.
- In February 2016, the Aviation Department held an informal solicitation process to select a new vending service provider for the CLT Center.
- Compass Group USA, Inc. was selected based on its competitive pricing, payment methods, variety of product, and comprehensive support and maintenance services.
- On July 1, 2016, Aviation entered into a three-year agreement with Compass Group USA, Inc.
- Contract amendment #1 will extend this contract to a five-year term, with the option of two additional, one-year renewals.
- On July 18, 2017, the City Manager's Office approved a waiver of solicitation for this contract.
- Estimated contract expenditures are \$65,000 annually.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Operating Budget

59. Airport Taxiway A Rehabilitation Design Contract Amendment

Action:

Approve contract amendment #1 in the amount of \$377,517 to Talbert, Bright and Ellington, Inc. for design and construction related professional services for the Taxiway A Rehabilitation project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On April 11, 2016, City Council approved a contract in the amount of \$490,929.50 with Talbert, Bright and Ellington, Inc. to provide design services for the Taxiway A Rehabilitation project.
- The Federal Aviation Administration (FAA) recommended the Aviation Department incorporate additional work to bring Taxiways A, G, and R Intersections up to current design standards.
- Contract amendment #1, in the amount of \$377,517 will provide additional design, construction administration, and quality assurance services to address FAA recommendations.
- The Aviation Department anticipates returning to City Council for approval of the construction contract in fall 2017.
- The total value of the contract, including amendments, is \$868,446.50.

Disadvantaged Business Enterprise (DBE)

Talbert, Bright and Ellington, Inc. has committed 47.82% (\$180,517) of the total amendment to the following certified firms:

- On-Spec Engineering PC (DBE, SBE) (\$171,017) (quality assurance testing)
- Accutech Surveying and Mapping (DBE, SBE) (\$9,500) (surveying)

Fiscal Note

Funding: Aviation Community Investment Plan

Funding to be replaced by future grant proceeds

60. Cyber Security Audit and Assessment Services

Action:

- A. **Approve a contract with Root9B for Security Audit and Assessment Services for an initial term of three years, and**
- B. **Authorize the City Manager to renew the contract for up to two additional 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):

Jeff Stovall, Innovation and Technology
Randy Moulton, Innovation and Technology

Explanation

- The City uses an outside service provider to audit and assess the technical security vulnerabilities the City faces and to recommend measures to mitigate these risks.
- On February 16, 2017, the City issued a Request for Proposals (RFP); twenty-two proposals were received from interested service providers.
- Root9B best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Staff anticipates renewing the contract for up to two additional, one-year terms at prices to be negotiated based on market conditions.
- Estimated contract expenditures are \$200,000 for the first year and \$100,000 annually for the remaining two years of the initial term as well as each optional one-year renewal.

Charlotte Business INClusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: Innovation and Technology Operating Budget

61. Cooperative Purchasing Contracts for Construction, Mowing, Turf and Tree Management Equipment

Action:

- A. Approve the following cooperative contracts with National Joint Powers Alliance (NJPA) as Citywide contracts for the purchase of construction, mowing, turf, and tree management equipment, as authorized by G.S. 143-129(e)(3) for the term of one year,
- Clark Equipment Company (NJPA contract #042815-CEC),
 - Ascendum Machinery Inc. (NJPA contract #052015-CEC),
 - H&E Equipment Services Inc. (NJPA contract #032515-GUS),
 - Tri-State Pump and Control Inc. (NJPA contract #070313-JCS),
 - Charlotte Tractor (NJPA contract #070313-KBA),
 - Vermeer Mid Atlantic LLC (NJPA contract #070313-VRM),
 - Altec Industries Inc. (NJPA contract #031014-ALT), and
- B. Authorize the City Manager to extend the contract for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Staff Resource(s):

Randy Harrington, Management and Financial Services

Chris Trull, Management and Financial Services

Cooperative Purchasing Exemption

NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

Explanation

- The City assesses vehicles and equipment on an annual basis to determine replacement needs based on a rating of vehicle usage, age, maintenance costs, and condition.
- Cooperative purchasing contracts aggregate purchasing power at a regional and national level to provide goods to public agencies at best value.
- The vendors above have contracts awarded through the National Joint Powers Alliance that offers competitively obtained contracts to public agencies regionally and nationwide for public works vehicles and equipment.
- Unit prices, set forth in the proposed contracts, are available upon request.
- Fiscal Year 2018 expenditures are estimated to be \$1,077,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: General and Enterprise Capital Equipment Replacement Funds

62. Cooperative Purchasing Contracts for Building Maintenance

Action:

- A. Approve the following cooperative purchasing contracts as Citywide contracts, as authorized by G.S. 143-129(e)(3) for the term of three years:
- Otis United Technologies for the purchase of elevator and escalator products and maintenance services under National IPA contract #3844899,
 - Trane for the purchase of HVAC products and services under the U.S. Communities Government Purchasing Alliance contract #15-JLP-023, and
- B. Authorize the City Manager to extend the contracts for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Staff Resource(s):

Randy Harrington, Management and Financial Services
Susan Walker, Management and Financial Services

Cooperative Purchasing Exemption

NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

Explanation

- Products and services purchased through these contracts will include elevator products and services, and HVAC products and services as needed.
- Annual contract expenditures are estimated below:
 - Otis United Technologies at \$500,000,
 - Trane at \$500,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Various Department Operating and Capital Budgets

63. Cooperative Purchasing Contracts for Vehicles and Equipment

Action:

- A. Approve the following cooperative contracts with North Carolina Sheriff's Association (NCSA) as Citywide contracts for the purchase of automobiles, refuse and heavy equipment, as authorized by G.S. 143-129(e)(3), for the term of one year:
- Asheville Ford Lincoln, Ben Mynatt Chevrolet Cadillac, Parks Chevrolet, and Piedmont Truck Center Inc. (NCSA contract #17-03-0912),
 - Amick Equipment Co., Excel Truck Group, Southern Truck Service Inc., and Young's Truck Center (NCSA contract #17-01-0617R),
 - Southern Vac, Gregory Poole Lift Systems, Public Works Equipment and Supply Inc., and Jet-Vac Equipment Co. LLC (NCSA contract #18-02-0428), and
- B. Approve the following cooperative contracts with Houston-Galveston Area Council Buy (HGAC) for the purchase of sewer cleaning, cab chassis and street sweeping equipment as Citywide contracts, as authorized by G.S. 143-129(e)(3), for the term of one year:
- Texas Underground Inc. and Sewer Equipment Co. of America (HGAC contract #SC01-15),
 - Doggett Freightliner of South Texas (HGAC contract #HT06-16),
 - Johnston North America (HGAC contract #SW04-16), and
- C. Authorize the City Manager to extend the contract for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Staff Resource(s):

Randy Harrington, Management and Financial Services
Chris Trull, Management and Financial Services

Cooperative Purchasing Exemption

NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

Explanation

- The City assesses vehicle and equipment on an annual basis to determine replacement needs based on a rating of vehicle usage, age, maintenance costs, and condition.
- Cooperative purchasing contracts aggregate purchasing power at a regional and national level to provide goods to public agencies at best value.
- The vendors above have contracts awarded through North Carolina Sheriff's Association, and Houston-Galveston Area Council Buy, that offer competitively obtained contracts to public agencies regionally and nationwide for public works vehicles and equipment.
- Vehicles and equipment being purchased include light and medium duty pickup trucks, heavy duty cab and chassis, refuse cab and chassis, refuse bodies, street sweeping equipment, sewer cleaning equipment, and forklifts.
- Unit prices, set forth in the proposed contracts, are available upon request.
- Fiscal Year 2018 expenditures are estimated to be \$10,692,654.

Charlotte Business INclusion

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

Fiscal Note

Funding: General and Enterprise Capital Equipment Replacement Funds

64. Equipment Purchases from State Contracts

Action:

- A. Approve the purchase of utility bodies and dump truck bodies from state contracts as authorized by G.S. 143-129(e)(9),**
- B. Approve unit price contracts with Godwin Manufacturing and Knapheide Truck Equipment for the purchase of utility bodies and dump truck bodies for the term of one-year under North Carolina state contract numbers 065A and 065C, and**
- C. Authorize the City Manager to extend the contract for additional one-year terms as long as the state contract is in effect, at prices and terms that are the same or more favorable than those offered under the state contract.**

Staff Resource(s):

Randy Harrington, Management and Financial Services
Chris Trull, Management and Financial Services

State Contract Exemption

G.S. 143-129(e)(9) allows local governments to purchase from state contracts if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the state contract.

Explanation

- The City assesses vehicles and equipment on an annual basis to determine replacement needs based on a rating of vehicle usage, age, maintenance costs, and condition.
- State contracts aggregate purchasing power to provide goods to public agencies at the best value.
- The vendors above are willing to provide utility bodies and dump truck bodies to the City at the same or better terms as provided in the contracts with the State of North Carolina.
- Equipment being purchased from state contracts include utility bodies and dump truck bodies which will be installed into truck cab and chassis purchased from separate contracts.
- The unit prices set forth in the proposed contracts is available upon request.
- Annual expenditures are estimated to be \$1,330,000.

Charlotte Business INclusion

This contract is purchased off a State contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General and Enterprise Capital Equipment Replacement Funds

65. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$83,894.78.

Staff Resource(s):

Randy Harrington, Management and Financial Services
Susan Walker, Management and Financial Services

Explanation

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

Pearson Review Update

- In accordance with the ordinance approved by the City Council on August 25, 2014, and the North Carolina law, a list of refunds, which have been paid since the last City Council Business Meeting as a result of the Pearson Review, is available at the City Clerk's Office.
- The amount of Pearson Review refunds paid since the last City Council Business Agenda Meeting on June 26, 2017 totaled \$788.51.

Attachment(s)

Taxpayers and Refunds Requested
Resolution

[List of Taxpayers and Refunds Requested](#)

[Resolution](#)

66. Meeting Minutes

Action:

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

- **June 19, 2017, Zoning Meeting**
- **June 26, 2017, Business Meeting**

Staff Resource(s):

Stephanie Kelly, City Clerk

PROPERTY TRANSACTIONS**67. In Rem Remedy: 9836 Albemarle Road (Mobile Trailer #1)**

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development and Community Safety

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: (9836 Albemarle Road-Mobile Trailer #1)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (9836 Albemarle Road-Mobile Trailer #1) (Neighborhood Profile Area 220).

Attachment(s)

In Rem Packet for (9836 Albemarle Road-Mobile Trailer #1)

[In Rem Remedy 9836 \(Mobile Trailer #1\) Albemarle Rd .pdf](#)

68. In Rem Remedy: 9836 Albemarle Road (Mobile Trailer #2)

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development and Community Safety

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: (9836 Albemarle Road-Mobile Trailer #2)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (9836 Albemarle Road-Mobile Trailer #2) (Neighborhood Profile Area 220).

Attachment(s)

In Rem Packet for (9836 Albemarle Road-Mobile Trailer #2)

[In Rem Remedy 9836 \(Mobile Trailer #2\) Albemarle Rd .pdf](#)

69. In Rem Remedy: 522 West Todd Lane

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development and Community Safety

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: (522 West Todd Lane)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (522 West Todd Lane) (Neighborhood Profile Area 190).

Attachment(s)

In Rem Packet for (522 West Todd Lane)

[In Rem Remedy 522 West Todd Ln.pdf](#)

70. In Rem Remedy: 3836 Whitehall 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 and 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.

Public Safety: (3836 Whitehall Drive)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (3836 Whitehall Drive) (Neighborhood Profile Area 387).

Attachment(s)

In Rem Packet for (3836 Whitehall Drive)

[In Rem Remedy 3836 Whitehall Dr.pdf](#)

71. Property Transactions - Long Creek Stream Rehabilitation, Parcel #1

Action: Approve the following Condemnation: Long Creek Stream Rehabilitation, Parcel #1

Project: Long Creek Stream Rehabilitation, Parcel #1

Owner(s): Catawba Lands Conservancy

Property Address: 599 Belmeade Drive

Total Parcel Area: 2,234,147 sq. ft. (51.289 ac.)

Property to be acquired by Easements: 1,074,823 sq. ft. (24.675 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Industrial

Tax Code: 053-061-19

Appraised Value: \$40,850

Property Owner's Concerns: The property owner was concerned about restoration of the impacted area after construction and erosion control during and after construction.

City's Response to Property Owner's Concerns: City staff included the restoration and erosion control construction notes as part of the construction plans to assure all concerns were addressed and agreed upon.

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

Council District: N/A

72. Property Transactions - Orr Road Extension, Parcel #1

Action: Approve the following Condemnation: Orr Road Extension, Parcel #1

Project: Orr Road Extension, Parcel #1

Owner(s): Harvey W. Gouch and Louise G. Gouch

Property Address: 5801 North Tryon Street

Total Parcel Area: 68,542 sq. ft. (1.574 ac.)

Property to be acquired by Fee: 11,301 sq. ft. (.259 ac.) in Fee Simple

Property to be acquired by Easements: 3,662 sq. ft. (.084 ac.) in Greenway Easement, plus 3,738 sq. ft. (.086 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: Building

Landscaping to be impacted: None

Zoned: B-2

Use: Commercial

Tax Code: 089-201-25

Appraised Value: \$22,075

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

City's Response to Property Owner's Concerns: Staff informed the property owner he could obtain his own MAI certified appraisal.

Recommendation: To avoid delay in the project schedule, staff recommends proceeding 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

ADJOURNMENT

REFERENCES

73. 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.

74. 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.

75. 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.