

City of Charlotte

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



Meeting Agenda

Monday, August 28, 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 Carlenia Ivory
Council Member Patsy Kinsey
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Greg Phipps
Council Member Kenny Smith*

4:00 P.M. DINNER BRIEFING, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, ROOM 267

1. Closed Session

2. Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

3. Mayor and Council Consent Item Questions

Staff Resource(s):

Kim Eagle, City Manager's Office

Time: 5 minutes

Synopsis

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

4. Overview of Housing Progress and Strategies

Committee Chair:

LaWana Mayfield, Housing and Neighborhood Development

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Time: 45 minutes

Explanation

- Since the late 1990's, City Council has adopted several policies and engaged in many strategies to expand the supply of affordable and workforce housing. These policies and strategies have been and will continue to be evolutionary as the City continues to change and grow. They will also provide direction for both the public and private sectors to assist in meeting the community's affordable and workforce housing needs, which are essential to attracting new growth and making Charlotte a Winning City.
- On October 3, 2016, City Council issued a Letter to the Community reaffirming their commitment to the expansion of affordable housing through the creation of 5,000 units within three years.
- Staff and Enterprise Community Advisors will provide an update toward the Comprehensive Strategic Housing Plan and Council's accelerated goal of creating 5,000 affordable housing units within three years.

Future Action

City Council will be requested to adopt the Comprehensive Strategic Housing Plan, which will likely include revisions to existing policies as well as the adoption of new policies, strategies, and programs.

5:00 P.M. DINNER BREAK (15 Minutes)

5. Housing Trust Fund Developments

Committee Chair:

LaWana Mayfield, Housing and Neighborhood Development Chair

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Time: 45 minutes

Explanation

- City Council established a Housing Trust Fund in 2001 to provide gap financing for affordable housing in the Charlotte community.
- Housing and Neighborhood Services staff will provide a briefing on the FY 2018 Housing Trust Fund support requests.
- A Request for Proposals (RFP) for developers seeking Housing Trust Fund assistance was posted on July 10, 2017. All housing units achieved through this process will assist the City Council in meeting their affordable housing goals as outlined in the Community Letter.

Future Action

City Council will be asked to approve the FY 2018 Housing Trust Fund recommendations during the September 25, 2017 Business Meeting.

Attachment(s)

Community Letter

[Letter to the Community - 10.3.16 - Charlotte City Council](#)

6. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Kim Eagle, City Manager's Office

Time: 10 minutes

Synopsis

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

6:30 P.M. PUBLIC FORUM

7. Public Forum

Call to Order

Roll Call

Introductions

Invocation

Pledge of Allegiance

8. Consent agenda items 18 through 49 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.

ZONING

9. Rezoning Petition 2017-069

Action:

Render a decision on petition 2017-069 by Heydon Hall II, LLC

- **From MX-1 (mixed use) and MX-1 SPA (mixed use, site plan amendment)**
- **To MX-1 SPA (mixed use, site plan amendment)**

Staff Resource(s):

Ed McKinney, Planning

Laura Harmon, Planning

Explanation

- The public hearing on this rezoning petition was held on July 17, 2017.
- The City Council expedited the decision on this petition on June 19 from September 18 to August 28, as requested by the petitioner.
- The property is approximately seven acres located on the north side of Smithfield Church Road where it meets Heydon Park Way, west of Heydon Hall Circle. (Council District 6 - Smith)
- The petition proposes to allow the redevelopment of two single family lots and development of multiple vacant, infill parcels for a single family residential development of 24 lots, with the possibility of 25 lots under certain conditions, for up to 3.54 dwelling units per acre.
- The Zoning Committee found the petition to be consistent with the South District Plan and it meets the appropriate criteria in the General Development Polices. Therefore, the petition was found to be reasonable and in the public interest based on information from the staff analysis and the public hearing.
- The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition, with modifications noted in the Zoning Committee Recommendation.
- The following changes were made after the Zoning Committee's recommendation:
 - Changed the width of the sidewalk along the internal private street from six feet to five feet to better match the widths of the sidewalks within the Heydon Hall Community.
 - Changed the width of the sidewalk along Smithfield Church Road from five feet to six feet to match standard sidewalk widths along public streets.
 - Deleted sheets RZ-04 and RZ-5 depicting examples of specific features within the Heydon Hall Community because references to the sheets were removed from the development standards.
 - Removed the reference to a specific tree species under Note 4 under IV. Transportation.
 - Modified notes under V. Architectural Standards/Streetscape and Landscaping for General Materials, House Size and Placement to remove specifics related to colors, specific products, home size, and other details that are subjective or too detailed for enforcement by Zoning.
 - Modified notes under V. Architectural Standards/Streetscape and Landscaping for Garages, Driveways to remove specifics related to color, specific products and other details that are subjective or too detailed for enforcement by Zoning.
 - Modified notes under VI. Design Guidelines for Security Gates, Security Wall and Other Common Features to remove notes related to the appearance of elements, specific products, and other details that are subjective or too detailed for enforcement by Zoning.
 - Modified notes under VII. Construction Activities to add notes related to construction vehicle parking and prohibiting construction traffic entry through the main gate.
 - Modified notes under VII. Construction Activities to remove notes related to mud and other debris, as well as a note related to a temporary construction security entry.
- The petitioner and two residents of the Heydon Hall Community met with staff after the Zoning Committee meeting to discuss the changes described above. Staff believes that the changes are minor or more restrictive than those considered by the Zoning Committee. Staff does not recommend sending the petition back to Zoning Committee.
- Staff agrees with the recommendation of the Zoning Committee.

Attachment(s)

Zoning Committee Statement of Consistency

Zoning Committee Recommendation

Staff Analysis

Vicinity Map

Locator Map

Site Plan

[2017-069 Statement of Consistency. for RCA on 8-28-17docx.pdf](#)

[2017-069 reco 8-1-17 final.pdf](#)

[2017-069 staff 7-17-17 final final.pdf](#)

[2017-069 vicinity map.pdf](#)

[2017-069 rezoning map.pdf](#)

[2017-069 RevSitePlan 08-07-2017.pdf](#)

10. Rezoning Petition 2016-131

Action:

Defer the decision on petition 2016-131 by Halvorsen Development Corporation

- **From UR-2(CD) (urban residential, conditional) and NS (neighborhood services)**
- **To NS SPA (neighborhood services, site plan amendment) and NS (neighborhood services)**

Staff Resource(s):

Ed McKinney, Planning

Laura Harmon, Planning

Explanation

- The petitioner is requesting a deferral of this decision to the September 18, 2017 City Council Zoning Meeting. The deferral will allow an additional community meeting to be scheduled and held prior to the decision.
- The public hearing on this rezoning petition was held on May 15, 2017.
- The property is approximately 1.63 acres located on the northeast corner of Ridge Road and Prosperity Church Road. (Council District 4 - Phipps)
- The petition proposes the development of a vacant parcel in the Prosperity area with up to 5,000 square feet of eating/drinking/entertainment (EDEE) uses or other commercial uses.
- The City Council deferred the decision on this petition to August 28, as requested by the petitioner, on June 19, 2017 since not all Council members were present at the meeting.
- The Zoning Committee found the allowed uses consistent with the *Prosperity Hucks Area Plan*, but inconsistent with the specific recommendations of the plan. However, the petition was found to be reasonable and in the public interest based on information from the staff analysis and the public hearing.
- The Zoning Committee voted 4-2 to recommend **APPROVAL** of this petition with the modifications noted in the Zoning Committee Recommendation.
- The minority of the Zoning Committee found the petition to not be reasonable and in the public interest because the area is the product of intentional planning and public investment over the last 20 years.
- Staff continues to recommend denial of this petition and agrees with the recommendation of the minority of the Zoning Committee.

Attachment(s)

Zoning Committee Statement of Consistency

Zoning Committee Recommendation

Staff Analysis

Vicinity Map

Locator Map

Site Plan

[2016-131 Statement of Consistency.pdf](#)

[2016-131 reco 5-30-17 final](#)

[2016-131 staff 5-15-17 final final](#)

[2016-131 vicinity map](#)

[2016-131 rezoning map](#)

[2016-131 RevSitePlan 06-07-2017](#)

PUBLIC HEARING

11. Public Hearing to Extend the 2010 General Obligation Bond Authorization

Action:

- A. Conduct a public hearing regarding the extension of the General Obligation Bond authorization, approved for seven years in November 2010, and
- B. Adopt the orders to extend the 2010 General Obligation Bond authorization for three additional years.

Staff Resource(s):

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

Explanation

- On November 2, 2010, voters approved a bond referendum authorizing the issuance of \$156.6 million in street bonds and \$32 million in neighborhood improvement bonds, which expire on November 2, 2017.
- Approximately \$96 million street bonds and \$2 million neighborhood bonds of the 2010 authorized bonds remained unissued as of June 30, 2017.
- At the July 24, 2017 Business meeting, City Council authorized the City Manager to apply to the Local Government Commission (LGC) for an extension to the 2010 general obligation bond authorization.
- On August 1, 2017, the LGC authorized City Council to extend the expiration date to November 2, 2020.
- This action adopts orders to extend the expiration date for street and neighborhood general obligation bonds.

Fiscal Note

Funding: Municipal Debt Service Fund

Attachment(s)

Bond Orders
Presentation

[Extension Orders for City of Charlotte GO extension \(8 28 17 action\)](#)

[Public Hearing to Extend the 2010 GO Bond Authorization Presentation pdf 8-28-17](#)

12. Allstate Insurance Company Business Investment Grant

Action:

- A. Conduct a public hearing regarding approval of a Business Investment Grant to Allstate Insurance Company, and**
- B. Approve the City's share of a Business Investment Grant to Allstate Insurance Company for a total estimated amount of \$741,539 over five years.**

Staff Resource(s):

Patrick Mumford, Economic Development

Kevin Dick, Economic Development

Explanation

- On August 9, 2017, Allstate Insurance Company announced its selection of Charlotte for a capital investment of \$34.7 million to expand and establish a major regional operations center in Charlotte.
- Staff is requesting City Council approve a Business Investment Grant estimated to be \$741,539 over five years. Mecklenburg County's share is estimated at \$701,986.
 - On July 24, 2017, the City Council, in Closed Session, indicated its intent to approve a Business Investment Grant to Allstate.
 - On August 2, 2017, the Mecklenburg County Board of Commissioners, in Closed Session, indicated its intent to approve a Business Investment Grant to Allstate.
 - The total City/County combined grant is estimated to be \$1,443,525 over five years.
 - In addition to the grant for the expansion, the State of North Carolina also approved a Job Development Investment Grant in the amount of \$16.8 million and \$3,150,000 in community college training funds.
- In addition to the \$34.7 million capital investment, Allstate has committed to:
 - A minimum of 2,000 jobs to be hired locally over five years with an average wage of \$46,813 (94% of regional average wage)
 - 1,444 current employees in Charlotte to be retained for the term of the grant
- Additional benefits also include:
 - Workforce development partnerships and relationships with the company can be utilized to connect talent to available positions
 - The project's alignment with:
 - City Values and Winning Cities characteristics
 - Letter to the Community (Good Paying Jobs)
 - Equitable Economic Development and Economic Opportunity
 - Diversity of jobs on proposed project
 - Job retention through corporate expansion
 - Growth industry with significant job and contracting opportunities

Background

- Headquartered in Northbrook, Illinois, Allstate was founded in 1931, after a spin-off with Sears and Roebuck. The company provides hazard insurance and other financial products and services through the Allstate, Esurance, Encompass and Answer financial brands. The company currently employs 1,444 people at its Charlotte operations center at 7345 IBM Drive in North Charlotte (District 4).
 - Company plans to lease additional office space or build-to-suit at the company's current location on IBM Drive (Innovation Park) or an alternative site located near a light rail station. The company will also lease office space in the uptown area.
 - All prospective locations are expected to be within the Business Investment Zone.

Business Investment Grant

- Request meets the City Council approved criteria for a five-year, 90 percent local business

expansion grant.

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

Fiscal Note

Funding: Business Investment Grant

POLICY

13. City Manager's Report

BUSINESS

14. City Attorney's Compensation

Action:

Consider a 2017 Compensation Adjustment for the City Attorney.

Staff Resource(s):

Cheryl Brown, Human Resources

Explanation

- On August 28, 2017, the Mayor and City Council met to conduct the City Attorney's performance evaluation and discuss a potential compensation adjustment.
- The Mayor and City Council evaluated the City Attorney's FY 2017 performance and effectiveness in four criteria, as follows:
 - Advisor to the Mayor and City Council,
 - Representation of the City's interests,
 - Assistance to City Manager and staff, and
 - Management of special projects.
- The Human Resources Director assisted the Mayor and City Council on the details associated with the City Attorney's compensation.

15. Appointments to the Charlotte Tree Advisory Commission

Action:

Vote on blue ballots and return to Clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending September 16, 2019.
- 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.
 - Diatra Fullwood, nominated by Council members Kinsey, Lyles and Mitchell
 - Mary Jo Shepherd, nominated by Council members Ajmera, Eiselt, Phipps and Smith
 - J. Mark Smith, nominated by Council members Driggs and Phipps

Attachment(s)

Charlotte Tree Advisory Commission Applicants

16. Appointments to the Historic District Commission

Action:

Vote on blue ballots and return to Clerk at dinner.

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.
 - John Phares, nominated by Council members Driggs, Eiselt, Kinsey, Lyles, and Phipps.

Attachment(s)

Historic District Commission Applicants

17. Mayor and City Council Topics

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

CONSENT

18. Grier Heights Sidewalk

Action:

Award a contract in the amount of \$259,618.25 to the lowest responsive bidder Armen Construction LLC for the Grier Heights Sidewalk project.

Staff Resource(s):

Jennifer Smith, Engineering and Property Management

Veronica Wallace, Engineering and Property Management

Warren Wooten, Housing and Neighborhood Services

Explanation

- Located in District 1, this contract includes the construction of planting strips and sidewalks with street trees on the east side of Orange Street from McVay Street to Dunn Avenue, and on the west and east side of Heflin Street from McVay Street to Dunn Avenue (approximately .5 miles).
- On June 23, 2017, the City issued an Invitation to Bid; two bids were received from interested service providers.
- Armen Construction LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2018.
- This project supports affordable housing being developed in the Grier Heights Neighborhood.

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). However, Armen Construction is a City SBE and MBE.

Fiscal Note

Funding: General Community Investment Plan and Community Development Block Grant

Attachment(s)

Map

[Location Map - Grier Heights Sidewalk](#)

19. Hosting Services for the National League of Cities City Summit

Action:

Authorize the City Manager to negotiate and execute contracts for a combined amount not to exceed \$600,000 with the North Carolina League of Municipalities and the Charlotte Regional Visitors Authority for hosting services associated with the National League of Cities City Summit Conference.

Staff Resource(s):

Randy Harrington, Management and Financial Services

Explanation

- The National League of Cities (NLC) successfully met in Charlotte in December 2005.
- On November 26, 2012, City Council adopted a resolution in support of hosting the 2017 NLC City Summit.
- Charlotte was selected to host the NLC City Summit Conference on November 15-18, 2017.
- The event will attract approximately 4,000 municipal elected leaders from across the country and the estimated economic impact is \$8.3 million.
- The City will partner with the Charlotte Regional Visitors Authority and the North Carolina League of Municipalities to fulfill the host city responsibilities.
- Host city responsibilities include a variety of requirements, such as mobile workshops, transportation, convention center planning, volunteers, and conference coordination.
- Waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.
- The total City contribution for the NLC City Summit is \$600,000.

Charlotte Business INclusion

City staff will work with the North Carolina League of Municipalities and the Charlotte Regional Visitors Authority to maximize MWSBE spend opportunities.

Fiscal Note

Funding: General Community Investment Plan

20. I-85 North Bridge Design Services

Action:

Authorize the City Manager to negotiate and execute a contract up to \$2,300,700 with HDR Engineering, Inc. of the Carolinas for design services for the I-85 North Bridge.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Jennifer Smith, Engineering and Property Management
Dan Leaver, Engineering and Property Management
Keith Bryant, Engineering and Property Management

Explanation

- This project will include a bridge over I-85 from Research Drive to J.W. Clay Boulevard in University City. The project will provide an alternative route to both the W.T. Harris Boulevard and Mallard Creek Church Road interchanges with I-85.
- The new bridge over I-85 will serve as a gateway entrance into Charlotte with a significant aesthetic component and provide facilities that accommodate all modes of transportation. Other features of the project include, but are not limited to:
 - Three-quarters of a mile of roadway modifications, including protected bicycle lanes, sidewalks, and other pedestrian and bicycle amenities,
 - A roundabout and two protected signalized intersections,
 - Two potential greenway connections,
 - Utility relocations, including a Duke transmission tower relocation, and
 - Stormwater management treatment facilities to comply with the City's Post Construction Stormwater Ordinance.
- This project featured numerous public involvement opportunities throughout the planning phase, including an online poll, which received over 3,100 responses.
- On January 5, 2017 the City issued a Request for Qualifications (RFQ); three proposals were received from interested professional service providers.
- HDR Engineering, Inc. of the Carolinas (HDR) 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.
- The project is funded with \$15.48 million from City bonds and \$9.15 million in Federal funds.
- A Municipal Agreement to allocate the Federal funds will be brought to Council at a future date.

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). HDR has committed to 12.38 percent (\$284,900) of the total contract amount to the following firms:

- Bloc Design, PLLC (SBE) (\$37,300) (renderings, visualization services)
- Hinde Engineering, Inc. (SBE) (\$164,700) (utility investigation and wet utility design)
- Sweetwater Utility Exploration, LLC (SBE) (\$82,900) (subsurface utility engineering)

Fiscal Note

Funding: General Community Investment Plan and Federal grants

Attachment(s)

Map

[Location Map - North Bridge Design Services](#)

21. Construction Inspection and Management Services

Action:

Approve unit price contracts with the following companies for construction inspection and management services for a five-year term:

- **A. Morton Thomas and Associates, Inc.,**
- **Gavel & Dorn Engineering, PLLC, and**
- **SEPI Engineering & Construction, Inc.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Jennifer Smith, Engineering and Property Management
Susan Tolan, Engineering and Property Management

Explanation

- The City has numerous Storm Water construction projects requiring construction management and inspection services.
- Inspection needs will exceed the capacity of existing City inspection staff. The services provided by these contracts will supplement current staffing levels for five years in lieu of hiring additional staff.
- Work will include, but is not limited to:
 - Documenting work progress and communications;
 - Providing recommendations regarding the performance of the construction contractor as specified under the construction contract documents; and
 - Serving as the agent of the City within the limits and conditions of the construction contract document.
- Under this agreement, the City and consultants will negotiate the details of task orders for specific projects.
- On July 14, 2016, the City issued a Request for Qualifications (RFQ); 10 proposals were received from interested professional service providers.
- A. Morton Thomas and Associates, Inc., Gavel & Dorn Engineering, PLLC, and SEPI Engineering & Construction, Inc. are the best qualified firms to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Estimated contract expenditures for all contracts are \$750,000 annually for a total of \$3.75 million.

Charlotte Business INclusion

The City Negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). On these contracts the Prime Consultants have each committed 10% of the total contract amounts to the following certified firms to be utilized as project scopes are defined:

A. Morton Thomas and Associates, Inc.

- Capstone Civil Group, Inc. (SBE) (inspection services)

Gavel & Dorn Engineering, PLLC (SBE)

- Hinde Engineering, Inc. (SBE) (utility locating services)
- On-Spec Engineering, PC (SBE) (geotechnical and testing services)

SEPI Engineering & Construction, Inc.

- Hinde Engineering, Inc. (SBE) (utility locating services)
- Barry Lambert Engineering, PC (SBE) (structural engineering)

Fiscal Note

Funding: Storm Water Community Investment Plan

22. Barringer Drive Bridge Replacement

Action:

- A. **Award a contract in the amount of \$1,099,260.45 to the lowest responsive bidder Sloan Construction, a Division of Reeves Construction Company, for the Barringer Drive Bridge Replacement project, and**
- B. **Authorize the City Manager to negotiate and execute a contract up to \$255,000 with A. Morton Thomas and Associates, Inc. for bridge construction administration services.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Jennifer Smith, Engineering and Property Management
David Weekly, Engineering and Property Management
Allison Brickey, Engineering and Property Management

Explanation

Action A:

- The Barringer Drive Bridge spans Irwin Creek and is located on Barringer Drive approximately one-tenth of a mile south of Beech Nut Road.
- The 57-year-old bridge meets criteria for replacement based on a ranking using a combination of sufficiency ratings and current conditions.
- Work will include, but is not limited to:
 - Replacing the existing bridge structure,
 - Construction of concrete sidewalk, curb and gutter, driveways, wheel chair ramps, storm drainage and water lines,
 - Installation and maintenance of erosion control and traffic control,
 - Installation of asphalt pavement and pavement markings, and
 - Bridge construction administration and inspection services.
- The work will be financed 80 percent with federal funding administered by the North Carolina Department of Transportation (NCDOT) and 20 percent funded by the City.
- On May 31, 2017, the City issued an Invitation to Bid; three bids were received from interested service providers.
- Sloan Construction, a Division of Reeves Construction Company, was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2018.

Action B:

- NCDOT requires construction administration services on bridge replacement projects.
 - On May 17, 2017, the City issued a Request for Qualifications (RFQ); seven proposals were received from interested professional service providers.
 - A. Morton Thomas and Associates, 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.

NCDOT Opportunity Programs

Action A: Bridge Construction

Disadvantaged Business Enterprise (DBE) Opportunity

Established DBE Goal: 13.00%

Committed DBE Goal: 14.52%

Sloan Construction a Division of Reeves Construction Company exceeded the established subcontracting goal, and has committed 14.52% of the total contract amount to the following certified firm:

- Oliver Paving (DBE, SBE, WBE) (\$159,575) (paving)

Action B: Bridge Construction Administration

Small Professional Services Firms (SPSF) Opportunity

For Federal Highway Administration funded projects, the NCDOT does not mandate a goal through the State's SPSF program.

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Barringer Drive Bridge \(No. 376\) Replacement](#)

23. Water Quality Enhancement and Stream Restoration Services

Action:

- A. Approve unit price contracts with the following companies for water quality enhancement services for a five-year term:
- Gavel & Dorn Engineering, PLLC
 - HDR Engineering, Inc. of the Carolinas
- B. Approve unit price contracts with the following companies for stream restoration professional services for a five-year term:
- Kimley-Horn and Associates, Inc.
 - Wildlands Engineering, Inc.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Jennifer Smith, Engineering and Property Management
Kyle Hall, Engineering and Property Management

Explanation

- Storm Water Services evaluates the feasibility of new surface water quality improvement projects.
- Surface water quality enhancements, ponds, and stream restoration projects drain to creeks identified as impaired by Clean Water Act standards.
- Improvements to existing ponds and newly identified water quality enhancement and stream restoration projects will remove pollutants from storm water runoff before the water is discharged into the creeks.
- Improving existing ponds is a cost-effective means of improving water quality and newly identified water quality enhancement projects are needed to improve water quality in areas where ponds do not exist.
- Stream restoration projects generate mitigation credits that can be used to offset stream and wetland impacts on public projects.
- In 2004, the City of Charlotte established a stream and wetland mitigation bank to hold mitigation credits that can be used by the City and County public projects.
- On August 10, 2016, the City issued a Request for Qualifications (RFQ); 26 proposals were received from interested professional service providers.
- Firms were selected in September 2016. Staff needed additional time to develop the scope of services and secure appropriate funding.
- These are the best qualified firms to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Estimated contract expenditures for all contracts are \$666,667 annually, for a total of \$3,333,335.

Charlotte Business INclusion

Action A:

The City Negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). On these contracts the Prime Consultants have each committed 10% of the total contract amounts to the following certified firms to be utilized as project scopes are defined:

Gavel & Dorn Engineering (SBE)

- CES Group Engineers (SBE, WBE) (survey & mapping)
- Ameridrill Corporation (SBE) (geotechnical)

HDR Engineering Inc.

- James Mauney & Associates (SBE) (survey & mapping)
- R. Joe Harris & Associates (SBE) (survey & mapping)

- Sweetwater Utility Exploration, LLC. (SBE) (utility location)
- CMW Design Strategies (SBE) (landscape architecture)

Action B:

The City Negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INClusion Policy). On these contracts the Prime Consultants have each committed 10% of the total contract amounts to the following certified firms to be utilized as project scopes are defined:

Kimley-Horn and Associates, Inc.

- Boyle Consulting Engineering, PLLC (SBE) (geotechnical engineering)
- The Survey Company, Inc. (MBE) (survey and mapping)
- Barry Lambert Engineering, PC (SBE) (structural engineering)
- RDL Private Utility Locating, LLC (MBE) (utility locator)
- James Mauney and Associates, PA (SBE) (survey and mapping)
- Hinde Engineering, Inc. (SBE) (engineering consulting)

Wildlands Engineering, Inc.

- Armstrong Glen, PC (SBE) (engineering consulting)
- Survey Mapping & Control, Inc. (SBE) (surveying consulting)
- Habitat Assessment & Restoration Professionals (SBE) (assessing and protecting natural resources)

Fiscal Note

Funding: Storm Water Services Community Investment Plan

24. Parking Pay Stations and Related Services

Action:

- A. Approve a contract with T2 Systems Canada, Inc. for Parking Pay Stations and Related Services for an initial term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year renewal terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Liz Babson, Transportation
Katherine Dennis, Transportation
Clement Gibson, Transportation

Explanation

- The City manages approximately 1,100 on-street parking spaces in Uptown, SouthEnd, and the Elizabeth area of Charlotte.
- The City will replace 25 of the existing 51 pay stations that have reached end of life service.
- On October 24, 2016, the City issued a Request for Proposals (RFP); six proposals were received from interested service providers.
- T2 Systems Canada, Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- It is anticipated the contract will be renewed for up to two additional, one-year terms at prices to be negotiated based on market conditions.
- Estimated contract expenditures are approximately \$200,000 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: General Community Investment Plan

25. Metropolitan Planning Program Grant Municipal Agreement

Action:

Adopt a resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation to support transit-planning activities for the Charlotte Regional Transportation Planning Organization.

Staff Resource(s):

Liz Babson, Transportation

Jayne Peterson, Transportation

Explanation

- The Federal Transit Administration (FTA) awarded the Fiscal Year 2018 Metropolitan Planning Grant to the City of Charlotte in July 2017.
- The North Carolina Department of Transportation requires grant recipients to enter into a new Municipal Agreement to receive the annual allocation. Municipal agreements require City Council approval.
- The City of Charlotte received this grant for many years as the lead planning agency for the Charlotte Regional Transportation Planning Organization and as the major fixed-route transit operator for the urban area.
- The Charlotte Department of Transportation (CDOT) and CATS are responsible for the deliverables associated with this grant, including:
 - The federally compliant travel demand model required for transportation planning and air quality conformity, and
 - Updating the Transit Element of the Metropolitan Transportation Plan, developing transit travel demand forecasts, conducting ridership surveys and monitoring and updating the Transportation Improvement Program as necessary to advance projects and ensure compliance with federal regulations.
- The total FTA planning budget for the City of Charlotte is \$556,000, of which \$444,800 (80%) consists of federal funds, \$55,600 (10%) of state funds, and \$55,600 (10%) of local funds.
- CDOT will use these funds for travel demand modeling.
- The travel demand model is required by United States Department of Transportation for air quality conformity determinations, highway travel forecasts, and transit ridership forecasts.

Fiscal Note

Funding: Federal and State Transportation Assistance Planning Grant and the Charlotte Department of Transportation Operating Budget

Attachment(s)

Resolution

[FY18 Metropolitan Planning Program Grant Municipal Agreement Resolution](#)

26. Roadway Median Object Markers

Action:

- A. Award a unit price contract to the lowest responsive bidder Qwick Kurb Inc. for the purchase of roadway median object markers for a term of two years, and**
- B. Authorize the City Manager to renew the contract for up to three, one year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Liz Babson, Transportation

Ronnie Ashburner, Transportation

Explanation

- Median object markers are used by the Charlotte Department of Transportation to give clear indications of separations of lanes and the location of roadway medians on City streets.
- Markers are bolted into asphalt or concrete to assist with traffic flow by providing clarity of lane locations in highly congested areas for both daytime and nighttime driving.
- On May 9, 2017, the City issued an Invitation to Bid; one bid was received from Qwick Kurb Inc. Based on post-bid assessment of the industry, it was determined that suppliers of this product are limited, and the one bid received is responsive and of good value.
- Estimated annual expenditures are \$102,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Charlotte Department of Transportation Operating Budget

27. Sanitary Sewer Grease Control Services Contract

Action:

- A. Approve a unit price contract with NRPGGroup, Inc. for sanitary sewer grease control services for an initial term of one year, and**
- B. Authorize the City Manager to renew the contract for an additional one-year term with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Barry Gullet, Charlotte Water

Angela Lee, Charlotte Water

Explanation

- Charlotte Water has contracted with NRPGGroup, Inc. to provide sanitary sewer grease control services using a specialized biological enzyme (Bio Kat) as part of the Sanitary Sewer Overflow Reduction Program throughout Mecklenburg County.
- About half of all sanitary sewer overflows are caused by grease accumulation in sewer pipes.
- At this time, NRPGGroup, Inc. is the only company identified to install, maintain, and operate the equipment and provide the product and related services for grease control. Although other companies sell similar products, NRPGGroup, Inc. is the only identified company that provides a full service including installation, product, service, and maintenance.
- Bio Kat has been tested and proven to not have adverse effects on wastewater treatment plant processes.
- Currently there are 10 locations identified which may be changed in the future based on operation needs. These locations are off-street sanitary sewers with a history of grease-related problems that are difficult to clean using traditional sewer cleaning methods.
- Waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.
- NRPGGroup, Inc. is the only approved company utilizing Bio Kat and applies it using their employees.
- Estimated contract expenditures are \$95,000 annually.

Charlotte Business INclusion

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

Fiscal Note

Funding: Charlotte Water Community Investment Plan

28. Charlotte Water Innovyze Hydraulic Modeling Software

Action:

- A. Authorize the City Manager to negotiate and approve a contract for maintenance and support under the City's Innovyze Hydraulic Modeling Contract, as detailed below for as long as the City uses the system,**
- B. Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved, and**
- C. Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed to optimize the City's use of the system.**

Staff Resource(s):

Barry Gullet, Charlotte Water

David Czerr, Charlotte Water

Explanation

- There is a greater need to analyze water and wastewater system capabilities and plan for expanded service to support the growth within the City and Mecklenburg County.
- Charlotte Water has been using two separate water and wastewater system modeling software since 2007. Since the original purchases, the software companies consolidated into one company, Innovyze, Inc.
- Software licenses, annual maintenance, and upgrades to the existing system will be purchased to expand Charlotte Water's capabilities and support the additional workload.
- Charlotte Water seeks a contract with Innovyze, Inc. due to the expanded internal use and capabilities of this suite of applications.
- Additional software licenses, services, hosting and hardware will be purchased as needed to optimize the City's use of the system.
- Expenditures for licensing, system implementation and first year maintenance are estimated to be \$84,439.
- Maintenance and support will also be purchased for as long as the City uses the software. This may be done by amendment to the original contract or by new contracts with the same or other vendors that may offer such services in the future. Expenditures for maintenance and support are estimated to be \$28,226 per year, subject to adjustments as authorized by the contract or by the City Manager.
- Waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.

Charlotte Business INclusion

No subcontracting goals were set because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

29. Blue Line Extension Parking Deck Control System

Action:

- A. Approve a contract in an amount not to exceed \$500,000 with Carolina Time to provide and install parking control systems at the JW Clay Boulevard and University City Boulevard parking decks for the Blue Line Extension project,
- B. Authorize the City Manager to approve the purchase of maintenance and support for as long as the City uses the system, and
- C. Authorize the City Manager to approve the purchase of additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the system.

Staff Resource(s):

John Lewis, CATS

Olaf Kinard, CATS

Explanation

- This contract will provide equipment, software, and installation of parking control systems in the two parking decks at the northeastern end of the Blue Line Extension (BLE) at University City Boulevard and JW Clay Boulevard.
- On December 9, 2016, the City issued a Request for Proposals; two proposals were received from interested providers.
- Carolina Time was selected as the most responsive proposer and the only one that could comply with Buy America as required by the Federal Transit Agency.
- The contract with Carolina Time is an amount up to \$500,000, which is within the current BLE project budget.

Disadvantaged Business Enterprise (DBE) Opportunity

Established DBE Goal: 4%

Committed DBE Goal (at time of Proposal): 0%

Carolina Time did not meet the established subcontracting goal, but did make adequate good faith efforts toward meeting the goal, pursuant to 49 CFR Section 26.53(a)(2).

Fiscal Note

Funding: CATS Community Investment Plan

30. Blue Line Extension Safety and Security Certification Services Amendment

Action:

Approve contract amendment #9 for \$515,000 to K&J Safety and Security Consulting Services Inc. for safety and security certification services for the Blue Line Extension project.

Staff Resource(s):

John Lewis, CATS

Jill Brim, CATS

Explanation

- On May 12, 2008, City Council approved a contract with K&J Safety and Security Consulting Services Inc. in the amount of \$200,000 for the preliminary engineering phase of the Safety and Security Certification of the Blue Line Extension (BLE).
- K&J Safety and Security Services is currently contracted to complete the safety and security certification process for the BLE, as required by the Federal Transit Administration (FTA).
- On March 27, 2017, City Council approved amendments for contracts related to BLE Support Services to accommodate extensions in the project schedule. This amendment is needed due to the overall extended completion schedule of the BLE project.
- The total value of the contract, including this amendment, is \$1,920,000, which is within the current BLE project budget.
- Further detail on prior contract amendments is provided as an attachment.

Disadvantaged Business Enterprise Opportunity

All additional work involved in this contract amendment will be performed by K&J Safety and Security, (DBE) (security consulting): 100%

Fiscal Note

Funding: CATS Community Investment Plan

Attachment(s)

Contract Amendment History

[Attachment_XX.08.28.2017.doc.docx](#)

31. American Airlines Line Maintenance Hangar Reimbursement Agreement

Action:

Approve an agreement with American Airlines to reimburse the Airport for design and construction services associated with the renovations to the Line Maintenance Hangar Facility.

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- American Airlines leases approximately 73.5 acres of land at the Charlotte-Douglas International Airport to support its maintenance and administrative operations.
- American Airlines requested that the Aviation Department provide renovations to their Line Maintenance Hangar Facility located at the Charlotte-Douglas International Airport.
- On July 25, 2016, City Council approved a contract with Michael Baker International dba Baker LPA Architects, PC for architectural and civil design services to renovate the existing facility.
- On July 24, 2017, City Council approved a contract with Messer Construction Company for the construction of the hangar expansion.
- American Airlines has agreed to reimburse the City for the total cost of this project, which is currently estimated at \$3,209,126.

Fiscal Note

Aviation Operating Private Contributions

32. Airport Strategic Parking Business Plan

Action:

- A. **Approve a contract with Innovat International Inc. to develop a Strategic Airport Parking Business Plan and provide consulting and implementation services for a five-year term, and**
- B. **Authorize the City Manager to renew the contract for up to two additional, one-year terms 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

- The Aviation Department seeks to complete a Parking Business Plan in order to better understand how to effectively manage, expand, and modernize the Airport in a way that benefits the customer experience and promotes additional revenue growth. The Plan will focus on the following components:
 - Airport parking management best practices,
 - Passenger experience,
 - Technology use and product definition,
 - Fee structure and parking model integration, and
 - Promotion and marketing strategies.
- On June 22, 2016, the City issued a Request for Qualifications for the Airport Parking Study; five firms submitted a proposal.
- Innovat International Inc. (formerly DAA USA International, Inc.) and Ricondo and Associates were selected based on experience, qualifications, and project proposal.
- Innovat's proposal was comprised of the following:
 - Phase I: a situational analysis/data assessment,
 - Phase II: a strategic commercial business plan and implementation services, and
 - Phase III: ongoing commercial management consulting services.
- On January 30, 2017, the Airport entered into a contract with Innovat International Inc. to perform the situational analysis. The Airport requested that the Situational Analysis be performed separate from the full study in an effort to provide the backbone analysis and research required to determine the cost and impact to the second and third phase would have for the Airport.
- This contract is for Phase II & III, in which Innovat will develop a strategic commercial business plan and provide consulting and implementation services that were identified in the situational analysis.
- The estimated project cost is \$800,000.

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: Aviation Operating Budget

33. Airport Lost and Found Resolution Amendment

Action:

Adopt a revised resolution amending the Airport's authority to donate or dispose of lost and unclaimed property.

Staff Resources(s)

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Passengers traveling through Charlotte Douglas International Airport unintentionally leave items in public spaces throughout the Airport.
- On November 23, 2009, City Council adopted a resolution allowing the Airport to donate unclaimed property after 90 days.
 - North Carolina General Statute 160A-274 authorizes the City to donate unclaimed property to non-profit organizations.
- Since adoption of the 2009 resolution, the Airport passenger traffic has greatly increased, resulting in more misplaced items.
- The revised resolution would amend the Airports authority to dispose of items after 30 days, versus the current 90-day timeframe, greatly reducing the time required for management and storage of lost items.

Attachment(s)

Resolution

[Lost and Found City Council Resolution update](#)

34. Airport Concourse C Renovation Design Services

Action:

Approve a contract in the amount of \$825,775 with the Wilson Group Architects, PA for design services for the Concourse C Renovation Design project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Airport, with approval of the airlines, will renovate Concourse C to include new ceilings, wall finishes, flooring, HVAC upgrades, code required sprinkler and fire alarm modifications, LED lighting, and the installation of a new generator.
- On March 23, 2017, the City issued a Request for Qualifications for architectural and engineering design services; 16 firms submitted a proposal.
- The Wilson Group Architects, PA was selected based on experience and knowledge of terminal facilities.

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 Wilson Group Architects, PA has committed 14.05% (\$116,000) of the total contract amount to the following certified firms:

- Saber Engineering (SBE) (\$110,000) (mechanical, electrical, plumbing, and fire protection engineering)
- Hartranft Lighting Design (SBE) (\$6,000) (specialty lighting design)

The Wilson Group Architects, PA is a City SBE.

Fiscal Note

Funding: Aviation Community Investment Plan

35. Airfield Maintenance Building Canopy

Action:

Award a contract in the amount of \$256,543.87 to the lowest responsive bidder BSL Galbreath, Inc. for the Airfield Maintenance Building Canopy project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- This contract will provide for the construction of a building canopy to shelter Airport snow equipment used to support winter operations. The canopy is for the Airfield Maintenance building located at 4302 Yorkmont Road.
- On May 15, 2017, the City issued an Invitation to Bid; four bids were received from interested service providers.
- BSL Galbreath, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter of Fiscal Year 2018.

Charlotte Business INclusion

Established MSBE Goal: 6.00%

Committed MSBE Goal: 21.83%

BSL Galbreath, Inc. exceeded the established subcontracting goal and has committed 21.83% (\$56,000) of the total contract amount to the following certified firms (Part C: Section 2.1 of the Charlotte Business INclusion Policy):

- BSL Galbreath, Inc. (MBE) (\$50,000) (management, general conditions (e.g. permitting), with some electrical)
- Neely Brothers (SBE) (\$6,000) (hauling)

BSL Galbreath, Inc. is a City MBE.

Fiscal Note

Funding: Aviation Community Investment Plan

36. Citywide Interactive Voice Response System Amendment

Action:

- A. Approve a contract amendment with True Image Interactive, LLC for the ongoing support for various applications including the City's interactive voice response system and web portal for the term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Jeffrey Stovall, Innovation and Technology

Explanation

- In 2010, Council approved a large suite of service communications enhancements in an effort to improve access for residents and reduce costs. Since 2009, True Image Interactive, LLC (formerly EidoServe, Inc.) has provided the City with a hosted interactive voice response (IVR) system, mobile applications, web applications, web portal, and professional IT development services to include the following:
 - CharMeck 311 IVR for Charlotte Water billing services and Western Union payments;
 - Charlotte Water Outbound Calling for late payment and disconnect service notifications;
 - Charlotte Water Citizen Web Portal for billing and payment management;
 - Mobile applications (Apple/Android) for MyCharlotte, RideCats, and Stormwater WaterWatchers; and
 - CATS Special Transportation Services IVR and Web System.
- A Waiver of a competitive solicitation process may be granted on a limited basis when deemed appropriate and in the City's best interest. The City Manager has approved a waiver on this item.
- The estimated cost for these services is \$1,000,000 annually.
- Estimated total contract value to date is \$3,227,614.32.

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: Various Departments' Operating Budgets

37. Fire Apparatus Repair and Maintenance Services

Action:

- A. Approve a unit price contract with Atlantic Coast Fire Trucks for fire apparatus repair and maintenance services for an initial term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Randy Harrington, Management and Financial Services

Chris Trull, Management and Financial Services

Explanation

- The City provides services for all fire apparatus including preventative maintenance, warranty repairs, and general repairs and maintenance.
- Warranty repairs are required to be completed by an authorized manufacturer repair facility.
- Atlantic Coast Fire Trucks is the only company in the area authorized for both Spartan cab and chassis, as well as Smeal body, ladder, and pump systems.
- Using Atlantic Coast Fire Trucks reduces downtime of equipment and reduces or eliminates additional transportation and towing costs.
- Waiver of a competitive solicitation process may be granted when deemed appropriate and in the City's best interest. Such a finding has been made and a waiver granted for this procurement.
- The company will be paid at the unit prices set forth in the contract, copies of which are available upon request.
- Estimated contract expenditures are \$350,000 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: Management and Financial Services Operating Budget

38. City Accelerator Grant Acceptance

Action:

- A. Authorize the City Manager to accept a grant in the amount of \$100,000 from Living Cities, Inc. for the City Accelerator: Procurement for Inclusive Opportunity Cohort, and**
- B. Adopt a budget ordinance appropriating \$100,000 from Living Cities, Inc.**

Staff Resource(s):

Randy Harrington, Management and Financial Services

Nancy Rosado, Management and Financial Services

Explanation

- Living Cities, Inc. has selected the City of Charlotte to participate in the City Accelerator: Procurement for Inclusive Opportunity Cohort. By participating, the City will have access to resources, technical expertise, and \$100,000 in grant funding.
- Funding will be used to develop innovative ways to increase City procurement with Minority Business Enterprises (MBEs) with specific goals to:
 - Build capacity of MBEs by providing technical assistance and training initiatives,
 - Review procurement practices and policies to implement strategies to increase City procurement with MBEs, and
 - Strengthen connections with Charlotte corporations and anchor institutions.
- Staff expects to complete grant work by summer 2018.
- There are no matching requirements for this grant.
- This grant advances The 10 Traits of Winning Cities, and will help Charlotte become a Big Tent where people and businesses feel that they belong and have an opportunity to be included in City procurement.

Fiscal Note

Funding: City Accelerator: Procurement for Inclusive Opportunity Grant

Attachment(s)

Budget Ordinance

Resolution

[MFS CBI Grant Ordinance 8.22.2017](#)

[Resolution Draft v2](#)

39. Tax Year 2017 Order of Collection and FY 2017 Mecklenburg County Tax Collector's Settlement Statement

Action:

- A. Adopt an Order of Collection, as per North Carolina General Statute 105-321(b) authorizing the Tax Collector of Mecklenburg County to collect the property taxes set forth in settlement statement for tax year 2017, and**
- B. Receive as information and record in the minutes the Mecklenburg County Tax Collector's Settlement Statement for Fiscal Year 2017.**

Staff Resource(s):

Stephanie Kelly, City Clerk

Randy Harrington, Management and Financial Services

Robert Campbell, Management and Financial Services

ExplanationAction A

- According to North Carolina General Statute 105-321(b), an order directing the Tax Collector to collect the property taxes charged in tax records and receipts must be entered into the official record of the governing board.
- The Tax Collector's Office issued an Order of Collection to authorize the collection of real estate and motor vehicle property taxes for the tax year 2017.
- The Order of Collection must be ratified and returned to Mecklenburg County, Office of the Tax Collector, by September 1, 2017.

Action B

- According to North Carolina General Statute 105-373:
 - The Tax Collector must submit to the governing board an annual report of the amount collected on each year's taxes with which he/she is charged, the amount remaining uncollected, and the steps being taken to encourage or enforce payment of uncollected taxes.
 - The Tax Collector's Settlement Statement must be entered into the official record of the governing board.
- The Tax Collector's Settlement is used to present the real estate and motor vehicle collection rates for the previous tax year and prior years.
- The Tax Collector's Settlement is an informational report on property tax collection activity for the Fiscal Year that just completed (July 1, 2016 - June 30, 2017), and has no impact on the upcoming revaluation.

Attachment(s)

Tax Year 2017 Order of Collection

Tax Collector's Settlement Statement

[Charlotte Order of Collection 2017](#)

[FY 2017 Settlement - Charlotte](#)

40. Disposal of Surplus Equipment Public Auction

Action:

- A. Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus,**
- B. Authorize said items for sale by public auction on September 16, 2017, and**
- C. Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.**

Staff Resource(s):

Randy Harrington, Management and Financial Services

Kay Elmore, Management and Financial Services

Explanation

- Pursuant to North Carolina General Statute 160A-270(b), approval is requested for a public auction on September 16, 2017, at 9:00 a.m. to dispose of City-owned property declared as surplus.
- The City provides asset recovery and disposal services to the City departments, Mecklenburg County, Emergency Management Services, and the Charlotte Housing Authority.
- Auctions are conducted at the City's Asset Recovery and Disposal facility located at 5550 Wilkinson Boulevard, Charlotte, North Carolina.
- On January 11, 2016, City Council approved a contract with Rogers Realty and Auction Company, Inc. for auctioneer and related services as the result of a competitive selection process.
- The auction company will be compensated 8.5 percent of the total gross sale price of rolling stock and miscellaneous items through auction proceeds.
- Proceeds from the auction are distributed to the City's General Fund and Enterprise Funds, or other agencies based on asset ownership.

Attachment(s)

Property Lists (Exhibit - A city owned property)

Delegation of Authority

Resolution

[20170828 - 01 Rolling Stock auction \(Exhibit A\)](#)

[20170828 - 03 Rolling stock auction - Delegation of Authority](#)

[20170828- 02 Rolling stock auction - Resolution](#)

41. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$19,480.40.

Staff Resource(s):

Randy Harrington, Management and Financial Services
Robert Campbell, Management and Financial Services

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers and Refunds Requested](#)

[Resolution](#)

42. Meeting Minutes

Action:

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

- **July 17, 2017, Zoning Meeting**
- **July 24, 2017, Business Meeting**

Staff Resource(s):

Stephanie Kelly, City Clerk

PROPERTY TRANSACTIONS

43. Property Transactions - 7300 Steele Creek Road

Action: Approve the following Property Acquisition - 7300 Steele Creek Road.

Project: Airport Environmental Impact Statement Mitigation Land

Owner(s): Steele Creek Post 221 American Legion

Property Address: 7300/7308 Steele Creek Road

Total Parcel Area: 12.21 Acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Commercial Buildings

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Family-residential

Tax Code: 141-261-48

Purchase Price: \$916,000 and all relocation benefits in compliance with federal, state, and local regulations.

Council District: N/A

44. Property Transactions - Hawkins Street Sidewalk Gaps, Parcel #2

Action: Approve the following Condemnation: Hawkins Street Sidewalk Gaps, Parcel #2

Project: Hawkins Street Sidewalk Gaps, Parcel #2

Owner(s): MCP Ashton South End, LLC

Property Address: 125 West Tremont Avenue

Total Parcel Area: 110,904 sq. ft. (2.546 ac.)

Property to be acquired by Easements: 41 sq. ft. (.001 ac.) in Sidewalk and Utility Easement, plus 52 sq. ft. (.001 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: TOD

Use: Multi-family

Tax Code: 121-031-10

Appraised Value: \$2,900

Property Owner's Counteroffer: \$5,750

Property Owner's Concerns: Property owner is concerned with the environmental language in the conveyance document.

City's Response to Property Owner's Concerns: Staff is working with the property owner's representative to determine language that is acceptable to both parties.

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: 3

45. Property Transactions - 511 South Main Street Sanitary Sewer, Parcel #1

Action: Approve the following Condemnation: 511 South Main Street Sanitary Sewer, Parcel #1

Project: 511 South Main Street Sanitary Sewer, Parcel #1

Owner(s): John Leconte Cathey

Property Address: 542 Walnut Street

Total Parcel Area: 69,703 sq. ft. (1.600 ac.)

Property to be acquired by Easements: 641 sq. ft. (.015 ac.) in Sanitary Sewer Easement, plus 5,513 sq. ft. (.127 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: VIP

Use: Single-family Residential - Rural Acreage

Tax Code: 007-051-22

Appraised Value: \$3,625

Property Owner's Concerns: The property owner does not support the project and has become non-responsive.

City's Response to Property Owner's Concerns: Staff explained the necessity of the project to the property owner.

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 (Davidson)

46. Property Transactions - 511 South Main Street Sanitary Sewer, Parcel #2

Action: Approve the following Condemnation: 511 South Main Street Sanitary Sewer, Parcel #2

Project: 511 South Main Street Sanitary Sewer, Parcel #2

Owner(s): William Richard Griffith

Property Address: 632 Village Main Circle

Total Parcel Area: 66,416 sq. ft. (1.525 ac.)

Property to be acquired by Easements: 2,218 sq. ft. (.051 ac.) in Sanitary Sewer Easement, plus 6,266 sq. ft. (.144 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: VIP

Use: Single-family Residential - Rural Acreage

Tax Code: 007-051-17

Appraised Value: \$1,450

Outstanding Concerns: The property owner's representative currently has no concerns and is reviewing the project information.

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 (Davidson)

47. Property Transactions - Rocky River Road Improvement, Parcels #30, 31, 32, and 33

Action: Approve the following Condemnation: Rocky River Road Improvement, Parcels #30, 31, 32, and 33

Project: Rocky River Road Improvement, Parcels #30, 31, 32, and 33

Owner(s): Adams Homes AEC, LLC

Property Address: 7506, 7510, 7514 and 7518 Rockland Drive

Total Parcel Area: 32,206 sq. ft. (.739 ac.)

Property to be acquired by Fee: 32,206 sq. ft. (.739 ac.) in Fee Simple

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 049-222-71, 049-222-69, 049-222-68 and 049-222-70

Appraised Value: \$44,000

Counter Offer: \$120,000

Property Owner's Concerns: Property owner is concerned with the compensation amount offered.

City's Response to Property Owner's Concerns: Staff informed property owner they could obtain their own appraisal in order to justify a counter offer.

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

48. Property Transactions - 5312 Wilkinson Boulevard

Action: Approve the following Property Acquisition - 5312 Wilkinson Boulevard

Project: Airport Area Master Plan (Project AAMP)

Owner(s): Florian Balaj and Oltita Balaj

Property Address: 5312 Wilkinson Boulevard

Total Parcel Area: .596 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Commercial Building

Landscaping to be impacted: Trees and shrubs

Zoned: I-2

Use: Industrial

Tax Code: 061-271-08

Purchase Price: \$520,000 in compliance with federal, state, or local regulations

Council District: 3

49. Property Transactions - 5330 Wilkinson Boulevard

Action: Approve the following Property Acquisition - 5330 Wilkinson Boulevard

Project: Airport Area Master Plan (Project AAMP)

Owner(s): Florian Balaj

Property Address: 5330 Wilkinson Boulevard

Total Parcel Area: .441 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Commercial Building

Landscaping to be impacted: Trees and shrubs

Zoned: I-2

Use: Industrial

Tax Code: 061-271-06

Purchase Price: \$880,000 in compliance with federal, state, or local regulations.

Council District: 3

Adjournment

REFERENCES

50. 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.

51. 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.

52. 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.