

City of Charlotte

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



Meeting Agenda

Monday, January 22, 2018

Council Chambers

City Council Business Meeting

*Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
Council Member Braxton Winston II*

5:00 P.M. ACTION REVIEW, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, ROOM 267

1. 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 Action Review meeting.

2. Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

3. Broadcasting of Public Forum

Time: 10 minutes

4. Community Empowerment Initiative

Staff Resource(s):

Kerr Putney, Police

Willie Ratchford, Community Relations Committee

Pam Wideman, Housing and Neighborhood Services

Time: 20 minutes

Future Action

At a subsequent Business Meeting, Council action will be requested on a recruitment campaign.

5. Extraterritorial Jurisdictions (ETJs)

Staff Resource(s):

Kim Eagle, City Manager's Office

Time: 20 minutes

Future Action

At a subsequent Business Meeting, Council action will be requested on a new contract.

6. 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 Action Review meeting.

7. Closed Session (as necessary)

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

Call to Order

Roll Call

Introductions

Invocation

Pledge of Allegiance

**PUBLIC FORUM, CHARLOTTE-MECKLENBURG
GOVERNMENT CENTER, CHAMBER**

8. Public Forum

9. Consent agenda items 18 through 47 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

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

POLICY

10. City Manager's Report

BUSINESS

11. Appointment to the Charlotte International Cabinet

Action:

Vote on blue ballots and return to the clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term in the At-large category beginning immediately and ending June 30, 2019.
 - Niketa Mittal, nominated by Council members Ajmera, Mayfield, and Winston
 - Vanessa Vaughn, nominated by Council members Egleston and Mitchell

Attachment(s)

Charlotte International Cabinet Applicants

12. Appointment to the Charlotte Mecklenburg Public Access Corporation

Action:

Vote on blue ballots and return to the clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending July 18, 2019.
 - Jennifer Ames-Stuart, nominated by Council members Driggs and Winston.
 - Kris Chambers-Woodruff, nominated by Council members Newton and Phipps.
 - Oliva Scott, nominated by Council members Ajmera, Egleston, Eiselt, and Harlow.

13. Appointment to the Community Relations Committee

Action:

Vote on blue ballots and return to the clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending June 30, 2019.
 - LaToya Evans, nominated by Council members Egleston, Eiselt, Harlow, Mayfield, and Mitchell.
 - Hannah Hasan, nominated by Council members Egleston and Winston.
 - Savannah Turner, nominated by Council members Bokhari, Driggs, Eiselt, and Winston.

Attachment(s)

Community Relations Committee Applicants

14. Appointment to Domestic Violence Advisory Board

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 21, 2019.
 - Tasha McClarrin, nominated by Council members Ajmera, Driggs, Mayfield, Mitchell, and Winston.
 - Patricia Wiley, nominated by Council members Bokhari, Egleston, and Eiselt.

Attachment(s)

Domestic Violence Advisory Board Applicants

15. Appointment to the Mint Museum Board of Trustees

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 July 31, 2019.
 - Bernadette Flavors, nominated by Council members Egleston and Harlow.
 - Roxanne Trenkelbach, nominated by Council members Eiselt, Mayfield, and Winston.
 - Linda Webb, nominated by Council members Ajmera and Phipps.

Attachment(s)

Mint Museum Board of Trustees Applicants

16. Appointment to Transit Services Advisory Committee

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 Neighborhood Organizational Leader category beginning February 1, 2018 and ending January 31, 2021.
 - Sam Grundman, nominated by Council members Ajmera, Egleston, Eiselt, Harlow, and Newton
 - Omar Valera, nominated by Council members Mayfield, Mitchell, Phipps, and Winston.

Attachment(s)

Transit Services Advisory Committee Applicants

17. Mayor and City Council Topics

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

CONSENT

18. Police Vehicle Lease Services Contract Renewal

Action:

Approve a four year renewal of the Vehicle Lease Services Contract with Wilmar, Inc. for police leased vehicles.

Staff Resource(s):

Kerr Putney, Police

Sherie Pearsall, Police

Explanation

- Since 2000, the Charlotte-Mecklenburg Police Department (CMPD) has used an outside vendor to provide leased vehicles, primarily for use by undercover units for various police needs.
- The contract provides CMPD access to a variety of vehicles, including sports utility vehicles, compact and mid-size sedans, and pick-up trucks. The variety of vehicles available, as well as the speed at which vehicles can be swapped, is required for undercover operations.
- The vehicles under this contract address CMPD's needs which the standard vehicle fleet cannot accommodate.
- On October 27, 2014, City Council authorized the initial four-year term of the contract for an estimated total amount of \$460,000.
- Additional Council approval is required to authorize the second four-year extension, which was not included in the original Request for Council Action.
- The original procurement process and contract included one four-year term with one four-year extension.
- Expenditures for the total renewal term are estimated to be \$540,000.

Fiscal Note

Funding: CMPD Operating Budget

19. Medical Supplies for Animal Care and Control

Action:

- A. Award a unit price contract to the lowest responsive bidder MWI Veterinary Supply for the purchase of medical supplies for one year, and
- B. Authorize the City Manager to renew the contract for up to four, one year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Kerr Putney, Police

Charles Bannerman, Police

Explanation

- A variety of medical supplies are needed for the Animal Care and Control Division of the Charlotte-Mecklenburg Police Department to treat animals for injuries, illness, and to maintain the health of animals in their care for court cases, rabies, quarantines, reclaims, and adoptions.
- On July 14, 2017, the City issued an Invitation to Bid; five bids were received from interested providers. MWI Veterinary Supply was selected as the lowest responsive, responsible bidder.
- MWI Veterinary Supply will be paid the unit prices set forth in the contract.
- Annual expenditures are estimated to be \$70,000 per year.

Charlotte Business INclusion

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

Fiscal Note

Funding: Police Operating Budget

20. 2017 Assistance to Firefighters Grant

Action:

- A. **Authorize the Charlotte Fire Department to apply for a grant for the 2017 Assistance to Firefighters local grant program for extrication equipment and turnout gear, and**
- B. **Authorize the Charlotte Fire Department to apply for a grant for the 2017 Assistance to Firefighters regional grant program to enhance regional radio communications.**

Staff Resource(s):

Pete Key, Fire
Kevin Gordon, Fire
Rich Granger, Fire

Explanation

- The Assistance to Firefighters Grant is a competitive federal grant program that the Charlotte Fire Department (CFD) applies for annually.
- Under the Assistance to Firefighters grant program, awards are granted at both the local and regional level. CFD will apply for both the local and regional programs.
- Each grant requires a local match which will be met by using existing equipment and radio replacement funding.
- If awarded, CFD will request City Council authorization to accept and appropriate the federal award amounts in the spring of 2018.

Action A-2017 Assistance to Firefighters Local Grant

- The 2017 Assistance to Firefighters local grant program allows fire and emergency medical service departments to apply for grants for equipment and protective gear.
- CFD will apply to use the local grant program funding to purchase the following:
 - 431 sets of turnout gear to replace the gear that is approximately 8-10 years old and nearing end of its useful life.
 - Extrication equipment to outfit four ladder companies.
- The local grant would be 90 percent federal share and 10 percent local match.
 - The applications will request a federal award of \$951,431.82
 - If awarded in full, the 10 percent local match would be \$95,143.18 and will come from existing funding available for equipment.

Action B-2017 Assistance to Firefighters Regional Grant

- The 2017 Assistance to Firefighters regional grant program allows fire and emergency medical service departments to apply for grants for regional projects.
- CFD will serve as the host applicant agency and will apply for a regional grant to enhance the coverage and resiliency of radio communications through the purchase of new digital equipment.
- Participating jurisdictions currently include: Charlotte, Gastonia, Mooresville, Kannapolis as well as Union and Cabarrus Counties.
- The regional grant would be 85 percent federal share and 15 percent local match.
 - The application will request a federal award of \$3.45 million
 - If awarded in full, the 15 percent match would be \$517,500 and will come from existing funding for regional radio system enhancements along with proportional support from the participating jurisdictions.

Fiscal Note

Funding: 2017 Assistance to Firefighters Grant, General Community Investment Plan, and Funding from Participating Jurisdictions

21. Façade Improvement Grant at 2122 Freedom Drive

Action:

Authorize the City Manager to negotiate and execute a Business Matching Grant contract, not to exceed \$133,000, with Summit Avenue Freeberry, LLC for façade improvements at the former Goodwill Building.

Staff Resource(s):

Patrick Mumford, Economic Development
Todd DeLong, Economic Development
Lori Lencheski, Economic Development

Explanation

- In 2012, City Council approved the Business Corridor Plan Update (the Plan) as a framework for improving priority business corridors in the city, including Freedom Drive.
- The Plan calls for establishing partnerships between public and private sectors to leverage City dollars to meet the City's revitalization goals.
- The Plan includes Façade Improvement and Security Programs that provide matching grants to remove blight and reduce the opportunity for crime.
- In November 2017, the City received an application from Summit Avenue Freeberry, LLC (Owner) for a façade improvement matching grant.
- Staff representing Economic Development, Engineering, Planning, Urban Forestry, Code Enforcement, Land Development, and CDOT, reviewed the application and agreed the project scope meets the agreed upon goals for blight removal.
- The application includes façade improvements that increase the usage from a single tenant to multi-tenant, with new exterior painting, windows/doors and exterior paving and roof repair. It also includes removing and installing new landscaping.
- The estimated project cost exceeds \$1 million and the Owner is eligible for a maximum matching grant of \$133,000.
- The Owner has received a Security Grant, which provides a 50% match of applicable expenditures up to \$5,000. Working with the Charlotte Mecklenburg Police Department (CMPD) and the Economic Development Department, the Owner anticipates installing an alarm system with cameras, exterior perimeter lighting, and upgrading other security features such as door locks.
- In making this recommendation, staff considered the following factors:
 - The property is located along one of the City's priority corridors within the Business Corridor Revitalization Geography.
 - The property consists of a large warehouse building being renovated for multiple tenants located at a key intersection that serves as a gateway into a commercial area and Uptown.
 - The developer has worked with the City on past projects that leveraged our funds to ensure continued corridor success through additional private investment.
 - While not part of this application, the owner is working with the City and CMPD to increase security and safety for the project through Security Improvement Grant funds.

Fiscal Note

Funding: General Community Investment Fund (Business Corridor Revitalization Program)

Attachment(s)

Map

Rendering of proposed improvements

[Attachment - Location Map of 2122 Freedom Drive.docx](#)

[Attachment - Rendering of 2122 Freedom Drive.docx](#)

22. Mechanical Engineering Design Services

Action:

Approve unit price contracts with the following firms for mechanical engineering design services for a three-year term:

- **AME Consulting Engineers, PC**
- **Little Diversified Architectural Consulting, Inc.**
- **McCracken & Lopez, P.A.**
- **McKim & Creed, Inc.**
- **Professional Engineering Associates, P.A.**
- **RMF Engineering, Inc.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management
Steve Marlowe, Engineering and Property Management

Explanation

- Engineering and Property Management is responsible for the operations and maintenance of municipal facilities, structures and assets including office, warehouse, storage, parking, vehicle maintenance, communication towers, and public safety.
- Throughout the year, various mechanical engineering design services are needed for maintenance or minor renovations to City facilities.
- Needs are numerous, on-going and may arise unexpectedly. Examples include new or replacement HVAC equipment, chillers, rooftop systems, heat pumps and geothermal systems.
- On August 16, 2017, the City issued a Request for Qualifications (RFQ); the City received six proposals from interested professional service providers.
- The six firms selected are the best qualified firms to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Existing contracts with design professionals ensures optimal operation of City facilities. Work will be assigned on an as-needed, task order basis. Firms may be required to provide services on short-notice and under a tight schedule.
- Each of the six contracts will have a term of three years and a budget of \$150,000 (total budget for all contracts is \$900,000).

Charlotte Business INclusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Each of the Prime firms listed has identified MSBE firms to participate as project scopes are defined, and committed at least 10 percent of the total contract amount to certified firms. Two of the firms selected, AME Consulting Engineers, PC and McCracken & Lopez, P.A. are City SBE firms.

AME Consulting Engineers, PC (SBE):

- LTArchitecture, PLLC (MBE) (architectural services)
- Zapata, Inc. (MBE) (engineering services)

Little Diversified Architectural Consulting, Inc.:

- Building EnergetiCx, PLLC (SBE) (design reviews/quality control)

McCracken & Lopez, P.A. (SBE):

A City SBE may count the work it intends to perform with its own current workforce towards the SBE subcontracting goals (Part C: Section 3.1 of the Charlotte Business INclusion Policy). McCracken & Lopez will perform 100 percent of the contract.

McKim & Creed, Inc.:

- Integra Architecture (MBE) (architectural services)
- Maloney Engineering (SBE) (mechanical engineering services)

Professional Engineering Associates, P.A.:

- Richa Graphics (MBE) (printing)
- Maloney Engineering (SBE) (engineering services)

RMF Engineering, Inc.:

- C-Design Inc. (SBE) (architectural services)
- Structural Capacity (MBE) (structural engineering)

Fiscal Note

Funding: General Community Investment Plan and Engineering and Property Management Operating Budget

23. Belmont Center Roof Replacement

Action:

Award a contract in the amount of \$315,000 to the lowest responsive bidder Interstate Roofing Company, Inc. for the Belmont Center Roof Renovation project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management

Explanation

- The existing roof will be removed and a new roof and insulation will be installed at the Belmont Center, located at 700 Parkwood Avenue.
- The existing roof was installed in 1993 and has exceeded its life expectancy with recurring water leaks.
- The new roof, insulation, and windows will be in compliance with current building codes, improve energy efficiency of the facility, and provide better occupant comfort.
- The new roof will have a 20-year manufacturer's warranty for water intrusion.
- On September 26, 2017, the City issued an Invitation to Bid for the Belmont Center Roof Renovation project; five bids were received from interested service providers.
- Interstate Roofing Company, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 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: General Community Investment Plan

Attachment(s)

Map

[Location Map - Belmont Center Roof Replacement](#)

24. Design Services for Comprehensive Neighborhood Improvement Projects

Action:

- A. Approve a contract in the amount of \$300,000 with AECOM Technical Services of North Carolina, Inc. (AECOM) for engineering design services for the I-77 West Trade Underpass Enhancement Projects, and**
- B. Approve a contract in the amount of \$445,000 with AECOM Technical Services of North Carolina, Inc. (AECOM) for engineering design services for the Five Point Plaza Improvement Project.**

Staff Resource(s):

Mike Davis, Engineering and Property Management

Veronica Wallace, Engineering and Property Management

Background

- The I-77/West Trade Street Underpass Enhancement Project and the Five Points Plaza Improvement Projects were identified in the West Trade Street-Rozzelles Ferry Comprehensive Neighborhood Improvement Program. These projects are located in Council District 2.
- On March 18, 2016, the City issued a Request for Qualifications (RFQ); 20 proposals were received from interested professional services providers.
- On October 10, 2016, City Council approved planning services contracts with AECOM for the West Trade/I-77 Underpass Enhancement Project in the amount of \$215,000 and for the Five Points Plaza Improvement Project in the amount of \$180,000.
- As part of the contracts, the City included an option to continue services with the selected consultant as an incentive for good performance.
- AECOM 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.
- Construction contracts are anticipated to return to City Council for approval in the future.

Explanation

Action A - I-77/West Trade Underpass Enhancement Project

- The I-77/West Trade Street Underpass Enhancement Project will provide transportation enhancements for the existing City LYNX Gold Line, and current bus, walking and bicycle mobility options.
- Design services include, but are not limited to:
 - Traffic analysis,
 - Traffic control,
 - Preliminary design,
 - Cost estimates,
 - Storm drainage analysis,
 - NCDOT coordination, and
 - Final design plans for construction.

Action B - Five Points Plaza Improvement Project

- The Five Points Plaza Improvement Project includes creating connections between Johnson C. Smith University's green spaces and the neighborhood, narrowing roads to make them more pedestrian friendly, and creating better waiting spaces for transit.
- The improvement area will serve as a space for the public waiting on transit, walking, and biking to the Stewart Creek Greenway, Johnson C. Smith University, Old Savona Mills, Martin Luther King Park, and businesses along the West Trade Corridor.
- Design services include, but are not limited to:
 - Traffic analysis,

- Traffic control,
- Preliminary design,
- Cost estimates,
- Structural design,
- Storm drainage analysis, and
- Final design plans for construction.

Charlotte Business INClusionAction A:

The City negotiates participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INClusion Policy). AECOM has committed 12.24 percent (\$36,733.50) of the total contract amount to the following certified firms:

- Neighboring Concepts (MBE) (\$29,290) (streetscape)
- Joel E. Woods (SBE) (\$7,443.50) (geotechnical)

Action B:

The City negotiates participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INClusion Policy). AECOM has committed 9.98 percent (\$44,392) of the total contract amount to the following certified firms:

- Neighboring Concepts (MBE) (\$38,325) (streetscape)
- Joel E. Woods (SBE) (\$6,067) (geotechnical)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Five Points and I-77 West Trade Underpass Enhancement Projects](#)

25. Landscape Maintenance Service Contracts

Action:

Approve landscaping maintenance contracts with each of the following vendors for a three-year term:

- A. **Champion Landscapes, Inc. (total contract amount over three years is \$910,598)**
 - Center City West District Grounds: \$229,320;
 - North District C Medians: \$203,060;
 - South District B Medians: \$245,778; and
 - South District D Medians: \$232,440
- B. **Roundtree Companies, LLC (total contract amount over three years is \$1,366,281)**
 - West District Grounds: \$366,132;
 - North District A Medians: \$267,072;
 - South District C Medians: \$250,380;
 - Oaklawn Cemetery Grounds: \$141,900; and
 - CATS Grounds (Bus Park and Ride Lots): \$340,797
- C. **Southern EEZ Landscaping (total contract amount over three years is \$459,056)**
 - South District E Medians: \$172,432; and
 - South District A Medians: \$286,624
- D. **Taylor's Landscaping Service, Inc. (total contract amount over three years is \$213,980)**
 - Government District Grounds: \$213,980
- E. **Triple L Landscape LLC (total contract amount over three years is \$312,975)**
 - Evergreen Cemetery Grounds: \$198,900; and
 - Pinewood Cemetery Grounds: \$114,075.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Quin Hall, Engineering and Property Management

Explanation

- The City regularly contracts for landscape maintenance services at City-owned facilities and properties.
- On September 1, 2017, a Request for Proposals (RFP) was advertised; proposals were received from 11 interested service providers, for a total of 14 contracts, for the following areas:
 - City-owned properties located in the Center City West, Government District and West District;
 - City-maintained medians in the north and south districts;
 - City-owned cemeteries; and
 - CATS Bus Park and Ride Lots.
- Champion Landscapes, Inc., Roundtree Companies, LLC, Southern EEZ Landscaping, Taylor's Landscaping Service, Inc. and Triple L Landscape LLC best meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Work is anticipated to begin March 1, 2018.
- Each of the fourteen contracts will have a term of three years; total budget for all contracts is \$3,262,890.

Center City West District (Council District 2)

- The contract consists of nine locations including 5th and 6th Street, Settler's Cemetery, West Trade Street, Johnson & Wales Way, West 4th Street, Cedar South Yard, 5th Street, Wesley Heights and 5 Points Intersection.

- The contract includes turf, shrub, groundcover, perennial, and limited tree maintenance; trash and debris removal; storm debris removal and pickup; snow and ice removal; and limited tree maintenance.

Government District (Council District 1)

- The contract consists of five city-owned facilities including Charlotte-Mecklenburg Government Center, Charlotte-Mecklenburg Government Center Parking Deck, City Hall, City Hall Park and Charlotte-Mecklenburg Police Headquarters.
- The contract includes turf, shrub, groundcover, perennial and limited tree maintenance; annual flower bed design; installation and maintenance; trash, leaves, and storm debris removal; irrigation maintenance, repair and operation.

West District (Council District 3)

- The contract consists of six city-owned facilities including Animal Care & Control, Charlotte Vehicle Operations Center, Charlotte-Mecklenburg Police Department - Freedom Division, Charlotte-Mecklenburg Police Department - Steele Creek Division, Equipment Management Commission/Decommission Facility and Police and Fire Training Academy.
- The contract includes turf, shrub, groundcover, perennial and limited tree maintenance; annual flower bed design; installation and maintenance; trash, leaves, and storm debris removal; irrigation maintenance, repair, and operation; and snow and ice removal.

Medians (all Council Districts)

- These contracts consist of medians and rights-of-way along City-maintained streets in seven areas including North District A, North District C, South District A, South District B, South District C, South District D, and South District E.
- These contracts include turf mowing and edging; shrub, groundcover, perennial maintenance; limited tree maintenance; mulching; insect, disease and weed control; trash, leaves, and storm debris removal.

CATS Bus Park and Ride Lots (Council Districts 2, 4, 5 and 6)

- The contract consists of ten locations including Cornelius Park and Ride, Northcross Park and Ride, Huntersville Park and Ride, Mallard Creek Park and Ride, Rosa Parks Community Transit Center, Eastland Community Transit Center, Albemarle Road Park and Ride, Matthews Park and Ride, Old Sardis Road Park and Ride, and Archdale Drive Bus Stop.
- The contract includes turf maintenance; landscape maintenance; snow and ice removal; irrigation maintenance, repair, and operation; bioretention maintenance; dry detention maintenance; and wet retention maintenance.
- CATS reimburses Engineering & Property Management for landscape management services on CATS Bus Park and Ride Lots.

Evergreen Cemetery, Oaklawn Cemetery and Pinewood Cemetery (Council Districts 2 and 5)

- These contracts consist of five cemeteries including Evergreen, Oaklawn, North Pinewoods, 9th Street Pinewoods and West Pinewoods.
- The contract includes turf, shrub, groundcover, perennial and limited tree maintenance; trash, leaves, and storm debris removal.

Charlotte Business INclusion

No subcontracting goals were established for these contracts because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy). However, 72% (\$2,352,325) of these contracts will be awarded to the following certified firms:

- Taylor's Landscaping Services, Inc. (SBE)
- Roundtree Companies, LLC (SBE)
- Southern EEZ Landscaping (SBE)
- Triple L Landscape LLC (SBE)

Fiscal Note

Funding: Engineering and Property Management Operating Budget

Attachment(s)

Map

[FY17FY18ROWContractDistricts](#)

26. Private Developer Funds Appropriation

Action:

- A. Approve Developer Agreements with Mt Island Promenade, LLC, and 521 Partners LLC, and**
- B. Adopt a budget ordinance appropriating \$203,000 in private developer funds for traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation

Debbie Smith, Transportation

Explanation

- Private developer funds appropriations are needed when a developer is required through the City rezoning process to make traffic signal improvements.
- Funding contributions from private developers must be appropriated prior to the City's initiation of work.
- The \$203,000 in private developer funding is for new traffic signals and traffic signal/upgrades and related work associated with developer projects. The funding is restricted to the projects noted below.
- The following developers are fully funding traffic signal installations and improvements to mitigate traffic impacts around their respective development projects:
 - Mt Island Promenade, LLC contributed \$188,000 for a new traffic signal at the intersection of Overlook Mountain Drive and Mt. Holly-Huntersville Road and signal modification at the intersection of Callabridge Court and Mt. Holly-Huntersville Road (located in Council District 2). Zoning for the Riverbend Commercial Subdivision requires these upgrades.
 - 521 Partners LLC contributed \$15,000 for traffic signal modifications at the intersection of Providence Road West and Johnston Road (located in Council District 2). The work is necessary to relocate fiber optic cable and a pedestrian signal.
- The above signals meet the same criteria as other traffic signals approved by the City.
- Payments made by the developer are in response to estimates of work prepared by the Charlotte Department of Transportation (CDOT) and supplied to the developer.
- Any funding contributed by the developer for a signal project that is unused by the City will be refunded after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map

Budget Ordinance

[Traffic Signal Improvements 120117](#)

[Budget Ordinance CDOT 1.22.2018 Agenda](#)

27. McDowell Basin Interceptor Improvements Phase II: Professional Engineering Services

Action:

Approve a contract in the amount of \$2,727,227 with Black & Veatch International Company for the McDowell Basin Sanitary Sewer Improvements Project Phase II: Professional Engineering and Bid Phase Services.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- Charlotte Water operates and maintains more than 4,200 miles of sanitary sewer lines throughout their service area.
- Basin studies are conducted to identify and prioritize improvements resulting from current and future wastewater needs. These studies are also used to evaluate existing sewer infrastructure conditions and any necessary repairs.
- The McDowell basin encompasses northwest Mecklenburg County and the towns of Huntersville and Cornelius, and is one of the major sewer basins in the area.
- The McDowell basin was identified as having limited capacity to handle peak sewer flows resulting from growth in the basin and wet-weather flow conditions.
- On February 22, 2016, the City issued a Request for Qualifications (RFQ) for the McDowell Basin Interceptor Improvements. In response to the RFQ, the City received five proposals from interested professional service providers. The RFQ included two phases:
 1. A basin study to identify any improvements needed over the next 20 years, and
 2. Detailed design, bid phase, and engineering construction services.
- Black & Veatch International Company was selected as the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- A contract for Phase I was awarded by City Council on June 13, 2016.
- Based on growth within the basin, the Phase I study identified critical projects required to be completed within the next three years, in order to prevent possible future sanitary sewer overflows.
- The identified projects include replacing a sanitary sewer lift station and 11,500 feet of 16-inch force main, as well as installing approximately 30,000 linear feet of new gravity sewer ranging between 24-inch to 60-inch.
- This contract will include engineering design and bid phase services for these projects.
- Construction contracts are anticipated for Council consideration in the second quarter of 2020.

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). Black & Veatch International Company has committed 20.25% (\$552,220) of the total contract amount to the following certified firms:

- CES Group Engineers, LLP (SBE, WBE) (\$286,000) (survey and easement mapping services)
- Gavel & Dorn Engineering, PLLC (SBE) (\$109,120) (geotechnical subsurface services)
- Carolina Wetland Services, Inc. (SBE, WBE) (\$94,800) (wetland delineation)
- Avioimage Mapping Services, Inc. (SBE) (\$62,300) (aerial photography)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[McDowell Creek Basin Map](#)

28. FY 2018 Sewer Point Repair and Replacements Contract

Action:

- A. Award a contract in the amount of \$1,781,291.40 to the lowest responsive bidder Atlantic Coast Contractors, Inc. for sewer point repairs and replacements, and
- B. Authorize the City Manager to approve up to two renewals in the amount above, with possible adjustments in unit prices and each renewal cap in an amount no greater than the percentage change in the Engineering News Record Construction Cost Index, and to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- Charlotte Water operates and maintains more than 4,200 miles of sanitary sewer lines throughout the service area. Many of these pipes are more than 50 years old and often need repairs, replacement, or rehabilitation.
- This contract will provide contractor services to supplement Charlotte Water Field Operations services on longer-term and/or larger scale repairs and replacements.
- The contract provides unit prices for various types of sewer main repairs including:
 - Repair of sewer system defects on pipes, manholes and service lines,
 - Installing sections of new pipe to replace defective pipe,
 - Installing pipe liners, and
 - Internal television inspection of pipeline infrastructure.
- The work is necessary in order to maintain operational integrity of the sanitary sewer system. Structural issues will also be addressed (i.e., cracked pipes, leaking manholes, etc.) as a preventative measure to reduce sanitary sewer overflows with this contract.
- On December 1, 2017, the City issued an Invitation to Bid; three bids were received from interested service providers.
- Atlantic Coast Contractors, Inc. was selected as the lowest responsive, responsible bidder.
- The contract is anticipated to last approximately one year.

Charlotte Business INclusion

Established MSBE Goal: 10.00%

Committed MSBE Goal: 12.49%

Atlantic Coast Contractors, Inc. met the established subcontracting goal and has committed 13.33% (\$222,500) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Central Carolina Underground, Inc. (SBE) (\$80,000) (manhole rehabilitation)
- Right Of Way Contractors, LLC (MBE) (\$50,000) (paving and concrete)
- Venture Utility Construction, Inc. (SBE) \$40,000 (utility construction)
- JAAMCO Drain Cleaning & Video Inspection, Inc. (SBE) (\$20,000) (video and cleaning services)
- Jones Grading and Fencing, Inc. (MBE, SBE) (\$15,000) (fencing, hauling, concrete)
- The Huffstetler Group, Inc. (SBE) (\$15,000) (concrete)
- Mid Atlantic Erosion Control, Inc. (SBE) (\$2,500) (erosion control)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

29. Charlotte Water Uniforms and Clothing Contract

Action:

- A. Award a unit price contract to the lowest responsive bidder Synq Marketing Group, LLC for the purchase of uniforms and work clothing for the initial 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):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- Uniforms are provided to Charlotte Water employees who either come in contact with the public in the course of their daily job activities, or who are required to work in hazardous environments.
- Uniforms make the employees readily recognizable to the public as City employees, and protect them from exposure to hazardous environments and materials.
- Clothing provided under this contract covers items described in the Charlotte Water Uniform and Work Policy. Typical items include trousers, shirts, jackets, and caps.
- On September 26, 2017, the City issued an Invitation to Bid; four bids were received from interested service providers.
- Synq Marketing Group, LLC was selected as the lowest responsive, responsible bidder.
- Unit prices will remain firm for the initial term; annual adjustments may be allowed consistent with contract terms.
- Estimated annual expenditures are \$439,000.

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: Charlotte Water Operating Budget

30. Airport Consolidated Receiving and Distribution Center Design Services

Action:

Approve a contract in the amount of \$941,340 with LS3P Associates, LTD to provide design services for the Consolidated Receiving and Distribution Center.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Consolidated Receiving and Distribution Center (CRDC) will be located on the Air Cargo Center on the south side of the Airport.
- The CRDC will provide additional receiving and distribution space to support the growing operations, and subsequently, reduce the overall vendor delivery traffic in the Terminal.
- This contract will provide for architectural design services for the construction of the CRDC.
- On June 14, 2016, the City issued a Request for Qualifications; three firms submitted a proposal.
- LS3P Associates, LTD was selected based on its extensive experience in distribution centers of this type, particularly as it relates to large hub airports.

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).

LS3P has committed 3.87 percent (\$36,425) of the total contract amount to the following certified firms:

- Urban Design Partners, PLLC (SBE) (\$16,085) (landscape architecture design)
- Willoughby 2000, PLLC (SBE) (\$11,840) (cost estimating services)
- Hartranft Lighting Design, LLC (SBE) (\$8,500) (architectural lighting design)

LS3P will also be utilizing Michael M. Simpson & Associates (DBE) for 12 percent of the total project work.

Fiscal Note

Funding: Aviation Community Investment Plan

31. Airport Medical Services

Action:

- A. Approve a three-year contract with Mecklenburg County Emergency Medical Service Agency for emergency medical services, and**
- B. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as stipulated by the contract.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The contract with the Mecklenburg County Emergency Medical Services Agency (Medic) is for medical response services in the Airport Terminal.
- The arrangement is an inter-governmental agreement between the City of Charlotte and Medic, which is a joint government agency by way of Mecklenburg County and the Charlotte Hospital Authority.
- Medic's presence at the Terminal allows for quick response times to medical incidents and provides for an enhanced level of medical care available to Airport passengers and tenants.
- The Airport averages 2,200 medical incidents each year within the Terminal, that require medical response.
- On January 26, 2015, City Council approved a one-year contract with the option to extend the contract for two additional, one-year terms.
- A 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 estimated contract expenditure for the first year is \$622,741 with an annual rate increase not to exceed three percent.

Charlotte Business INclusion

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

Fiscal Note

Funding: Aviation Operating Budget

32. Airport Vehicle Maintenance Facility Construction

Action:

- A. Award a contract in the amount of \$14,284,079 to the lowest responsive bidder Walbridge Southeast LLC for the Airport Vehicle Maintenance Facility, and**
- B. Adopt a budget ordinance appropriating \$2,684,079 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- This project is for the construction of the Airport Vehicle Maintenance Facility to be located at 3701 Harlee Avenue (Council District 5).
- The facility will consist of 19 maintenance bays to accommodate 561 pieces of rolling stock, including light and heavy vehicles. The facility will also have a parts storage area, vehicle wash bay, and office space.
- On April 17, 2017, the City issued an Invitation to Bid; eight bids were received.
 - The original bid was protested because of equipment specifications and pricing. After further review, Aviation decided to issue a second solicitation considering these factors.
- On October 31, 2017, the City issued a new Invitation to Bid; four bids were received.
- Walbridge Southeast LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by summer of 2019.
- Due to previous appropriations of 2017A Bonds, only \$2,684,079 is needed for the budget ordinance to fully fund this contract.

Charlotte Business INclusion

Established SBE Goal: 10.00%

Committed SBE Goal: 8.41%

Walbridge Southeast, LLC failed to meet the SBE goal at bid opening, but exceeded the minimum Good Faith Efforts points (Part B: Section 5 of the Charlotte Business INclusion Policy). Walbridge Southeast, LLC's initial SBE commitments totaled 8.41% (\$1,200,800) of the total contract amount to the following certified firms:

- Harco Development, Inc. (SBE) (\$761,094) (site work package, erosion control, site demolition and clearing, grading, storm water drainage, water and sewer utilities, fencing)
- Oliver Paving Company, Inc. (SBE, WBE) (\$405,253) (asphalt paving and stone, gravel pavement, pavement markings, and signs)
- Brookes Construction, LLC (SBE, MBE) (\$21,128) (interior and exterior signage)
- Mr. Clean Maintenance Company, LLC (SBE, MBE) (\$13,325) (final cleaning)

Walbridge Southeast, LLC remains committed to fulfilling the established goal and will work closely with Aviation to ensure it is achieved.

Established MBE Goal: 6.00%

Committed MBE Goal: 16.62%

Walbridge Southeast, LLC exceeded the established subcontracting goal and has committed 16.62% (\$2,374,453) of the base bid amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Superior Mechanical Systems, Inc. (MBE) (\$2,340,000) (furnish/install mechanical HVAC systems)
- Brookes Construction, LLC (MBE, SBE) (\$21,128) (interior and exterior signage)
- Mr. Clean Maintenance Company, LLC (MBE, SBE) \$13,325 (final cleaning)

Fiscal Note

Funding: Aviation Community Investment Plan

Attachment(s)

Budget Ordinance

Good Efforts Summary

[Airport ORD012218 - Airport Vehicle Maintenance Facility Construction](#)

[Walbridge RCA GFE Summary](#)

33. Airport Concourse B Renovation Change Order

Action:

Approve change order #1 for \$1,182,210 to Messer Construction Co. to install a Voice Evacuation Alarm System for Concourse B.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Concourse B Renovation project includes new ceiling systems and lighting, heating ventilation and air conditioning equipment, fire sprinklers, a generator, wall and floor finishes, terrazzo flooring, and renovation of all restrooms.
- Due to required fire code changes, Aviation is working with Mecklenburg County and the Charlotte Fire Department to plan for upgrading various parts of the Terminal building to change over to a voice evacuation fire alarm system.
- Change order #1, in the amount of \$1,182,210, provides for Concourse B to receive approximately 675 electronic sensors and related fire alarm system devices throughout the ticket and ramp levels and support equipment necessary for installation of a voice evacuation fire alarm system. This change order also provides for removal of the existing alarm system once the new system is complete.
- The new total value of the contract, including the change order, is \$13,504,134.20.

Charlotte Business INclusion

All additional work involved in this change order will be performed by Messer and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy).

Messer has committed 8.05 percent (\$72,908) of the total contract change order amount to the following certified firms:

- United Painting Services, Inc. (SBE, MBE) (\$24,300) (painting)
- Stevens Interiors, Inc. (SBE) (\$46,485) (drywall and ceiling repairs)
- Superior Mechanical Systems, Inc. (MBE) (\$2,123) (HVAC work)

Fiscal Note

Funding: Aviation Community Investment Plan

34. Airport Capital Program Compliance Services

Action:

- A. Approve a contract in the amount of \$1,467,001 with R. W. Block Consulting, Inc. for Airport Capital Program Compliance Services, and**
- B. Adopt a budget ordinance appropriating \$1,467,001 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Aviation Community Investment Plan (CIP) is updated annually to meet the needs of airlines and tenants.
- This contract will provide additional development oversight for the Terminal Lobby Expansion project, compliance review related to meeting Federal Aviation Administration regulations on the Environmental Impact Statement, and assistance as necessary for other Aviation CIP projects.
- On September 12, 2017, Aviation issued a Request for Qualifications for CIP Program Compliance Services; three proposals were received.
- R.W. Block Consulting, Inc. was selected based on its past program compliance experience with similar airport projects of this scope.

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 Community Investment Plan

Attachment(s)

Budget Ordinance

[Airport ORD012218 - Airport Capital Program Compliance Services](#)

35. Menzies Aviation Office and Cargo Facility Lease

Action:

- A. Approve a five-year lease with Aviation Services International, Inc. dba Menzies Aviation (USA) Inc. for office space, and
- B. Approve a five-year lease with Aviation Services International, Inc. dba Menzies Aviation (USA) for cargo space.

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- The Airport contracts with various tenants for space at the Airport.
- Menzies Aviation (USA) Inc., formerly Airport Services International, Inc., requires cargo and office space at the Airport because it provides Aircraft fueling services to various Airport tenants.
- The annual revenue to the Airport is as follows:
 - Office space is \$84,312.16 with annual base rent adjustments, for a total minimum value of \$421,560.79 over the five-year term.
 - Cargo space is \$17,897.50 with annual base rent adjustments, for a total minimum value of \$89,487.50 over the five-year term.

36. FedEx Cargo License

Action:

Approve a month to month license for additional parking spaces for FedEx Corporation.

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- The Airport contracts with various tenants for space at the Airport.
- As part of FedEx Corporation's business operations, the company requires parking for tractor trailers at the Airport.
- FedEx would like to initiate a month to month parking license for a monthly fee of \$3,050.90.
- This license will serve as a temporary solution until a parking addition on an existing facility is completed. Once the addition has been completed, a 10-year lease that was approved by Council in November 2017 will commence.
- The parking addition is currently under construction and it is anticipated that it will be complete within three years. The total revenue generated from this license is estimated to exceed \$100,000.

37. Voluntary Annexation Public Hearing Date

Action:

Adopt a resolution setting a public hearing for February 26, 2018 for a voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, Planning

Ed McKinney, Planning

Explanation

- The City has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- The property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares boundaries with current city limits.
- Annexation of this area at this time will allow for more orderly land development review, extension of City services, capital investments, and future annexation processes.
- The 19.872-acre "Castleford Reserve" site is located on the south side of Ardrey Kell Road east of Providence Road and west of Tilley Morris Road in southern Mecklenburg County.
 - The property is currently vacant.
 - The petitioner has plans to construct a 43 unit single family residential development on the site.
 - The property is zoned (R-3) single family residential at 3 dwelling units per acre.
 - The property is located immediately adjacent to City Council District 7.
 - Petitioned area consists of one parcel, PID 231-131-05.

Consistency with City Council Policies

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

Public Hearing Date

The resolution sets Monday February 26, 2018 for the public hearing.

Attachment(s)

Map

Resolution

[Castleford reserve map](#)

[Resolution to Set Hearing - Castleford Reserve](#)

38. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$50,993.04.

Staff Resource(s):

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

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers and Refunds Requested](#)

[Refund of Property Taxes Resolution 1-22-18 .rev](#)

39. Meeting Minutes

Action:

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

- **December 11, 2017, Business Meeting**
- **December 18, 2017, Zoning Meeting**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

40. Property Transactions - 25th Street Connection, Parcel #1

Action: Approve the following Condemnation: 25th Street Connection, Parcel #1

Project: 25th Street Connection, Parcel #1

Owner(s): CTJ Properties, LLC

Property Address: 2200 North Brevard Street

Total Parcel Area: 10,920 sq. ft. (.251 ac.)

Property to be acquired by Fee: 417 sq. ft. (.01 ac.) in Fee Simple

Property to be acquired by Easements: 1,539 sq. ft. (.035 ac.) in Utility Easement, plus 1,708 sq. ft. (.039 ac.) in Utility Gas Line Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial

Tax Code: 083-053-04

Appraised Value: \$117,225

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

City's Response to Property Owner's Concerns: Staff informed the property owner they could obtain their own appraisal to justify the 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: 1

41. Property Transactions - 25th Street Connection, Parcel #6

Action: Approve the following Condemnation: 25th Street Connection, Parcel #6

Project: 25th Street Connection, Parcel #6

Owner(s): Fountains Noda Holdings, LLC

Property Address: 511 East 25th Street

Total Parcel Area: 106,246 sq. ft. (2.439 ac.)

Property to be acquired by Fee: 4,748 sq. ft. (.109 ac.) in Fee Simple

Property to be acquired by Easements: 1,501 sq. ft. (.034 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial

Tax Code: 083-053-08

Appraised Value: \$139,150

Property Owner's Concerns: The property owner does not agree with the compensation amount offered.

City's Response to Property Owner's Concerns: Staff informed the property owner they could obtain their own appraisal 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: 1

42. Property Transactions - 8419 Todd Road

Action:

Approve the following Property Acquisition - 8419 Todd Road.

Project: Airport Area Master Plan - Project AMP

Owner(s): Edith and William Bambach

Property Address: 8419 Todd Road

Total Parcel Area: .43 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Single-family Home

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 055-381-14

Purchase Price: \$300,000 and all relocation benefits in compliance with federal, state, or local regulations.

Council District: Not Applicable because this is a Mecklenburg County Parcel

43. Property Transactions - 8605 Todd Road

Action:

Approve the following Property Acquisition - 8605 Todd Road.

Project: Airport Area Plan - Project AMP

Owner(s): Elliott Winifred H by Entirety

Property Address: 8605 Todd Road

Total Parcel Area: .43 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Single-family Home

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 055-381-29

Purchase Price: \$350,000 and all relocation benefits in compliance with federal, state, or local regulations.

Council District: Not Applicable because this is a Mecklenburg County Parcel

44. Property Transactions - Ashe Plantation Waste Water Treatment Plant, Parcel #90

Action: Approve the following Acquisition: Ashe Plantation Waste Water Treatment Plant, Parcel #90

Project: Ashe Plantation Waste Water Treatment Plant, Parcel #90

Owner(s): Timothy M. Ashmen and Meghan R. Ashmen

Property Address: 8632 Quarters Lane

Total Parcel Area: 39,552 sq. ft. (.908 ac.)

Property to be acquired by Fee: 39,552.48 sq. ft. (.908 ac.) in Fee Simple

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R

Use: Single-family Residential

Tax Code: 197-173-07

Purchase Price: \$77,000

Council District: N/A (Mint Hill)

45. Property Transactions - Beatties Ford Road Pedestrian Crossing, Parcel #1

Action: Approve the following Condemnation: Beatties Ford Road Pedestrian Crossing, Parcel #1

Project: Beatties Ford Road Pedestrian Crossing, Parcel #1

Owner(s): A to Zee Corporation

Property Address: 3117 Beatties Ford Road

Total Parcel Area: 71,003 sq. ft. (1.630 ac.)

Property to be acquired by Easements: 3,203 sq. ft. (.074 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-1

Use: Commercial

Tax Code: 039-121-02

Appraised Value: \$1,675

Property Owner's Counteroffer: \$7,000

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 2

46. Property Transactions - CityLYNX Gold Line Streetcar Phase 2, Parcel #310

Action: Approve the following Condemnation: CityLYNX Gold Line Streetcar Phase 2, Parcel #310

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Transit Administration reimbursement.

Project: CityLYNX Gold Line Streetcar Phase 2, Parcel #310

Owner(s): W.S. Alexander

Property Address: Lawing Avenue

Total Parcel Area: 11,003 sq. ft. (.253 ac.)

Property to be acquired by Easements: 212 sq. ft. (.005 ac.) in Sidewalk and Utility Easement, plus 597 sq. ft. (.014 ac.) in Road Easement, plus 10,194 sq. ft. (.234 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: B-1

Use: Roadway Corridor

Tax Code: N/A, This is a private alleyway with a deed date of 1893

Appraised Value: \$3,950

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 2

47. Property Transactions - Gum Branch Sanitary Sewer, Parcel #10

Action: Approve the following Condemnation: Gum Branch Sanitary Sewer, Parcel #10

Project: Gum Branch Sanitary Sewer, Parcel #10

Owner(s): Jennifer L. Dellinger

Property Address: 609 Belmorrow Drive

Total Parcel Area: 55,468 sq. ft. (1.273 ac.)

Property to be acquired by Easements: 4,413 sq. ft. (.101 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree

Zoned: R-3

Use: Single-family Residential

Tax Code: 031-421-31

Appraised Value: \$1,525

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 2

Adjournment

REFERENCES

48. Reference - Charlotte Business INClusion Policy

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

Part A: Administration & Enforcement

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

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

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

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

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

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

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

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

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

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

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

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

opportunities on a Contract).

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

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

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

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

Part B: Formal Construction Bidding

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

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

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

Part C: Services Procurement

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

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

Part D: Post Contract Award Requirements

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

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

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

49. Reference - Property 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.

50. 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.