

City of Charlotte

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



Meeting Agenda

Monday, April 9, 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):

Danny Pleasant, 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 Action Review meeting.

2. Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

3. Regional Water Supply / Sewer Capacity Update

Staff Resource(s):

Angela Lee, Charlotte Water

Time: 30 minutes

Explanation

- This presentation will update City Council on water and wastewater capacity, as well as system planning efforts.

Future Action

During an upcoming business meeting, Council action will be requested to extend the Biosolids Management Agreement, and to initiate an agreement with Belmont and Mount Holly for connection to the Long Creek Waste Water Treatment Plant.

[Agenda Review April 9 -ver 5 Final](#)

4. Mobility - Connectivity in Charlotte

Staff Resource(s):

Liz Babson, Transportation

Scott Curry, Transportation

Time: 30 minutes

Explanation

- This presentation will provide an overview of connectivity in Charlotte, including information on the proposed Charlotte Walks Sidewalk Construction Ordinance revisions.

Future Action

Council action will be requested at the April 23, 2018 business meeting on the following items:

- The proposed ordinance changes amending the sidewalk construction requirements in Chapter 19 of the City Code, and
- A policy to permit reimbursement for affordable housing projects that reconstruct substandard

sidewalk on thoroughfares.

[Draft 4-9-18 Presentation-4j](#)

5. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Danny Pleasant, City Manager's Office

Time: 10 minutes

Synopsis

Staff responses to questions from the beginning of the Action Review meeting.

6. Closed Session (as necessary)

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

Call to Order

Introductions

Invocation

Pledge of Allegiance

AWARDS AND RECOGNITIONS

7. National Volunteer Week Proclamation

Action:

Mayor Lyles will read a proclamation recognizing April 15 - 21, 2018 as National Volunteer Week.

8. Fair Housing Month

Action:

Mayor Lyles will read a proclamation recognizing April 2018 as Fair Housing Month.

PUBLIC FORUM

9. Public Forum

10. Consent agenda items 24 through 60 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

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

PUBLIC HEARING

11. Public Hearing on the Fiscal Year 2019 Annual Action Plan for Housing and Community Development

Action:

Hold a public hearing on the proposed Fiscal Year 2019 Annual Action Plan for Housing and Community Development.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Warren Wooten, Housing and Neighborhood Services

Policy

- The U.S. Department of Housing and Urban Development (HUD) mandates the development of an Annual Action Plan to receive federal funding for housing and community development activities.
- The Fiscal Year 2019 Annual Action Plan for Housing and Community Development (the Plan) is the City of Charlotte's strategy for the use of federal funds in providing housing and community development activities.
- The Plan supports the City's housing policy to preserve existing housing, expand the supply of low and moderate-income housing, and support family self-sufficiency.

Community Input

- Housing and Neighborhood Services staff convened public forums on January 24, February 14, and February 20, to receive input for the development of the Plan. Staff received no public comments from these meetings.
- A draft copy of the Plan was placed in several libraries throughout Charlotte, and copies were also placed at the Charlotte Housing Authority and Old City Hall facilities.

Next Steps

- City Council will be asked to approve the Plan at their April 23, 2018 business meeting, and the Plan will be submitted to HUD on or before May 15, 2018.

Explanation

- The Plan includes housing and community development needs and resources for the City and Regional Housing Consortium.
- The Regional Housing Consortium is a partnership among the City, Mecklenburg County, and the towns of Cornelius, Pineville, Matthews, Mint Hill, Huntersville, and Davidson.
- In Fiscal Year 2019, the City expects to receive the following federal funding allocation, totaling to \$10,283,239:
 - Community Development Block Grant (CDBG): \$5,351,235,
 - HOME Investment and Partnerships (HOME): \$2,299,536,
 - Emergency Solution Grants: \$466,608, and
 - Housing Opportunity for Persons with AIDS (HOPWA): \$2,165,860.
- The final budget is expected to be determined in the next 60 to 90 days. Should any of the anticipated funding amounts change, City Council is not required to hold another public hearing or amend the approved Plan. The changes can be handled administratively by the City.

Attachment(s)

Draft Fiscal Year 2019 Annual Action Plan for Housing and Community Development

[FY19 -Annual Action Plan](#)

12. Public Comment on the South End Vision Plan and Plan

Amendments

Action:

Receive public comments on the South End Vision Plan and amendments to the South End Station Area Plan and the New Bern Transit Station Area Plan.

Staff Resource(s):

Taiwo Jaiyeoba, Planning

Monica Holmes, Planning

Explanation

- The South End Vision Plan (Plan) focuses on the neighborhood within four Blue Station Areas - Carson Station, Bland Station, East/West Station, and New Bern Station. I-277 is the northern limit of the study area, with Foster Avenue forming the southern edge, S. Tryon Street being the western boundary, and one block east of South Boulevard forming the eastern boundary. The plan was created by compiling extensive input from South End neighborhood leaders, business owners, residents, and other stakeholders. It envisions a South End that continues to be on Charlotte's leading edge of urban livability, technology, and sustainability.
- The Plan includes a refreshed vision statement, along with goals and implementation strategies to achieve that vision, including amendments to two existing area plans (South End Station Area Plan and New Bern Station Area Plan). The Plan also incorporates the recommendations from detailed corridor studies for South Tryon Street and South Boulevard within the plan area.
- The South End Vision planning process began in Summer 2016 as a combined effort between the City of Charlotte and Charlotte Center City Partners. Stantec (consultant), an international urban design and architecture firm, was hired to lead the Vision Plan process. Their work included stakeholder interviews, facilitating the steering committee meetings, organizing and responding to the public engagement, and utilizing their expertise to craft a Vision Plan document with recommendations.
- City Council will be asked to adopt the vision and concept (Chapters 1, 2, and 3) of the South End Vision Plan, as well as the New Bern Station Area Plan Amendments and the South End Station Area Plan Amendments at a future City Council meeting.
- Chapters 4 and 5 of the Plan serve as an implementation guide, and as standard practice for all Area Plans, are not adopted by City Council.

Community Input

- Staff held two public meetings, with over 100 people in attendance at the kickoff and 200 people in attendance at the second public meeting in July 2017.
- A 20+ stakeholder steering committee led the process. City staff, in conjunction with Charlotte Center City Partners and the consultant, facilitated four steering committee meetings.

Charlotte-Mecklenburg Planning Commission (Planning Committee)

- The consultant presented an overview of the process and policy recommendations to the Planning Committee at their July 18, 2017 meeting.
- The Planning Committee was briefed on the Plan during their September 19, October 17, and November 21, 2017 meetings.

Transportation and Planning Committee

- The Transportation and Planning Committee (Committee) reviewed the draft Plan during their regular meeting on October 9, 2017.
- The Committee voted unanimously (Ajmera, Lyles, Phipps, and Smith; Kinsey absent) to refer the plan to the full City Council for public comment.

Next Steps

- The Planning Committee is expected to continue their review of the South End Vision Plan and the amendments following public hearing and make a recommendation to the City Council.

- The Transportation and Planning Committee is expected to continue their review of the Plan in April and make a recommendation to the City Council.
- It is anticipated that City Council will be asked to adopt the Plan and amendments at a future City Council meeting once Planning Committee and Transportation and Planning Committee have finished their review of the plan.

Attachment(s)

South End Vision Plan (Draft):

<http://charlottenc.gov/planning/AreaPlanning/Pages/SouthEndVisionPlan.aspx>

POLICY

13. City Manager's Report

BUSINESS

14. Nomination to the Business Advisory Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning April 29, 2018 and ending April 28, 2021.
 - Scott Campagna is eligible and interested in reappointment.

Attachment(s)

Business Advisory Committee Applicants

15. Nomination to the Charlotte International Cabinet

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term of a member or a staff person from the Charlotte Regional Partnership beginning immediately and ending June 30, 2019.
 - Vanessa Goeschl did not meet attendance requirements.

Attachment(s)

Charlotte International Cabinet Applicants

16. Nomination to the Citizens Review Board

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending July 31, 2018.
 - David Smith did not meet attendance requirements.

Attachment(s)

Citizens Review Board Applicants

17. Nominations to the Charlotte Tree Advisory Commission

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending December 13, 2018.
 - Robbie Kirk has resigned.
- One appointment for a partial term beginning immediately and ending December 13, 2020.
 - Diatra Fullwood has resigned.

Attachment(s)

Charlotte Tree Advisory Commission Applicants

18. Nominations to Civil Service Board

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Three appointments for three-year terms beginning May 16, 2018 and ending May 15, 2021.
 - Victoria Watlington and Brenda Johnson are eligible and interested in reappointment.
 - Ashley Hewitt has completed two full terms and is not eligible for reappointment.

Attachment(s)

Civil Service Board Applicants

19. Nominations to the Community Relations Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for partial terms beginning immediately and ending June 30, 2019.
 - Kawana Davis and Gary Young did not meet attendance requirements.
- One appointment for a partial term beginning immediately and ending June 30, 2018, and then continuing for a full three-year term beginning July 1, 2018 and ending June 30, 2021.
 - Matthew Comer resigned.

Attachment(s)

Community Relations Committee Applicants

20. Nominations to Keep Charlotte Beautiful

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for partial terms beginning immediately and ending June 30, 2018, and then continuing for full three-year terms beginning July 1, 2018 and ending June 30, 2021.
 - William Babb did not meet attendance requirements.
 - Joshua Middleton has resigned.

Attachment(s)

Keep Charlotte Beautiful Applicants

21. Nominations to the Neighborhood Matching Grants Fund

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for two-year terms in the Neighborhood Representative category beginning April 16, 2018 and ending April 15, 2020.
 - Colin Pinkney and James White III are eligible and interested in reappointment.
- One appointment for a two-year term in the Business Representative category beginning April 16, 2018 and ending April 15, 2020.
 - Laura McClettie is eligible and interested in reappointment.
- One appointment for a two-year term in the Neighborhood Organizational Leader category beginning April 16, 2018 and ending April 15, 2020.
 - Thomas Burch has completed two terms and is not eligible for reappointment.
- Two appointments for two-year terms in the Non-Profit Organization category beginning April 16, 2018 and ending April 15, 2020.
 - Kellie Anderson has completed two terms and is not eligible for reappointment.
 - Clair Craig-Lane did not meet attendance requirements.
- One appointment for a two-year term recommended by the School Superintendent beginning April 16, 2018 and ending April 15, 2020.
 - Keva Womble is eligible and interested in reappointment.

Attachment(s)

Neighborhood Matching Grants Fund Applicants

22. Nomination to Passenger Vehicle for Hire

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term in the Company Operating Certificate Licensee category beginning immediately and ending June 30, 2019.
 - Robert Walker has resigned.

Attachment(s)

Passenger Vehicle for Hire Applicants

23. Mayor and City Council Topics

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

CONSENT

24. 2017 Homeland Security Grant Program

Action:

- A. Authorize the Charlotte Homeland Security Director (Charlotte Fire Chief) to accept a grant for \$160,000 from the North Carolina Department of Public Safety, Office of the North Carolina Emergency Management received through the United States Department of Homeland Security 2017 Homeland Security Grant Program, and**
- B. Adopt a budget ordinance appropriating \$160,000 in Homeland Security Grant Program funds.**

Staff Resource(s):

Pete Key, Fire

Richard Granger, Fire

Explanation

- The 2017 Homeland Security Grant Program allowed eligible applicants to apply for funding through the North Carolina Department of Public Safety, Office of the North Carolina Emergency Management to aid in the prevention, protection, response, and recovery from potential terrorist and other hazardous or catastrophic events.
- The Charlotte Fire Department will use the grant funds to teach a 10-day structural collapse training course for responding agencies in the Charlotte Urban Search and Rescue (USAR) region and six other metro areas in the state of North Carolina (Asheville/Buncombe County, Greensboro, Raleigh/Durham/Chapel Hill, Fayetteville, Greenville/New Bern, and Wilmington/New Hanover County).
 - Expenses will include tuition for 81 students, compensation for 20 instructors, the purchase of meals for those attending, and the purchase of needed supplies for the training.
 - Instructors for the course will be both external (Greensboro Fire Department and North Carolina Emergency Management Personnel) and internal. Internal instructors will be off-duty and paid as adjunct instructors so as not to supplant any pre-existing local funds with federal funds.
- The City of Charlotte has received funding sporadically for this training course since 2002 and will continue to receive this funding in the future on an as-needed basis determined by the North Carolina Department of Public Safety.
- No City matching funds are required for receipt of this grant.

Fiscal Note

Funding: 2017 Homeland Security Grant Program

Attachment(s)

Memorandum of Agreement

Budget Ordinance

[FY17 HSGP MOA 1700-10 NCEM S](#)[DHS Budget Ordinance 4.9.18](#)

25. Solid Waste Services Refuse Vehicle Tire and Related Services Contract

Action:

- A. Award a unit price contract to the lowest responsive bidder Parrish Tire Company for the purchase of refuse collection vehicle tires and light-duty vehicle tires for 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):

Victoria Johnson, Solid Waste Services

Randy Harrington, Management and Financial Services

Explanation

- Tires and tire services are necessary to safely maintain Solid Waste Services' (SWS) fleet of 235 vehicles.
- This contract includes tire inspection, tire replacement, and road call service during and after normal business hours for all heavy-duty refuse collection vehicles and light-duty vehicles. These requirements are unique to SWS and require a department specific contract.
- The vendor will also inspect tires at the SWS facility five days a week after normal business hours and replace tires as needed.
- On January 22, 2018, the City issued an Invitation to Bid; four bids were received from interested service providers.
- Parrish Tire Company was selected as the lowest responsive, responsible bidder.
- Estimated annual expenditures are \$800,000.

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: Solid Waste Services Operating Budget

26. Solid Waste Services Automated Vehicle Locator Contract Amendment

Action:

Approve contract amendment #1 for \$390,000 to the Coretex Automated Vehicle Asset Location Products & Services contract for continued monitoring and reporting.

Staff Resource(s):

Victoria Johnson, Solid Waste Services

Explanation

- Coretex (dba Airtrak) currently provides Automated Vehicle Locator (AVL) equipment and monthly monitoring services through a contract that began September 2016.
- On June 13, 2016, City Council awarded a sole source contract for the replacement of AVL devices that were reaching end of life.
- The AVLs transmit vehicle global position system (GPS) data, vehicle and driver performance data, and customer service delivery data at 15-second intervals via mobile networks.
- The transmitted data is used to calculate service routing, generate performance benchmarking, and investigate customer service requests and complaints.
- Solid Waste Services (SWS) is requesting an amendment to increase the contract spend by an estimated \$390,000 to continue the monthly service data monitoring and reporting currently in place.
- This amendment allows SWS to maintain continuity of service delivery and compatibility of other integrated systems. The City's current curbside recycling vendor and newly awarded Multifamily solid waste collection contract vendor use the same equipment.
- The company will be paid the unit prices set forth in the contract, a copy of which is available upon request.

- Total new estimated contract spend is \$592,000 over the existing five year term of the contract.

Fiscal Note

Funding: Solid Waste Services Operating Budget

27. Solid Waste Services Video Monitoring Product and Services Contract

Action:

- A. **Approve a contract with Advanced Digital Solutions, LLC for video monitoring products and services for an initial term of three years,**
- B. **Authorize the City Manager to renew the contract for up to two additional, one year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved,**
- C. **Authorize the City Manager to purchase maintenance and support for as long as Solid Waste Services uses the video monitoring systems, and**
- D. **Authorize the City Manager to purchase additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the products, and to approve other amendments consistent with the purpose for which the contracts were approved, including price adjustments.**

Staff Resource(s):

Victoria Johnson, Solid Waste Services

Explanation

- Video monitoring enhances safety and security for Solid Waste Services (SWS) customers, staff, facilities, and assets.
- SWS seeks to expand the use of video monitoring beyond buildings and employee lots to include all equipment lots and the new onsite Compressed Natural Gas fueling station.
- The contract will expand the current video monitoring system by adding:
 - Video cameras and components,
 - Security cameras and components,
 - Wireless cameras and components,
 - Video recorders, and
 - Related Services.
- On January 26, 2017, the City issued a Request for Proposals (RFP); 12 proposals were received from interested service providers.
- Advanced Digital Systems, LLC (ADS) was selected as the best qualified firm to meet the City's needs on the basis of qualifications and responsiveness to RFP requirements. A key factor is that ADS provides the software and equipment currently used by SWS, which eliminates the need to replace functioning equipment due to incompatibility.
- Annual contract expenditures are estimated to be \$75,000, totaling to \$375,000 over the five year term.

Charlotte Business INclusion

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

Fiscal Note

Funding: Solid Waste Services Operating Budget

28. Purchase Traffic Signal Controllers

Action:

- A. Approve the purchase of traffic signal controllers, as authorized by the sole source exemption of G.S. 143-129 (e)(6), and**
- B. Approve a sole source contract in the amount of \$220,600 with Econolite, Inc. for the purchase of traffic signal controllers.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Sole Source Exemption

G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:

- Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because the controllers must be compatible with our existing software and communications network.
 - The City Council must approve purchases made under the sole source exception.

Explanation

- Transportation, CATS, and Fire are currently implementing a traffic signal system that will give priority treatment to buses and fire trucks at signalized intersections.
- The traffic signal controllers are needed to standardize the controller software at all signalized intersections within the City, which will work with the new bus and fire truck priority system.
- The priority system will help to give CATS buses that are running behind schedule extra green time at traffic signals and will reduce response times for Fire vehicles by ensuring that the signal is green for the fire truck as it approaches.
- This purchase will replace all the existing traffic signal controllers in the Uptown area (Council Districts 1 and 2) and is anticipated to be completed by June 2018.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Community Investment Plan

29. Private Developer Funds Appropriation

Action:

- A. Approve a Developer Agreement with SC Hondros for traffic signal installations and improvements, and**
- B. Adopt a budget ordinance appropriating \$6,500 in private developer funds for traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Explanation

- Private developer agreements and 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 \$6,500 in private developer funding is for traffic signals, traffic signal modifications and/or upgrades, and other related work associated with the developer project. The funding is restricted to the project noted below.
- The following developer is fully funding traffic signal modifications and improvements to mitigate traffic impacts around their respective development project:
 - Traffic signal modifications at the intersection of Mallard Creek Church Road and I-85 Ramp (\$6,500) (Council District 4).
- The signals are required to 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 this signal as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contribution

Attachment(s)

Map

Budget Ordinance

[Traffic Signal Improvements Map_157576](#)

[Budget Ordinance CDOT 4.9.2018 Agenda](#)

30. Heating, Ventilation and Air Conditioning Supplies and Services Contract

Action:

- A. Approve the purchase of heating, ventilation, and air conditioning supplies and services from a federal contract as authorized by G.S. 143-129(e)(9a),**
- B. Approve a unit price contract with United Technologies Corporation, Climate, Controls Security dba Carrier Corporation for supplies and services for a term of two years under the U.S. General Services Administration September 1, 2015 through August 31, 2020 Contract Number GS-07F-0634W, and**
- C. Authorize the City Manager to extend the contract for an additional one-year term as long as the federal contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

Staff Resource(s):

Mike Davis, Engineering and Property Management

William Haas, Engineering and Property Management

Federal Contract Exemption

G.S. 143-129(e)(9a) allows local government to purchase from contracts established by the United States government, including any federal agency, if the contractor is willing to extend the same or more favorable prices, terms and conditions as those established under the federal contract.

Explanation

- This contract will provide original equipment manufacturer (OEM) supplies and services for Carrier heating, ventilation, and air conditioning equipment. Many of the facilities maintained by the City use Carrier equipment. Some repairs require OEM/proprietary supplies or services.
- The City is responsible for the operations and maintenance of municipal facilities, structures, and assets including office, warehouse, storage, vehicle maintenance, communication towers, and public

safety.

- On September 1, 2015, the unit price contract for supplies and services was awarded by the U.S. General Services Administration (GSA) Federal Supply Service for a term of five years.
- Carrier Corporation is willing to provide heating, ventilation, and air conditioning supplies and services at the same or better terms as are provided in its contract with the GSA.
- The company will be paid the unit prices set forth in the contract, a copy of which is available upon request.
- Annual expenditures under the contract are estimated to be \$300,000.

Charlotte Business INClusion

This contract is federally sourced and is exempt (Part A: Appendix 27 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: General Community Investment Plan

31. Amend Contract for Sale of City Property located on West Tyvola Road

Action:

Approve an amendment to the existing contract between the City of Charlotte and Laurel Street Residential, for the sale of 11.686 acres of property (tax parcel ID 143-133-01) located on West Tyvola Road.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Pamela Wideman, Housing and Neighborhood Services

Explanation

- The City-owned property is 11.686 acres of vacant land located on West Tyvola Road, in Council District 3, and it is currently conditionally zoned urban residential.
- On February 13, 2017, City Council approved the private sale of the property to Laurel Street Residential (Developer) for \$1,235,000 subject to development of a mixed-income community including a minimum of 120 units of affordable and workforce rental housing units.
- The Developer would like to amend the existing contract to extend the closing date from June 15, 2018 to November 15, 2018 in order to secure funding with the U.S. Department of Housing and Urban Development (HUD).
- The Developer is using a HUD 221(d)(4) loan for housing unit construction at West Tyvola Road and needs to complete the loan application.
- Earnest money deposit funds totaling \$40,000 are currently held in escrow.

Fiscal Note

Funding: Proceeds from the sale will be deposited into the City's General Pay-As-You-Go Capital Program

Attachment(s)

Map

[Location Map - Extend Closing Date for Sale of City Property - West Tyvola Road](#)

32. Brigmore Drive Storm Drainage Improvement Project

Action:

Award a contract in the amount of \$592,333.95 to the lowest responsive bidder Zoladz Construction Co Inc for the Brigmore Drive Storm Drainage Improvement Project.

Staff Resource(s):

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

Explanation

- This project will address flooding on Brigmore Drive between Connan Lane and Entwistle Court in the Shadow Lake Neighborhood, located in Council District 6.
- Work will include the installation of 420 linear feet of concrete pipe and associated paving, curb, gutter, and utility relocations.
- On February 20, 2018, the City issued an Invitation to Bid; 6 bids were received from interested service providers.
- Zoladz Construction Co Inc was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2018.

Charlotte Business INclusion

Established SBE Goal: 12.00%

Committed SBE Goal: 12.15%

Zoladz Construction exceeded the established subcontracting goal, and has committed 12.15% (\$72,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- On Time Construction (SBE, MBE) (\$30,000) (concrete)
- AMP Utility Distribution Services (SBE) (\$27,000) (piping)
- Maybury Fencing (SBE) (\$15,000) (fencing)

Established MBE Goal: 5.00%

Committed MBE Goal: 5.06%

Zoladz Construction exceeded the established subcontracting goal, and has committed 5.06% (\$30,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- On Time Construction (MBE, SBE) (\$30,000) (concrete)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

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

33. LaSalle Street Storm Drainage Improvement Project

Action:

Award a contract in the amount of \$628,888.43 to the lowest responsive bidder Zoladz Construction Co., Inc. for the LaSalle Street Storm Drainage Improvement Project.

Staff Resource(s):

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

Explanation

- The LaSalle Street storm drainage improvement project will address failing storm drainage systems on LaSalle Street between Botany Street and Senior Drive in the University Park Neighborhood, located in Council District 2.
- Work will include the installation of 1,300 linear feet of concrete pipe, incidental replacement of sanitary sewer, curb, gutter, and sidewalk.
- On February 21, 2018, the City issued an Invitation to Bid; four bids were received from interested service providers.

- Zoladz Construction Co., Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2018.

Charlotte Business INclusion

Established SBE Goal: 12.00%

Committed SBE Goal: 18.29%

Zoladz Construction exceeded the established subcontracting goal, and has committed 18.29% (\$115,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- On Time Construction (SBE, MBE) (\$35,000) (concrete)
- All Points Trucking (SBE, WBE) (\$35,000) (hauling)
- AMP Utility Distribution Services (SBE) (\$30,000) (piping)
- Maybury Fencing (SBE) (\$15,000) (fencing)

Established MBE Goal: 5.00%

Committed MBE Goal: 5.56%

Zoladz Construction exceeded the established subcontracting goal, and has committed 5.56% (\$35,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- On Time Construction (MBE, SBE) (\$35,000) (concrete)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - LaSalle Street Storm Drainage Improvement Project](#)

34. Royston Road Channel Stabilization Project

Action:

- A. Reject the low-bid submitted by Sunrise Repair and Construction, Inc. for the Royston Road Channel Stabilization Project, and**
- B. Award a contract in the amount of \$373,007.68 to the lowest responsive bidder River Works, Incorporated for the Royston Road Channel Stabilization Project.**

Staff Resource(s):

Mike Davis, Engineering and Property Management

Stewart Edwards, Engineering and Property Management

Explanation

- This project will address approximately 1,300 linear feet of eroding stream along Royston Road between Camp Greene Street and Marlborough Road in Council District 3.
- This project is the final phase of work and addresses the channel failures downstream of previous work which corrected failing pipe in the roadway.
- Work will include stream repair and stabilization, plantings, incidental paving, curb, gutter and sidewalk.
- On December 15, 2017, the City issued an Invitation to Bid; seven (7) bids were received from interested service providers.
- River Works, Incorporated was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2019.

Reject Low-Bid Explanation

Sunrise Repair and Construction, Inc. bid in the amount of \$297,711.00 was found to be non-responsive as

a result of failing to meet the City's Charlotte Business INclusion Program established subcontracting goal.

Charlotte Business INclusion

Established MBE Goal: 10.00 %

Committed MBE Goal: 10.16%

River Works, Incorporated exceeded the established subcontracting goal, and has committed 10.16% (\$37,900) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Scott Trucking (MBE, SBE) (\$24,000) (hauling)
- Jones Grading & Fencing (MBE, SBE) (\$8,900) (fencing)
- Hemar Inc. (MBE, SBE) (\$5,000) (concrete)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - Royston Road Channel Stabilization Project](#)

35. Marlwood-Waverly Water Quality Enhancement Project

Action:

Award a contract in the amount of \$2,660,281.20 to the lowest responsive bidder United Construction Company Inc for the Marlwood-Waverly Water Quality Enhancement project.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Matt Gustis, Engineering and Property Management

Explanation

- Pond projects are implemented in accordance with the City Council-approved Pond and Dam Rehabilitation Policy, aimed at protecting as many existing ponds as possible prior to removal by private development or structural failure, and to use these ponds as a highly cost-effective tool to achieve water quality and flood control goals, and permit compliance.
- On average, improving existing ponds costs one-fifth the expense of creating new water quality measures providing equivalent environmental benefit.
- The Marlwood-Waverly Water Quality Enhancement Project is located in Council District 5 encompassing two ponds and a drainage culvert.
- The 5.9 acre Marlwood pond and 17.9 acre Waverly pond are located east of the intersection of East W.T. Harris Boulevard and Albemarle Road. The ponds are located in the McAlpine Creek watershed and improve polluted runoff from approximately 1,348 acres of developed land.
- This project will also replace the drainage culvert under Marlwood Circle, which is structurally deficient and contributing to failure of the existing pavement.
- The project will include the following types of work:
 - Erosion control,
 - Storm drainage,
 - Rebuilding the failing dam and spillway systems, and
 - Seeding and site restoration.
- These enhancements will improve the quality of water moving through the ponds before the water discharges into the creek by allowing pollutants to settle out and remain in the sediment at the bottom of the pond.
- On December 22, 2017, the City issued an Invitation to Bid; three bids were received from interested service providers.
- United Construction Company Inc was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2020.

Charlotte Business INclusion

Established SBE Goal: 16.00%

Committed SBE Goal: 16.80%

United Construction exceeded the established subcontracting goal, and has committed 16.80% (\$446,940.03) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Carolina Cajun Concrete (SBE) (\$313,596.03) (grading)
- Streeter Trucking (SBE, MBE) (\$50,000) (hauling)
- Davis & Sons Trucking (SBE, MBE) (\$50,000) (hauling)
- B&N Grading (SBE) (\$23,000) (milling)
- Maybury Fencing (SBE) (\$10,344) (fencing)

Established MBE Goal: 5.00 %

Committed MBE Goal: 3.76%

United Construction failed to meet the established subcontracting goal, but earned the minimum Good Faith Effort Points (Part B: Section 5 of the Charlotte Business INclusion Policy). United Construction has committed 3.76% (\$100,000) of the total contract amount to the following certified firms:

- Streeter Trucking (MBE, SBE) (\$50,000) (hauling)
- Davis & Sons Trucking (MBE, SBE) (\$50,000) (hauling)

A further detailed write-up of United Construction's Good Faith Efforts is attached.

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

Good Faith Efforts Summary

[Location Map - Marlwood and Waverly Water Quality Enhancement Project](#)

[GFE Attachment - Marlwood-Waverly Water Quality Enhancement Project](#)

36. Wilmore Drive/Park Avenue and Little Sugar Creek Tributary Trunk Sewer to North Tryon Street Sanitary Sewer Design-Build Services Contract Amendment

Action:

Approve contract amendment #1 for \$19,498,569.90 with Sanders Utility Construction Co., Inc. establishing Guaranteed Maximum Price for Phase 2 design-build services for Sanitary Sewer Projects.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- On November 27, 2017, City Council approved a contract with Sanders Utility Construction Co., Inc. in the amount of \$1,979,256.83 for Design-Build Phase 1, preconstruction phase services. The contract included planning services, real estate services, and completion of up to 60 percent of design services.
- This project has progressed to Phase 2, which is the construction phase. Sanders Utility Construction Co., Inc. has established a Guaranteed Maximum Price (GMP), which is the total price of construction. The GMP will be awarded as an amendment to the Phase 1 contract referenced

above.

- This contract with Sanders Utility Construction Co., Inc. for Design-Build Phase 2 services includes coordination of all construction activities, managing all subcontractors, and construction phased collaboration with Charlotte Water.
- Two projects within the Central Business District of Charlotte will be constructed through this contract:
 - Wilmore Drive/Park Avenue Sanitary Sewer Replacement (Council District 3), and
 - Upper Little Sugar Creek Tributary Trunk Sewer to North Tryon Street Replacement (Council District 1).
- The purpose of these projects is to alleviate sewer capacity needs identified through Charlotte Water's Capacity Assurance Program, allow for future development, and rehabilitate aging sections of the sanitary sewer collection system serving these areas.
- Utilizing a Design-Build project delivery method will allow Charlotte Water to expedite the work to meet a demanding schedule. Both projects are scheduled to be complete by the fourth quarter of 2019.

Charlotte Business INclusion

The City negotiates subcontracting participation for Design Build contracts after scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). Sanders Utility Construction Company has committed 8.09% (\$1,577,402.00) of the approved tasks to the following certified firms:

- All Points Trucking, Inc. (SBE, WBE) (hauling)
- B & B Concrete, Inc. (SBE) (concrete curb and gutter)
- Buffkin Trucking, Inc. (MBE, SBE) (hauling)
- Jim Bob's Grading and Paving, Inc. (SBE) (paving)
- Martin Landscaping Co., Inc. (SBE, WBE) (seeding and mulching)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Wilmore Dr/Park Ave & Upper Little Sugar DB Projects - Map](#)

37. Interlocal Agreement for Stevens Creek Sewer Phase I and Stream Restoration

Action:

Adopt a resolution to approve an interlocal agreement with Mecklenburg County pursuant to which the County will pay the City to construct a portion of the Stevens Creek Sewer Phase I and Stevens Creek Stream Restoration Project.

Staff Resource(s):

Angela Lee, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- The City and Mecklenburg County have overlapping projects identified along a portion of Stevens Creek in the Town of Mint Hill. The City and County have negotiated an agreement to construct these projects under one contract, which will provide a mutual benefit.
 - The City's portion of the project includes design and construction of approximately 10,000 feet of sanitary sewer ranging from eight to 24 inches diameter, with an estimated construction cost of \$4,000,000.
 - The County's portion of the project includes design and construction of 10,000 feet of

stream restoration along Stevens Creek, with an estimated construction cost of \$2,000,000.

- The proposed interlocal agreement outlines cost-sharing for construction and maintenance.
- The City's design contract with GHD Consulting Services Inc. for the sanitary sewer portion of the project was approved by Council on November 14, 2016.
- The City has completed the design phase and has incorporated the County-designed stream restoration portions of the project.
- Charlotte Water is preparing to advertise and receive bids for construction. The final financial obligation will be known once construction bids are received for the project.
- The Mecklenburg County Board of County Commissioners will be asked to approve the interlocal agreement at their April 10, 2018 meeting.
- The construction contract, budget ordinance to accept the County contribution, and construction administration contract are anticipated to be submitted for City Council consideration in the summer of 2018.
- Project construction is expected to start in the fall of 2018 and conclude by the end of 2019.

Charlotte Business INclusion

This is an interlocal agreement contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

Interlocal Agreement Resolution

[2012-02-08 RCA MAP](#)

[Resolution](#)

38. Sugar Creek 54 inch Sanitary Sewer Rehabilitation

Action:

Award a contract in the amount of \$3,142,477.65 to the lowest responsive bidder Insituform Technologies, LLC for the 54 inch Sanitary Sewer Rehabilitation project along Sugar Creek.

Staff Resource(s):

Angela Lee, Charlotte Water

Ronald Hargrove, Charlotte Water

Explanation

- Charlotte Water operates and maintains approximately 4,300 miles of sanitary sewer lines throughout the service area. Many of these pipes are more than 50 years old and often need repairs or rehabilitation.
- During routine inspections and evaluations, the Sugar Creek Sewer Outfall and associated manholes were found to have severe interior corrosion due to hydrogen sulfide gas exposure.
- This project will install 6,425 linear feet of 54 inch pipe lining within the existing Sugar Creek Sewer Outfall just northwest of Polk Street in the Town of Pineville (adjacent to City Council District 3). The lining is a corrosion resistant product that will extend the life of the sewer line another 50 years. The work will also include manhole repairs; consisting of the application of a corrosion resistant spray coating to the interior walls and diverting the sewage flow during construction activities.
- On January 18, 2018, the City issued an Invitation to Bid for the Sugar Creek 54 inch Sanitary Sewer Rehabilitation Project; six bids were received from interested service providers.
- Insituform Technologies, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the fourth quarter of calendar year 2018.

Charlotte Business INClusion

Established MSBE Goal: 7.00%

Committed MSBE Goal: 0.00%

Insituform Technologies, LLC failed to meet the established subcontracting goal but earned the minimum Good Faith Effort Points Part B: Section 5 of the Charlotte Business INClusion Policy).

A further detail write-up of Insituform Technologies, LLC Good Faith Efforts is attached.

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

Good Faith Efforts Summary

[RCAMap_SugarCreek54](#)

[GFE_SummaryAttachment-SugarCreek54inchSSRehabilitation](#)

39. Fiscal Year 2018 Sanitary Sewer Rehabilitation

Action:

- A. Reject the low-bid submitted by AM-Liner East, Inc. for failing to meet the established MSBE goal and Good Faith Efforts requirement,**
- B. Award a contract in the amount of \$3,799,850.25 to the lowest responsive bidder IPR Southeast LLC for the Fiscal Year 2018 Sanitary Sewer Rehabilitation project, and**
- C. Authorize the City Manager to approve up to three 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

Ronald Hargrove, Charlotte Water

Explanation

- The City operates and maintains more than 4,300 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 Charlotte Water for medium to large scale repair, replacement and rehabilitation projects.
- 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 cleaning and television inspection of pipeline infrastructure.
- The work is necessary in order to maintain operational integrity of the sanitary sewer system. Charlotte Water will also be able to address structural issues (i.e., cracked pipes, leaking manholes, etc.) as a preventative measure to reduce sanitary sewer overflows with this contract.
- On December 8, 2017, the City issued an Invitation to Bid; three bids were received from interested service providers.
- IPR Southeast LLC was selected as the lowest responsive, responsible bidder.
- The contract is anticipated to last approximately one year.

Reject Low-Bid Explanation

- The low-bid of \$3,728,588.61 submitted by AM-Liner East, Inc. was found not to be responsive for failing to meet the established MSBE goal and Good Faith Efforts requirement.
- IPR Southeast LLC was the second lowest bidder at \$3,799,850.25 and exceeded the established MSBE subcontracting goal.

Charlotte Business INclusion

Established MSBE Goal: 10.00%

Committed MSBE Goal: 17.11%

IPR Southeast LLC exceeded the established subcontracting goal and has committed 17.11% (\$650,000) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- JAAMCO Drain Cleaning & Video Inspection, Inc. (SBE) (\$350,000) (cctv and cleaning)
- P&H Utilities LLC (SBE) (\$300,000) (open cut repairs and restoration)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

40. Airport Concourse A North Expansion Phase I Design Services Contract Amendment

Action:

- A. Approve contract amendment #1 in the amount of \$153,820 with Perkins+Will North Carolina, Inc. to provide design services for a replacement chiller and associated cooling tower as part of the Concourse A North Expansion Phase I project, and**
- B. Adopt a budget ordinance appropriating \$153,820 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On September 8, 2015, City Council approved the Concourse A North Expansion Phase I design services contract in the amount of \$7,835,982 with Perkins+Will North Carolina, Inc.
- One of the chillers used for heating, ventilation, and air-conditioning in existing Concourse A is more than 25 years old and has exceeded its useful life.
- Contract amendment #1, in the amount of \$153,820, will allow Perkins+Will North Carolina, Inc. to design a new chiller that provides conditioned air to both the existing Concourse A and the Concourse A Expansion.
- The new total value of this contract, including the amendment, is \$7,989,802.
- This activity is occurring on airport property, which is in Council District 3.

Charlotte Business INclusion

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

Perkins+Will North Carolina, Inc. has committed 16.90 percent (\$26,000) of the total contract amendment amount to the following certified firms:

- Laurene, Rickher & Sorrell (SBE) (\$16,000) (structural engineering)
- C-Design (SBE) (\$10,000) (architectural design services)

Fiscal Note

Funding: Aviation Community Investment Plan

Attachment(s)

Budget Ordinance

[Airport ORD04918 - Airport Chiller Replacement Contract](#)**41. Federal Aviation Administration Reimbursable Agreement****Action:**

- A. Approve a reimbursable agreement in the amount of \$475,063.77 with the Federal Aviation Administration to allocate one additional Federal Aviation Administration staff to support the Airport's Environmental Impact Statement,**
- B. Authorize the City Manager to amend the agreement consistent with the City's business for which the contract was approved, and**
- C. Adopt a budget ordinance in the amount of \$475,063.77 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On March 2, 2016, the City entered a Memorandum of Understanding between the Federal Aviation Administration (FAA) that established the framework for the FAA to prepare an Environmental Impact Statement (EIS) for the Fourth Parallel Runway project and associated capital projects.
- Due to the FAA's increased workload associated with the management of environmental activities across the region, this reimbursable agreement will temporarily allocate one additional FAA staff, for up to two years, to provide in the review of, and/or the provision of comments regarding environmental forms and documentation associated with Aviation-proposed capital projects.
- The \$475,063.77 includes two years of total personnel and operating costs associated with the FAA's management of the Airport's EIS program. This is a FAA staff member that will be located within its agency, not at the Airport.
- The benefit to both Aviation and FAA is to have dedicated staff to support time critical Aviation projects without adversely affecting FAA operations.
- This reimbursable agreement provides funding for the FAA to establish these services.
- This activity is occurring on airport property, which is in Council District 3.

Fiscal Note

Funding: Aviation Community Investment Plan

Attachment(s)

Budget Ordinance

[Airport ORD04918 - FAA reimbursable agreement](#)**42. Airport Taxiway M Rehabilitation Design Services Contract****Action:**

- A. Approve a professional services contract in the amount of \$888,000 with Delta Airport Consultants, Inc. to provide design services for the Taxiway M Rehabilitation project, and**
- B. Adopt a budget ordinance in the amount of \$888,000 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation
Jack Christine, Aviation

Explanation

- As part of the Airport's Pavement Management program, Taxiway M is eligible for concrete pavement rehabilitation to extend the useful life of the surface and maintain operational capacity.
- The professional services contract will include surveying, geotechnical investigation, engineering, construction administration, and construction material testing.
- On March 23, 2017, the City issued a Request for Qualifications (RFQ) for General Engineering Consultant Task Order Services. In response to the RFQ, the City received 25 proposals from interested professional service providers.
- Delta Airport Consultants, Inc. is the best qualified firm to meet the City's needs based on its experience on similar airfield projects.
- This activity is occurring on airport property, which is in Council District 3.

Disadvantaged Business Enterprise

The City negotiates subcontracting participation after the proposal selection process.

Delta Airport Consultants has committed 11.44% (\$101,615) of the total contract amount to the following firms:

- On-Spec Engineering (DBE) (\$41,205) (geotechnical testing)
- Accutech Surveying & Mapping (DBE) (\$37,500) (design surveys)
- Connico (DBE) (\$22,910) (schematic and construction estimate)

Fiscal Note

Funding: Aviation Community Investment Plan

To be replaced by future passenger facility charge funds.

Attachment(s)

Budget Ordinance

[Airport ORD04918 - Taxiway M Rehab Design Services Contract](#)

43. Aircraft Training Cabins Donation

Action:

Authorize the City Manager to accept a donation from American Airlines of two aircraft training cabins to be used for emergency training at the Airport.

Staff Resource(s):

Brent Cagle, Aviation
Jack Christine, Aviation

Explanation

- Multiple agencies at the Airport conduct emergency training drills and exercises using simulated aircraft.
- American Airlines has offered to donate two cabin trainers that simulate the interior cabins of an actual aircraft.
- These training cabins will allow multiple agencies, such as Charlotte-Mecklenburg Police Department, the Charlotte Fire Department, and Aviation Security and Airside Operations, to use for safety and security training purposes.
- This activity is occurring on airport property, which is in Council District 3.

Attachment(s)

Assignment of Assets

[AA Assignment of Assets \(updated\).pdf](#)

44. Airport North End Taxiway Environmental Assessment

Action:

- A. **Approve a professional services contract in the amount of \$249,660 with Ricondo & Associates, Inc. to prepare an Environmental Assessment for the North End-Around Taxiway, and**
- B. **Adopt a budget ordinance in the amount of \$249,660 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

Staff Resource(s):

Brent Cagle, Aviation
Jack Christine, Aviation

Explanation

- The Airport is currently in the planning stages for the North End-Around Taxiway. The Taxiway will allow taxiing aircraft to move around the runway instead of across active runways.
- The North End-Around Taxiway will reduce opportunities for runway incursions (the improper presence of an aircraft on the runway). It will also increase the level of airfield efficiency by providing a non-stop route to the air carrier ramp.
- In accordance with Federal Aviation Administration regulations, an environmental assessment is necessary to document the environmental impacts associated with construction of this project.
- On July 27, 2017, City Council approved contracts for planning consultation services with four vendors: Landrum and Brown, Inc., RS&H Architects Engineers Planners, Inc., GS&P/NC PC, and Ricondo & Associates, Inc.
- Of the four consultants approved for planning consultation services, Ricondo & Associates, Inc. best meets the City's needs in terms of qualifications, experience, and responsiveness to RFQ requirements for this project.
- This activity is occurring on airport property, which is in Council District 3.

Disadvantaged Business Enterprise

The City negotiates subcontracting participation after the proposal selection process. Ricondo & Associates, Inc. has committed 6.90% (\$17,358) of the total contract amount to the following certified firms:

- Edward-Pitman Environmental Inc. (DBE) (\$13,500) (wetland and biological resources survey)
- Khafra Engineering Consultants Inc. (DBE) (\$3,858) (hazardous materials, solid waste and pollution prevention)

Fiscal Note

Funding: Aviation Community Investment Plan

To be replaced by future passenger facility charge funds, future federal grant funds, and future General Airport Revenue Bonds.

Attachment(s)

Budget Ordinance

[Airport ORD04918 - North End Taxiway Environmental Assessment.xlsx](#)

45. Citywide Voice Communications Services

Action:

- A. **Approve an extension of up to five years to the contract with NCapital LLC, formerly NCloud Leasing LLC, for the continued provision and expansion of the citywide voice over IP (VoIP) telephone communications system,**
- B. **Approve an extension of up to two years to the contracts with AT&T North Carolina for the**

continued provision of the local voice telecommunications service to certain City facilities, and

- C. Approve an extension of up to two years to the contract with Call Coverage, Inc. for continued provision of the CallXpress voice mail system and related services for certain City facilities.**

Staff Resource(s):

Jeffrey Stovall, Innovation and Technology

Explanation

- The City's existing AT&T Centrex telephone system, which formerly provided desktop phone service to most City users, is being replaced due to AT&T's announced intention to sunset the system in 2019.
- Innovation & Technology is replacing the Centrex system with an IP Telephony system that runs over the City's data network rather than a separate dedicated telephone system.
 - IP telephones are a newer, more cost effective and efficient technology that enables integration into other systems, such as mobile devices and email.
- Extensions of three different contracts are required in order to continue the transition to the IP telephony system without disruption of essential services to City users. The three different contracts are represented in Actions A-C, respectively.

Action A

- The IP telephone system is the natural extension of an existing NCloud hosted Cisco IP telephone system used by the City's call centers and the Emergency Operations Center.
 - To acquire the Cisco IP telephone system, the City leveraged its existing contract with NWN Corporation (NCapital's parent company) for Cisco products and services. The NWN contract was awarded by City Council on April 11, 2011 after a competitive bid process.
 - The current contract with NCapital was put in place in November 2016 due to internal reorganizations at NWN. The essential elements of the NWN contract have been carried over into the current NCapital contract.

Action B

- The majority of the City's desktop phones have been converted to the NCloud IP telephone system, including CMGC. Some City facilities still operate the Centrex system, but will be upgraded with the IP telephone system before Centrex is discontinued in 2019. A contract extension with AT&T through December 2019 is required to allow for an orderly transition.
 - In addition to Centrex, additional local telephone related services covered by the AT&T contracts include Megalinks, PRIs, and Business Lines.

Action C

- CallXpress, a separate voicemail system provided by Call Coverage, supports the Centrex system. It is separate from the voicemail system provided through the NCapital contract.
 - CallXpress must be maintained in order to provide voicemail services to City users that are still using Centrex, until replacement of the Centrex system is complete, currently anticipated by end of calendar year 2019. Therefore a further contract extension is required.
- Estimated expenses for each of the contracts is as follows:
 - NCapital: \$873,000 per year for up to four years,
 - AT&T North Carolina: \$2.3 million per year for up to two years, and
 - Call Coverage: \$85,000 per year for up to two years.

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: Various Departments' Operating Budgets

46. Executive Recruiting Services

Action:

- A. Approve contracts with the following companies for Executive Recruiting Services for an initial term of three years:**
- Creative Management Staffing Services LLC,
 - Krauthamer & Associates, Inc.,
 - The Mercer Group, Inc.,
 - Ralph Andersen & Associates,
 - Reffett Associates, and
- B. Authorize the City Manager to renew the contracts for up to two additional one year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Sheila Simpson, Human Resources

Explanation:

- On an as-needed basis, the City uses search firms in the recruitment and selection of high executive-level positions such as Department Directors.
- Use of executive search firms is a best practice amongst large cities, and allows the City to have immediate access to pre-qualified firms who can assist with strategic recruitment of exemplary talent.
- These firms, which have the ability to identify and attract qualified individuals broadly, will be used as needed to assist in the recruitment process including developing employment profiles, strategies, processes, and timelines for each position.
- These firms will also be responsible for advertisement of positions, screening applications, scheduling interviews, and developing selection criteria and interview questions.
- On November 21, 2017, the City issued a Request for Qualifications; 18 proposals were received from interested service providers.
- The above firms were determined to best meet the City's needs on the basis of experience and qualifications.
- It is anticipated that the contract can be renewed for up to two additional, one-year terms at prices to be negotiated based on market conditions.
- The estimated contract expenditure for each contract is \$120,000 over the initial three year term of the contract.

Charlotte Business INclusion

The City negotiates subcontracting participation after the selection process (Part C:2.1 of the Charlotte Business Inclusion Policy). Creative Management Staffing Services has identified Asgard Group LLC (MWBE) to perform 3% (Management and Business Consulting). Reffett Associates (VET) has committed to 3% of the total contract amount with MWBE firms in various scopes of services such as:

- Transportation
- Printing
- Background checks
- Research

Fiscal Note

Funding: Human Resources Operating Budget

47. iNovah Software Maintenance and Support Contract Amendments

Action:

- A. Approve a contract amendment with N. Harris Computer Corporation dba System Innovators, Inc. to renew the iNovah Software Support and Maintenance services contract for a term of one year, and authorize the City Manager to approve additional renewal terms 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 awarded, and**
- C. Authorize the City Manager to purchase additional software licenses, services, and hardware required to maintain the system for as long as the City uses the system.**

Staff Resource(s):

Randy Harrington, Management and Financial Services

Teresa Smith, Management and Financial Services

Explanation

- The iNovah Cashiering System provides secure collection of water, sewer, storm water, and other revenues from over-the-counter customers.
- The City entered into a Contract to purchase the iNovah Cashiering System from System Innovators in 2007.
- On June 3, 2015, the City entered into a new contract in the amount of \$63,673 for maintenance and support with System Innovators, Inc. (now N. Harris Computer Corporation). This contract is set to expire on June 30, 2018.
- In January 2017, expenditures with N. Harris Computer Corporation were approved in the amount of \$92,000 for development of an iNovah system interface with another City financial system to eliminate data entry inefficiencies.
- This contract amendment will allow the City to continue purchasing iNovah Software support and maintenance for as long as the City uses the system.
- The estimated annual cost for ongoing maintenance and support is \$35,000.

Fiscal Note

Funding: Management and Financial Services Operating Budget

48. Citywide Safety Shoes Contract

Action:

- A. Approve the purchase of safety shoes from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
- B. Approve a unit price contract with Cintas Corporation for the purchase of safety shoes for a term of one year under U. S. Communities contract 12-JLH-011, and**
- C. Authorize the City Manager to extend the contract for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

Staff Resource(s):

Randy Harrington, Management and Financial Services

Kay Elmore, Management and Financial Services

Cooperative Purchasing Exemption

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

Explanation

- City employees in various departments are required to wear safety shoes to comply with OSHA regulations and City safety guidelines.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise that can be utilized on a local, regional, and national level.
- City Council approved a cooperative contract with W. W. Grainger through National IPA for Maintenance, Repair, and Operating Supplies on March 24, 2014, that includes safety shoes, and will be used in addition to this contract to fulfill all of the City's safety shoe needs.
- The companies will be paid the unit prices set forth in the contract, copies of which are available upon request.
- Annual combined expenditures throughout the City are estimated to be \$200,000.

Charlotte Business INClusion

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

Fiscal Note

Funding: Various Departments' Operating Budgets

49. Refund of Property and Business Privilege License Taxes

Action:

- A. Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$8,118.00, and**
- B. Adopt a resolution authorizing the refund of business privilege license payments in the amount of \$30.00.**

Staff Resource(s):

Randy Harrington, Management and Financial Services

Teresa Smith, Management and Financial Services

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested

Resolution Property Tax Refunds

Business Privilege License Refunds

Resolution Privilege License Refunds

[List of Taxpayers and Refunds Requested](#)

[Resolution](#)

[List of Business Privilege License Refunds](#)

[Resolution Bus](#)

50. Meeting Minutes

Action:

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

- February 26, 2018, Business Meeting
- March 5, 2018, Strategy Session

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

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

Action: Approve the following Acquisition: 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

Purchase Price: \$164,905

Council District: 1

52. Property Transactions - 25th Street Connection, Parcel #8

Action: Approve the following Condemnation: 25th Street Connection, Parcel #8

Project: 25th Street Connection, Parcel #8

Owner(s): Florida Carbonic Manufacturing Company

Property Address: 2201 North Davidson Street

Total Parcel Area: 50,729 sq. ft. (1.165 ac.)

Property to be acquired by Fee: 1,464 sq. ft. (.034 ac.) in Fee Simple

Property to be acquired by Easements: 2,951 sq. ft. (.068 ac.) in Temporary Construction Easement, plus 439 sq. ft. (.01 ac.) in Utility Easement, plus 1,556 sq. ft. (.036 ac.) in Sidewalk/Utility/Gas Line Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial

Tax Code: 083-053-09

Appraised Value: \$117,875

Recommendation: We are currently waiting on signed documents but 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

53. Property Transactions - 25th Street Connection, Parcel #12.1

Action: Approve the following Condemnation: 25th Street Connection, Parcel #12.1

Project: 25th Street Connection, Parcel #12.1

Owner(s): WDF-4 Wood Noda Owner, LLC

Property Address: 2100 North Brevard Street

Total Parcel Area: 146,076 sq. ft. (3.353 ac.)

Property to be acquired by Fee: 4,234 sq. ft. (.097 ac.) in Fee Simple

Property to be acquired by Easements: 315 sq. ft. (.007 ac.) in Storm Drainage Easement, plus 4,286 sq. ft. (.098 ac.) in Sidewalk and Utility Easement, plus 1,151 sq. ft. (.026 ac.) in Waterline Easement, plus 11,994 sq. ft. (.275 ac.) in Temporary Construction Easement, plus 745 sq. ft. (.017 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: TOD

Use: Commercial

Tax Code: 083-047-01

Appraised Value: \$0

Recommendation: We are currently waiting on signed documents but 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

54. Property Transactions - Franklin to Vest Water Main, Parcel #1

Action: Approve the following Acquisition: Franklin to Vest Water Main, Parcel #1

Project: Franklin to Vest Water Main, Parcel #1

Owner(s): Maria Diaz

Property Address: 2404 Sanders Avenue

Total Parcel Area: 7,444 sq. ft. (.171 ac.)

Property to be acquired by Fee: 7,444 sq. ft. (.171 ac.) in Fee Simple

Structures/Improvements to be impacted: Single family dwelling

Landscaping to be impacted: None

Zoned: R-1

Use: Single-family Residential

Tax Code: 069-067-05

Purchase Price: \$92,000

Council District: N/A

55. Property Transactions - Goose Creek Pump Station - Part 2, Parcel #35

Action: Approve the following Condemnation: Goose Creek Pump Station - Part 2, Parcel #35

Project: Goose Creek Pump Station - Part 2, Parcel #35

Owner(s): Craig L. Souder and Nancy N. Souder

Property Address: 14153 Maple Hollow Lane

Total Parcel Area: 71,641 sq. ft. (1.645 ac.)

Property to be acquired by Easements: 6,638 sq. ft. (.152 ac.) in Sanitary Sewer Easement, plus 6,358 sq. ft. (.146 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-2

Use: Single-family Residential

Tax Code: 195-141-32

Appraised Value: \$7,625

Property Owner's Concerns: The property owner is concerned with project impacts to trees and overall property.

City's Response to Property Owner's Concerns: Staff informed the property owner that the City would restore and repair areas impacted.

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 (Mint Hill)

56. Property Transactions - Lincoln Heights Drainage Improvements, Parcel #7

Action: Approve the following Acquisition: Lincoln Heights Drainage Improvements, Parcel #7

Project: Lincoln Heights Drainage Improvements, Parcel #7

Program: Flood Control

Owner(s): Albert B. McMullen

Property Address: 1955 Garnette Place

Total Parcel Area: 12,500 sq. ft. (.287 ac.)

Property to be acquired by Easements: 2,991.86 sq. ft. (.069 ac.) in Storm Drainage Easement, plus 625.05 sq. ft. (.014 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-5

Use: Single-family Residential

Tax Code: 075-036-23

Purchase Price: \$10,225

Council District: 2

57. Property Transactions - Lincoln Heights Drainage Improvements, Parcel #12

Action: Approve the following Condemnation: Lincoln Heights Drainage Improvements,

Parcel #12

Project: Lincoln Heights Drainage Improvements, Parcel #12

Program: Flood Control

Owner(s): Gloria Helms Horton, Eli W. Horton, Thomas Ray Helms, Jr., Shirley E. Helms, Rachel Helms Cassada and Galen Cassada

Property Address: 2111 LaSalle Street

Total Parcel Area: 5,918 sq. ft. (.136 ac.)

Property to be acquired by Easements: 183.86 sq. ft. (.004 ac.) in Storm Drainage Easement, plus 142.28 sq. ft. (.003 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-12

Use: Single-family Residential

Tax Code: 075-036-66

Appraised Value: \$175

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

Council District: 2

58. Property Transactions - Rocky River Road Improvement, Parcel #26

Action: Approve the following Condemnation: Rocky River Road Improvement, Parcel #26

Project: Rocky River Road Improvement, Parcel #26

Owner(s): Alvin M. Washington and Tia M. Washington

Property Address: 7509 Rockland Drive

Total Parcel Area: 9,837 sq. ft. (.226 ac.)

Property to be acquired by Easements: 49 sq. ft. (.001 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 049-222-02

Appraised Value: \$125

Outstanding Concerns: The property owner has become non-responsive.

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

59. Aviation Property Transaction - 8215 Robbie Circle

Action:

Approve the following Property Acquisition - 8215 Robbie Circle

Project: Airport Environmental Impact Statement Mitigation Land

Owner(s): Judith P. Smith

Property Address: 8215 Robbie Circle

Total Parcel Area: .603 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: 141-111-20

Purchase Price: \$201,000 and all relocation benefits in compliance with federal, state, and local regulations.

Council District: This property is located in unincorporated Mecklenburg County

60. Aviation Property Transaction - 9200 Dorcas Lane

Action:

Approve the following Property Acquisition - 9200 Dorcas Lane

Project: Airport Environmental Impact Statement Mitigation Land (South)

Owner(s): Merlin & Sarah Wilson

Property Address: 9200 Dorcas Lane

Total Parcel Area: .886 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: 141-261-80

Purchase Price: \$219,700 and all relocation benefits in compliance with Federal, State or Local regulations.

Council District: This property is located in unincorporated Mecklenburg County

Adjournment

REFERENCES

61. 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.

62. 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.

63. 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.