

City of Charlotte

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



Meeting Agenda

Monday, May 14, 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*

4:00 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. Scaleybark South Village Development Agreement Amendment**Staff Resources:**

Pamela Wideman, Housing and Neighborhood Services

Bob Hagemann, City Attorney

Brad Branham, City Attorney's Office

Time: 20 minutes

Explanation:

- On March 26, 2018, City Council approved a 60-day extension to the General Development Agreement with Scaleybark Partners, LLC to extend the development completion obligations to the end of May.
- This presentation will update City Council on the negotiations that have taken place with the developer, including the proposed restated terms of the development agreement.

Future Action:

Council action will be requested at the May 30, 2018, business meeting to review and approve the amended and restated development agreements.

[Scaleybark CouncilBriefing_May2018_FINAL](#)

4. City/County Partnership Proposal for Memorial Stadium Renovation**Committee Chair:**

James Mitchell, Economic Development

Staff Resource(s):

Ron Kimble, City Manager's Office

Time: 20 minutes

Explanation

- The Mayor referred to the Economic Development Committee review of a proposal for the City to partner with Mecklenburg County to assist with Memorial Stadium improvements that will help grow the local tourism economy.
- On April 26, 2018, the Economic Development Committee voted to recommend a one-time contribution up to \$3.0 million (from Tourism revenues) to fund the installation of a synthetic turf field.
- This presentation will provide background on the planned renovations to Memorial Stadium and the proposed partnership terms with Mecklenburg County.

Future Action

On May 30, 2018, City Council will be requested to authorize the City Manager to negotiate and execute an inter-local agreement with Mecklenburg County to fund up to \$3.0 million towards synthetic field turf.

[Memorial Stadium updated 5_9_18](#)

5. Hospitality and Tourism Update

Staff Resource(s):

Debra Campbell, City Manager's Office

Ron Kimble, City Manager's Office

Randy Harrington, Management and Financial Services

Time: 20 minutes

Explanation

- This presentation will provide an overview of the impacts of hospitality and tourism investments in the community. Information on the following will be included:
 - Growing jobs and the local economy,
 - Using hospitality and tourism tax revenues, and
 - Planning for future hospitality and tourism investments.

Future Action

This presentation is for information purposes only.

[Tourism Taxes Overview updated 5_9_18v2](#)

6. 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.

7. Closed Session (as necessary)

**5:30 P.M. CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
CHAMBER**

Call to Order

Introductions

Invocation

Pledge of Allegiance

8. Consent agenda items 19 through 57 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.

AWARDS AND RECOGNITIONS

9. Salvation Army Week Proclamation

Action:

Mayor Lyles will read a proclamation recognizing May 14-18, 2018 as Salvation Army Week.

10. Mecklenburg Declaration of Independence Week

Action:

Council member Tariq Bokhari will read a proclamation recognizing May 14-20, 2018, as Mecklenburg Declaration of Independence Week.

11. Asian-American/Pacific Islander Heritage Month

Action:

Council member Dimple Ajmera will read a proclamation recognizing May 2018, as Asian-American/Pacific Islander Heritage Month.

PUBLIC HEARING

12. Public Hearing on Proposed Fiscal Year 2019 Operating Budget and Fiscal Years 2019-2023 Community Investment Plan

Action:

Receive public comment on the City Manager's Proposed Budget.

Committee Chair:

Greg Phipps, Budget Committee

Staff Resource(s):

Marcus Jones, City Manager's Office

Phil Reiger, Strategy and Budget

Explanation

- On May 7, 2018, the City Manager presented the Proposed Fiscal Year (FY) 2019 Operating Budget and Fiscal Years 2019-2023 Community Investment Plan (CIP). The Proposed Budget represents the proposed City operating and capital budgets for the next fiscal year, beginning on July 1, 2018.
- State law requires the City to hold a public hearing following the presentation of the Manager's Proposed Budget (May 7, 2018) and prior to City Council adoption of the budget (currently scheduled for June 11, 2018).

Fiscal Year 2019 Operating and Capital Proposed Budgets Summary

- The City Manager's Proposed FY 2019 Operating Budget and FY 2019-2023 CIP were developed using four foundational elements: visioning the City you want, investing in great neighborhoods, building great neighborhoods through affordable housing, and progressing as a Smart City. All FY 2019 budget decisions were measured against these priorities.
- The Proposed Budget includes a recommendation for a property tax increase of 1.00¢, with 0.75¢ dedicated to the General Fund and 0.25¢ dedicated to the CIP. This increases the property tax rate from 47.87¢ to 48.87¢ per \$100 of assessed valuation.
- The Proposed Budget for the City consists of three major components supported by general tax revenues:
 - A General Fund budget of \$693.8 million for FY 2019, representing an increase of 3.7 percent above FY 2018, to address the Mayor and City Council's priorities and accommodate the resource needs of a dynamic, growing City,
 - A \$91.6 million Municipal Debt Service Fund, increasing 3.5 percent due to higher bond interest costs and debt issuance expense, supporting long-term capital investments as outlined in a revised General CIP, and
 - A \$823.0 million General CIP, increasing 9.5 percent over the FY 2018-2022 CIP, which invests in infrastructure for housing, neighborhoods, streets, and facilities.

General Fund Budget Highlights

- An additional \$4.2 million to fund sworn officers' Public Safety Pay Plan to reward existing employees, increase retention, and attract qualified candidates.
- \$800,000 in Fire to fund Phase II of the FY 2018 adjustments to the Public Safety Pay Plan, creating additional step for Fire Engineers and associated market adjustments for Fire Captains.
- A set-aside of \$600,000 to fund a Defined Contribution Retiree Healthcare savings model for Sworn Police and Fire-Rescue employees.
- Funding of \$500,000 to partner with the Charlotte-Mecklenburg Library to support and welcome the international community.
- A General Fund contribution of \$334,484 to subsidize all-access transit passes for City employees.

- A grant matching contribution to Charlotte Center City Partners of \$125,000 for three years to support work in the Historic West End.
- Support of \$100,000 for micro grants to fund projects that focus on conflict resolution and mediation, crime fighting and prevention, and opportunities for youth and parents.
- Funding of \$100,000 to help grow the trade workforce pipeline in electrical, HVAC, carpentry, and plumbing.
- Seven General Fund positions to enhance development review services, fully funded by user fees.

Proposed Employee Compensation and Benefits

- 1.5 percent Public Safety market adjustment,
- 2.5 percent or 5 percent Public Safety step adjustment based on current step with revisions to Police Officer steps
- Three percent Broadband merit budget (for all exempt/salaried general employees),
- 1.5 percent merit budget and 1.5 percent market adjustment for Non-exempt/hourly employees,
- Healthcare premium holiday for the month of August 2018,
- No increase in employee healthcare premiums in 2019, and
- One additional week of paid military leave, for a total of two weeks paid leave.

Enterprise Funds Revenue Proposals

- Charlotte Water: The FY 2019 Water and Sewer Fee is proposed to increase by three percent for the typical household. The typical household would experience a \$1.89 per month increase.
- Storm Water: The FY 2019 Storm Water Services fee is proposed to increase by six percent. Ninety percent of the detached single-family parcels would see an increase of less than \$0.75 per month. A portion of the fee increase would fund the pilot cost-share program for existing low priority 'C' requests at \$5.0 million over two years. The Proposed FY 2019 Budget would fund 17 new positions to support Storm Drainage Improvement and Surface Water Quality Enhancement projects.
- Aviation: Slight changes were made to select fees, such as landing fees. Charlotte-Douglas International will continue to be the lowest cost, large hub airport in the United States.
- Charlotte Area Transit System: No increase to base fares. The 9.3 mile extension of the LYNX Blue Line will operate for its first full year, connecting Center City with the campus of UNC Charlotte. Ridership growth is projected to increase 25.0 percent in FY 2019.

Proposed Financial Partners and Outside Agency Funding

- General Fund Financial Partners to be held flat at their FY 2018 funding levels with the exception of Safe Alliance, Community Link, and Charlotte Regional Partnership.
 - Safe Alliance has a proposed increase of \$49,000. This increase will support the Domestic Violence Protective Order E-filing system.
 - Community Link did not submit a request for Financial Partner funding for FY 2019. Therefore, no funding is proposed for FY 2019.
 - Charlotte Regional Partnership has a proposed increase of \$3,139. This proposed increase is based on a population per-capita funding formula that is used to determine City and County funding levels for the agency.
- Funding for Dedicated Revenue Financial Partners, including the Charlotte Regional Visitors Authority (CRVA) and the Municipal Service Districts is generally determined by revenue projections for the upcoming fiscal year.
 - The two agencies providing services to the Municipal Service Districts #4 (Charlotte Center City Partners) and #5 (University City Partners) are budgeted at the revenue projection level provided by the County Tax Assessor's Office without any tax rate changes. Charlotte Center City Partners' FY 2019 recommended budget for Municipal Service Districts (MSD) #1-3 includes proposed tax rate increases. MSD #1 is proposed to increase from 1.68¢ to 2.08¢, MSD #2 from 2.33¢ to 2.93¢, and MSD #3 from 3.58¢ to 4.18¢ per \$100 assessed valuation. These increases are to support an Ambassador Program to provide more tools to connect people in crisis with services needed.

- The CRVA budget increases by approximately two percent over the FY 2018 base funding level, due to increased revenue projections for the Occupancy Tax and Food & Beverage Tax.
- Housing and Neighborhood Services' Housing and Community Development partnerships are proposed to remain flat at their FY 2018 funding levels.
- Housing and Neighborhood Services' Crisis Assistance agencies are proposed to remain flat at their FY 2018 funding levels.
- FY 2019 represents the second year of the bi-annual funding process for Out of School Time Partners. The total proposed annual Out of School Time Partner funding of \$979,934 maximizes the eligible Community Development Block Grant allocation of \$815,007, with the remaining \$164,924 funded by the Pay-As-You-Go (PAYGO) capital program.

Proposed Fiscal Years 2019-2023 Community Investment Plan

- The five-year total proposed Community Investment Plan is \$4.9 billion.
- The General Community Investment Plan totals \$823.0 million (debt-funded projects and PAYGO cash-funded projects) within the Fiscal Years 2019-2023 five-year planning period, including:
 - \$399.8 million in Street, Neighborhood, and Housing Bonds over the two General Obligation bond referenda in November of 2018 and 2020,
 - \$77.4 million in Certificates of Participation to construct new Police stations, an Infill Fire station, one vehicle equipment maintenance facility, and general City operations facilities,
 - \$188.2 million in General PAYGO funding to support facilities maintenance and renovation, technology infrastructure, and other one-time capital needs, and
 - \$157.6 million in Transit Investment PAYGO funding to support CATS Maintenance of Effort and the CityLYNX Gold Line.
- Enterprise Capital programs over five years:
 - CATS totals \$133.8 million, a 71.2 percent decrease,
 - Aviation totals \$2.0 billion, a 30.6 percent increase,
 - Storm Water totals \$462.0 million, a 31.8 percent increase, and
 - Water and Sewer totals \$1.5 billion, a 54.7 percent increase.

Budget Process

- On May 16, City Council will meet to discuss and consider amendments to the Manager's Proposed FY 2019 Budget. Proposed adjustments by City Council that receive five or more votes will move on to the May 30 Straw Votes meeting for consideration and final direction to the City Manager.
- Budget adoption is scheduled for June 11, 2018, at 6:30 p.m., during the City Council Business Meeting.
- State law requires local governments to adopt a budget by July 1 of each year.
- A complete copy of the proposed budget is available at the City Clerk's Office or online at: <http://charlottenc.gov/budget/Pages/default.aspx>.

Attachment(s)

City Manager's Transmittal Letter

Executive Summary for the Proposed FY 2019 Budget

Proposed FY 2019 Property Tax Rates

[Transmittal Letter - May 7 FINAL](#)

[Executive Summary](#)

[Proposed FY 2019 Property Tax Rate](#)

13. Public Hearing on Charlotte Water Revenue Manual Revisions

Action:

Conduct a joint public hearing on a proposed revision to the Charlotte Water Revenue Manual with

the Charlotte Water Advisory Committee.**Staff Resource(s):**

Angela Lee, Charlotte Water
Shawn Coffman, Charlotte Water
Chad Howell, Charlotte Water

Policy

- The Charlotte Water Revenue Manual consolidates Charlotte Water's rate methodology documents into a single manual.
- The agreement between the City and Mecklenburg County creating the Charlotte Water Advisory Committee stipulates a joint public hearing of the Advisory Committee with City Council anytime there are changes in the method for determining water and sewer charges.

Explanation

- Charlotte Water is proposing changes to the rate and fee setting methodology to be implemented with the Fiscal Year 2019 budget.
- The schedule of water and sewer rates, fees, and charges is calculated according to the revenue manual and Charlotte Water's approved budget and is published annually.
- The Revenue Manual proposed revision includes:
 - Changing the method Charlotte Water uses to calculate Water and Sewer System Development Fees (Capacity Fees) as required by changes in state regulation, and
 - Associated technical and procedural changes that clarify and update the language.
- City Council will be asked to approve the proposed Revenue Manual at the Council Business Meeting on June 11, 2018.
- If approved, the revised Revenue Manual will be effective July 1, 2018.

Fiscal Note

Funding: Not Applicable

Attachment(s)

Proposed Modified Revenue Manual Language

[Proposed Modified Revenue Manual Language](#)

14. Public Hearing for Ernst & Young US LLP Business Investment Grant

Action:

- A. Conduct a public hearing regarding approval of a Business Investment Grant to Ernst & Young US LLP, and**
- B. Approve the City's share of a Business Investment Grant to Ernst & Young US LLP for a total estimated amount of \$154,409 over five years.**

Staff Resource(s):

Tracy Dodson, Economic Development
Kevin Dick, Economic Development

Explanation

- On February 27, 2018, Ernst & Young US LLP (EY), a multinational professional services firm that provides audit, accounting, and consulting services, announced its selection of Charlotte for a capital investment of \$8.2 million for a headquarters expansion. This expansion will be located at 1422 South Tryon Street, in Council District 3.
- The Business Investment Grant is estimated to total \$300,582 over five years, including a city contribution of \$154,409 and a \$146,173 contribution from Mecklenburg County.

- The State of North Carolina also approved a \$3.2 million Job Development Investment Grant.
- In addition to the \$8.2 million capital investment, EY has committed to:
 - 375 new jobs over five years with an average annual wage of \$84,414 (170 percent of the regional average wage),
 - 100 percent of the new positions will be hired locally, and
 - 872 current employees in Charlotte to be retained for the term of the grant.
- Additional benefits also include:
 - EY plans to lease an additional 30,748 square feet of office space for a seven-year term at their current offices located at 1422 South Tryon Street (Council District 1).
 - Workforce development partnerships with the company will be utilized to connect talent to available positions.
 - The project aligns with:
 - City Values and Winning Cities Characteristics
 - Letter to the Community (Good Paying Jobs)
 - Equitable Economic Development and Economic Opportunity
 - Diversity of jobs on the proposed project
 - Job retention through corporate expansion
 - Growth industry with significant job and contracting opportunities

Business Investment Grant

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

Fiscal Note

Funding: Business Investment Grant

15. Public Hearing for Xylem, Inc. Business Investment Grant

Action:

- A. Conduct a public hearing regarding approval of a Business Investment Grant to Xylem, Inc., and
- B. Approve the City's share of a Business Investment Grant to Xylem, Inc. for a total estimated amount of \$62,737 over five years.

Staff Resource(s):

Tracy Dodson, Economic Development
Kevin Dick, Economic Development

Explanation

- On March 27, 2018, Xylem, Inc. (Xylem), a global water technology company with products and services that move, treat, analyze, monitor, and return water to the environment, announced its selection of Charlotte for a capital investment of \$3.3 million for expansion of its office operations and the addition of Global Business Solutions as part of Xylem. The company is headquartered in Rye Brook, New York and reported sales of \$4.7 billion in 2017. The expansion will be located at 4828 Parkway Plaza, in Council District 3.
- The Business Investment Grant is estimated to total \$122,128 over five years, including a city contribution of \$62,737 and a \$59,391 contribution from Mecklenburg County.
 - The State of North Carolina also approved a Job Development Investment Grant in the amount of \$2 million.
- In addition to the \$3.3 million capital investment, Xylem has committed to:
 - 119 new jobs over three years with an average annual wage of \$70,000 (141 percent of the regional average wage),
 - 100 percent of the new positions will be hired locally, and
 - 149 current employees in Charlotte to be retained for the term of the grant
- Additional benefits also include:
 - Workforce development partnerships with the company can be utilized to connect talent to available positions.
 - The company is a strong community partner with Charlotte Water for stream cleanups and participates in cancer awareness activities and other community events.
 - Xylem plans to lease an additional 70,000 square feet of office space for a one-year term at 4828 Parkway Plaza (within the Business Investment Zone and Council District 3).
 - The company will invest \$3.3 million for personal property, leasehold improvements, furniture and fixtures, and lab space.
 - The project aligns with:
 - City Values and Winning Cities Characteristics
 - Letter to the Community (Good Paying Jobs)
 - Equitable Economic Development and Economic Opportunity
 - Diversity of jobs on proposed project
 - Job retention through corporate expansion
 - Growth industry with significant job and contracting opportunities

Business Investment Grant

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

Fiscal Note

Funding: Business Investment Grant

POLICY**16. City Manager's Report****17. Fiscal Year 2019 Annual Action Plan for Housing and Community Development**

Approve adoption of the Fiscal Year (FY) 2019 Annual Action Plan for Housing and Community Development.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Miles Vaughn, 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 (Plan), which follows the federal fiscal year (October 1 - September 30), supports the City's housing policy to preserve existing housing, expand the supply of low and moderate-income housing, and support family self-sufficiency.

Explanation

- The Plan includes housing and community development needs and resources for the City and Regional Housing Consortium, which is a partnership among the City, Mecklenburg County, and the towns of Cornelius, Pineville, Matthews, Mint Hill, Huntersville, and Davidson.
- In FY 2019, the City anticipates receiving a total of \$12,287,948 in federal funding. Funding will be adjusted administratively, if necessary, once final HUD allocations are released. The anticipated allocation is outlined as follows:
 - Community Development Block Grant (CDBG): \$5,977,893
 - HOME Investment and Partnerships (HOME): \$3,297,679
 - Emergency Solution Grants: \$482,968
 - Housing Opportunity for Persons with AIDS (HOPWA): \$2,529,408

Community Input

- Public forums were convened on January 24, February 15, and February 20, 2018, to receive input for the Plan's development.
- A copy of the draft Plan was available on Housing and Neighborhood Services' website, and copies were placed in the Charlotte Housing Authority's main office and Old City Hall.

Council Input

- On April 9, 2018, City Council held a public hearing for this item.

Next Steps

- The Plan will be submitted to HUD on May 15, 2018.

Fiscal Note

Funding: HUD Funding

BUSINESS

18. Mayor and City Council Topics

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

CONSENT

19. Police Wireless Camera Contract Amendment

Action:

- A. Approve contract amendment #5 for \$125,758 to the Hitachi Data Systems contract to provide equipment and installation services for the Charlotte-Mecklenburg Police Department wireless camera system,**
- B. Authorize the City Manager to approve price adjustments and amend the contract consistent with the City's business needs and the purpose for which the contract was awarded,**
- C. Authorize the City Manager to purchase maintenance and support for as long as the City uses the system, and**
- D. Authorize the City Manager to purchase additional products, services, and hardware as needed from time to time to optimize the City's use of the system.**

Staff Resource(s):

Kerr Putney, Police
Crystal Cody, Police

Explanation

- Charlotte-Mecklenburg Police Department (CMPD) uses a wireless camera system as a crime reduction strategy to provide visibility to high crime areas through the use of closed circuit television cameras.
- In December 2011, a master agreement was approved with Avrio Corporation (now Hitachi Data Systems) for the implementation of wireless cameras in support of the 2012 Democratic National Convention.
- Between June 2012 and December 2015, City Council approved four amendments with Hitachi Data Systems to expand the camera system to various locations within CMPD patrol divisions.
- A fifth amendment is required to add one camera in the Eastway Division in the amount of \$22,000 and replace aged cameras in various locations in the City of Charlotte as part of a technology refresh program in the amount of \$103,758, for a total of \$125,758.
- CMPD seeks to continue the maintenance and support contract for as long as CMPD is licensed to use the system.

Fiscal Note

Funding: Asset Forfeiture and Police Operating Budget

20. Private Developer Funds Appropriation

Action:

- A. Approve a Developer Agreement with RFC, LLC for traffic signal installations and improvements, and**
- B. Adopt a budget ordinance appropriating \$19,000 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 \$19,000 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:
 - RFC, LLC contributed \$19,000 for traffic signal modifications at the intersections of Ardrey Kell Road and Providence Road and Providence Country Club Road and Providence Road (Council District 7).
- 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 157846](#)

[CDOT ord 5-14-18 Developer Contributions](#)

21. I-85 North Bridge Municipal Agreement

Action:

- A. Adopt a resolution to execute a municipal agreement with the North Carolina Department of Transportation (NCDOT) accepting federal funding for the I-85 North Bridge Project in the amount of \$9,150,000, and**
- B. Adopt a budget ordinance appropriating \$9,150,000 in NCDOT funds.**

Staff Resource(s):

Liz Babson, Transportation

Matt Magnasco, Transportation

Mike Davis, Engineering and Property Management

Dan Leaver, Engineering and Property Management

Explanation

- The I-85 North Bridge Project is a City project that will construct a new street across I-85 between J.W. Clay Boulevard and Research Drive in the University City area of Charlotte, north of W.T. Harris Boulevard (Council District 4).
- The I-85 North Bridge will be a lower-speed street that runs parallel to W.T. Harris Boulevard, connecting people to jobs, housing, education, retail, and the CATS Blue Line Extension. It is the companion project to the I-85 South Bridge (University Pointe Boulevard), which opened to traffic in May 2017 and is located south of W.T. Harris Boulevard.
- The I-85 North Bridge project is currently in design, with construction expected to begin in 2020. The project scope includes the following primary components:
 - Construction of a new two-lane street between J.W. Clay Boulevard and Research Drive (the "I-85 North Bridge Connector"), including bridges over I-85 and Doby Creek,

- Widening and realigning segments of Research Drive and David Taylor Drive,
 - High-comfort bicycle facilities (separated bike lanes, shared-use paths, and protected intersections),
 - Two new signalized intersections and one new roundabout, and
 - Incorporating aesthetic elements on the bridge, creating a gateway into Charlotte. These elements complement the City's investment in the adjacent J.W. Clay Boulevard Streetscape project by extending it across I-85 into the University Research Park.
- The project will receive \$9,150,000 from two federal funding programs, Surface Transportation Block Grant - Direct Attributable (STBG-DA) and Congestion Mitigation and Air Quality (CMAQ). NCDOT administers these funds on behalf of the Federal Highway Administration.
- The total project cost is estimated at \$34,330,000. The project funding breakdown is:
 - STBG-DA: \$7,400,000
 - CMAQ: \$1,750,000
 - City bonds: \$25,180,000
 - \$3,000,000 received in 2014 transportation bond
 - \$12,480,000 received in 2016 transportation bond
 - \$9,700,000 needed in 2018 transportation bond
- A municipal agreement between the City and NCDOT is necessary for the City to be reimbursed. This municipal agreement is consistent with past agreements.

Background

- The City must approve this municipal agreement by mid-May in order to obligate the federal funds in this fiscal year as shown in the State Transportation Improvement Program.
- STBG-DA funds are federal funds that Metropolitan Planning Organizations (MPOs) may allocate to projects at their discretion. The Charlotte Regional Transportation Planning Organization (CRTPO) voted to allocate a portion of their STBG-DA funds to the North Bridge project in 2015.
- CMAQ funds are distributed to metropolitan planning organizations (CRTPO in the Charlotte region) and provide a flexible funding source to state and local governments through a competitive process for transportation projects and programs to help meet the requirements of the Clean Air Act.
- Funding is available to reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter (nonattainment areas) and for former nonattainment areas that are now in compliance (maintenance areas).
- CRTPO allocated CMAQ funding for necessary intersection upgrades to include single and double turn lanes at the intersections of Research Drive/David Taylor Drive and Research Drive/I-85 North Bridge Connector in the University Research Park. This project qualifies for CMAQ funding because the intersection upgrades in the University Research Park decrease vehicular congestion and associated air pollutants.

Fiscal Note

Funding: Federal funding from STBG-DA and CMAQ, on behalf of North Carolina Department of Transportation and the General Community Investment Plan

Attachment(s)

Map
Budget Ordinance
Resolution

[I-85 North Bridge Vicinity Map](#)

[CDOT ord 5-14-18 NCDOT North Bridge Contribution](#)

[Resolution \(U-5874\)](#)

22. Belk Greenway Connector Phase I Municipal Agreement

Action:

- A. Adopt a resolution to execute a municipal agreement with the North Carolina Department of Transportation (NCDOT) accepting a Surface Transportation Block Grant for pedestrian and bicycle improvements for the Belk Greenway Connector Phase I, in the amount of \$1,716,000, and**
- B. Adopt a budget ordinance appropriating \$1,716,000 to the General Community Investment Plan.**

Staff Resource(s):

Liz Babson, Transportation
Scott Correll, Transportation

Explanation

- The Charlotte Regional Transportation Planning Organization allocated \$1,716,000 in State Transportation Improvement Program (STIP) funding for the construction of the Belk Greenway Connector Phase I, which begins at Baxter Street and ends at South Davidson Street (Council District 1).
- The project will construct a protected bicycle facility from the Cross Charlotte Trail into Uptown Charlotte, providing a more comfortable and safer route for bicyclists and pedestrians. Future phases will extend this facility through Uptown to the Irwin Creek Greenway.
- This greenway connector project was identified in the Uptown Connects Study completed in 2017. The Study provides recommendations to link existing and future greenways and urban trails and destinations into and through Uptown.
- The Surface Transportation Block Grant includes funds for design, environmental documentation, right of way acquisition, utility relocation, and construction.
- STIP funding allocated for the project is \$1,716,000 (70 percent) and the City's match for the project is \$749,000 (30 percent) for a total project amount of \$2,465,000 for Phase I.
- A municipal agreement between the City and NCDOT is necessary for the City to be reimbursed. This municipal agreement is consistent with past agreements.

Fiscal Note

Funding: North Carolina Department of Transportation State Transportation Improvement Program (\$1,716,000) and General Community Investment Plan (City's match of \$749,000) previously appropriated in Fiscal Year 2018.

Attachment(s)

Map
Budget Ordinance
Resolution

[Belk Greenway Connector Phase I Map](#)

[CDOT ord 5-14-18 NCDOT Contribution](#)

[Belk Resolution](#)

23. Geotechnical, Construction Materials Testing, and Special Inspection Services

Action:

Approve unit price contracts with the following firms for geotechnical, construction materials testing, and special inspection services for a three-year term:

- **AMEC Foster Wheeler Environment & Infrastructure, Inc.,**
- **ESP Associates, Inc.,**
- **Kleinfelder, Inc.,**
- **S&ME, Inc., and**
- **Terracon Consultants, Inc.**

Staff Resource(s):

Mike Davis, Engineering and Property Management

Veronica Wallace, Engineering and Property Management

Explanation

- These contracts will provide geotechnical, construction materials testing, and special inspection services for state and federally funded projects, specifically those funded by the Federal Highway Administration, as needed.
- Work may include, but is not limited to testing of culverts, bridges, sidewalks, roadways, asphalt, and structural steel.
- On December 8, 2017, the City issued a Request for Qualifications (RFQ); 14 proposals were received from interested professional service providers.
- The firms selected are the best qualified to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to RFQ requirements.
- Estimated contract expenditures are \$3,250,000 over the three-year term.

Small Professional Services Firm (SPSF) Opportunity

For Federal Highway Administration funded projects, the North Carolina Department of Transportation does not mandate a goal through the State's SPSF program.

Fiscal Note

Funding: Work will be funded by the Federal Highway Administration through municipal agreements for capital projects with the City of Charlotte.

24. Flooring with Related Equipment, Products, Supplies, Installation and Services

Action:

- A. Approve the purchase of flooring with related equipment, products, supplies, installation, and services from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
- B. Approve a unit price contract with Office Environments, Inc. for the purchase of flooring with related equipment, products, supplies, installation, and services for a term through February 16, 2020 under National Joint Powers Alliance February 16, 2016 Contracts 121715-IFA, 121715-MAC, 121715-MCD, 121715-SII, and 121715-TFU, and**
- C. Authorize the City Manager to extend the contract for one additional one-year term 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):

Mike Davis, Engineering and Property Management

William Haas, Engineering and Property Management

Cooperative Purchasing Exemption

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

Explanation

- Engineering and Property Management is responsible for the operations and maintenance of

municipal facilities, structures and assets including office, warehouse, storage, vehicle maintenance, communication towers and public safety.

- This contract includes flooring with related equipment, products, supplies, installation and services for City-managed facilities.
- Replacement and repair of floor coverings is part of annual planned maintenance.
- Office Environments is an authorized local distributor/installer for Interface Americas, Inc., Milliken and Company, Mohawk Carpet Distribution, Inc., Shaw Contract and Tandus Centiva (Tarkett) which have contracts awarded through National Joint Powers Alliance that offer competitively obtained contracts to public agencies nationwide.
- Annual expenditures are estimated to be \$1,000,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: General Community Investment Plan

25. Security Guard Services for City-Owned Facilities

Action:

- A. Approve a unit price contract with Sunstates Security, LLC for security guard services for an initial term of three years, 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 City's business needs and the purpose for which the contracts were approved.**

Staff Resource(s):

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

Explanation

- The City of Charlotte utilizes an outside service provider to perform security guard services for four City-owned facilities: the Charlotte-Mecklenburg Government Center (Council District 1), the Belmont Center (Council District 1), Old City Hall (Council District 1), and the West Service Center (Council District 2).
- Professional security guard service providers assist building management in providing an orderly, safe environment and are required to ensure the safety of employees, vendors, and citizens who work, conduct business, or visit these facilities.
- Specific duties include:
 - Armed and unarmed uniformed security officer presence,
 - Foot patrols throughout the building,
 - Emergency, safety, medical, or other as-needed response, and
 - Professional and courteous interaction with the public.
- On January 16, 2018, the City issued a Request for Proposal (RFP) for security guard services. In response to the RFP, the City received nine proposals from interested service providers.
- Sunstates Security, LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures for the contract are \$950,000 annually.

Charlotte Business INclusion

Established MWSBE Goal: 15%

Committed MWSBE Goal: 15%

Sunstates Security, LLC met the established subcontracting goal and has committed 15% (\$142,500) annually to the following certified firm (Part C: Section 2.1 of the Charlotte Business Inclusion Policy):

LifeGuard Protective Services, Inc., (MBE) (\$142,500) (providing armed and unarmed security guard services).

Fiscal Note

Funding: Engineering and Property Management and Management and Financial Services Operating Budget

26. Video Security and Door Access Equipment and Services

Action:

- A. **Approve the purchase of video security and door access equipment and services from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
- B. **Approve a unit price contract with A3 Communications, Inc. for the purchase of video security and door access equipment and services for a term of two years under National Association of State Purchasing Officials ValuePoint Master Agreement #3407, effective August 15, 2017, and**
- C. **Authorize the City Manager to extend the contract for an additional three-year term 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):

Mike Davis, Engineering and Property Management

Williams Haas, Engineering and Property Management

Cooperative Purchasing Exemption

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

Explanation

- This contract includes the replacement of the 10-year-old video security and door access systems at the Bechtler Museum, Knight Theater, and Gantt Museum, in addition to the replacement of the door access system at the Blumenthal Performing Arts Center.
- The new technology will be more reliable, with improved picture quality.
- Video monitoring enhances safety and security for patrons, staff, and assets. Captured surveillance video is also used in reviewing insurance and legal claims.
- A3 Communications, Inc. has a contract awarded through the National Association of State Purchasing Officials that offers competitively obtained contracts to public agencies nationwide for security equipment and services.
- A3 Communications will provide all necessary hardware and installation including, but not limited to, security and door access equipment, servers, licenses, cabling, conduit, labor, programming, permitting and testing.
- Projects are anticipated to be completed over the course of three years. All cultural facilities will remain open during these upgrades.
- Annual expenditures are estimated to total \$200,000 for all facilities.

Charlotte Business INclusion

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

Fiscal Note

Funding: City's Cultural Facilities Operating Fund

27. Lease of City-owned property on Seigle Avenue and grant to Envision Charlotte

Action:

- A. Adopt a resolution approving a five-year lease agreement between the City of Charlotte and Envision Charlotte, a nonprofit organization, for the use of a property located at 932 Seigle Avenue (tax parcel ID 081-115-01), and**
- B. Approve a grant agreement for the City's contribution of \$500,000 to Envision Charlotte to fund design and capital improvements at the property and implementation of circular economy projects.**

Staff Resource(s):

Rob Phocas, Economic Development
Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- Envision Charlotte, established as a 501(c)(3), is a public-private-plus collaborative that leads Charlotte's progress as a global Smart City through innovations that strengthen economic competitiveness, environmental sustainability, and positive community impacts.
- The mission of Envision Charlotte is to make Charlotte's urban core a living laboratory to foster innovation and first-of-their kind programs that can be measured, scaled, and replicated beyond the urban core and into other communities.
- The City and Envision Charlotte recognize there is a unique opportunity to create a space where public-private-plus partnerships can flourish in a structured and creative way to create a Circular Economy Innovation Center.
- The concept of a circular economy is one in which resources are used for as long as possible and then recovered and used to generate new products and materials rather than being disposed of.
- Staff from Envision Charlotte and UNC Charlotte plan to co-locate in the facility to advance entrepreneurship, innovation, and economic mobility in Charlotte. The Innovation Center will have space for pilot and demonstration projects, entrepreneurial exploration, and community training and events.
- The City owns property at 932 Seigle Avenue (tax parcel ID 081-115-01) located in Council District 1 and improved with a warehouse building originally used as a horse barn and more recently used as the City's Light Vehicle Maintenance.
- The City will support the creation of the Innovation Center by granting \$500,000 to Envision Charlotte to fund conceptual planning and implementation of circular economy projects and design and construction at the property.
- City staff will serve on the team to select the design firm and will approve all design-related schedules, and proposed renovations.
- The terms of the lease agreement are as follows:
 - Term: 5 years
 - Rate: \$1 per year
 - Utilities: Tenant pays for all utilities and internal maintenance
 - Effective Lease Date: July 1, 2018
- The terms of the grant agreement are as follows:
 - Amount: \$500,000
 - Purpose: Renovation of the "horse barn" property at 932 Seigle Avenue as an Innovation Center and implementation of circular economy projects
 - Procurement Requirements: Compliance with North Carolina requirements for use of public funds in design and construction and Charlotte Business Inclusion
 - Approval Requirements: City Engineer or designee must approve selection of the design firm, the design firm contract, the renovation plan and construction schedules, and agree that circular economy projects will not negatively impact the structure or operation of the facility

Fiscal Note

Funding: Community Investment Plan

Attachment(s)

Map

Lease Agreement

Grant Agreement

Resolution

[RCA Map](#)[Lease Agreement - Envision Charlotte 2 clc 5.8.18](#)[Envision CLT Grant 2018-5-8 clean](#)[Envision Charlotte Lease Resolution FINAL 4.13.18](#)

28. McAlpine Creek Wastewater Treatment Plant Centrifuge Maintenance

Action:

- A. Approve a unit price contract with Alfa Laval, Inc. for maintenance services for centrifuges located at the McAlpine Creek Wastewater Treatment Plant for an initial term of three years, and**
- B. Authorize the City Manager to renew the contract for two additional two-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- The McAlpine Creek Wastewater Treatment Plant (WWTP) is located in the southern part of Mecklenburg County (Council District 7), and is the largest of five major WWTPs operated and maintained by the City.
- This WWTP operates six centrifuges to process biosolids generated in the wastewater treatment process.
- This contract provides evaluation of current conditions, necessary repair work, and preventative maintenance tasks.
- On February 13, 2018, the City issued a Request for Proposal (RFP) for Centrifuge Repair and Preventative Maintenance Services. In response to the RFP, Charlotte Water received four proposals from interested service providers.
- Alfa Laval, Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Prices will be negotiated at the time of renewal based on market conditions.
- Total contract expenditures are estimated to be \$4,000,000 over the seven-year term.

Charlotte Business INclusion

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

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s):

Map

[McAlpine Creek WWTP Map](#)

29. McAlpine Creek Wastewater Treatment Plant Reliability and Process Improvements Project Phase 2

Action:

Approve a contract in the amount of \$17,830,674 with Garney Companies, Inc. for Phase 2 design-build services for the McAlpine Creek Wastewater Treatment Plant Reliability and Process Improvements Project.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- The McAlpine Creek Wastewater Treatment Plant (WWTP) is located in the southern part of Mecklenburg County (City Council District 7), and is the largest of five major WWTPs operated and maintained by the City.
- The McAlpine Creek WWTP Reliability and Process Improvements (RPI) Project involves rehabilitating or replacing critical components of the wastewater treatment process systems to ensure reliable discharge permit compliance. Some components have been in operation past their useful life.
- The RPI Project will be designed and constructed in phases over a span of up to five years and has an estimated construction cost of approximately \$90 million.
- The design-build delivery method was chosen for delivery of the project due to the complexity and critical area of the WWTP in which the project will be constructed. This approach allows for a qualifications based selection of a design-build team that is well qualified to perform the work included in the scope of the Project.
- On September 1, 2017, the City issued a Request for Proposals (RFP) for Phase 2 design-build services for the McAlpine Creek Wastewater Treatment Plant Reliability and Process Improvements Project. In response to the RFP, the City received five proposals from interested service providers.
- Garney Companies, Inc. was determined to be the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualifications in response to the RFP requirements.
- This contract provides Construction and Professional Services for Phase 2 of the RPI Project, including:
 - Construction of a full scale process pilot, including operational support
 - Analysis of data resulting from the full scale process pilot and recommendations of options for future phases of the project
 - Design and determination of construction cost for future phases of the project
- The initial contract included Phase 1 of the RPI project and was approved by City Council on February 26, 2018.
- Additional phases of the Project will be presented to Council in the future, with the anticipated date of the next phase in the summer of 2019.

Charlotte Business Inclusion

Because this is a Design-Build project, the Design-Builder has the opportunity to add on Minority, Women, and Small Business Enterprise firms throughout the life of the project. However, Garney Companies has committed 9.38% (\$1,254,439), excluding Allowances, of the approved tasks to the following certified firms:

- CITI, LLC (MBE) (\$600,549) (instrumentation & control)
- The Huffstetler Group, Inc. (SBE) (\$325,000) (grit removal)
- Southeastern Consulting Engineers, Inc. (SBE) (\$199,000) (electrical design)
- Sweetwater Utility Exploration, LLC (SBE) (\$100,000) (utility exploration)
- Joel E Wood & Associates (SBE) (\$19,890) (monitoring well installation)
- Richa Graphics (SBE) (\$10,000) (reprographics)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[McAlpine Creek WWTP Map](#)

30. Replacement Pumps, Pump Parts, and Process Equipment

Action:

- A. Approve the purchase of Replacement Pumps, Pump Parts, and Process Equipment, as authorized by the sole source exemption of G.S. 143-129 (e)(6),**
- B. Approve contracts with the following companies for the purchase of Replacement Pumps, Pump Parts, and Process Equipment for the term of five years:**
- Alfa Laval Inc.,
 - Atlas Copco Compressors, LLC,
 - Carolina Pumpworks, LLC,
 - Carotek, Inc.,
 - Endress + Hauser, Inc.,
 - Charles R. Underwood, Inc.,
 - Clear Water Sales, Inc.,
 - Daparak, Inc.,
 - Gardner Denver Nash, LLC,
 - EW2 Environmental, Inc.,
 - Heyward Charlotte Inc.
 - JWC Environmental, LLC,
 - Patterson Pump Company,
 - Howden North America Inc., dba Howden Roots, LLC,
 - Interstate Utility Sales, Inc.,
 - Mechanical Equipment Company,
 - Pete Duty & Associates, Inc.,
 - Premier Water LLC,
 - EWT Holdings III Corp., dba Evoqua Water Technologies, LLC,
 - Tencarva Machinery Company, LLC,
 - Val Matic Valve & MFG,
 - Xylem Water Solutions USA, Inc., and
- C. Authorize the City Manager to amend the contracts consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

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 these contracts because standardization and compatibility is the overriding consideration.
- The City Council must approve purchases made under the sole source exception.

Explanation

- Various manufacturers provide pumps and process equipment that may only be obtained from assigned representatives or the manufacturer.
- This equipment was previously chosen through the construction bid process.
- Charlotte Water's pumps and process equipment needs to be repaired and/or replaced in a timely and cost effective manner in order to meet state and federal permit requirements.
- The companies will be paid the unit prices set forth in the contracts, a copy of which is available upon request.
- Total contract expenditures across all 22 contracts are estimated to be \$27,000,000 over five years.

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: Charlotte Water Community Investment Plan

31. Architectural Services for Field Operations Zone 4 Facility Replacement

Action:

Approve a contract for up to \$1,263,500 with C Design, Inc. for architectural design and construction administration services for the Field Operations Zone 4 Facility Replacement Project.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- The Charlotte Water Field Operations Division currently operates four geographically-spaced centers in order to reduce crew travel and response times.
- This project is for the replacement of the existing Zone 4 Field Operation Facility, originally constructed in 1972, which is located in Southwest Charlotte at 4100 West Tyvola Road (Council District 3).
- An assessment of Charlotte Water facilities was completed in August 2017. As part of this assessment, replacement of the existing Zone 4 Field Operations Facility was recommended due to poor condition of the existing facility.
- Since the Field Operations facilities generally follow similar layouts, with adjustments for staffing levels, staff is exploring a similar building design for the new Zone 4 facility as was used for the recently completed Zone 3 facility to potentially support standardization of building maintenance and operation.
- On July 9, 2015, the City issued a Request for Qualifications (RFQ) for Architectural Services for Charlotte Water Facilities. In response to the RFQ, the City received six proposals from interested professional service providers.
- C Design, Inc. 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.

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). C Design, Inc., a City SBE, has committed 27.58% (\$348,500) of the total contract amount to the following certified firm(s):

- AME Consulting Engineers, PC (SBE) (\$272,500) (engineering services)
- Laurene, Rickher, & Sorrell, P.C. (SBE) (\$48,000) (structural engineering services)
- Accutech Surveying & Mapping, LLP (SBE) (\$12,500) (surveying and utility locates)

- Boyle Consulting Engineers, PLLC (SBE) (\$8,000) (geotechnical)
- Bloc Design, PLLC (SBE) (\$7,500) (landscape architecture)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[RCA Map Attachment](#)

32. Charlotte Water Pavement Repair, Parking Lot Repair, and Resurfacing

Action:

- A. Award a contract in the amount of \$3,320,011.25 to the lowest responsive bidder OnSite Development, LLC for pavement repair, parking lot repair and resurfacing, and**
- B. Authorize the City Manager to approve up to three renewals in the amount stated above, plus or minus possible price adjustments based on 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

- This contract will provide asphalt resurfacing and pavement repairs where required for Charlotte Water projects.
- On March 16, 2018, the City issued an Invitation to Bid (ITB) for Pavement Repair, Parking Lot Repair, and Resurfacing; one bid was received from an interested service provider. On April 19, 2018, the ITB was re-issued; one bid was received from an interested service provider.
- On April 19, 2018, the City of Charlotte re-issued an Invitation to Bid; OnSite Development, LLC was selected as the lowest responsive, responsible bidder.

Charlotte Business INclusion

Established MSBE Goal: 17.00%

Committed MSBE Goal: 17.00%

OnSite Development, LLC met the established subcontracting goal and has committed 17.00% (\$564,365) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distribution Services, Inc. (SBE, WBE) (\$125,000) (materials vendor)
- JV Trucking (SBE), L. Carranza Dump Truck Service (SBE), MTS Trucking Inc. (SBE), and Streeter Trucking (SBE, MBE), (\$364,365) (hauling)
- G & N Grading (SBE) (\$50,000) (asphalt & milling)
- RRC Concrete, Inc. (SBE, MBE) (\$25,000) (concrete)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

33. Purchase of Modular Office Space for Charlotte Water

Action:

- A. Approve the purchase of modular office units from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**

- B. Approve a unit price contract with Aries Building Systems, LLC for the purchase of modular office units for a term of six months under Houston-Galveston Area Council of Governments Contract No. MB11-16 dated November 1, 2016, 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):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Cooperative Purchasing Exemption

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

Explanation

- In August 2017, an Office Space Needs Study for Charlotte Water was completed. Existing facilities as well as future office space needs for the Department were assessed.
- The study determined that all current office space is near capacity and indicated that if the Department grows at the same rate as seen in the last five years, there will be a need for at least an additional 82,500 square feet of office space to accommodate this growth by Fiscal Year 2028.
- Purchasing these modular office units through a cooperative contract will reduce construction time by as much as three to four months, as well as provide at least a five percent discount on the units.
- Modular office units will provide short-term relief. Future action requests will be presented to Council to begin addressing Charlotte Water's long-term space needs.
- Aries Building Systems, LLC has a contract awarded through the Houston-Galveston Area Council of Governments that offers competitively obtained contracts to public agencies nationwide.
- The company will be paid the unit prices set forth in the contract, a copy of which is available upon request.
- Annual expenditures are estimated to be \$700,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Charlotte Water Community Investment Plan

34. Blue Line Extension - Amendment to CSX Transportation Inc. Reimbursement Agreement

Action:

Approve contract amendment #4 of the Reimbursement Agreement with CSX Transportation Inc. in the amount of \$173,717 for services related to the Blue Line Extension project.

Staff Resource(s):

John Lewis, CATS

Jill Brim, CATS

Explanation

- On March 26, 2012, City Council authorized a reimbursement agreement with CSX Transportation Inc. (CSX) to reimburse CSX for costs associated with the Blue Line Extension (BLE) project.
- The BLE crosses over the CSX right-of-way on a bridge just south of 16th Street (Council District

- 1). The crossing requires that CATS construct drainage improvements under the CSX railroad. CSX has approved the design and is providing flagging, engineering, and inspection services during construction.
- Although the BLE project opened for revenue service on March 16, 2018, some work remains to be completed that was not required for operations to begin. This work is ongoing and expected to be complete by the end of 2018.
- Amendment #4 is needed for full-time flagging services during remaining installation, additional construction engineering and inspection services, project coordination and project closeout.
 - On March 27, 2012, the reimbursement agreement was executed in the amount of \$402,000.
 - On April 20, 2016, amendment #1 was executed amending the terms of the agreement related to the drainage work. Amendment #1 did not change the contract amount.
 - On September 12, 2016, City Council approved amendment #2 for \$176,801 for additional time and flagging.
 - On June 26, 2017, City Council approved amendment #3 for \$251,976 for an increase in flagging and duration of the work.
- The new value of the contract, including this amendment, will be \$1,004,494, which is within the current BLE project budget.

Fiscal Note

Funding: CATS Community Investment Program

35. Airport Elevator Operation, Maintenance, and Equipment Contract

Action:

- A. **Approve the purchase of Elevator Operations, Maintenance and Equipment from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
- B. **Approve a unit price contract with Schindler Elevator Corporation for the purchase of Elevator Operations, Maintenance and Equipment for a term of one year and six months under National Joint Powers Alliance, November 2, 2016, 100516-SCH, 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):

Brent Cagle, Aviation

Jack Christine, Aviation

Cooperative Purchasing Exemption

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

Explanation

- The Airport has approximately 90 elevators, escalators, and moving walks that facilitate the movement of passengers and goods throughout the terminal building.
- These pieces of equipment must be maintained and serviced regularly, and in the event of equipment failure, an immediate response is required.
- Schindler Elevator Corporation has a contract awarded through National Joint Powers Alliance that offers competitively obtained contracts to public agencies nationwide.
- Annual expenditures are estimated to be \$2,351,531.
- This activity is occurring on airport property, which is in Council District 3.

Charlotte Business INclusion

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

INCLUSION Policy).

Fiscal Note

Funding: Aviation Community Investment Plan (equipment) and Aviation Operating Budget (operation and maintenance)

36. Airport Asphalt Purchase and Pavement Testing Services

Action:

- A. Award a unit price contract to the lowest responsive bidder Blythe Brothers Asphalt, Co. LLC, to provide asphalt and pavement services for a term of three years,**
- B. Approve a contract with On-Spec Engineering, PC for engineering materials testing services for an initial term of three years, and**
- C. Authorize the City Manager to renew the contracts for up to two additional, one-year options with possible price adjustments and to amend the contract consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Aviation needs to replace or repair asphalt portions of the airfield and roadways on airport property. Some of these sections of asphalt will require testing for quality assurance to ensure durability and safety.
- These contracts will provide for the purchase and placement of asphalt, and the other associated testing work needed for these repairs.
- Staff anticipates renewing the contracts for up to two additional, one-year terms at prices to be negotiated based on market conditions.
- This activity is occurring on airport property, which is in Council District 3.

Action A

- This unit price contract will provide the purchase and placement of asphalt.
- On February 5, 2018, the City issued an Invitation to Bid; two bids were received from interested service providers. The project was re-advertised on March 1, 2018; two bids were received from interested service providers.
- Blythe Brothers Asphalt, Co. LLC was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$1,202,775.

Action B

- This contract will provide the engineering materials testing services of installed pavement.
- On November 13, 2017, the City issued a Request for Qualifications (RFQ) for materials testing services. In response to the RFQ, the City received 14 proposals from interested professional service providers.
- On-Spec Engineering, PC is the best qualified firm to meet the City's needs based on its experience with similar airfield projects and qualifications in response to the RFQ requirements.
- Estimated contract expenditures are \$275,000 over the three-year term.

Charlotte Business INCLUSION**Action A**

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

Blythe Brothers Asphalt Co. has identified the following certified firms to participate as project scopes are defined:

- Express Logistics Services, Inc. (SBE, MBE) (trucking)
- Martin Landscaping Company, Inc. (SBE, WBE) (seeding and mulching)

Action B

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

On-Spec Engineering, PC is a City SBE.

Fiscal Note

Funding: Aviation Community Investment Plan

37. Airport General Aviation District Office Building Demolition and Abatement Services

Action:

Award a contract in the amount of \$284,500 to the lowest responsive bidder, Jones Grading & Fencing, Inc. for demolition and hazardous materials abatement services at the General Aviation District Office Building.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- This contract will provide building demolition of the General Aviation District Office (GADO) building and abatement services for hazardous materials, such as asbestos.
- The building is currently located adjacent to the Wilson Air Center charter terminal on Airport property.
- The GADO building will be demolished to allow for the construction of a new general aviation charter terminal.
- On January 29, 2018, the City issued an Invitation to Bid for the Demolition and Abatement Services Contract; four bids were received from interested service providers.
- Jones Grading & Fencing, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by summer 2018.
- This activity is occurring on airport property, which is in Council District 3.

Charlotte Business INclusion

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

Jones Grading and Fence, Inc. has committed 3.48% (\$9,890) of the total contract amount to the following certified firm:

- Silverback Brothers, LLC (SBE, MBE)(\$9,890)(hauling)

Jones Grading and Fencing, Inc. is a City certified (SBE, MBE).

Fiscal Note

Funding: Aviation Community Investment Plan

38. Airport Perimeter Fence Engineering Services

Action:

Approve a contract in the amount of \$324,500 with WSP USA Inc. for professional design services to provide engineering services for the Airport's perimeter fence.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Airport is surrounded by approximately 20 miles of perimeter fence. The perimeter fence provides security and keeps wildlife from accessing the airfield.
- In 2016, the Federal Aviation Administration approved the Airport's Wildlife Hazard Management Plan, which includes making improvements to the perimeter fence by 2020.
- According to the Department of Agriculture, increasing a fence's height to 10 feet results in the near-elimination of deer and coyote attempting to jump over the fence.
- This contract provides engineering services for increasing the height of the fence from six feet to 10 feet and for fortifying the base of the fence to deter other wildlife from burrowing below the fence.
- On March 23, 2017, the City issued a Request for Qualifications (RFQ) for Engineering Services. In response to the RFQ, the City received 24 proposals from interested professional service providers.
- WSP USA Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements and its experience with perimeter fence improvements at multiple large airports.
- Design of the perimeter fence is expected to be complete by the second quarter of 2019, and a request for council action to approve construction in the third quarter of 2019.
- This activity is occurring on airport property, which is in Council District 3.

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)

WSP USA, Inc. has committed 28.60% (\$92,800) of the total contract amount to the following certified firm:

- CES Group Engineers, LLP (SBE, WBE) (\$92,800) (ground and aerial survey of the existing perimeter fence line)

Fiscal Note

Funding: Aviation Community Investment Plan

Funding to be replaced by future Passenger Facility Charges

39. Airport Concourses B and C Trench Drain Design Services

Action:

Approve a contract in the amount of \$253,500 with Delta Airport Consultants, Inc. for professional design services for Concourse B and C trench drains replacement.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The trench drains located on the ramps surrounding Concourse B and C need to be replaced so that aircraft can continue to safely operate around and travel across the drains.
- 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 24 proposals from interested professional service providers.
- Delta Airport Consultants, Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

- This activity is occurring on airport property, which is in Council District 3.

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).

Delta Airport Consultants, Inc. has committed 18.31% (\$46,405) of the total contract amount to the following firms:

- Accutech Surveying & Mapping, LLP (SBE) (\$18,300) (construction testing during design phase)
- On-Spec Engineering, PC (SBE) (\$28,105) (acceptance testing during the design phase)

Fiscal Note

Funding: Aviation Community Investment Plan

Funding to be replaced by future Passenger Facility Charges

40. Airport Fuel Farm Expansion Phase III Design Services

Action:

Approve a contract with Argus Consulting, Inc. in the amount of \$789,308 for professional design services associated with Airport Fuel Farm Expansion project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Fuel Farm facility provides onsite fuel storage for airlines and Airport tenants. Typical storage capacity for aviation fuel farms is five to seven days.
- The Airport Fuel Farm Expansion Phase III will add new aviation fuel storage capacity and associated fuel farm improvements, removing two 10,000 barrel tanks and replacing them with a 37,000 barrel tank and a 45,000 barrel tank. These new tanks are projected to provide more than five days of fuel storage through 2031.
- T.Y. Lin International completed a Fuel Master Plan in August 2016 that showed with current fuel usage and planned gate expansions, the fuel storage capacity would decrease below four days of storage for the Airport.
- On August 31, 2017, the City issued a Request for Qualifications (RFQ) for Mechanical and Electrical General Engineering Consultant Services. In response to the RFQ, the City received 11 proposals from interested professional service providers.
- Argus Consulting, Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements and its experience in designing complex aviation fueling systems.
- This activity is occurring on airport property, which is in Council District 3.

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). Airgus Consulting, Inc. has committed 11.02% (\$87,000) of the total contract amount to the following firms:

- Boyle Consulting Engineering, PLLC (SBE) (\$10,000) (geotechnical engineering)
- CES Group Engineers, LLP (SBE, WBE) (\$77,000) (survey, utility locating, construction monitoring)

Fiscal Note

Funding: Aviation Community Investment Plan

41. Airport Joint Operations Center Design Services Contract Amendment

Action:

Approve contract amendment #1 for \$329,038 to RS&H Architects-Engineers-Planners, Inc. for additional design services for the Airport Joint Operations Center.**Staff Resource(s):**

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Aviation began planning for the Joint Operations Center (JOC) following a nationwide recommendation from the Department of Homeland Security that all airports establish this type of facility.
- On May 22, 2017, City Council approved a contract in the amount of \$1,432,770 with RS&H to provide design services for the JOC.
- During the early design efforts, the number of organizations desiring space within the future facility grew, impacting building space capacity requirements.
- Due to these new requirements, the site size has increased from 4.5 to 7.5 acres, parking has increased from 110 to 156 spaces, and building capacity has increased to accommodate space needs for federal agencies, including the Transportation Security Administration, Customs and Border Patrol, as well as other state/local agencies, such as the North Carolina State Bureau of Investigation, and the Charlotte-Mecklenburg Police Department.
- The new value of the contract, including the amendment, is \$1,761,808.
- This project is time sensitive and in coordinated effort to relocate communication activities and personnel from the terminal to begin several major renovations, including the Airport Lobby Expansion project.
- 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 RS & H Architects-Engineers-Planners, Inc. and their existing subcontractor(s) (Part D: Section 6 of the Charlotte Business INclusion Policy). RS & H Architects-Engineers-Planners, Inc. has committed 11.50% (\$37,850) of the total contract amendment amount to the following firm(s):

- Capstone Civil Engineering, Inc. (SBE,MBE) (\$22,850)(subsurface investigation)
- CES Group Engineers, LLP. (SBE,WBE) (\$15,000) (surveying)

Fiscal Note

Funding: Aviation Community Investment Plan

Funding to be reimbursed by future General Airport Revenue Bonds

42. American Airlines Cargo and Warehouse Lease Extensions**Action:**

- A. Approve a five-year lease extension with American Airlines for cargo facilities located at 4818 Express Drive,**
- B. Approve a five-year lease extension with American Airlines for cargo facilities located at 4840 Express Drive,**
- C. Approve a five-year lease extension with American Airlines for cargo facilities located at 4812 Express Drive,**
- D. Approve a five-year lease extension with American Airlines for warehouse facilities located at 4734 West Boulevard, and**
- E. Approve a five-year lease extension with American Airlines for warehouse facilities located at 5800 Tunnel Road.**

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- Aviation contracts with various tenants for space on Airport property, which is located in Council District 3.
- American Airlines requires cargo and warehouse facilities at the airport to support its local operation.
- The annual revenue is as follows:
 - 4818 Express Drive - This facility totals 14,282 total square feet. The annual rent is \$81,674.35 with a total lease value of \$408,371.75 over the five-year term,
 - 4840 Express Drive - This facility totals 13,198 square feet. The annual rent is \$76,251.78 with a total lease value of \$381,258.90 over the five-year term,
 - 4812 Express Drive - This facility totals 10,800 square feet. The annual rent is \$73,278.17 with a total lease value of \$366,390.86 over the five-year term,
 - 4734 West Boulevard - This facility totals 28,675 square feet. The annual rent is \$102,814.50 with a total lease value of \$514,072.50 over the five-year term, and
 - 5800 Tunnel Road - This facility totals 6,169 square feet. The annual rent is \$26,566 with a total lease value of \$132,830 over the five-year term.

43. Cooperative Purchasing Contract for Caterpillar Generators

Action:

- A. **Approve the purchase of Caterpillar Generators from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
- B. **Approve a unit price contract with Carolina Tractor and Equipment Company for the purchase of Caterpillar Generators for a term of three years under the National Joint Powers Alliance (NJPA) contract #120617-CAT dated January 29, 2018, 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

- Generators are routinely required by Engineering and Property Management, Aviation, Charlotte Water, CDOT and other City departments to provide sufficient emergency and backup power to support current and future operating demands.
- 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.
- Caterpillar has a contract awarded by NJPA that offers competitively-obtained contracts to public agencies nationwide and designates Carolina Tractor and Equipment Company as the authorized Caterpillar dealer for Charlotte.
- Annual expenditures are estimated to be \$500,000.

Charlotte Business INClusion

This is a cooperative purchasing contract and is exempt (Part A: Appendix 27 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: Department Operating Budget

44. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$28,199.10.

Staff Resource(s):

Randy Harrington, Management and Financial Services

Robert Campbell, Management and Financial Services

Explanation

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

Attachment(s)

Taxpayers and Refunds Requested

Resolution Property Tax Refunds

[List of Taxpayers and Refunds Requested.pdf](#)

[Resolution.pdf](#)

45. Meeting Minutes

Action:

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

- **March 26, 2018 Business Meeting,**
- **April 2, 2018, Strategy Session,**
- **April 9, 2018, Business Meeting, and**
- **April 11, 2018, Budget Workshop.**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

46. In Rem Remedy: 915 Cantwell Street

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Complaint: (915 Cantwell Street, Council District 2)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (915 Cantwell Street) (Neighborhood Profile Area 385).

Attachment(s)

In Rem Packet for (915 Cantwell Street)

[In Rem Remedy 915 Cantwell St.pdf](#)

47. In Rem Remedy: 2605 Booker Avenue

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Field Observation: (2605 Booker Avenue, Council District 2)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (2605 Booker Avenue) (Neighborhood Profile Area 85).

Attachment(s)

In Rem Packet for (2605 Booker Avenue)

[In Rem Remedy 2605 Booker Av.pdf](#)

48. In Rem Remedy: 2526 Elmin Street

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Field Observation: (2526 Elmin Street, Council District 3)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (2526 Elmin Street) (Neighborhood Profile Area 120).

Attachment(s)

In Rem Packet for (2526 Elmin St)

[In Rem Remedy 2526 Elmin St.pdf](#)

49. In Rem Remedy: 3146 Ross Avenue

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Field Observation: (3146 Ross Avenue, Council District 3)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (3146 Ross Avenue) (Neighborhood Profile Area 159).

Attachment(s)

In Rem Packet for (3146 Ross Avenue)

[In Rem Remedy 3146 Ross Av.pdf](#)

50. In Rem Remedy: 3125 Sam Drenan Road Accessory Structure

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

Public Purpose:

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

Policy:

- Housing & Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Field Observation: (3125 Sam Drenan Road Accessory Structure, Council District 1)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (3125 Sam Drenan Road Accessory Structure) (Neighborhood Profile Area 370).

Attachment(s)

In Rem Packet for (3125 Sam Drenan Road Accessory Structure)

[In Rem Remedy 3125 Sam Drenan Rd Acc Str.pdf](#)

51. Property Transactions - Design Maintenance Sky Drive 3921, Parcel #1

Action: Approve the following Condemnation: Design Maintenance Sky Drive 3921, Parcel #1

Project: Design Maintenance Sky Drive 3921, Parcel #1

Owner(s): Yorktown Funding Inc.

Property Address: 3917 Sky Drive

Total Parcel Area: 17,256 sq. ft. (.396 ac.)

Property to be acquired by Easements: 136 sq. ft. (.003 ac.) in Storm Drainage Easement, plus 1,538 sq. ft. (.035 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 211-295-18

Appraised Value: \$575

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: 7

52. Property Transactions - Doby Creek Sanitary Sewer Improvements, Parcels #2, 3, and 4

Action: Approve the following Acquisition: Doby Creek Sanitary Sewer Improvements, Parcel #2, 3, and 4

Project: Doby Creek Sanitary Sewer Improvements, Parcels #2, 3, and 4

Owner(s): KMBA, LLC

Property Address: 1000 Louise Rose Place

Total Parcel Area: 1,054,812 sq. ft. (24.215 ac.)

Property to be acquired by Easements: 25,910.8 sq. ft. (.595 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: RE-2

Use: Laboratory/Research

Tax Code: 047-141-13

Purchase Price: \$45,225

Council District: 4

53. Property Transactions - Goose Creek Pump Station, Parcel #17

Action: Approve the following Acquisition: Goose Creek Pump Station, Parcel #17

Project: Goose Creek Pump Station, Parcel #17

Owner(s): Richard H. Speight, Jr and Diane P. Speight

Property Address: 16217 Thompson Road

Total Parcel Area: 341,084 sq. ft. (7.830 ac.)

Property to be acquired by Easements: 8,266 sq. ft. (.19 ac.) in Sanitary Sewer Easement, plus 12,851 sq. ft. (.295 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees, various shrubs and plantings

Zoned: R

Use: Single-family Residential

Tax Code: 195-091-03

Purchase Price: \$11,270

Council District: N/A (Mint Hill)

54. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #92

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #92

Project: Hinsdale-Tinkerbell Drainage Improvements, Parcel #92

Program: Flood Control

Owner(s): Peter A. Brunnick and Vicki H. Brunnick

Property Address: 5918 Bellechasse Street

Total Parcel Area: 19,166 sq. ft. (.440 ac.)

Property to be acquired by Easements: 957.66 sq. ft. (.022 ac.) in Storm Drainage Easement, plus 495.3 sq. ft. (.011 ac.) in Sanitary Sewer Easement, plus 1,856.33 sq. ft. (.043 ac.) in Temporary Construction Easement, plus 119.41 sq. ft. (.003 ac.) in Sanitary Sewer Easement and Storm Drainage Easement, plus 2,182.67 sq. ft. (.05 ac.) in Existing

Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-104-04

Purchase Price: \$27,075

Council District: 6

55. Property Transactions - Lincoln Heights Drainage Improvements, Parcel #18

Action: Approve the following Condemnation: Lincoln Heights Drainage Improvements, Parcel #18

Project: Lincoln Heights Drainage Improvements, Parcel #18

Program: Flood Control

Owner(s): Pedro Salomon Bamaca Velasquez

Property Address: 2123 Holly Street

Total Parcel Area: 10,000 sq. ft. (.230 ac.)

Property to be acquired by Easements: 1,039.57 sq. ft. (.024 ac.) in Storm Drainage Easement, plus 569.36 sq. ft. (.013 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: 075-021-50

Appraised Value: \$1,000

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: 2

56. Property Transactions - University City Boulevard Water

Main to serve 11820, Parcel #1

Action: Approve the following Condemnation: University City Boulevard Water Main to serve 11820, Parcel #1

Project: University City Boulevard Water Main to serve 11820, Parcel #1

Owner(s): Highway 49, LLC

Property Address: 1844 Cabarrus Farm Road

Total Parcel Area: 497,202 sq. ft. (11.414 ac.)

Property to be acquired by Easements: 22,241 sq. ft. (.511 ac.) in Waterline Easement, plus 2,103 sq. ft. (.048 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: MX-2

Use: Multi-family

Tax Code: 051-111-12

Appraised Value: \$38,875

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)

57. Property Transactions - Wanamassa Drainage Improvements, Parcel #13

Action: Approve the following Condemnation: Wanamassa Drainage Improvements, Parcel #13

Project: Wanamassa Drainage Improvements, Parcel #13

Program: Flood Control

Owner(s): Wayne L. Bryant, Jr. and Chimere Labra Bryant

Property Address: 4307 Saquache Drive

Total Parcel Area: 19,914 sq. ft. (.457 ac.)

Property to be acquired by Easements: 526.14 sq. ft. (.012 ac.) in Storm Drainage Easement, plus 1,709.43 sq. ft. (.039 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 045-442-12

Appraised Value: \$1,325

Outstanding Concerns: The property owners have become unresponsive.

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: 2

Adjournment

REFERENCES

58. 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.

59. 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.

60. 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.