

City of Charlotte

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



Meeting Agenda

Monday, May 13, 2019

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*

ACTION REVIEW**1. Mayor and Council Consent Item Questions****Staff Resource(s):**

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items.

2. Agenda Overview**Staff Resource(s):**

Marcus Jones, City Manager

3. Airport Electric Buses**Staff Resource(s):**

Brent Cagle, Aviation

Time: 10 minutes - Presentation; 10 minutes - Discussion

Explanation

- Provide an update on the airport's transition to electric buses.

[Bus Options - Council Presentation - BDC 5.2.19](#)

4. Arts and Culture Investments**Staff Resource(s):**

Phil Reiger, Strategy and Budget

Time: 10 minutes - Presentation; 10 minutes - Discussion

Explanation

- Provide an overview of the city's investment in arts and culture.

[ASC DRAFT 5.09.19](#)

5. Immigrant Community Committee Closeout**Staff Resource(s):**

Federico Rios, Housing and Neighborhood Services

Time: 10 minutes - Presentation; 10 minutes - Discussion

Explanation

- Provide an update on actions and initiatives from the Immigrant Community Committee meetings.

[Council Strategy Session Final ICC Presentation- 5.13-SJH](#)

[Charlotte Compact on Immigration -final 2](#)

6. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Staff responses to questions from the beginning of the Business Meeting.

7. Closed Session (as necessary)

BUSINESS MEETING

CALL TO ORDER

INTRODUCTIONS

INVOCATION

PLEDGE OF ALLEGIANCE

8. Consent agenda items 23 through 52 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. Anthony Hamilton Day Proclamation

Action:

Mayor Lyles will read a proclamation recognizing May 8, 2019 as Anthony Hamilton Day.

10. Arbor Day Foundation Award

Action:

Mayor Lyles will recognize the City of Charlotte as the recipient of the Arbor Day Foundation's 2019 Champion of Trees Award.

11. Mecklenburg Declaration of Independence Week

Action:

Councilmember Bokhari will read a proclamation recognizing May 20, 2019 through May 24, 2019 as Mecklenburg Declaration of Independence Week.

PUBLIC HEARING

12. Public Hearing on Proposed Fiscal Year 2020 Operating Budget and Fiscal Years 2020-2024 Capital 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

Phillip Reiger, Strategy and Budget

Explanation

- On May 6, 2019, the City Manager presented the Proposed Fiscal Year 2020 Operating Budget and Fiscal Years 2020-2024 Capital Investment Plan. The proposed budget represents the city's proposed operating and capital budgets for the next fiscal year (FY), beginning on July 1, 2019.
- State law requires the city to hold a public hearing following the presentation of the Manager's Proposed Budget and prior to the City Council adoption of the budget, currently scheduled for June 10, 2019.

FY 2020 Operating and Capital Proposed Budgets Summary

- The City Manager's Proposed FY 2020 Operating Budget and FY 2020-2024 Capital Investment Plan were developed consistent with City Council priorities of Economic Development, Neighborhood Development, Transportation and Planning, and Well-Managed Government. These priorities served as the foundational elements against which all FY 2020 budget decisions were measured.
- The proposed budget includes a revenue neutral property tax rate of 34.81¢ 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 \$727.7 million for FY 2020, representing an increase of 4.8 percent above FY 2019, to address the Mayor and City Council's priorities and accommodate the resource needs of a dynamic, growing city;
 - A \$180.8 million Municipal Debt Service Fund, increasing 28.8 percent due to updates to the debt model assumptions and the use of cash to finance various capital project investments as outlined in the General Capital Investment Plan; and
 - A \$674.7 million five-year General Capital Investment Plan that invests in affordable housing, neighborhoods, streets, facilities, and technology.

FY 2020 Budget Highlights

- Establishes the Office of Equity, Mobility, and Immigration Integration to advance upward mobility, immigrant services, diversity, equity, and inclusion within our organization and throughout the community.
- Provides additional \$750,000 for the Aging in Place program.
- Invests \$500,000 in neighborhoods by expanding microgrants program.
- Provides approximately \$750,000 for two garbage collection crews and trucks to keep the city clean.
- Supports economic development initiatives for new business creation, innovation, and entrepreneurship with additional \$1.7 million.
- Enhances Minority Women Small Business Enterprise opportunities with an additional \$450,000.
- Assists with the preservation of naturally occurring affordable housing by providing additional \$6.4 million.

Proposed Employee Compensation and Benefits

- 1.5 percent Public Safety market adjustment,
- 2.5 percent or 5 percent Public Safety step adjustment based on rank and current step with revisions to Police Officer steps,
- Three percent merit budget (for all exempt/salaried general employees),
- 1.5 percent merit budget and 1.5 percent market adjustment for non-exempt/hourly employees,
- \$1 per hour minimum increase for all full-time general employees earning less than \$69,333 per year,
- Increases city minimum wage for all general positions to \$16 per hour,
- Invests additional \$2.0 million to support accelerated public safety training,
- Provides \$2.3 million to fund the Senior Police Officer Program, first approved in the FY 2019 budget. Police officers who pass program requirements and who have been in the top Police Officer step for at least one year will receive a five percent salary increase,
- Additional \$1.2 million to annualize funding provided in the FY 2019 budget for a Defined Contribution Retiree Healthcare savings model for Sworn Police and Fire-Rescue employees.
- An additional one percent to the city's 401k contribution for Firefighters beginning in January 2020.

Enterprise Funds Revenue Proposals

- Charlotte Water: The FY 2020 Water and Sewer Fee is proposed to increase by 3.42 percent. The typical homeowner would experience a \$2.21 per month increase.
- Storm Water: The proposed FY 2020 Storm Water Services fee will not increase. It will remain at the current monthly average of \$5.85.
- Aviation: Select non-regulatory fees were increased based on a cost recovery analysis. 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. In FY 2020, CATS continues to deliver innovative projects that will improve the transit landscape for our region's residents, and to respond to the transit needs of the community within its available resources.

Proposed Financial Partners and Outside Agency Funding

- General Fund Financial Partners proposed to receive same level of funding for FY 2020 except for Safe Alliance and Charlotte Regional Business Alliance (formerly Charlotte Regional Partnership).
 - Safe Alliance has a proposed increase of \$63,061 (this includes \$49,000 in one-time funding provided in FY 2019). This increase supports an additional attorney position that will provide legal services for domestic violence protective orders and filing for custody or divorce for victims of domestic violence and sexual assault in Mecklenburg County.
 - Charlotte Regional Business Alliance increase of \$3,276 based on 30¢ per-capita formula.
- 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 agencies providing services to the Municipal Service Districts (MSDs) are budgeted to receive projected revenue generated by a revenue neutral tax rate per \$100 of assessed valuation:
 - MSD #1 (Center City) decreased from 2.08¢ to 1.36¢,
 - MSD #2 (Center City) decreased from 2.93¢ to 1.83¢,
 - MSD #3 (Center City) decreased from 4.18¢ to 2.89¢
 - MSD #4 (South End) decreased from 6.68¢ to 3.90¢, and
 - MSD #5 (University City) decreased from 2.79¢ to 2.12¢.
 - The CRVA budget increases by approximately three percent over the FY 2019 base funding level, due to increased revenue projections for the Occupancy Tax and Food & Beverage Tax.
- Carolinas Care Partnership is fully funded by federal grants and has an increase of \$352,475.
- Crisis Assistance Ministry is proposed to increase by \$45,000 from FY 2019 funding levels.
- FY 2020 represents the first 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 \$164,927 funded by the Innovative Housing Pay-As-You-Go (PAYGO) program.

- Remaining agencies have maintained same funding level in FY 2020 as in FY 2019.

Proposed FY 2020-2024 Capital Investment Plan (CIP)

- The five-year total Proposed FY 2020-2024 CIP is \$4.9 billion (this includes the total General CIP, as well as the five-year capital plan totals for nongeneral departments: Aviation, CATS, Charlotte Water, and Storm Water).
- The General CIP totals \$674.7 million (this includes general obligation debt, other debt, PAYGO, and cash).
- The nongeneral departments' five-year capital plans are summarized below:
 - Aviation totals \$2.0 billion, a 0.8 percent decrease,
 - CATS totals \$139.1 million, a 3.8 percent increase,
 - Charlotte Water totals \$1.6 billion, a 10.8 percent increase, and
 - Storm Water totals \$451.5 million, a 2.3 percent decrease.
- The Proposed FY 2020-2024 General CIP includes:
 - Completing the "Big Ideas" with the final street, neighborhood, and housing bond in 2020 for a total of \$197.2 million; this amount includes a \$25.0 million increase to the planned 2020 affordable housing bond from \$25.0 million to \$50.0 million,
 - Funding construction of all planned segments of the Cross Charlotte Trail using \$54.4 million of available funds without securing additional debt,
 - Implementing a \$20.0 million Advanced Planning Revolving Account to initiate earlier planning and design on high-priority projects, and
 - Planning for steady state debt affordability of \$223.0 million every-other-year into the future (\$190.0 million of voter-approved debt beginning with the 2022 bond and \$33.0 million of non-voter-approved debt).

Budget Process

- The following is the proposed remaining budget meeting schedule:
 - May 22 - Budget briefing
 - May 23 - Budget adjustments
 - May 29 - Budget adjustments and straw votes
 - June 10 - Budget adoption
- 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:
 - https://charlottenc.gov/budget/FY2020%20Documents/FY_2020_Final_Proposed_5_8_19.pdf

Attachment(s)

City Manager's Transmittal Letter

Executive Summary for the Proposed FY 2020 Budget

[FINAL transmittal letter 5-6-19](#)

[Executive Summary](#)

13. Public Hearing on a Resolution to Close Two Unopened Alleyways off of Karendale Avenue

Action:

- A. Conduct a public hearing to close two unopened alleyways off of Karendale Avenue, and
- B. Adopt a resolution to close two unopened alleyways off of Karendale Avenue.

Staff Resource(s):

Liz Babson, Transportation
Michelle Smith, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The unopened alleyways off of Karendale Avenue are located in Council District 3.

Petitioners

Michael Flaum

Right-of-Way to be Abandoned

The unopened alleyways off of Karendale Avenue are located off of Tuckaseegee Road.

Reason

This abandonment will allow each of the abutting owners to incorporate the unopened right-of-way into their land so that they will have full title and interest in the right-of-way for which they are currently maintaining and caring.

Notification

As part of the city's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and city departments.

Adjoining property owner(s)

Pisgah Lodge #266 - No objections

Neighborhood/Business Association(s)

None

Private Utility Companies

No objections

City Departments

- Review by city departments identified no apparent reason this closing would:
 - Be contrary to the public interest;
 - Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes; and
 - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment(s)

Map

Resolution

[Karendale Aerial Map \(2\)](#)

[Resolution of Intent of Karendale](#)

POLICY

14. City Manager's Report

BUSINESS**15. Sardis Lane Bridge Supplemental Agreement****Action:**

- A. Authorize the City Manager to negotiate and execute a supplemental agreement with the North Carolina Department of Transportation,**
- B. Adopt a resolution authorizing the City to be reimbursed \$745,600 by the North Carolina Department of Transportation with Federal Highway Administration funds, and**
- C. Adopt a budget ordinance appropriating \$745,600 in federal funding administered by the North Carolina Department of Transportation.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Becky Chambers, Engineering and Property Management
Liz Babson, Transportation
Erin Pratt, Transportation

Explanation

- The Sardis Lane Bridge spans a McAlpine Creek tributary stream on Sardis Lane between Carosan Lane and Valleybrook Road, located in Council District 6.
- The bridge meets North Carolina Department of Transportation (NCDOT) criteria for replacement based on a ranking using a combination of sufficiency ratings and current conditions.
- On August 24, 2015, City Council approved a municipal agreement with NCDOT for a reimbursement of 80-percent of the total cost of the Sardis Lane Bridge replacement project. As part of the original agreement NCDOT contributed \$787,200 with the city's local match of \$196,800.
- Design is complete and the real estate acquisition phase is underway.
- The supplemental agreement will add funds to complete the real estate and construction. NCDOT will reimburse the city an additional \$745,600 with the city's additional local match of \$186,400, for a total project cost of \$1,916,000.
- Funding is available in the city's original project budget.
- Construction is expected to be complete in second quarter 2021.

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map
Resolution
Budget Ordinance

[Sardis Resolution](#)

[Location Map - Sardis Lane Bridge Replacement Supplemental Agreement](#)

[Sardis Lane](#)

16. Nominations to the Charlotte Mecklenburg Community Relations Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Two appointments for partial terms beginning immediately and ending June 30, 2019; then continuing for full three-year terms beginning July 1, 2019 and ending June 30, 2022.
 - Anthony Abbinante has resigned.
 - Angie Drakeford did not meet attendance requirements.

- Eleven appointments for three-year terms beginning July 1, 2019 and ending June 30, 2022.
 - LaToya Evans, Karen Gipson, Gary Leake, Rochelle Rivas, Barbara Ratliff and Delores Reid-Smith are eligible and interested in reappointment.
 - Beth Pickering is eligible but not interested in reappointment.
 - Crystal Brooks did not meet the 75% attendance requirement for reappointment.
 - Patricia Albritton, Aaron Orr Sr. and Michael Tanck have completed two full terms; therefore, they are not eligible for reappointment.

Attachment(s)

Charlotte Mecklenburg Community Relations Committee Applicants

17. Nominations to the Charlotte Mecklenburg Public Access Corporation

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Three appointments for three-year terms beginning July 1, 2019 and ending June 30, 2022.
 - Jamal Harvey is eligible and interested in reappointment.
 - Kris Chambers-Woodruff and Theresa Halsey are eligible, but not interested in reappointment.

Attachment(s)

Charlotte Mecklenburg Public Access Corporation Applicants

18. Nominations to the Charlotte Water Advisory Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term in the Contractor category beginning immediately and ending June 30, 2020.
 - William Royal has resigned.

Attachment(s)

Charlotte Water Advisory Committee Applicants

19. Nominations to Domestic Violence Advisory Board

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending September 20, 2019; then continuing for a full three-year term beginning September 21, 2019 and ending September 20, 2022.
 - Lauren Egleston has resigned.

Attachment(s)

Domestic Violence Advisory Board Applicants

20. Nominations to Keep Charlotte Beautiful

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Three appointments for three-year terms beginning July 1, 2019 and ending June 30, 2022.
 - Caroline Burgett and Jon Giles are eligible and interested in reappointment.
 - Russell Ferguson has completed two full terms; therefore, he is not eligible for reappointment.

Attachment(s)

Keep Charlotte Beautiful Applicants

21. Nominations to the Transit Services Advisory Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk

Explanation

- One appointment for a partial term in the Vanpool Rider category beginning immediately and ending January 31, 2022.
 - Parker Cains has resigned.

Attachments

Transit Services Advisory Committee Applicants

22. Mayor and City Council Topics

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

CONSENT**23. Police Body Worn Cameras****Action:**

- A. Approve contract amendment #5 for \$2,979,066.69 with Axon Enterprise, Inc. for hosting of Charlotte-Mecklenburg Police Department body worn camera video, licensing costs, and Taser Assurance Plan,**
- B. Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was awarded, and**
- C. Authorize the City Manager to purchase such additional software licenses, services, maintenance, and support as required to maintain the system for as long as the City uses the system.**

Staff Resource(s):

Kerr Putney, Police
Crystal Cody, Police
Michael Harris, Police

Explanation

- On January 26, 2015, City Council approved a five-year contract with Taser International Inc., now Axon Enterprises, Inc. for software and support for 1,400 Body Worn Cameras (BWC).
- Amendment #5 is necessary to extend the current term of the contract by two years to allow for:
 - Automatic upgrade to the next version of BWC at no cost to Charlotte-Mecklenburg Police Department (CMPD),
 - Hosting BWC video on Evidence.com with unlimited storage,
 - Licensing costs for access to Evidence.com,
 - Taser Assurance Plan on the physical BWCs, and
 - A solicitation process for any transition required for both BWC and In-Car camera systems.
- A summary of the four prior amendments includes:
 - Amendment #1: Permitted Axon Enterprises, Inc. to use a Letter of Credit versus having a Performance Bond,
 - Amendment #2: CMPD agreed to obtain unlimited storage at no cost in exchange for terminating the requirement to send all BWC video over 45 days old to CMPD on-premise storage to storing all BWC evidence on Evidence.com,
 - Amendment #3: Increased the contract value to \$6,645,801.30 with the addition of 1,800 BWC and increased annual maintenance from \$906,927 to \$1,248,871, and
 - Amendment #4: Identified the company name change from TASER International, Inc. to Axon Enterprises, Inc.
- Annual expenditures are estimated to be \$1,489,533.34.

Charlotte Business INclusion

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

Fiscal Note

Funding: Police Operating Budget

24. Traffic Signal Construction

Action:

Approve a contract in the amount of \$6,178,480 to the lowest responsive bidder Whiting Construction Co., Inc. for traffic signal construction.

Staff Resource(s):

Liz Babson, Transportation
Bryan Tarlton, Transportation
Charles Abel, Transportation

Explanation

- The Charlotte Department of Transportation (CDOT) maintains a modern transportation system that requires traffic signals and supporting infrastructure to manage optimum traffic flow throughout the city.
- CDOT currently maintains traffic signals at over 800 intersections across the city.
- Charlotte's rapid population growth and new development increases the demand for new and modified traffic signals and infrastructure.
- The traffic signal construction contract provides additional resources to install traffic signals and supporting infrastructure citywide.
- On January 14, 2019, the city issued an Invitation to Bid; two bids were received.
 - G.S. 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if re-advertisements result in fewer than three competitive bids.
- On February 28, 2019, the contract was re-advertised for bid; two bids were received.
- Whiting Construction Co., Inc. was selected as the lowest responsive, responsible bidder.
- These installations are anticipated to be completed by fourth quarter 2022.

Charlotte Business INclusion

Established SBE Goal: 13.00%
Committed SBE Goal: 28.44%

Whiting Construction Co., Inc. exceeded the established subcontracting goal, and has committed 28.44% (\$1,757,351.25) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- M.H. Graves Construction Co. (SBE) (\$1,418,000) (sidewalks, curb & gutter, traffic signal installation)
- AMP Utility Distribution Services, LLC (SBE, WBE) (\$135,851.25) (material)
- Ground Effects, Inc. (SBE, WBE) (\$203,500) (pavement markings)

Established MBE Goal: 8.00%
Committed MBE Goal: 0.00%

Whiting Construction Co., Inc. failed to meet the established MBE subcontracting goal at bid, but earned the required Good Faith Effort Points (Part B: Section 5 of the Charlotte Business INclusion Policy) and are recommended for award.

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Summary of Bids

25. Delane Avenue Storm Drainage Improvement Project

Action:

- A. Reject the low-bid by WSH Construction, Inc. for 1321 Delane Avenue Storm Drainage Improvement Project, and**
- B. Approve a contract in the amount of \$937,773.25 to the lowest responsive bidder OnSite Development, LLC for the Delane Avenue Storm Drainage Improvement project.**

Staff Resource(s):

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

Explanation

- This project will address failing drainage systems along Craig Avenue and Delane Avenue, located in Council District 5.
- The project work will replace approximately 180 linear feet of storm drainage pipe and associated sanitary sewer, utility relocations, paving, curb and gutter and sidewalk.
- On January 14, 2019, the city issued an Invitation to Bid; eight bids were received.
- OnSite Development, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2020.

Reject Low-Bid Explanation

- WSH Construction, Inc.'s bid in the amount of \$894,511.40 was found to be non-responsive as a result of failing to meet the city's Charlotte Business INclusion (CBI) Program goal.

Charlotte Business INclusion

Established SBE Goal: 20.00%
Committed SBE Goal: 22.37%

Onsite Development, LLC exceeded the established SBE subcontracting goal, and has committed 22.37% (\$209,800) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distributors Services, LLC (SBE) (\$66,000) (material supplier)
- RRC Concrete (SBE, MBE) (\$25,000) (concrete)
- Affordable Source Trucking, LLC (SBE, MBE) (\$21,000) (hauling)
- Streeter Trucking (SBE, MBE) (\$20,000) (hauling)
- JV Trucking, LLC (SBE) (\$17,600) (hauling)
- MTS Trucking Inc. (SBE) (\$17,600) (hauling)
- Solanos Trucking Company, Inc. (SBE) (\$17,600) (hauling)
- B & N Grading (SBE) (\$15,000) (asphalt)
- Axiom Foundation (SBE) (\$10,000) (foundation protection)

Established MBE Goal: 7.00%
Committed MBE Goal: 7.04%

Onsite Development, LLC exceeded the established MBE subcontracting goal, and has committed 7.04% (\$66,000) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- RRC Concrete (SBE, MBE) (\$25,000) (concrete)
- Affordable Source Trucking, LLC (SBE, MBE) (\$21,000) (hauling)
- Streeter Trucking (SBE, MBE) (\$20,000) (hauling)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment

Map

[Location Map - 1321 Delane Avenue Storm Drainage Improvement Project](#)

26. Land Acquisition for Tree Canopy Preservation Program

Action:

- A. Approve the purchase of an approximately 19.43-acre parcel (parcel identification number 043-106-27) located at 4732 W. Sugar Creek Road for a purchase price of \$670,000, and**

- B. Authorize the City Manager to negotiate and execute any documents necessary to complete these transactions.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Tim Porter, Engineering and Property Management

Explanation

- The Tree Canopy Preservation Program (TCPP) supports the goals and initiatives outlined in City Council's Urban Forest Master Plan, adopted on September 25, 2017. The program supports the goal of canopy cover and preservation through acquisition and protection of properties that are already forested or provide planting opportunities.
- The city's Tree Ordinance, adopted in 2011, allows developers to pay into the Tree Ordinance Mitigation Fund, administered by the city, in lieu of saving trees on site. The city uses these funds for property acquisition and expenditures associated with ongoing tree preservation and maintenance.
- The program has gained national recognition and received local awards. It has been adopted as an innovative model in other cities, including Atlanta, Georgia.
- TCPP has acquired 224 acres to date and protected three times greater tree canopy than developers would have been required to under the on-site tree save option.
- All acquisitions through the program are voluntary.
- The property, located in Council District 2, was assessed based on location, forest quality and/or replanting opportunities, conservation value and partnership opportunities, and determined to be a good candidate for acquisition.
- The purchase price was negotiated with the property owners based on appraised value and the list price.
- The Charlotte-Mecklenburg Planning Commission voted unanimously to recommend approval of the land purchase for the TCPP on November 20, 2018.

Fiscal Note

Funding: Tree Ordinance Mitigation Fund

Attachment(s)

Map

[Location Map - Land Acquisition for Tree Canopy Preservation Program](#)

27. I-277 Pedestrian Bridge Design

Action:

- A. Authorize the City Manager to negotiate and approve a contract up to \$1,200,000 with Thomas & Hutton Engineering Co. for design services for the I-277 Pedestrian Bridge, and**
- B. Authorize the City Manager to negotiate and execute sponsorship agreements that commit private funds towards the completion of the project.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Veronica Wallace, Engineering and Property Management
Dan Leaver, Engineering and Property Management

Explanation

- On June 11, 2018, City Council approved a public/private partnership agreement for the South End Rail Trail/I-277 Bridge located in Council District 1.
- Sponsorships provide a mechanism to secure private sector contributions to project funding. The terms of any sponsorship agreements will comply with the city's Sponsorship Policy, including as it applies to branding and naming rights.
- This project includes a pedestrian bridge across I-277 linking South End and Center City.
- The pedestrian bridge will be 650 feet long and provide a bicycle and pedestrian connection to the existing Rail Trail located along the LYNX Blue Line that, when complete, will provide a continuous route from Clanton Road to Uptown.
- The Rail Trail currently averages 2,000 daily users, with more than 500,000 pedestrians and bicyclists using the trail last year.
- On June 1, 2018, the city issued a Request for Qualifications (RFQ); seven proposals were received.
- Thomas & Hutton Engineering Co. is the firm best qualified 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 firm is selected for this services contract. (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Thomas & Hutton Engineering Co. has identified the following certified firms to participate as the project scope is defined:

- Integra Architecture, PLLC (MBE) (architecture)
- CMW Design Strategies, PLLC (SBE) (landscape architecture)
- R.M. Rutherford & Associates, Inc. (SBE) (cost estimating)
- Airboat (SBE) (art and design)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - I-277 Rail Trail Pedestrian Bridge Design](#)

28. Bradstock Lane Storm Drainage Improvement Project

Action:

Approve a contract in the amount of \$1,297,545 to the lowest responsive bidder Zoladz Construction Co., Inc. for the 6730 Bradstock Lane Storm Drainage Improvement project.

Staff Resource(s):

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

Explanation

- This project will address failing storm drainage systems along Bradstock Lane, Heatherford Drive and Rugby Lane in the Olde Providence South Neighborhood, located in Council District 7.
- The project work will replace approximately 1,300 linear feet of storm drainage pipe and associated sanitary sewer, utility relocations, paving, curb and gutter, and sidewalk.
- On March 22, 2019, the city issued an Invitation to Bid; five bids were received.
- Zoladz Construction Co., Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2020.

Charlotte Business INclusion

Established SBE Goal: 14.00%
Committed SBE Goal: 14.00%

Zoladz Construction Co., Inc met the established SBE subcontracting goal, and has committed 14.00% (\$181,657) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Diamond Trucking of NC Inc (SBE, MBE) (\$90,830) (hauling)
- On Time Construction, Inc. (SBE) (\$90,827) (masonry)

Established MBE Goal: 7.00%
Committed MBE Goal: 7.00%

Zoladz Construction Co., Inc met the established MBE subcontracting goal, and has committed 7.00% (\$90,830) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Diamond Trucking of NC Inc (SBE, MBE) (\$90,830) (hauling)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - 6730 Bradstock Lane Storm Drainage Improvement Project](#)

29. Accela Database Technology Maintenance and Hosting Services Contract Amendment

Action:

- A. **Approve contract amendment #10 with Accela, Inc. for licenses, maintenance and hosting services for the land development permit and enforcement system for up to five years,**
- B. **Authorize the City Manager to renew software licenses, maintenance, and hosting services for as long as the City uses the system, and**
- C. **Authorize the City Manager to purchase such additional software licenses, maintenance, hosting, and other services, and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
David Weekly, Engineering and Property Management
Taiwo Jaiyeoba, Planning, Design, and Development

Explanation

- Accela, Inc. is the city's enterprise solution for development services and is being used by many city departments. The city continues to leverage Accela, Inc. to maximize its benefits and expand its use. Currently there are plans to use Accela, Inc. to automate the rezoning process.
- On April 10, 2006, City Council approved an agreement with Accela, Inc. to upgrade the city's land development permit information software to Accela Automation, a web-based system used to store, track, report land development permit, and enforcement activity. The agreement includes an annual fee for Accela, Inc. to provide maintenance and hosting services for Accela Automation.
- Contract amendments #1 through #9 provided additional services, including hosting and maintenance, and adding additional licenses from 2006 to 2019.
- Contract Amendment #10 in the amount of \$1,823,157.24 includes annual maintenance and hosting services for 170 licenses for five years. The first-year annual cost is \$343,400 with subsequent years increasing by three percent.
- Current service contract expires June 2, 2019.
- Accela, through its Citizen Access module, is used by the development industry to submit applications, upload plans and track progress of city reviews for proposed development projects. All plans are reviewed and approved by staff electronically.
- Mecklenburg County Code Enforcement is currently in the first phase of implementation with Accela. Although they do not plan for an interface with the city's Accela system in this phase, their decision to use the same software as the city provides a common platform for customers in submitting applications and plans.
- The new total contract amount is \$4,842,179.61 and includes the original contract, which provided system implementation, and all subsequent amendments.
- Future amendments are anticipated as long as the system continues to meet the city's needs.
- The cost of these services is included in the city's user fees for plan review and inspection services.

Charlotte Business Inclusion

No subcontracting goal was established for this contract amendment because there are no subcontract opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Engineering and Property Management Operating Budget

30. McMullen Creek Interceptor and Sub-area Sanitary Sewer Improvements

Action:

Approve a contract for up to \$1,247,008 with Brown and Caldwell for the McMullen Creek Interceptor and sub-area sanitary sewer improvements engineering services.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- This contract will include engineering services for sewer improvements in the McMullen Creek Basin, serving the area from Independence Boulevard to the McAlpine Creek Wastewater Treatment Plant (Council Districts 5, 6, and 7).
- These improvements are based on a basin study which identified and prioritized future improvements based on pipe conditions and current and future sewer needs, as well as identified design, bid phase, and engineering construction services.
- On April 14, 2016, the city issued a Request for Qualifications (RFQ); five responses were received.
- Brown and Caldwell 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.
- On July 25, 2016, Council approved the initial contract for the basin study.
- Construction phase services for these improvements are estimated to be presented to Council for approval in the first quarter of 2020.

Charlotte Business INclusion

The city negotiates subcontracting participation after the firm is selected for this services contract (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Brown and Caldwell has committed 36.89% (\$460,000) of the total contract amount to the following certified firm:

- Pipe Pros, LLC (SBE) (\$460,000) (closed-circuit television)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Map](#)

31. Steele Creek Gravity Sewer Construction

Action:

Approve a contract in the amount of \$12,445,990.86 to the lowest responsive bidder Dellinger Inc. for the Steele Creek Gravity Sewer Construction project.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- This project will install a new, larger diameter sewer pipe along Steele Creek, between Carowinds Boulevard to just north of Westinghouse Boulevard (Council District 3).
- Charlotte Water projects that future development in this area will require increased capacity.
- On March 7, 2019, the city issued an Invitation to Bid; five bids were received.
- Dellinger Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the fourth quarter of 2019.
- To contribute to the city's workforce development program, Dellinger Inc. would like to mentor, train, and employ two individuals from the Charlotte Pipeline Academy. This effort will help development of a pipeline of future workers with the unique skills, knowledge, and abilities to fill entry-level positions within the industry.

Charlotte Business INclusion

Established MSBE Goal: 10.00%

Committed MSBE Goal: 3.81%

MSBE Participation to Date: 7.02%

Dellinger Inc. did not meet the established subcontracting goal at time of Bid, but earned the required Good Faith Efforts points (Part B: Section 5 of the Charlotte Business INclusion Policy). At time of Bid, Dellinger Inc. committed 3.81% (\$474,626) of the total contract amount to the following certified firms:

- All Points Trucking Inc. (SBE, WBE) (\$143,484) (hauling)
- Sanders Constructors Inc. (SBE) (\$114,492) (clearing)
- P & TL Inc. (SBE) (\$104,000) (silt fence and seeding)
- CES Group Engineers LLP (SBE, WBE) (\$82,650) (as-builts)
- Maybury Fencing Inc. (SBE) (\$30,000) (fence and gate)

Dellinger Inc. continues to work towards increasing their participation and, subsequent to the Bid Opening, has committed an additional 3.21% (\$399,673.28) to the following certified firms:

- AMP Utility Distribution Services, LLC (SBE, WBE) (\$248,000) (utility pipe and materials)
- Trull Contracting LLC (SBE, WBE) (\$107,400) (asphalt pavement replacement)
- Habitat Assessment and Restoration Program, Inc. (SBE, WBE) (\$41,000) (live stakes and tubing)
- Fast Signs Charlotte (SBE) (\$3,273.28) (project signs)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Steele Creek Map](#)

32. McAlpine Creek Wastewater Treatment Plant Reliability and Process Improvements Design-Build Construction Phase

Action:

Approve a guaranteed maximum price of \$57,560,798 to Garney Companies, Inc. for the purchase of wastewater treatment equipment needed for Phase 3 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

- This action will approve the guaranteed maximum price (GMP) for the purchase and installation of equipment required to complete a major component of the McAlpine Creek Wastewater Treatment Plant (WWTP) Reliability and Process Improvements project, in the Town of Pineville (adjacent to Council District 7).
- Equipment will be purchased all at once to receive significant volume discounts and reduce the risk of future price escalation.
- This project will rehabilitate or replace critical components of the wastewater treatment process systems at the McAlpine Creek WWTP to ensure reliable discharge permit compliance.
- On February 26, 2018, Council approved a contract with Garney Companies, Inc. for Phase 1 Design-Build Services for design of a full-scale process pilot with associated tasks.
- On May 14, 2018, Council approved a contract with Garney Companies, Inc. for Phase 2a construction of the full-scale process pilot, analysis of data resulting from the pilot, and recommendations of options for future phases of the project.
- On January 14, 2019, Council approved a contract with Garney Companies, Inc. for the Phase 2b purchase of wastewater treatment equipment and professional services for design.
- This project will be designed and constructed in phases over a span of up to five years and has an estimated construction cost of approximately \$120,000,000.
- Council will receive requests for the approval of remaining project GMPs.

Charlotte Business INclusion

The city negotiates subcontracting participation for Design-Build contracts after scopes of work are defined for equipment purchase and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). Garney Companies, Inc. has committed 10.39% (\$3,702,571), excluding allowances and wastewater treatment equipment purchase, to the following certified firms:

- East Coast Construction Services, LLC (WBE) (\$2,392,400) (electrical)
- Southeastern Consulting Engineers, Inc. (SBE) (\$447,000) (electrical design)
- CITI, LLC (MBE) (\$200,835) (instrumentation and control)
- Ram Tool & Construction Supply (WBE) (200,000) (construction materials and tools)
- Harrisburg Security Inc. (SBE) (\$174,240) (security services)
- The Huffstetler Group, Inc. (SBE) (\$145,596) (concrete sidewalk, clarifier tank cleaning)
- All Points Waste Service, Inc. (MBE) (\$99,000) (portable toilet service)
- JB Long Photography (SBE) (\$35,000) (construction photography)
- Richa Graphics (SBE, MBE) (\$8,500) (printing services)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Map-McAlpine Creek Wastewater Treatment Plant Reliability and Process Improvements Design-Build C](#)

33. Bypass Pumping Services

Action:

- A. Approve unit price contracts with the following companies for bypass pumping services for an initial term of three years:**
- Western Oilfields Supply Company,
 - Xylem Dewatering Solutions, and
 - Sunbelt Rentals Inc., and
- B. Authorize the City Manager to renew the contracts for up to two, two-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove Charlotte Water

Explanation

- This action authorizes contracts to rent pumps and related equipment with multiple vendors to perform bypass pumping throughout the entire water and wastewater system.
- Bypass pumping is used to temporarily reroute flow during scheduled or emergency repairs.
- A contract award to multiple vendors will ensure access to resources for these emergency services.
- On February 26, 2019, the city issued a Request for Proposals (RFP); three responses were received.
- The companies selected meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures for all contracts combined are estimated to be \$1,800,000.

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 Operating Budget

34. Water Distribution System Program Management Services

Action:

Approve a contract in the amount of \$2,011,969 with Brown and Caldwell for water distribution system program management services for the Water Master Plan Program.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- This contract includes engineering services for several water main construction projects:
 - Airport Area Transmission Main (Council District 3)
 - Idlewild Booster Pumping Station Supply Main (Council District 5)
 - 960 Zone North South Transmission Main (Council District 5)
 - Pressure Zone Boundary Changes (Council Districts 1, 2, 4, 5, and 7)
- These projects were identified through the 2015 Water Distribution System Master Plan, which was an in-depth engineering assessment to determine future infrastructure needs to meet demand and maintain high water quality.
- On June 8, 2017, the city issued a Request for Qualifications (RFQ); six responses were received.
- Brown and Caldwell 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.
- On November 13, 2017, Council approved a contract for preliminary engineering reports and recommendations for project delivery.
- It is anticipated that Council will be asked to approve additional contracts for construction phase services in late 2019 or early 2020.

Charlotte Business INclusion

The city negotiates subcontracting participation after the firm is selected for this services contract (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Brown and Caldwell has committed 20.10% (\$404,400) of the total contract amount to the following certified firms:

- Sweetwater Utility Exploration LLC (SBE) (\$203,550) (utility locates)
- LDSI, Inc. (SBE) (\$133,850) (surveying)
- Avioimage Mapping Services (SBE) (\$40,200) (aerial photography)
- Hinde Engineering, Inc. (SBE) (\$13,400) (design)
- Willis Engineers, Inc. (SBE) (\$13,400) (design)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Water Master Plan Program Management Services Map](#)

35. Honeywell International Inc. Hangar Lease

Action:

- A. Approve a 15-year lease agreement with Honeywell International, Inc., and**

- B. Authorize the City Manager to amend the lease for three, five-year lease extensions consistent with the purpose for which the agreement was approved.**

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- Honeywell International, Inc. (Honeywell) desires to lease existing hangar and office facilities at Charlotte Douglas International Airport as a base for its corporate aviation department.
- Honeywell will pay the City of Charlotte the agreed-upon facility rent for the hangar and office facilities, ground rent, other airport rents and fees as determined by the hangar lease agreement and in accordance with applicable federal guidelines governing the leasing of aeronautical facilities.
- This activity is occurring on airport property, located in Council District 3.

Fiscal Note

Funding: Revenue from the lease agreement will be deposited within Aviation's operating budget

36. Wireless Communications Services and Related Products

Action:

- A. Approve the purchase of wireless communications services and related products from federal contracts as authorized by G.S. 143-129(e)(9a) and from state contracts as authorized by G.S. 143-129(e)(9),
- B. Approve the purchase of wireless services and related products through the listed federal and state contracts:
- AT&T Mobility (GSA Contract No. GS-35F-0297K),
 - AT&T Wireless (State ITS Contract 915A),
 - AT&T Government Solutions (GSA Contract No. GS-35F-129GA),
 - Cellco Partnership d/b/a Verizon Wireless (GSA Contract No. GS-35F-0119P),
 - Cellco Partnership d/b/a Verizon Wireless (State ITS Contract 915A),
 - Sprint Communications Company (GSA Contract No. 47QTCA18D00K0),
 - Sprint Solutions, Inc. (State ITS Contract 915A),
 - T-Mobile USA Inc. (GSA Contract No. GS-35F-0503M), and
 - T-Mobile USA Inc. (State ITS Contract 915A), and
- C. Authorize the City Manager to extend the use of the contracts for as long as the contracts are in effect, at prices and terms that are the same or more favorable than those offered under the contracts.

Staff Resource(s):

Reenie Askew, Innovation and Technology

Austin Faulk, Innovation and Technology

Federal Contract Exception:

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

State Contract Exception:

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

Explanation

- I&T is responsible for consolidated management of the city's purchases of wireless services.
 - The services include traditional cellular voice services as well as data services for an array of applications including vehicle-based public safety communications.
 - Varying service availability and capacity throughout the Charlotte area requires the city to maintain contracts with multiple providers.
- The city has an ongoing need to purchase equipment to utilize the services. This equipment includes handsets, wireless-equipped portable devices, and vehicle-mounted data routers.
- Aggregate annual expenditures are estimated to be \$4,532,000.

Charlotte Business INclusion

These are federal and state contracts and are exempt (Part A, Appendix 1, Section 27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Various Department Operating Budgets

37. Video Management System Services

Action:

- A. **Approve a contract with Advanced Digital Solutions, LLC to provide, implement and maintain an enterprise Video Management System,**
- B. **Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was awarded, and**
- C. **Authorize the City Manager to purchase such additional software licenses, services, and hardware or amend the contract as may be required for additional enterprise implementations of this solution, consistent with the purpose for which the contract was awarded.**

Staff Resource(s):

Reenie Askew, Innovation and Technology
Kerr Putney, Police
Crystal Cody, Police

Explanation

- The city is consolidating video management services into one system.
- Various city departments have implemented video management systems to view cameras placed across the city for traffic control, crime prevention, and city building security. Many of the systems are out of date and require replacement.
- The implementation of a unified video management platform for the city provides the ability to easily share video, improving city response to events impacting public safety and city property protection.
- The city is implementing an enterprise Video Management System to process, manage, and share video across the enterprise and needs a vendor to install and maintain the system.
- On December 19, 2018, the city issued a Request for Proposals (RFP); three responses were received.
- Advanced Digital Solutions best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements to configure the Video Management System platforms.
- Initial expenditure for system implementation is estimated to be \$1,230,000.
- Annual expenditures are estimated to be \$562,300.

Charlotte Business INclusion

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

Fiscal Note

Funding: Various Operating and Capital Project Budgets

38. Citywide Janitorial Services

Action:

- A. Approve contracts with the following companies for janitorial services for an initial term of three years:**
- **A & B Cleaning Services, Inc.,**
 - **Atalian Global Services,**
 - **Environmental Service System, LLC,**
 - **Greens Commercial Cleaning, Inc.,**
 - **Integrated Commercial Cleaning Service,**
 - **ISS Facility Services,**
 - **JSL Services, LLC,**
 - **Paramount Service Solutions, and**
 - **The Budd Group, and**
- B. Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Robert Campbell, Finance

Kay Elmore, Finance

Explanation

- The city utilizes outside vendors to provide janitorial services for approximately 1.3 million square feet of space. Approximately 25 locations currently require janitorial services.
- Services to be provided include routine and scheduled janitorial maintenance along with specialized cleaning (e.g. carpet and tile cleaning and other specialized cleaning services as required by the facility).
- Janitorial service providers supply all necessary equipment, materials, paper products, cleaning agents, labor, and supervision required to clean each facility and adhere to the city's environmental purchasing standards for cleaning and paper products.
- On October 27, 2018 the city issued a Request for Proposals; 26 responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures for all contracts combined are estimated to be \$2,750,000.

Charlotte Business INclusion

Established MWSBE Goal: 30.00%

Committed MWSBE Goal: 67.00%

The city required Prime Consultants to submit a MSBE Participation Plan outlining their solicitation and utilization Efforts (Part C: Section 2.1 (c) of the Charlotte Business INclusion Policy).

The following Prime Consultants have committed 67.00% of the total contract to the following certified firms:

ISS Facility Services - 40.00% (\$974,146)

- AC Pro Cleaning (MBE, SBE) - Staffing
- Bucket, Mop and Broom Cleaning Service, LLC (MBE, SBE) - Staffing
- Absolute Cleaning (MBE, SBE) - Staffing

Environmental Service Systems, LLC - 50.00% (\$204,208)

- AC Pro Cleaning (MBE, SBE) - Staffing

The Budd Group - 56.00% (\$2,572,252)

- Latin Labor (MBE) - Staffing
- JAC Janitorial (MBE) - Staffing

A & B Cleaning Services, Inc. - 30.00% (\$67,319)

- Morrow Carpet and Upholstery (MBE) - Cleaning
- The Johnson Group (WBE) - Cleaning
- Reel Kleen (MBE, SBE) - Staffing

Atalian Global Services - 30.00% (\$226,451)

- Absolute Cleaning (MBE, SBE) - Staffing

The following Prime Consultants are MWSBEs and have committed to perform 100% of the total contract amount, inclusive of all services and staffing:

Green's Commercial Cleaning, Inc. (MBE, SBE) - 100% (\$1,228,824)

Integrated Commercial Cleaning Service (WBE) - 100% (\$1,724,450)

JSL Services (MBE, SBE) - 100% (\$48,838)

Paramount Service Solutions (SBE) - 100% (\$2,000,075)

Fiscal Note

Funding: Various Departments' Operating Budgets

39. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$19,876.50.

Staff Resource(s):

Robert Campbell, Finance
Betty Mattos, Finance

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](#)

[Resolution](#)

40. Meeting Minutes

Action:

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

- **March 18, 2019 Zoning Meeting, and**
- **March 25, 2019 Business Meeting.**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS**41. In Rem Remedy 2817 Dalecrest Drive (Acc Bldg)**

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Complaint: (2817 Dalecrest Dr Acc Bldg, Council District 4)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (2817 Dalecrest Dr Acc Bldg) (Neighborhood Profile Area 160).

Attachment(s)

In Rem Packet for (2817 Dalecrest Dr Acc Bldg)

[2817 Dalecrest Dr Acc Bldg](#)

42. In Rem Remedy 4236 Freedom Drive

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety: (4236 Freedom Drive, Council District 2)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (4236 Freedom Drive) (Neighborhood Profile Area 346).

Attachment(s)

In Rem Packet for (4236 Freedom Drive)

[4236 Freedom Dr](#)

43. Property Transactions - Bryant Farms Road Sidewalk, Parcel #4

Action: Approve the following Condemnation: Bryant Farms Road Sidewalk, Parcel #4

Project: Bryant Farms Road Sidewalk, Parcel #4

Owner(s): Jack Jaimes and Ruth L. Jaimes

Property Address: 9300 Briarwick Lane

Total Parcel Area: 25,564 sq. ft. (.587 ac.)

Property to be acquired by Easements: 700 sq. ft. (.016 ac.) in Storm Drainage Easement, plus 2,209 sq. ft. (.051 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-12

Use: Single-family Residential

Tax Code: 223-201-52

Appraised Value: \$16,475

Recommendation: We are currently waiting on signed documents but to avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

Council District: 7

[Location Map - Bryant Farms Road Sidewalk.P4.docx](#)

44. Property Transactions - Bryant Farms Road Sidewalk, Parcel #9

Action: Approve the following Condemnation: Bryant Farms Road Sidewalk, Parcel #9

Project: Bryant Farms Road Sidewalk, Parcel #9

Owner(s): Dana Hoegh-Guldberg and Niels Hoegh-Guldberg

Property Address: 8722 Bryant Farms Road

Total Parcel Area: 47,451 sq. ft. (1.089 ac.)

Property to be acquired by Fee: 1,582 sq. ft. (.036 ac.) in Fee Simple

Property to be acquired by Easements: 145 sq. ft. (.003 ac.) in Storm Drainage Easement, plus 193 sq. ft. (.004 ac.) in Sidewalk and Utility Easement, plus 1,054 sq. ft. (.024 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: Parking pad

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Rural Homesite

Tax Code: 223-282-83

Counter offer: \$50,000

Appraised Value: \$22,025

Property Owner's Concerns: The property owner is concerned with the amount of compensation being offered, loss of parking and project design.

City's Response to Property Owner's Concerns: Staff informed the property owner they could obtain their own appraisal in order justify their counter offer and was able to redesign the project.

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

[Location Map - Bryant Farms Road Sidewalk.P9.docx](#)

45. Property Transactions - Chandworth Drainage Improvements, Parcel #41

Action: Approve the following Acquisition: Chandworth Drainage Improvements, Parcel #41

Project: Chandworth Drainage Improvements, Parcel #41

Program: Flood Control

Owner(s): Matthew Papandrea and Meredith Papandrea

Property Address: 3819 Chandworth Road

Total Parcel Area: 23,187 sq. ft. (.532 ac.)

Property to be acquired by Easements: 710 sq. ft. (.016 ac.) in Storm Drainage Easement, plus 1,118 sq. ft. (.026 ac.) in Sanitary Sewer Easement, plus 3,391 sq. ft. (.078 ac.) in Temporary Construction Easement, plus 179 sq. ft. (.004 ac.) in Existing Drainage accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 179-063-01

Purchase Price: \$24,000

Council District: 6

[Location Map - Chandworth Drainage Improvements.P41.docx](#)

46. Property Transactions - Chandworth Drainage Improvements, Parcel #42

Action: Approve the following Acquisition: Chandworth Drainage Improvements, Parcel #42

Project: Chandworth Drainage Improvements, Parcel #42

Program: Flood Control

Owner(s): Deborah Stoudenmire

Property Address: 4020 Sussex Avenue

Total Parcel Area: 14,680 sq. ft. (.337 ac.)

Property to be acquired by Easements: 1,866 sq. ft. (.043 ac.) in Storm Drainage Easement, plus 351 sq. ft. (.008 ac.) in Temporary Construction Easement, plus 946 sq. ft. (.022 ac.) in Existing Drainage accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 179-063-03

Purchase Price: \$18,375

Council District: 6

[Location Map - Chandworth Drainage Improvements.P42.docx](#)

47. Property Transactions - Chandworth Drainage Improvements, Parcel #9

Action: Approve the following Acquisition: Chandworth Drainage Improvements, Parcel #9

Project: Chandworth Drainage Improvements, Parcel #9

Program: Flood Control

Owner(s): Julaine M. Untereker

Property Address: 3834 Chandworth Road

Total Parcel Area: 14,602 sq. ft. (.335 ac.)

Property to be acquired by Easements: 556 sq. ft. (.013 ac.) in Storm Drainage Easement, plus 644 sq. ft. (.015 ac.) in Sanitary Sewer Easement, plus 1,575 sq. ft. (.036 ac.) in Temporary Construction Easement, plus 3,324 sq. ft. (.076 ac.) in Existing Drainage accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 179-097-37

Purchase Price: \$18,000

Council District: 6

[Location Map - Chandworth Drainage Improvements.P9.docx](#)

48. Property Transactions - Cross Charlotte Trail Brandywine - Tyvola, Parcel #24

Action: Approve the following Condemnation: Cross Charlotte Trail Brandywine - Tyvola, Parcel #24

Project: Cross Charlotte Trail Brandywine - Tyvola, Parcel #24

Owner(s): Franciscan Terrace Homeowner's Association, Ltd.

Property Address: 4755 Hedgemore Drive

Total Parcel Area: 334,328 sq. ft. (7.675 ac.)

Property to be acquired by Easements: 15,617 sq. ft. (.359 ac.) in Greenway Easement, plus 9,843 sq. ft. (.226 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Zoned: O-1

Use: Condominium

Tax Code: 175-14C-98

Appraised Value: \$202,325

Property Owner's Concerns: The property owner is concerned about the design of the project and the potential impacts to the property.

City's Response to Property Owner's Concerns: Staff redesigned and was able to reduce the impact to the property.

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: 6

[Location Map - Cross Charlotte Trail Brandywine - Tyvola.P24.docx](#)

49. Property Transactions - Five Points Plaza Improvements, Parcel #3

Action: Approve the following Acquisition: Five Points Plaza Improvements, Parcel #3

Project: Five Points Plaza Improvements, Parcel #3

Owner(s): The Charlotte-Mecklenburg Hospital Authority

Property Address: 1801 Rozzelles Ferry Road

Total Parcel Area: 24,490 sq. ft. (.562 ac.)

Property to be acquired by Fee: 2,169 sq. ft. (.05 ac.) in Fee Simple

Property to be acquired by Easements: 880 sq. ft. (.02 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees, shrubs and various plantings

Zoned: NS

Use: Commercial

Tax Code: 071-106-03

Purchase Price: \$110,325

Council District: 2

[Location Map - Five Points Plaza Improvements.P3.docx](#)

50. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #20

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #20

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #20

Program: Flood Control

Owner(s): Oliver J. Carias

Property Address: 5517 Sharon Road

Total Parcel Area: 16,898 sq. ft. (.388 ac.)

Property to be acquired by Easements: 44.76 sq. ft. (.001 ac.) in Storm Drainage Easement, plus 403.47 sq. ft. (.009 ac.) in Temporary Construction Easement, plus 1,186.06 sq. ft. (.027 ac.) in Utility Easement, plus 546.47 sq. ft. (.013 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

Tax Code: 209-073-07

Purchase Price: \$14,700

Council District: 6

[Location Map - Hinsdale - Tinkerbell Drainage Improvements.P20.docx](#)

51. Property Transactions - Oneida Road Sidewalk, Parcel #3

Action: Approve the following Acquisition: Oneida Road Sidewalk, Parcel #3

Project: Oneida Road Sidewalk, Parcel #3

Owner(s): Mount Vernon Missionary Baptist Church of Charlotte, Inc.

Property Address: 2901 Oneida Road

Total Parcel Area: 260,991 sq. ft. (5.992 ac.)

Property to be acquired by Fee: 15,227 sq. ft. (.35 ac.) in Fee Simple

Property to be acquired by Easements: 2,226 sq. ft. (.051 ac.) in Storm Drainage Easement, plus 8,370 sq. ft. (.192 ac.) in Sidewalk and Utility Easement, plus 12,005 sq. ft. (.276 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-12

Use: Church

Tax Code: 045-191-09

Purchase Price: \$48,675

Council District: 4

[Location Map - Oneida Road Sidewalk.P3.docx](#)

52. Property Transactions - Oneida Road Sidewalk, Parcels #6 and 7

Action: Approve the following Condemnation: Oneida Road Sidewalk, Parcels #6 and 7

Project: Oneida Road Sidewalk, Parcels #6 and 7

Owner(s): Moss Supply Company

Property Address: Oneida Road

Total Parcel Area: 497,405 sq. ft. (11.419 ac.)

Property to be acquired by Fee: 26,096 sq. ft. (.599 ac.) in Fee Simple

Property to be acquired by Easements: 8,831 sq. ft. (.203 ac.) in Sidewalk and Utility Easement, plus 3,564 sq. ft. (.082 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-1

Tax Code: 045-181-04A and 045-181-11

Appraised Value: \$29,200

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

Council District: 4

[Location Map - Oneida Road Sidewalk.P6.P7.docx](#)

ADJOURNMENT

REFERENCES

53. 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 that reference the Charlotte Business INclusion Policy in the business meeting agenda.

Part A: Administration and Enforcement

Part A: Section 2.3: Targeted Outreach and Designated Contracts for Small Business Enterprises (SBEs).

When feasible, the Charlotte Business INclusion (CBI) Office may designate certain Contracts or categories of Contracts in which solicitation efforts will be directed only to SBEs. In designating Contracts for targeted outreach or SBE participation, the CBI Office takes into account the size and scope of the Contract and the availability of SBEs to provide the applicable services or products.

Part A: Section 3.1: Subcontracting Goals. The city shall establish one or more Subcontracting Goals for all Construction Contracts of \$300,000 or more and for all Architecture, Engineering, and Surveying Contracts of \$100,000 or more. Contracts estimated to be less than these thresholds are exempt from the goal setting process.

Appendix Section 20: Contract: For the purposes of establishing an (Minority, Women, and Small Business Enterprise (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, Minority Business Enterprise (MBE), or Women Business Enterprise (WBE) Goal has been set.
- Financial Partner Agreements, Development Agreements, Infrastructure Improvement Agreements, Design-Build, 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 are "Exempt Contracts" and shall be exempt from all aspects of the Charlotte Business INclusion Policy:

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, 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.

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

Federal Contracts Subject to Disadvantaged Business Enterprise (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.

State Funded Contracts Subject to the State's MWBE Requirements: Contracts that are subject to an MWBE Goal set by the State of North Carolina pursuant to N.C. Gen. Stat. 143-128.2.

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

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

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

Contracts with Waivers: Contracts for which the City Manager or CBI Program Manager waives the CBI Program requirements (such as when there are no MWSBE subcontracting opportunities on a Contract).

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

Appendix Section 35: Informal Contracts: Contracts that are estimated to be less than the following dollar thresholds prior to issuance of the City Solicitation Documents:

- Construction Contracts: \$500,000, and
- Service Contracts and Commodities Contracts: \$100,000.

Part B: Construction and Commodities Contracts

Part B: Section 2.1: When the city sets a Subcontracting Goal, each Bidder must either: (a) meet each Subcontracting Goal; or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements for each unmet Subcontracting Goal. Failure to comply 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: Service Contracts

Part C: Section 2.1(a) Subcontracting Goals: No Goal When There Are No MWSBE Subcontracting Opportunities. The city shall not establish Subcontracting Goals for Service Contracts where (a) there are no subcontracting opportunities identified; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part C: Section 2.1(b) and 2.1(c): The city may require each Proposer to submit with its Proposal one or more of the following: (a) a Participation Plan describing how Proposer intends to solicit MWSBE participation; (b) the Proposer's Committed Subcontracting Goals; and (c) an affidavit listing the SBEs and MWBEs it intends to use on the Contract.

Part C: Section 2.1(h) Negotiated Goals: The city may seek to negotiate Subcontracting Goals after Proposals have been submitted.

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 (a) notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or (b) establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.

Part G: Alternative Construction Agreements

Part G: Section 2.7: Prior to City Council's vote to award the Alternative Construction Agreement, the Program Manager and the Company shall negotiate and agree on proposed MWSBE Goals for the Project and on a Participation Plan that describes the outreach and efforts the Company will be required to undertake to meet the MWSBE subcontracting goals.

54. 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
 - Leaving 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 term "fee simple" is a synonym for ownership and 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.

55. 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.