

City of Charlotte

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



Meeting Agenda

Monday, October 28, 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*

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

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. New 311 Engagement Tool

Staff Resource(s):

Reenie Askew, Information and Technology

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Overview of the CLT+ mobile application

[New 311 Engagement Tool](#)

4. Capital Project Dashboard Tool

Staff Resource(s):

Phil Reiger, Strategy and Budget

Hannah Bromberger, Strategy and Budget

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Overview of the Capital Project Dashboard tool

[Capital Project Dashboard Tool](#)

5. Environment Program: Green Source Advantage Opportunity

Staff Resource(s):

Sarah Hazel, City Manager's Office

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Update on the city's participation in Duke Energy's Green Source Advantage Program

[Green Source Advantage Opportunity](#)

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)

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

Call to Order

Introductions

Invocation

Pledge of Allegiance

PUBLIC FORUM

8. Public Forum

9. Consent agenda items 19 through 56 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 residents signed up to speak to the item.

PUBLIC HEARING

10. Public Hearing and Decision on Dulin Farms Voluntary Annexations

- A. Hold a public hearing for the Dulin Farms voluntary annexation, and**
- B. Adopt an annexation ordinance with an effective date of October 28, 2019, to extend the corporate limits to include these properties and assign them to the adjacent City Council District 4.**

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- A petition has been received for a 25.488-acre rezoning: 23.7841 acres is private property owned by the applicant, and the remaining property is public right-of-way.
- The property is owned by MHL Development, LLC.
- The property is zoned (R-4) Single Family Residential.
- The petitioned area consists of seven parcels: PID 105-142-48, 105-142-49, 105-142-50, 105-142-51, 105-142-52, 105-142-53, and 105-142-54.
- The property is located within Charlotte's extraterritorial jurisdiction.
- The intent of the annexation is to enable the development of approximately 81 single family residential dwelling units.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003.
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services;
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new City limits.

Attachment(s)

Map

Annexation Ordinance

[Dulin Farms Area Annexation Map](#)

[Ordinance -Dulin Farms](#)

11. Public Hearing and Decision on Larkhaven Voluntary Annexations

- A. Hold a public hearing for the Larkhaven voluntary annexation, and**
- B. Adopt an annexation ordinance with an effective date of October 28, 2019, to extend the corporate limits to include these properties and assign them to the adjacent City Council District 5.**

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- A petition has been received from the owner of property totaling 141.9 acres.
- The property is owned by Meritage Homes of the Carolinas, Inc.
- The property is zoned MX-1 Innovative (Mixed Use Innovative) and R-5 CD (Single Family Residential Conditional).
- The petitioned area consists of two parcels: PID 11121108 and 11121112.
- The property is located within Charlotte's extraterritorial jurisdiction and shares boundaries with current city limits.
- The intent of the annexation is to enable the development of up to 350 single family residential dwelling units in accordance with rezoning petition number 2018-005.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003.
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services;
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new City limits.

Attachment(s)

Map

Annexation Ordinance

[Larkhaven Area Annexation Map](#)

[Ordinance -Larkhaven](#)

12. Public Hearing and Decision on Rocky River and I-485 Voluntary Annexations

- A. Hold a public hearing for the Rocky River and I-485 voluntary annexation, and
- B. Adopt an annexation ordinance with an effective date of October 28, 2019, to extend the corporate limits to include these properties and assign them to the adjacent City Council District 4.

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- A petition has been received from the owner of property totaling 77.31 acres.
- The property is owned by Rocky River Road Associates, LLC.
- The property is zoned (CC) Commercial Center.
- The petitioned area consists of three parcels: PID 105-361-01, 105-361-05, and 105-361-06.
- The property is located within Charlotte's extraterritorial jurisdiction.
- The intent of the annexation is to enable the development of approximately 102 single family residential dwelling units, 275 multi-family units, 131,000 square feet of retail, a 50,000 square foot movie theater, and a 120-room hotel.

Consistency with City Council Policies

- The annexation is consistent with voluntary annexation policy approved by City Council on March 24, 2003.
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services;
 - Per policy, voluntary annexations that encompass unincorporated areas by new city limits may be approved if either of the following conditions exist:
 - A petitioner for a voluntary annexation would experience a significant hardship if the annexation were not approved; or
 - Under the facts of a particular voluntary annexation petition, the city's interests are served by varying the application of one or more of these policies.
 - This voluntary annexation is being recommended because the city's interests will be served by annexing the petitioned property.

Attachment(s)

Map

Annexation Ordinance

[Rocky River Rd I485 Mixed Use Area](#)

[Ordinance -Rocky River and I-485](#)

POLICY

13. City Manager's Report

BUSINESS

14. Metropolitan Planning Program Grant Municipal Agreement

Action:

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

Staff Resource(s):

Liz Babson, Transportation

John Lewis, CATS

Taiwo Jaiyeoba, Planning, Design and Development

Bob Cook, Planning, Design and Development

Explanation

- The Federal Transit Administration (FTA) awarded the Fiscal Year 2020 Metropolitan Planning Grant to the City of Charlotte in July 2019.
- The city receives this grant annually as the lead planning agency for the Charlotte Regional Transportation Planning Organization (CRTPO) and as the major fixed-route transit operator for the urban area.
- The North Carolina Department of Transportation requires grant recipients to enter into a new Municipal Agreement to receive the annual allocation.
- The Charlotte Department of Transportation; Planning, Design and Development; and the Charlotte Area Transit System are responsible for the deliverables outlined in this grant, including:
 - The federally-compliant travel demand model required for transportation planning and air quality conformity, and
 - Updating the Transit Element of the Metropolitan Transportation Plan, developing transit travel demand forecasts, conducting ridership surveys, and monitoring and updating the Transportation Improvement Program, as necessary, to advance projects and ensure compliance with federal regulations.
- The total FTA planning budget for the city is \$556,000, of which \$444,800 (80 percent) consists of federal funds, \$55,600 (10 percent) consists of state funds, and \$55,600 (10 percent) consists of CRTPO local funds.

Fiscal Note

Funding: General Grants Fund

Attachment(s)

Resolution

[Municipal Agreement Resolution](#)

15. Streets Map to Implement Transit Oriented Development Zoning Along Blue Line

Action:

Adopt the Streets Map to implement Transit Oriented Development for the Blue Line.

Committee Chair:

Julie Eiselt, Transportation and Planning

Staff Resource(s):

Liz Babson, Transportation
Johanna Quinn, Transportation
Tracy Newsome, Transportation

Explanation

- The Streets Map is a key implementation tool for the Transit-Oriented Development (TOD) Zoning Ordinance, which was adopted by City Council on April 15, 2019.
- The Streets Map sets the vision for the public realm within TOD by assigning street classifications and setting ultimate curb locations for Complete Streets in the TOD areas around the Blue Line.
- Street classification and curb location are used to determine design requirements such as setbacks, building placement, streetscapes, and other key design elements related to street frontages, providing predictability, consistency, and clarity for development.
- Until the Streets Map is adopted, TOD districts rely on area plans, some of which do not include Charlotte's most recently adopted Complete Streets design policies.
- The Streets Map will also form the basis for the design of capital projects along streets.

Background

- The Streets Map is intended to complement the adopted TOD Ordinance to create safe and comfortable Complete Streets for all users and to provide multi-modal access to transit stations and the destinations around those stations.
- The information on the Streets Map reflects previously-adopted policies from the Urban Street Design Guidelines (USDG), the Transportation Action Plan, Charlotte WALKS, and Charlotte BIKES.
- The Streets Map includes recommendations for the cross section of each arterial street in TOD around the Blue Line. These recommendations include number of lanes, bicycle facilities, and on-street parking and center space where applicable.

Community Input

- The Streets Map incorporates significant public comment from previously-adopted City Council policies. Thousands of people commented during the adoption of USDG, TAP, Charlotte WALKS (adopted 2017), and Charlotte BIKES (adopted 2017).
- Information about the Streets Map has been provided across the City to community and advocacy groups including the Bicycle Advisory Committee, the Ordinance Advisory Committee (OAC), Town Halls, and Biketoberfest 2018.
- Staff has also met with the broader community as part of the TOD Zoning Alignment, attending all property owner and community meetings. The TOD Zoning Alignment and Streets Map are two key implementation tools for the recently adopted TOD districts.
- A Streets Map Stakeholder Group was formed to address questions from the OAC and to have a more in-depth conversation about the Streets Map. The Stakeholders were made up of developer and advocacy group representatives and met a total of three times.
- The city collected public comments on the map June through September, and at the October 14, 2019 Council Business Meeting, Council heard public comments on the Streets Map.
- The Streets Map is available at <https://charlottenc.gov/Projects/Pages/StreetsMap.aspx>.

Committee Discussion

- The Streets Map was presented to the Transportation and Planning Committee on July 22 and September 23, 2019. At the meeting on September 23, 2019, the Committee voted to recommend that the Streets Map be presented to full City Council for public comment.
- During the City Council Strategy Session on October 7, 2019, information was provided about the Streets Map including the content, development, and application of the Streets Map to TOD.

16. Interlocal Agreement to Accept Wastewater Flow into the Sanitary Sewer System

Action:

Adopt a resolution ratifying an Interlocal Agreement with the City of Belmont to accept wastewater flow into Charlotte Water's sanitary sewer system.

Staff Resource(s):

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- This agreement will allow the city to accept wastewater flow from the City of Belmont and allows for the construction of a sewer lift station and dual sanitary sewer lines under the Catawba River.
- The agreement supports the Stowe Regional Water Resource Recovery Facility (Stowe RWRRF) (adjacent to Council Districts 2 and 3) and associated regional infrastructure, outlined in a presentation to City Council on April 9, 2018.
- On May 13, 2013, Council approved a Memorandum of Agreement and authorized a Nutrient Allocation Purchase Agreement with the City of Belmont.
- On February 13, 2017, Council approved a professional services agreement for a Preliminary Engineering Report that provided preliminary design for the Stowe RWRRF and associated Belmont and Mount Holly facilities.
- On October 7, 2019, the Belmont City Council approved the Interlocal Agreement.
- The design and construction contracts for the Belmont and Mount Holly facilities as well as the Stowe RWRRF will be presented to Council at future meetings.

Background

- The city's studies indicated the need for a wastewater treatment plant near the confluence of Long Creek and Lake Wylie. It also indicated that wastewater treatment needs for Mecklenburg County, the City of Belmont, and the City of Mount Holly could be best met through a regional partnership.
- The Stowe RWRRF will consolidate three significant discharge permits for existing wastewater treatment plants for Belmont, Mount Holly, and Clariant Corporation, and will require Belmont and Mount Holly to decommission their existing plants.

Attachment(s)

Map

Resolution

[Map-Interlocal Agreement to Accept Flow into Charlotte Water's Sanitary Sewer System](#)

[Resolution](#)

17. Appropriate Private Developer Funds

Action:

- A. Approve developer agreements with Sugar Creek Housing, LLC; 601 S. Tryon, LLC; Youngblood Apartments, LLC; Montford Charlotte Apartments I, LLC; REO Funding Solutions III, LLC; Circle K Stores, Inc.; and Liberty Healthcare Management Inc. for traffic signal installations and improvements, and**
- B. Adopt a budget ordinance appropriating \$412,187 in private developer funds for traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Explanation

- Private developer agreements and 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 \$412,187 in private developer funding is for traffic signals, traffic signal modifications and/or upgrades, and other related work associated with the developers' projects. The funding is restricted to the projects noted below:
 - Sugar Creek Housing, LLC contributed \$50,000 for signal modifications at the location of West Sugar Creek Road and the Accela project (Council Districts 1 and 4).
 - 601 S. Tryon, LLC contributed \$180,637 for signal modifications at the intersections of College Street and Hill Street and South Tryon Street and Hill Street (Council Districts 1 and 2).
 - Youngblood Apartments, LLC contributed \$46,115 for signal modifications at the intersections of South Tryon Street and Youngblood Road (Council District 3).
 - Montford Charlotte Apartments I, LLC contributed \$50,000 for a new signal at the intersection of Woodlawn Road and Montford Drive (Council District 6).
 - REO Funding Solutions III, LLC contributed \$52,860 for signal modification at the intersection of Sam Wilson Road and Wilkinson Boulevard (adjacent to Council District 3).
 - Circle K Stores, Inc. contributed \$16,675 for signal modification at the intersection of Freedom Drive and Alleghany Street (Council District 3).
 - Liberty Healthcare Management Inc. contributed \$15,900 for signal modification at the intersection of Fairview Road and Barclay Downs (Council District 6).
- These developer contributions are based on cost estimates prepared by the Charlotte Department of Transportation (CDOT).
- Any funding contributed by the developer(s) for a signal project that is unused by the city will be refunded back to the developer(s) after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map
Budget Ordinance

[Traffic Signal Improvements Map](#)

[BO Developer Appropriations 10.28.2019](#)

18. Mayor and City Council Topics

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

CONSENT

19. Resolution of Intent to Abandon and Close a Portion of North Poplar Street

Action:

- A. Adopt a Resolution of Intent to Abandon and Close a portion of North Poplar Street, and
- B. Set a Public Hearing for November 25, 2019.

Staff Resource(s):

Liz Babson, Transportation

Casey Mashburn, 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 and attaches it to the adjacent property.
- The portion of the North Poplar Street to be abandoned is located in Council District 2.

Petitioner

All American Properties, LLC

Attachment(s)

Map

Resolution

[N Poplar St Map](#)

[Resolution of Intent to Abandon a portion of North Poplar Street](#)

20. Wilkinson Boulevard Intelligent Transportation System Project

Action:

- A. **Approve a contract in the amount of \$689,551.68 to the lowest responsive bidder, STS Cable Services, Inc. for the Wilkinson Boulevard Intelligent Transportation Systems project.**
- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Liz Babson, Transportation

Ashley Boenisch, Transportation

Explanation

- This project is part of the implementation of the Intelligent Transportation System (ITS) Master Plan described in the Transportation Action Plan.
- Traffic signals and traffic management cameras are major components of an ITS and connecting them with fiber optic cable provides the ability to monitor and remotely adjust traffic signals to improve traffic flow.
- The ITS project extends communications along Wilkinson Boulevard from Josh Birmingham Parkway to Morehead Street and Ashley Road to Greenland Avenue in Council District 3. The project includes:
 - Installation of approximately four miles of fiber optic cable,
 - Connections to nine existing traffic signals, and
 - 11 Traffic management camera installations.
- On August 14, 2019, the city issued an Invitation to Bid; four bids were received.
- STS Cable Services, Inc. was selected as the lowest responsive, responsible bidder.
- The project is funded with 79 percent Federal funds (Congestion Mitigation and Air Quality Grant) and 21 percent city funds.
- The project is anticipated to be complete by fourth quarter 2020.

Charlotte Business INclusion

This is a Federal contract and is exempt from the Charlotte Business INclusion Policy (Part A: Appendix 1, Section 27).

Fiscal Note

Funding: General Capital Investment Plan and Congestion Mitigation and Air Quality Grant

Attachment(s)

Map

[WilkinsonBlvd ITSProject](#)

21. Citywide Radios and Communication Equipment

Action:

- A. Approve unit price contracts for the purchase of radios and communication equipment for the term of three years with the following companies:**
- **Communication International,**
 - **Motorola Solutions,**
 - **Two Way Radio of Carolina, 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):

Angela Lee, General Services
Kay Elmore, General Services
Reenie Askew, Innovation and Technology

Explanation

- Public safety radios are critical for two-way voice communication for all public safety first responders, such as Fire, Medic, Police, and the Sheriff's Office.
- Radios also provide critical communications for city and Mecklenburg County field service employees and dispatchers. City departments currently using radios include: Transportation, Solid Waste Services, Charlotte Water, CATS, and Aviation.
- All public safety radios must be compatible with the city's system.
- On March 19, 2019, the city issued a Request for Proposals (RFP) for the city and on behalf of the Charlotte Cooperative Purchasing Alliance; four responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$3,500,000.

Charlotte Business INClusion

Per Charlotte Business INClusion Policy: Part C: Section 2.1(a) The city shall not establish Subcontracting Goals for Contracts where: (a) there are not subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

This contract meets the provisions of (a) - No subcontracting opportunities.

Fiscal Note

Funding: Various Departments' Operating Budgets

22. Citywide Office Supplies

Action:

- A. **Approve a unit price contract to the lowest responsive bidder Staples Contract & Commercial LLC for the purchase of office supplies for three years, and**

- B. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, General Services

Kay Elmore, General Services

Explanation

- This contract will provide numerous office supplies including, but not limited to, consumables (e.g. pens, labels, index cards), cleaning supplies, folders, binders and accessories, paper products, copy paper, toner, IT peripherals (e.g. keyboards, privacy screens), equipment, furniture, and other miscellaneous supplies.
- On April 3, 2019, the city issued an Invitation to Bid for the city and on behalf of the Charlotte Cooperative Purchasing Alliance; three bids were received.
- Staples Contract & Commercial LLC was selected as the lowest responsive, responsible bidder.
- Total annual expenditures are estimated to be \$1,000,000.

Charlotte Business INclusion

Established MWSBE Goal: 10.00%

Committed MWSBE Goal: 10.40%

Staples Contract & Commercial LLC exceeded the established MWSBE goal, and has committed 10.40% (\$104,000) of the total office supplies contract to the following certified firms (Part B: Section 2 of the Charlotte Business INclusion Policy):

- Delivery & Distribution Solutions, LLC (MBE) - \$64,000 annually, \$320,000 contract term
- S&B Computer and Office Products (MBE) - \$40,000 annually, \$200,000 contract term

Fiscal Note

Funding: Various Departments' Operating Budgets

23. Surveying Services

Action:

A. Approve unit price contracts for surveying services for a term of four years to each of the following:

- Calyx Engineers and Consultants, Inc.,
- CES Group Engineers, LLP,
- Concord Engineering & Surveying, Inc.,
- Dewberry Engineers, Inc.,
- DRMP, Inc.,
- Dunbar Geomatics Group, PLLC,
- ESP Associates, Inc.,
- The Isaacs Group, PC,
- Lawrence Associates, PC,
- LDSI, Inc.,
- Maser Consulting, PA,
- Merrick & Company,
- Professional Property Surveyors, Inc.,
- R. Joe Harris & Associates, Inc.,
- Schneider Engineering Corp d/b/a The Schneider Corporation,
- SEPI Engineering & Construction, Inc.,
- So-Deep/SAM NC, Inc.,
- Stewart Engineering, Inc.,
- The Survey Company, Inc.,
- Taylor, Wiseman & Taylor, Inc.,
- Wood Environment & Infrastructure Solutions, Inc.,
- WSP USA, Inc., and

B. Authorize the City Manager to approve possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Staff Resource(s):

Angela Lee, General Services
Mike Davis, General Services
Jackie Brim, General Services

Explanation

- Surveying services are needed for construction staking and for boundary, topographical, and physical surveys for various Capital Investment Plan projects on an as-needed basis.
- On May 14, 2019, the city issued a Request for Qualifications (RFQ); 28 responses were received.
- 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 the RFQ requirements.
- Total annual expenditures are estimated to be \$5,062,500.

Charlotte Business INclusion

The City negotiates subcontracting participation after firms are selected for these services contracts (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Each of the firms listed has identified MWSBE firms to participate as project scopes are defined, and committed 10% of the total contract amount to the following certified firms:

Calyx Engineers and Consultants, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- LDSI, Inc. (SBE)

CES Group Engineers, LLP (SBE, WBE, HUB, DBE)

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)

Concord Engineering & Surveying, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)

Dewberry Engineers, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)

DRMP, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- Tidemark Land Services (SBE, HUB)
- SEPI Engineering & Construction, Inc. (WBE, HUB)

Dunbar Geomatics Group, PLLC (SBE)

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)
- RDL Private Utility Locating LLC (MBE, SBE, HUB)

ESP Associates, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- The Survey Company, Inc. (SBE)
- Roadmasters Traffic Control LLC (SBE, WBE, HUB, DBE)
- BrandRPM (SBE, HUB)

The Isaacs Group, PC

- Avioimage Mapping Services, Inc. (SBE)
- Center Line Locating, LLC (SBE, WBE, HUB)

Lawrence Associates, PC

- Avioimage Mapping Services, Inc. (SBE)
- Center Line Locating, LLC (SBE, WBE, HUB)
- Sweet Water Utility Exploration LLC (SBE)

LDSI, Inc. (SBE)

- Center Line Locating, LLC (SBE, WBE, HUB)
- Tidemark Land Services (SBE, HUB)

Maser Consulting, PA

- Avioimage Mapping Services, Inc. (SBE)
- Survey & Mapping Control, Inc. (SBE)

Merrick & Company

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)

Professional Property Surveyors, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)
- Dunbar Geomatics Group, PLLC (SBE)
- Probe Utility Locating (SBE, WBE, HUB)
- Red Tie Courier Services (MBE, SBE, HUB)

R. Joe Harris & Associates, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- RDL Private Utility Locating LLC (MBE, SBE, HUB)

Schneider Engineering Corp d/b/a The Schneider Corporation

- Avioimage Mapping Services, Inc. (SBE)
- HLM Group (SBE)

SEPI Engineering & Construction, Inc. (WBE, HUB)

- Avioimage Mapping Services, Inc. (SBE)

So-Deep/SAM NC, Inc.

- Survey & Mapping Control, Inc. (SBE)

Stewart Engineering, Inc. (MBE)

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)
- Tidemark Land Services (SBE, HUB)

The Survey Company, Inc. (SBE)

- Avioimage Mapping Services, Inc. (SBE)
- Sweet Water Utility Exploration LLC (SBE)
- Center Line Locating, LLC (SBE, WBE, HUB)
- DroneScape (MBE, HUB, DBE)

Taylor, Wiseman & Taylor, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- Bird Dog Traffic Control, LLC (SBE, WBE, HUB, DBE)

Wood Environment & Infrastructure Solutions, Inc.

- Avioimage Mapping Services, Inc. (SBE)
- LDSI, Inc. (SBE)
- Crescent Construction Services (SBE, HUB)

WSP USA, Inc.

- CES Group Engineers, LLP (SBE, WBE, HUB, DBE)
- Stewart Engineering, Inc. (MBE)

Fiscal Note

Funding: General Capital Investment Plan and Storm Water Capital Investment Plan

24. Irwin Creek Tributary Sanitary Sewer Construction

Action:

Approve a guaranteed maximum price of \$29,349,846.53 to Sanders Utility Construction Company Inc. for Design-Build Phase 2 construction services for the Irwin Creek Tributary Sanitary Sewer project.

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Carl Wilson, Charlotte Water

Explanation

- Sanders Utility Construction Company Inc. has developed a guaranteed maximum price (GMP) for construction of the Irwin Creek Tributary sanitary sewer line. The construction will increase the size of the sanitary sewer line, which will require two tunnel crossings of South Tryon Street and Interstate 77 (Council Districts 1 and 3).
- On December 10, 2018, Council approved a contract with Sanders Utility Construction Company Inc. for Design-Build Phase 1 design services. Based on the design, a GMP for construction services was developed.
- The project is anticipated to be complete by the third quarter of 2021.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). Sanders Utility Construction Company Inc. has committed 11.23% (\$3,297,452.00) of the total contract for Phase 2 construction services to the following certified firms:

- Jim Bob's Grading & Paving, Inc. (SBE) (\$1,500,000) (paving)
- Sun King Trucking, LLC (SBE, MBE) (\$450,000) (hauling)
- Buffkin Trucking, Inc. (SBE, MBE) (\$425,000) (hauling)
- Haigler Concrete and Demo, LLC (SBE) (\$350,000) (sidewalks and curb and gutter)
- CES Group Engineers LLP (SBE, WBE) (\$155,000) (construction surveying)
- All Points Trucking, Inc. (SBE, WBE) (\$125,000) (hauling)
- R.E. Sifford Utility, Inc. (SBE) (\$88,452) (asphalt cutting)
- Sanders Constructors, Inc. (SBE) (\$72,000) (clearing and grubbing)
- Striping Concepts, LLC (SBE) (\$48,000) (pavement markings)
- Martin Landscaping Co., Inc. (SBE, WBE) (\$40,000) (landscaping)
- Stewart Engineering Inc (MBE) (\$24,000) (compaction testing)
- Maybury Fencing, Inc. (SBE) (\$10,000) (fencing)
- P And TL, Inc. (SBE) (\$10,000) (silt fencing)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map-Irwin Creek Tributary Sanitary Sewer Construction](#)

25. Fiscal Year 2020 Water and Sanitary Sewer Service Dismantlements

Action:

- A. **Approve a unit price contract in the amount of \$2,957,887.42 to the lowest responsive bidder Atlantic Coast Contractors, Inc. for water and sanitary sewer service dismantlements, and**

- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

David Czerr, Charlotte Water
Jackie Jarrell, Charlotte Water
Keri Cantrell, Charlotte Water

Explanation

- This contract is to supplement Charlotte Water with dismantling water and sanitary sewer services.
- A service connection includes a connection to the existing public main, which extends a small diameter line to the property and includes a water meter box or sewer clean out.
- Customers request service dismantlements when the service is deemed unnecessary for their site, which typically occurs during redevelopment.
- Dismantling service connections that will no longer be used avoids future maintenance issues related to those connections.
- The work covered by this contract will provide approximately 300 service dismantlements annually.
- Charlotte Water outsources the majority of dismantlements to ensure timely service.
- On August 28, 2019, the city issued an Invitation to Bid; one bid was 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 September 19, 2019, the city re-issued an Invitation to Bid; two bids were received.
- Atlantic Coast Contractors, Inc. was selected as the lowest responsive, responsible bidder.

Charlotte Business INClusion

Per Charlotte Business INClusion Policy: Part C: Section 2.1(a) The city shall not establish Subcontracting Goals for contracts where: (a) there are not subcontracting opportunities identified for the contract; and (b) there are no SBEs or MBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

This contract meets the provisions of (b) there are no SBEs or MBEs certified to provide the service.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

26. Real Estate and Appraisal Services

Action:

- A. **Approve a unit price contract with Professional Property Services, Inc. for real estate and appraisal document review and supplemental acquisition services for an initial term of three years, and**
- B. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Angela Lee, General Services
Tony Korolos, General Services

Explanation

- This contract will provide Charlotte Water with expedited and dedicated real estate document review and supplemental acquisition resources to meet the accelerated schedule of at least 14 critical infrastructure projects.
- Professional Property Services, Inc. will ensure that all acquisitions meet applicable federal, state, and local laws, rules, and regulations and are executed on an accelerated schedule.
- On August 5, 2019, the city issued a Request for Proposals (RFP); two responses were received.
- Professional Property Services, Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$300,000.

Charlotte Business INClusion

The city negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). Professional Property Services, Inc. has committed 10.00% (\$30,000) of the total contract amount to the following certified firms:

- Michael Ryan Realty Inc. dba Carolina Right of Way (SBE) (\$15,000) (settlement and condemnation reviews)
- Dunbar Geomatics Group, PLLC (SBE) (\$15,000) (survey reviews)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

27. Survey Equipment and Accessories

Action:

- A. **Approve the purchase of Trimble survey equipment, software, and accessories, by the sole source exemption,**
- B. **Approve a contract with Duncan-Parnell, Inc. for the purchase of Trimble survey equipment, software, and accessories for the term of five years, and**
- C. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Scott Clark, 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 of supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because standardization is the overriding consideration.
- The City Council must approve purchases made under the sole source exception.

Explanation

- This contract will allow for the purchase of Trimble survey equipment which generates data that is used to create engineering drawings needed for Charlotte Water's capital projects, and will further Charlotte Water's standardization of this equipment.
- Benefits of standardization include continuing to use software and equipment Charlotte Water previously purchased, staff experience with the use of this particular software and equipment, and the existing integration of this software and equipment into Charlotte Water's project work flow process.
- Total annual expenditures are estimated to be \$100,000.

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 Capital Investment Plan

28. Master Agreement between Charlotte Area Transit System and Centralina Council of Governments

Action:

- A. **Adopt a resolution to approve a Master Agreement between the Charlotte Area Transit System and the Centralina Council of Governments to engage regional stakeholders and procure, manage, and administer a consultant contract for development of a Regional Transit Plan and Implementation Strategies, and**
- B. **Authorize the City Manager to amend the agreement consistent with the purpose for which the agreement was approved.**

Staff Resource(s):

John Lewis, CATS

John Muth, CATS

Explanation

- The Charlotte Area Transit System (CATS) and the Centralina Council of Governments (CCOG) have collaborated for two years on a Regional Transit Engagement Series throughout the 12-county region.
- The next step is the preparation of a regional transit plan. Given its multi-county regional role, the CCOG is the appropriate agency to procure, manage, and administer the consultant contract and engage regional stakeholders. CATS and the city's Planning, Design and Development department will be on the consultant selection committee and will serve on the project management team.
- The CCOG is seeking a consultant team to:
 - Develop a single, coordinated transit vision for the project area that includes multiple transit modes,
 - Identify rapid transit corridors as extensions to the CATS 2030 Plan and in coordination with other regional and local transportation plans,
 - Develop action-oriented strategies to support improved mobility and access, effective and coordinated transit investments, and coordinated transit operations, and
 - Identify key topics and methods for regional coordination.
- CCOG in collaboration with CATS, Charlotte Regional Transportation Planning Organization, North Carolina Department of Transportation, and adjacent Metropolitan Planning Organizations (MPO) have assembled funding for the development of a Regional Transit Plan and Implementation Strategies. The estimated cost of the study is approximately \$2,000,000, over two fiscal years. Fiscal Year 2019 and Fiscal Year 2020 funding for the study has been committed by the following agencies:
 - Cabarrus Rowan MPO (\$125,000)
 - Charlotte Area Transit System (\$425,000)
 - Charlotte Regional Transportation Planning Organization (\$511,492)
 - Gaston Cleveland Lincoln MPO (\$90,000)
 - North Carolina Department of Transportation (\$500,000)
 - Rock Hill Fort Mill Transportation Study (\$26,815)
 - South Carolina Department of Transportation (\$93,750)

Disadvantaged Business Enterprise (DBE)

Pursuant to the Department of Transportation DBE Program, subpart C, no DBE utilization goal was set for this solicitation due to limited subcontracting opportunities.

Fiscal Note

Funding: CATS Operating Budget

Attachment(s)

Resolution

[Master Agreement](#)

29. Airport Program Advisory Services

Action:

- A. Approve a professional services contract with Anser Advisory, LLC for Program Advisory Services for an initial term of five years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Airport has numerous Capital Investment Plan (CIP) projects forecasted to support passenger growth. A program advisory consultant is essential to developing a program management plan and approach to organize the CIP for the most effective and efficient completion.
- Services provided by this contract include guidance and direction to the Aviation Department on the implementation of its CIP; technical and staff resource recommendations; funding recommendations; and detailed coordination with contractors, stakeholders, and consultants for the \$3.0 billion CIP.
- On July 19, 2019, the city issued a Request for Qualifications (RFQ); three responses were received.
- Anser Advisory, LLC best meets the city's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Total annual expenditures are estimated to be \$2,500,000.
- This activity is occurring on airport property, located in Council District 3.

Disadvantaged Business Enterprise

The City negotiates subcontracting participation after the proposal selection process. Anser Advisory Services has committed 12.00% (\$1,387,739.60) of the total contract amount to the following certified firm(s):

- Rhea Engineers and Consultants (DBE) (\$1,387,739.60) (advisory/administrative support)

Fiscal Note

Funding: Aviation Capital Investment Plan

30. Airport Property Management Services

Action:

- A. Approve a unit price contract with QOR Group, LLC for Acquisition, Relocation, and Property Management Services for an initial term of three years, 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 contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- The city purchases land for noise abatement pursuant to Federal Aviation Regulation Part 150, airport development, and airport master planning purposes.
- This contract will provide project management assistance and staffing for acquisition, relocation, and property management.
- On July 5, 2019, the city issued a Request for Proposals (RFP); seven responses were received.
- QOR Group, LLC best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$1,100,000.
- These activities will occur around airport property, located in Council District 3 and unincorporated Mecklenburg County.

Disadvantaged Business Enterprise

QOR Group, LLC is a DBE certified firm. All work completed by QOR Group, LLC will count for DBE participation.

Fiscal Note

Funding: Aviation Capital Investment Plan

31. Airport Terminal Lobby Expansion Construction

Action:

- A. **Approve a Construction Manager at Risk services contract with Holder Edison Foard Leeper - A Joint Venture, with a guaranteed maximum price of \$500,277,842.21,**
- B. **Approve contract amendment #2 for \$13,629,446.50 to Gresham Smith Partners for construction administration services for the construction phase of the Terminal Lobby Expansion project,**
- C. **Reject the low-bids submitted by Scarabee Systems and Technology B.V. and MacDonald Humfrey (Automation) Ltd for five Automated Security Lanes,**
- D. **Approve a contract in the amount of \$3,651,000 to the lowest responsive bidder Vanderlande Industries, Inc for five Automated Screening Lanes, including four years' maintenance and warranty for Checkpoint E equipment,**
- E. **Adopt a resolution authorizing transfer of the Automated Security Lanes without monetary consideration to the Transportation Security Administration as authorized under G.S. 160A-274 and approve all contracts related to this transfer,**
- F. **Approve a contract in the amount of \$2,795,573 with Wood Environment & Infrastructure Solutions, Inc. for testing and special inspection services in support of the Terminal Lobby Expansion project for an initial term of five years, and**
- G. **Authorize the City Manager to renew the contract for testing and special inspection services for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation
Jack Christine, Aviation

Background

- The Terminal Lobby Expansion project will expand the current terminal lobby by 175,000 square feet and renovate another 191,000 square feet.
- When built in 1982 and expanded in 1985, the lobby was designed to process approximately 2.8 million passengers per year. Last year, the Airport served 12.5 million passengers in that same space.
- The new lobby expansion will include:
 - Expansion and renovation of the basement, baggage, and ticketing levels of the current terminal lobby.
 - Consolidation of the five security checkpoints into three larger, more efficient checkpoints.
 - Construction of:
 - A 146,000-square foot exterior canopy over the new vehicle roadway for protection and convenience of arriving and departing passengers, and
 - Two pedestrian overhead walkways to connect the new mezzanine level of the terminal directly to the hourly parking deck.
- This project is anticipated to be complete by third quarter 2025.
- This activity is occurring on airport property, located in Council District 3.

Explanation

Action A

- This construction manager at risk contract provides a guaranteed maximum price for the construction of the Terminal Lobby Expansion project detailed under background.

- On May 18, 2017, the city issued a Request for Qualifications (RFQ); five responses were received.
- On October 23, 2017, City Council approved a contract with Holder Edison Foard Leeper - A Joint Venture in the amount of \$3,500,000 for preconstruction services.
- Holder Edison Foard is best qualified to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to RFQ requirements.

Action B

- On October 23, 2017, City Council approved a contract with Gresham Smith Partners in the amount of \$21,750,000 to provide design services for the Terminal Lobby Expansion.
- On November 26, 2018, City Council approved contract amendment #1 in the amount of \$770,806 for additional architectural and engineering design services.
- Amendment #2 includes construction administration services, including design-related items such as submittal reviews, as-built final drawings, commissioning, and other design changes for the duration of construction.
- The new value of the contract, including amendment #2, is \$36,150,252.50.

Action C, D, and E

- Automated Security Lanes (ASL) equipment is necessary to provide adequate passenger checkpoint screening throughput during the construction project since there will be times when the total number of security screening lanes will be reduced.
- Aviation will acquire five ASL systems and provide them to the Transportation Security Administration (TSA) for its use in place of the standard equipment used to screen passengers' bags at the checkpoint.
- On June 18, 2019, the city issued an Invitation to Bid; three bids were received.
- Vanderlande Inc. was selected as the lowest responsive, responsible bidder with TSA's approval.
- The bids from Scarabee Systems and Technology B.V. and MacDonald Humfrey (Automation) Ltd did not meet the TSA's requirements.

Actions F & G

- This contract provides special inspections required by the building code for permitting and the material testing and inspections as required in the design specifications for concrete strength, welded connections, soil bearing, deep foundations, and other tests to ensure the project is meeting the quality requirements.
- On June 10, 2019, the city issued a RFQ; 10 responses were received.
- Wood Environment & Infrastructure Solutions, Inc. is best qualified to meet the city's needs on the basis of demonstrated competence and qualification of professional services in response to RFQ requirements.
- The project is anticipated to be complete by third quarter 2025.

Charlotte Business INclusion

The city negotiated project participation as follows:

Action A

The city has established an overall project goal of 10% MBE and 12% WSBE. Because this is a Construction Manager at Risk project (Part G: Section 2.3 of the Charlotte Business INclusion Program Policy), the Construction Manager has the opportunity to add Minority, Women and Small Business Enterprise firms throughout the life of the project.

Action B

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

Gresham Smith Partners has committed 22.06% (\$3,007,135) of the total contract change order amount to the following certified firms:

- DAS Architecture, Inc. (SBE) (\$2,044,000) (architecture)
- Laurene, Ricker & Sorrell (SBE) (\$963,135) (structural design)

Action D

Per Charlotte Business INClusion Policy: Part C: Section 2.1(a) The city shall not establish Subcontracting Goals for Contracts where: (a) there are not subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

This contract meets the provisions of (a) - No subcontracting opportunities.

Action F

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). Wood Environment and Infrastructure Solutions, Inc. has committed 12.00% (\$335,469) of the total contract amount to the following certified firm:

- Joel E. Wood & Associates, PLLC (SBE) (\$335,469) (materials testing)

Fiscal Note

Funding: Aviation Capital Investment Plan

Attachment(s):

Resolution

[TSA ASL Donation Resolution.docx](#)

32. Set Public Hearing on Cheyney Phase 5 Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for November 25, 2019, for the Cheyney Phase 5 voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly land development review, extension of city services, capital investments, and future annexation processes.
- The 25.22-acres "Cheyney Phase 5" site is located east of Arthur Davis Road and south of I-485 Highway in northeast Mecklenburg County.
 - The property is currently vacant.
 - The petitioner has plans to construct 175 multi-family residential dwelling units on the site.
 - The property is zoned MX-3 mixed use development.
 - The property is located immediately adjacent to City Council District 4.
 - The petitioned area consists of four parcels: PID 02718103, 02718185, 02718125, and 02718126.

Consistency with City Council Policies

- The annexation is consistent with all city voluntary annexation policies approved by the City Council on March 24, 2003:
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services; and
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Public Hearing Date

The resolution sets Monday, November 25, 2019 for the public hearing.

Attachment(s)

Map

Resolution

[Cheyney Phase 5 Area Annexation Map](#)

[Resolution to set date of Public Hearing - Cheyney Phase 5](#)

33. Set Public Hearing on Porter's Row Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for November 25, 2019, for the Porter's Row voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development
Katrina Young, Planning, Design and Development

Explanation

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly land development review, extension of city services, capital investments, and future annexation processes.
- The 41.732-acres "Porter's Row" site is located east of Shopton Road and north of South Tryon Street in southwest Mecklenburg County.
 - The property is currently vacant.
 - The petitioner has plans to construct 236 multi-family residential dwelling units on the site.
 - The property is zoned R-8MF CD multi-family residential (which allows eight residential units per acre).
 - The property is located immediately adjacent to City Council District 3.
 - The petitioned area consists of one parcel: PID 19901102.

Consistency with City Council Policies

- The annexation is consistent with all city voluntary annexation policies approved by the City Council on March 24, 2003:
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services; and
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Public Hearing Date

The resolution sets Monday, November 25, 2019 for the public hearing.

Attachment(s)

Map
Resolution

[Porter's Row Area Annexation Map](#)

[Resolution to set date of Public Hearing - Porters Row](#)

34. Set Public Hearing on Sutton Farms Phase 3 Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for November 25, 2019, for the Sutton Farms Phase 3 voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, Planning, Design and Development

Katrina Young, Planning, Design and Development

Explanation

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly land development review, extension of city services, capital investments, and future annexation processes.
- The 29.096 acre "Sutton Farms Phase 3" site is located east of Brookshire Boulevard and south of Pleasant Grove Road in northeast Mecklenburg County.
 - The property is currently vacant.
 - The petitioner has plans to construct 42 single family residential dwelling units on the site.
 - The property is zoned R-3 single-family residential (which allows 3 residential units per acres).
 - The property is located immediately adjacent to City Council District 2.
 - The petitioned area consists of one parcel: PID 03518222.

Consistency with City Council Policies

- The annexation is consistent with all city voluntary annexation policies approved by the City Council on March 24, 2003:
 - Is consistent with the policy to not adversely affect the city's ability to undertake future annexations;
 - Is consistent with the policy to not have undue negative impact on city finances or services; and
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Public Hearing Date

The resolution sets Monday, November 25, 2019 for the public hearing.

Attachment(s)

Map

Resolution

[Sutton Farms Phase 3 Annexation Map](#)

[Resolution to set date of Public Hearing - Sutton Farms Phase 3](#)

35. Meeting Minutes

Action:

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

- October 7, 2019 Special Meeting and
- October 7, 2019 Strategy Session.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Meeting minutes can be reviewed on the City Clerk's website:

<https://charlottenc.gov/CityClerk/Pages/Minutes.aspx>

PROPERTY TRANSACTIONS

36. Airport Property Transaction - 3001 Little Rock Rd

Action:

Approve the following Property Acquisition - Charlotte Airport Destination District Project

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

Project: Charlotte Airport Destination District Project - CENTRAL

Program: (Insert if applicable)

Owner(s): Addison & Sloan, LLC

Property Address: 3001 Little Rock Road

Total Parcel Area: 1.52 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Commercial building

Landscaping to be impacted: Trees and shrubs

Zoned: I-2

Use: Commercial

Tax Code: 061-281-01, 061-281-03, 061-281-06,

<http://polaris3g.mecklenburqcountync.gov/#pid=06128103&qsid=06128101>

<http://polaris3g.mecklenburqcountync.gov/#pid=06128103&qsid=06128103>

<http://polaris3g.mecklenburqcountync.gov/#mat=157640&pid=06128106&qsid=06128106>

Purchase Price: \$2,315,000 and all relocation benefits in compliance with Federal, State or Local regulations

Council District: 3

[Location Map - 3001 Little Rock Road.docx](#)

37. Airport Property Transaction - 3012 Little Rock Rd

Action:

Approve the following Property Acquisition - Charlotte Airport Destination District Project

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

Project: Charlotte Airport Destination District Project - CENTRAL

Program: (Insert if applicable)

Owner(s): CHI-Nance, LLC

Property Address: 3012 Little Rock Road

Total Parcel Area: 5.863 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Vacant commercial buildings, fencing

Landscaping to be impacted: Trees and shrubs

Zoned: I-1 and I-2

Use: Commercial

Tax Code: 055-369-37,

<http://polaris3g.mecklenburqcountync.gov/#mat=161649&pid=05536937&gisid=05536937>

Purchase Price: \$6,520,000 and all relocation benefits in compliance with Federal, State or Local regulations

Council District: 3

[Location Map - 3012 Little Rock Road.docx](#)

38. Airport Property Transaction- 6020 Wilkinson Blvd

Action:

Approve the following Property Acquisition - Charlotte Airport Destination District Project

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

Project: Charlotte Airport Destination District Project - CENTRAL

Program: (Insert if applicable)

Owner(s): Rockson, LLC

Property Address: 6020 Wilkinson Boulevard

Total Parcel Area: 0.952 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Commercial buildings

Landscaping to be impacted: Trees and shrubs

Zoned: I-2

Use: Commercial

Tax Code: 061-281-05 and 061-281-10,

<http://polaris3g.mecklenburqcountync.gov/#mat=159932&pid=06128105&qsid=06128105>

<http://polaris3g.mecklenburqcountync.gov/#pid=06128110&qsid=06128110>

Purchase Price: \$1,415,000 and all relocation benefits in compliance with Federal, State or Local regulations

Council District: 3

[Location Map - 6020 Wilkinson Blvd.docx](#)

39. Property Transactions - Beaverdam Creek Interceptor Phase 1, Parcel #1

Action: Approve the following Condemnation: Beaverdam Creek Interceptor Phase 1, Parcel #1

Project: Beaverdam Creek Interceptor Phase 1, Parcel #1

Owner(s): Dixie River Land Company, LLC

Property Address: 6332 Dixie River Road

Total Parcel Area: 558,972 sq. ft. (12.832 ac.)

Property to be acquired by Easements: 14,362 sq. ft. (0.33 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: MX-1

Use: Industrial

Tax Code: 141-171-01,
<<http://polaris3g.mecklenburqcountync.gov/#mat=428855&pid=14117101&qisid=14117101>>

Appraised Value: \$1,225

Property Owner's Counteroffer: \$14,954

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

City's Response to Property Owner's Concerns: The city reviewed an appraisal provided by the property owner and the city responded with a counteroffer.

Outstanding Concerns: The property owner is still concerned with the amount of compensation offered.

Recommendation: To proceed with the project schedule, the recommendation is to proceed 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

40. Property Transactions - Beaverdam Creek Interceptor Phase 1, Parcel #7

Action: Approve the following Condemnation: Beaverdam Creek Interceptor Phase 1, Parcel #7

Project: Beaverdam Creek Interceptor Phase 1, Parcel #7

Owner(s): Lewis Grier

Property Address: Garrison Road

Total Parcel Area: 422,573 sq. ft. (9.701 ac.)

Property to be acquired by Easements: 31,049 sq. ft. (0.713 ac.) in Sanitary Sewer Easement, plus 7,921 sq. ft. (0.182 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Use: Industrial

Tax Code: 141-142-02,
<<http://polaris3g.mecklenburgcountync.gov/#pid=14114202&qisid=14114202>>

Appraised Value: \$11,475

Property Owner's Counteroffer: \$17,500

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

City's Response to Property Owner's Concerns: The city informed the property owner they could obtain their own appraisal to support the counteroffer.

Recommendation: To proceed with the project schedule, the recommendation is to proceed 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

41. Property Transactions - Camp North End Capital Improvement Project, Parcel #3

Action: Approve the following Acquisition: Camp North End Capital Improvement Project, Parcel #3

Project: Camp North End Capital Improvement Project, Parcel #3

Owner(s): Jett Acquisitions, LLC

Property Address: 1709 Oaklawn Avenue

Total Parcel Area: 2,324.00 sq. ft. (0.05 ac.)

Property to be acquired by Fee: 1,587 sq. ft. (0.036 ac.) Fee Simple

Property to be acquired by Easements: 2,324 sq. ft. (0.053 ac.) Sidewalk Utility Easement, 2,702 sq. ft. (0.062 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-1

Use: Commercial

Tax Code: 075-10-602,
<<http://polaris3g.mecklenburqcountync.gov/#pid=07510602&qisid=07510602>>

Purchase Price: \$57,525

Council District: 1

42. Property Transactions - Camp North End Capital Improvement Project, Parcel #18

Action: Approve the following Acquisition: Camp North End Capital Improvement Project, Parcel #18

Project: Camp North End Capital Improvement Project, Parcel #18

Owner(s): Brenda Lee Helms

Property Address: 2014 Vanderbilt Road

Total Parcel Area: 43,629.00 sq. ft. (1.00 ac.)

Property to be acquired by Easements: 1,136 sq. ft. (0.026 ac.) Sidewalk Utility Easement, 2,176 sq. ft. (0.05 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial

Tax Code: 079-04-122,
<<http://polaris3g.mecklenburqcountync.gov/#mat=67409&pid=07904122&gisid=07904122>>

Purchase Price: \$14,050

Council District: 1

43. Property Transactions - Cross Charlotte Trail Brandywine - Tyvola, Parcel #5.1

Action: Approve the following Acquisition: Cross Charlotte Trail Brandywine - Tyvola, Parcel #5.1

Project: Cross Charlotte Trail Brandywine - Tyvola, Parcel #5.1

Owner(s): Selwyn Fair, LLC

Property Address: 5126 Park Road

Total Parcel Area: 313,689 sq. ft. (7.201 ac.)

Property to be acquired by Easements: 10,404 sq. ft. (0.239 ac.) in Greenway Easement, plus 7,276 sq. ft. (0.167 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Zoned: R-5

Use: Commercial

Tax Code: 171-181-45,
<<http://polaris3g.mecklenburqcountync.gov/#mat=435325&pid=17118145&qisid=17118145>>

Purchase Price: \$157,000

Council District: 6

44. Property Transactions - I-85 North Bridge, Parcel #14

Action: Approve the following Acquisition: I-85 North Bridge, Parcel #14

Project: I-85 North Bridge, Parcel #14

Owner(s): Mallard Creek Polymers, Inc.

Property Address: 8901 Research Drive

Total Parcel Area: 232,088 sq. ft. (5.328 ac.)

Property to be acquired by Fee: 67 sq. ft. (0.002 ac.) in Fee Simple

Property to be acquired by Easements: 6,047 sq. ft. (0.139 ac.) in Sidewalk and Utility Easement, plus 456 sq. ft. (0.01 ac.) in Waterline Easement, plus 8,740 sq. ft. (0.201 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: Sign and lights

Landscaping to be impacted: Trees and shrubs

Zoned: RE-2

Use: Laboratory/Research

Tax Code: 047-401-03,
<<http://polaris3g.mecklenburqcountync.gov/#mat=210250&pid=04740103&qisid=04740103>>

Purchase Price: \$31,050

Council District: 4

45. Property Transactions - Margaret Wallace (Campbell to Old Gate) Sidewalk, Parcel #14

Action: Approve the following Acquisition: Margaret Wallace (Campbell to Old Gate) Sidewalk, Parcel #14

Project: Margaret Wallace (Campbell to Old Gate) Sidewalk, Parcel #14

Owner(s): Horizon Development Properties, Inc.

Property Address: 2500 Margaret Wallace Road

Total Parcel Area: 352,136 sq. ft. (8.084 ac.)

Property to be acquired by Fee: 604 sq. ft. (0.014 ac.) in Fee Simple

Property to be acquired by Easements: 246 sq. ft. (0.006 ac.) in Storm Drainage Easement, plus 1,831 sq. ft. (0.042 ac.) in Sidewalk and Utility Easement, plus 15,421 sq. ft. (0.354 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-12

Use: Multi-family

Tax Code: 193-073-03,
<<http://polaris3g.mecklenburgcountync.gov/#mat=84764&pid=19307303&gisid=19307303>>

Purchase Price: \$17,000

Council District: 5

46. Property Transactions - Queen City Drive Sidewalk, Parcel #1

Action: Approve the following Condemnation: Queen City Drive Sidewalk, Parcel #1

Project: Queen City Drive Sidewalk, Parcel #1

Owner(s): Pankaj Patel and The Trustees of the David E. Fuller, Sr. Trust dated June 13, 1997

Property Address: 3540 Tuckaseegee Road

Total Parcel Area: 47,556 sq. ft. (1.092 ac.)

Property to be acquired by Easements: 4,539 sq. ft. (0.104 ac.) in Storm Drainage Easement, plus 1,536 sq. ft. (0.035 ac.) in Sidewalk and Utility Easement, plus 1,385 sq. ft. (0.032 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: I-1

Use: Industrial

Tax Code: 061-152-06,
<http://polaris3g.mecklenburgcountync.gov/#pid=06115206&qisid=06115206>

Appraised Value: \$26,650

Property Owner's Counteroffer: \$51,000

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

City's Response to Property Owner's Concerns: The city informed the property owner they could obtain their own appraisal in order to justify a counteroffer.

Recommendation: To proceed with the project schedule, the recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

Council District: 3

47. Property Transactions - Queen City Drive Sidewalk, Parcel #2

Action: Approve the following Condemnation: Queen City Drive Sidewalk, Parcel #2

Project: Queen City Drive Sidewalk, Parcel #2

Owner(s): N.C. Golf Homes of Locust Valley IV, LLC

Property Address: 1705 Queen City Drive

Total Parcel Area: 125,862 sq. ft. (2.889 ac.)

Property to be acquired by Easements: 1,446 sq. ft. (0.033 ac.) in Storm Drainage Easement, plus 928 sq. ft. (0.021 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Use: Industrial

Tax Code: 061-152-07,
<<http://polaris3g.mecklenburgcountync.gov/#mat=603517&pid=06115207&gisid=06115207>>

Appraised Value: \$5,000

Outstanding Concerns: Property owner has become unresponsive.

Recommendation: To proceed with the project schedule, the recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.

Council District: 3

48. Property Transactions - Sidewalk Gaps - Nations Ford Road, Parcel #1

Action: Approve the following Condemnation: Sidewalk Gaps - Nations Ford Road, Parcel #1

Project: Sidewalk Gaps - Nations Ford Road, Parcel #1

Owner(s): Faison Nesbitt Arrowood Venture

Property Address: Forest Point Boulevard

Total Parcel Area: 822,856 sq. ft. (18.890 ac.)

Property to be acquired by Easements: 7,493 sq. ft. (0.172 ac.) in Sidewalk and Utility Easement, plus 4,018 sq. ft. (0.092 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Single-family Residential

Tax Code: 167-192-49,
<<http://polaris3g.mecklenburgcountync.gov/#pid=16719249&qisid=16719249>>

Appraised Value: \$3,300

Recommendation: Waiting on signed documents but to proceed with the project schedule, the recommendation is to proceed to condemnation.

Council District: 3

49. Property Transactions - South Tryon 10120 8" Sanitary Sewer, Parcel #1

Action: Approve the following Acquisition: South Tryon 10120 8" Sanitary Sewer, Parcel #1

Project: South Tryon 10120 8" Sanitary Sewer, Parcel #1

Owner(s): Forbo Siegling, LLC

Property Address: 10125 South Tryon Street

Total Parcel Area: 495,234 sq. ft. (11.369 ac.)

Property to be acquired by Easements: 20,933.98 sq. ft. (0.481 ac.) in Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial

Tax Code: 203-161-02,

<http://polaris3g.mecklenburqcountync.gov/#mat=2826&pid=20316102&gisid=20316102>

Purchase Price: \$15,375

Council District: 3

50. Property Transactions - Steele Creek Sanitary Sewer Improvements, Parcel #23

Action: Approve the following Condemnation: Steele Creek Sanitary Sewer Improvements, Parcel #23

Project: Steele Creek Sanitary Sewer Improvements, Parcel #23

Owner(s): Spectrasite Communications, LLC

Property Address: 3109 Westinghouse Boulevard

Total Parcel Area: 42,412 sq. ft. (0.974 ac.)

Property to be acquired by Easements: 1,662.05 sq. ft. (0.038 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-1

Use: Industrial

Tax Code: 209-161-29A,
<<http://polaris3g.mecklenburgcountync.gov/#mat=439039&pid=20116129A&qisid=20116129>>

Appraised Value: \$1,800

Recommendation: Waiting on signed documents but to proceed with the project schedule, the recommendation is to proceed to condemnation.

Council District: 3

51. Property Transactions - Sugar Creek Road Streetscape, Parcel #27

Action: Approve the following Acquisition: Sugar Creek Road Streetscape, Parcel #27

Project: Sugar Creek Road Streetscape, Parcel #27

Owner(s): David Levin, Successor Trustee, et al

Property Address: 4220 North Tryon Street

Total Parcel Area: 77,129 sq. ft. (1.771 ac.)

Property to be acquired by Easements: 3,643 sq. ft. (0.084 ac.) in Temporary Construction Easement, plus 1,085 sq. ft. (0.025 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-2

Use: Commercial

Tax Code: 091-081-08,
<<http://polaris3g.mecklenburgcountync.gov/#mat=127054&pid=09108108&gisid=09108108>>

Purchase Price: \$19,175

Council District: 1

52. Property Transactions - Water Oak Storm Drainage Improvements, Parcel #20

Action: Approve the following Acquisition: Water Oak Storm Drainage Improvements, Parcel #20

Project: Water Oak Storm Drainage Improvements, Parcel #20

Program: Flood Control

Owner(s): William James Urbaitis and Heather Marie Hageman

Property Address: 4800 Walker Road

Total Parcel Area: 26,528 sq. ft. (0.609 ac.)

Property to be acquired by Easements: 2,166 sq. ft. (0.05 ac.) in Storm Drainage Easement, plus 750 sq. ft. (0.017 ac.) in Existing Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 157-183-15,
<<http://polaris3g.mecklenburgcountync.gov/#mat=136764&pid=15718315&qsid=15718315>>

Purchase Price: \$24,750

Council District: 5

53. Property Transactions - West Mallard Creek Church Sidewalk, Parcel #2

Action: Approve the following Condemnation: West Mallard Creek Church Sidewalk, Parcel #2

Project: West Mallard Creek Church Sidewalk, Parcel #2

Owner(s): CRS Office Center I, LLC

Property Address: 10925 David Taylor Drive

Total Parcel Area: 411,918 sq. ft. (9.456 ac.)

Property to be acquired by Easements: 596 sq. ft. (0.014 ac.) in Storm Drainage Easement, plus 736 sq. ft. (0.017 ac.) in Sidewalk and Utility Easement, plus 3,829 sq. ft. (0.088 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: RE-2

Use: Laboratory / Research

Tax Code: 047-168-21,
<<http://polaris3g.mecklenburgcountync.gov/#mat=549492&pid=04716821&gisid=04716821>>

Appraised Value: \$6,600

Recommendation: Waiting on signed documents but to proceed with the project schedule, the recommendation is to proceed to condemnation.

Council District: 4

54. Property Transactions - West Mallard Creek Church Sidewalk, Parcel #3

Action: Approve the following Condemnation: West Mallard Creek Church Sidewalk, Parcel #3

Project: West Mallard Creek Church Sidewalk, Parcel #3

Owner(s): CRS Office Center II, LLC

Property Address: 10926 David Taylor Drive

Total Parcel Area: 412,468 sq. ft. (9.469 ac.)

Property to be acquired by Easements: 3,749 sq. ft. (0.086 ac.) in Sidewalk and Utility Easement, plus 1,485 sq. ft. (0.034 ac.) in Temporary Construction Easement, plus 175 sq. ft. (0.004 ac.) in Utility Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree

Zoned: RE-2

Use: Laboratory / Research

Tax Code: 047-162-12,
<<http://polaris3g.mecklenburgcountync.gov/#mat=584670&pid=04716212&gisid=04716212>>

Appraised Value: \$11,900

Recommendation: Waiting on signed documents but to proceed with the project schedule, the recommendation is to proceed to condemnation.

Council District: 4

55. Property Transactions - West Mallard Creek Church Sidewalk, Parcel #4

Action: Approve the following Acquisition: West Mallard Creek Church Sidewalk, Parcel #4

Project: West Mallard Creek Church Sidewalk, Parcel #4

Owner(s): Dallas Merle King and Elizabeth L. King

Property Address: 2509 West Mallard Creek Church Road

Total Parcel Area: 36,298 sq. ft. (0.833 ac.)

Property to be acquired by Easements: 1,013 sq. ft. (0.023 ac.) in Sidewalk and Utility Easement, plus 1,369 sq. ft. (0.031 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-3

Use: Rural Homesite

Tax Code: 047-162-07,
<<http://polaris3g.mecklenburgcountync.gov/#mat=85424&pid=04716207&gisid=04716207>>

Purchase Price: \$23,000

Council District: 4

56. Property Transactions - West Mallard Creek Church Sidewalk, Parcel #12

Action: Approve the following Acquisition: West Mallard Creek Church Sidewalk, Parcel #12

Project: West Mallard Creek Church Sidewalk, Parcel #12

Owner(s): Ronald H. Adams

Property Address: 2107 West Mallard Creek Church Road

Total Parcel Area: 41,777 sq. ft. (0.959 ac.)

Property to be acquired by Easements: 2,264 sq. ft. (0.052 ac.) in Sidewalk and Utility Easement, plus 749 sq. ft. (0.017 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Rural Homesite

Tax Code: 047-421-04,
<<http://polaris3g.mecklenburgcountync.gov/#mat=71363&pid=04742104&gisid=04742104>>

Purchase Price: \$14,400

Council District: 4

ADJOURNMENT

REFERENCES

57. 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.

58. 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.

59. 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.