

City of Charlotte

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



Meeting Agenda

Monday, June 22, 2020

Virtual Meeting

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 Malcolm Graham
Council Member Reneé Johnson
Council Member James Mitchell
Council Member Matt Newton
Council Member Victoria Watlington
Council Member Braxton Winston II*

**5:00 P.M. CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
VIRTUAL MEETING**

Call to Order

Introductions

Invocation

Pledge of Allegiance

ZONING

31z. Rezoning Petition: 2020-004 by Boulevard Real Estate Advisor, LLC

Location: Approximately 0.76 acres located on the south side of Freeland Lane, east of Tryon Street, and west of South Boulevard. (Council District 3 - Watlington)

Current Zoning: R-8 (single family residential)

Proposed Zoning: TOD-TR (transit-oriented development - transit transition)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2020-004 Public Hearing DONE](#)

32z. Rezoning Petition: 2020-006 by JFW Realty, Inc. and 501 Associates, LLC

Location: Approximately 0.759 acres located on the northern side of East Morehead Street, south of John Belk Freeway, and east of South Boulevard. (Council District 1 - Egleston)

Current Zoning: B-1 PED (neighborhood business, pedestrian overlay) and UMUD (uptown mixed-use district, pedestrian overlay)

Proposed Zoning: TOD-UC (transit-oriented development - urban center, pedestrian overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2020-006 Public Hearing Staff DONE](#)

33z. Rezoning Petition: 2020-009 by Ballantyne Country Club, Inc.

Location: Approximately 2.54 acres along the western side of Johnston Road, and east of Nolen Lane. (Council District 7 - Driggs)

Current Zoning: MX-1 (mixed use)

Proposed Zoning: MX-1 SPA (mixed use, site plan amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020_009_Public_Hearing_SA_DONE](#)

[2020_009_SitePlanRev_2020_4_13](#)

34z. Rezoning Petition: 2020-012 by Bowman Sumner, LLC

Location: Approximately 21.92 acres located on the south side of Eastfield Road, north of Interstate 485, and west of Browne Road. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: MX-1 INNOV (mixed use, innovative)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation, environment and technical revisions related to land use.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020-012_Public_Hearing_Staff_DONE](#)

[2020_012_SitePlanRev_2020_4_13](#)

35z. Rezoning Petition: 2020-016 by Nolan Elanz

Location: Approximately 1.89 acres located in the southeast quadrant of the intersection of Church Street and Bland Street. (Council District 3 - Watlington)

Current Zoning: MUDD-O (mixed use development district)

Proposed Zoning: TOD-UC (transit-oriented development - urban center)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2020-016_Public_Hearing_SA_DONE](#)

36z. Rezoning Petition: 2020-018 by Hopper Communities

Location: Approximately 0.917 acres located west of Baltimore Road, south of Remount Road, and east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: R-22MF (multi-family residential)

Proposed Zoning: UR-2 (CD) (urban residential, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation, environment, and technical items.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020-018 Public Hearing Staff DONE](#)

[2020-018 rev 04-13-2020](#)

37z. Rezoning Petition: 2020-026 by Union at Tryon, LP (advertised as Annex of Charlotte, LLC)

Location: Approximately 7.5 acres located between Shopping Center Drive and Hampton Church Road, east of N. tryon Street in the University City neighborhood. (Council District 4 - Johnson)

Current Zoning: B-1 (CD) (neighborhood business, conditional)

Proposed Zoning: MUDD-O (mixed-use development, optional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020 026 Public Hearing Staff DONE](#)

[2020-026 RevSitePlan 2020 05 11](#)

38z. Rezoning Petition: 2020-030 by OZF Properties, LLC

Location: Approximately 1.46 acres located south of Greenland Avenue, bound on the east side of Monument Street, and Remount Road on the west side. (Council District 3 - Watlington)

Current Zoning: R-5 (single family residential)

Proposed Zoning: MUDD-O (mixed use development district, optional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to site and building design and transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020-030 Public Hearing Staff DONE](#)

[2020_030_SitePlan2ndRevision](#)

39z. Rezoning Petition: 2020-033 by Fifth Third Bank

Location: Approximately 0.354 acres bound by the east side of Providence Road, the north side of Huntley Place, and south of Perrin Place. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: MUDD (CD) (mixed use development district, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to site and building design, transportation, environment, and technical items.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020-033 Public Hearing Staff DONE](#)

[2020-033 Rev 05-11-2020](#)

40z. Rezoning Petition: 2020-025 by SunCap Property Group

Location: Approximately 26.34 acres located along the eastern side of Milhaven Lane, south of Sunset Road, and west of Statesville Road. (Council District 2 - Graham)

Current Zoning: CC (commercial center), R-4 (single family residential)

Proposed Zoning: I-1(CD) (light industrial, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of technical issues related to transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020-025 Public Hearing Staff DONE](#)

[2020_025 SitePlanRev 2020_3_16](#)

41z. Rezoning Petition: 2020-040 by Alenky Signature Homes, LLC

Location: Approximately 0.398 acres located on the eastern side of Commonwealth Avenue, the northern side of Goodwin Avenue and south of Woodland Drive. (Council District 1 - Egleston)

Current Zoning: R-4 (single family residential)

Proposed Zoning: R-8 (single family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2020-040 Public Hearing Staff DONE](#)

42z. Rezoning Petition: 2020-064 by Truist Bank

Location: Approximately 2.34 acres bounded by the northeast side of 5th Street, southeast of North Tryon Street, southwest of East 6th Street, and northwest of North College Street. (Council District 1 - Egleston)

Current Zoning: UMUD-O (uptown mixed use, optional)

Proposed Zoning: UMUD-O SPA (uptown mixed use, optional, site plan amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to requested technical revisions.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2020-064 Public Hearing Staff DONE](#)

[2020-064 site plan](#)

PUBLIC FORUM

1. Public Forum

2. Mayor and Council Consent Item Questions and Answers

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items.

3. Closed Session (as necessary)

4. Consent agenda items 35 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

5. Public Hearing on the Housing and Community Development Fiscal Years 2021-2025 Consolidated Plan and Fiscal Year 2021 Annual Action Plan

Action:

Conduct a public hearing on the Housing and Community Development proposed Fiscal Years 2021-2025 Consolidated Plan and Fiscal Year 2021 Annual Action Plan.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services
Warren Wooten, Housing and Neighborhood Services

Policy

- The U.S. Department of Housing and Urban Development (HUD) mandates the development of a Consolidated Five-Year Plan and an Annual Action Plan (Plans) to receive federal funding for housing and community development activities.
- The Plans for housing and community development are the City of Charlotte's strategy for the use of federal funds in providing housing and community development activities.
- The Plans support the city's Housing Charlotte Framework to preserve existing housing, expand supply of low- and moderate-income housing, and support family self-sufficiency.

Community Input

- A draft copy of each Plan was published to the city's website with paper copies available by request. The documents were available in English and Spanish when requested.

Explanation

- The Plans include housing and community development needs and resources for the city and Regional Housing Consortium.
- The Regional Housing Consortium is a partnership among the city, Mecklenburg County, and the towns of Cornelius, Pineville, Matthews, Mint Hill, Huntersville, and Davidson.
- In FY 2021, the city expects to receive the following federal funding allocations, totaling \$12,588,758:
 - Community Development Block Grant: \$5,975,046,
 - HOME Investment and Partnerships: \$3,241,207,
 - Emergency Solution Grants: \$512,016, and
 - Housing Opportunity for Persons with AIDS: \$2,860,489.
- In compliance with NC G.S. § 166A-19.24 *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through June 23, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Next Steps

- City Council will be asked to approve the Plans at the July 13, 2020 City Council Business Meeting.

Attachment(s)

Draft of FY 2021-2025 Consolidated Plan and FY 2021 Annual Action Plan for Housing and Community Development

[Charlotte 21-25 Con Plan Draft 1](#)

6. Public Hearing on a Resolution to Close an Alleyway off West Hill Street

Action:

Conduct a public hearing to close an alleyway off West Hill Street

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 proposed action removes land from public right-of-way and attaches it to the adjacent property.
- The street to be closed is located in Council District 2.
- In compliance with NC G.S. § 166A-19.24 *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through June 23, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Petitioner

Foundry Uptown, LLC

Right-of-Way to be Abandoned

An alleyway off West Hill Street

Reason

Per the petition submitted by Foundry Uptown, LLC, the petitioner is vested with title to the real property that abuts the alleyway. The abandonment of the alleyway will facilitate the future development of the abutting parcels of land. The city has no objections.

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)

G. Howard Webb, Jr. - 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 their property as outlined in the statutes; and
 - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment(s)

Map

[2019-19 West Hill St Crosby Alley Abandonment Map](#)

7. Public Hearing on the Butler House Historic Landmark Designation

Action:

Conduct a public hearing to consider Historic Landmark Designation for the Property known as the "Butler House" (parcel identification number 07910501).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Dave Pettine, Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the Butler House as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Butler House is located within the City of Charlotte in Council District 1.
- Designation of this property could significantly contribute to its long-term preservation.
- The Butler House is listed under parcel identification number 07910501, and the recommended designation would include the interior and the exterior of the house and 0.223 acres of land.
- The property is zoned R-5 and is located at 240 Sylvania Avenue.
- The property is owned by E-Fix Housing Solutions LLC.
- If designated the property would be eligible for a 50 percent property tax deferral, and the current appraised value of the property is \$458,500.
- In compliance with NC G.S. § 166A-19.24 *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through June 23, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information sheet
Ordinance
Designation Report
Record of the vote of the HLC
Summary of department review
State Historic Preservation Office comment letter

[Butler House Information Sheet](#)

[Butler House Ordinance](#)

[Butler-House-Designation-Report 2.1](#)

[Butler House HLC Vote](#)

[Butler House Summary of department review](#)

[Butler House SHPO Comment Letter](#)

8. Public Hearing on the Derita High School Gymnasium Historic Landmark Designation

Action:

Conduct a public hearing to consider Historic Landmark Designation for the Property known as the "Derita High School Gymnasium" (parcel identification number 04704312).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

Dave Pettine, Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the Derita High School Gymnasium as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Derita High School Gymnasium is located within the City of Charlotte in Council District 2.
- Designation of this property could significantly contribute to its long-term preservation.
- The Derita High School Gymnasium is listed under parcel identification number 04704312, and the recommended designation would include the exterior of the gymnasium and 0.973 acres of land.
- The property is zoned R-3 and is located at 6115 Ruple Road.
- The property is owned by the Charlotte-Mecklenburg Board of Education.
- The property is exempt from property taxes.
- In compliance with NC G.S. § 166A-19.24 *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through June 23, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information sheet

Ordinance

Designation Report

Record of the vote of the HLC

Summary of department review

State Historic Preservation Office comment letter

[Derita Information Sheet](#)

[Derita Ordinance](#)

[Derita Designation Report](#)

[Derita HLC Vote](#)

[Derita Summary of department review](#)

[Derita SHPO Comment Letter](#)

9. Public Hearing on the Ford Motor Company Assembly Plant Historic Landmark Designation

Action:

Conduct a public hearing to consider Historic Landmark Designation for the Property known as the "Ford Motor Company Assembly Plant" (parcel identification number 07903105).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

Dave Pettine, Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the Ford Motor Company Assembly Plant as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Ford Motor Company Assembly Plant is located within the City of Charlotte in Council District 2.
- Designation of this property could significantly contribute to its long-term preservation.
- The Ford Motor Company Assembly Plant is listed under parcel identification number 07903105, and the recommended designation would include the interior and the exterior of the assembly building, the interior and exterior of the boiler house, the water tower, and 9.4 acres of land.
- The property is zoned UMUD-0 and is located at 1824 Statesville Avenue.
- The property is owned by the Newcamp Landowner, LP.
- If designated, the designated portion of the property would be eligible for a 50 percent property tax deferral, and the current appraised value of the portion of the property recommended for designation is approximately \$4,240,000.
- In compliance with NC G.S. § 166A-19.24 *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through June 23, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information sheet

Ordinance

EXHIBIT A

Designation Report

Record of the vote of the HLC

Summary of department review

State Historic Preservation Office comment letter

[Ford Information Sheet](#)

[Ford Ordinance](#)

[Ford Ord Designation Map EXHIBIT A](#)

[Ford Designation Report](#)

[Ford HLC Vote](#)

[Ford Summary of department review](#)

[Ford SHPO Comment Letter](#)

10. Public Hearing on the Nevin School Historic Landmark Designation

Action:

Conduct a public hearing to consider Historic Landmark Designation for the Property known as the "Nevin School" (parcel identification numbers 04528106 and 04528111).

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Dave Pettine, Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the Nevin School as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Nevin School is located within the City of Charlotte in Council District 2.
- Designation of this property could significantly contribute to its long-term preservation.
- The Nevin School is listed under parcel identification numbers 04528106 and 04528111, and the recommended designation would include the exteriors of the 1923 school building, the 1940 auditorium, and .75 acres of land.
- The property is zoned INST(CD) and is located at 3523 Nevin Road.
- The property is owned by the Nevins Inc.
- The property is exempt from property taxes.
- In compliance with NC G.S. § 166A-19.24 *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through June 23, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

Attachment(s)

Information sheet
Ordinance
EXHIBIT A
Designation Report
Record of the vote of the HLC
Summary of department review
State Historic Preservation Office comment letter

[Nevin Information Sheet](#)

[Nevin Ordinance](#)

[Nevin Ord EXHIBIT A](#)

[Nevin Designation Report](#)

[Nevin HLC Vote](#)

[Nevin Summary of department review](#)

[Nevin SHPO Comment Letter](#)

POLICY

11. City Manager's Report

- COVID-19 Response Updates
 - Return to Work Updates

[Return to Work](#)

BUSINESS**12. Federal Emergency Management Agency's Public Assistance Grant Program****Action:**

Adopt a budget ordinance appropriating \$3,500,000 from the Federal Emergency Management Agency's Public Assistance Grant Program for eligible costs associated with First Responder overtime and personal protective equipment.

Staff Resource(s):

Kelly Flannery, Finance

Ryan Bergman, Strategy and Budget

Explanation

- The Federal Emergency Management Agency's (FEMA) Public Assistance Grant Program is a reimbursement program that provides federal funding to help communities respond to and recover from declared disasters.
- U.S Treasury guidance allows for localities to apply for FEMA Public Assistance Funds prior to the utilization of Coronavirus Aid, Relief, and Economic Security (CARES) Act dollars.
- The funds will be used to reimburse the city for First Responder overtime and the purchase of personal protective equipment that has and will occur during the emergency declaration.
- This action is intended to help account for incurred costs prior to the end of Fiscal Year 2020. An additional budget ordinance may be requested in the future based on the duration of the emergency declaration.
- Any required matching contribution not covered by the state will be paid utilizing CARES Act dollars.

Fiscal Note

Funding: COVID-19 Stimulus Fund

[Budget Ordinance -FEMA Public Assistance](#)

13. General Obligation Bond Referendum

Action:

- A. Introduce each of the three bond orders required for a General Obligation Bond Referendum which includes \$102,732,000 of Street Bonds, \$44,500,000 of Neighborhood Improvement Bonds, and \$50,000,000 of Housing Bonds; and**
- B. Approve a resolution setting public hearings for July 13, 2020.**

Staff Resource(s):

Kelly Flannery, Finance

Explanation

- On June 8, 2020, Council adopted the FY2021 budget and FY2021-FY2025 Capital Investment Plan, which included a \$197,232,000 bond referendum in 2020.
- City Council also approved resolutions authorizing staff to proceed with the actions necessary to conduct a general obligation bond referendum.
- The current action is the second of four City Council actions. This action will specifically:
 - Introduce the bond orders for each of the ballot questions, and
 - Approve a resolution setting public hearings for the July 13 business meeting.
- In accordance with State law, the Chief Financial Officer will file a statement of estimated interest for each of the ballot questions. The estimates are non-binding. The Chief Financial Officer will also file a sworn statement of debt with the City Clerk.

Next Steps

- On July 13, 2020, City Council will be asked to hold a public hearing on each of the bond orders.
- On July 27, 2020, City Council will be asked to approve each of the bond orders (including the form and language of the ballot) and set a special bond referendum.
- After November 3, 2020, City Council will be asked to adopt a resolution certifying and declaring the results of the special bond referendum. This action will occur after the Mecklenburg Board of Elections certifies the results of the vote.

Fiscal Note

Funding: Municipal Debt Service Fund

Attachment(s)

Bond Orders

Notice of Public Hearing

[City of Charlotte - 2020 GO Referendum - Intro of Bond Orders](#)

[City of Charlotte - 2020 GO Referendum - Resolution calling Public Hearings](#)

14. Interlocal Agreement for the I-277 Rail Trail Bridge Project

Action:

- A. Adopt a resolution approving an interlocal agreement between the City of Charlotte and Mecklenburg County for the contribution of \$3.1 million from Mecklenburg County for the I-277 Rail Trail Bridge Project, and**
- B. Authorize the City Manager to negotiate and execute all documents necessary to complete the interlocal agreement.**

Staff Resource(s):

Tracy Dodson, City Manager's Office
Phil Reiger, General Services
Jennifer Smith, General Services

Explanation

- The I-277 Rail Trail Bridge Project includes a pedestrian bridge across I-277 linking South End and Center City in Council District 1.
- On June 11, 2018, City Council appropriated \$11,000,000 for the South End Rail Trail/I-277 Bridge project from the following sources:
 - City of Charlotte: \$3,103,953,
 - North Carolina Department of Transportation: \$3,288,105,
 - Mecklenburg County: \$3,100,000, and
 - Private, non-profit contributions and grants: \$1,507,942.
- The interlocal agreement is necessary to formalize the county's contribution to the planning, design, right of way acquisition, and construction of the project. -
- The bridge project 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 users per day, with more than 500,000 pedestrians and bicyclists using the trail last year.
- The Mecklenburg County Board of County Commissioners approved the interlocal agreement at its June 16, 2020 meeting.

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

I-277 Pedestrian Bridge Interlocal Agreement Resolution

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

[Southend Rail Trail-I-277 Bridge Interlocal Agreement Resolution](#)

15. Property Transactions in Support of the North End Around Taxiway Project

Action:

- A. **Approve the Property Acquisition of 3115 Sears Road for the Charlotte Airport North End Around Taxiway Project, and**
- B. **Adopt a resolution approving the sale of 14.16 acres of city-owned property located on Old Dowd Road (parcel identification numbers 113-111-18, 113-111-02, 113-111-03, 113-111-04, 113-111-05, and 113-122-54) to Quest Four Investments for \$675,000.**

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- The Airport is purchasing the Sears Road property from Quest Four Investments (Quest) for the North End Around Taxiway (NEAT) project.
- Quest will need to relocate their business and prefers to remain in proximity to the Airport.
- The Airport has agreed to sell six parcels of land to Quest Four Investments. Doing so will enable Quest to continue operations near the airport and will allow the City of Charlotte to make further progress towards completing the NEAT Project while also reallocating land that is in the Airport's Reuse plan.

Action A:

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: NEAT project

Program: Not Applicable

Owner(s): Quest Four Investments

Property Address: 3115 Sears Road

Total Parcel Area: 6.7793 acres

Property to be acquired by Easements: Not Applicable

Structures/Improvements to be impacted: Commercial building, fencing

Landscaping to be impacted: Trees and shrubs

Zoned: I-2

Use: Industrial

Tax Code: 11302102

<http://polaris3g.mecklenburccountync.gov/#mat=100733&pid=11302102&gisid=11302102>

Purchase Price: \$1,950,000 and all relocation benefits in compliance with federal, state, or local regulations

Council District: 3Action B:

- The Aviation Department participates in Federal Aviation Administration's (FAA) Part 150 Noise Program. The FAA Part 150 Noise Program requires airports to purchase properties significantly impacted by noise and put this land back into productive use.
- The city has acquired multiple parcels of land located along Old Dowd Road as part of the Part 150 Noise Program.
- Aviation has negotiated with Quest for the sale of an approximately 14-acre site on Old Dowd Road.
- Aviation contracted with two appraisers to complete independent appraisals to determine fair market value of the property.
- This sale is contingent upon FAA approval.
- The sale price is \$675,000.
- The tax parcels include: North of Old Dowd 113-111-18, 113-111-02, 113-111-03, 113-111-04, 113-111-05 totaling approximately 6.40 acres; South of Old Dowd 113-122-54 totaling approximately 7.76 acres.
 - <http://polaris3g.mecklenburqcountync.gov/#mat=203540&pid=11311118&gisid=11311118>
 - <http://polaris3g.mecklenburqcountync.gov/#mat=203061&pid=11311102&gisid=11311102>
 - <http://polaris3g.mecklenburqcountync.gov/#mat=310000&pid=11311103&gisid=11311103>
 - <http://polaris3g.mecklenburqcountync.gov/#mat=202438&pid=11311104&gisid=11311104>
 - <http://polaris3g.mecklenburqcountync.gov/#mat=202141&pid=11311105&gisid=11311105>
 - <http://polaris3g.mecklenburqcountync.gov/#pid=11312254&gisid=11312254>

Fiscal Note:

Funding: Proceeds from the sale will be deposited into the Aviation Capital Investment Plan

Attachment(s)

Resolution for Land Sale

[Quest Four Resolution for Land Conveyance](#)

16. Midtown/Pearl Park Redevelopment Project - Infrastructure Reimbursement Amendment

Action:

- A. Authorize the City Manager or his designee to negotiate and execute an amendment to the 2016 Infrastructure Reimbursement Agreement between the City of Charlotte, Mecklenburg County, and Pappas Midtown, LLC for the Midtown/Pearl Park Redevelopment Project as follows:**
- Increase the maximum not-to-exceed grant amount to **\$7,174,193**,
 - Expand the tax increment area,
 - Expand the scope of infrastructure improvements to be completed by Pappas Midtown LLC, and
- B. Adopt a resolution approving an amendment to the Interlocal Agreement with Mecklenburg County to reflect the amendment to the Infrastructure Reimbursement Agreement.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Explanation

Action A:

- In November 2016, City Council authorized an Infrastructure Reimbursement Agreement (Agreement) between the City of Charlotte, Mecklenburg County, and Pappas Midtown, LLC to facilitate the Midtown/Pearl Park Redevelopment Project.
- The terms approved by City Council in 2016 include:
 - Pappas Midtown, LLC to be reimbursed for approximately \$4,417,000 in public infrastructure improvements.
 - Pappas Midtown would build the public improvements and would be reimbursed through 45 percent of the incremental city and county property taxes from a designated area over 10 years.
 - The public improvements to be reimbursed under the terms of the agreement include:
 - Extension of Pearl Park Way,
 - Extension of Berkeley Avenue between Greenwood Cliff and Pearl Park Way Extension,
 - Extension of water and sanitary sewer mains from the remainder of Greenwood Cliff to Kenilworth Avenue via Berkeley Avenue and Pearl Park Way,
 - Reimbursement to Pappas Midtown, LLC for the value of a portion of property to be designated as street right-of-way,
 - Extension of Pearl Park Way to Baxter Street, and
 - Replacement of parking spaces on Charlotte Housing Authority property.
- Since the approval of the Agreement, the scope of the private development has expanded through the purchase of additional land and an increase in the private program of construction. Atrium Health has joined the project as the tenant of two medical office buildings.
- The amendment to the existing Agreement shall include the following:
 - Expand the Tax Increment Area to include future expansion of the redevelopment project,
 - Reimbursement to Pappas Midtown, LLC for the value of right-of-way required to widen Harding Place near its intersection with Kenilworth Avenue,
 - Widen a portion of Harding Place to include an additional traffic lane,
 - Extend Berkeley Avenue between Harding Place and Greenwood Cliff in accordance with the Midtown-Morehead-Cherry Area Plan and city approved plans, and
 - Increase the maximum reimbursement amount to account for the costs associated with the above public improvements and an additional \$367,266 to account for scope items added to the items subject to the initial Agreement.

Action B:

- The reimbursement arrangement requires the city and county to execute an Interlocal Agreement, which obligates the county to pay 45 percent of the incremental county property taxes from the designated area to the city during the term of the agreement.
- The city will remit such payment annually to Pappas Midtown, LLC.

Charlotte Business INClusion

All Additional work involved on this contract amendment will be performed by Pappas Midtown, LLC, and their existing subcontractors. (Part F: Section 1 of the Charlotte Business INClusion Policy).

Pappas Midtown, LLC, has committed 10.00% of the total contract amendment amount to MSBE firms.

Fiscal Note

Funding: Tax Increment Grant

Attachment(s)

Amendment to the Interlocal Agreement

Infrastructure Reimbursement Agreement - Pearl Park authorized by City Council in November 2016
Resolution

06.08.2020 Presentation

[Amendment to Pearl Park Way Interlocal Agreement Amendment Final](#)

[Term Sheet - 1st Amendment](#)

[Pearl Park Interlocal Agreement Amendment Resolution Final](#)

[Presentation Pearl Park Midtown Redevelopment Project Amendment](#)

17. Memorandum of Understanding - 7th and North Tryon Redevelopment Project

Action:

- A. **Authorize the City Manager to negotiate and execute, in coordination with other landowners involved in the project, a Memorandum of Understanding for the 7th and North Tryon Redevelopment Project with the Master Developer, BP-Metropolitan NC, LLC, and**
- B. **Approve the use of Capital Investment Plan and Tax Increment Grant dollars as a source of public funding to be negotiated in the Memorandum of Understanding.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Background

- In early 2017, City Council voted to adopt the North Tryon Vision Plan (the Plan).
- The Plan outlined the desire to create a district that will attract, retain, and strengthen creative industries, innovative arts, and cultural and educational institutions through the following:
 - A broader mix of uses to help activate and create an inclusive space and a space that financially supports the district's development and ongoing maintenance;
 - A creative integration of land use, architecture, urban design, and programming with functional, yet attractive, infrastructure including transportation, parking, utilities, and public realm improvements;
 - Residential development to support existing businesses and destinations, attract new businesses, and make the area more vibrant; and
 - Leverage public investment in the district to maximize the benefits while supporting and enhancing existing businesses and helping attract additional employers and jobs.
- Specific to the area between 6th, Tryon, College, and 8th Streets, the Plan suggests the following:
 - Planning and development in concert and linked with plaza spaces, streets, parks, and promenades, will create a transformative collective investment in these blocks;
 - A shared desire to revitalize the existing Spirit Square and Main Library block presents an opportunity for an urban awakening along North Tryon; and
 - Creation of an underground parking structure located on the blocks bounded by College, Tryon, 6th, and 8th Streets. This area was identified in the Plan as one of the critical sites for shared and coordinated parking within the district.
- As outlined in the Plan, public private partnerships are an integral asset of the vision.

Explanation

- On June 8, 2020, the City Council received information on the 7th and North Tryon Redevelopment Project. The information included a description of the key terms of a non-binding Memorandum of Understanding (MOU) between the Stakeholders and the Master Developer, BP-Metropolitan NC, LLC.
- The four property owners that have coordinated the negotiation and are party to the Memorandum of Understanding (MOU) include the City of Charlotte, Mecklenburg County, Charlotte Mecklenburg Library, and Bank of America.
- Key terms of the MOU are as follows:
 - City and County Tax Increment Grant (TIG) not less than \$25 million for public open space, public parking, and enhanced public realm;
 - City of Charlotte Capital Investment Plan (CIP) for \$2-\$5 million for 7th Street construction and infrastructure improvements; Good Faith Effort towards MWSBE participation goal of 30 percent;
 - \$3 million contribution from the developer towards affordable housing; and

- 180-day exclusivity clause for the developer.
- On June 2, 2020, the Mecklenburg County Commission (Commission) voted to allow the County Manager to negotiate a MOU with other property owners and the Master Developer. In addition, the Commission also approved a funding allocation of its land sales proceeds from 7th Street and North Tryon Street towards the adjacent Uptown redevelopment project proposed by Inlivan and off-site locations throughout the city. Specifics on the affordable housing strategy would also be incorporated into the MOU.
- The economic development impact of this project includes:
 - Estimated 1,200-1,500 temporary construction jobs,
 - Estimated 250 facility-based permanent jobs,
 - Office building space for an estimated 4,000 jobs,
 - \$75 million local supplier estimate,
 - \$35-45 million MWSBE estimate,
 - Estimated \$4.1 million in new annual property tax revenue, and
 - Estimated \$674,000 in new annual local sales tax revenue,

Fiscal Note

Funding: Tax Increment Grant and Capital Investment Plan

Attachment(s)

06.08.2020 Presentation

[Presentation 7th and N. Tryon Project Overview](#)

18. Memorandum of Understanding - PGA of America

Action:

Authorize the City Manager to negotiate and execute a Memorandum of Understanding for up to \$1,500,000 of tourism funds reimbursements with Quail Hollow Club to partner with PGA of America to host the PGA Championship in 2025.

Staff Resource(s):

Tracy Dodson, Assistant City Manager

Explanation

- Over the past 16 years, Quail Hollow Club (Club) has invested more than \$30 million in infrastructure critical to support professional golf tournaments.
- The Club's investment has resulted in a long-term commitment by PGA of America to the annual Wells Fargo Championship event, as well as special Major tournaments such as the 2017 PGA Championship and the 2021 Presidents Cup.
 - To date, these events have generated more than \$1 billion in economic impact to the Charlotte region.
 - Over the next five years, PGA events held at the Club could generate an additional \$450 million in economic impact.
- While improvements are necessary for securing the 2025 PGA Championship, these improvements will be completed prior to the event to assist with recruiting additional tournaments in the future.

Fiscal Note

Funding: Tourism Funds

19. Resolution to Close an Alleyway Between Westwood Avenue and West Summit Avenue

Action:

Adopt a resolution and close an alleyway between Westwood Avenue and West Summit Avenue.

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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The alleyway to be closed is located in Council District 3.
- A public hearing for this resolution was held on June 8, 2020. No comments from the public were received.

Petitioner

Lischerong Development Group

Attachment(s)

Map

Resolution

[MAP Westwood West Summit Abandonment](#)

[2019-17 Resolution to Close 6.22.2020](#)

20. Resolution to Close a Portion of an Alleyway Between Waverly Avenue, Pierce Street, and Kenilworth Avenue

Action:

Adopt a resolution and close a portion of an alleyway between Waverly Avenue, Pierce Street, and Kenilworth Avenue.

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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The alleyway to be closed is located in Council District 1.
- The public hearing for this resolution was held on June 8, 2020. No public comments were received.

Petitioner

SunCap Property Group

Attachment(s)

Map

Resolution

[MAP Waverly Pierce Kenilworth Abandonment](#)

[Resolution to Close 6.22.2020](#)

21. Resolution to Close a Portion of Charles Avenue

Action:

Adopt a resolution and close a portion of Charles Avenue.

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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The portion of Charles Avenue to be closed is located in Council District 1.
- A public hearing for this resolution was held on June 8, 2020. No comments from the public were received.

Petitioner

CUSA NC Holdings, LP

Attachment(s)

Map

Resolution

[2019-13 Charles Av Abandonment Map](#)

[2019-13 Resolution to Close 6.22.2020](#)

22. Resolution to Close a Portion of Mt. Holly Road Extension

Action:

Adopt a resolution and close a portion of Mt. Holly Road Extension.

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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The road to be closed is located in Council District 2.
- A public hearing for this resolution was held on June 8, 2020. No comments from the public were received.

Petitioner

Huntersville Investments, LLC

Attachment(s)

Map

Resolution

[2019-10 Mt Holly Abandonment Map](#)

[2019-10 Resolution to Close 6.22.2020](#)

23. Resolution to Close a Portion of Wallace Road

Action:

Adopt a resolution and close a portion of Wallace Road.

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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The road to be closed is located in Council District 5.
- A public hearing for this resolution was held on June 8, 2020. No comments from the public were received.

Petitioner

RENC, LLC

Attachment(s)

Map

Resolution

[Wallace Rd - Portion Abandonment Map Revised](#)

[2019-09 Resolution to Close 6.22.2020](#)

24. Resolution to Close an Unopened Portion of Bryant Street

Action:

Adopt a resolution and close an unopened portion of Bryant Street

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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The street to be closed is located in Council District 3.
- A public hearing for this resolution was held on June 8, 2020. No comments from the public were received.

Petitioner

Mecklenburg County

Attachment(s)

Map

Resolution

[2019-22 Bryant St Abandonment Map](#)

[2020-22 Resolution to Close 6.22.2020](#)

25. July 2020 City Council Augmented Meeting Schedule

Action:

- A. Approve the July 2020 City Council Augmented Virtual Regular Meeting Schedule, and
- B. Authorize the City Clerk, or her designee, to adjust the July 2020 City Council Augmented Virtual Regular Meeting Schedule in accordance to the status of North Carolina's phased reopening.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- North Carolina General Statute §143-318.12 requires that the City Clerk maintain on file a schedule of the City Council's regular meetings and that the approved schedule be posted to the city's website. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.
- Due to the COVID-19 pandemic, the City Council Meeting Schedule has been augmented to accommodate a virtual meeting format for July 2020.
- Effective Friday, May 22, 2020, North Carolina moved into Safer at Home Phase 2 of lifting COVID-19 restrictions.
- This phase is scheduled to run through, at least, Friday, June 26, 2020.
- Phase 2 limits indoor gatherings to 10 people per room.
- Action B provides the City Clerk, or her designee, the authorization to adjust the most recently approved meeting schedule, in accordance with any updated meeting restrictions.

Attachment(s)

July 2020 City Council Augmented Virtual Regular Meeting Schedule

[July 2020 City Council Augmented Virtual Regular Meeting Schedule](#)

26. Appointment to the Alternative Compliance Review Committee

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term for a Community Representative beginning July 1, 2020, and ending June 30, 2023.
 - Hermes Goudes received six votes for nomination but is not seeking reappointment.

Attachment(s)

Alternative Compliance Review Committee Applications

27. Appointment to the Business Advisory Committee

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning upon appointment and ending April 28, 2023.
 - Div Bhingradia, nominated by Council members Ajmera and Johnson

Attachment(s)

Business Advisory Committee Applications

28. Appointment to the Charlotte International Cabinet

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term for an At-Large representative beginning upon appointment and ending July 30, 2023.
 - Johnell Holman, nominated by Council members Driggs, Eiselt, Johnson, Newton, and Watlington

Attachment(s)

Charlotte International Cabinet Applications

29. Appointments to the Charlotte Regional Visitors Authority

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for an At-Large member for a three-year term beginning July 1, 2020, and ending June 30, 2023.
 - John Dressler, nominated by Council members Driggs and Egleston
 - Ervin Gourdine, nominated by Council members Graham, Johnson, Mitchell, and Watlington
 - Lloyd Scher, nominated by Council members Ajmera and Newton
 - Russell Sizemore, nominated by Council members Driggs and Egleston
- One appointment for a Full-Service Hotel Representative for a three-year term beginning July 1, 2020, and ending June 30, 2023.
 - Thomas Dolan, nominated by Council members Ajmera, Egleston, Graham, Johnson, and Newton

Attachment(s)

Charlotte Regional Visitors Authority Applications

30. Appointment to the Community Relations Committee

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning upon appointment and ending on June 30, 2020, and a three-year term beginning July 1, 2020, and ending June 30, 2023.
 - Charlene Henderson, nominated by Council members Eiselt and Newton

Attachment(s)

Community Relations Committee Applications

31. Appointment to the Historic District Commission

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for an At-Large representative for a three-year term beginning July 1, 2020, and ending June 30, 2023.
 - Nichelle Bonaparte, nominated by Council members Graham, Johnson, and Watlington
 - Philip Goodwin, nominated by Council members Ajmera, Egleston, and Newton

Attachment(s)

Historic District Commission Applications

32. Appointment to the Historic Landmarks Commission

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning July 17, 2020, and ending July 16, 2023.
 - Leila Farsiani, nominated by Council members Ajmera, Egleston, and Newton

Attachment(s)

Historic Landmarks Commission Applications

33. Appointments to the Neighborhood Matching Grants Fund

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a two-year term for a Neighborhood Representative beginning upon appointment and ending April 15, 2022.
 - Debbie Rubenstein, nominated by Council members Ajmera and Driggs
- One appointment for a two-year term for a School Superintendent Recommendation beginning upon appointment and ending April 15, 2022.
 - Doris Shivers, nominated by Council members Egleston, Graham, Johnson, Newton, and Watlington

Attachment(s)

Neighborhood Matching Grants Fund Applications

34. Appointments to the Transit Services Advisory Committee

Action:

Vote on the emailed ballot and email back by 1 p.m. on June 22, 2020, to the City Clerk and the Deputy City Clerk.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term for an Express Service Passenger beginning upon appointment and ending January 31, 2023.
 - Antonette Love, nominated by Council members Egleston, Graham, Johnson, Newton, and Watlington
- One appointment for a partial term for a Suburban Employer Served by Charlotte Transit beginning upon appointment and ending January 31, 2021.
 - Leroy Fields, nominated by Council members Ajmera, Driggs, Graham, Johnson, and Newton

Attachment(s)

Transit Services Advisory Committee Applications

CONSENT

35. Construct Cross Charlotte Trail - 7th to 10th Street Connector

Action:

Approve a contract in the amount of \$1,498,198.47 to the lowest responsive bidder J. D. Goodrum Co. Inc. for the Cross Charlotte Trail - 7th Street to 10th Street Connector project.

Staff Resource(s):

Phil Reiger, General Services

Jennifer Smith, General Services

Joe Frey, General Services

Explanation

- The Cross Charlotte Trail is a joint project of the City of Charlotte and Mecklenburg County to create a 26-mile trail and greenway facility stretching from the City of Pineville to the University of North Carolina at Charlotte campus and on to the Cabarrus County line.
- This contract includes construction services for the 7th Street and 10th Street segment (3,400 linear feet) in Council District 1.
- The work includes but is not limited to sidewalks, curb ramps, a multi-use path, bicycle lanes, curb and gutter, pavement markings and signage, grading, erosion control, traffic control, paving, and storm drainage.
- The project also includes a pocket park featuring public art near the dead end of Jackson Avenue above the ramps connecting I-277 and Independence Boulevard.
- On April 6, 2020, the city issued an Invitation to Bid; eight bids were received.
- J. D. Goodrum Co. Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2021.

Charlotte Business INclusion

Established MBE Goal: 7.00%

Committed MBE Goal: 7.16%

J.D. Goodrum Co. Inc. exceeded the established MBE subcontracting goal and has committed 7.16% (\$107,203) of the total contract amount to the following MBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Affordable Source Trucking, LLC (MBE, SBE) (\$103,275) (hauling)
- Mid-Atlantic Erosion Control, Inc. (MBE, SBE) (\$3,928) (erosion control)

Established SBE Goal: 18.00%

Committed SBE Goal: 28.62%

J.D. Goodrum Co. Inc. exceeded the established SBE subcontracting goal and has committed 28.62% (\$428,796) of the total contract amount to the following SBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Oliver & Son Trucking & Paving (SBE) (\$164,243) (base, curb, paving)
- Affordable Source Trucking, LLC (MBE, SBE) (\$103,275) (hauling)
- Striping Concepts, LLC (SBE) (\$87,770) (striping)
- On Time Construction, Inc. (WBE, SBE) (\$69,580) (concrete)
- Mid-Atlantic Erosion Control, Inc. (MBE, SBE) (\$3,928) (erosion control)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Location Map - Construction of Cross Charlotte Trail - 7th St to 10th St Connector](#)

36. Construct Northeast Equipment Maintenance Facility

Action:

Approve a contract in the amount of \$8,543,453.20 to the lowest responsive bidder Southside Constructors, Inc. for the Northeast Equipment Maintenance Facility.

Staff Resource(s):

Phil Reiger, General Services
David Wolfe, General Services
William Haas, General Services

Explanation

- This project will include construction of a 23,382-square foot facility at 5801 General Commerce Drive in Council District 1.
- The facility will allow General Services to expand capacity in maintaining and repairing the city's fleet by adding two light vehicle and eight heavy vehicle work bays, a parts storage area, and supporting office space.
- The facility has been designed to achieve basic-level LEED version 4 certification per the City Policy on Sustainable Facilities and includes rooftop solar powering at least 40 percent of the building's energy load.
- On April 23, 2020, the city issued an Invitation to Bid; twelve bids were received.
- Southside Constructors, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2021.

Charlotte Business INclusion

Established MBE Goal: 8.00%

Committed MBE Goal: 14.25%

MBE Participation to Date: 14.29%

Southside Constructors, Inc. exceeded the established MBE subcontracting goal and has committed 14.25% (\$1,173,400) of the base bid amount to the following MBE certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Bernard Irby Inc. (MBE, SBE) (\$832,000) (electrical, fire alarm system)
- CS Plumbing, Inc. (MBE, SBE) (\$208,400) (plumbing)
- NJR Construction, LLC (MBE, SBE) (\$133,000) (gypsum board, insulation, metal studs, sheathing)

Subsequent to Bid Opening, Southside Constructors, Inc. has committed an additional 0.55% (\$47,150) of the total contract amount to the following MBE firm:

- Bernard Irby Inc. (MBE, SBE) (\$47,150) (emergency generator, motorized gate)

Established SBE Goal: 18.00%

Committed SBE Goal: 18.00%

SBE Participation to Date: 18.72%

Southside Constructors, Inc. met the established SBE subcontracting goal and has committed 18.00% (\$1,481,895) of the base bid amount to the following SBE certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- B & G Waterproofing, Inc. (SBE) (\$69,700) (air barrier, firestopping, joint sealant)
- Bernard Irby Inc. (MBE, SBE) (\$832,000) (electrical, fire alarm system)
- CS Plumbing, Inc. (MBE, SBE) (\$208,400) (plumbing)
- DLS Landscape (SBE) (\$73,000) (landscaping, temp irrigation)
- DMG Glass, LLC (WBE, SBE) (\$65,482) (aluminum storefront, glazing)
- Maybury Fencing Inc. (WBE, SBE) (\$100,313) (fencing)

- NJR Construction, LLC (MBE, SBE) (\$133,000) (gypsum board, insulation, metal studs, sheathing)

Subsequent to Bid Opening, Southside Constructors, Inc. has committed an additional 0.69% (\$59,100) of the total contract amount to the following SBE firms:

- Bernard Irby Inc. (MBE, SBE) (\$47,150) (emergency generator, motorized gate)
- Maybury Fencing Inc. (SBE) (\$11,950) (motorized gate)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[15-13260_Map_Construct_Northeast_Equipment_Maintenance_Facility.pdf](#)

37. Electrical Services

Action:

- A. Approve unit price contracts with the following companies for electrical services for an initial term of three years:**
- **A & C Electrical Services, Inc. (SBE),**
 - **AKW Electrical Contractors, LLC,**
 - **A & W Electric, Inc.,**
 - **American Tec Electric Company (MBE, SBE),**
 - **Besco Electric Corporation (MBE),**
 - **Blew, Inc. (SBE),**
 - **Electric System Specialists, Inc. (SBE),**
 - **Millennium Lighting Solutions, Inc. (SBE),**
 - **O’Kelly Electric, Inc., 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):

Phil Reiger, General Services
David Wolfe, General Services

Explanation

- These contracts will provide electrical services for facilities maintained by the city.
- On April 23, 2020, the city issued a Request for Proposals (RFP); 13 responses were received.
- The companies selected best meet the city’s needs in terms of experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$6,000,000.

Charlotte Business INclusion

Besco Electric Corporation is a city certified MBE. American Tec Electric Company is a city certified MBE and SBE. A & C Electrical Services, Inc.; Blew, Inc.; Electric System Specialists, Inc.; and Millennium Solutions, Inc. are city certified SBEs.

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) 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 MWBEs or SBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

These contracts meet the provisions of (a) - No subcontracting opportunities

Fiscal Note

Funding: Various Departments’ Operating Budgets

38. General Contractor Services

Action:

- A. Approve unit price contracts with the following companies for general contractor services for an initial term of three years:**
- **Corner Stone Construction Services, Inc. (SBE),**
 - **D.E. Brown Construction, Inc. (SBE),**
 - **Gaddis Bros., Inc.,**
 - **HRGC, LLC, (WBE, SBE),**
 - **McFarland Building Group, LLC (MBE, SBE, DBE),**
 - **D.L. Peoples Construction, Inc. (SBE), 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):

Phil Reiger, General Services
David Wolfe, General Services

Explanation

- These contracts will include general contractor services for city-maintained facilities.
- On April 23, 2020, the city issued a Request for Proposals (RFP); 12 responses were received.
- The companies selected best meet the city's needs in terms of experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$10,000,000.

Charlotte Business INclusion

McFarland Building Group is a city certified MBE and DBE, and HRGC, LLC, is a city certified WBE. Corner Stone Construction Services, Inc.; D.E Brown Construction, Inc.; D.L. Peoples Construction, Inc.; HRGC, LLC; and McFarland Building Group, LLC are all city certified SBEs.

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) 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 MWBEs or SBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

These contracts meet the provisions of (a) - No subcontracting opportunities

Fiscal Note

Funding: Various Departments' Operating Budgets

39. Air Purification Solution for City Facilities

Action:

- A. Approve the purchase of a Bi-Polar Ionization System, by the sole source exemption,
- B. Approve a contract with Hoffman and Hoffman for the purchase of a Global Plasma Solution Bi-Polar Ionization System for the term of two years, and
- C. Authorize the City Manager to renew the contract for up to two, one-year renewal terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Phil Reiger, General Services
David Wolfe, General Services

Sole Source Exemption

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because there is only one supply source.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- Global Plasma Solutions (GPS) is a global leader in indoor air quality, with over 30 patents and more than 150,000 installations worldwide.
- The GPS system uses bipolar ionization technology to remove indoor air pollutants including up to 99 percent of airborne viruses, mold, and bacteria.
- All city buildings are being evaluated for installation of the equipment to help promote the health of city employees and the visiting public.
- Estimated expenditures to purchase and install this technology is \$4,000,000.

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: COVID Stimulus Fund

40. Heating, Ventilation, and Air Conditioning Services

Action:

- A. Approve unit price contracts with the following companies for heating, ventilation, and air conditioning services for an initial term of three years:**
- **Armstrong Mechanical Services, Inc. (SBE),**
 - **Climate Control of Charlotte, Inc.,**
 - **Digitrol, Inc.,**
 - **Johnson Controls, Inc.,**
 - **Redblue, Inc.,**
 - **Steeles Mechanical LLC,**
 - **STR Mechanical, LLC., 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):

Phil Reiger, General Services

David Wolfe, General Services

Explanation

- These contracts will include heating, ventilation, and air conditioning services across the portfolio of facilities maintained by the city.
- On April 23, 2020, the city issued a Request for Proposals (RFP); nine responses were received.
- The companies selected best meet the city's needs in terms of experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$6,000,000.

Charlotte Business INclusion

Armstrong Mechanical Services, Inc. is a city certified SBE.

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) 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 MWBEs or SBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

These contracts meet the provisions of (a) - No subcontracting opportunities

Fiscal Note

Funding: Various Departments' Operating Budgets

41. Plumbing Services

Action:

- A. Approve unit price contracts with the following companies for plumbing services for an initial term of three years:**
- **Marvin Plumbing, Inc. (SBE),**
 - **After Hours Plumbing, Inc. (SBE),**
 - **W. H. Hobbs Plumbing, LLC,**
 - **CS Plumbing NC, Inc. (MBE, SBE), 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):

Phil Reiger, General Services
David Wolfe, General Services

Explanation

- These contracts include plumbing services on an as-needed basis across the portfolio of facilities maintained by the city.
- On April 23, 2020, the city issued a Request for Proposals (RFP); six responses were received.
- The companies selected best meet the city's needs in terms of experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$5,000,000.

Charlotte Business INClusion

Marvin Plumbing, Inc.; After Hours Plumbing, Inc.; and CS Plumbing NC, Inc. are city certified SBEs. CS Plumbing NC, Inc. is also an MBE.

Per Charlotte Business INClusion Policy: Part C: Section 2.1(a) 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 MWBEs or SBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

These contracts meet the provisions of (a) - No subcontracting opportunities

Fiscal Note

Funding: Various Departments' Operating Budgets

42. CityLYNX Gold Line Phase 2 Fare Equipment

Action:

- A. Approve the purchase of fare equipment and programming, by the sole source exemption,
- B. Approve a contract for up to \$307,155 with Genfare for the purchase of 15 autonomous fare boxes and related fare equipment, and
- C. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

John Lewis, CATS

Sole Source Exemption

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because there is only one supply source for this proprietary equipment and because it is necessary for compatibility with CATS existing transit fare system.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- Two autonomous fare units will be installed in each new hybrid streetcar vehicle to facilitate the payment of fares and process transfers from other CATS services.
- Upon completion of Phase 2 of the CityLYNX Gold Line, the streetcar service will operate from French Street near Johnson C. Smith University, through Uptown and along Elizabeth Avenue and Hawthorne Lane, to Sunnyside Drive near Central Avenue. The project will serve Council Districts 1 and 2.

Disadvantaged Business Enterprise

All additional work involved in this amendment will be performed by the existing prime contractor and their existing subcontractors.

The original DBE committed goal on this contract is 5.00%

Fiscal Note

Funding: General Capital Investment Plan

43. Light Rail Vehicle Truck Overhaul Project

Action:

- A. Approve a contract for up to \$12,923,365 with Siemens Mobility Inc. for the Light Rail Vehicle Overhaul of Truck and Braking Systems project, and**
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

John Lewis, CATS
Allen Smith, CATS

Explanation

- The Light Rail Vehicle fleet includes 20 vehicles and 1 spare truck that are due for overhaul.
- Ongoing maintenance is performed in-house, and periodic overhauls are vendor contracted.
- On November 11, 2019, the city issued a Request for Proposals (RFP); two responses were received.
- Siemens Mobility Inc. best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- The overhaul project is expected to occur over five years and to cost up to \$12,923,365, as detailed below. All years are contingent upon available funding.
 - Year 1: \$2,584,673,
 - Year 2: \$2,953,912,
 - Year 3: \$3,446,230,
 - Year 4: \$3,446,231, and
 - Year 5: \$ 492,319.

Disadvantaged Business Opportunity

No goals shall be established on Contracts where: (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no DBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

These contracts meet the provisions of (a) - No subcontracting opportunities

Fiscal Note

Funding: CATS Operating Budget

44. 5400 Airport Drive Hangar Lease

Action:

- A. Approve a 10-year lease agreement with Building Investments Products, Inc. for a hangar facility at the Fixed Based Operator site located at Charlotte Douglas International Airport, and**
- B. Authorize the City Manager to approve one additional 10-year lease extension consistent with the purpose for which the agreement was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Haley Gentry, Aviation

Explanation

- Building Products Investments, Inc. (formerly Golden Eagle Properties, Inc.) has operated at the Airport for the last 20 years.
- The initial lease included two, 10-year extension periods and expired in April 2020.
- The hangar facility consists of 15,000 square feet.
- The annual rent is \$229,809, and the 10-year lease value is \$2,298,090.
- Facility rents will be adjusted periodically per the terms and conditions of the lease amendment to keep pace with market conditions.
- This activity is occurring on airport property located in Council District 3.

Fiscal Note

Funding: Revenue will be deposited into Aviation's Operating Fund

45. Airport Aircraft Pre-Conditioned Air System Parts

Action:

- A. Approve the purchase of pre-conditioned air system parts, by the sole source exemption,
- B. Approve a contract with Cavotec USA Inc. for the purchase of aircraft pre-conditioned air system parts for the term of three years, and
- C. 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

Sole Source Exemption

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because there is only one supply source.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- Aviation owns and maintains 89 passenger loading bridges. The pre-conditioned air system parts are integral components of the loading bridges as they provide regulated air conditioning to the aircraft.
- Cavotec USA Inc. is the manufacturer of this specialized airport equipment, and the original equipment manufacturer parts are required to maintain performance standards, standardization, and compatibility with existing equipment.
- Annual expenditures are estimated to be \$100,000.
- This activity is occurring on airport property located in Council District 3.

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: Aviation Operating Budget

46. Airport Electric Power Services

Action:

- A. **Approve a master services agreement for a term of 10 years with Duke Energy Carolinas, LLC for new electric power services, and**

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

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Aviation is constructing a Central Energy Plant that will supply increased cooling and heating capacity for the Terminal Lobby Expansion project previously approved by City Council in October 2019.
- The Central Energy Plant requires a new power feed from Duke Energy.
- Under this agreement, Duke Energy will install a power utility yard adjacent to the Central Energy Plant that will provide the additional electrical capacity.
- Duke energy will own, operate, and maintain this equipment and will bill Aviation a monthly fee included in the utility bill for the next 10 years.
- The estimated cost over the 10-year term is \$3,600,000.
- The Central Energy Plant needs power by December 2020.
- This activity is occurring on airport property located in Council District 3.

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 no subcontracting opportunities identified for the Contract; or (b) there are no MWBEs or SBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

These contracts meet the provisions of (a) - No subcontracting opportunities

Fiscal Note

Funding: Aviation Operating Budget

47. Airport Runway Rehabilitation and Taxiway Removal - Change Order

Action:

Approve change order #1 for \$1,499,700 to Blythe Brothers Asphalt, LLC for the Runway 18L/36R Rehabilitation and Taxiway C7 Removal project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On April 22, 2019, City Council awarded a contract in the amount of \$14,848,240 to Blythe Brothers Asphalt, LLC for the Runway 18L/36R Rehabilitation and Taxiway C7 Removal project.
- The original contract excluded some sections of asphalt that had one to three years of remaining life.
- Considering the reduced aircraft operations starting in March 2020, the runway can be closed for longer periods of time without significant operational impacts, therefore creating efficiencies for the construction operation.
- This change order will now incorporate the removal and replacement of the pavement sections originally excluded. This will get all sections of the runway on the same pavement replacement cycle and will extend the useful life of the runway by seven years.
- The change order also includes airfield lighting and pavement markings.
- The new total value of the contract is \$16,347,940.
- This activity is occurring on airport property located in Council District 3.

Disadvantaged Business Enterprise

All additional work involved in this change order will be performed by Blythe Brothers Asphalt, LLC and their existing subcontractors.

Blythe Brothers Asphalt, LLC has committed 10.33% (\$155,000) of the total contract change order amount to the following certified firms:

- Express Logistics (DBE) (\$100,000) (hauling)
- Traffic Control Safety Services, Inc. (DBE) (\$40,000) (traffic control)
- D.M. Conlon dba Dan-Kel Concrete (DBE) (\$10,000) (sealing)
- Southeastern Public Safety (DBE) (\$5,000) (security guards)

Fiscal Note

Funding: Aviation Capital Investment Plan

48. Flooring Services

Action:

- A. Approve unit price contracts with the following companies for flooring services for an initial term of three years:**
- Mekki Modular Systems, Inc. (MBE, SBE),
 - Queen City Commercial Floor Services, LLC, 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):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- These contracts will include flooring services for Aviation facilities.
- On April 23, 2020, the city issued a Request for Proposals (RFP); three responses were received.
- The companies selected best meet the city's needs in terms of experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$150,000.

Charlotte Business INclusion

Mekki Modular Systems, Inc. is a city certified MBE and SBE.

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) 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 MWBEs or SBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

These contracts meet the provisions of (a) - No subcontracting opportunities

Fiscal Note

Funding: Aviation Operating Budget

49. Set Public Hearing on Cameron Commons Area Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for July 27, 2020, for the Cameron Commons Area voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

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.
- 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 94.66-acre "Cameron Commons Area " site abuts Hood Road. It is located north of Robinson Church Road and south of Plaza Road in east Mecklenburg County.
 - The property currently is vacant.
 - The petitioner has plans to construct 250 single family residential dwelling units and 288 multi-family residential dwelling units on the site.
 - The property is zoned MX-1 (CD) Mixed Use Conditional District, B-1(CD) Neighborhood Business.
 - The property is located immediately adjacent to City Council District 4.
 - The petitioned area consists of seven parcels, parcel identification numbers 05122178, 05111104, 05111114, 05111103, 05111199, 05111109 and 05111105.

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 of 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

Site Map

Resolution

[Cameron Commons Area Annexation Revised \(Map\)](#)

[Cameron Commons \(Site Map\)](#)

[Resolution to set date of Public Hearing - Cameron Common](#)

50. Set Public Hearing on Carsen Glen Area Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for July 27, 2020, for the Carson Glen Area voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

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.
- Area proposed for annexation does not share 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 21.45-acre "Carson Glen Area" site abuts Primm Road. It is located south of I-485 Highway and north of Miranda Road in west Mecklenburg County.
 - The property currently is vacant.
 - The petitioner has plans to construct 64 single family residential dwelling units on the site.
 - The property is zoned (R-3) Single Family Residential District (which allows 3 single family residential units per acre).
 - The property is located immediately adjacent to City Council District 2.
 - The petitioned area consists of two parcels, parcel identification numbers 03326247 and 03326248.

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.

Attachment(s)

Map

Site Map

Resolution

[New Carsen Glen Area Annexation Map](#)

[Carsen Glen Site Map](#)

[Resolution for Carsen Glen Area Annexation](#)

51. Set Public Hearing on McGee Place Area Voluntary Annexation

Action:

Adopt a resolution setting the public hearing for July 27, 2020, for the McGee Place Area voluntary annexation petition.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

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.
- Area proposed for annexation does not share 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 20.2277 acres "McGee Place" site abuts Beatties Ford Road. It is located south of Kidd Lane and northeast of Frank Vance Road in north Mecklenburg County.
 - The property currently is vacant.
 - The petitioner has plans to construct 80 single family residential dwelling units on the site.
 - The property is zoned (R-4) single family residential district (which allows four single family residential units per acre).
 - The property is located near City Council District 2.
 - The petitioned area consists of two parcels, parcel identification numbers 02518110 and 02518111.

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.

Attachment(s)

Map

Site Map

Resolution

[McGee Place Area Annexation Map](#)

[McGee Place Annexation Map.Site Map](#)

[Resolution for McGee Place Area Annexation](#)

52. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$114.57.

Staff Resource(s):

Kelly Flannery, 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

[Resolution.pdf](#)

[List of Taxpayers.pdf](#)

53. Meeting Minutes

Action:

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

- **May 11, 2020 Business Meeting,**
- **May 18, 2020 Zoning Meeting,**
- **May 20, 2020 Budget Workshop,**
- **May 26, 2020 Business Meeting, and**
- **May 27, 2020 Straw Votes.**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS**54. Property Transactions - Cross Charlotte Trail 7th Street to 10th Street Connector, Parcel #7**

Action: Approve the following Acquisition: Cross Charlotte Trail 7th Street to 10th Street Connector, Parcel #7

Project: Cross Charlotte Trail 7th Street to 10th Street Connector, Parcel #7

Program: Cross Charlotte Trail 7th Street to 10th Street Connector

Owner(s): Crown Castle South LLC

Property Address: 615 Seigle Avenue

Total Parcel Area: 7,419 sq. ft. (0.17 ac.)

Property to be acquired by Easements: 1,421 sq. ft. (0.033 ac.) Greenway Easement, 392 sq. ft. (0.009 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-22MF

Use: Multi-family

Tax Code: 080-152-03

<http://polaris3g.mecklenburgcountync.gov/#mat=163175&pid=08015203&gisid=08015203>

Purchased Price: \$102,100

Council District: 1

55. Property Transactions - Kilborne Drive Streetscape, Parcel #66

Action: Approve the following Acquisition: Kilborne Drive Streetscape, Parcel #66

Project: Kilborne Drive Streetscape, Parcel #66

Program: Kilborne Drive Streetscape

Owner(s): Nisbet Oil Company

Property Address: 2101 Eastway Drive

Total Parcel Area: 13,406 sq. ft. (0.31 ac.)

Property to be acquired by Easements: 172 sq. ft. (0.004 ac.) Utility Easement, 297 sq. ft. (0.007 ac.) Sidewalk Utility Easement, 1,698 sq. ft. (0.039 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: B-1

Use: Commercial

Tax Code: 101-101-36

<http://polaris3g.mecklenburgcountync.gov/#mat=70937&pid=10110136&qsid=10110136>

Purchased Price: \$16,000

Council District: 1

56. Property Transactions - Quail Hollow at Heathstead Pedestrian Crossing, Parcel #2.1

Action: Approve the following Condemnation: Quail Hollow at Heathstead Pedestrian Crossing, Parcel #2.1

Project: Quail Hollow at Heathstead Pedestrian Crossing, Parcel #2.1

Owner(s): TH Property Owner 6 LP

Property Address: 4521 Hamptonridge Drive

Total Parcel Area: 1,442,334 sq. ft. (33.111 ac.)

Property to be acquired by Easements: 225 sq. ft. (0.005 ac.) in Sidewalk and Utility Easement, plus 78 sq. ft. (0.002 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-15MF (CD)

Use: Multi-family

Tax Code: 209-541-01

<http://polaris3g.mecklenburgcountync.gov/#mat=303059&pid=20954101&gisid=20954101>

Appraised Value: \$425

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: The city is continuing to negotiate the terms of the agreements.

Recommendation: To avoid delay in 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: 6

Adjournment

REFERENCES

57. Reference - Charlotte Business INclusion Policy

The following excerpts from the City of Charlotte'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 a (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 for the Contract; or (b) there are no MWBEs or SBEs 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, the city 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, the city 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.