

City of Charlotte

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



Meeting Agenda

Monday, November 9, 2020

Electronic Regular Meeting Hosted from Room 267

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,
ELECTRONIC REGULAR MEETING HOSTED FROM ROOM
267**

Call to Order

Introductions

Invocation

Pledge of Allegiance

1. 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.

2. Action Review Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

3. Tree Canopy Action Plan

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Provide an overview of the Tree Canopy Action Plan.

[Tree Canopy Action Plan](#)

4. Corridors of Opportunity Updates

Staff Resource(s):

Tracy Dodson, City Manager's Office

Taiwo Jaiyeoba, City Manager's Office

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Provide updates on initiatives within the city's Corridors of Opportunity.

[Corridors of Opportunity Updates](#)

5. Proposed 2021 State and Federal Legislative Agendas

Staff Resource(s):

Dana Fenton, City Manager's Office

Time: 10 minutes - Presentation; 20 minutes - Discussion

Explanation

- Provide an overview of the proposed 2021 State and Federal Legislative Agendas.

[PROPOSED 2021 STATE LEGISLATIVE AGENDA](#)

[PROPOSED 2021 FEDERAL LEGISLATIVE AGENDA](#)

[Proposed 2021 State and Federal Legislative Agendas Presentation](#)

6. Closed Session (as necessary)

PUBLIC FORUM

7. Public Forum

CONSENT

- 8. Consent agenda items 30 through 74 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.

AWARDS AND RECOGNITIONS

9. Homelessness Awareness Month Proclamation

Action:

Mayor Lyles will read a proclamation recognizing November 2020 as Homelessness Awareness Month.

POLICY

10. City Manager's Report

BUSINESS

11. Eastland Mall Redevelopment Public Private Partnership - Crosland Southeast

Action:

- A. **Authorize the City Manager, or his designee, to negotiate and execute a Master Development Agreement with Crosland Southeast, LLC (Developer) setting forth the general terms and conditions of the city and Developer's partnership regarding phased property transactions, revenue sharing, and community benefits in the Eastland Mall redevelopment;**
- B. **Authorize the City Manager, or his designee, to negotiate and execute a contract with Developer for the reimbursement of costs for public infrastructure in an amount not to exceed \$17.25 million, which will be reimbursed from the Capital Investment Plan;**
- C. **Authorize the City Manager, or his designee, to negotiate and execute a contract with Developer for the reimbursement of costs for public infrastructure, public parking, and other public improvements in an amount not to exceed \$11 million, which will be reimbursed through 45 percent of the incremental property taxes from a designated area over 20 years, or until fully reimbursed, whichever occurs first; and**
- D. **Authorize the City Manager to negotiate and execute any further ancillary instruments or non-material changes to the agreements as may be necessary.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Todd DeLong, Economic Development

Explanation

- The city purchased approximately 80.4 acres of the former Eastland Mall property in August 2012 as an opportunity to aid economic development and neighborhood revitalization in the area. Eastland Mall was demolished in 2013.
- The redevelopment principles created by the Eastland Area Strategies Team help guide the redevelopment of the site:
 - Enhance the perceptions of the Eastland area and East Charlotte,
 - Unify local communities,
 - Create connectivity and walkability for surrounding neighborhoods,
 - Take advantage of natural features,
 - Create opportunity for civic development, and
 - Increase equitable economic development opportunities.
- In June 2017, the Economic Development Committee, now known as the Workforce and Business Development Committee (Committee), provided direction to seek a private development partner prior to engaging in additional site preparation work.
- In March 2018, four development teams interested in partnering with the city presented general development concepts to the Committee.
- In September 2018, the Committee voted unanimously (Mitchell, Driggs, Harlow, Mayfield, and Newton) to direct staff to engage exclusively with the development team led by Crosland Southeast, LLC (Developer) to work through the terms of a pre-development agreement, which would outline the necessary site work to start a joint redevelopment effort between the city and the development team.
- On October 22, 2018, City Council authorized the City Manager to execute a pre-development agreement with the development team led by Crosland Southeast, LLC.
- Throughout 2019, the city partnered with Developer to lead a robust and broad outreach effort for more inclusive community engagement.
- In June 2020, City Council approved rezoning of the city's approximate 69 acres as well as an

additional 7.96 acres under contract by Crosland Southeast located at 5745 Central Avenue in Council District 5.

- In September 2020, City Council accepted the assignment from C4 Investments, LLC (a Crosland Southeast affiliate) of the Purchase and Sale Agreement and approved the purchase of the property at 5745 Central Avenue.
 - City funds for this acquisition are existing Capital Investment Plan (CIP) allocations targeted to support redevelopment of the Eastland Mall property.
- In October 2020, city staff presented City Council with the general terms of a public private partnership with Developer by virtue of a Master Development Agreement.

Action A:

- The partnership will be described in the Master Development Agreement.
- Anticipated Development Program Phase I includes:
 - A preliminary submittal for a Low-Income Housing Tax Credit (LIHTC) application for senior affordable housing
 - Approximately 250 multifamily residential units
 - Approximately 26,000 square feet of ground floor commercial space beneath the multifamily development
 - A full service grocer
 - 10,000 to 12,000 square feet of ancillary retail shops
 - First tranche of single family detached and townhomes
 - Parking for the above uses, including structured parking
 - Estimated private investment of at least \$150 million for Phase I improvements
- General terms of the agreement include:
 - City to transfer ownership of specific parcels as parcels are considered by the city and the Developer to be ready for development
 - Final transfer of properties may require additional approval from City Council
 - Creation of infrastructure to support development and leverage private investment
 - Provision of 80-100 housing units that are subject to income, rent, and/or price restrictions
 - Small Business Support
 - Reduce value of land conveyed by the city to support financial feasibility of small business opportunities
 - Revenue sharing opportunities allowing the city to receive a specified percentage of future revenues generated by the site (e.g. increased lease revenue, land sold by the Developer to third parties, etc.)
- Public Benefits include:
 - Small business opportunities with a preference for minority-owned businesses
 - Increased housing affordability with 80-100 units of senior affordable housing
 - Public parking
 - Expansion of tax base and catalyst for redevelopment along Central and Albemarle Corridors
 - Redevelopment is a kick-off to the Corridors of Opportunity strategy for Central/Albemarle area
 - Sports tourism and increased hospitality tax revenues

Action B:

- Per City Council policy, the redevelopment qualifies for a 20-year, 45 percent Tax Increment Grant (TIG).
- The county's participation is pending approval by the Board of County Commissioners.
- The TIG Supports reimbursement of public infrastructure, public parking, and other public benefits.
- The Developer would build the public improvements and be reimbursed through 45 percent of the incremental city property taxes from a designated area over 20 years.
- Other terms include:
 - The term ends at 20 years or when the payments equal a present value of \$11 million, whichever occurs first.

- The Developer has agreed to work with the city to incorporate an MWSBE Plan approved by the City's Charlotte Business INclusion (CBI) Program.

Action C:

- Invest \$20 million of the city's CIP funds, allocated in 2016 and 2018 bonds towards the redevelopment of Eastland Mall
 - Up to \$17.25 million for reimbursement of site development and related public infrastructure built on city-owned property.
- The following site work is anticipated for Phase I, which sets the stage and the place for the rest of the development:
 - All site grading on the entire approximately 77 acres,
 - All underground utility mains and storm detention (as required by code),
 - All public roads, including sidewalks, curbs, planting strips, lighting, and street trees
 - Walking/bicycle trails/greenway extension throughout the development
 - All offsite improvements, which include multiple new traffic signals and intersection improvements
 - Expected completion of infrastructure improvements by the end of 2022
- The Developer will build the public improvements and be reimbursed upon completion of said improvements through the city's CIP.
- The Developer has agreed to work with the city to incorporate an MWSBE Plan approved by the city's CBI Program.

Charlotte Business INclusion

The city negotiates subcontracting participation for Public-Private Partnerships (P3) after the scopes of work are defined.(Part G: Section 2.5 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Capital Investment Plan; General Fund (Tax Increment Grant)

Attachment(s)

October 26, 2020 City Council Meeting Presentation

[Eastland Mall Redevelopment - City Council Oct26](#)

12. Tepper Sports and Entertainment Agreements for Major League Soccer (Eastland Mall Redevelopment and Bank of America Stadium)

Action:

- A. **Authorize the City Manager, or his designee, to negotiate and execute development and improvement agreements, leases, licenses, and related agreements with Tepper Sports & Entertainment (TSE) setting forth the terms and conditions of the city and TSE's partnership regarding bringing Major League Soccer (MLS) to Charlotte, sharing in costs associated with Bank of America Stadium-related improvements for MLS, the creation of a vision for a mixed-use district in Uptown to support activation around Bank of America Stadium, the creation of the MLS Elite Academy headquarters and soccer complex at the Eastland Mall site, and provision of community benefits throughout the city;**
- B. **Authorize the City Manager, or his designee, to negotiate and execute agreements with TSE for the reimbursement of costs for expenses associated with MLS at Bank of America Stadium and the Eastland Mall site in an amount not to exceed an aggregate of \$35 million, which will be reimbursed from Hospitality Funds; and**
- C. **Authorize the City Manager to negotiate and execute any further agreements, documents and instruments, and revisions to TSE/City agreements, as may be necessary in connection with each of the above.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Explanation

- In November 2019, City Council agreed to the concept that up to \$110 million of Hospitality Funds could be spent to develop a MLS facility at the Eastland Mall site, make improvements to Bank of America Stadium, and the development of a long term vision and strategy for a district in Uptown that retained MLS and National Football League (NFL) in Charlotte for the long term.
- Due to the economic disruption and damage caused by the COVID-19 pandemic and the continued interest in building a partnership that benefits multiple parts of the City of Charlotte for both MLS and NFL, TSE and the city proposed to modify the partnership to:
 - Provide an anchor at the Eastland Mall site with MLS Elite Academy headquarters and an associated mixed-use soccer complex, building community assets and improving the overall Eastland Mall site;
 - Establish a framework and long-term strategy for a mixed-use district in Uptown Charlotte which supports sports (including MLS and NFL) and entertainment (the "Uptown District") and accommodates transportation infrastructure and solutions; and
 - Assist with improvements to Bank of America Stadium as a home for the Charlotte FC MLS club, the Carolina Panthers NFL club, and other live events.
- Eastland Mall
 - The city purchased approximately 80.4 acres of the former Eastland Mall property in August 2012 as an opportunity to aid economic development and neighborhood revitalization in the area. Eastland Mall was demolished in 2013.
 - On October 22, 2018, City Council authorized the City Manager to execute a pre-development agreement with the development team led by Crosland Southeast, LLC. The proposed vision plan included an anchor sports complex.
 - For no less than 10 years, TSE will operate and manage the soccer complex at the Eastland Mall site and provide the following:
 - A headquarters for Charlotte FC's Elite Youth Academy which includes an approximately a 15,000 square foot building,
 - MLS and community-use fields, and

- Year-round programming for the complex, including approximately 100 days of use from Charlotte FC Elite Youth Academy events and activities, MLS-related events and activities, special events, community use, tournaments, camps, clinics, and festivals, and other commercial events and activities.
- Bank of America Stadium/Uptown
 - TSE will make improvements to Bank of America Stadium to provide a first-class soccer experience for fans, players, coaches, and viewers around the United States and the world. Improvements will be designed to increase the attraction and marketability of Bank of America Stadium/Charlotte for live, promoted events and to increase economic activity in Uptown Charlotte.
 - TSE will agree to a non-relocation agreement for Charlotte FC with the city for a period of nine years from the commencement of Charlotte FC's initial playing season at Bank of America Stadium (currently projected for 2022).
 - Among other contemplated improvements, TSE will create Charlotte FC and visiting team new locker room facilities, including medical, lounge, office, and other spaces with sports and entertainment venues.
 - TSE and the city, will participate in a Master Plan for a new stadium/events district. The Master Plan would identify possible locations for event venues, possible stadium locations, light rail alignments, parking facilities, pedestrian improvements, infrastructure investments, transportation solutions, and an Uptown District.
 - The city and TSE will establish target completion dates for the Master Plan, but no later than 2021 for the Uptown District, and no later than mid-2022 for future venue sites.
- TSE and the city will enter into a Community Benefits Agreement. It is expected that this agreement will contain (but is not limited to) the following items:
 - Community-based coaching, coaching education, and MLS Academy development programs that will have a presence throughout the City of Charlotte;
 - Creation of no less than eight futsal practice courts in eight locations throughout the City of Charlotte;
 - Annual donation of soccer equipment and accessories to City of Charlotte schools in need that have active soccer programs;
 - The donation of 1,000 tickets per year to Charlotte FC games to non-profit organizations serving youth or those in need in the City of Charlotte; and
 - The creation of a strategy for MWSBE participation and/or other work force strategy for the construction of the various projects contemplated by this framework.

Charlotte Business INclusion

The city negotiates Subcontracting participation for Public-Private Partnerships (P3) after the scopes of work are defined. (Part G: Section 2.5 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Capital Investment Plan and Tax Increment Grant

13. Corridors of Opportunity Community Development Grant for 1800 Rozzelles Ferry

Action:

Authorize the City Manager to negotiate and execute a Community Development Grant agreement with Sankofa Partners, LLC (the Developer) in an amount not to exceed \$100,000 for costs associated with revitalizing the property and building located at 1800 Rozzelles Ferry Road (the Property), which will facilitate the rehabilitation of an aging property and the preservation of a historic neighborhood.

Staff Resource(s):

Tracy Dodson, City Manager's Office

Todd DeLong, Economic Development

Explanation

- In 2007, City Council adopted the policy for the city to take a leadership role in developing and implementing public and private collaborative strategies and investments that aim to:
 - Attract private sector investment to grow jobs, businesses, and services;
 - Expand the tax base in the business corridors; and
 - Support the revitalization of the corridors into mixed use areas promoting the adjacent neighborhoods as safe, viable, and sustainable.
- To fully support the intended goals of revitalization outlined in the policy statement above, the city will take a proactive approach in accomplishing the following recommended goals:
 - Eliminate blight,
 - Create strong local economies,
 - Align City policies and programs, and
 - Promote environmentally sustainable development.
- In 2020, City Council enhanced the city's commitment to corridor revitalization through the Corridors of Opportunity initiative.
 - The city is concentrating its resources at the Five Points area by investing and facilitating initiatives in specific locations within each corridor to ensure long-lasting and positive impacts are realized sooner than they would be through a piece-meal approach. This includes work in transportation and infrastructure, talent and employment, public Wi-Fi, placemaking, and other initiatives.
- The Developer acquired the Property located in Council District 2 in October 2019.
- The Property is a one-story retail strip center built in 1929 comprising approximately 6,000 square feet.
- The Developer will redevelop the property by rehabbing the structure and restoring the building as a neighborhood retail destination with neighborhood-serving retail and restaurants.
- Other improvements include full environmental remediation, full rehab of interior spaces including subflooring, flooring, mechanical, electrical and plumbing, accessible entrances and restrooms, and new roofing.
- The Developer will improve the building exterior, bring the streetscape up to compliance, and add outdoor plaza space for tenants.
- The Property is adjacent to the city's Five Points Plaza capital project, currently under construction, and is located near the future Gold Line Phase II, currently under construction on West Trade Street / Beatties Ford Road.
- The Property will be leveraged for proximity to both public investments.
- All building space is leased or under a Letter of Intent to lease to minority-owned businesses.
- City staff is coordinating with the Developer throughout the development review process.
- The city awarded the following 50 percent matching grants to the Developer in June 2020:
 - Façade Improvement - \$130,000,
 - Security - \$20,000,
 - Interior Upfit - \$30,000,

- Total Matching Grant Awards - up to \$180,000,
- An additional 10 percent match may be applied if the developer engages certified MWSBE firms for eligible work, and
- Matching grants will be reimbursed by the Business Corridor Revitalization Fund.
- Pursuant to the North Carolina General Statute on community development programs and activities (N.C.G.S § 160A-456), the city identified the need for financial support of the rehabilitation of the property and building, which will support the preservation of this historic neighborhood and aging property.
 - Council is being requested to support execution of a Community Development Grant in an amount not to exceed \$100,000 that would reimburse the Developer for applicable costs, which will be in line with N.C.G.S. § 160A-456 and will be finally determined by the actual costs incurred by the Developer.
 - Applicable reimbursement expenses must be above and beyond those accounted for in the Developer's request for reimbursement associated with the previously awarded Business Matching Grants.
 - The Community Development Grant will be reimbursed from the Corridors of Opportunity funds.

Fiscal Note

Funding: General Capital Investment Fund

Attachment(s)

Map

[RCA - Location Map](#)

14. Corridors of Opportunity Rehab Loan and Community Development Grant to E-Fix Development Corporation for 2023 Beatties Ford Road

Action:

- A. Authorize the City Manager to negotiate and execute a Community Development Grant agreement with E-Fix Development Corporation (Developer) in an amount not to exceed \$250,000 for costs associated with revitalizing the property located at 2023 Beatties Ford Road (the Property), which will facilitate the rehabilitation of an aging building and the preservation of a historic neighborhood, and**
- B. Approve a Rehab Loan in an amount not to exceed \$500,000 to the Developer for rehabilitating the Property.**

Staff Resource(s):

Tracy Dodson, City Manager's Office
Todd DeLong, Economic Development

Explanation

- In 2007, City Council adopted the policy for the city to take a leadership role in developing and implementing public and private collaborative strategies and investments that aim to:
 - Attract private sector investment to grow jobs, businesses, and services;
 - Expand the tax base in the business corridors; and
 - Support the revitalization of the corridors into mixed use areas promoting the adjacent neighborhoods as safe, viable, and sustainable.
- In 2020, City Council enhanced the city's commitment to corridor revitalization through the Corridors of Opportunity initiative.
 - The city is concentrating its resources at the intersection of Beatties Ford Road and LaSalle Street by investing and facilitating initiatives in specific locations within each corridor to ensure long-lasting and positive impacts are realized sooner than they would be through a piece-meal approach. This includes work in transportation and infrastructure, talent and employment, public Wi-Fi, placemaking, etc.
- The Developer acquired the Property, which is located in Council District 2, in April 2020.
- The Property is a commercial strip center that was built in 1971 and has approximately 6,600 square feet.
- The Developer proposes a full rehab of the interior and exterior space of the property located at the intersection of Beatties Ford Road and LaSalle Street.
- The Developer has signed JPMorgan Chase as the Site's anchor tenant, which is planned to open in early 2021.
- City staff is coordinating with the Developer throughout the development review process
- The city awarded the following 50 percent matching grants to the Developer in June 2020:
 - Façade Improvement - \$130,000,
 - Security - \$20,000,
 - Interior Upfit - \$30,000,
 - Total Matching Grant Awards = up to \$180,000,
 - An additional 10 percent match may be applied if the developer engages certified MWSBE firms for eligible work, and
 - Matching grants will be reimbursed by the Business Corridor Revitalization Fund.
- Pursuant to the city's desire to rehabilitate, restore, and preserve buildings and properties in its Corridors of Opportunity and authority found in the North Carolina General Statute on community development programs and activities (N.C.G.S § 160A-456), the city identified the need for financial support for the rehabilitation of the Property and building, which will support the preservation of this historic neighborhood and aging property.
 - The city is recommending Council support a Community Development Grant in an amount not

- to exceed \$250,000 that would reimburse the Developer for applicable costs, which will be in line with N.C.G.S. § 160A-456 and will be finally determined by the actual costs incurred by the Developer.
- Applicable reimbursement expenses must be above and beyond those accounted for in the Developer's request for reimbursement associated with the previously awarded Business Matching Grants.
 - The Community Development Grant will be reimbursed from the Corridors of Opportunity funds.
- The Developer is seeking additional financial support to renovate the site located at the Beatties Ford Road / LaSalle Street intersection.
 - The Developer has requested a \$500,000 loan from the city to support its revitalization efforts.
 - Staff recommends that Council consider an interest-only Rehab Loan with the following general terms:
 - Interest at prime + 1 percent (4.25 percent),
 - Full repayment of principal balance upon second refinance, sale of property, assignment of ownership of the property, or 20 years, whichever occurs first,
 - The city will require interest only payments on monthly basis,
 - Deed of trust will be placed on the property until such time the principal balance is paid in full,
 - Loan funds must be specifically applied to rehabilitation of commercial space located at 2023 Beatties Ford Road, and may not be allocated to any other use,
 - The city will retain a third party to service the loan on behalf of the city,
 - The applicant will be subjected to the third party's underwriting criteria, and
 - The loan will be funded by the Corridors of Opportunity.

Fiscal Note

Funding: General Capital Investment Fund

Attachment(s)

Map

[RCA - Location Map](#)

15. Corridors of Opportunity Rehab Loan to E-Fix Development Corporation for 2020 Beatties Ford Road

Action:

- A. **Approve a Rehab Loan in an amount not to exceed \$904,000 to E-Fix Development Corporation (Developer) for rehabilitating the property and building located at 2020 Beatties Ford Road (the Property), and**

- B. **Authorize the City Manager to negotiate and execute a Business Matching Grant contract not to exceed \$180,000 with E-Fix Development for façade, security, and interior upfit improvements, contingent upon receipt of successful application by the Developer.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Todd DeLong, Economic Development

Explanation

- In 2007, City Council adopted the policy for the city to take a leadership role in developing and implementing public and private collaborative strategies and investments that aim to:
 - Attract private sector investment to grow jobs, businesses, and services;
 - Expand the tax base in the business corridors; and
 - Support the revitalization of the corridors into mixed use areas promoting the adjacent neighborhoods as safe, viable, and sustainable.
- In 2020, City Council enhanced the city's commitment to corridor revitalization through the Corridors of Opportunity initiative.
 - The city is concentrating its resources at the intersection of Beatties Ford Road and LaSalle Street by investing and facilitating initiatives in specific locations within each corridor to ensure long-lasting and positive impacts are realized sooner than they would be through a piece-meal approach. This includes work in transportation and infrastructure, talent and employment, public Wi-Fi, placemaking, and other initiatives.
- The Developer proposes a full rehab of the interior and exterior space of the property currently referred to as Krystle Village located at the intersection of Beatties Ford Road and LaSalle Street.
- The Developer will apply for the city's Matching Grant Programs - façade, security, and interior upfit.
 - If approved through the application process, E-Fix may be awarded up to \$180,000 in matching funds. An additional 10 percent match may be applied if the developer engages certified MWSBE firms for eligible work.
 - Matching grants will be reimbursed by the Business Corridor Revitalization Program.
- The Developer is seeking additional financial support to renovate the site located at the Beatties Ford Road/LaSalle Street intersection.
 - The Developer has requested a \$904,000 loan from the city to support its revitalization efforts.
 - Staff recommends that Council consider an interest-only Rehab Loan with the following general terms:
 - Interest at prime + 1 percent (4.25 percent);
 - Full repayment of principal balance upon second refinance, sale of property assignment of ownership of the property, or 20 years, whichever occurs first;
 - The city will require interest only payments on monthly basis
 - Deed of trusts will be placed on the property until such time the principal balance is paid in full;
 - Loan funds must be applied to rehabilitation of commercial space located at 2020 Beatties Ford Road;
 - City will retain a third party to service the loan on behalf of the city; and
 - The applicant will be subjected to the third party's underwriting criteria

- Rehab Loan will be funded by Corridors of Opportunity.

Fiscal Note

Funding: General Capital Investment Fund

Attachment(s)

Map

[RCA - Location Map](#)

16. Naturally Occurring Affordable Housing Rental Subsidy Pilot Program

Action:

- A. **Approve a Naturally Occurring Affordable Housing Rental Subsidy Pilot Program for Lake Mist Apartments, to allocate funds over a 20-year period for affordable rental units, and**
- B. **Authorize the City Manager to negotiate, execute, amend, and renew contracts as needed and consistent with the purpose for which the program was approved, with**
 - **Socialserve; and**
 - **Archdale NOAH, LLC (Lake Mist Apartments).**

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Explanation

- On August 27, 2018, City Council adopted the Housing Charlotte Framework, which recommends partnering with developers to preserve high-quality rental Naturally Occurring Affordable Housing (NOAH) with city subsidies and aligning local resources with policies that support subsidy voucher use.
- This pilot NOAH Rental Subsidy Pilot Program (Program) at Lake Mist Apartments will create new long-term rental subsidies for 30 percent Area Median Income (AMI) households.
 - Lake Mist Apartments is a 144-unit existing multi-family affordable housing development located at 1100 Lake Mist Drive in Council District 3.
 - 44 units at or below 30 percent AMI
 - 72 units at or below 60 percent AMI
 - 28 units at or below 80 percent AMI
- Of the 44 units set aside for 30 percent AMI households, the owner has also agreed to specifically set aside 22 units for 30 percent AMI households who do not have existing vouchers or other forms of rental assistance.
- To create new, long-term rent subsidies for these 22 units, the city is being asked to commit to annual funding for the length of the property's 20-year deed restriction at an amount equivalent to the property's annual city property tax bill.
 - The property's 2020 city property tax bill was \$53,685.
- Funds will be provided to Socialserve who will identify tenants and administer the rental subsidy program on behalf of the city.

Background

- On September 14, 2020, City Council approved a \$2,425,000 Housing Trust Fund allocation for Lake Mist Apartments.
- On October 21, 2020, the Great Neighborhoods Committee recommended approval of the Program at Lake Mist Apartments.
- The Program leverages the Lake Mist rent subsidy program approved by Mecklenburg County on October 6, 2020.
- As a follow-up to the October 21, 2020, Great Neighborhoods Committee meeting, staff will continue to develop a broader NOAH Rental Subsidy Program for Council consideration.

Fiscal Note

Funding: General Capital Investment Plan

17. National Sexual Assault Kit Initiative FY 2020 Grant Program

Action:

Authorize the Mayor to accept funding through the FY 2020 National Sexual Assault Kit Initiative Grant Program in the amount of \$587,891 from the U.S. Department of Justice.

Staff Resource(s):

Johnny Jennings, Police

Coerte Voorhees, Police

Joel McNelly, Police

Explanation

- The Charlotte-Mecklenburg Police Department (CMPD) often applies for grants to fund programs and expenses that support the approved operating budget.
- CMPD has received the Sexual Assault Kit Initiative (SAKI) grant from the U.S Department of Justice's Bureau of Justice Assistance since Fiscal Year 2016.
- The goal of the grant program is to address the number of unsubmitted Sexual Assault Kits in law enforcement custody and to help provide resolution for victims when possible.
- The FY 2020 SAKI grant will fund three part time positions: a criminalist, an assistant district attorney, and a sexual assault detective.
- Additionally, funds will be used to support maintaining the multidisciplinary working group by continuing their partnership with Safe Alliance for the purpose of providing resources to victims of sexual assault and to contract with a vendor laboratory to conduct genetic genealogy research and Single Nucleotide Polymorphism Profile Conversion to enable DNA profiles of suspects in unsolved cases to be added to a national DNA database.
- The grant is for a three-year term from October 1, 2020, to September 30, 2023.
- No matching contribution from the city is required.

Fiscal Note

Funding: General Grants Fund

18. Metropolitan Planning Program Grant Municipal Agreement

Action:

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

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Liz Babson, Transportation
John Lewis, CATS
Bob Cook, Planning, Design and Development

Explanation

- The Federal Transit Administration (FTA) awarded the Fiscal Year 2021 Metropolitan Planning Grant to the City of Charlotte in July 2020.
- The city receives this grant annually as the lead planning agency for the Charlotte Regional Transportation Planning Organization (CRTPO) and as the major fixed-route transit operator for the urban area.
- The North Carolina Department of Transportation requires grant recipients to enter into a new Municipal Agreement to receive the annual allocation.
- The Charlotte Department of Transportation; Planning, Design and Development; and the Charlotte Area Transit System are responsible for the deliverables outlined in this grant, including:
 - The federally-compliant travel demand model required for transportation planning and air quality conformity, and
 - Updating the Transit Element of the Metropolitan Transportation Plan, developing transit travel demand forecasts, conducting ridership surveys, and monitoring and updating the Transportation Improvement Program, as necessary, to advance projects and ensure compliance with federal regulations.
- Funding was sub-allocated for local projects to the Iredell County Area Transit System, the Mecklenburg Transportation System, and Union County Transportation.
- The total grant award for the city is \$1,225,441 of which \$980,352 (80 percent) consists of federal funds, \$122,545 (10 percent) consists of state funds, and \$122,545 (10 percent) consists of CRTPO local funds.
 - The local match will be shared by the City of Charlotte (\$103,116), the Iredell County Area Transit System (\$7,500), the Mecklenburg Transportation System (\$6,629), and Union County Transportation (\$5,300).

Fiscal Note

Funding: General Grants Fund

Attachment(s)

Resolution

[Resolution](#)

19. Appropriate Private Developer Funds

Action:

- A. Approve developer agreements with SR University, LLC; QuickTrip Corporation; BIN-OSR, LLC; and Mecklenburg County for traffic signal modifications, and**
- B. Adopt a budget ordinance appropriating \$324,415 in private developer funds for traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Explanation

- Private developer agreements and appropriations are needed when a developer is required through the city rezoning process to make traffic signal improvements.
- Funding contributions from private developers must be appropriated prior to the city's initiation of work.
- The \$324,415 in private developer funds is for road modifications, traffic signals, traffic signal modifications, and/or upgrades, and other related work associated with the developers' projects. The funding is restricted to the projects noted below:
 - SR University, LLC contributed \$9,775 for signal modifications at North Tryon Street and University City Boulevard (Council District 4).
 - QuickTrip Corporation contributed \$101,085 for signal modifications at Graham Street and Trailer Drive (Council District 4).
 - BIN-OSR, LLC contributed \$28,175 for signal modifications at Old Statesville Road and Gibbon Road (Council District 2).
 - Mecklenburg County contributed \$185,380 for a new signal at Lancaster Highway and Carolina Academy Road (Council District 7).
- These developer contributions are based on cost estimates prepared by the Charlotte Department of Transportation (CDOT).
- Any funding contributed by the developer(s) for a signal project that is unused by the city will be refunded back to the developer(s) after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map
Budget Ordinance

[Traffic Signal Improvements Map](#)

[Private Developer Funds 10.28.20](#)

20. Decision on Northlake Centre Parkway Northeast Area Voluntary Annexation

Action:

Adopt an annexation ordinance with an effective date of November 9, 2020, to extend the corporate limits to include Northlake Centre Parkway Northeast Area properties and assign them to the adjacent City Council District 2.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Holly Cramer; Planning, Design, and Development

Explanation

- On October 12, 2020, a public hearing on Northlake Centre Parkway Northeast Area Voluntary Annexation was conducted during the virtual City Council Business Meeting. No comments from the public were received.
- A petition has been received from the owner of this 15.545-acre property.
- The property is owned by DD Northlake 14.55, LLC.
- The property is zoned UR-2(CD) urban residential conditional district.
- The petitioned area consists of one parcel, parcel identification number 025-081-26.
- The property is located within Charlotte's extraterritorial jurisdiction and shares a boundary with current city limits.
- The intent of the annexation is to enable the development of 300 multi-family residential dwelling units.

Consistency with City Council Policies

- The annexation is consistent with the 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; and
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map (GIS)
Map (Survey)
Annexation Ordinance

[Northlake Centre Parkway NE Area Annexation GIS Map](#)

[Northlake Centre Parkway NE Area Annexation Survey Map](#)

[Ordinance - Northlake Centre Parkway NE Area Annexation](#)

21. Decision on I-485 and Arrowood Road Area Voluntary Annexation

Action:

Adopt an annexation ordinance with an effective date of November 9, 2020, to extend the corporate limits to include I-485 and Arrowood Road Area properties and assign them to the adjacent City Council District 3.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office
Holly Cramer; Planning, Design, and Development

Explanation

- On October 12, 2020, a public hearing on I-485 and Arrowood Road Area Voluntary Annexation was conducted during the virtual City Council Business Meeting. No comments from the public were received.
- A petition has been received from the owner of this 236.2-acre property.
- The property is owned by Karma Real Estate, LLC.
- The property is zoned I-1(CD) light industrial conditional and MUDD-O mixed-used development, optional.
- The petitioned area consists of two parcels, parcel identification numbers 201-051-06 and 201-051-08.
- This property is located within Charlotte's extraterritorial jurisdiction and shares boundaries with current city limits.
- The intent of the annexation is to enable the mixed-use development of residential, commercial, and industrial uses.
 - The residential uses include 270 multi-family units,
 - The commercial uses include a total of 33,000 square feet of retail and non-retail establishments, and
 - The proposed industrial uses would be 2,000,000 square feet.

Consistency with City Council Policies

- The annexation is consistent with the 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; and
 - Is consistent with the policy to not create unincorporated areas that will be encompassed by new city limits.

Attachment(s)

Map (GIS)
Map (Survey)
Annexation Ordinance

[I-485 and Arrowood Road Area Annexation GIS Map](#)

[I-485 and Arrowood Road Area Annexation Survey Map](#)

[Ordinance - I-485 and Arrowood Road Area Annexation](#)

22. Conclusion of Tryon Street Pilot Plaza

Action:

Approve staff recommendation to conclude the Tryon Street Pilot Plaza and reopen Tryon Street between 3rd and 4th Streets effective November 10, 2020.

Staff Resource(s):

Taiwo Jaiyeoba, City Manager's Office

Explanation

- At the November 2, 2020 Council Strategy Session, staff discussed the conclusion of the Tryon Street Pilot Plaza, feedback from the public, and the plan to reopen the street.
- While the Black Lives Matter mural represents positive community collaboration, several businesses have expressed that the temporary street closure is impacting their operations and revenues.
- At the meeting, Council requested to vote on accepting staff's recommendation to re-open the street on November 9, 2020 or to postpone reopening the street to January 1, 2021.
- In support of the Survive and Thrive Program, staff recommends re-opening the portion of Tryon Street effective November 10, 2020.
- Staff will work with Center City Partners to explore the possibilities of increased programming of the corridor in the future, including occasional closures on certain weekends to pedestrian activities.

Background

- On June 9, 2020, the Black Lives Matter mural was commissioned by the city and installed by local artists on Tryon Street.
- This was in response to racial protests resulting from the death of George Floyd, an African American man, in Minneapolis, Minnesota.
- Upon installation, many people began visiting the site, and the block of Tryon Street between 3rd and 4th Streets was subsequently temporarily closed to vehicular traffic on June 12, 2020.
- The temporary closure allowed the city a unique opportunity to create and evaluate a distinctive public space in Uptown.
- In order to evaluate the impact of the plaza, a data collection process was established to understand several qualitative and quantitative components of the street closure.
- The study period for the pilot concluded on September 30, 2020, and staff proposed to have the streets re-open on November 9, 2020.
- The next steps include working with businesses, residents, and stakeholders along the corridor to reimagine the future of Tryon Street as a more pedestrian-friendly space.

Attachment(s)

Tryon Street Pilot Plaza Report

[Tryon Street Pilot Plaza - Pilot Phase Final Report](#)

23. Nominations to the Arts and Science Council Advisory Council

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- In an effort to better serve our regional community and to increase community engagement, the Arts and Science Council (ASC) established Advisory Councils in 2016 for the purpose of providing input, feedback, and recommendations to the ASC Board to help align the cultural community with the needs of local communities.
- One appointment for a two-year term for an At-Large Public Sector Central Advisory Committee Representative beginning upon appointment and ending December 30, 2020. (Nomination by any Councilmember)
 - Sarah Alexander has served two terms and is not eligible for reappointment.
- One appointment for a two-year term for an At-Large Public Sector South and East Advisory Committee Representative beginning upon appointment and ending December 30, 2020. (Nomination by any Councilmember)
 - Nalan Karakaya Mulder has served two terms and is not eligible for reappointment.
- One appointment for a two-year term for a City Council District 2 Public Sector North and West Advisory Committee Representative beginning upon appointment and ending December 30, 2020. (Nomination by Councilmember Malcolm Graham)
 - Sarah Johnson is eligible for reappointment but not interested.
- One appointment for a two-year term for a City Council District 4 Public Sector North and West Advisory Committee Representative beginning upon appointment and ending December 30, 2020. (Nomination by Councilmember Renee' Johnson)
 - Jonathan Utrup has served two terms and is not eligible for reappointment.

Attachment(s)

Arts and Science Council Advisory Council Policy

Arts and Science Council Advisory Council Membership Roster and Applications

24. Nominations to the Business Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term recommended by the Black Chamber of Commerce beginning upon appointment and ending April 28, 2023.
 - Shante Williams did not meet attendance requirements.
- One appointment for a three-year term for a Certified SBE-Hispanic Contractors Association representative beginning upon appointment and ending April 28, 2023.
 - Domenico Santilli is eligible but not interested in reappointment.
- One appointment for a three-year term recommended by the Latin American Chamber of Commerce beginning upon appointment and ending April 28, 2023.
 - Rocio Gonzalez-Zornosa did not meet attendance requirements.
- One appointment for a three-year term beginning December 14, 2020, and ending December 13, 2023.
 - Raghunadha Kotha is eligible and interested in reappointment.

Attachment(s)

Business Advisory Committee Applications

25. Nominations to the Charlotte Business Inclusion Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a two-year term for a Black Chamber of Commerce representative beginning upon appointment and ending February 28, 2022.
 - Michelle Keaton-Barrow is eligible but not interested in reappointment.

Attachment(s)

Charlotte Business Inclusion Advisory Committee Applications

26. Nominations to the Charlotte Tree Advisory Commission

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Three appointments for three-year terms beginning December 14, 2020, and ending December 13, 2023.
 - Charle'on Maria Macon did not meet attendance requirements.
 - Sarah Hart is eligible and interested in reappointment.
 - Kawana Davis is eligible and interested in reappointment.

Attachment(s)

Charlotte Tree Advisory Commission Applications

27. Nominations to the Housing Appeals Board

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a Housing Industry Representative for a three-year term beginning January 1, 2021, and ending December 31, 2023.
 - Timothy O'Neil has served two terms and is not eligible for reappointment.

Attachment(s)

Housing Appeals Board Applications

28. Nominations to INLIVIAN (formerly Charlotte Housing Authority)

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning December 18, 2020, and ending December 17, 2023.
 - Sheila Jones has served two terms and is not eligible for reappointment.

Attachment(s)

INLIVIAN Applications

29. Nominations to the Transit Services Advisory Committee

Action:

Nominate residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

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

Attachment(s)

Transit Services Advisory Committee Applications

CONSENT

30. Replacement Helicopter for Charlotte-Mecklenburg Police Department

Action:

- A. Approve the purchase of a Bell 407 Helicopter, by the sole source exemption, and
- B. Authorize the City Manager to negotiate and execute a contract with Bell Textron, Inc. for the purchase of a Bell 407 Helicopter.

Staff Resource(s):

Johnny Jennings, Police
Jeff Estes, Police
Dave Johnson, Police

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 exemption.

Explanation

- This is a replacement helicopter for one of the two current helicopters deployed by Charlotte-Mecklenburg Police Department's Aviation Unit. The helicopter being replaced is over 20 years old and has become cost prohibitive to continue to operate.
- Helicopters enhance the goals of public safety through missing person searches, search and rescue operations, emergency medical evacuations, vehicle and foot pursuits, critical incidents, and functions including live video and aerial photography.
- Total estimated expenditures to purchase the helicopter are \$5,200,000.
- The purchase of this helicopter includes training for the operators on the new, upgraded equipment in the aircraft.

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: Capital Investment Plan and PAYGO

31. Traffic Control Devices

Action:

- A. Approve a unit price contract to the lowest responsive bidder Rosenblatt & Associates, DBA RAI Products, for the purchase of Traffic Control Devices for a term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Liz Babson, Transportation

Bryan Tarlton, Transportation

Explanation

- The Charlotte Department of Transportation maintains a modern signal system that includes 883 traffic control signals. The maintenance and construction of these signals require standardized materials and equipment.
- This contract will provide various types of traffic signal and sign hardware, such as signal hangers, sign hangers, camera hardware, and pedestrian poles and bases which are used in the maintenance, replacement, and new installation of traffic signals and signs.
- On August 14, 2020, the city issued an Invitation to Bid; three bids were received.
- Rosenblatt & Associates, DBA RAI Products was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$280,000.

Charlotte Business INclusion

Per Charlotte Business INclusion policy: Part C: Section 2.1 (a) The city shall not establish subcontracting Goals for Contracts where (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no MWBEs and 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: Transportation Operating Budget

32. Bond Issuance Approval for Abbington on Mt. Holly Apartments

Action:

Adopt a resolution granting INLIVIAN's request to issue multi-family housing revenue bonds, in an amount not to exceed \$15,000,000, to finance the development of an affordable housing development to be known as Abbington on Mt. Holly Apartments.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Explanation

- This action will not obligate the city financially or impact the Capital Investment Plan and is requested to satisfy Section 147(f) of the Internal Revenue Service Code of 1986, which requires the issuance of housing bonds be approved by the local governmental unit with jurisdiction over the area where the development is located.
- INLIVIAN (formerly the Charlotte Housing Authority) is requesting that City Council adopt a resolution authorizing the issuance of multi-family housing revenue bonds for Abbington on Mt. Holly Apartments, a 102 unit new construction affordable housing development, to be developed, owned, and operated by Charlotte Abbington on Mount Holly, LLC, a North Carolina limited liability corporation.
- The bonds are part of the developer's financing plan that includes a \$2,000,000 Housing Trust Fund allocation approved by City Council on July 22, 2019.
- The development will be located at 3230 Mt. Holly-Huntersville Road in Council District 2 and will serve households earning up to 80 percent of the Area Median Income (AMI) with income averaging 60 percent of AMI for the entire development.
- The INLIVIAN bonds, which are not to exceed \$15,000,000, will be used to finance land acquisition and construction of the development.

Background

- The developer applied for four percent low income housing tax credits and housing bond allocation capacity from the North Carolina Housing Finance Agency to finance the land acquisition and construction of the development.
- The North Carolina Housing Finance Agency approved the application pursuant to its Qualified Allocation Plan, and awarded the requested four percent tax credits and bond allocation capacity totaling \$15,000,000 for the development. Tax credit and bond allocations are subject to federal income limits and set-aside rules, and include deed restrictions.
- INLIVIAN, as a public housing authority, is duly authorized to issue housing bonds to finance developments that serve persons of low and moderate income, including developments in which it does not have a direct interest.

Attachment(s)

City of Charlotte Resolution

INLIVIAN Resolution for Abbington on Mt. Holly Apartments

[City Resolution with Certificate of Public Hearing - Abbington on Mount Holly](#)

[Inlivian Inducement Resolution - Abbington on Mt. Holly](#)

33. Citywide Vehicles and Equipment Cooperative Purchasing Contracts

Action:

- A. Approve the purchase of vehicles and equipment from a cooperative contract,
- B. Approve unit price contracts as citywide contracts with the following vendors for the purchase of vehicles and equipment for a term of one year under the North Carolina Sheriff's Association (NCSA):
- Infrastructure Solutions Group Inc. (NCSA contract 21-05-0506);
 - Capital Chevrolet, Capital Ford of Raleigh, Four Seasons Ford;
 - Piedmont Truck Center (NCSA contract 21-07-0915); and
- C. Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.

Staff Resource(s):

Phil Reiger, General Services

Kay Elmore, General Services

Chris Trull, General Services

Explanation

- City vehicles and equipment are assessed on an annual basis to determine replacement needs based on a rating of vehicle usage, age, maintenance costs, and condition.
- N.C.G.S. 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs, all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- Vehicles and equipment being purchased include light and medium duty pickup trucks, light duty hybrid SUVs, electric sedans, passenger vans, and cargo vans.
- The city may also use these cooperative contracts to purchase police vehicles as a supplement to current city-awarded contracts.
- Total annual expenditures are estimated to be \$2,853,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: General and Enterprise Capital Equipment Replacement Funds

34. Construct Barclay Downs Sidewalk

Action:

Approve a contract in the amount of \$924,190.56 to the lowest responsive bidder Dot Construction, Inc. for the Barclay Downs Sidewalk project.

Staff Resource(s):

Phil Reiger, General Services
Jennifer Smith, General Services
Veronica Wallace, General Services

Explanation

- Identified in the Southpark Comprehensive Neighborhood Improvement Program, this project will construct approximately 0.6 miles of new sidewalk along the east side of Barclay Downs Drive between Sayre Road/Scofield Road and Runnymede Lane in Council District 6.
- Work includes sidewalk, curb and gutter, new curb ramps, and planting strip.
- On September 22, 2020, the city issued an Invitation to Bid; nine bids were received.
- Dot Construction, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2021.

Charlotte Business INclusion

Dot Construction, Inc. is a city certified SBE.

Established MBE Goal: 7.00%

Committed MBE Goal: 7.00%

Dot Construction, Inc. met the established MBE subcontracting goal, and has committed 7.00% (\$64,694) of the total contract amount to the following MBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- B & M Concrete, Inc. (MBE, SBE) (\$58,624) (concrete)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$6,070) (hauling)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map Construct Barclay Downs Sidewalk](#)

35. Construct Briar Creek Road Connector

Action:

Approve a contract in the amount of \$966,495.30 to the lowest responsive bidder OnSite Development, LLC for the Briar Creek Road Connector project.

Staff Resource(s):

Phil Reiger, General Services
Jennifer Smith, General Services
Veronica Wallace, General Services

Explanation

- This project will improve bicycle and pedestrian connectivity on Briar Creek Road (Council District 1) as part of the Independence Area Sidewalk and Bikeways Improvement Program.
- Work includes milling and resurfacing, restriping, traffic signal improvements, and sidewalk.
- On September 4, 2020, the city issued an Invitation to Bid; six bids were received.
- OnSite Development, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2021.

Charlotte Business INclusion

Established MBE Goal: 5.00%

Committed MBE Goal: 5.07%

OnSite Development, LLC exceeded the established MBE subcontracting goal, and has committed 5.07% (\$49,005) 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) (\$16,335) (hauling)
- MTS Trucking Inc. (MBE, SBE) (\$16,335) (hauling)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$16,335) (hauling)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map_Construct Briar Creek Road Connector.pdf](#)

36. Construct Gibbon Road Sidewalk Project

Action:

Approve a contract in the amount of \$905,302.42 to the lowest responsive bidder Mountaineer Contractors, Inc. for the Gibbon Road Sidewalk Project.

Staff Resource(s):

Phil Reiger, General Services
Jennifer Smith, General Services
Veronica Wallace, General Services

Explanation

- This project will construct approximately one mile of new sidewalk and planting strip on one side of Gibbon Road from Nevin Road to Brawer Farm Drive in Council District 2.
- Work includes sidewalk, driveways, asphalt paving, and storm drainage.
- Additional improvements at the intersection of Nevin Road and Gibbon Road will also be included as part of this project.
- On August 20, 2020, the city issued an Invitation to Bid; six bids were received.
- Mountaineer Contractors, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete fourth quarter 2021.

Charlotte Business INclusion

Established MBE Goal: 8.00%

Committed MBE Goal: 17.79%

Mountaineer Contractors, Inc. met the established MBE subcontracting goal and has committed 17.79% (\$161,050) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (MBE, SBE) (\$161,050) (concrete)

Established WBE Goal: 4.00%

Committed WBE Goal: 14.79%

Mountaineer Contractors, Inc. exceeded the established WBE subcontracting goal and has committed 14.79% (\$133,910) of the total contract amount to the following certified WBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Trull Contracting, LLC (WBE, SBE) (\$133,910) (asphalt paving)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[MAP_Construct_Gibbon_Road_Sidewalk_Project.pdf](#)

37. Construct Oakhurst/Amity Garden Multi-Use Path

Action:

Approve a contract in the amount of \$2,175,479.57 to the lowest responsive bidder J.D. Goodrum Company, Inc. for the Oakhurst/Amity Garden Multi-Use Path project.

Staff Resource(s):

Phil Rieger, General Services
Jennifer Smith, General Services
Veronica Wallace, General Services

Explanation

- Identified in the Southeast Land Acquisitions and Street Connections Program, this project will improve connectivity and access for pedestrians and bicyclists in Council District 5.
- Work includes a 1,200-foot multi-use path between the Oakhurst and Amity Garden neighborhoods, two pedestrian bridges, several retaining walls, lighting, stairs, and handrails.
- On September 14, 2020, the city issued an Invitation to Bid; six bids were received.
- J.D. Goodrum Company, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2022.

Charlotte Business INclusion

Established MBE Goal: 6.00%

Committed MBE Goal: 6.21%

J.D. Goodrum Company, Inc. exceeded the established MBE subcontracting goal, and has committed 6.21% (\$135,000) 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) (\$135,000) (hauling)

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map Construct Oakhurst-Amity Garden Multi-Use Path.pdf](#)

38. Construction Change Order #1 for the Charlotte-Mecklenburg Police Department South Division Station

Action:

Approve change order #1 in the amount of \$645,866.07 to Barnhill Contracting Company for the Charlotte-Mecklenburg Police Department South Division Station project.

Staff Resource(s):

Phil Reiger, General Services

Jennifer Smith, General Services

John Mrzygod, General Services

Explanation

- This project will construct a 16,000-square-foot facility at 11217 Providence Road West in Council District 7.
- A section of this facility is dedicated for staff from the Code Enforcement Division of Housing and Neighborhood Services (HNS).
- Change order #1 in the amount of \$645,866.07 is needed to fund the following:
 - After value engineering efforts, there were multiple bid items which came in above estimates including masonry, HVAC, and exterior wall panels (\$316,000),
 - Additional 1,100 square foot storage facility needed for both Charlotte-Mecklenburg Police Department and HNS to store equipment, utility vehicles, and maintenance equipment (\$204,000), and
 - Items initially value engineered out of the contract are being added back due to better pricing and schedule including signage and interior trim/counters/cabinets (\$125,866.07).
- On September 23, 2019, City Council authorized the City Manager to negotiate and approve a Construction Manager at Risk contract in the amount up to \$11,500,000 to Barnhill Contracting Company.
- The new total value of the contract including change order #1 will be \$12,145,866.07
- The project is scheduled to be complete by first quarter 2021.

Charlotte Business INclusion

Original Established M/SBE Goal: 22%

Original Committed M/SBE Goal: 22%

M/SBE Attained Goal to Date: 28.79%

Prime exceeded the established subcontracting goal, including this Change Order, committing 28.79% (\$3,496,795) of the total contract amount (Part D: Section 6 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Capital Investment Plan

Attachment(s)

Map

[Map Construct Change Order #1 for CMPD South Division Station.pdf](#)

39. Petroleum Tank Installation, Operation, Maintenance, and Testing Services

Action:

- A. Approve unit price contracts with the following companies for petroleum tank installation, operation, maintenance, and testing services for an initial term of three years:**
- Guardian Fueling Technologies, Inc.;
 - JF Acquisition, LLC dba JF Petroleum Group;
 - Petroleum Service & Calibration, 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
Doug Pierotti, General Services

Explanation

- The city operates more than 100 storage tanks at numerous city facilities in compliance with federal and state regulations.
- These contracts will provide on-call fuel specialty providers to prevent fuel spills/leaks and ensure regulatory compliance.
- The operation and maintenance of fueling systems includes but is not limited to:
 - Electronic monitoring/testing of leak detection and spill prevention equipment;
 - Installation, repair, and/or replacement of piping and tank system components;
 - Vacuum/pumping services as needed for preventive maintenance; and
 - Testing and calibration services to comply with regulatory compliance inspection.
- On July 7, 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 qualifications, experience, cost, and responsiveness to RFP requirements.
- Total estimated annual expenditures are \$600,000.

Charlotte Business INClusion

Per Charlotte Business INClusion Policy: Part C: Section 2.1 (a) The city shall not establish Subcontracting Goals for Contracts where (a) there are 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: General Capital Investment Plan

40. Real Estate Appraisal Review Services

Action:

- A. Approve unit price contracts with the following companies for real estate appraisal review services for an initial term of three years:

For projects funded with local funds:

- Absolute Appraisal & Acquisition, LLC;
- John Bosworth & Assoc., LLC dba Valbridge Property Advisors;
- Kack Consulting Group, LLC;
- Randy W. Hopkins, dba Hopkins Consulting and Review, LLC;
- The Hanes Group, Inc.;
- William R. Morgan Company; and

For projects funded by the Federal Highway Administration/North Carolina Department of Transportation:

- Kack Consulting Group, LLC;
- Randy W. Hopkins, dba Hopkins Consulting and Review, LLC;
- The Hanes Group, Inc.; and
- William R. Morgan Company; and

For projects funded by the Federal Transit Administration:

- Absolute Appraisal & Acquisition, LLC;
- The Hanes Group, Inc.;
- William R. Morgan Company; and

For projects funded by the Department of Housing and Urban Development:

- Kack Consulting Group, 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
Jennifer Smith, General Services
Tony Korolos, General Services

Explanation

- As part of the real estate acquisition phase, real estate appraisal review services are required for all federal-, state-, and locally-funded Capital Investment Plan projects.
- Appraisal services are used to conduct an appraisal of a property. The function of the appraisal review is to analyze the contents of the appraisal report for credibility and market support.
- Independent real estate appraisal review services serve as an important quality control measure.
- On September 15, 2020, the city issued a Request for Proposals (RFP); 18 responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$550,000.

Charlotte Business INclusion

Randy W. Hopkins dba Hopkins Consulting and Review, LLC is a city certified WBE firm.

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.

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

For federally-funded projects:

Disadvantaged Business Enterprise (DBE)

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: General Capital Investment Plan, CATS Capital Investment Plan, HOME Investment Partnerships Grant, and Community Development Block Grant

41. Real Estate Appraisal Services

Action:

- A. Approve unit price contracts with the following companies for real estate appraisal services for an initial term of three years:

For projects funded with local funds

- AAA Valuation, LLC (WBE, SBE);
- Absolute Appraisal & Acquisition, LLC;
- BBG, Inc.;
- CBRE, Inc.;
- Colliers International Holdings (USA) Inc.
- Cushman & Wakefield of North Carolina, Inc.;
- Fortenberry & Lambert, Inc.;
- Integra Realty Resources-Charlotte;
- J. D. Parker & Associates, LLC;
- John McCracken & Associates, Inc.;
- Curran Reich & Associates, Inc. dba T. B. Harris, Jr. & Associates;
- John Bosworth & Associates, LLC dba Valbridge Property Advisors;
- James Owens Appraisal; and

For projects funded by the Federal Highway Administration/North Carolina Department of Transportation:

- BBG, Inc.;
- Cushman & Wakefield of North Carolina, Inc.;
- Integra Realty Resources - Charlotte;
- J. D. Parker & Associates, LLC;
- Curran Reich & Associates, Inc. dba T.B. Harris, Jr. Associates;
- John McCracken & Associates; and

For projects funded by the Federal Transit Administration:

- Fortenberry & Lambert, Inc.;
- CBRE, Inc.;
- James Owens Appraisal; and

For projects funded by the Department of Housing and Urban Development:

- J.D. Parker & Associates, 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
Jennifer Smith, General Services
Tony Korolos, General Services

Explanation

- As part of the real estate acquisition phase, real estate appraisal services are required for all federal-, state-, and locally-funded Capital Investment Plan projects.
- Real estate appraisals are required during the real estate acquisition phase of public projects to determine the impacts to real property.
- Appraisers are necessary for assistance with determining market value and establishing fair and just compensation for property owners.
- On September 15, 2020, the city issued a Request for Proposals (RFP); 18 responses were received.

- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$1,500,000.

Charlotte Business INClusion

AAA Valuation, LLC is a city certified WBE and SBE firm.

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.

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

For federally-funded projects:**Disadvantaged Business Enterprise (DBE)**

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: General Capital Investment Plan, CATS Capital Investment Plan, HOME Investment Partnerships Grant, and Community Development Block Grant

42. Real Estate Right-of-Way Acquisition and Relocation Services

Action:

- A. Approve unit price contracts with the following companies for right-of-way acquisition and relocation services for an initial term of three years:

For projects funded with local funds:

- Cityscape Acquisition, Inc. (WBE, SBE);
- Gulf Coast, LLC (SBE);
- Michael Ryan Realty Inc. dba Carolina Right of Way (SBE);
- O.R. Colan Associates, LLC;
- Professional Land Management, LLC;
- Telecommunication & Industrial Consulting Services Corporation (TELICS);
- THC, Inc.; and

For projects funded by the Federal Highway Administration/North Carolina Department of Transportation:

- Gulf Coast, LLC (SBE);
- Hearn's Real Estate Solutions, LLC (MBE, SBE);
- Professional Land Management, LLC;
- Telecommunication & Industrial Consulting Services Corporation (TELICS); and

For projects funded by the Federal Transit Administration:

- Professional Land Management, LLC;
- Telecommunication & Industrial Consulting Services Corporation (TELICS); and

For projects funded by the Department of Housing and Urban Development:

- Gulf Coast, LLC (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

Jennifer Smith, General Services

Tony Korolos, General Services

Explanation

- As part of the real estate acquisition phase, real estate related services are required for all federal-, state-, and locally-funded Capital Investment Plan projects.
- Right-of-way acquisition and relocation services are required to obtain the title to the properties necessary for the construction and operation of various projects and to relocate any businesses or persons displaced as a result of the projects.
- The selected firms will negotiate with all impacted private property owners to acquire any rights needed from the owners and will also provide relocation assistance to all eligible individuals and businesses displaced by the projects.
- On September 15, 2020, the city issued a Request for Proposals (RFP); 15 responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$9,250,000.

Charlotte Business INclusion

Gulf Coast, LLC; and Michael Ryan Realty, Inc. dba Carolina Right of Way are city certified SBEs. Cityscape Acquisition, Inc. is a city certified WBE 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.

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

For federally-funded projects:

Disadvantaged Business Enterprise (DBE)

Cityscape Acquisition, Inc. and Hearn's Real Estate Solutions, LLC are certified DBE firms.

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: General Capital Investment Plan and CATS Capital Investment Plan

43. Heating, Ventilation, and Air Conditioning Preventative Maintenance and Repair Services

Action:

- A. Approve unit price contracts with the following companies for heating, ventilation, and air conditioning preventative maintenance and repair services for an initial term of two years:**
- Bowles Mechanical, Inc. dba Environmental Services of Charlotte,
 - Redblue, Inc., and
- B. Authorize the City Manager to renew the contracts for up to one, one-year renewal term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
Ron Hargrove, Charlotte Water
Travis Hunnicutt, Charlotte Water

Explanation

- These contracts will allow for preventative maintenance and repair services on heating, ventilation, and air conditioning systems in Charlotte Water buildings.
- On July 7, 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 qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$2,000,000.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) The city shall not establish Subcontracting Goals for Contracts where (a) there are 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: Charlotte Water Operating Budget and Capital Investment Plan

44. Charlotte Water Traffic Control Services

Action:

- A. Approve unit price contracts with the following companies for traffic control services for an initial term of three years:**
- GDC Supplies, Equipment and Contracting LLC dba GDC Inc. (MBE, SBE),
 - W.D. Wright Contracting, 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):

Angela Charles, Charlotte Water
Ron Hargrove, Charlotte Water
Scott Clark, Charlotte Water

Explanation

- These contracts will provide traffic control services for water and sanitary sewer construction performed by Charlotte Water.
- Maintenance of water and sanitary sewer infrastructure requires safely guiding traffic through active work zones, lane closures, and other situations while protecting city staff, residents, and equipment during the work activity or closure.
- On August 25, 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 qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$250,000.

Charlotte Business INclusion

GDC 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: Charlotte Water Operating Budget

45. Idlewild Road Water Supply and Related General Services Projects

Action:

Approve a guaranteed maximum price of \$4,962,881.39 to R.H. Price, Inc. for Design-Build construction services related to the Idlewild Road Water Supply project.

Staff Resource(s):

Angela Charles, Charlotte Water

Phil Reiger, General Services

Ron Hargrove, Charlotte Water

Jennifer Smith, General Services

Explanation

- R.H. Price, Inc. has developed a guaranteed maximum price (GMP) for construction that will combine portions of three city projects that share the same corridor in east Charlotte (Council District 5), to ensure these locations are impacted only once by these projects.
- These three projects include the construction of a 42-inch water main along Monroe Road as part of an intersection project, a sidewalk project along North Sharon Amity Road, and a portion of the Idlewild Road Water Supply project that overlaps with the sidewalk project.
- On April 27, 2020, City Council approved a contract with R.H. Price, Inc. for Design-Build design services. Based on the design, a GMP for construction services was developed.
- The overall Idlewild Road Water Supply project is expected to be complete by second quarter 2023.

Charlotte Business INclusion

The city negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). R.H. Price, Inc. has committed \$543,298 or approximately 10.95% of the total contract for Design-Build construction services to the following certified firms:

- Trull Contracting, LLC (WBE, SBE) (\$241,298) (asphalt, concrete, erosion control, traffic control)
- GDC, Inc. (MBE, SBE) (\$115,000) (traffic control)
- Sanders Constructors, Inc. (SBE) (\$70,500) (clearing)
- Capstone Civil Engineering (MBE, SBE) (\$42,700) (materials testing)
- Yellow Duck Marketing, LLC (WBE) (\$31,800) (public communications)
- MTS Trucking, Inc. (MBE, SBE) (\$25,000) (hauling)
- Martin Landscaping Co., Inc. (MBE, SBE) (\$17,000) (seeding and matting)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map](#)

46. Stevens Creek Sanitary Sewer Phase 2

Action:

Approve a contract in the amount of \$1,553,865.53 to the lowest responsive bidder Fuller & Co. Construction, LLC for the Stevens Creek Sanitary Sewer Phase 2 project.

Staff Resource(s):

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

Explanation

- This project includes the replacement of approximately 4,000 linear feet of 12-inch gravity sanitary sewer and 600 linear feet of 8-inch gravity sewer serving the customers located in the Stevens Creek Basin in the Town of Mint Hill (adjacent to City Council District 5). This project includes the elimination of two small sanitary sewer lift stations.
- On August 7, 2020, the city issued an Invitation to Bid; six bids were received.
- Fuller & Co. Construction, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2021.

Charlotte Business INclusion

Fuller & Co. Construction, LLC is a city certified SBE.
Established MBE Goal: 3.00%
Committed MBE Goal: 4.71%

Fuller & Co. Construction, LLC met the established subcontracting goal and has committed \$73,158 or approximately 4.71% of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Buffkin Trucking, Inc. (MBE, SBE) (\$73,158) (hauling)

Established SBE Goal: 0.00%

Committed SBE Goal: 5.96%

Fuller & Co. Construction, LLC also committed \$92,625 or approximately 5.96% of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Maybury Fencing, Inc. (WBE, SBE) (\$72,000) (fencing)
- The Survey Company, Inc. (SBE) (\$15,000) (construction staking and layout)
- Tarpon Construction, Inc. (SBE) (\$5,625) (asphalt paving)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

[Map - Stevens Creek Sanitary Sewer Phase 2](#)

47. Airport CLT Center Renovations Phase 12 Construction

Action:

Approve a contract in the amount of \$1,583,891 to the lowest responsive bidder Edison Foard Construction Services, Inc. for the CLT Center Renovations Phase 12 project.

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- This project consists of the conversion of approximately 7,000 square feet of warehouse space into the new Airport Operations Center (AOC) and Control Room within the CLT Center office complex.
- This new space is necessary to relocate the AOC and Control Room due to the Terminal Lobby Expansion Project.
- On September 8, 2020, the city issued an Invitation to Bid; 12 bids were received.
- Edison Foard Construction Services, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2021 (use calendar year).
- This activity is occurring on airport property located in Council District 3.

Charlotte Business INclusion

Established MBE Goal: 5.00%

Committed MBE Goal: 21.18%

Edison Foard Construction Services exceeded the established subcontracting goal, and has committed 21.18% (\$335,457) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Superior Mechanical Systems (MBE) (\$256,450) (mechanical)
- NJR Construction, LLC (MBE) (\$79,007) (drywall, metal framing, fire caulking)

Fiscal Note

Funding: Aviation Capital Investment Plan

48. Airport North End Around Taxiway Project Utility Relocation Agreements

Action:

- A. Authorize the City Manager to execute a reimbursable utility relocation agreement with Colonial Pipelines Company for the North End Around Taxiway project, and**
- B. Authorize the City Manager to execute a utility relocation agreement with Piedmont Natural Gas for the North End Around Taxiway project.**

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation:

Action A:

- The Runway 18C/36C North End-Around Taxiway (NEAT) project will increase operational efficiency and enhance safety by reducing runway crossings.
- Colonial Pipelines Company (CPC) supplies jet fuel product to Aviation via a pipeline which conflicts with the NEAT project.
- The city has requested that CPC relocate the pipeline.
- Under this agreement CPC will relocate their line to enable taxiway construction.
- Aviation will reimburse CPC an estimated \$2,500,000 which is 50% of the total project cost.
- This activity is occurring on airport property located in Council District 3.

Action B:

- Piedmont Natural Gas (PNG) supplies gas to Aviation via a pipeline which also conflicts with the NEAT project.
- The city has requested that PNG retire the pipeline currently in conflict with the NEAT project.
- Under this agreement, PNG will install a replacement line to provide natural gas to the terminal. Aviation will reimburse PNG for the cost of the work which is estimated to be \$711,000.
- This activity is occurring on airport property located in Council District 3.

Fiscal Note

Funding: Aviation Capital Investment Plan

49. Airport Security Background Check Services Contract

Action:

- A. **Approve a contract with Telos Identity Management Solutions, LLC (Telos ID) for Criminal History Records Checks, Security Threat Assessments, record of arrest services, and automation of Customs Seal Requests services for an initial term of three years, and**

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

Staff Resource(s):

Haley Gentry, Aviation

Jack Christine, Aviation

Explanation

- In compliance with federal regulations, the airport conducts continuous background checking of those employed at Charlotte Douglas International Airport.
- This contract will provide for continuous background checking and streamlined application processing.
- On September 11, 2020, the city issued a Request for Proposals (RFP); two responses were received.
- Telos Identity Management Solutions, LLC best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$250,000 a year.
- Aviation is reimbursed for the costs of the badging fees for Airport tenants during the badge application process.
- 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

50. Airport Taxiway F Extension - Deicing Pad and South Crossfield Taxiway Project Construction

Action:

- A. Approve a contract in the amount of \$51,157,084.53 to the lowest responsive bidder Thalle Construction Company Inc. for the Deicing Pad and South Crossfield Taxiway Project Package 1, and**
- B. Approve contract amendment #3 for \$10,326,763.22 with WSP USA Inc. for Construction Support Services and Materials Testing for the Deicing Pad and South Crossfield Taxiway Project.**

Staff Resource(s):

Haley Gentry, Aviation
Jack Christine, Aviation

Explanation

Action A:

- The South Crossfield Taxiway Project will increase airfield operational efficiency with the construction of a new cross-field taxiway connecting the center and eastern-most runway. In addition, this project includes the extension of Taxiway F and the relocation of existing deicing pads from the cargo area to the south end of the center runway.
- This Deicing Pad and South Crossfield Taxiway Project consists of three phases of work. This first phase includes earthwork and utilities.
- On August 10, 2020, the city issued an Invitation to Bid; seven bids were received.
- Thalle Construction Company Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2022.
- City Council will be asked to approve future contracts for the remaining two packages of work including pavement and electrical work for the new taxiways and deicing pad in addition to Yorkmont Road realignment and bridge construction.
- This activity is occurring on airport property located in Council District 3.

Action B:

- On November 26, 2018, City Council approved a contract in the amount of \$14,505,649 with WSP USA Inc. for design services of the South Crossfield Taxiway Project.
- On December 16, 2019, the City Manager approved amendment #1 for \$85,378 to include design services for conceptual grading efforts.
- On March 9, 2020, the City Manager approved amendment #2 for \$208,298 to include field investigation required to determine the feasibility of an additional potential borrow site.
- The third amendment includes construction administration and materials testing services to support this project during the construction phase.
- The new total of the contract, including this amendment, will be \$25,126,088.22.
- This activity is occurring on airport property located in Council District 3.

Disadvantaged Business Enterprise

Action A:

Established DBE Goal: 18.00%

Committed DBE Goal: 18.01%

Thalle Construction Company Inc. exceeded the established subcontracting goal, and has committed 18.01% (\$9,211,376) of the total contract amount to the following certified firms:

- 1st and Goal Hauling (DBE) (\$5,100,000) (hourly hauling)
- Lopez Rebar (DBE) (\$2,300,000) (placing and tying reinforcing steel)
- CECS, LLP (DBE) (\$1,600,000) (construction quality control)
- East Coast Protective Services (DBE) (\$211,376) (flagging and gate guard)

Action B:

All additional work involved in this amendment will be performed by WSP USA Inc. and their existing sub-consultants. WSP USA, Inc. has committed (13.47%) (\$1,391,114) of the total amendment amount to the following certified firms:

- Trimat Materials Testing (DBE) (\$869,500) (materials testing)
- RDM International (DBE) (\$244,197) (construction support services)
- Walls Engineering (DBE) (\$177,417) (construction admin services)
- Connico (DBE) (\$50,000) (estimating)
- CES Group (DBE) (\$50,000) (surveying)

Fiscal Note

Funding: Aviation Capital Investment Plan

51. Painting Services

Action:

- A. Approve contracts with the following companies for painting services for an initial term of three years:**
- **DWJ Service, LLC, and**
 - **Providence Paint Company, 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):

Haley Gentry, Aviation

Jack Christine, Aviation

Angela Charles, Charlotte Water

Jennifer Smith, General Services

Explanation

- These contracts provide experienced personnel to assist city staff in painting at the Airport, Charlotte Water, and other city facilities.
- On July 20, 2020, the city issued a Request for Proposals (RFP); six responses were received.
- The companies selected best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$500,000.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) The city shall not establish Subcontracting Goals for Contracts where (a) there are 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

52. Resolution of Intent to Abandon Joe Whitener Road

Action:

- A. Adopt a Resolution of Intent to abandon Joe Whitener Road, and
- B. Set a Public Hearing for December 14, 2020.

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 status and attaches it to the adjacent property.
- The road is located in Council District 4.

Petitioners

Spectrum Companies

Attachment(s)

Map

Resolution

[Joe Whitener Rd Abandonment Map](#)

[Resolution of Intent 11.9.2020](#)

53. Set a Public Hearing on the Ashford House Historic Landmark Designation

Action:

Adopt a resolution setting a public hearing for December 14, 2020, to consider Historic Landmark Designation for the Property known as the "Ashford House" (Parcel Identification Numbers 063-061-02 and 063-061-03).

Staff Resource(s):

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

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the Ashford House as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Ashford House is located at 241 Hoskins Mill Avenue and is part of the Hoskins Cotton Mill Village in Council District 2.
- Designation of these properties could significantly contribute to their long-term preservation.
- The Ashford House is listed under Parcel Identification Number (PID) 063-061-03, and the recommended designation would include the exterior of the house and the land associated with the tax parcels.
- PID 063-060-12 is also recommended for designation and is historically associated with the house.
- The properties are both zoned B-1.
- The properties are owned by Travis M. Ashford and has remained family owned for four generations.

Attachment(s)

Information Sheet
Resolution

[Ashford Cover Sheet](#)

[Ashford Resolution](#)

54. Set a Public Hearing on the Dowd House Historic Landmark Designation

Action:

Adopt a resolution setting a public hearing for December 14, 2020, to consider amending the existing Historic Landmark Designation ordinance for the Property known as the "Dowd House" (Parcel Identification Numbers 067-061-05 and 067-061-06).

Staff Resource(s):

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

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to amend the existing designation ordinance for the Dowd House.
- Public hearings are required prior to City Council action on designation requests.
- The Dowd House is located at 2216 Monument Street in Council District 3.
- Amending the designation ordinance could significantly contribute to their long-term preservation of the Dowd House.
- The Dowd House is listed under Parcel Identification Number (PID) 067-061-05, and the ordinance would be amended to include the land associated with the tax parcel and a portion of PID 067-061-06 which has been historically associated with the house.
- PID 067-061-06 is also recommended for designation.
- The properties are both zoned MUDD-O mixed use development.
- The properties are owned by Mecklenburg County.

Attachment(s)

Information Sheet
Resolution

[Dowd S&R Addendum Cover Sheet](#)

[Dowd House Resolution](#)

55. Set a Public Hearing on the F.M. Simmons House Landmark Designation

Action:

Adopt a resolution setting a public hearing for December 14, 2020, to consider Historic Landmark Designation for the Property known as the "F.M. Simmons House" (Parcel Identification Number 155-023-01).

Staff Resource(s):

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

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the F.M. Simmons House as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The F.M. Simmons House is located at 625 Hermitate Court in Council District 1.
- Designation of this property could significantly contribute to its long-term preservation.
- The F.M. Simmons House is listed under Tax Parcel Identification Number 155-023-01, and the recommended designation would include the exterior of the house and outbuildings and the land associated with the tax parcel.
- The property is zoned R-3 single family residential zone.
- The property is owned by James and Mary Margaret Jordan.

Attachment(s)

Information Sheet
Resolution

[Simmons Cover Sheet](#)

[Simmons Resolution](#)

56. Set Public Hearing on the Former Charlotte Fire Station Number Ten Historic Landmark Designation

Action:

Adopt a resolution setting a public hearing for December 14, 2020, to consider Historic Landmark Designation for the Property known as the "Former Charlotte Fire Station Number Ten" (Parcel Identification Number 06-706-102).

Staff Resource(s):

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

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission to designate the Former Charlotte Fire Station Number Ten as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Former Charlotte Fire Station Number Ten is located at 2136 Remount Road in Council District 3.
- Designation of this property could significantly contribute to its long-term preservation.
- The Former Charlotte Fire Station Number Ten is listed under Parcel Identification Number 06-706-102 and the recommended designation would include the exterior of the structure and the land associated with the tax parcel.
- The property is zoned MUDD-O mixed use development.
- The property is owned by Mecklenburg County.

Attachment(s)

Information Sheet
Resolution

[Fire Station #10 Cover Sheet](#)

[Fire Station 10 Res](#)

57. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$5,277.03.

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

[List of Taxpayers](#)

[Resolution](#)

58. Meeting Minutes

Action:

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

- October 05, 2020 Strategy Session, and
- October 12, 2020 Business Meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

59. Property Transactions - Briar Creek Relief Sewer Phase IV, Parcel #2

Action: Approve the following Condemnation: Briar Creek Relief Sewer Phase IV, Parcel #2

Project: Briar Creek Relief Sewer Phase IV, Parcel #2

Program: Briar Creek Relief Sewer Phase IV

Owner(s): Jack W. Ward Jr and Kristy A. Ward

Property Address: 2220 Founders Circle

Total Parcel Area: 43,737 sq. ft. (1.00 ac.)

Property to be acquired by Easements: 1,196 sq. ft. (0.027 ac.) Permanent Access Easement, 2,440 sq. ft. (0.056 ac.) Sanitary Sewer Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and shrubs

Zoned: R-3

Use: Single-family Residential

Tax Code: 175-021-33

<https://polaris3g.mecklenburgcountync.gov/#mat=475263&pid=17502133&gisid=17502133>

Appraised Value: \$37,725

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

City's Response to Property Owner's Concerns: The city explained the rationale of the design and how it meets the objectives for the project.

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

60. Property Transactions - I-85 North Bridge, Parcels #4.1, 4

Action: Approve the following Condemnation: I-85 North Bridge, Parcels #4.1, 4

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: I-85 North Bridge, Parcels #4.1, 4

Owner(s): Polymers Center of Excellence INC

Property Address: 8900 Research Drive

Total Parcel Area: 865,879 sq. ft. (19.878 ac.)

Property to be acquired by Easements: 23,287 sq. ft. (0.535 ac.) in Sidewalk and Utility Easement, 25,007 sq. ft. (0.574 ac.) in Slope Easement, 33,331 sq. ft. (0.765 ac.) in Right-of-Way and Utility Easement, 680 sq. ft. (0.016 ac.) in Waterline Easement, 71,108 sq. ft. (1.632 ac.) in Temporary Construction Easement, 19,516 sq. ft. (0.448 ac.) in Utility Easement, 116,453 sq. ft. (2.673 ac.) in Right-of-Way Easement

Structures/Improvements to be impacted: Fence

Landscaping to be impacted: Trees

Zoned: RE-2

Use: Laboratory / Research

Tax Code: 047-141-03

<https://polaris3g.mecklenburgcountync.gov/#mat=210177&pid=04714103&qsid=04714103>

Appraised Value: \$613,050

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

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

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: 4

61. Property Transactions - Idlewild/Monroe Intersection - Phase I, Parcel #2

Action: #2 Approve the following Condemnation: Idlewild/Monroe Intersection - Phase I, Parcel #2

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase I, Parcel #2

Program: Idlewild/Monroe Intersection - Phase I

Owner(s): Old Monroe Plaza Owners Association Inc

Property Address: 5800 Monroe Road

Total Parcel Area: 58,200 sq. ft. (1.34 ac.)

Property to be acquired by Easements: 1,178 sq. ft. (0.027 ac.) Temporary Construction Easement, 870 sq. ft. (0.02 ac.) Waterline Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees

Zoned: O-1

Use: Office District

Tax Code: 163-05C-99

<https://polaris3g.mecklenburgcountync.gov/#mat=240259&pid=16305155&qisid=16305C99>

Appraised Value: \$12,850

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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: 5

62. Property Transactions - Idlewild/Monroe Intersection - Phase I, Parcel #7

Action: Approve the following Acquisition: Idlewild/Monroe Intersection - Phase I, Parcel #7

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase I, Parcel #7

Program: Idlewild/Monroe Intersection - Phase I

Owner(s): Richard Latorre

Property Address: 5831 Monroe Road

Total Parcel Area: 23,267 sq. ft. (0.53 ac.)

Property to be acquired by Easements: 2,930 sq. ft. (0.067 ac.) Sidewalk Utility Easement, 2,057 sq. ft. (0.047 ac.) Temporary Construction Easement, 2,930 sq. ft. (0.067 ac.) Waterline Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees

Zoned: O-1 (CD)

Use: Office District

Tax Code: 163-031-14

<https://polaris3g.mecklenburgcountync.gov/#mat=156378&pid=16303114&qsid=16303114>

Purchase Price: \$23,000

Council District: 5

63. Property Transactions - Idlewild/Monroe Intersection - Phase I, Parcel #10

Action: Approve the following Acquisition: Idlewild/Monroe Intersection - Phase I, Parcel #1

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase I, Parcel #10

Program: Idlewild/Monroe Intersection - Phase I

Owner(s): The Truth Buddhist Society Charlotte

Property Address: 5909 Monroe Road

Total Parcel Area: 55,216 sq. ft. (1.27 ac.)

Property to be acquired by Easements: 48 sq. ft. (0.001 ac.) Bus Stop Improvement Easement, 397 sq. ft. (0.009 ac.) Utility Easement, 5,579 sq. ft. (0.128 ac.) Sidewalk Utility Easement, 4,797 sq. ft. (0.11 ac.) Temporary Construction Easement, 5,902 sq. ft. (0.135 ac.) Waterline Easement

Structures/Improvements to be impacted: Sign

Landscaping to be impacted: Trees and bushes

Zoned: R-4

Use: Single-family Residential

Tax Code: 163-032-10

<https://polaris3g.mecklenburgcountync.gov/#mat=425676&pid=16303210&qsid=16303210>

Purchase Price: \$64,565

Council District: 5

64. Property Transactions - Idlewild/Monroe Intersection - Phase II, Parcel #25

Action: Approve the following Acquisition: Idlewild/Monroe Intersection - Phase II, Parcel #25

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase II, Parcel #25

Program: Idlewild/Monroe Intersection - Phase II

Owner(s): Victor Manuel Cisneros

Property Address: 2443 Vista Drive

Total Parcel Area: 26,633 sq. ft. (0.61 ac.)

Property to be acquired by Fee: 3,983 sq. ft. (0.09 ac.) Fee Simple

Property to be acquired by Easements: 1,970 sq. ft. (0.045 ac.) Utility Easement, 3,117 sq. ft. (0.072 ac.) Sidewalk Utility Easement, 1,484 sq. ft. (0.034 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-012-06

<https://polaris3g.mecklenburgcountync.gov/#mat=84432&pid=18901206&gisid=18901206>

Purchase Price: \$68,000

Council District: 5

65. Property Transactions - Idlewild/Monroe Intersection - Phase II, Parcel #26

Action: #26 **Approve the following Acquisition: Idlewild/Monroe Intersection - Phase II, Parcel #26**

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase II, Parcel #26

Program: Idlewild/Monroe Intersection - Phase II

Owner(s): Scott Andrew Kovach and Alexandra Kovach

Property Address: 6300 Monroe Road

Total Parcel Area: 28,918 sq. ft. (0.66 ac.)

Property to be acquired by Fee: 1,798 sq. ft. (0.04 ac.) Fee Simple

Property to be acquired by Easements: 1,997 sq. ft. (0.046 ac.) Utility Easement, 1,269 sq. ft. (0.029 ac.) Sidewalk Utility Easement, 876 sq. ft. (0.02 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-011-01

<https://polaris3g.mecklenburgcountync.gov/#mat=84432&pid=18901206&gisid=18901206>

Purchase Price: \$40,500

Council District: 5

66. Property Transactions - Idlewild/Monroe Intersection - Phase II, Parcel #27

Action: #27 **Approve the following Acquisition: Idlewild/Monroe Intersection - Phase II, Parcel #27**

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase II, Parcel #27

Program: Idlewild/Monroe Intersection - Phase II

Owner(s): Sulma Nolasco

Property Address: 6314 Monroe Road

Total Parcel Area: 16,238 sq. ft. (0.37 ac.)

Property to be acquired by Fee: 980 sq. ft. (0.02 ac.) Fee Simple

Property to be acquired by Easements: 908 sq. ft. (0.021 ac.) Utility Easement, 742 sq. ft. (0.017 ac.) Sidewalk Utility Easement, 684 sq. ft. (0.016 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees and bushes

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-011-15

<https://polaris3g.mecklenburgcountync.gov/#mat=166889&pid=18901115&qisid=18901115>

Purchase Price: \$35,250

Council District: 5

67. Property Transactions - Idlewild/Monroe Intersection - Phase II, Parcel #28

Action: #28 **Approve the following Acquisition: Idlewild/Monroe Intersection - Phase II, Parcel #28**

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase II, Parcel #28

Program: Idlewild/Monroe Intersection - Phase II

Owner(s): Emma C Smith

Property Address: 6322 Monroe Road

Total Parcel Area: 16,222 sq. ft. (0.37 ac.)

Property to be acquired by Fee: 971 sq. ft. (0.02 ac.) Fee Simple

Property to be acquired by Easements: 868 sq. ft. (0.02 ac.) Utility Easement, 899 sq. ft. (0.021 ac.) Sidewalk Utility Easement, 358 sq. ft. (0.008 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees and bushes

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-011-14

<https://polaris3g.mecklenburgcountync.gov/#mat=167316&pid=18901114&qisid=18901114>

Purchase Price: \$31,600

Council District: 5

68. Property Transactions - Idlewild/Monroe Intersection - Phase II, Parcel #38

Action: Approve the following Condemnation: Idlewild/Monroe Intersection - Phase II, Parcel #38

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase II, Parcel #38

Program: Idlewild/Monroe Intersection - Phase II

Owner(s): Raven Homes LLC

Property Address: 2310 Rama Road

Total Parcel Area: 15,972. ft. (0.37 ac.)

Property to be acquired by Easements: 1,329 sq. ft. (0.031 ac.) Utility Easement, 772 sq. ft. (0.018 ac.) Sidewalk Utility Easement, 600 sq. ft. (0.014 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-013-14

<https://polaris3g.mecklenburgcountync.gov/#mat=79609&pid=18901314&gisid=18901314>

Appraised Value: \$6,875

Property Owner's Concerns: None

City's Response to Property Owner's Concerns: N/A

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: 5

69. Property Transactions - Idlewild/Monroe Intersection - Phase II, Parcel #39

Action: #39 Approve the following Acquisition: Idlewild/Monroe Intersection - Phase II, Parcel #39

This 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 North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

Project: Idlewild/Monroe Intersection - Phase II, Parcel #39

Program: Idlewild/Monroe Intersection - Phase II

Owner(s): Luke S Moutselos

Property Address: 2318 Rama Road

Total Parcel Area: 55,923 sq. ft. (1.28 ac.)

Property to be acquired by Easements: 3,040 sq. ft. (0.07 ac.) Utility Easement, 1,496 sq. ft. (0.034 ac.) Sidewalk Utility Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: Trees

Zoned: R-3

Use: Single-family Residential

Tax Code: 189-013-13

<https://polaris3g.mecklenburgcountync.gov/#mat=80195&pid=18901313&gisid=18901313>

Purchase Price: \$10,150

Council District: 5

70. Property Transactions - Matheson Avenue Streetscape, Parcel #1

Action: Approve the following Acquisition: Matheson Avenue Streetscape, Parcel #1

Project: Matheson Avenue Streetscape, Parcel #1

Program: Matheson Avenue Streetscape

Owner(s): Bolt Family LLC

Property Address: 125 Matheson Avenue

Total Parcel Area: 79,770 sq. ft. (1.83 ac.)

Property to be acquired by Easements: 3,094 sq. ft. (0.071 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: N/A

Zoned: I-2

Use: Industrial

Tax Code: 083-022-03

<https://polaris3g.mecklenburgcountync.gov/#mat=156378&pid=16303114&qisid=16303114>

Purchase Price: \$15,000

Council District: 1

71. Property Transactions - Matheson Avenue Streetscape, Parcel #2

Action: Approve the following Acquisition: Matheson Avenue Streetscape, Parcel #2

Project: Matheson Avenue Streetscape, Parcel #2

Program: Matheson Avenue Streetscape

Owner(s): Quiktrip Corporation

Property Address: 2600 North Tryon Street

Total Parcel Area: 153,036 sq. ft. (3.513 ac.)

Property to be acquired by Easements: 966 sq. ft. (0.022 ac.) Storm Drainage Easement, 3,199 sq. ft. (0.073 ac.) Sidewalk Utility Easement, 7,265 sq. ft. (0.167 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial

Tax Code: 083-023-07

<https://polaris3g.mecklenburgcountync.gov/#mat=437958&pid=08302307&qisid=08302307>

Purchased Price: \$89,550

Council District: 1

72. Property Transactions - Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #11

Action: Approve the following Condemnation: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #11

Project: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #11

Program: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane)

Owner(s): Edward Bednar and Sylvia Pflum

Property Address: 3420 Providence Road

Total Parcel Area: 21,588 sq. ft. (0.50 ac.)

Property to be acquired by Easements: 928 sq. ft. (0.021 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: N/A

Zoned: R-3

Use: Single-family Residential

Tax Code: 183-081-41

<https://polaris3g.mecklenburgcountync.gov/#mat=109285&pid=18308141&gisid=18308141>

Appraised Value: \$2,600

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

City's Response to Property Owner's Concerns: The city explained the rationale of the design and how it meets the objectives for the project.

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

73. Property Transactions - Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #17

Action: Approve the following Condemnation: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #17

Project: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #17

Program: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane)

Owner(s): Amy Wartham and Mark Wartham

Property Address: 3710 Providence Road

Total Parcel Area: 18,052 sq. ft. (0.41 ac.)

Property to be acquired by Fee: 1,378 sq. ft. (0.03 ac.) Fee Simple

Property to be acquired by Easements: 2,826 sq. ft. (0.065 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: N/A

Landscaping to be impacted: N/A

Zoned: R-3

Use: Single-family Residential

Tax Code: 183-091-01

<https://polaris3g.mecklenburgcountync.gov/#mat=114482&pid=18309101&gisid=18309101>

Appraised Value: \$39,100

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

City's Response to Property Owner's Concerns: The city explained the rationale of the design and how it meets the objectives for the project.

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

74. Property Transactions - Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #20

Action: Approve the following Condemnation: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #20

Project: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane), Parcel #20

Program: Providence Road Sidewalk Improvement (Greentree Drive - Knob Oak Lane)

Owner(s): Damon Decristoforo and Veronica P Decristoforo

Property Address: 3800 Providence Road

Total Parcel Area: 27,332 sq. ft. (0.63 ac.)

Property to be acquired by Easements: 2,388 sq. ft. (0.055 ac.) Sidewalk Utility Easement, 1,751 sq. ft. (0.04 ac.) Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 183-095-05

<https://polaris3g.mecklenburgcountync.gov/#mat=115839&pid=18309505&qisid=18309505>

Appraised Value: \$15,700

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

City's Response to Property Owner's Concerns: The city explained the rationale of the design and how it meets the objectives for the project.

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

75. 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 200,000 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 MBEs, WBEs, or SBEs (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 MWBEs or SBEs 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 F: Financial Partners

Part F: Section 4: Financial Partners shall undertake the following outreach efforts with respect to MWBEs and SBEs:

- 4.1 Notify MWBEs and SBEs of any contracting or procurement opportunities that may exist in the Financial Partner's business for which there are MWBEs and SBEs listed in the city's database; and
- 4.2 Request advice and assistance from the CBI Office as to what additional SBE measures might be helpful if and when it becomes apparent that outreach alone will be insufficient to meet the Financial Partner's MWBE and SBE Goal; and
- 4.3 Follow such additional measures as the CBI Office reasonably recommends.

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.

76. 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.

77. 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.