

# **City of Charlotte**

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



## **Meeting Agenda**

**Monday, March 28, 2022**

**Council Chamber**

### **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 Greg Phipps*

*Council Member Matt Newton*

*Council Member Victoria Watlington*

*Council Member Braxton Winston II*

## **5:00 P.M. CITY COUNCIL ACTION REVIEW, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, REGULAR MEETING HOSTED FROM ROOM 267**

This meeting will also be accessible via the Government Channel, the City's Facebook page, and the City's YouTube channel.

### **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.

[2022-3-28 Council Agenda QA](#)

### **2. Action Review Agenda Overview**

**Staff Resource(s):**

Marcus Jones, City Manager

### 3. Action Review Items

#### **HOME Program - Request for Proposals Recommendations**

**Staff Resource(s):**

Shawn Heath, City Manager's Office  
Rebecca Hefner, Housing and Neighborhood Services

**Time:** Presentation - 15 minutes; Discussion - 15 minutes

**Explanation**

- Provide an overview of the request for proposals recommendations for HOME Program funding.

#### **Strategic Energy Action Plan Update**

**Staff Resource(s):**

Sarah Hazel, General Services

**Time:** Presentation - 15 minutes; Discussion - 15 minutes

**Explanation**

- Provide an update on the Strategic Energy Action Plan.

#### **Charlotte Future 2040 Policy Map Update**

**Staff Resource(s):**

Alyson Craig, Planning, Design and Development

**Time:** Presentation - 10 minutes; Discussion - 15 minutes

**Explanation**

- Provide an update on the Policy Map.

[HOME Program Request for Proposals Recommendations](#)

[Strategic Energy Action Plan Update](#)

### 4. Closed Session (as necessary)

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

*Call to Order*

*Introductions*

*Invocation*

*Pledge of Allegiance*

## **PUBLIC FORUM**

### **5. Public Forum**

## **CONSENT**

- 6. Consent agenda items 30 through 85 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**

### **7. Brain Injury Awareness Month**

**Action:**

Council member Johnson will read a proclamation recognizing March 2022 as Brain Injury Awareness Month.

### **8. Child Abuse Prevention Month**

**Action:**

Mayor Pro Tem Eiselt will read a proclamation recognizing April 2022 as Child Abuse Prevention Month.

## PUBLIC HEARING

### 9. Public Hearing and Decision on the McDonald's Cafeteria and Mini-Center Historic Landmark Designation

**Action:**

- A. Conduct a public hearing to consider historic landmark designation for the property known as the "McDonald's Cafeteria and Mini-Center" (Parcel Identification Number 069-126-25), and
- B. Adopt an ordinance with an effective date of March 28, 2022, designating the property known as the "McDonald's Cafeteria and Mini-Center" (Parcel Identification Number 069-126-25) as a historic landmark.

**Staff Resource(s):**

Alyson Craig, Planning, Design, and Development  
Dave Pettine, Planning, Design, and Development

**Explanation**

- The City has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to designate the McDonald's Cafeteria and Mini-Center as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The McDonald's Cafeteria and Mini-Center is located at 2023 Beatties Ford Road in Council District 2.
- Designation of this property could significantly contribute to its long-term preservation.
- The McDonald's Cafeteria and Mini-Center is listed under Parcel Identification Number 069-126-25, and the recommended designation would include the exterior of the structure and the land associated with the tax parcel.
- The property is zoned B-1.
- The property is owned by E-Fix Development Co. LLC.
- Based on the current value, the potential amount of deferrable taxes would be approximately \$861 for City of Charlotte taxes and \$1,525 for Mecklenburg County taxes.

**Attachment(s)**

Ordinance  
Information Sheet

[McDonald's Cafeteria Ordinance](#)

[McDonald's Cafeteria Information Sheet](#)

## 10. Public Hearing and Decision on the Charlotte Quartermaster Depot and Area Missile Plant Historic Landmark Designation

### Action:

- A. Conduct a public hearing to consider historic landmark designation for the property known as the "Charlotte Quartermaster Depot and Area Missile Plant" (Parcel Identification Numbers 079-031-02, 079-031-05, 079-031-07, 079-031-08, 079-031-10, and 079-031-11), and
- B. Adopt an ordinance with an effective date of March 28, 2022, designating the property known as the "Charlotte Quartermaster Depot and Area Missile Plant" (Parcel Identification Numbers 079-031-02, 079-031-05, 079-031-07, 079-031-08, 079-031-10, and 079-031-11) as a historic landmark.

### **Staff Resource(s):**

Alyson Craig, Planning, Design, and Development  
Dave Pettine, Planning, Design, and Development

### **Explanation**

- The City has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to designate the Charlotte Quartermaster Depot and Area Missile Plant as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Charlotte Quartermaster Depot and Area Missile Plant is located in Council District 1 and consists of the following properties: 1824 Statesville Avenue, 200 Camp Road, 201 Camp Road, 270 Camp Road, 300 Camp Road, 301 Camp Road, 330 Camp Road, 701 Keswick Avenue, 1701 North Graham Street, and 1801 North Graham Street.
- Designation of this property could significantly contribute to its long-term preservation.
- The area comprising the Charlotte Quartermaster Depot and Area Missile Plant includes property listed under Parcel Identification Numbers (PID) 079-031-02, 079-031-05, 079-031-07, 079-031-08, 079-031-10, and 079-031-11, and the recommended designation would include the exterior of the building at 701 Keswick Avenue and the exteriors and interiors of all other structures and the land associated with the tax parcels.
- The property is zoned U MUD-O.
- The property is owned by Camp Landowner LP (PIDs 079-031-02 and 079-031-05), Camp Gama Goat Property Owner LP (PID 079-031-07), Camp B3BAY1 Property Owner LP (PID 079-031-08), and Camp 201 Property Owner LP (PIDs 079-031-10 and 079-031-11).
- Based on the current value, the potential amount of deferrable taxes would be approximately \$47,918 for City of Charlotte taxes and \$84,921 for Mecklenburg County taxes.

### **Attachment(s)**

Ordinance  
Information Sheet

[Quartermaster Depot Ordinance](#)

[Quartermaster Depot Information Sheet](#)

## 11. Public Hearing on a Resolution to Close Right-of-Way between 3427 and 3439 Oakwood Avenue

### Action:

- A. Conduct a public hearing to close unopened right-of-way between 3427 and 3439 Oakwood Avenue, and
- B. Adopt a resolution and close unopened right-of-way between 3427 and 3439 Oakwood Avenue.

### **Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

### **Explanation**

- NC General Statute Section 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation (CDOT) received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The right-of-way to be closed is located in Council District 1.

### **Petitioner**

Vista Development and Construction Group, LLC

### **Right-of-Way to be Abandoned**

Unopened right-of-way between 3427 and 3439 Oakwood Avenue

### **Reason**

Per the petition submitted by Vista Development and Construction Group, LLC , the abandonment would allow for continuous use and access to the adjoining properties. The City has no objections.

### **Notification**

As part of the City's notification process, and in compliance with NC General Statute Section 160A-299, CDOT submitted this abandonment petition for review by the public and City departments.

### Adjoining property owner(s)

Trevor and Cyndi Sadler - No objections

### City Departments

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

### **Attachment(s)**

Map

Resolution

[2021-39A Unopened ROW off Oakwood Ave Abandonment Map](#)

[2021-39A Resolution to Close](#)

## **POLICY**

### **12. City Manager's Report**

[03.28.22 City Manager's Memo](#)

## 13. City Code Update

### **Action:**

**Adopt an ordinance amending the City Code by adding language specific to criminal enforcement.**

### **Staff Resource(s):**

Patrick Baker, City Attorney's Office

Lina James, City Attorney's Office

### **Explanation**

- In September 2021, the NC General Assembly enacted Session Law 2021-138, Senate Bill 300 (SB 300) which, among other changes, made four revisions in how all cities enforce ordinances:
  - Eliminated criminal enforcement as a default option (that is, enforcement as a misdemeanor or infraction);
  - Prohibited criminal enforcement in certain areas of regulation;
  - Required introduction of proposed amendments at one meeting and Council adoption of specific criminal enforcement language at a separate meeting; and
  - Created two new defenses against criminal prosecution of ordinance violations.
- The law was effective on December 1, 2021, and applies to offenses and violations committed on or after that date.
- SB 300 did not impact the civil enforcement tools available to cities such as civil citations, civil fines/penalties, and court orders.
- On February 14, 2022, staff introduced and presented this legislation to City Council with proposed ordinance recommendations; Council directed the City Attorney's Office to bring final recommendations to Council at the February 28, 2022 Business Meeting.
- Certain prohibited sections/chapters may be revised as part of the UDO process, including revisions to conform to SB 300.
- Proposed amendments would be effective upon Council adoption.

### **Proposed Amendments**

- The following sections eliminate criminal enforcement as prohibited by SB 300:
  - Chapter 6 - Business and Trades
    - Sexually Oriented Businesses
    - Tryon Street Vendors
    - Towing
    - Hotels and Motels
  - Chapter 13 - Licenses (business permits)
  - Chapter 18 - Stormwater
    - Stream Clearing
  - Chapter 19 - Streets, Sidewalks, and Other Public Places and Zoning Ordinance
    - Building Setback Lines
    - Curb Cuts Regulation
  - Chapter 21 - Trees
  - Chapter 22 - Vehicles for Hire
    - Taxis
  - Zoning Ordinance
    - Outdoor Advertising
  - Zoning Ordinance and Other Chapters
    - Land Use (planning & regulation ordinances)
  - Solar Collectors and Cisterns and Rain Barrels are not specifically addressed in the City Code, but are eliminated from criminal enforcement in SB 300 for future reference.
- The City Attorney recommends revisions to the General Penalties Section of the Code (Sec. 2-21) and the following sections were identified to restore criminal enforcement as an option:
  - Chapter 3 - Animals
    - Enforcement (Sec. 3-33)

- Chapter 4 - Aviation
  - Commercial Permits (Sec. 4-32)
  - Penalties for Violations (Sec. 4-110)
    - Ground Transportation and Permits
- Chapter 6 - Business and Trades
  - Penalties and remedies (Sec. 6-270)
    - Dancehalls (permits, minors)
- Chapter 8 - Fire Prevention and Protection
  - Penalties (Sec. 8-5)
    - Fire Code Violations
- Chapter 10 - Health and Sanitation
  - Authority (Sec. 10-100)
    - Public Health Nuisances
- Chapter 14 - Motor Vehicles and Traffic
  - Playing or Loitering About Railroad Property (Sec. 14-325)
- Chapter 15 - Offenses and Miscellaneous Provisions
  - Shooting (Sec. 15-13)
  - Possession of Dangerous Weapons (Sec. 15-14)
  - State of Emergency (Sec. 15-20)
  - Camping (Sec. 15-26)
  - Kindling Bonfires (Sec. 15-30)
  - Noise
    - Enforcement and Penalties (Sec. 15-68)
  - Youth Protection
    - Penalties (Sec. 15-157)
  - Carnivals
    - Violations; penalty (Sec. 15-251)

**Attachment(s)**

Ordinance - Blackline draft

[Draft Ordinance - combined final \(blackline 3-28-2022\)](#)

## 14. Amendments to the City's Plans for Housing and Community Development

### **Action:**

**Approve proposed amendments to the City's Fiscal Year 2020 Housing and Urban Development Consolidated Plan and the Fiscal Year 2021 Annual Action Plan.**

### **Staff Resource(s):**

Shawn Heath, City Manager's Office  
Rebecca Hefner, Housing and Neighborhood Services

### **Policy**

- The U.S. Department of Housing and Urban Development (HUD) mandates the development of a five-year Consolidated Plan and an Annual Action Plan to receive federal funding for housing and community development activities.
- When the City wishes to change activities related to HUD funding or receives new HUD funding, HUD requires that the City adopt a substantial amendment to its plans to reflect the changes.

### **Explanation**

#### New Funding

- In response to the COVID-19 pandemic, Congress passed the American Rescue Plan Act (ARPA) providing the City a total of \$11,566,784 in federal funding through the HOME Investment Partnerships Program (HOME).
- The City proposes to use the funds to assist individuals and households who are homeless, at risk of homelessness, and other vulnerable populations experiencing housing instability across the city. Services provided will include temporary housing subsidies and supportive services for qualifying households, such as case management, substance abuse counseling and financial skills training.
- These proposed activities were developed with input received by community stakeholders and nonprofit professionals directly working with vulnerable populations.

#### Change in Activities

- On November 22, 2021, City Council approved \$1,400,000 in HUD HOME funds to be used as down payment assistance to create affordable homeownership opportunities in partnership with Habitat for Humanity of the Charlotte Region (Habitat). This requires an update to the City's written documentation related to the use of HUD funds and review through the Consolidated Plan amendment process.
- The updated documentation will reflect Habitat's down payment assistance activities, update required restrictions related to HOME program funding, and will also include technical corrections recommended by legal counsel.

### **Community Input**

- As part of the amendment process, the City is required to conduct a public hearing to provide residents the opportunity to comment on the proposed amendments.
- City Council conducted a public hearing regarding the proposed amendments on February 28, 2022. There were no comments.
- The amendments were available for public comment and advertised in general circulation newspapers.

### **Attachment(s)**

Fiscal Year 2020 Consolidated Plan Amendment - Executive Summary  
Fiscal Year 2021 Annual Action Plan Amendment - HOME ARP Allocation Plan

[FY20 Consolidated Plan Amendment - Executive Summary cwFINAL](#)

[Charlotte HOME-ARP-Allocation-Plan-cwFINAL](#)

## **BUSINESS**

## 15. Adopt the Charlotte Future 2040 Policy Map

### **Action:**

**Adopt the final recommended draft of the Charlotte Future 2040 Policy Map.**

### **Staff Resource(s):**

Alyson Craig, Planning, Design, and Development

Alysia Osborne, Planning, Design, and Development

### **Explanation**

- This action requests approval of the final recommended draft of the Charlotte Future 2040 Policy Map (Policy Map).
- The Policy Map is a companion document to the Charlotte Future 2040 Comprehensive Plan (Comprehensive Plan), which was adopted by City Council on June 21, 2021.
- The Policy Map translates the Comprehensive Plan's place-based policies to specific geographies throughout the community and provides guidance for the type and intensity of development that is appropriate.
- The City of Charlotte released the first draft of the Policy Map on October 13, 2021, a second draft on January 18, 2022, and a third draft on February 21, 2022.
- Public input was received on the first and second drafts of the Policy Map, and City Council held a public comment period, which consisted of five speakers, on February 28, 2022 following the release of the third draft.
- The final recommended draft of the Policy Map with all associated revisions based on incorporated comments will be live and available on Friday, March 25th at:  
<https://charlotte.maps.arcgis.com/apps/webappviewer/index.html?id=4dc02a1a85974085af7b36c33474efe0>

### **Background**

- The Comprehensive Plan addresses how future growth and development will shape the Charlotte community and how the built city can better reflect and advance community values around topics like equity, transportation, quality of life, economic development, jobs, affordable housing, health, safety, and sustainability.
- The Policy Map, a companion document to the Comprehensive Plan, provides citywide direction for how to align projected growth with infrastructure capacity, distribute opportunities to underserved areas, and protect established neighborhoods.
- The Comprehensive Plan and Policy Map are the guiding documents that direct the City's long-range planning efforts. After adoption of the Policy Map, the Planning, Design, and Development Department will kick off the Community Area Planning process to provide more refined and neighborhood-specific planning guidance.
- The Policy Map was developed using a new land use classification system called Place Types and a three-step process which evaluated existing land uses and building form, approved entitlements, and recommended future land use.
- Development of the Policy Map included three phases of engagement. Throughout the project, there have been over 2,000 interactions and over 6,000 voices shared through approximately 15 different methods of engagement.
  - The first phase of engagement focused on understanding which Place Types were most and least desirable where residents live, work, and play. Staff attended 99 events, received 4,750 survey responses, and had 1,939 interactions with community members.
  - In the second phase of engagement, the first draft of the Policy Map was released in an online informational meeting, watched by 833 viewers. Staff conducted 37 virtual community conversations and held 40 in-person office hours to collect over 960 comments on the first draft Policy Map.
  - In the third phase of engagement, the second draft of the Policy Map was released

online. Staff conducted 23 Listening Sessions with individual community members, totaling 18 hours, and two Community Conversations attended by 35 participants. 412 comments were received on the second draft Policy Map through the online comment application and other available methods such as email, phone, and library comment forms.

- On February 28, 2022, City Council held a public comment period on the recommended draft of the Policy Map and five speakers spoke on the Policy Map.
- The Policy Map will be updated and revised on a bi-annual basis. Minor amendments, which are changes that are considered to be consistent with the mapping approach, will be proposed to City Council by staff and processed every six months. Major amendments, which are changes that are considered to not be consistent with the mapping approach, can be proposed by the public and processed bi-annually. The Policy Map may also be updated by approved rezonings.
- Additional information can be found on the Charlotte Future 2040 Comprehensive Plan website at: <https://cltfuture2040.com/>.

## 16. SouthPark Municipal Service District

### **Action:**

**Adopt an ordinance approving the creation of the SouthPark Municipal Service District.**

### **Staff Resource(s):**

Tracy Dodson, City Manager's Office

### **Policy**

- State law allows cities to create municipal service districts (MSDs) to promote economic development and/or provide services at a higher level in the district than provided for the entire city.
- Urban development/redevelopment areas are one of the municipal services for which a district can be created.
- MSDs are funded through an assessment on all property owners within the district boundaries. All the money raised by the MSD assessment must be spent on district enhancement programs.
- The City currently has MSDs in Center City, South End, and University City.

### **Explanation**

- According to NC General Statute Section 160A-537(f), "no ordinance defining a service district as provided for in this section shall be finally adopted until it has been passed at two meetings of the city council by majority vote of the voting members present, and no service district shall be defined except by ordinance."
- This action requests the first of two required approvals by City Council.
- Upon this approval, on April 11, 2022, City Council will be asked to adopt the ordinance a second and final time.
- In 2016, members of SouthPark's business community began discussions to create a municipal service district (MSD) in the SouthPark area to enhance the economic vitality of the area.
- SouthPark Community Partners is the leading business and community advocacy group for the creation of the SouthPark MSD. This group of business and community leaders have participated in SouthPark studies and intend to lead efforts to enhance the SouthPark community. City of Charlotte staff have served as support to the group as they explore the establishment of an MSD.
- Since 2000, there have been several studies completed to address the future of SouthPark. The creation of an MSD would be an action towards implementing recommendations from the various studies. Beginning with the 2016 Urban Land Institute's (ULI) SouthPark: Envisioning a More Walkable, Multimodal, Future for SouthPark, implementation strategies in each plan have recommended the use of an MSD as an effective and appropriate tool to support a successful vision for SouthPark. Completed SouthPark publications include:
  - 2000: Charlotte City Council's SouthPark Small Area Plan,
  - 2010: City of Charlotte's Centers, Corridors, and Wedges Growth Framework,
  - 2016: Urban Land Institute's (ULI) SouthPark: Envisioning a More Walkable, Multimodal, Future for SouthPark,
  - 2018: City of Charlotte's Community Neighborhood Improvement Plan (CNIP), and
  - 2019: The Loop Framework Plan.
- Following a review of several options, the proposed boundaries of the SouthPark MSD are focused on the commercial core of the area. The boundary follows along the edge of the commercial core, excluding the single-family neighborhoods. The SouthPark MSD boundary follows property lines and includes commercial properties south of Scofield Road and Wickersham Road, west of Sharon Road and Cameron Valley Parkway, north of Sharon View Road, and east of Park South Drive.
- The proposed MSD tax rate would be four cents per \$100 in valuation, which would generate an estimated \$1,350,000 annually. This funding would be used to hire administrative personnel, provide advocacy, marketing, and promotion efforts, enhance safety, fund capital investments, and support other economic development initiatives identified through the previously completed SouthPark studies.
- The SouthPark Community Partners has requested that the SouthPark MSD be effective beginning

on July 1, 2022. To meet this request and enable the City to follow required statutory guidelines, staff proposed the following process for considering creation of this district:

- December 13, 2021: Council action to prepare MSD report (completed),
  - January 28, 2022: City notified affected property owners about MSD (completed),
  - January 28, 2022: City: The City finalized and distributed the MSD report (completed),
  - February 28, 2022: Council conducted public hearing (completed),
  - March 28, 2022: Council ordinance review- first reading and approval, and
  - April 11, 2022: Council ordinance review- second reading and approval.
- The timing of this process is also designed to coincide with the FY 2023 budget process as the MSD tax rates and revenues must be included in the total City budget estimates. This process is similar to the process for creating the University City MSD in 2003.
  - The City is required to prepare an MSD finding of need report before conducting the public hearing. This report documents proposed district boundaries, tax rate, and plan for providing services. The report was completed and made available through the City Clerk's Office beginning on January 28, 2022. It was also distributed to Council and key stakeholders.

### Boundaries

- The SouthPark MSD boundary follows property lines and includes properties south of Scofield Road and Wickersham Road, west of Sharon Road and Cameron Valley Parkway, north of Sharon View Road, and east of Park South Drive.
- State law outlines several guidelines for determining boundaries of municipal service districts. Properties within the SouthPark MSD boundaries must satisfy at least one of the following guidelines:
  - Location in or surrounding existing or redeveloping concentrations of retail, office, or significant employment-generating uses,
  - Surrounding major institutional uses, such as a university or hospital, and
  - Location within 1,500 feet of major transportation and transit corridors, except for residential parcels which must be within 150 feet.

### Future Actions

- If approved, Council would set the MSD tax rate as part of the annual budget ordinance to be approved on June 13, 2022. Pursuant to the statutes, Council's action would be effective on July 1, 2022.
- To provide short-term organizational support for the establishment of the SouthPark MSD during the "pilot year" the City intends to partner with SouthPark Community Partners, a non-profit organization that has been created to administer these services pending Council approval of the district, to provide the outlined services via a Procurement Waiver.
- A formal RFP process to select a contract provider will be issued in a timely manner to be completed prior to the start of year two.

### Community Input

- SouthPark Community Partners recommended the proposed boundaries, tax rate, and preliminary work plan for a SouthPark MSD, following engagement and support during several planning initiatives focusing on the SouthPark neighborhood that have been completed since 2016.
- In March 2021, SouthPark Community Partners began a four-week process to gauge local appetite. SouthPark Community Partners has received letters of support for the creation of the MSD from both large and small property owners, as well as South Park Association of Neighborhoods (SPAN), a non-profit organization established in 2017 to advocate on the area's residential neighborhoods.
- As part of the public notification process, nearly 750 letters were sent in late-January 2022 to all property owners within the district notifying them of the proposed MSD and the date, time, and location of the public hearing.
- A legal notice about the public hearing and map of the area was published in The Mecklenburg Times on February 8, 2022 and February 15, 2022. The Finding of Need (FON) report,

documenting the MSD proposal, was also available in the City Clerk's office and digitally.

- A public hearing on the proposed SouthPark MSD was held on February 28, 2022. Three members of the public spoke in favor of the proposed MSD. One member of the public spoke against the proposed MSD.
- The FON report documenting the MSD proposal is also available in the City Clerk's office and digitally.
- There continues to be communication and collaboration with SouthPark community residents, developers, business owners, and tenants. The existing Loop website (<https://www.theloopclt.org/>) is being expanded to include a page dedicated to the MSD. The webpage will be used to share the latest information and provide a central location to gather input.

**Attachment(s)**

Ordinance

FON report on SouthPark MSD

Exhibit A - MSD Map

Exhibit B - MSD Parcels

Exhibit C - Excluded Parcels

[Ordinance](#)

[FON Report on SouthPark MSD](#)

[EXHIBIT A MSD Map](#)

[EXHIBIT B MSDParcels](#)

[EXHIBIT C Parcels Excluded from MSD](#)

## 17. Adopt an Initial Findings Resolution and Set a Public Hearing on Airport 2022 General Airport Revenue Bonds and Bond Anticipation Notes

### Action:

- A. Adopt an initial findings resolution and authorize the Chief Financial Officer to make appropriate application to the Local Government Commission for issuance of General Airport Revenue Bonds not to exceed \$425,000,000 and revenue bond anticipation notes not to exceed \$300,000,000, and**
- B. Adopt a resolution setting a public hearing on April 11, 2022, for this financing as required by Internal Revenue Service regulations.**

### **Staff Resource(s):**

Haley Gentry, Aviation  
Teresa Smith, Finance  
Matthew Hastedt, Finance

### **Explanation**

- Authorize the issuance of up to \$425,000,000 General Airport Revenue Bonds (GARBs) to provide permanent financing for projects listed below, including expenses funded with short-term construction-period financing issued in 2021.
- This action would also authorize a new construction period financing program for up to \$300,000,000 in short-term notes to provide financing for other projects that are in the design phase; it is expected that permanent financing for these projects will be secured in two or three years.
- The 2022 GARBs will provide long-term financing for the following or other similar projects which are part of the Aviation Capital Investment Plan:
  - Terminal Lobby Expansion,
  - Terminal Lobby Expansion - Canopy, and
  - Terminal Lobby Expansion - Roof.
- The 2022 Bond Anticipation Notes will provide short-term financing for the following or other similar projects:
  - Concourse A Expansion Phase 2,
  - Federal Inspection Facility Renovations,
  - North End Around Taxiway and Relocation,
  - Taxiway F Extension, Deice Pad, and Taxiway South Cross Field, and
  - Concourse E Dual Taxilanes.
- Long and short-term financing authorized by these actions is secured by Airport revenue, and the Airport's signatory airlines have approved the projects.
- Prior to issuing this debt, a third-party feasibility study will be completed to indicate that sufficient revenues are forecasted to be available to repay the debt.
- Debt issuances must be approved by the Local Government Commission (LGC). Action A authorizes the City to submit an application for the issuances to the LGC for approval.
- Internal Revenue Service regulations require a public hearing on new, tax-exempt, debt-funded projects. Action B sets a public hearing for April 11, 2022.

### **Fiscal Note**

Funding: Airport Debt Service Fund

### **Attachment(s)**

Initial Findings Resolution

[Initial Findings Resolution City of Charlotte, NC Airport Revenue Bonds, Series 2022AB and Revenue B](#)

## 18. Charlotte-Mecklenburg Government Center Governor's Office Lease

### **Action:**

- A. Adopt a resolution authorizing a lease agreement with the State of North Carolina for the lease of approximately 1,343 square feet of office space (Suite 231) in the Charlotte-Mecklenburg Government Center, and**
- B. Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the leasing of the office suite.**

### **Staff Resource(s):**

Phil Reiger, General Services  
Craig Fox, General Services  
Greg Crawford, General Services

### **Explanation**

- The Charlotte-Mecklenburg Government Center has 1,343 square feet of office space, which has been leased by the State of North Carolina for the Governor's Office since 2009.
- The City has authority to enter into this Lease Agreement under NC General Statute Section 160A-272 and 274.
- The terms of the lease are:
  - Initial one-year lease term, with two, one-year options to extend; and
  - Initial monthly rent of \$1,567.75, with three percent annual increases.

### **Fiscal Note**

Funding: Lease revenue will be deposited in the General Services Operating Budget

### **Attachment(s)**

Resolution

[Resolution to Lease](#)

## 19. Exchange of Land Rights along the LYNX Light Rail Corridor with South End Owner LP

### Action:

- A. **Adopt a resolution authorizing an exchange of land rights between the City of Charlotte and South End Owner LP or its successors and assigns ("Property Owner") involving Parcel Identification Number 121-041-15,**
- B. **Authorize the City Manager to execute all necessary documents to complete the exchange of land rights between the City of Charlotte and Property Owner, and**
- C. **Adopt a budget ordinance appropriating \$473,249 from South End Owner LP for full and fair consideration of CATS-owned property in the CATS Capital Investment Plan Fund.**

### **Staff Resource(s):**

John Lewis, Jr., CATS

John Howard, CATS

### **Explanation**

- The Property Owner proposes to build a multi-family residential development ("Development") at 2408 South Boulevard in South End near the intersection of South Boulevard and Remount Road, between the LYNX East/West Station and the LYNX New Bern Station, in Council District 3.
- In order to construct the Development, the Property Owner requires use of some of the City's excess LYNX right-of-way. The City's ownership of the LYNX right-of-way between Scaleybark and Uptown is a "charter" right-of-way that the City originally purchased from Norfolk Southern Railroad.
- The City's right-of-way is approximately 130 feet wide, which is wider than necessary for the City's use and development of the LYNX Blue Line and Rail Trail. Therefore, per the City's Administrative Policy, the City generally retains approximately 70 feet in width while allowing the excess right-of-way of approximately 30 feet on either side to be used by the adjacent property owner in order to facilitate transit supportive redevelopment.
- The Property Owner will exchange property rights with the City for full and fair consideration as required by law. Fair consideration can be any combination of cash, real, or personal property and other benefits.
- The exchange is recommended for the following reasons:
  - The Property Owner will convey approximately 7,324 square feet of that portion of the rail corridor used by LYNX and the Rail Trail to the City and will be required to reconstruct and maintain the City's Rail Trail on this property. As part of the Rail Trail, additional decorative fencing, landscaping, and other aesthetic enhancements will be installed by the Property Owner as outlined in a license agreement. To bring this transaction to the standard of full and fair consideration, as required by North Carolina law, the Property Owner must also remit to the City \$473,249. The property, improvements, maintenance obligations, and remittance have a total combined value of approximately \$716,999.
  - The City will release approximately 9,560 square feet of excess right-of-way, valued at approximately \$716,999, to the Property Owner. Additionally, the City will execute a License Agreement and other similar documents with the Property Owner that requires the Property Owner to construct and maintain the Rail Trail as described above and allows for the construction of the Development.

### **Background**

- The Council-adopted Transit Station Area Plans define development standards for property adjacent to the rail corridor and envision that excess right-of-way will be incorporated into adjacent transit supportive development. Alternatively, the excess right of way may be retained by the City as buffer if needed.

**Fiscal Note**

Funding: Proceeds from the exchange will be deposited in the CATS Capital Investment Plan.

**Attachment(s)**

Map

Resolution

Budget Ordinance

[Map](#)

[Resolution](#)

[Budget Ordinance Land Swap South End Owner LP](#)

## 20. Municipal Agreement for Relocation of Water and Sanitary Sewer Infrastructure

**Action:**

- A. **Adopt a resolution authorizing the City Manager to negotiate and execute a municipal agreement with the North Carolina Department of Transportation for construction of water and sanitary sewer line relocations, adjustments, and improvements, and**
- B. **Authorize the City Manager to approve the reimbursement request for the actual cost of the utility construction.**

**Staff Resource(s):**

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Carl Wilson, Charlotte Water

**Explanation**

- This municipal agreement is for the relocation and replacement of water and sanitary sewer infrastructure located within the North Carolina Department of Transportation's (NCDOT) highway improvements project (Project I-5507), located on Interstate 485 from Interstate 77 to Independence Boulevard (Council Districts 3 and 7).
- As required by the NCDOT's encroachment agreements, the City is financially responsible for reimbursing the NCDOT for the actual construction costs to relocate City-owned water and sanitary sewer lines within the state-maintained right-of-way at the conclusion of the project.
- The total estimated City cost of this construction is \$1,568,959.61.

**Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

**Attachment(s)**

Map

Resolution

[Map-Municipal Agreement for Relocation of Water and Sanitary Sewer Infrastructure](#)

[Resolution-Municipal Agreement for Relocation of Water and Sanitary Sewer Infrastructure](#)

## 20.5 Adopt a Resolution to Suspend Sister City Ties with Voronezh, Russia

**Action:**

Adopt a resolution to suspend Sister City ties with Voronezh, Russia.

**Staff Resource(s):**

Tracy Dodson, City Manager's Office  
Alexis Gordon, Economic Development

**Explanation**

- On February 24, 2022, Russian President Vladimir Putin launched a full-scale attack on Ukraine.
- In response to the Russian attack, Governor Roy Cooper issued Executive Order No. 251 asking that State government agencies review contracts and terminate agreements with Russian entities.
- At the February 28, 2022 Business Meeting, Mayor Lyles called for the end of Charlotte's Sister City Relationships in a stand of solidarity with the Ukrainian community.
- On March 15, representatives of the Ukrainian community, Charlotte Sister Cities, and the Charlotte international Cabinet met with City staff to advise on the creating of the attached resolution.

**Explanation**

- Charlotte, North Carolina and Voronezh, Russia were officially joined as Sister Cities in 1991.
- The government-to-government relationship has been mostly ceremonial over the last five years.
- Community relationships between Voronezh and Charlotte remained stable on celebrations of culture and prior to military action in Ukraine, were beginning to increase in frequency and breadth.

**Attachment(s)**

Resolution to suspend ties with Voronezh, Russia

[Voronezh Resolution 03282022](#)

## 21. Nominations to the Business Advisory Committee

**Action:**

Nominate residents to serve as specified.

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- Three appointments for three-year terms beginning May 1, 2022, and ending April 28, 2025.
  - Matthew Choiniere did not meet attendance requirements and is ineligible for reappointment.
  - Ashok Mora is eligible and interested in reappointment.
  - DeAlva Wilson has served two terms and is ineligible for reappointment.
- One appointment for a partial term recommended by the Certified SBE-Hispanic Contractors Association 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 Charlotte Regional Business Alliance beginning May 1, 2022, and ending April 28, 2025.
  - Tonia Woodbury did not meet attendance requirements and is ineligible for reappointment.

**Attachment(s)**

Business Advisory Committee Applications

## 22. 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 an At-Large representative of a Prime Construction Company beginning March 1, 2022, and ending February 28, 2024.
  - Stephanie Adler is eligible but not interested in reappointment.
- One appointment for a two-year term recommended by the Hispanic Contractors Association of the Carolinas beginning March 1, 2022, and ending February 28, 2024.
  - Sandra Velez did not meet attendance requirements and is ineligible for reappointment.
- One appointment for a two-year term recommended by the Metrolina Native American Association beginning March 1, 2022, and ending February 28, 2024.
  - Jessie Jacobs has resigned.

**Attachment(s)**

Charlotte Business INClusion Advisory Committee Applications

[Charlotte Business INClusion Advisory Committee - 3.28.22](#)

## 23. Nominations to the Charlotte Tree Advisory Commission

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a partial term beginning upon appointment and ending December 13, 2022.
  - Mary Jo McGowan did not meet attendance requirements.
- One appointment for a partial term beginning upon appointment and ending December 13, 2023.
  - Kawana Davis did not meet attendance requirements.

**Attachment(s)**

Charlotte Tree Advisory Commission Applications

## 24. Nomination to the Historic District Commission

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a partial term for a Resident Owner of Hermitage Court beginning upon appointment and ending December 31, 2023.
  - James Jordan has resigned.

**Attachment(s)**

Historic District Commission Applications

## 25. Nominations to the Keep Charlotte Beautiful Committee

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- Two appointments for partial terms beginning upon appointment and ending June 30, 2022, and three-year terms beginning July 1, 2022, and ending June 30, 2025.
  - Caroline Burgett has resigned.
  - Jon Giles has resigned.

**Attachment(s)**

Keep Charlotte Beautiful Committee Applications

## 26. Nominations to the Neighborhood Matching Grants Fund

**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 Business category representative beginning April 16, 2022, and ending April 15, 2024.
  - Freda Lester did not meet attendance requirements and is ineligible for reappointment.
- Four appointments for two-year terms for Neighborhood from within program boundaries category representatives beginning April 16, 2022, and ending April 15, 2024.
  - Rosalyn Allison-Jacobs is eligible but not interested in reappointment.
  - Patricia Johanson is eligible and interested in reappointment.
  - Debbie Rubenstein is eligible and interested in reappointment.
  - Linda Webb is eligible but not interested in reappointment.
- Two appointments for two-year terms for Non-profit Sector category representatives beginning April 16, 2022, and ending April 15, 2024.
  - Rhonda Dean is eligible and interested in reappointment.
  - Randella Foster is eligible but not interested in reappointment.
- One appointment for a two-year term recommended by the Superintendent of School System beginning April 16, 2022, and ending April 15, 2024.
  - Doris Shivers is eligible and interested in reappointment.

**Attachment(s)**

Neighborhood Matching Grants Fund Applications

## 27. Nomination to the Passenger Vehicle for Hire Board

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a hospitality/tourism industry representative for a partial term beginning upon appointment and ending June 30, 2024.
  - Sheila Etheridge-Boddie has served two terms and is ineligible for reappointment.

**Attachment(s)**

Passenger Vehicle for Hire Board Applications

## 28. Nomination to the Storm Water Advisory Committee

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a Residential Neighborhood category representative for a partial term beginning upon appointment and ending June 30, 2024.
  - Ilonka Aylward did not meet membership criteria.

**Attachment(s)**

Storm Water Advisory Committee 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 three-year term for a Local Service Passenger category representative beginning February 1, 2022, and ending January 31, 2025.
  - Terry Lansdell has served two terms and is ineligible for reappointment.
- One appointment for a three-year term for a Vanpool Rider category representative beginning February 1, 2022, and ending January 31, 2025.
  - Parker Cains has resigned.

**Attachment(s)**

Transit Services Advisory Committee Applications

## CONSENT

### 30. Network Equipment Refresh

**Action:**

- A. **Authorize the use of American Rescue Plan Act funds for the purchase of network equipment and related services,**
- B. **Approve the purchase of network equipment and related services from a federal contract,**
- C. **Approve unit price contracts with Data Network Solutions, Inc. and Synnex Corporation for the purchase of network equipment and related services for a term of two years under GSA MAS Contract 47QTCA19D00MM,**
- D. **Authorize the City Manager to extend these contracts for additional terms as long as the federal contracts are in effect, at prices and terms that are the same or more favorable than those offered under the federal contracts, and**
- E. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.**

**Staff Resource(s):**

Reenie Askew, Innovation and Technology  
Ronald Stevens, Innovation and Technology

**Explanation**

- This request for City Council action is to begin replacing the City's network infrastructure which includes network switches, routers, and wireless access points and related services.
- By October 2024, it is estimated that over 90 percent of the City of Charlotte's network infrastructure will be either reaching the end of the equipment's projected lifespan or will no longer be supported by the vendor.
- The updates to the City's network infrastructure will support the City's pandemic operational needs as are required with telework options as a means of mitigating and preventing the spread of COVID-19.
- NC General Statute Section 143-129(e)(3) allows local governments to purchase from contracts established by the United States government, including any federal agency, if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the federal contract.
- Total American Rescue Plan Act (ARPA) expenditures are estimated to be \$3,729,000.

**Charlotte Business INCLUSION**

This contract is being purchased off an existing Federal contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INCLUSION Policy).

**Fiscal Note**

Funding: ARPA Funds

## 31. Land for Charlotte Fire Department

### **Action:**

- A. Approve the purchase of a 3.12-acre property located at 3019 Beam Road (Parcel Identification Number 141-241-04) in the amount of \$800,000 from Catherine Huntley and Ronald Husband Jr. for the relocation of Firehouse 30, and**
- B. Authorize the City Manager to negotiate and execute any documents necessary to complete this transaction.**

### **Staff Resource(s):**

Phil Reiger, General Services  
Greg Crawford, General Services  
Reginald Johnson, Fire

### **Explanation**

- This 3.12-acre property is zoned residential and located at 3019 Beam Road (Parcel Identification Number 141-241-04) across from the Police and Fire Training Academy in Council District 3.
- This purchase is necessary for a new Firehouse to serve as a replacement for the current temporary facility serving as Firehouse 30, located at 4747 Belle-Oaks Drive. The new location will help improve response times and alleviate high call volume for surrounding Firehouses.
- On February 15, 2022, the Charlotte-Mecklenburg Planning Commission recommended approval for the City to purchase the land through the mandatory referral process.
- The terms of the transaction are as follows:
  - \$800,000 purchase price with a five percent earnest money deposit, and
  - 60-day due diligence period with 30 days to close.
- In October 2019, the Charlotte Fire Department adopted the Facilities Master Plan, which prioritizes capital improvements in the next two years, as well as outlines facility goals through 2029. Firehouse 30 was identified as a top priority in this plan.
- This transaction is consistent with the Council-adopted City-Owned Real Estate and Facilities Policy.

### **Fiscal Note**

Funding: General Capital Investment Plan

### **Attachment(s)**

Map

[Map\\_Land for Charlotte Fire Department.pdf](#)

## 32. Liquid Asphalt for Roadway Repairs

### Action:

- A. **Approve a unit price contract to the lowest responsive bidder Blythe Construction dba BCI Materials Inc for an initial term of one year for the purchase of liquid asphalt for roadway repairs, and**
  
- B. **Authorize the City Manager to renew the contract up to four, 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

Charles Jones, Transportation

### **Explanation**

- The Charlotte Department of Transportation (CDOT) maintains approximately 5,479 lane miles of streets citywide.
- CDOT uses liquid asphalt in the repair and construction of asphalt pavements, including pothole repairs, utility patches, and street resurfacing. Liquid asphalt is used to bind layers of asphalt together to provide a watertight seal.
- Liquid asphalt has a limited shelf life and must be maintained at a constant temperature.
- CDOT requires a local pickup facility within Mecklenburg County due to liquid asphalt storage requirements. Local pickup provides the flexibility to secure small quantities of material as needed and have deliveries of the material available for larger jobs.
- On January 25, 2022, the City issued an Invitation to Bid; one bid was received.
- Blythe Construction dba BCI Materials Inc was selected as the lowest responsive, responsible bidder.
- The selection of BCI Materials will provide the best value to the City and minimize the need for expensive cleanup and loss due to having excessive quantities stored on-site.
- Annual expenditures are estimated to be \$500,000.

### **Charlotte Business INclusion**

Per Charlotte Business INclusion Policy: Part B: Section 2.3 The City shall not establish Subcontracting Goals for Contracts where: (a) there are not subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

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

### **Fiscal Note**

Funding: Transportation Operating Budget

### 33. Construct Backlot Trail

**Action:**

**Approve a contract in the amount of \$924,762.30 to the lowest responsive bidder Husky Construction Corp. for the Backlot Trail Project.**

**Staff Resource(s):**

Phil Reiger, General Services  
Craig Fox, General Services  
Veronica Wallace, General Services

**Explanation**

- Identified in the SouthPark Comprehensive Neighborhood Improvement Program, this project will include the construction of a 10-foot-wide asphalt trail between Park Road and Woodbine Lane and pedestrian crossings at Park Road and Park South Drive in Council District 6.
- The trail will create a connection between Park Road Park and McMullen Creek Greenway and connect neighborhoods to the SouthPark activity center, Park Road Park, and the Cross Charlotte Trail.
- On January 20, 2022, the City issued an Invitation to Bid; four bids were received.
- Husky Construction Corp. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2023.

**Charlotte Business INclusion**

Established MBE Goal: 11.00%

Committed MBE Goal: 11.11%

Husky Construction Corp. exceeded the established MBE subcontracting goal and has committed 11.11% (\$102,700) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Streeter Trucking Company, Inc. (MBE, SBE) (\$102,700) (hauling)

Established SBE Goal: 20.00%

Committed SBE Goal: 20.86%

Husky Construction Corp. exceeded the established SBE subcontracting goal and has committed 20.86% (\$192,892) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc. (MBE, SBE) (\$128,592) (concrete, crosswalk)
- RAM Pavement Services, Inc. (SBE) (\$31,000) (asphalt)
- AMP Utility Distribution Services, LLC (WBE, SBE) (\$25,800) (utility supplies)
- Combs Tree Service LLC (SBE) (\$7,500) (tree services)

**Fiscal Note**

Funding: General Capital Investment Plan

**Attachment(s)**

Map

[Map Construct Backlot Trail](#)

## 34. Construct Parkwood Avenue Streetscape Improvements Project

### **Action:**

**Approve a contract in the amount of \$5,386,851.53 to the lowest responsive bidder Sealand Contractors Corp. for the Parkwood Avenue Streetscape Improvements Project.**

### **Staff Resource(s):**

Phil Reiger, General Services  
Craig Fox, General Services  
Veronica Wallace, General Services

### **Explanation**

- Identified in the Northeast Corridor Infrastructure Program, this project will include the construction of improvements along Parkwood Avenue from Belmont Avenue to North Davidson Street in Council District 1.
- Work will include medians, street and pedestrian lighting, sidewalks, bicycle lanes, storm drainage, and street trees.
- This project will improve pedestrian, bicyclist, and motorist connectivity and accessibility to the Parkwood Avenue Light Rail Station.
- On January 6, 2022, the City issued an Invitation to Bid; three bids were received.
- Sealand Contractors Corp. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2024.

### **Charlotte Business INclusion**

Established MBE Goal: 7.00%

Committed MBE Goal: 7.00%

Sealand Contractors Corp. met the established MBE subcontracting goal and has committed 7.00% (\$377,100) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Diamond Trucking of NC Inc (MBE, SBE) (\$188,550) (hauling)
- High Heels Trucking Inc (MBE, SBE) (\$188,550) (hauling)

Established SBE Goal: 18.00%

Committed SBE Goal: 18.00%

Sealand Contractors Corp. met the established SBE subcontracting goal and has committed 18.00% (\$969,648) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distribution Services, LLC (WBE, SBE) (\$263,620) (utility material)
- RAM Pavement Services, Inc. (SBE) (\$219,523) (milling, pavement markings)
- Parkers Concrete Solutions LLC (SBE) (\$198,020) (concrete)
- On Time Construction, Inc. (WBE, SBE) (\$124,550) (concrete, masonry)
- Frady Tree Service, Inc. (SBE) (\$67,000) (tree and shrub removal)
- Pentacle Inc (SBE) (\$29,700) (fence)
- Erosion Defence LLC (SBE) (\$18,680) (erosion control)
- Cochise Trucking (SBE) (\$48,550) (hauling)

### **Fiscal Note**

Funding: General Capital Investment Plan

### **Attachment(s)**

Map

[Map Construct Parkwood Avenue Streetscape Improvements Project.pdf](#)

## 35. Design Northwest Division Police Station

### **Action:**

**Approve a contract in the amount of \$1,257,403 with Southside Constructors, Inc. for Phase 1 Services of the CMPD Northwest Division Progressive Design-Build Project.**

### **Staff Resource(s):**

Phil Reiger, General Services

Craig Fox, General Services

Kathleen Cishek, General Services

### **Explanation**

- This project includes design of a 14,000-square-foot facility with approximately 120 parking spaces on the combined parcels of 1800 and 1818 Mt Holly-Huntersville Road in Council District 2.
- The rezoning request was approved by City Council on February 21, 2022, and this facility will be the last of six completed as per Charlotte-Mecklenburg Police Department's 2015 Masterplan.
- On August 10, 2020, the City issued a Request for Qualifications (RFQ); 11 responses were received.
- Southside Constructors, Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Progressive Design-Build consists of two-phases. Phase 1 delivers the project up to 100 percent design and Phase 2 will provide a guaranteed maximum price to construct the project. Council will be asked to approve a future amendment for Phase 2.
- The City's design-build delivery method is in conformance with NC General Statute Section 143-128.1(a) and consistent with the Design-Build Institute of America best practices.

### **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 2.4 of the Charlotte Business INclusion Policy) Southside Constructors, Inc. has committed 12.82% or approximately \$161,200 of the total contract for design and construction administrative services to the following firm(s):

- AME Consulting Engineers, PC (SBE) (\$141,000) (engineering)
- CS Plumbing Inc. (MBE, SBE) (\$9,600) (consulting, plumbing, estimating)
- NJR Construction LLC (MBE, SBE) (\$4,500) (consulting, finishes, estimating)
- High Performance Building Solutions, Inc. (WBE, SBE) (\$3,500) (engineering, inspecting)
- Maybury Fencing Inc. (WBE, SBE) (\$2,600) (consulting, fencing, gate estimating)

### **Fiscal Note**

Funding: General Capital Investment Plan

### **Attachment(s)**

Map

[Map Design Northwest Division Police Station.pdf](#)

## 36. International Class Heavy Truck Repair and Related Services

### **Action:**

- A. Approve a unit price contract with Rush Truck Center Charlotte for International class heavy truck repair and related 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):**

Phil Reiger, General Services

Chris Trull, General Services

Kay Elmore, General Services

### **Explanation**

- The Fleet Management Division of General Services maintains approximately 100 International class seven and eight trucks owned and operated by the City and requires an Original Equipment Manufacturer (OEM) certified service provider for repairs, maintenance, and related services.
- Rush Truck Center Charlotte is the sole factory authorized dealer and distributor of International truck warranty and non-warranty repair and replacement OEM vendor for the Charlotte area and meets the City's needs in terms of qualifications, experience, and cost.
- Waiver of competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the City's best interest. A waiver has been approved for these services as there are no other OEM-certified vendors that provide these services within the local service area.
- Annual expenditures are estimated to be \$400,000.

### **Charlotte Business INclusion**

This is a contract with a waiver of solicitation for services and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

### **Fiscal Note**

Funding: General Services Operating Budget

## 37. Parking Management Services for the Charlotte-Mecklenburg Government Center Parking Deck

### Action:

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

### **Staff Resource(s):**

Phil Reiger, General Services  
David Wolfe, General Services  
Richard Williams, General Services

### **Explanation**

- General Services is responsible for providing safe, secure, and efficient parking services at the Charlotte-Mecklenburg Government Center (CMGC).
- LAZ Parking Georgia, LLC will provide comprehensive parking management and staffing services to ensure General Services expectations and requirements are met.
- On May 27, 2021, the City issued a Request for Proposals (RFP); four responses were received.
- Laz Parking Georgia, LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$380,000.

### **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 Services Operating Budget

## 38. Public Auction for Disposal of Surplus Equipment

### Action:

- A. **Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus,**
- B. **Authorize said items for sale by public auction on April 2, 2022, and**
- C. **Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.**

### **Staff Resource(s):**

Phil Reiger, General Services

Kay Elmore, General Services

### **Explanation**

- General Services provides asset recovery and disposal services to City departments, Mecklenburg County, Emergency Management Services, and INLIVIAN.
- Periodic auctions of surplus items are regularly conducted at the City's Asset Recovery and Disposal facility located at 5550 Wilkinson Boulevard in Council District 3.
- Pursuant to NC General Statute Section 160A-270(b), approval is requested for a public auction to be held on April 2, 2022, at 9:00 a.m. to dispose of City-owned property declared as surplus.
- The auction will be virtual with a live simulcast and electronic bidding.
- The auction company will be compensated 8.5 percent of the total gross sale price of rolling stock and miscellaneous items.
- Proceeds from the auction are distributed to the City's General Fund and Enterprise Funds (including but not limited to Aviation, Charlotte Water, and Charlotte Area Transit System), and other agencies based on asset ownership.

### **Attachment(s):**

Resolution

Property list

Delegation of Authority

Virtual auction information

[Rolling stock auction - Resolution](#)

[Rolling Stock auction \(Exhibit - A\)](#)

[Rolling stock auction - Delegation of Authority](#)

[Virtual Rolling Stock Auction](#)

## 39. Construct Briar Creek-Green Oaks Storm Drainage Improvement Project

### **Action:**

**Approve a contract in the amount of \$6,086,569.50 to the lowest responsive bidder Crowder Construction Company for the Briar Creek-Green Oaks Storm Drainage Improvement Project.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water  
Mike Davis, Storm Water Services  
Matthew Gustis, Storm Water Services

### **Explanation**

- This project will improve deteriorating storm drainage infrastructure in the Briar Creek watershed with boundaries of Green Oaks Lane to the north and west, Commonwealth Avenue to the south, and Briar Creek Road to the east in Council District 1.
- Construction will include the installation of storm drainage, water/sanitary sewer, curb, gutter, and driveways.
- On December 1, 2021, the City issued an Invitation to Bid; four bids were received.
- Crowder Construction Company was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by the first quarter 2024.

### **Charlotte Business INclusion**

Established MBE Goal: 9.00%  
Committed MBE Goal: 7.60%  
MBE Participation to-date: 9.26%

Crowder Construction Company failed to meet the established MBE subcontracting goal but has earned the required Good Faith Efforts (Part C: Section 5 of the Charlotte Business INclusion Policy). The prime has committed 9.26% (\$563,330) of the total contract amount to the following certified firm(s):

- Diamond Trucking of NC (MBE, SBE) (\$210,450) (hauling)
- Streeter Trucking (MBE, SBE) (\$210,450) (hauling)
- R.R.C. Concrete Inc (MBE, SBE) (\$120,100) (nonstandard drainage structures, endwalls)
- Express Logistics Services, Inc. (MBE, SBE) (\$12,330) (hauling)
- Love Family First LLC (MBE, SBE) (\$10,000) (flaggers, traffic control)

Established SBE Goal: 20.00%  
Committed SBE Goal: 11.95%  
SBE Participation to-date: 19.93%

Crowder Construction Company failed to meet the established SBE subcontracting goal but has earned the required Good Faith Efforts (Part C: Section 5 of the Charlotte Business INclusion Policy). The prime has committed 19.93% (\$1,212,891) of the total contract amount to the following certified firm(s):

- AMP Utility Distribution Services, LLC (WBE, SBE) (\$592,422) (culverts, pipe materials)
- RAM Pavement Services, Inc. (SBE) (\$245,306) (paving)
- Pentacle Inc. (WBE, SBE) (\$45,240) (fence installation)
- Clear Creek of Salisbury, Inc. (WBE, SBE) (\$37,832) (concrete flatwork)
- Whitesell Trucking, Inc. (SBE) (\$29,900) (clearing and grubbing)
- Striping Concepts, LLC (SBE) (\$12,800) (striping)
- Erosion Defence (SBE) (\$7,391) (erosion control)
- Center Line Locating LLC (SBE, WBE) (\$14,000) (daylighting services, vac truck)
- Dakota Contracting Co. (SBE, MBE) (\$210,000) (sewer line)
- TL Byrum Oil Company Inc (SBE) (\$18,000) (off road fuel supplier)

### **Fiscal Note**

Funding: Storm Water Capital Investment Plan

**Attachment(s)**

Map

[Map Construct Briar Creek-Green Oaks Storm Drainage Improvement Project](#)**40. Storm Drainage Improvement Projects Contract****Action:**

**Approve a contract in the amount of \$1,388,506.85 to the lowest responsive bidder GreenWater Development, Inc. (SBE) for the Collective Storm Drainage Improvement Projects Series L.**

**Staff Resource(s):**

Angela Charles, Charlotte Water

Mike Davis, Storm Water Services

Matthew Gustis, Storm Water Services

**Explanation**

- This contract is part of the ongoing program to provide repairs and/or improvements to storm drainage systems.
- This contract will address failing storm drainage systems in the following locations:
  - 7141 Knightswood Drive (Council District 7), and
  - 6319 Fair Valley Drive (Council District 6).
- On January 10, 2022, the City issued an Invitation to Bid; five bids were received.
- GreenWater Development, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2023.

**Charlotte Business INclusion**

GreenWater Development, Inc. is a City-certified SBE.

Established MBE Goal: 10.00%

Committed MBE Goal: 10.01%

GreenWater Development, Inc. met the established MBE subcontracting goal and has committed 10.01% (\$139,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Redstone Materials Inc. (MBE, SBE) (\$108,000) (hauling)
- R.R.C. Concrete Inc (MBE, SBE) (\$31,000) (concrete)

Established SBE Goal: 19.00%

Committed SBE Goal: 31.69%

GreenWater Development, Inc. exceeded the established SBE subcontracting goal and has committed 31.69% (\$440,000) of the total contract amount to the following certified firm (Part B: Section 3 of the Charlotte Business INclusion Policy):

- OnTime Construction Inc. (WBE, SBE) (\$440,000) (masonry structures, walls)

**Fiscal Note**

Funding: Storm Water Capital Investment Plan

**Attachment(s)**

Map

[Map Construction Collective Storm Drainage Improvement Project Series L](#)

## 41. Pipe Inspection and Data Collection Services

### Action:

- A. **Approve a unit price contract with Infrastructure Technologies, LLC to provide pipe inspection and data collection support services for an initial term of five years, and**
  
- B. **Authorize the City Manager to renew the contract for up to five, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water  
Jackie Jarrell, Charlotte Water  
Mike Davis, Storm Water Services

### **Explanation**

- Infrastructure Technologies, LLC will provide training and data review to manage the collection and quality assurance of pipe inspection video data for the Charlotte Water and Storm Water Services closed circuit television programs.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the City's best interest. A waiver has been approved for these services based on the company's knowledge and ability to manage the collection and quality assurance of pipe inspection video data from Infrastructure Technologies, LLC software that is used by vendors which Charlotte Water and Storm Water Services utilize for inspection services.
- Annual expenditures are estimated to be \$209,000 (\$159,000 for Charlotte Water and \$50,000 for Storm Water Services).

### **Charlotte Business INClusion**

Per the 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 provisions of (a) - No subcontracting opportunities.

### **Fiscal Note**

Funding: Charlotte Water Operating Budget and Storm Water Services Operating Budget

## 42. Professional Engineering Services for Restoration and Surface Water Quality Projects

### Action:

- A. Approve unit price contracts with the following companies for stream restoration professional services for an initial term of three years:**
- Hazen and Sawyer PC;
  - Kimley-Horn; and
  - SWCA Environmental Consulting & Engineering, Inc.;
- B. Approve unit price contracts with the following companies for surface water quality enhancement services for an initial term of three years:**
- Gavel & Dorn Engineering, PLLC;
  - HDR Engineering Inc. of the Carolinas; and
  - LJB Inc.;
- C. 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  
Mike Davis, Storm Water Services  
Jordan Miller, Storm Water Services

### **Explanation**

- Storm Water Services evaluates the feasibility of new surface water quality improvement projects.
- Surface water quality enhancements, ponds, and stream restoration projects drain to creeks identified as impaired by Clean Water Act standards.
- Improvements to existing ponds and newly identified surface water quality enhancement and stream restoration projects will remove pollutants from stormwater runoff before the water is discharged into the creeks.
- Stream restoration projects can generate mitigation credits that can be used to offset stream and wetland impacts on City and County projects.
- On January 10, 2022, the City issued a Request for Qualifications (RFQ); 17 responses were received.
- The firms selected are the best qualified firms to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- Aggregate annual contract expenditures are estimated to be \$1,440,000.

### **Charlotte Business INClusion**

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). Each of the firms listed have identified certified firms to be utilized as the project evolves:

#### Action A:

##### Hazen & Sawyer, P.C.

- Stewart Engineering, Inc. (MBE) (field survey and subsurface utility engineering)
- Froehling & Robertson, Inc. (MBE) (geotechnical engineering)

##### Kimley Horn

- Froehling & Robertson, Inc (MBE) (geotechnical engineering)
- Hinde Engineering, Inc. (SBE) (utility coordination and design)

- James Mauney and Associates, P.A. (SBE) (surveying and mapping)

SWCA Environmental Consulting & Engineering, Inc.

- CES Group Engineers, LLP (WBE) (surveying)
- Stewart Engineering, INC (MBE) (surveying services)

Action B:

Gavel & Dorn Engineering, PLLC is a City-certified SBE.

Gavel and Dorn Engineer PLLC (SBE)

- Carolina Wetland Services Inc (SBE) (wetland delineation and permitting services)
- CES Group Engineers, Inc (WBE) (surveying)

HDR Engineering Inc. of the Carolinas

- Stewart Engineering, Inc (MBE) (surveying and utility location services easement plat preparation, and geotechnical services)

LJB Inc.

- BB Foster Consulting, PC (MBE, SBE) (relocation coordination)
- Carolina Geotechnical Group, PLLC (SBE) (subsurface testing and laboratory analysis and reports)
- Hearn's Real Estate Solutions, LLC (MBE, SBE) (deed research and recordation of plats and documents)
- Tidemark Land Services (SBE) (survey services and easement preparation)

**Fiscal Note**

Funding: Storm Water Services Capital Investment Plan

## 43. Mount Holly Pump Station and Forcemain Construction

### **Action:**

**Approve a guaranteed maximum price of \$15,135,166 to The Haskell Company for Design-Build construction services for the Mount Holly Pump Station and Force Main Project.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water  
David Czerr, Charlotte Water  
Carl Wilson, Charlotte Water

### **Explanation**

- The Haskell Company has developed a guaranteed maximum price (GMP) for the construction of a pump station and associated infrastructure which will enable the City of Mount Holly to convey sanitary sewer flow to the future Stowe Regional Water Resource Recovery Facility (SRWRRF) (adjacent to Council Districts 2 and 3).
- On July 8, 2019, City Council approved a contract for \$8,848,918 with The Haskell Company for Design-Build design services for the Mount Holly Pump Station and Forcemain project and SRWRRF Influent Pump Station and Headworks Project.
- On March 16 and September 14, 2020, City Council approved GMPs of \$829,219 and \$1,122,311 with The Haskell Company for the procurement of specialized materials, equipment, and associated preconstruction services for the existing facilities.
- On May 10, 2021, City Council approved a contract amendment for \$3,000,000 with The Haskell Company for additional value engineering design services.
- On October 22, 2021, City Council approved a GMP of \$41,010,129 with The Haskell Company for the construction of several pipelines which would allow the City of Mount Holly to convey sanitary sewer flow to the future SRWRRF.
- The project is anticipated to be complete by first quarter 2024.

### **Charlotte Business INclusion**

This project is subject to the North Carolina Clean Water State Revolving Fund project guidelines, which only require MWBE goals on construction contracts. The Haskell Company has committed \$555,464 or approximately 3.67% of the Design-Build construction services to the following certified firms:

- CITI, LLC (MBE, SBE) (\$303,419) (instrumentation and controls)
- Pentacle Inc. (WBE, SBE) (\$164,600) (fencing)
- Collins Reinforcing Inc. (WBE) (\$26,220) (concrete)
- Diva Dumps, LLC (MBE, SBE) (\$22,800) (temporary toilets and dumpsters)
- TKG (WBE, SBE) (\$16,500) (ebuilder document control)
- Flawless Capture Photography (SBE) (\$10,607) (construction photography and video)
- The Survey Company, Inc. (SBE) (\$6,318) (survey)
- Diamond Trucking of NC Inc. (MBE, SBE) (\$5,000) (yard piping and hauling)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

### **Attachment(s)**

Map

[Map-Mount Holly Pump Station and Forcemain Construction](#)

## 44. Natural Gas Line Relocation Agreement Amendment

**Action:**

**Approve amendment #1 for \$687,844.53 to the agreement with Piedmont Natural Gas Company, Inc. for relocation of a gas pipeline for the McAlpine Creek Relief Sanitary Sewer Phase 3 Project.**

**Staff Resource(s):**

Angela Charles, Charlotte Water  
David Czerr, Charlotte Water

**Explanation**

- The McAlpine Creek Relief Sanitary Sewer Project provided a new sanitary sewer pipe that extended along McAlpine Creek from the McAlpine Wastewater Treatment Plant, located in the Town of Pineville, to Lawyers Road (Council Districts 5, 6, and 7).
- The extension construction was underway when a conflict with an existing 12-inch natural gas pipeline was discovered close to Sardis Road.
- On May 12, 2014, City Council approved an agreement with Piedmont Natural Gas Company, Inc. for the relocation of the natural gas pipeline, which was based on an estimate of \$570,087.
- The new value of the agreement is \$1,257,931.53, based on the actual cost.

**Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

**Attachment(s)**

Map

[Map-Natural Gas Line Relocation Agreement Amendment](#)

## 45. Stowe Regional Water Resource Recovery Facility Construction

### **Action:**

**Approve a guaranteed maximum price of \$61,150,733 to The Haskell Company for Design-Build construction services for the Stowe Regional Water Resource Recovery Facility Influent Pump Station and Headworks Project.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water  
David Czerr, Charlotte Water  
Carl Wilson, Charlotte Water

### **Explanation**

- The Haskell Company has developed a guaranteed maximum price (GMP) for the construction of the initial phase of the influent pump station and headworks infrastructure for the future Stowe Regional Water Resource Recovery Facility (SRWRRF) (adjacent to Council Districts 2 and 3).
- On July 8, 2019, City Council approved a contract for \$8,848,918 with The Haskell Company for Design-Build design services for the Mount Holly Pump Station and Forcemain Project and SRWRRF Influent Pump Station and Headworks Project.
- The project is anticipated to be complete by first quarter 2026.
- City Council will receive future requests for the approval of remaining project GMPs once they are established.

### **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). The Haskell Company has committed \$3,499,158 or approximately 5.71% of the total contract for construction services to the following certified firms:

- Fuller & Co. Construction, LLC (SBE) (\$2,091,174) (tunneling)
- Collins Reinforcing Inc. (WBE) (\$688,620) (concrete headwork)
- Diamond Trucking of NC Inc. (MBE, SBE) (\$320,101) (earthwork and hauling)
- Pentacle Inc. (WBE, SBE) (\$252,455) (fencing)
- Diva Dumps, LLC (MBE, SBE) (\$63,090) (temporary toilets and dumpsters)
- TKG (WBE, SBE) (\$30,000) (ebuilder document control)
- Flawless Capture Photography (SBE) (\$21,356) (construction photography and video)
- The Survey Company, Inc. (SBE) (\$20,000) (survey)
- CITI, LLC (MBE, SBE) (\$12,363) (instrumentation and controls)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

### **Attachment(s)**

Map

[Map-Stowe Regional Water Resource Recovery Facility Construction](#)

## 46. Water Main Rehabilitation

### Action:

- A. **Approve a unit price contract with the lowest responsive bidder Mainlining America, LLC for water main rehabilitation for an initial term of one year, and**
  
- B. **Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water

Jackie Jarrell, Charlotte Water

Scott Clark, Charlotte Water

### **Explanation**

- This contract will provide services for the cleaning, rehabilitation, and replacement of older water mains, as well as temporary water services for use during rehabilitation projects and when needed in emergency situations.
- On November 19, 2021, the City issued an Invitation to Bid; five bids were received.
- Mainlining America, LLC was selected as the lowest responsive, responsible bidder.
- The renewals allow for possible price adjustments based on the Engineering News Record Construction Cost Index.
- Annual expenditures are estimated to be \$3,883,798.

### **Charlotte Business INclusion**

Established MBE Goal: 2.00%

Committed MBE Goal: 2.32%

Mainlining America, LLC exceeded the established MBE subcontracting goal and has committed \$90,000 or approximately 2.32% of the total contract amount for the initial year to the following certified firm (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Love Family First LLC (MBE, SBE) (\$90,000) (flagging services)

Established SBE Goal: 8.00%

Committed SBE Goal: 8.88%

Mainlining America, LLC exceeded the established SBE subcontracting goal and has committed \$345,000 or approximately 8.88% of the total contract amount for the initial year to the following certified firm (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distribution Services, LLC (WBE, SBE) (\$345,000) (pipe material supply)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

## 47. Water Transmission Main Improvements and Repairs

### **Action:**

**Approve a guaranteed maximum price of \$1,605,963 to State Utility Contractors, Inc. for Design-Build construction services for the Water Transmission Main Improvements and Repairs project.**

### **Staff Resource(s):**

Angela Charles, Charlotte Water  
David Czerr, Charlotte Water  
Carl Wilson, Charlotte Water

### **Explanation**

- State Utility Contractors, Inc. has developed a guaranteed maximum price (GMP) for design and construction of water transmission main improvements in the Central Business District and at Mallard Creek Church Road and Prosperity Church Road (Council Districts 2 and 4).
- On June 8, 2020, City Council approved a contract for \$1,923,793 with State Utility Contractors, Inc. for Design-Build design services for water transmission system improvements throughout Charlotte Water service area.
- This project segment is anticipated 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). State Utility Contractors, Inc. has committed \$307,130 or approximately 19.12% of the total contract for Design-Build construction services to the following certified firms:

- Fuller & Co. Construction, LLC (SBE) (\$156,000) (bore and jack)
- Stewart Engineering, Inc. (MBE) (\$73,650) (field surveying and subsurface utility engineering)
- AMP Utility Distribution Services, LLC (WBE, SBE) (\$25,000) (water main material supply)
- Gulf Coast, LLC (SBE) (\$21,000) (easement acquisition services)
- Froehling & Robertson, Inc. (MBE) (\$18,480) (geotechnical investigations and drilling)
- Yellow Duck Marketing LLC (WBE, SBE) (\$13,000) (public communications)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

### **Attachment**

Map

[Map-Water Transmission Main Improvements and Repairs](#)

## 48. Airport Brush Mowing Contracts

### Action:

- A. **Approve a unit price contract with Carolina Commercial Landscaping, LLC (SBE) for brush mowing, minor trimming, landscaping, and trash removal for City-owned parcels in Zone 2 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**

- The Aviation Department owns and maintains multiple outlying parcels of land which require regular brush mowing, trimming, general landscaping and as necessary, trash and debris removal.
- These parcels are divided into zones. Zones 2 consist of approximately 50 acres of Airport-owned property near Billy Graham Parkway and Morris Field Drive
- On November 1, 2021, the City issued a Request for Proposals (RFP); five proposals were received.
- Carolina Commercial Landscaping, LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements for Zone 2.
- Annual expenditures are estimated to be \$150,493.

### **Charlotte Business INclusion**

Carolina Commercial Landscaping, LLC is a City-certified SBE.

### **Fiscal Note**

Funding: Aviation Operating Budget

## 49. Airport Concourse A Expansion Phase 2

### Action:

- A. **Approve a contract in the amount of \$172,599,811.11 with JE Dunn-McFarland, A Joint Venture, for construction manager at risk services for the Concourse A Expansion Phase 2 project,**
- B. **Approve contract amendment #5 for \$4,008,000 to Perkins+Will North Carolina, Inc. for construction administration services for the construction phase of the project, and**
- C. **Approve a contract in the amount of \$557,338.50 with ECS Southeast, LLP for construction materials testing and special inspections.**

### **Staff Resource(s):**

Haley Gentry, Aviation  
Jack Christine, Aviation

### **Background**

- Phase 2 of the Concourse A Expansion is the second of two phases and includes the addition of 215,000 square feet, 10 aircraft gates, and a connector to Phase 1 of the Concourse A Expansion.
- This activity is occurring on Airport property in Council District 3.

### **Explanation**

#### Action A

- As the Construction Manager At Risk, JE Dunn-McFarland is responsible for:
  - Scheduling and managing all phases of construction and the performance of all its contractors in the construction of the project,
  - Prequalifying first tier prime contractors as required by state statute and City of Charlotte prequalification guidelines,
  - Organizing the work into bid packages, conducting a public bidding process for each subcontracting opportunity, and awarding each package to the lowest responsive, responsible bidder, and
  - Managing construction to completion under State of North Carolina Construction Manager At Risk statute.
- On May 31, 2019, the City issued a Request for Qualifications (RFQ); five proposals were received.
- JE Dunn Construction is the best qualified firm to meet the City's needs on the basis of demonstrated competence and related project experience in response to the RFQ requirements.
- Since selection, JE Dunn Construction has entered into a Joint Venture with McFarland Construction for this construction contract.
- On September 23, 2019, City Council approved a Preconstruction Agreement with JE Dunn Construction.

#### Action B

- On March 25, 2019, City Council approved a contract with Perkins+Will North Carolina, Inc. in the amount of \$8,428,000 to provide design services for the Concourse A Expansion Phase 2 Project.
- This amendment includes construction administration services, including design-related items such as submittal reviews, as-built final drawings, and other design changes for the duration of construction.
- On January 13, 2019, contract amendment #1 was approved in the amount of \$70,565 to include additional design and bidding phase commissioning.
- On March 10, 2020, contract amendment #2 was approved in the amount of \$449,802.47 to include baggage handling system revisions and modifications to airline tenant space.
- On May 5, 2021, contract amendment #3 was approved in the amount of \$20,000 to include design for modifications to the chilled and heating hot water distribution.
- On October 13, 2021, contract amendment #4 was approved in the amount of \$18,000 to include

the design of a single-user restroom at Concourse A1 mid-connector.

- Contract amendment #5 in Action B brings the total value of the contract to \$12,994,367.47.

#### Action C

- ECS Southeast, LLP will provide construction materials testing and special inspections to ensure the building meets code requirements.
- On December 16, 2022, the City issued a Request for Qualifications (RFQ); eight responses were received.
- ECS Southeast, LLP is the best qualified firm to meet the City's needs based on demonstrated competence and qualification of professional services in response to the RFQ requirements.

### **Disadvantaged Business Enterprise**

#### Action A

The City has established an overall project goal of 10.00% Disadvantaged Business Enterprise (DBE). Because this is a Construction Manager at Risk project the Construction Manager has the opportunity to add DBE firms throughout the life of the project.

### **Charlotte Business INClusion**

#### Action B

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INClusion Policy). Perkins+Will North Carolina, Inc. has committed \$906,718 or approximately 22.62% of the total contract amendment amount to the following certified firm(s):

- C- Design Inc. (SBE) (\$906,718) (architectural services)

#### Action C

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INClusion Policy). ECS Southeast, LLP has identified the following certified firm(s) and will use this/these firm(s) when the contract is activated:

- CWI Services, Inc. (SBE) (structural steel observations, ultrasonic testing)
- Capstone Civil Engineering, Inc. (MBE, SBE) (earthwork observations, sampling)

### **Fiscal Note**

Funding: Aviation Capital Investment Plan

## 50. Airport Dual Taxilane Construction Contract

### Action:

- A. Approve a contract in the amount of \$10,155,226 to the lowest responsive bidder Hi-Way Paving, Inc. for the Airport Ramp D&E Dual Taxilane project construction, and**
- B. Approve contract amendment #1 for \$885,887 to RS&H Architects-Engineers-Planners, Inc. for construction administration services for the construction phase of the Airport Ramp D&E Dual Taxilane Project.**

### **Staff Resource(s):**

Haley Gentry, Aviation  
Jack Christine, Aviation

### **Background**

- This project will provide the capacity to simultaneously taxi two aircraft around Concourses D and E to alleviate congestion of aircraft ramp operations.
- This activity is occurring on Airport property in Council District 3.

### **Explanation**

#### Action A

- This contract will provide construction activities to widen the concrete ramp around the east perimeter of Concourses D and E, install pavement markings, airfield lighting, and signage.
- On December 8, 2021, the City issued an Invitation to Bid; two bids were received.
  - G.S. 143-132 prohibits municipalities from awarding construction contracts over \$500,000 without receiving at least three competitive bids from the initial advertisement of the contract. The city may subsequently award the contract even if re-advertisements result in fewer than three competitive bids.
- On January 20, 2022, the City re-issued an Invitation to Bid; two bids were received.
- Hi-Way Paving, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2024.

#### Action B

- On April 26, 2021, City Council approved a contract with RS&H Architects-Engineers-Planners, Inc. in the amount of \$1,213,454 to provide design services for the Airport Ramp D&E Dual Taxilane Project.
- Contract amendment #1 includes construction administration services, including design-related items such as submittal reviews, as-built final drawings, material acceptance testing, and other design changes for the duration of construction.
- The new value of the contract is \$2,099,341.

### **Disadvantaged Business Enterprise**

#### Action A

Established DBE Goal: 17.00%

Committed DBE Goal: 17.10%

Hi-Way Paving, Inc. exceeded the established subcontracting goal and has committed 17.10% (\$1,736,196) of total contract amount to the following certified firms:

- Express Logistics (DBE) (\$387,000) (materials supply)
- Archangel Protective Services (DBE) (\$383,800) (flagging)
- Julian and Jayden Hauling (DBE) (\$294,015) (hauling)
- Express Logistics (DBE) (\$277,060) (materials hauling)
- D M Conlon Inc. dba Dan Kel Concrete Cutting (DBE) (\$131,000) (demo sawcut, widen, seal)
- SB Johnson Construction (DBE) (\$122,988) (material supply)
- Martin Landscaping (DBE) (\$83,800) (erosion control)
- JJ Dal Supply Company (DBE) (\$30,133) (electrical supply)

- BC Cannon Co, Inc. (DBE) (\$26,400) (barricades)

#### Action B

All additional work involved in this amendment will be performed by the RS&H Architects-Engineers-Planners, Inc. and their existing sub-consultants. RS&H Architects-Engineers-Planners, Inc. has committed \$173,440 or approximately 19.58% of the total contract amendment amount to the following certified firms:

- On-Spec Engineering, PC (DBE) (\$154,240) (construction materials testing)
- CES Group Engineers, LLP (DBE) (\$19,200) (surveying)

#### **Fiscal Note**

Funding: Aviation Capital Investment Plan

## **51. Passenger Boarding Bridge Baggage Slides and Parts**

#### Action:

- Approve the purchase of passenger boarding bridge bag slides and replacement parts by the sole source exemption, and**
- Approve a contract with AGSA LLC DBA PAGE GSE for the purchase of passenger boarding-bridge bag slides for the term of five years.**

#### **Staff Resource(s):**

Haley Gentry, Aviation

Jack Christine, Aviation

#### **Sole Source Exemption**

- NC General Statute Section 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 replacement parts are available from only one source or supply.
- City Council approval is required for any purchases made under the sole source exception.

#### **Explanation**

- The Airport currently has 63 passenger boarding bridges equipped with PAGE GSE bag slides out of the 68 boarding bridges.
- This contract will provide for replacement parts and entire bag slides as the slides reach the end of their expected lifespan or are damaged.
- PAGE GSE products are specific to its brand, and all parts have been designed to only be capable of fitting specifically on PAGE GSE products.
- The Airport uses the PAGE GSE bag slides due to the sturdy lightweight structure and weather resistant corrugated plastic material.
- Expenditures are estimated to be \$300,000 over a five-year period.

#### **Charlotte Business INclusion**

This is a sole source contract and is exempt (Part A, Appendix 1, Section 27 of the Charlotte Business INclusion Policy).

#### **Fiscal Note**

Funding: Aviation Operating Budget

## 52. Bond Issuance Approval for Historic Nathaniel Carr Senior Community

### **Action:**

**Adopt a resolution granting INLIVIAN's request to issue multi-family housing revenue bonds, in an amount not to exceed \$19,500,000, to finance the development of Historic Nathaniel Carr Senior Community.**

### **Staff Resource(s):**

Shawn Heath, City Manager's Office

Rebecca Hefner, 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 Code of 1986, which requires the issuance of housing bonds to be approved by the local governmental unit with jurisdiction over the area where the development is located.
- INLIVIAN is requesting that City Council adopt a resolution authorizing the issuance of multi-family housing revenue bonds for Historic Nathaniel Carr Senior Community, a 120-unit new construction affordable housing development to be developed, owned, and operated by West Boulevard Historic Preservation, LLC, a North Carolina limited liability company, or an affiliated or related entity.
- The development will be located at 2498 West Boulevard in Council District 3 and will serve households earning up to 80 percent of the Area Median Income (AMI) with income averaging of 60 percent of AMI for the entire development. Of the 120 new units, 24 will serve households that earn 30 percent of AMI or less.
- This action further supports City Council's September 27, 2021, approval of a \$2,200,000 Housing Trust Fund allocation for this development.
- The INLIVIAN bonds, not to exceed \$19,500,000, 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 a four percent tax credit and a bond allocation capacity totaling \$19,500,000 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 for Historic Nathaniel Carr Senior Community

INLIVIAN Resolution for Historic Nathaniel Carr Senior Community

[City Bond Resolution Historic Nathaniel Carr Seniors.28.22](#)

[INLIVIAN Resolution Historic Nathaniel Carr Seniors](#)

## 53. Resolution of Intent to Abandon Unopened Maplewood Road off West Mallard Creek Church Road

### **Action:**

- A. Adopt a Resolution of Intent to abandon unopened Maplewood Road off West Mallard Creek Church Road, and**
- B. Set a Public Hearing for May 9, 2022.**

### **Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

### **Explanation**

- NC General Statute Section 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 right-of-way is located in Council District 4.

### **Petitioners**

CC Escent Research Park, LLC

### **Attachment(s)**

Map

Resolution

[2021-34A Unopened Maplewood Road Abandonment Map](#)

[2021-34A Resolution of Intent 03.28.2022](#)

## 54. Resolution of Intent to Abandon a Portion of Fountain View and Garden Terrace Rights-of-Way

### **Action:**

- A. Adopt a Resolution of Intent to abandon a portion of Fountain View and Garden Terrace rights-of-way, and**
  
- B. Set a Public Hearing for May 9, 2022.**

### **Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

### **Explanation**

- NC General Statute Section 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 rights-of-way are located in Council District 1.

### **Petitioners**

The Charlotte-Mecklenburg Hospital Authority

### **Attachment(s)**

Map

Resolution

[2021-25A Portion of Fountain View and Garden Terrace Abandonment Map](#)

[2021-25A Resolution of Intent 03.28.2022](#)

## 55. Resolution of Intent to Abandon a Portion of Alleyways off Chamberlain Avenue

**Action:**

- A. Adopt a Resolution of Intent to abandon a portion of alleyways off Chamberlain Avenue, and
- B. Set a Public Hearing for May 9, 2022.

**Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

**Explanation**

- NC General Statute Section 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 alleyways are located in Council District 2.

**Petitioners**

Savona Resi Project, LLC

**Attachment(s)**

Map

Resolution

[2021-31A Alleyway off Chamberlin Ave Abandonment Map](#)

[2021-31A Resolution of Intent 03.28.2022](#)

## **56. Resolution of Intent to Abandon a Portion of the Alleyway Between Fountain View and Garden Terrace and a Portion of the Alleyway off Scott Avenue**

### **Action:**

- A. Adopt a Resolution of Intent to abandon a portion of the alleyway between Fountain View and Garden Terrace and a portion of the alleyway off Scott Avenue, and**
  
- B. Set a Public Hearing for May 9, 2022.**

### **Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

### **Explanation**

- NC General Statute Section 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 alleyways are located in Council District 1.

### **Petitioners**

The Charlotte-Mecklenburg Hospital Authority

### **Attachment(s)**

Map

Resolution

[2021-26A Abandonment Map Revised](#)

[2021-26A Resolution of Intent 03.28.2022](#)

## 57. Resolution of Intent to Abandon Memorial Place and an Alleyway off Memorial Place

### **Action:**

- A. Adopt a Resolution of Intent to abandon Memorial Place and an alleyway off Memorial Place, and**
- B. Set a Public Hearing for May 9, 2022.**

### **Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

### **Explanation**

- NC General Statute Section 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 right-of-way is located in Council District 1.

### **Petitioners**

The Charlotte-Mecklenburg Hospital Authority

### **Attachment(s)**

Map

Resolution

[2021-03A Memorial Pl & 10' Alleyway Abandonment Map](#)

[2021-03A Resolution of Intent 03.28.2022](#)

## 58. Resolution of Intent to Abandon Mineral Springs Road at North US 29 By-Pass

### **Action:**

- A. Adopt a Resolution of Intent to abandon Mineral Springs Road at North US 29 By-Pass, and**
- B. Set a Public Hearing for May 9, 2022.**

### **Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

### **Explanation**

- NC General Statute Section 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 1.

### **Petitioners**

University City Community Owner, LLC

### **Attachment(s)**

Map

Resolution

[2019-23 Mineral Springs at US 29 Bypass Abandonment Map](#)

[2019-23 Resolution of Intent 03.28.2022](#)

## **59. Resolution of Intent to Abandon an Unopened Right-of-Way off Liggett Street, a Portion of Unopened Heywood Avenue Right-of-Way, and a Portion of the Alleyway off Alleghany Street**

### **Action:**

- A. Adopt a Resolution of Intent to abandon an unopened Right-of-Way off Liggett Street, a portion of unopened Heywood Avenue right-of-way and a portion of the alleyway off Alleghany Street, and**
- B. Set a Public Hearing for May 9, 2022.**

### **Staff Resource(s):**

Liz Babson, Transportation

Anthony Mendez, Transportation

### **Explanation**

- NC General Statute Section 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 rights-of-way and alleyway are located in Council District 3.

### **Petitioners**

Bobby Drakeford

### **Attachment(s)**

Map

Resolution

[2021-19A Unopened ROW at Liggett & Heywood Abandonment Map Revised2](#)

[2021-19A Resolution of Intent 03.28.2022](#)

## 60. Set a Public Hearing on Garrison Road Industrial Phase 1 Voluntary Annexation

### **Action:**

**Adopt a resolution setting a public hearing for May 9, 2022, for the Garrison Road Industrial Phase 1 voluntary annexation petition.**

### **Staff Resource(s):**

Alyson Craig, Planning, Design, and Development  
Holly Cramer, Planning, Design, and Development

### **Explanation**

- The City has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares boundaries with current city limits.
- Annexation of this area will allow for more orderly development review, extension of City services, capital investments, and future annexation processes.
- The 149.7-acre "Garrison Road Industrial Phase 1" site is located along the east side of Garrison Road, west of Interstate 485 in Mecklenburg County.
  - The property is mostly vacant with some single-family residential uses.
  - The petitioner has plans to develop five Class A industrial buildings totaling 1,212,840 square feet of industrial uses on the site.
  - The property is zoned I-1(CD), which allows for light industrial uses.
  - The property is located immediately adjacent to City Council District 3.
  - The petitioned area consists of five parcels: parcel identification numbers 141-291-05, 141-291-03, 141-291-02, 141-291-01, and 141-181-65.

### **Consistency with City Council Policies**

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

### **Attachment(s)**

Map  
Resolution

[Garrison Road Industrial Phase 1 Area Annexation Map](#)

[Resolution for Garrison Road Industrial Phase 1 Area Annexation](#)

## PROPERTY TRANSACTIONS

### 61. In Rem Remedy 1905 Allen Street

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

**Public Purpose:**

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

**Policy:**

- Housing and Neighborhood Development and Community Safety

**In Rem Remedy items are initiated from 3 categories:**

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

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

**Field Observation: 1905 Allen Street**

**Action:**

**Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1905 Allen Street (Neighborhood Profile Area 386).**

**Attachment(s)**

In Rem Packet for 1905 Allen Street - Council District #1

[1905 Allen St](#)

## 62. Aviation Property Transactions - 9431 Dorcas Lane

**Action:** Approve the following Acquisition: 9431 Dorcas Lane

The property is acquired in accordance with Federal Regulations in 49 C.F.R. Part 24 that implement the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration Reimbursement.

**Project:** EIS Mitigation Land South

**Owner(s):** Paul G. Peak

**Property Address:** 9431 Dorcas Lane

**Total Parcel Area:** 2.524 acres

**Property to be acquired by Easements:** N/A

**Structures/Improvements to be impacted:** Vacant Lot

**Landscaping to be impacted:** None

**Zoned:** R-3

**Use:** Single-family Residential

**Parcel Identification Number(s):** 141-261-63

<https://polaris3g.mecklenburgcountync.gov/#mat=220495&pid=14126163&qsid=14126163>

**Purchase Price:** \$179,500, and all relocation benefits in compliance with Federal, State or Local regulations.

**Council District:** Adjacent to Council District 3

## 63. Charlotte Water Property Transactions - Charlotte Airport Area Waterline Progressive Design-Build Project (Old Dowd Road 24" WM Connect), Parcel #16

**Action:** Approve the following Condemnation: Charlotte Airport Area Waterline Progressive Design-Build Project (Old Dowd Road 24" WM Connect), Parcel #16

**Project:** Charlotte Airport Area Waterline Progressive Design-Build Project (Old Dowd Road 24" WM Connect), Parcel #16

**Owner(s):** MSC Carolinas, LLC

**Property Address:** 2527 Little Rock Road

**Total Parcel Area:** 199,940 sq. ft. (4.59 ac.)

**Property to be acquired by Easements:** 2,275 sq. ft. (0.05 ac.) in Waterline Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Large flowering tree, small shrubs and bed preparation

**Zoned:** B-D(CD), O-1(CD)

**Use:** Commercial

**Tax Code:** 061-30-221

<https://polaris3g.mecklenburgcountync.gov/#mat=171037&pid=06130221&qsid=06130221>

**Appraised Value:** \$11,925

**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:** 3

## 64. Charlotte Water Property Transactions - Charlotte Airport Area Waterline Progressive Design-Build Project (Old Dowd Road 24" WM Connect), Parcel #17

**Action:** Approve the following Condemnation: Charlotte Airport Area Waterline Progressive Design-Build Project (Old Dowd Road 24" WM Connect), Parcel #17

**Project:** Charlotte Airport Area Waterline Progressive Design-Build Project (Old Dowd Road 24" WM Connect), Parcel #17

**Owner(s):** MDC NC1, LP

**Property Address:** 2501 Little Rock Road

**Total Parcel Area:** 40,990 sq. ft. (0.94 ac.)

**Property to be acquired by Easements:** 3,120 sq. ft. (0.07 ac.) in Waterline Easement, plus 499 sq. ft. (0.01 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Large evergreen tree, eight medium and large flowering trees

**Zoned:** B-1(CD)

**Use:** Commercial

**Tax Code:** 061-30-238

<https://polaris3g.mecklenburgcountync.gov/#mat=84946&pid=06130238&gisid=06130238>

**Appraised Value:** \$30,275

**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:** 3

## 65. Charlotte Water Property Transactions - Irwin Basin Tributary to Remount Road Sewer Replacement Easement, Parcel #4

**Action:** Approve the following Condemnation: Irwin Basin Tributary to Remount Road Sewer Replacement Easement, Parcel #4

**Project:** Irwin Basin Tributary to Remount Road Sewer Replacement Easement, Parcel #4

**Owner(s):** Toomey One, LLC

**Property Address:** Toomey Avenue

**Total Parcel Area:** 41,759 sq. ft. (0.96 ac.)

**Property to be acquired by Easements:** 6,138 sq. ft. (0.14 ac.) in Sanitary Sewer Easement, plus 25,046 sq. ft. (0.58 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** R-22MF

**Use:** Multi Family

**Tax Code:** 145-018-01

<https://polaris3g.mecklenburgcountync.gov/#pid=14501801&qisid=14501801>

**Appraised Value:** \$298,275

**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 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:** 3

## 66. Charlotte Water Property Transactions - North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #23

**Action:** Approve the following Condemnation: North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #23

**Project:** North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #23

**Owner(s):** Lawyers Road Professional Park, Inc.

**Property Address:** 7133 Lawyers Road

**Total Parcel Area:** 406,066 sq. ft. (9.32 ac.)

**Property to be acquired by Easements:** 10,133 sq. ft. (0.23 ac.) in Permanent Utility Easement and 8,466 sq. ft. (0.19 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** O-1 & B-2

**Use:** Office

**Tax Code:** 109-181-13

<https://polaris3g.mecklenburgcountync.gov/#mat=183540&pid=10918113&qisid=10918113>

**Appraised Value:** \$33,300

**Property Owner's Concerns:** The property owner is concerned about the potential impacts to the property and the amount of compensation offered.

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

**Recommendation:** To 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

## 67. Charlotte Water Property Transactions - North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #32

**Action:** Approve the following Condemnation: North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #32

**Project:** North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #32

**Owner(s):** The Landing at Hickory Grove Homeowners Association

**Property Address:** 7881 Petrea Lane

**Total Parcel Area:** 674,008 sq. ft. (15.47 ac.)

**Property to be acquired by Easements:** 50,784 sq. ft. (1.17 ac.) in Permanent Utility Easement, plus 6,786 sq. ft. (0.16 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** Brick wall & sign, light post

**Landscaping to be impacted:** Small & medium shrubs, trees, screening

**Zoned:** R-12MF(CD)

**Use:** Town House Common Area

**Tax Code:** 109-152-98

<https://polaris3g.mecklenburgcountync.gov/#mat=437528&pid=10915298&qisid=10915298>

**Appraised Value:** \$167,425

**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

## 68. Charlotte Water Property Transactions - North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #33

**Action:** Approve the following Condemnation: North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #33

**Project:** North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (WT Harris-Plott Rd. Water Transmission), Parcel #33

**Owner(s):** Hickory Commons Homeowners Association

**Property Address:** Trysting Road at E. W.T. Harris Blvd. (no physical address)

**Total Parcel Area:** 132,238 sq. ft. (3.04 ac.)

**Property to be acquired by Easements:** 6,031 sq. ft. (0.14 ac.) in Permanent Utility Easement, plus 4,429 sq. ft. (0.10 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** R-3

**Use:** Single Family Residential

**Tax Code:** 109-011-26

<https://polaris3g.mecklenburgcountync.gov/#pid=10901126&qisid=10901126>

**Appraised Value:** \$8,025

**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. Charlotte Water Property Transactions - Upper Little Sugar Creek Trunk Sewer Atrium Segment, Parcel #4

**Action:** Approve the following Condemnation: Upper Little Sugar Creek Trunk Sewer Atrium Segment, Parcel #4

**Project:** Upper Little Sugar Creek Trunk Sewer Atrium Segment, Parcel #4

**Owner(s):** Robert B. Coover and Christianne Coover

**Property Address:** 1614 Lombardy Circle

**Total Parcel Area:** 6,574 sq. ft. (0.15 ac.)

**Property to be acquired by Easements:** 1,266 sq. ft. (0.03 ac.) in Sanitary Sewer Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** R-22MF

**Use:** Townhouse SFR

**Tax Code:** 153-021-37

<https://polaris3g.mecklenburqcountync.gov/#mat=50924&pid=15302137&qjsid=15302137>

**Appraised Value:** \$17,400

**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:** 1

## 70. Property Transactions - DeArmon Road Improvements, Parcel #37 and 39

**Action:** Approve the following Acquisition: DeArmon Road Improvements, Parcel #37 and 39

**Project:** DeArmon Road Improvements, Parcel #37 and 39

**Program:** DeArmon Road Improvements

**Owner(s):** Prosperity Village Homeowners Association

**Property Address:** 0, 12400 and 12545 Jessica Place

**Total Parcel Area:** 770,823 sq. ft. (17.70 ac.)

**Property to be acquired Fee:** 218 sq. ft. (0.005 ac.) Fee Simple

**Property to be acquired by Easements:** 10,075 sq. ft. (0.231 ac.) Utility Easement, 1,456 sq. ft. (0.033 ac.) Slope Easement, 6,649 sq. ft. (0.153 ac.) Sidewalk Utility Easement, 3,215 sq. ft. (0.073 ac.) Temporary Construction Easement, 1,581 sq. ft. (0.040 ac.) Storm Drainage Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** R-8MF(CD)

**Use:** Multi-family Residential

**Tax Code:** 027-073-83, 027-074-84

<https://polaris3g.mecklenburgcountync.gov/#mat=435662&pid=02707383&qisid=02707383>

<https://polaris3g.mecklenburgcountync.gov/#mat=435435&pid=02707484&qisid=02707484>

**Purchase Price:** \$111,525

**Council District:** 4

## 71. Property Transactions - Dixie River Road WM Extension, Parcel #39

**Action:** Approve the following Acquisition: Dixie River Road WM Extension, Parcel #39

**Project:** Dixie River Road WM Extension, Parcel #39

**Program:** Dixie River Road WM Extension

**Owner(s):** Thomas C. O'Neil

**Property Address:** 6735 Dixie River Rd

**Total Parcel Area:** 14,996 sq. ft. (0.34 ac.)

**Property to be acquired by Easements:** 2,930 sq. ft. (0.067 ac.) Utility Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** N/A

**Zoned:** R-5

**Use:** Single-family Residential

**Tax Code:** 113-211-30

<https://polaris3g.mecklenburgcountync.gov/#mat=176135&pid=11321130&qisid=11321130>

**Purchase Price:** \$12,550

**Council District:** Adjacent to Council District 3

## 72. Property Transactions - Monroe Road Streetscape, parcel #5

**Action:** Approve the following Condemnation: Monroe Road Streetscape, parcel #5

**Project:** Monroe Road Streetscape, parcel #5

**Program:** Monroe Road Streetscape

**Owner(s):** Extra Space Properties Two LLC

**Property Address:** 1350 North Wendover Road and 4100 Monroe Road

**Total Parcel Area:** 196,932 sq. ft. (4.52 ac.)

**Property to be acquired by Easements:** 941 sq. ft. (0.022 ac.) Sidewalk Utility Easement, 3,601 sq. ft. (0.083 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign

**Landscaping to be impacted:** None

**Zoned:** I-2

**Use:** Industrial

**Tax Code:** 159-046-09

<https://polaris3g.mecklenburgcountync.gov/#mat=122413&pid=15904609&gisid=15904609>

**Appraised Value:** \$53,675

**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:** 1

## 73. Property Transactions - Monroe Road Streetscape, parcel #6

**Action:** Approve the following Condemnation: Monroe Road Streetscape, parcel #6

**Project:** Monroe Road Streetscape, parcel #6

**Program:** Monroe Road Streetscape

**Owner(s):** Mec-Tric Properties Inc.

**Property Address:** 4118 Monroe Road

**Total Parcel Area:** 125,689 sq. ft. (2.89 ac.)

**Property to be acquired by Easements:** 85 sq. ft. (0.002 ac.) Bus Stop Improvement Easement, 2,708 sq. ft. (0.062 ac.) Sidewalk Utility Easement, 3,806 sq. ft. (0.087 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign

**Landscaping to be impacted:** Tree

**Zoned:** I-2

**Use:** Industry

**Tax Code:** 159-046-08

<https://polaris3g.mecklenburgcountync.gov/#mat=607116&pid=15904608&gisid=15904608>

**Appraised Value:** \$37,225

**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:** 1

## 74. Property Transactions - Monroe Road Streetscape, parcel #18 and 20

**Action:** Approve the following Condemnation: Monroe Road Streetscape, parcel #18 and 20

**Project:** Monroe Road Streetscape, parcel #18 and 20

**Program:** Monroe Road Streetscape

**Owner(s):** Momar Realty LLC

**Property Address:** 4326 Monroe Road

**Total Parcel Area:** 124,581 sq. ft. (2.86 ac.)

**Property to be acquired by Easements:** 2,580 sq. ft. (0.059 ac.) Utility Easement, 434 sq. ft. (0.01 ac.) Storm Drainage Easement, 2,297 sq. ft. (0.053 ac.) Sidewalk Utility Easement, 1,934 sq. ft. (0.044 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign

**Landscaping to be impacted:** Trees and shrubs

**Zoned:** B-2 and I-1

**Use:** Business District and Industry

**Tax Code:** 16107123, 16107135

<https://polaris3g.mecklenburgcountync.gov/#mat=128927&pid=16107123&qisid=16107123>

<https://polaris3g.mecklenburgcountync.gov/#mat=129183&pid=16107135&qisid=16107135>

**Appraised Value:** \$101,794

**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

## 75. Property Transactions - Monroe Road Streetscape, parcel #28

**Action:** Approve the following Acquisition: Monroe Road Streetscape, parcel #28

**Project:** Monroe Road Streetscape, parcel #28

**Program:** Monroe Road Streetscape

**Owner(s):** Vickie L. Renfro

**Property Address:** 4417 Monroe Road

**Total Parcel Area:** 16,748 sq. ft. (0.38 ac.)

**Property to be acquired by Easements:** 775 sq. ft. (0.018 ac.) Utility Easement, 578 sq. ft. (0.013 ac.) Sidewalk Utility Easement, 397 sq. ft. (0.009 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign and parking lot

**Landscaping to be impacted:** Tree and shrubs

**Zoned:** B-1

**Use:** Business

**Tax Code:** 159-061-19

<https://polaris3g.mecklenburgcountync.gov/#mat=130709&pid=15906119&qisid=15906119>

**Purchase Price:** \$33,775

**Council District:** 5

## 76. Property Transactions - Monroe Road Streetscape, parcel #29

**Action:** Approve the following Condemnation: Monroe Road Streetscape, parcel #29

**Project:** Monroe Road Streetscape, parcel #29

**Program:** Monroe Road Streetscape

**Owner(s):** St. George Eritrean Orthodox Church Inc.

**Property Address:** 4419 Monroe Road

**Total Parcel Area:** 32,375 sq. ft. (0.74 ac.)

**Property to be acquired by Easements:** 1,181 sq. ft. (0.027 ac.) Utility Easement, 1,188 sq. ft. (0.027 ac.) Sidewalk Utility Easement, 791 sq. ft. (0.018 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign and parking space

**Landscaping to be impacted:** Bushes

**Zoned:** B-1

**Use:** Business District

**Tax Code:** 159-061-20

<https://polaris3g.mecklenburgcountync.gov/#mat=130796&pid=15906120&gisid=15906120>

**Appraised Value:** \$41,800

**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

## 77. Property Transactions - Monroe Road Streetscape, parcel #45

**Action:** Approve the following Condemnation: Monroe Road Streetscape, parcel #45

**Project:** Monroe Road Streetscape, parcel #45

**Program:** Monroe Road Streetscape

**Owner(s):** The Zeje Group LLC

**Property Address:** 4814 Monroe Road

**Total Parcel Area:** 12,750 sq. ft. (0.29 ac.)

**Property to be acquired by Easements:** 71 sq. ft. (0.002 ac.) Storm Drainage Easement, 1,090 sq. ft. (0.025 ac.) Sidewalk Utility Easement, 678 sq. ft. (0.016 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign and fence

**Landscaping to be impacted:** None

**Zoned:** O-2

**Use:** Office District

**Tax Code:** 161-082-15

<https://polaris3g.mecklenburgcountync.gov/#mat=137298&pid=16108215&qisid=16108215>

**Appraised Value:** \$16,800

**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

## 78. Property Transactions - Monroe Road Streetscape, parcel #49

**Action:** Approve the following Acquisition: Monroe Road Streetscape, parcel #49

**Project:** Monroe Road Streetscape, parcel #49

**Program:** Monroe Road Streetscape

**Owner(s):** David S Segrest

**Property Address:** 4910 Monroe Road

**Total Parcel Area:** 12,752 sq. ft. (0.29 ac.)

**Property to be acquired by Easements:** 1,108 sq. ft. (0.025 ac.) Sidewalk Utility Easement, 1,196 sq. ft. (0.027 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign

**Landscaping to be impacted:** Trees

**Zoned:** B-1

**Use:** Business District

**Tax Code:** 161-082-22

<https://polaris3g.mecklenburgcountync.gov/#mat=135572&pid=16108222&qisid=16108222>

**Purchase Price:** \$25,000

**Council District:** 5

## 79. Property Transactions - Monroe Road Streetscape, parcel #51

**Action:** Approve the following Condemnation: Monroe Road Streetscape, parcel #51

**Project:** Monroe Road Streetscape, parcel #51

**Program:** Monroe Road Streetscape

**Owner(s):** DBL Happy LLC

**Property Address:** 4914 Monroe Road

**Total Parcel Area:** 16,755 sq. ft. (0.38 ac.)

**Property to be acquired by Easements:** 1,112 sq. ft. (0.026 ac.) Sidewalk Utility Easement, 1,036 sq. ft. (0.024 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign and parking lot

**Landscaping to be impacted:** Tree

**Zoned:** O-2

**Use:** Office District

**Tax Code:** 161-081-20

<https://polaris3g.mecklenburgcountync.gov/#mat=138839&pid=16108120&qisid=16108120>

**Appraised Value:** \$23,175

**Property Owner's Concerns:** The property owner is concerned about 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:** 5

## 80. Property Transactions - Monroe Road Streetscape, parcel #52

**Action:** Approve the following Condemnation: Monroe Road Streetscape, parcel #52

**Project:** Monroe Road Streetscape, parcel #52

**Program:** Monroe Road Streetscape

**Owner(s):** Emma Allen Insurance Agency Inc

**Property Address:** 4920 Monroe Road

**Total Parcel Area:** 12,757 sq. ft. (0.29 ac.)

**Property to be acquired by Easements:** 1,113 sq. ft. (0.026 ac.) Sidewalk Utility Easement, 987 sq. ft. (0.023 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign

**Landscaping to be impacted:** Irrigation system, trees, and various plants

**Zoned:** O-2

**Use:** Office District

**Tax Code:** 161-081-19

<https://polaris3g.mecklenburgcountync.gov/#mat=139122&pid=16108119&qisid=16108119>

**Appraised Value:** \$40,425

**Property Owner's Concerns:** The property owner is concerned about 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:** 5

## 81. Property Transactions - Monroe Road Streetscape, parcel #60

**Action:** Approve the following Acquisition: Monroe Road Streetscape, parcel #60

**Project:** Monroe Road Streetscape, parcel #60

**Program:** Monroe Road Streetscape

**Owner(s):** Oakhurst Baptist Church

**Property Address:** 5037 Monroe Road

**Total Parcel Area:** 85,203 sq. ft. (1.96 ac.)

**Property to be acquired by Easements:** 978 sq. ft. (0.022 ac.) Sidewalk Utility Easement, 3,019 sq. ft. (0.069 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Sign and driveway

**Landscaping to be impacted:** Tree

**Zoned:** R-17 MF

**Use:** Multi-family Residential

**Tax Code:** 161-051-15

<https://polaris3g.mecklenburgcountync.gov/#mat=141621&pid=16105115&qisid=16105115>

**Purchase Price:** \$23,375

**Council District:** 5

## 82. Property Transactions - XCLT Craighead to Tryon, parcel #8

**Action:** Approve the following Acquisition: XCLT Craighead to Tryon, parcel #8

**Project:** XCLT Craighead to Tryon, parcel #8

**Program:** XCLT Craighead to Tryon

**Owner(s):** Raleigh 20 LLC

**Property Address:** 4301 and 4311 Raleigh Street

**Total Parcel Area:** 147,539 sq. ft. (3.39 ac.)

**Property to be acquired by Easements:** 1,843 sq. ft. (0.042 ac.) Greenway Easement, 965 sq. ft. (0.022 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** TOD-M(O)

**Use:** Transit Oriented Development - Mixed use, Optional

**Tax Code:** 091-051-25

<https://polaris3g.mecklenburgcountync.gov/#mat=526481&pid=09105125&gisid=09105125>

**Purchase Price:** \$46,450

**Council District:** 1

### 83. Property Transactions - XCLT Orr Road to Rocky River Road, Parcel #7 and 8

**Action:** Approve the following Condemnation: XCLT Orr Road to Rocky River Road, Parcel #7 and 8

**Project:** XCLT Orr Road to Rocky River Road, Parcel #7 and 8

**Program:** XCLT Orr Road to Rocky River Road

**Owner(s):** 5801 and 5803 Orr Road LLC

**Property Address:** 5801 Orr Road

**Total Parcel Area:** 196,696 sq. ft. (4.52 ac.)

**Property to be acquired by Easements:** 14,023 sq. ft. (0.322 ac.) Greenway Easement, 13,905 sq. ft. (0.319 ac.) Temporary Construction Easement, 983 sq. ft. (0.02 ac.) Sidewalk Utility Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** I-2

**Use:** Industrial

**Tax Code:** 049-021-13, 049-021-14

<https://polaris3g.mecklenburgcountync.gov/#mat=155433&pid=04902113&qisid=04902113>

<https://polaris3g.mecklenburgcountync.gov/#mat=348706&pid=04902114&qisid=04902114>

**Appraised Value:** \$65,825

**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:** 4

## 84. Property Transactions - XCLT Orr Road to Rocky River Road, Parcel #15

**Action:** Approve the following Condemnation: XCLT Orr Road to Rocky River Road, Parcel #15

**Project:** XCLT Orr Road to Rocky River Road, Parcel #15

**Program:** XCLT Orr Road to Rocky River Road

**Owner(s):** Charlotte Hills Mobile Home Park LLC

**Property Address:** 6028 McDaniel Lane

**Total Parcel Area:** 695,992 sq. ft. (15.98 ac.)

**Property to be acquired by Easements:** 39,229 sq. ft. (0.901 ac.) Greenway Easement, 39,906 sq. ft. (0.916 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** R-MH

**Use:** Residential - Mobile Home

**Tax Code:** 049-041-05

<https://polaris3g.mecklenburgcountync.gov/#mat=591078&pid=04904105&gisid=04904105>

**Appraised Value:** \$60,875

**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:** 4

## 85. Property Transactions - XCLT Orr Road to Rocky River Road, Parcel #18

**Action:** Approve the following Condemnation: XCLT Orr Road to Rocky River Road, Parcel #18

**Project:** XCLT Orr Road to Rocky River Road, Parcel #18

**Program:** XCLT Orr Road to Rocky River Road

**Owner(s):** Kingswood NC LLC

**Property Address:** Ann Elizabeth Drive, Malcom Lane, Bessie Court, Moulton Court, Timberway Drive, Margaret Belle Lane, Martha Ellen Lane

**Total Parcel Area:** 2,588,665 sq. ft. (59.43 ac.)

**Property to be acquired by Easements:** 12,442 sq. ft. (0.286 ac.) Greenway Easement, 13,993 sq. ft. (0.321 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** None

**Zoned:** R-MH

**Use:** Residential - Mobile Home

**Tax Code:** 049-071-02

<https://polaris3g.mecklenburgcountync.gov/#mat=441215&pid=04907102&gisid=04907102>

**Appraised Value:** \$21,175

**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:** 4

## Adjournment

## REFERENCES

## 86. 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.

## 87. 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.

## 88. 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.