

# City of Charlotte

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



## Meeting Agenda

**Monday, September 14, 2020**

**Virtual Meeting Hosted from Room 267**

### **City Council Business Meeting**

*Mayor Vi Lyles*  
*Mayor Pro Tem Julie Eiselt*  
*Council Member Dimple Ajmera*  
*Council Member Tariq Scott Bokhari*  
*Council Member Ed Driggs*  
*Council Member Larken Egleston*  
*Council Member Malcolm Graham*  
*Council Member Reneé Johnson*  
*Council Member James Mitchell*  
*Council Member Matt Newton*  
*Council Member Victoria Watlington*  
*Council Member Braxton Winston II*

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

### **1. Mayor and Council Consent Item Questions and Answers**

**Staff Resource(s):**

Marie Harris, Strategy and Budget

**Time:** 10 minutes

**Synopsis**

Mayor and Council may ask questions about Consent agenda items.

### **2. Agenda Overview**

**Staff Resource(s):**

Marcus Jones, City Manager

### **3. HR and Fire Department Policy Review**

**Staff Resource(s):**

Angela Charles

**Time:** 20 minutes - Presentation; 20 minutes - Discussion

**Explanation**

- Provide results of current review.

### **4. Charlotte Moves Update**

**Staff Resource(s):**

Taiwo Jaiyeoba, City Manager's Office

**Time:** 20 minutes - Presentation; 20 minutes - Discussion

**Explanation**

- Provide an update on the Charlotte Moves Task Force.

### **5. Closed Session (as necessary)**

**6:30 P.M. CITY COUNCIL BUSINESS MEETING,  
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,  
VIRTUAL MEETING HOSTED FROM ROOM 267**

*Call to Order*

*Introductions*

*Invocation*

*Pledge of Allegiance*

## **AWARDS AND RECOGNITIONS**

### **6. Hispanic Heritage Month Proclamation**

**Action:**

Mayor Lyles will read a proclamation recognizing September 15, 2020 - October 15, 2020, as Hispanic Heritage Month.

### **7. National Welcoming Week Proclamation**

**Action:**

Mayor Lyles will read a proclamation recognizing September 12-20, 2020, as National Welcoming Week.

## **CONSENT**

- 8. Consent agenda items 30 through 67 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.**

Consideration of Consent Items shall occur in the following order:

- A. Items that have not been pulled, and
- B. Items with residents signed up to speak to the item.

## PUBLIC HEARING

### 9. Public Hearing for Retirement Clearinghouse, LLC Business Investment Grant

**Action:**

**Conduct a public hearing regarding approval of a Business Investment Grant to Retirement Clearinghouse, LLC.**

**Staff Resource(s):**

Tracy Dodson, City Manager's Office  
Frances West, Economic Development

**Explanation**

- Retirement Clearinghouse, LLC is a financial technology ("fintech") company founded in Charlotte in 2001 and is currently headquartered in Charlotte.
- On August 11, 2020, Retirement Clearinghouse, LLC announced it would stay in Charlotte and expand its existing headquarters.
- Retirement Clearinghouse, LLC has committed to a capital investment of \$4,200,000 and creation of 300 jobs to be hired over five-years with an average wage of \$72,717.
- In addition to the 300 new jobs, 60 current positions will be retained for the term of the grant.
- This action is requesting a public hearing be conducted regarding City Council approval of a not to exceed Business Investment Grant of \$78,686 over seven years.
  - On July 27, 2020, City Council, in Closed Session, indicated its intent to approve a Business Investment Grant to Retirement Clearinghouse, LLC.
- In addition to the Business Investment Grant, the State of North Carolina also approved a Job Development Investment Grant in the amount of \$3,267,000 and \$330,000 in community college training funds.

**Business Investment Grant**

- The general terms and conditions of this grant include:
  - Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
  - Property taxes due from Retirement Clearinghouse, LLC must be paid before a grant payment is made.
  - If Retirement Clearinghouse, LLC removes the investment from Charlotte during the grant term, it shall pay back 100 percent of the investment grant paid to date.
  - If Retirement Clearinghouse, LLC moves the investment from Charlotte within seven years of the end of the Business Investment Program (BIP) grant term, a portion of the grant must be repaid as follows:
    - Within one year of the end of the BIP Term - 90 percent of grant payments
    - Within two years of the end of the BIP Term - 75 percent of grant payments
    - Within three years of the end of the BIP Term - 60 percent of grant payments
    - Within four years of the end of the BIP Term - 45 percent of grant payments
    - Within five years of the end of the BIP Term - 30 percent of grant payments
    - Within six years of the end of the BIP Term - 20 percent of grant payments
    - Within seven years of the end of the BIP Term - 10 percent of grant payments

**Fiscal Note**

Funding: Business Investment Grant

**POLICY**

**10. City Manager's Report**

**BUSINESS**



## 11. Housing Trust Fund Support Request

### **Action:**

**Approve a \$2,425,000 Housing Trust Fund allocation to Ascent Real Estate Capital for the acquisition of the Lake Mist Apartments.**

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

Pamela Wideman, Housing and Neighborhood Services

Miles Vaughn, Housing and Neighborhood Services

### **Explanation**

- Ascent Real Estate Capital is requesting a Housing Trust Fund (HTF) allocation of \$2,425,000 for the acquisition of Lake Mist Apartments, located at 1100 Lake Mist Drive in Council District 3.
- Lake Mist Apartments meets the city's Naturally Occurring Affordable Housing (NOAH) criteria which include:
  - The property's age is greater than 15 years;
  - Rents are in the area median income (AMI) range that are at risk due to surrounding neighborhood dynamics;
  - The property can be rehabilitated to maintain a good quality of life for residents for the next 20 years or more;
  - The property is located in an area with close proximity to quality jobs, schools, and transportation infrastructure; and
  - The property is located in an area experiencing transformative change and property appreciation.
- The total development budget is \$20,084,000, which amounts to a 1:7 leverage ratio of HTF financing. The investment also includes a 20-year deed restriction for the preservation of 144 units at the following AMI levels:
  - 43 units at 30 percent AMI,
  - 7 units at 41 percent to 50 percent AMI,
  - 65 units at 51 percent to 60 percent AMI, and
  - 29 units at 61 percent to 80 percent AMI.
- A third-party inspection has been performed on the property to determine the existing property conditions.
- The proposed rehabilitation consists of the following:
  - Railing replacements;
  - Exterior lighting and safety improvements;
  - Site work and drainage improvements;
  - Heating, ventilation, and air conditioning unit and water heater replacements;
  - Appliance and lighting replacements; and
  - Flooring replacements.

### **Background**

- In August 2018, City Council adopted the Housing Charlotte Framework which recommends:
  - Prioritizing large-scale NOAH properties, and
  - Establishing a preservation fund to subsidize acquisition of NOAH properties, which is noted as a national best practice for preserving existing affordable and workforce housing.
- On March 25, 2019, City Council adopted Guidelines for Preserving Naturally Occurring Affordable Housing (guidelines). The goals of the guidelines include:
  - Limiting displacement of current residents by preserving existing affordability;
  - Preserving quality affordable and workforce housing by increasing the number of available deed-restricted units and the physical structure of the units;
  - Providing low-interest loans so that high-performing for-profit and non-profit owner operators can purchase and/or upfit NOAH properties and preserve them as affordable;
  - Allowing existing owners to participate in return for deed restrictions and demonstrated

- management and maintenance history; and
- Aligning guidelines with other city policies.

**Charlotte Business INClusion**

- All HTF funded projects and their developers are subject to MWSBE goals determined based on the amount of the HTF allocations received.

**Fiscal Note**

Funding: Housing Trust Fund

## 12. Grant for Financial Navigators Program

**Action:**

- A. Accept a grant in the amount of \$80,000 from the Cities for Financial Empowerment Fund, Inc. to implement a Financial Navigators Program in Charlotte, and**
- B. Adopt a budget ordinance appropriating \$80,000 from the Cities for Financial Empowerment Fund, Inc. in the Neighborhood Development Grants Fund.**

**Staff Resource(s):**

Pamela Wideman, Housing and Neighborhood Services

Lacey Williams, Housing and Neighborhood Services

**Explanation**

- Housing and Neighborhood Services has been awarded a grant from the Cities for Financial Empowerment Fund, Inc. (CFE) to develop and implement a Financial Navigators Program (Program).
- The Program will be administered by Common Wealth in partnership with the city and CFE.
- This Program will provide remote resources to support the financial stability of low- and moderate-income households that have been negatively impacted by COVID-19.
- This Program complements the city's existing efforts to support upward economic mobility and financial stability for residents.
- The total grant award is \$80,000 and does not require a local match.

**Fiscal Note**

Funding: Cities for Financial Empowerment Fund, Inc.

**Attachment(s)**

Budget Ordinance

[CFE Budget Ordinance](#)

### 13. Grant for Compressed Natural Gas Refuse Vehicles

**Action:**

- A. Accept a grant in the amount of \$949,449.60 from the North Carolina Department of Environmental Quality for the purchase of compressed natural gas refuse vehicles, and**
- B. Adopt a budget ordinance appropriating \$949,449.60 from the North Carolina Department of Environmental Quality in the General Capital Equipment Fund.**

**Staff Resource(s):**

Rodney Jamison, Solid Waste Services  
Ellen Price, Solid Waste Services

**Explanation**

- Solid Waste Services has been awarded a grant from the Fiscal Year (FY) 2021 Diesel Conversion Project (Project) to purchase three refuse trucks which are powered by compressed natural gas (CNG).
- The Project, administered by the North Carolina Department of Environmental Quality (NCDEQ), is funded by the Volkswagen Settlement On-Road Program and is focused on reducing transportation-related emissions in North Carolina.
- These vehicles support the Strategic Energy Action Plan and American Cities Climate Challenge goals of reducing greenhouse gas emissions.
- These three CNG vehicles will not expand the Solid Waste Services fleet as they will replace existing diesel fueled vehicles.
- The total estimated purchase cost is \$1,186,812 with \$949,449.60 coming from the NCDEQ grant and \$237,362.40 from the city's local match. The local match is available within current appropriations.

**Fiscal Note**

Funding: FY 2021 Diesel Conversion Project Grant and General Capital Equipment Fund

**Attachment(s)**

Budget Ordinance

[BO Solid Waste CNG Vehicles Grant 9.14.2020](#)

## 14. North Carolina Department of Transportation Safety Project

**Action:**

**Adopt a resolution supporting a North Carolina Department of Transportation safety project at NC27 (Freedom Drive) and Thriftwood Drive to improve traffic safety in support of the Vision Zero Action Plan.**

**Staff Resource(s):**

Liz Babson, Transportation  
Angela Berry, Transportation

**Explanation**

- The North Carolina Department of Transportation (NCDOT) conducted an evaluation of crash history at the intersection of NC27 (Freedom Drive) and Thriftwood Drive and found a history of angle type crashes resulting in two fatalities.
- The NCDOT proposed the conversion of this intersection to a directional left turn configuration intersection and will cover the cost of this project.
- The project requires a resolution of support for the use of NCDOT High Hazard Elimination funding.
- The project supports the Vision Zero Action Plan by advancing a safe transportation system for all users.
- NCDOT anticipates beginning design in Fiscal Year 2021.
- This intersection is located at the boundary of Council Districts 2 and 3.

**Fiscal Note**

Funding: North Carolina Department of Transportation

**Attachment(s)**

Map  
Resolution

[Freedom and Thriftwood proposed configuration](#)

[Resolution for Freedom and Thriftwood](#)

## 15. Supplemental Agreement for the McKee Road/Providence Road Intersection Improvements Project

### Action:

- A. Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation to accept Discretionary funds for the McKee Road/Providence Road Intersection Improvements project, and**
- B. Adopt a budget ordinance appropriating \$640,100 from the North Carolina Department of Transportation for the McKee Road/Providence Road Intersection Improvements project.**

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

Liz Babson, Transportation  
Ashley Landis, Transportation  
Phil Reiger, General Services  
Jennifer Smith, General Services

### **Explanation**

- The McKee Road/Providence Road Intersection Improvements project improves capacity and amenities for vehicles, pedestrians, and bicyclists. The project is located in Council District 7.
- The Charlotte Regional Transportation Planning Organization approved Discretionary funds for the McKee Road/Providence Road Intersection Improvements project in July 2020.
- The McKee Road/Providence Road Intersection Improvements project budget currently totals \$10,123,100.
  - In 2010 and 2018, the Charlotte City Council approved Transportation Bonds to appropriate \$7,000,000 and \$800,000, respectively, from the Capital Investment Plan budget for the McKee Road/Providence Road Intersection Improvements project.
  - On June 13, 2014, City Council appropriated an additional \$1,113,000 of NCDOT Congestion Mitigation Air Quality grant funding.
  - Through the FY 2021 Capital Investment Plan adoption, City Council authorized the reappropriation of \$570,000 of completed project savings to be added to this project.
  - An additional \$640,100 is being provided from NCDOT in Discretionary funds, bringing the total project funding to \$10,123,100.
- The increased funding from NCDOT will go towards replacement of unsuitable soils throughout the project limits, additional utility relocations, a new retaining wall required to help avoid additional costly relocations, and resolution of various pipe conflicts and associated traffic control. All of these have added to the cost of the original project scope.
- The McKee Road/Providence Road Intersection Improvements project is currently in the construction phase and is expected to be complete by third quarter 2021.

### **Fiscal Note**

Funding: North Carolina Department of Transportation

### **Attachment(s)**

Resolution  
Budget Ordinance

[Resolution - McKee-Providence Supplemental 2](#)

[NCDOT McKee-Providence BO](#)

## 16. Beaverdam Trunk Sanitary Sewer Construction

### Action:

- A. **Approve a contract in the amount of \$2,382,209.54 to the lowest responsive bidder Dellinger Inc. for the Beaverdam Trunk Sanitary Sewer project,**
- B. **Approve an amendment to the five-year developer reimbursable contract with Crescent Dixie River, LLC modifying the estimated cost to \$3,070,000, and**
- C. **Adopt a budget ordinance appropriating \$2,800,000 from Crescent Dixie River, LLC.**

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

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

### **Explanation**

#### Action A

- This contract will install approximately 7,000 linear feet of 24-inch sanitary sewer off Dixie River Road in the River District adjacent to Council District 3.
- On June 23, 2020, the city issued an Invitation to Bid; nine bids were received.
- Dellinger Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2021.

#### Actions B and C

- On March 26, 2018, Council approved a five-year reimbursable contract with Crescent Dixie River, LLC and a budget ordinance appropriating \$270,000 for the design phase of the project.
- The amendment will increase the amount of the agreement to include construction, inspection services, project administration, and any other expenses accrued from construction for a total estimated cost of \$3,070,000.
- The budget ordinance will increase the amount of the project budget to coincide with the agreement less deposits received.

### **Charlotte Business INclusion**

#### Action A

Established MSBE Goal: 7.00%

Committed MSBE Goal: 8.37%

MSBE Participation to Date: 8.80%

Dellinger Inc. met the established subcontracting goal and has committed \$199,481 or approximately 8.37% of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Mid Atlantic Erosion Control, Inc. (MBE, SBE) (\$87,404) (silt fence and stone installation)
- Sanders Constructors (SBE) (\$74,000) (right of way clearing and grubbing)
- All Points Trucking, Inc. (WBE, SBE) (\$38,077) (hauling)

Dellinger Inc. continues to work towards increasing their participation and, subsequent to the Bid Opening, has committed an additional \$10,200 or approximately 0.43% to the following certified firm:

- Soggy Bottom Erosion Control, LLC (SBE) (\$10,200) (seed and straw right of way)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

### **Attachment(s)**

Map  
Budget Ordinance

[Map-Beaverdam Trunk Sanitary Sewer Construction](#)

[Beaverdam Budget Ordinance](#)

## 17. Resolution to Close a Portion of West 25th Street

**Action:**

**Adopt a resolution and close a portion of West 25th Street.**

**Staff Resource(s):**

Liz Babson, Transportation

Casey Mashburn, Transportation

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The road to be closed is located in Council District 1.
- A public hearing for this resolution was held on August 10, 2020. No comments from the public were received.

**Petitioner**

Todd Jackovich

**Attachment(s)**

Map

Resolution

[W 25th St Abandonment Map](#)

[Resolution to Close 09.14.2020](#)

## 18. Resolution to Close an Alleyway between 23rd Street and 24th Street

**Action:**

Adopt a resolution and close an alleyway between 23rd Street and 24th Street

**Staff Resource(s):**

Liz Babson, Transportation

Casey Mashburn, Transportation

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The alleyway to be closed is located in Council District 1.
- A public hearing for this resolution was held on August 10, 2020. No comments from the public were received.

**Petitioner**

Alliance Realty Partners, LLC and Sumter Packaging Corporation

**Attachment(s)**

Map

Resolution

[Alleyway between 23rd & 24th Abandonment Map](#)

[Resolution to Close 9.14.2020](#)



## 19. Resolution to Close an Alleyway off Hawkins Street between West Worthington Avenue and West Boulevard

**Action:**

Adopt a resolution and close an alleyway off Hawkins Street between West Worthington Avenue and West Boulevard.

**Staff Resource(s):**

Liz Babson, Transportation

Casey Mashburn, Transportation

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The alleyway to be closed is located in Council District 3.
- A public hearing for this resolution was held on August 10, 2020. No comments from the public were received.

**Petitioner**

Commercial Development Holding, LLC

**Attachment(s)**

Map

Resolution

[Hawkins Street Alleyway Abandonment Map](#)

[Resolution to Close 09.14.2020](#)

## 20. Nominations to the Arts and Science Council Advisory Council

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

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

**Attachment(s)**

Arts and Science Council Advisory Council Policy

Arts and Science Council Advisory Council Membership Roster and Applications

## 21. Nominations to the Business Advisory Committee

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for an At-Large three-year term beginning upon appointment and ending April 28, 2023.
  - Div Bhingradia currently holds an at-large position on the Committee. The Asian American Chamber of Commerce has recommended Ms. Bhingradia as its representative. The Committee would like to recommend that Ms. Bhingradia move to represent the Asian American Chamber of Commerce and a new at-large member be appointed.
- One appointment for a three-year term recommended by the Black Chamber of Commerce beginning upon appointment and ending April 28, 2023.
  - Shante Williams did not meet attendance requirements.
- One appointment for a three-year term for a Certified SBE-Hispanic Contractors Association representative beginning upon appointment and ending April 28, 2023.
  - Domenico Santilli is eligible but not interested in reappointment.
- One appointment for a three-year term recommended by the Charlotte Regional Business Alliance beginning upon appointment and ending April 28, 2023.
  - Eric Cohen has resigned.
- One appointment for a three-year term recommended by the Latin American Chamber of Commerce beginning upon appointment and ending April 28, 2023.
  - Rocio Gonzalez-Zornosa did not meet attendance requirements.

**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 a Black Chamber of Commerce representative beginning upon appointment and ending February 28, 2022.
  - Michelle Keaton-Barrow is eligible but not interested in reappointment.
- One appointment for a two-year term for a Carolinas Asian-American Chamber of Commerce representative beginning upon appointment and ending February 28, 2022.
  - Shobha Rajpal has served two terms and is not eligible for reappointment.
- One appointment for a two-year term for a Hispanic Contractors Association of the Carolinas representative beginning upon appointment and ending February 28, 2022.
  - Milagritos Aguilar did not meet attendance requirements.

**Attachment(s)**

Charlotte Business Inclusion Advisory Committee Applications

## 23. Nominations to the Charlotte Community Capital Loan Fund

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a three-year term beginning October 2, 2020, and ending October 1, 2023.
  - Cory Busker is eligible and interested in reappointment.

**Attachment(s)**

Charlotte Community Capital Loan Fund Applications

## 24. Nominations to the Community Relations 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 beginning October 1, 2020, and ending September 30, 2023.
  - Shay Merritt has resigned.

**Attachment(s)**

Community Relations Committee Applications

## 25. Nominations to the Domestic Violence Advisory Board

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a partial term beginning immediately upon appointment and ending September 21, 2021.
  - M. Stefania Arteaga has resigned.
- One appointment for a three-year term beginning September 22, 2020, and ending September 21, 2023.
  - Tanisha Patterson-Powe is eligible and interested in reappointment.

**Attachment(s)**

Domestic Violence Advisory Board Applications

## 26. Nominations 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 an At-Large representative for a three-year term beginning upon appointment and ending June 30, 2023.
  - Nichelle Bonaparte is already a mayoral appointee.

**Attachment(s)**

Historic District Commission Applications

## 27. Nominations to Keep Charlotte Beautiful

**Action:**

**Nominate residents to serve as specified.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office

**Explanation**

- One appointment for a three-year term beginning July 1, 2020, and ending June 30, 2023.
  - Brie Carlson has resigned.

**Attachment(s)**

Keep Charlotte Beautiful Applications

## 28. Nominations 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 an Environment Professional representative for a three-year term beginning upon appointment and ending June 30, 2023.
  - Leslie Jones has served two terms and is not eligible for reappointment.

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

**Attachment(s)**

Transit Services Advisory Committee Applications

## CONSENT

### 30. Acquire Land for Charlotte Water Elevated Water Storage Tank

**Action:**

- A. Approve the purchase of 232 West Woodlawn Road (Parcel Identification Number 169-033-06) in the amount of \$1,787,100, and**
- B. Authorize the City Manager to execute all necessary documents to complete the transaction.**

**Staff Resource(s):**

Phil Reiger, General Services  
Jennifer Smith, General Services  
David Czerr, Charlotte Water

**Explanation**

- The 2015 Water System Master Plan includes four new elevated water storage tanks to meet capacity demands in the next 10 years. With the value of land rising in Mecklenburg County, Charlotte Water is working to acquire properties for these tanks in 2020.
- One zone requiring construction of a new elevated water storage tank is in north Charlotte, in Council District 3.
- A privately-owned property of approximately 3.885 acres, located within this zone, at 232 W. Woodlawn Road was identified as the most suitable location for the new elevated water storage tank based on proximity to water lines, hydraulic models, the ground elevation, topography, and results of geotechnical and environmental studies on the site.
- The terms of the acquisition are as follows:
  - Purchase price: \$1,787,100,
  - Due diligence: 120 days, and
  - Closing: 30 days.
- Following acquisition, construction is planned to begin in 2025.

**Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

**Attachment(s)**

Map

[Map Acquire Land for Charlotte Water Elevated Water Storage Tank.pdf](#)

## 31. Construct Marvin Road Sidewalk

### **Action:**

**Approve a contract in the amount of \$859,999.99 to the lowest responsive bidder Nassiri Development, LLC for the Marvin Road Sidewalk project.**

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

Phil Reiger, General Services

Jennifer Smith, General Services

### **Explanation**

- The project will construct approximately 0.7 miles of new sidewalk along Marvin Road between US 521 and Ardrey Kell Road in Council District 7.
- Work includes the installation of sidewalk, curb and gutter, accessible ramps, storm drainage, and pedestrian refuge islands.
- On May 11, 2020, the city issued an Invitation to Bid; eight bids were received.
- Nassiri Development, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2021.

### **Charlotte Business INclusion**

Nassiri Development, LLC is a city certified WBE and SBE.

Established MBE Goal: 5.00%

Committed MBE Goal: 8.37%

Nassiri Development, LLC, exceeded the established MBE subcontracting goal and has committed 8.37% (\$72,000) of the total contract amount to the following MBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (MBE, SBE) (\$60,000) (concrete)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$10,000) (hauling)
- Mid-Atlantic Erosion Control, Inc. (MBE, SBE) (\$2,000) (erosion control)

Established SBE Goal: 18.00%

Committed SBE Goal: 19.07%

Nassiri Development, LLC exceeded the established SBE subcontracting goal and has committed 19.07% (\$164,000) of the total contract amount to the following SBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distribution Services, LLC (WBE, SBE) (\$25,000) (utility materials)
- Trull Contracting, LLC (WBE, SBE) (\$50,000) (milling, paving)
- R.R.C. Concrete Inc (MBE, SBE) (\$60,000) (concrete)
- Striping Concepts, LLC (SBE) (\$17,000) (markings, stripings)
- Streeter Trucking Company, Inc. (MBE, SBE) (\$10,000) (hauling)
- Mid-Atlantic Erosion Control, Inc. (MBE, SBE) (\$2,000) (erosion control)

### **Fiscal Note**

Funding: General Capital Investment Plan

### **Attachment(s)**

Map

[Location Map - Construct Marvin Road Sidewalk](#)



## 32. Contract for Street Resurfacing

### **Action:**

**Approve a contract in the amount of \$20,400,523.31 to the lowest responsive bidder Blythe Construction Inc. for the resurfacing 2020-2022 project.**

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

Phil Reiger, General Services  
Mae Bryant, General Services  
Liz Babson, Transportation  
Charles Jones, Transportation

### **Explanation**

- Resurfacing is the most effective treatment to preserve and maintain the condition of streets. Timely resurfacing of streets improves ride quality, reduces the occurrence of potholes, and reduces the need for more costly future repairs.
- The 2020 - 2022 resurfacing contract will pave an estimated 92.71 miles in the city. The total mileage to be paved is dependent on asphalt price stability throughout the contract.
- Work will include traffic control, asphalt and concrete pavement milling, asphalt paving, base failure repair, asphalt surface treatment, utility adjustments, manhole frame and cover replacements, wheelchair ramp installation, sidewalk, curb repairs, and pavement markings.
- Streets are selected for repaving based on pavement condition ratings, field evaluations by staff, and information from a computerized pavement management system.
- Notice of resurfacing is provided to motorists through the use of highly visible signs placed on the street at least two weeks prior to the start of construction activities. Paving generally occurs between April and October.
- On June 29, 2020, the city issued an Invitation to Bid; four bids were received.
- Blythe Construction Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by December 31, 2022.

### **Charlotte Business INclusion**

Established MBE Goal: 5.00%

Committed MBE Goal: 5.00%

Blythe Construction Inc. met the established MBE subcontracting goal and has committed 5.00% (\$1,020,100) of the total contract amount to the following MBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Buffkin Trucking, Inc. (MBE, SBE) (\$1,020,100) (hauling)

Established SBE Goal: 19.00%

Committed SBE Goal: 19.00%

Blythe Construction Inc. met the established SBE subcontracting goal and has committed 19.00% (\$3,876,500) of the total contract amount to the following SBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- DOT Construction, Inc. (SBE) (\$2,279,085) (concrete)
- Buffkin Trucking, Inc. (MBE, SBE) (\$1,020,100) (hauling)
- All Points Trucking, Inc. (WBE, SBE) (\$309,916) (hauling)
- Striping Concepts, LLC (SBE) (\$225,149) (pavement markings)
- Tarpon Construction, Inc. (SBE) (\$42,250) (asphalt speed humps)

### **Fiscal Note**

Funding: Powell Bill Fund and Charlotte Water Capital Investment Plan

### **Attachment(s)**

Map  
List of streets

[2021-2022 Projected Resurfacing Map](#)

[2021-2022 Projected Street List](#)

### 33. Electrical Supplies

**Action:**

- A. **Approve the purchase of electrical supplies and related products from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
- B. **Approve a unit price contract amendment with Anixter Inc. for the purchase of electrical supplies and related products for a term of five years under General Services Administration Contract Number GS-07F-6060R, September 1, 2005, and**
- C. **Authorize the City Manager to extend the contract for additional terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

**Staff Resource(s):**

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

**Cooperative Purchasing Exemption**

NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

**Explanation**

- The city is responsible for the operations and maintenance of various types of municipal facilities, structures, and assets across its facilities portfolio including office, warehouse, and storage space; unique facilities for public safety and vehicle maintenance; and communication towers.
- Anixter Inc. stocks parts and supplies that are no longer readily available from other sources including parts and equipment for door access control systems and electronic locks.
- G.S. 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise that can be utilized on a local, regional, and national level.
- Total estimated annual expenditures are \$100,000.

**Charlotte Business INclusion**

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

**Fiscal Note**

Funding: General Capital Investment Plan and Cultural Facilities' Operating Budgets

## 34. Construct Queens Road Phase 2 Storm Drainage Improvement Project

### **Action:**

**Approve a contract in the amount of \$1,512,088.60 to the lowest responsive bidder Mountaineer Contractors, Inc. for the Queens Road Phase 2 Storm Drainage Improvement project.**

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

Phil Reiger, General Services

Mike Davis, General Services

Matt Gustis, General Services

### **Explanation**

- This project is located in the upper Little Sugar Creek watershed with boundaries of Baxter Street to the north, Henley Place to the south, Queens Road to the east, and Kings Drive to the west, in Council District 1.
- This contract will improve approximately 700 linear feet of storm drainage pipe and associated sanitary sewer, water lines, sidewalk, paving, curb, gutter, and driveways.
- On June 29, 2020, the city issued an Invitation to Bid; 12 bids were received.
- Mountaineer Contractors, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2021.

### **Charlotte Business INclusion**

Established MBE Goal: 8.00%

Committed MBE Goal: 8.16%

Mountaineer Contractors, Inc. exceeded the established MBE subcontracting goal, and has committed 8.16% (\$123,338) of the total contract amount to the following MBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- R.R.C. Concrete Inc (MBE, SBE) (\$68,045) (concrete)
- JKEI Trucking (MBE, SBE) (\$50,954) (hauling)
- Mid-Atlantic Erosion Control, Inc. (MBE, SBE) (\$4,339) (erosion control)

Established SBE Goal: 20.00%

Committed SBE Goal: 26.31%

Mountaineer Contractors, Inc. exceeded the established SBE subcontracting goal, and has committed 26.31% (\$397,760) of the total contract amount to the following SBE certified firm(s) (Part B: Section 3 of the Charlotte Business INclusion Policy):

- AMP Utility Distribution Services, LLC (WBE, SBE) (\$171,620) (materials)
- Trull Contracting, LLC (WBE, SBE) (\$78,895) (asphalt)
- R.R.C. Concrete Inc (MBE, SBE) (\$68,045) (concrete)
- JKEI Trucking (MBE, SBE) (\$50,954) (hauling)
- Maybury Fencing Inc. (WBE, SBE) (\$23,907) (fencing)
- Mid-Atlantic Erosion Control, Inc. (MBE, SBE) (\$4,339) (erosion control)

### **Fiscal Note**

Funding: Storm Water Capital Investment Plan

### **Attachment(s)**

Map

[Map Construct Queens Road Phase 2 Storm Drainage Improvement Project.pdf](#)

## 35. Bypass Pumping Services for Declared Emergencies

### Action:

- A. Approve unit price contracts with the following companies for bypass pumping services for federally declared emergencies for an initial term of two years:**
- Sunbelt Rentals, Inc.,
  - Western Oilfields Supply Company dba Rain for Rent,
  - Xylem Dewatering Solutions, Inc., and
- B. Authorize the City Manager to renew the contracts for up to four, 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):**

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

### **Explanation**

- These contracts will allow for rental of pumps and related equipment with multiple vendors to perform bypass pumping to reroute flow throughout the water and wastewater system during emergency repairs.
- On June 8, 2020, the city issued a Request for Proposals (RFP); four responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Total annual expenditures are estimated to be \$640,000.
- These contracts include components necessary to be eligible for federal reimbursement for declared emergencies.

### **Charlotte Business INClusion**

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

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

### **Fiscal Note**

Funding: Charlotte Water Operating Budget

## 36. Design Amendment for Pump Stations, Force Main, and Receiving Sanitary Sewer Improvements

### **Action:**

**Approve a contract amendment for \$1,965,145 with State Utility Contractors, Inc. for additional Design-Build design services for the Coffey Creek Interceptor Condition Assessment and Rehabilitation project.**

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

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

### **Explanation**

- This amendment includes design services, real estate acquisition, and development of a guaranteed maximum price (GMP) for construction of a new alternative to the Coffey Creek Interceptor project to install approximately 23,000 feet of sanitary sewer pipe to serve areas north of Charlotte Douglas International Airport (Council Districts 2 and 3) and future sanitary sewer flow from the City of Mount Holly.
- This project will be delivered in close coordination with the upcoming Paw Creek Pump Station and Force Main Improvements, Taggart Creek Flow Diversion Structure, and Mount Holly Pump Station and Force Main projects.
- On January 14, 2019, City Council approved a contract with State Utility Contractors, Inc. for Design-Build design services.
- In the future, City Council will receive a request for the approval of the GMP for the Coffey Creek Interceptor project once it is 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). State Utility Contractors, Inc. has committed \$377,150 or approximately 19.19% of the total contract for Design-Build design services to the following certified firms:

- CES Group Engineers, LLP (WBE, SBE) (\$164,245) (surveying)
- Sweetwater Utility Exploration, LLC (SBE) (\$56,450) (subsurface utility locates)
- Joel E. Wood & Associates, PLLC (SBE) (\$54,455) (geotechnical and material testing)
- Gavel & Dorn Engineering, PLLC (SBE) (\$50,000) (capacity assessment and project QA/QC)
- Gulf Coast, LLC (SBE) (\$20,000) (real estate acquisition services)
- CITI, LLC (MBE) (\$15,000) (SCADA integration services)
- SEPI Engineering & Construction, Inc. (WBE) (\$15,000) (permitting)
- Mid-Carolina Reprographics, LLC (WBE, SBE) (\$2,000) (copying and reproduction)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

### **Attachment(s)**

Map

[Map-Design Amendment for Pump Stations, Force Main, and Receiving Sanitary Sewer Improvements](#)

## 37. Design Phase Services for Irwin Tributary Sanitary Sewer along Remount Road

### **Action:**

- A. Approve a contract in the amount of \$3,413,127.50 with B.R.S., Inc. for Design-Build design phase services for the Irwin Tributary Sanitary Sewer along Remount Road project, and**
- B. Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

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

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

### **Explanation**

- This project will provide design phase services and development of a guaranteed maximum price (GMP) for construction of approximately 14,000 linear feet of sanitary sewer pipe in the Irwin Basin, moving east from Revolution Golf Course across Interstate 77 to the intersection at Remount Road and South Tryon Street (Council District 3).
- The project will require the acquisition of easements along the sanitary sewer main corridor. During acquisition negotiation, property owners will have an opportunity to voice comments and concerns about the alignment of the sewer and easement acquisition affecting their property.
- On May 5, 2020, the city issued a Request for Qualifications (RFQ); seven proposals were received.
- B.R.S., Inc. is the best qualified firm to meet the city's needs on the basis of demonstrating competence and qualification of professional services in response to the RFQ requirements.
- In the future, Council will receive a request for the approval of the GMP once it is 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). B.R.S., Inc. has committed \$963,350 or approximately 28.22% of the total contract to the following certified firms:

- Stewart Engineering, Inc. (MBE) (\$415,860) (ground survey, plats, soft digs)
- Habitat Assessment and Restoration Program, Inc (WBE, SBE) (\$185,580) (environmental)
- Gulf Coast, LLC (SBE) (\$147,600) (real estate acquisition)
- Pipe Pros, LLC (SBE) (\$90,945) (cctv)
- Froehling & Robertson, Inc (MBE) (\$81,835) (geotechnical)
- Avioimage Mapping Services, Inc (SBE) (\$41,530) (aerial mapping)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

### **Attachment(s)**

Map

[Map-Design Phase Services for Irwin Tributary Sanitary Sewer along Remount Road \(002\)](#)

## 38. Fiscal Year 2021 Sanitary Sewer Rehabilitation

### Action:

- A. Approve a unit price contract with Atlantic Coast Contractors, Inc. for the Fiscal Year 2021 Sanitary Sewer Rehabilitation project 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):**

David Czerr, Charlotte Water  
Ron Hargrove, Charlotte Water  
Scott Clark, Charlotte Water

### **Explanation**

- This contract will provide contractor services to Charlotte Water for medium- to large-scale repair, replacement, and rehabilitation projects.
- The work is necessary in order to maintain operational integrity of the sanitary sewer system. Charlotte Water will also be able to address structural issues as a preventative measure to reduce sanitary sewer overflows with this contract.
- On June 18, 2020, the city issued an Invitation to Bid (ITB); 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 July 16, 2020, the ITB was re-issued; two bids were received.
- Atlantic Coast Contractors, Inc. was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$3,910,670.

### **Charlotte Business INclusion**

Established MSBE Goal: 10.00%

Committed MSBE Goal: 11.12%

Atlantic Coast Contractors, Inc. met the established subcontracting goal and has committed \$435,000 or approximately 11.12% of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Central Carolina Underground (SBE) (\$200,000) (manhole rehab)
- Pipe Pros LLC (SBE) (\$100,000) (sewer inspection and cleaning)
- Right Of Way Contractors, LLC (MBE) (\$40,000) (water and sewer utility construction)
- Silverback Brothers, LLC (MBE, SBE) (\$30,000) (hauling)
- AMP Utility Distribution Services, LLC (WBE, SBE) (\$25,000) (waterworks)
- Jones Grading & Fencing, Inc. (MBE, SBE) (\$25,000) (hauling)
- Venture Utility Construction, Inc. (SBE) (\$10,000) (water and sewer utility construction)
- Mid Atlantic Erosion Control, Inc. (MBE, SBE) (\$5,000) (erosion control)

### **Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

## 39. Long Creek Pump Station Improvements

**Action:**

**Approve a guaranteed maximum price of \$1,122,311 to The Haskell Company for the purchase of materials and equipment needed for Design-Build construction services for the Long Creek Pump Station Improvements project.**

**Staff Resource(s):**

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

**Explanation**

- The Haskell Company has developed a guaranteed maximum price (GMP) for infrastructure improvements at the existing Long Creek Pump Station (adjacent to Council Districts 2 and 3). This work is associated with an overall project to accept wastewater from the City of Mount Holly into the future Stowe Regional Water Resource Recovery Facility.
- On September 10, 2018, and on December 11, 2018, City Council previously adopted resolutions for this project with the City of Mount Holly.
- City Council approved a contract with The Haskell Company for Design-Build design services on July 8, 2019, and for construction services on March 16, 2020.
- Council will receive future requests for the approval of remaining project GMPs once they are established.

**Disadvantaged Business Enterprise**

This project is subject to the North Carolina Clean Water State Revolving Fund (CWSRF) loan program guidelines, which only require MWBE goals on Construction Contracts.

**Fiscal Note**

Funding: Charlotte Water Capital Investment Plan

**Attachment(s)**

Map

[Map-Long Creek Pump Station Improvements](#)



## 40. CATS Property Management Contract

### Action:

- A. Approve a contract in the amount of \$3,071,832 with NAI Southern Real Estate for property management services for a term of three years, and**
- B. Authorize the City Manager to renew the contract for 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):**

John Lewis, CATS  
Allen Smith, CATS

### **Explanation**

- The city uses the Charlotte Transit Center (CTC) as the main terminal and transfer point for Charlotte's public transit system.
- Property management services are needed at the CTC to manage leased spaces and CATS staff spaces.
- The contracted property management services include maintenance, janitorial, landscaping, and CTC tenant-leasing.
- On June 18, 2020, the city issued a Request for Proposal (RFP); two responses were received.
- NAI Southern Real Estate best meets the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Under the contract:
  - NAI Southern Real Estate will be reimbursed up to \$872,207 annually for expenses paid on behalf of CATS to operate the CTC;
  - The annual management, staff, and administrative fees are estimated to be \$143,097; and
  - Any commissions due to NAI Southern Real Estate for new or renewed leases will be paid in accordance with the contract. The annual commission rates are within industry standards and are estimated at \$8,640.
- Total annual expenditures are estimated to be \$1,023,944.

### **Charlotte Business INclusion**

The city negotiates subcontracting participation after the firm is selected for this services contract (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). NAI Southern Real Estate has committed \$1,586,263 or approximately 51.60% of the total contract amount to the following certified firm(s):

- Johnson Group (WBE) (\$1,518,067) (Janitorial Services)
- Republic Electric (MBE) (Task Order Repairs) (Electrical Services)
- Mecklenburg Paint (WBE, SBE) (Task Order Repairs) (Painting)
- Greene Fabrication & Welding (MBE, SBE) (Task Order Repairs) (Metal Refinishing)
- RLM Group/ Fast signs Charlotte (SBE) (Task Order Repairs) (Signage)
- Joffie Contracting (SBE) (\$30,000) (Window Cleaning)
- Triple L. Landscaping (MBE, SBE) (\$38,196) (Landscaping, grounds maintenance)

### **Fiscal Note**

Funding: CATS Operating Budget

## 41. CATS Transit Marketing and Communications Services Contract Award

### Action:

- A. **Approve a contract with Saturday Brand Communications for marketing and communications 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):**

John Lewis, CATS

### **Explanation**

- The Charlotte Area Transit System (CATS) provides millions of passenger trips every year. CATS strives to communicate with the community using strong, engaging, and effective messaging to increase awareness about CATS services and projects and to encourage residents to ride and/or support the system.
- Employing a marketing firm will assist CATS in reaching various audiences and enhancing the brand while strengthening its image around the Charlotte region.
- Annual expenditures are estimated to be \$300,000.

### **Charlotte Business INclusion**

Saturday Brand Communications, Inc. is a City Certified SBE.

Established MWSBE Goal: 5.00%

Committed MWSBE Goal: 5.00%

Saturday Brand Communications, Inc. met the established subcontracting goal and has committed 5.00% (\$45,000) of the total contract amount to the following certified firm (Part C: Section 2.1 of the Charlotte Business INclusion Policy):

- Sequel, LLC (SBE) (\$45,000) (marketing consulting & strategic consulting)

### **Fiscal Note**

Funding: CATS Operating Budget

## 42. Envision My Ride: Bus Corridor Study

### Action:

- A. **Approve a contract in an amount up to \$510,000 with Kittelson & Associates for professional planning and design services related to the Envision My Ride: Bus Corridor Study, and**
- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

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

John Lewis, CATS  
Jason Lawrence, CATS  
Bruce Jones, CATS

### **Explanation**

- The Envision My Ride: Bus Corridor Study will:
  - Develop speed and reliability recommendations for the planned high frequency bus routes that will include queue jumpers, signal priority/pre-emption, dedicated bus lanes and related bus priority treatments,
  - Create a mobility hub location report,
  - Evaluate transit stop amenity program and policies,
  - Develop recommendations for a new family of bus stop amenities, and
  - Make Americans with Disabilities Act transition recommendations for bus stop corrections, enhancements and improvements in coordination with the City of Charlotte's ADA Accessibility Assessment.
- On April 3, 2020, the city issued a Request for Qualifications (RFQ); five responses were received.
- Kittelson & Associates was selected as the best qualified firm to meet the city's needs on the basis of demonstrated experience, project understanding, and project approach in response to the RFQ requirements.

### **Disadvantaged Business Enterprise**

Established DBE Goal: 5.00%  
Committed DBE Goal: 19.58%

Kittelson & Associates exceeded the established subtracting goal and has committed 19.58% (\$99,854) of the total contract amount to the following certified firm:

- Foursquare ITP (DBE) (\$99,854) (Consulting services)

### **Fiscal Note**

Funding: CATS Operating Budget

## 43. Bond Issuance Confirmation for Midland Commons Apartments

### **Action:**

**Adopt a resolution confirming the September 23, 2019, resolution granting INLIVIAN's request to issue multi-family housing revenue bonds, in an amount not to exceed \$3,246,000, to finance the acquisition and rehabilitation of Midland Commons Apartments**

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

Pamela Wideman, Housing and Neighborhood Services

### **Explanation**

- This action will not obligate the city financially or impact the Capital Investment Plan and is requested to satisfy Section 147(f) of the Internal Revenue Service Code of 1986.
- This action confirms City Council's prior adoption of a resolution on September 23, 2019, authorizing INLIVIAN to issue multi-family housing revenue bonds for Midland Commons Apartments, a 60-unit existing affordable housing development, to be owned, rehabilitated, and operated by National Church Residences. The development is located at 2457 Midland Avenue in Council District 3.
- The developer's financing from the U.S. Department of Housing and Urban Development (HUD) has been delayed due to the pandemic. As a result, INLIVIAN's issuance of multi-family housing revenue bonds has also been delayed. Pursuant to the federal tax code, if a developer does not close on multi-family housing revenue bonds within a year of the original resolution's adoption, the local governmental unit with jurisdiction over the area where the development is located must confirm its original resolution.
- The INLIVIAN bonds, which are not to exceed \$3,246,000, will be used to finance acquisition and rehabilitation of the development.
- There is no Housing Trust Fund allocation or other city financial support affiliated with this development or the approval of this bond issuance.

### **Background**

- The developer applied for four percent low income housing tax credits and housing bond allocation capacity from the North Carolina Housing Finance Agency, as well as funding from HUD, to finance the acquisition and rehabilitation of the development.
- The North Carolina Housing Finance Agency approved the application pursuant to its Qualified Allocation Plan, and awarded the requested four percent tax credits and bond allocation capacity totaling \$3,246,000 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 multi-family housing revenue 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 Confirmation Resolution

[Midland Commons Council Confirmation Resolution Affirming TEFRA Approval.docx](#)

## 44. Resolution of Intent to Abandon a Portion of North Myers Street

**Action:**

- A. Adopt a Resolution of Intent to abandon a portion of North Myers Street, and
- B. Set a Public Hearing for October 12, 2020.

**Staff Resource(s):**

Liz Babson, Transportation

Casey Mashburn, Transportation

**Explanation**

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The road is located in Council District 1.

**Petitioners**

Trustees of Little Rock AME Zion Church

**Attachment(s)**

Map

Resolution

[A Portion N Myers St Abandonment Map](#)

[Resolution of Intent 9.14.2020](#)

## 45. Set Public Hearing on I-485 and Arrowood Road Area Voluntary Annexation

### **Action:**

**Adopt a resolution setting the public hearing for October 12, 2020, for the I-485 and Arrowood Road Area voluntary annexation petition.**

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

Taiwo Jaiyeoba, City Manager's Office

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.
- Area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly land development review, extension of city services, capital investments, and future annexation processes.
- The 236.2 acre "I-485 and Arrowood Road" site is located east of Interstate 485 Highway and north of West Arrowood Road.
  - The property is currently vacant.
  - The petitioner has plans to construct a mixed-use development that includes residential, commercial, office, and industrial uses. The residential uses include 270 multi-family units. Commercial uses include 3,000 square feet of retail, eating, drinking, entertainment establishments, and personal services. Other commercial uses include 2,030,000 square feet of non-retail related use and 140 hotel rooms. The proposed industrial uses would be 2,000,000 square feet with 30,000 square feet of commercial uses.
  - The property is zoned I-1(CD) which allows for light industrial uses and MUDD-O which allows for mixed use development of office, commercial, and residential uses.
  - The property is located adjacent to City Council District 3.
  - Petitioned area consists of two parcels, parcel identification numbers 201-051-06 and 201-051-08.

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

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

### **Attachment(s)**

Map

Resolution

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

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

## 46. Set Public Hearing on Northlake Centre Parkway Northeast Area Voluntary Annexation

### **Action:**

**Adopt a resolution setting the public hearing for October 12, 2020, for the Northlake Centre Parkway Northeast Area voluntary annexation petition.**

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

Taiwo Jaiyeoba, City Manager's Office

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.
- Area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly land development review, extension of city services, capital investments, and future annexation processes.
- The 15.545 acre "Northlake Centre Parkway Northeast" site is located east of Northlake Centre Parkway and south of Interstate 485 Highway.
  - The property is currently vacant.
  - The petitioner has plans to develop a multi-family residential community. The residential uses include 300 multi-family units.
  - The property is zoned UR-2(CD) which allows for moderately dense residential development.
  - The property is located adjacent to City Council District 2.
  - Petitioned area consists of one parcel, parcel identification number 025-081-26.

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

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

### **Attachment(s)**

Map

Resolution

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

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

## 47. Refund of Property Taxes

**Action:**

**Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$7,253.69.**

**Staff Resource(s):**

Kelly Flannery, Finance

**Explanation**

- Mecklenburg County notified and provided the city the list of property refunds due to clerical or assessment error.

**Attachment(s)**

Taxpayers and Refunds Requested  
Resolution Property Tax Refunds

[List of Taxpayers.pdf](#)

[Resolution.pdf](#)

## 48. Meeting Minutes

**Action:**

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

- **August 10, 2020 Business Meeting, and**
- **August 25, 2020 Special Business Meeting.**

**Staff Resource(s):**

Stephanie Kelly, City Clerk's Office



## PROPERTY TRANSACTIONS

### 49. Charlotte Water Property Transactions - Little Hope Creek Sanitary Sewer Improvements, Parcel #2

**Action:** Approve the following Condemnation: Little Hope Creek Sanitary Sewer Improvements, Parcel #2

**Project:** Little Hope Creek Sanitary Sewer Improvements, Parcel #2

**Owner(s):** Magnolia Park Townhome Association, Inc.

**Property Address:** N/A located between Tyvola Road and Duvalla Avenue

**Total Parcel Area:** 162,397 sq. ft. (3.73 ac.)

**Property to be acquired by Easements:** 3,405 sq. ft. (0.08 ac.) in Sanitary Sewer Easement, 2,431 sq. ft. (0.06 ac.) in Temporary Construction Easement

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

**Landscaping to be impacted:** None

**Zoned:** R-22MF

**Use:** Multifamily

**Tax Code:** 171-245-97

<https://polaris3g.mecklenburgcountync.gov/#pid=17124597&gisid=17124597>

**Purchase Price:** \$10,975

**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:** 6

## 50. Charlotte Water Property Transactions - Little Hope Creek Sanitary Sewer Improvements, Parcel #3

**Action:** Approve the following Property Condemnation: Little Hope Creek Sanitary Sewer Improvements, Parcel #3

**Project:** Little Hope Creek Sanitary Sewer Improvements, Parcel #3

**Owner(s):** Mary Ann Kelly

**Property Address:** Cortland Rd

**Total Parcel Area:** 27,572 sq. ft. (0.63 ac.)

**Property to be acquired by Easements:** 12,357 sq. ft. (0.28 ac.) in Sanitary Sewer Easement

**Structures/Improvements to be impacted:** N/A

**Landscaping to be impacted:** Large trees and screening

**Zoned:** R-8

**Use:** Residential

**Tax Code:** 171-184-23

<https://polaris3g.mecklenburgcountync.gov/#pid=17118423&qisid=17118423>

**Purchase price:** \$38,225

**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:** 6

## 51. Charlotte Water Property Transactions - Little Hope Creek Sanitary Sewer Improvements, Parcel #4

**Action:** Approve the following Property Condemnation: Little Hope Creek Sanitary Sewer Improvements, Parcel #4

**Project:** Little Hope Creek Sanitary Sewer Improvements, Parcel #4

**Owner(s):** Scott Sheridan

**Property Address:** 5036 Valley Stream Rd

**Total Parcel Area:** 22,032 sq. ft. (0.50 ac.)

**Property to be acquired by Easements:** 1,706 sq. ft. (0.039 ac.) in Sanitary Sewer Easement and 449 sq. ft. (0.01 ac.) in Temporary Construction Easement

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

**Landscaping to be impacted:** Screening

**Zoned:** R-5

**Use:** Residential

**Tax Code:** 171-121-02

<https://polaris3g.mecklenburgcountync.gov/#mat=141612&pid=17112102&qisid=17112102>

**Appraised Value:** \$7,675

**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:** 6

## 52. Charlotte Water Property Transactions - Little Hope Creek Sanitary Sewer Improvements, Parcel #5

**Action:** Approve the following Condemnation: Little Hope Creek Sanitary Sewer Improvements, Parcel #5

**Project:** Little Hope Creek Sanitary Sewer Improvements, Parcel #5

**Owner(s):** Jeremy T. Calamusa and Megan M. Calamusa

**Property Address:** 5030 Valley Stream Road

**Total Parcel Area:** 43,567 sq. ft. (1.00 ac.)

**Property to be acquired by Easements:** 7,253 sq. ft. (0.17 ac.) in Sanitary Sewer Easement and 2,172 sq. ft (0.05 ac.) in Temporary Construction Easement

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

**Landscaping to be impacted:** Large trees and screening

**Zoned:** R-5

**Use:** Residential

**Tax Code:** 171-121-03

<https://polaris3g.mecklenburgcountync.gov/#mat=141482&pid=17112103&qsid=17112103>

**Appraised Value:** \$23,625

**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:** 6

## 53. Charlotte Water Property Transactions - Little Hope Creek Sanitary Sewer Improvements, Parcel #10

**Action:** Approve the following Condemnation: Little Hope Creek Sanitary Sewer Improvements, Parcel #10

**Project:** Little Hope Creek Sanitary Sewer Improvements, Parcel #10

**Owner(s):** Nathan S. Walsh

**Property Address:** 5921 Wedgewood Dr

**Total Parcel Area:** 16,259 sq. ft. (0.37 ac.)

**Property to be acquired by Easements:** 2,391 sq. ft. (0.06 ac.) in Sanitary Sewer Easement and 714 sq. ft. (0.02 ac.) in Temporary Construction Easement

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

**Landscaping to be impacted:** Large hardwood tree and smaller hardwood trees

**Zoned:** R-4

**Use:** Residential

**Tax Code:** 171-121-24

<https://polaris3g.mecklenburgcountync.gov/#mat=157759&pid=17112124&qsid=17112124>

**Appraised Value:** \$17,425

**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:** 6

## 54. Charlotte Water Property Transactions - McMullen Creek Tributary at Quail Hollow, Parcel #14

**Action:** Approve the following Property Condemnation: McMullen Creek Tributary at Quail Hollow, Parcel #14

**Project:** McMullen Creek Tributary at Quail Hollow, Parcel #14

**Owner(s):** Ruth J. Pentes, Trustee of the Ruth J. Pentes Revocable Trust

**Property Address:** 6510 Sharon Hills Road

**Total Parcel Area:** 67,932 sq. ft. (1.56 ac.)

**Property to be acquired by Easements:** 1,108 sq. ft. (0.03 ac.) in Sanitary Sewer Easement and 2,209 sq. ft. (0.05 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** N/A

**Landscaping to be impacted:** A small portion of the wooded area

**Zoned:** R-3

**Use:** Single family

**Tax Code:** 209-191-29

<http://polaris3g.mecklenburgcourtnc.gov/#mat=170875&pid=20919129&gisid=20919129>

**Appraised Value:** \$11,100

**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:** 6

## 55. Charlotte Water Property Transactions - McMullen Creek Tributary at Quail Hollow, Parcel #15

**Action:** Approve the following Property Condemnation: McMullen Creek Tributary at Quail Hollow, Parcel #15

**Project:** McMullen Creek Tributary at Quail Hollow, Parcel #15

**Owner(s):** Ruth J. Pentes, Trustee of the Ruth J. Pentes Revocable Trust

**Property Address:** Sharon Hill Road

**Total Parcel Area:** 8,811 sq. ft. (0.20 ac.)

**Property to be acquired by Easements:** 274 sq. ft. (0.00 ac.) in Sanitary Sewer Easement and 546 sq. ft. (0.01 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** Steps on the back deck

**Landscaping to be impacted:** Naturally wooded area

**Zoned:** R-3

**Use:** Residential

**Tax Code:** 209-361-46

<http://polaris3g.mecklenburqcountync.gov/#pid=20936146&gisid=20936146>

**Appraised Value:** \$850

**Property Owner's Concerns:** None

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

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

**Council District:** 6

## 56. Property Transactions - Sanitary Sewer to Serve Babe Stillwell Farm Road, Parcel #1

**Action:** Approve the following Condemnation: Sanitary Sewer to Serve Babe Stillwell Farm Road, Parcel #1

**Project:** Sanitary Sewer to Serve Babe Stillwell Farm Road, Parcel #1

**Program:** Sanitary Sewer to Serve Babe Stillwell Farm Road

**Owner(s):** The Glens LLC

**Property Address:** Bayberry Glen Way

**Total Parcel Area:** 7,581 sq. ft. (0.17 ac.)

**Property to be acquired by Easements:** 421 sq. ft. (0.01 ac.) Sanitary Sewer/Waterline Easement

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

**Landscaping to be impacted:** None

**Zoned:** NR

**Use:** Neighborhood Residential

**Tax Code:** 009-153-82

<https://polaris3g.mecklenburgcountync.gov/#pid=00915382&qisid=00915382>

**Appraised Value:** \$1,625

**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:** This project is outside city limits, adjacent to Council District 2 and 4



## 57. Property Transactions - Sanitary Sewer to Serve 8925 Harrisburg Road, Parcel #2

**Action:** Approve the following Condemnation: Sanitary Sewer to Serve 8925 Harrisburg Road Parcel #2

**Project:** Sanitary Sewer to Serve 8925 Harrisburg Road, Parcel #2

**Program:** Sanitary Sewer to Serve 8925 Harrisburg Road

**Owner(s):** Eugene Sean Kim and Sonya Kay Kim

**Property Address:** 9010 Harrisburg Road

**Total Parcel Area:** 44,719 sq. ft. (1.03 ac.)

**Property to be acquired by Easements:** 2,293 sq. ft. (0.053 ac.) Permanent Easement, 1,400 sq. ft. (0.032 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** Trees

**Zoned:** R-3

**Use:** Single-family Residential

**Tax Code:** 111-441-08

<https://polaris3g.mecklenburgcountync.gov/#mat=212336&pid=11144108&qisid=11144108>

**Appraised Value:** \$5,275

**Property Owner's Concerns:** N/A

**City's Response to Property Owner's Concerns:** None

**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

## 58. Property Transactions - Sanitary Sewer to Serve 8925 Harrisburg Road, Parcel #3

**Action:** Approve the following Condemnation: Sanitary Sewer to Serve 8925 Harrisburg Rd, Parcel #3

**Project:** Sanitary Sewer to serve 8925 Harrisburg Road, Parcel #3

**Program:** Sanitary Sewer to serve 8925 Harrisburg Road

**Owner(s):** Denis Neba

**Property Address:** 8934 Harrisburg Road

**Total Parcel Area:** 63,372 sq. ft. (1.45 ac.)

**Property to be acquired by Easements:** 2,963 sq. ft. (0.068 ac.) Permanent Easement, 2,160 sq. ft. (0.05 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** None

**Zoned:** R-3

**Use:** Single-family Residential

**Tax Code:** 111-122-48

<https://polaris3g.mecklenburgcountync.gov/#mat=211318&pid=11112248&qisid=11112248>

**Appraised Value:** \$1,175

**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:** 5

## 59. Property Transactions - Dixie River Road Water Main Extension, Parcel #4

**Action:** Approve the following Acquisition: Dixie River Road Water Main Extension, Parcel #4

**Project:** Dixie River Road Water Main Extension, Parcel #4

**Program:** Dixie River Road Water Main Extension

**Owner(s):** Berewick Homeowners Association Inc

**Property Address:** Dixie River Road

**Total Parcel Area:** 125,557 sq. ft. (2.88 ac.)

**Property to be acquired by Easements:** 14,511 sq. ft. (0.333 ac.) Waterline Easement

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

**Landscaping to be impacted:** None

**Zoned:** MX-1

**Use:** Residential mixed use

**Tax Code:** 141-161-93

<https://polaris3g.mecklenburgcountync.gov/#pid=14116193&qisid=14116193>

**Purchased Price:** \$10,384

**Council District:** This project is outside city limits, adjacent to Council District 3.

## 60. Property Transactions - Idlewild/Monroe Intersection - Phase I, Parcel #12

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

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

**Project:** Idlewild/Monroe Intersection - Phase I, Parcel #12

**Program:** Idlewild/Monroe Intersection - Phase I

**Owner(s):** Jeffrey D Buck and Brianna Buck

**Property Address:** 705 Jerilyn Drive

**Total Parcel Area:** 20,646 sq. ft. (0.47 ac.)

**Property to be acquired by Easements:** 2,776 sq. ft. (0.064 ac.) Utility Easement, 1,013 sq. ft. (0.023 ac.) Retaining Wall Easement, 3,866 sq. ft. (0.089 ac.) Sanitary Sewer/Waterline Easement, 2,270 sq. ft. (0.052 ac.) Sidewalk Utility Easement, 1,072 sq. ft. (0.025 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Fence, retaining wall, and driveway

**Landscaping to be impacted:** None

**Zoned:** R-4

**Use:** Single-family Residential

**Tax Code:** 163-032-11

<https://polaris3g.mecklenburgcountync.gov/#mat=439694&pid=16303211&qisid=16303211>

**Purchased Price:** \$50,500

**Council District:** 5

## 61. Property Transactions - Kilborne Drive Streetscape, Parcel #1

**Action:** Approve the following Acquisition: Kilborne Drive Streetscape, Parcel #1

**Project:** Kilborne Drive Streetscape, Parcel #1

**Program:** Kilborne Drive Streetscape

**Owner(s):** Lyndy Truong and Cuong Duy Truong

**Property Address:** 3918 Havenwood Road

**Total Parcel Area:** 13,584 sq. ft. (0.312 ac.)

**Property to be acquired by Easements:** 1,108 sq. ft. (0.025 ac.) Sidewalk Utility Easement, 394 sq. ft. (0.009 ac.) Temporary Construction Easement

**Structures/Improvements to be impacted:** Brick pavers, raised flower bed, and fence

**Landscaping to be impacted:** Trees and various plantings

**Zoned:** R-4

**Use:** Single-family Residential

**Tax Code:** 101-121-24

<https://polaris3g.mecklenburgcountync.gov/#mat=118408&pid=10112124&gclid=10112124>

**Purchased Price:** \$10,000

**Council District:** 1

## 62. Property Transactions - McCullough Drive Streetscape, Parcel #3

**Action:** Approve the following Condemnation: McCullough Drive Streetscape, Parcel #3

**Project:** McCullough Drive Streetscape, Parcel #3

**Program:** McCullough Drive Streetscape

**Owner(s):** DDC Hotels INC

**Property Address:** 415 W WT Harris Boulevard

**Total Parcel Area:** 161,396 sq. ft. (3.71 ac.)

**Property to be acquired by Fee:** 874 sq. ft. (0.02 ac.) Fee Simple

**Property to be acquired by Easements:** 4,901 sq. ft. (0.113 ac.) Utility Easement, 4,589 sq. ft. (0.105 ac.) Storm Drainage Easement, 6,128 sq. ft. (0.141 ac.) Sidewalk Utility Easement, 4,667 sq. ft. (0.107 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** Trees and various plantings

**Zoned:** O-2 (CD)

**Use:** Hotel/Motel

**Tax Code:** 047-211-29

<http://polaris3g.mecklenburgcountync.gov/#mat=124514&pid=04721129&gisid=04721129>

**Appraised Value:** \$107,550

**Property Owner's Concerns:** The property owner is concerned about the conveyance agreement language.

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

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

**Council District:** 4

## 63. Property Transactions - McCullough Drive Streetscape, Parcel #5

**Action:** Approve the following Acquisition: McCullough Drive Streetscape, Parcel #5

**Project:** McCullough Drive Streetscape, Parcel #5

**Program:** McCullough Drive Streetscape

**Owner(s):** Nakato Property LLC

**Property Address:** 8601 University Executive Park Drive

**Total Parcel Area:** 163,858 sq. ft. (3.762 ac.)

**Property to be acquired by Easements:** 3,217 sq. ft. (0.074 ac.) Storm Drainage Easement, 3,179 sq. ft. (0.073 ac.) Sidewalk Utility Easement, 1,597 sq. ft. (0.037 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** Tree

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

**Use:** Business

**Tax Code:** 047-211-30

<https://polaris3g.mecklenburgcountync.gov/#mat=207374&pid=04721130A&qsid=04721130>

**Purchased Price:** \$21,725

**Council District:** 4

## 64. Property Transactions - McCullough Drive Streetscape, Parcel #8

**Action:** Approve the following Acquisition: McCullough Drive Streetscape, Parcel #8

**Project:** McCullough Drive Streetscape, Parcel #8

**Program:** McCullough Drive Streetscape

**Owner(s):** Baseline NC Partners LLC

**Property Address:** 6510 Brentmoor Drive

**Total Parcel Area:** 152,091 sq. ft. (3.50 ac.)

**Property to be acquired by Easements:** 1,662 sq. ft. (0.038 ac.) Sidewalk Utility Easement, 1,728 sq. ft. (0.04 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** None

**Zoned:** NS

**Use:** Neighborhood service district

**Tax Code:** 047-212-18

<https://polaris3g.mecklenburgcountync.gov/#mat=515867&pid=04721218&gisid=04721218>

**Purchased Price:** \$14,020

**Council District:** 4



## 65. Property Transactions - McCullough Drive Streetscape, Parcel #10

**Action:** Approve the following Condemnation: McCullough Drive Streetscape, Parcel #10

**Project:** McCullough Drive Streetscape, Parcel #10

**Program:** McCullough Drive Streetscape

**Owner(s):** Baseline NC Partners LLC

**Property Address:** 1418 Baseline Road

**Total Parcel Area:** 1,034,788 sq. ft. (23.755 ac.)

**Property to be acquired by Fee:** 10,014 sq. ft. (0.230 ac.) Fee Simple

**Property to be acquired by Easements:** 9,962 sq. ft. (0.229 ac.) Sidewalk Utility Easement, 4,389 sq. ft. (0.101 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** Trees and various plantings

**Zoned:** NS

**Use:** Neighborhood service district

**Tax Code:** 047-212-05

<https://polaris3g.mecklenburgcountync.gov/#mat=515868&pid=04721205&gisid=04721205>

**Appraised Value:** \$100,175

**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

## 66. Property Transactions - Morris Field Bridge Replacement, Parcel #2

**Action:** Approve the following Acquisition: Morris Field Bridge Replacement, Parcel #2

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

**Project:** Morris Field Bridge Replacement, Parcel #2

**Program:** Morris Field Bridge Replacement

**Owner(s):** RLF II East LLC

**Property Address:** 4001 Morris Field Drive

**Total Parcel Area:** 620,634 sq. ft. (14.24 ac.)

**Property to be acquired by Easements:** 3,048 sq. ft. (0.07 ac.) Utility Easement, 538 sq. ft. (0.012 ac.) Storm Drainage Easement, 2,941 sq. ft. (0.068 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** None

**Zoned:** I-2

**Use:** Industrial

**Tax Code:** 117-111-12

<https://polaris3g.mecklenburgcountync.gov/#mat=119801&pid=11711112&gisid=11711112>

**Purchased Price:** \$10,500

**Council District:** 3

## 67. Property Transactions - Morris Field Bridge Replacement, Parcel #4

**Action:** Approve the following Condemnation: Morris Field Bridge Replacement, Parcel #4

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for North Carolina Department of Transportation reimbursement and Federal Transit Administration reimbursement.

**Project:** Morris Field Bridge Replacement, Parcel #4

**Program:** Morris Field Bridge Replacement

**Owner(s):** BIN - WB4101 LLC

**Property Address:** 3925 Morris Field Drive

**Total Parcel Area:** 212,564 sq. ft. (4.87 ac.)

**Property to be acquired by Fee:** 1,977 sq. ft. (0.054 ac.) Fee Simple

**Property to be acquired by Easements:** 7,853 sq. ft. (0.18 ac.) Temporary Construction Easement

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

**Landscaping to be impacted:** Trees and various plantings

**Zoned:** I-2

**Use:** Industrial

**Tax Code:** 117-111-11

<https://polaris3g.mecklenburgcountync.gov/#mat=118700&pid=11711111&qsid=11711111>

**Appraised Value:** \$18,925

**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

## Adjournment

## REFERENCES

## 68. 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.

## 69. 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.

## 70. 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.