City of Charlotte

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

Meeting Agenda

Monday, December 12, 2016

Council Chambers

City Council Business Meeting

Mayor Jennifer W. Roberts
Mayor Pro Tem Vi Lyles
Council Member Al Austin
Council Member John Autry
Council Member Ed Driggs
Council Member Julie Eiselt
Council Member Claire Fallon
Council Member Patsy Kinsey
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Greg Phipps
Council Member Kenny Smith
5:00 P.M. DINNER BRIEFING, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, ROOM 267

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Call to Order

Roll Call

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Adjournment

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In addition to the previously advertised public hearing items, Departments have asked that the time sensitive items listed below not be deferred.

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<thead>
<tr>
<th>Item#</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Resolution to Certify and Declare the Results of the November 8, 2016 Special Bond Referendum</td>
</tr>
<tr>
<td>16</td>
<td>CharMeck 911 Upgrade Contract Amendment</td>
</tr>
<tr>
<td>17</td>
<td>Firefighting Turnout Gear</td>
</tr>
</tbody>
</table>
Agenda #: 1. File #: 15-4478 Type: Dinner Briefing

Mayor and Council Consent Item Questions

Staff Resource(s):
Hyong Yi, City Manager’s Office

Time: 5 minutes

Synopsis
Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the dinner meeting.
Housing First Charlotte-Mecklenburg Initiative Update

Staff Resource(s):
Pamela Wideman, Neighborhood & Business Services
Michael Smith, Charlotte Center City Partners

Time: 20 minutes

Explanation
- City Council will receive a status update on the Housing First Charlotte-Mecklenburg Initiative.
- Launched in January 2015 by a coalition of public, private, and nonprofit organizations, this effort is focused on ending chronic homelessness in Charlotte-Mecklenburg by the end of 2016.
- Major plan components included the development of a registry and coordinated assessment process to connect chronically homeless individuals and families with permanent supportive housing.

Future Action
This presentation is for informational purposes only.
Bojangles Coliseum/Ovens Auditorium Area Update

Staff Resource(s):
Ron Kimble, City Manager's Office
Randy Harrington, Management & Financial Services
Tom Murray, Charlotte Regional Visitors Authority

Time: 25 minutes

Explanation
- The FY2014 Community Investment Plan included $25 million for the Bojangles Coliseum/Ovens Auditorium area to support revitalization of Independence Boulevard, provide an indoor sports facility and respond to recreational needs of the community, support regional hospitality and tourism industry, and expand the tax base.
- The original plan envisioned the City partnering with a private developer to build an amateur sports facility with the City funding public infrastructure investments and portions of a public/private partnership.
- The City negotiated with the Good Sports company for the project, but ultimately Good Sports was not able to acquire the necessary capital to be a viable project.
- Staff was asked in 2015 by the Economic Development & Global Competitiveness Committee to identify next steps and alternatives for this location.
- The presentation will outline an alternative investment proposal for the area.

Future Action
The presentation is for informational purposes only.
Rezoning Policy Update

Staff Resource(s):
Ed McKinney, Planning Department

Time: 25 minutes

Explanation
- Staff will provide an update on the rezoning process enhancements and recommendations.
- In early 2016 staff conducted a series of Council Workshop discussions on the rezoning process in response to City Council requests.
- The goal of these discussions was to ensure Council has the right information to make zoning decisions, and to establish clearer expectations in the rezoning process for staff, petitioners, and the community.
- Council Workshop discussions included:
  - April 4, 2016 - Discussion of Issues and Concerns
  - May 2, 2016 - Zoning Decision Policy Guidance
  - June 6, 2016 - Priorities & Council Direction

Future Action
This presentation is for informational purposes only.
Agenda #: 5. File #: 15-4479 Type: Dinner Briefing

Answers to Mayor and Council Consent Item Questions

Staff Resource(s):
Hyong Yi, City Manager’s Office

Time: 10 minutes

Synopsis
Staff responses to questions from the beginning of the dinner meeting.
2016 Housing North Carolina Awards

Action: Mayor Roberts will recognize Pamela Wideman from Neighborhood & Business Services to announce the winners of the 2016 Housing North Carolina Awards.
Charlotte Water Award Recognition

Action: Mayor Roberts will recognize Barry Gullet and staff from Charlotte Water, to present the Utility of the Future flag to Mayor and Council. The flag is bestowed to select utilities who demonstrate superior performance and groundbreaking innovation in the water and wastewater industry. Additionally, several Charlotte Water staff will be recognized for various industry awards and services.
Agenda #: 8. File #: 15-4480 Type: Consent Item

Consent agenda items 16 through 50 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 citizens signed up to speak to the item.
**City of Charlotte**

**Agenda Date:** 12/12/2016

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**Agenda #: 9. File #: 15-4429 Type:** Public Hearing Item

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**Public Hearing on a Resolution to Close an Unopened Alleyway off of E. 21st Street**

**Action:**

A. Conduct a public hearing to close an Unopened Alleyway off of E. 21st Street, and

B. Adopt a resolution to close an unopened alleyway off of E. 21st Street.

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**Staff Resource(s):**

Jeff Boenisch, Transportation

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**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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk’s Office.
- An unopened alleyway off of E. 21st Street is located in Council District 1.

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**Petitioners**

Parkwood Residence, LLC - J. David Heller.

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

The unopened alleyway off of E. 21st Street is located between N. Brevard Street and N. Caldwell Street.

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**Reason**

The petitioner is vested in all of the abutting property and intends to reassemble this land to include the unopened alleyway. The assembly of this land is consistent with rezoning petition #2015-126 for the Parkwood Station multi-family development project, approved by City Council on March 21, 2016.

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**Notification**

As part of the City’s notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

- **Adjoining property owner(s)** - All abutting property is owned by the petitioner.
- **Neighborhood/Business Association(s)**
  - Optimist Park Neighborhood Association - Notified/no comments
- **Private Utility Companies** - No objections
City Departments
Review by City departments identified no apparent reason this closing would:

- Be contrary to the public interest;
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes; and
- Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment
Map  
Resolution
Abandonment petition #2016-11
An Unopened Alleyway off of E. 21st Street
RESOLUTION CLOSING AN UNOPENED ALLEYWAY OFF OF E. 21ST STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close an unopened alleyway off of E. 21st Street, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close an unopened alleyway off of E. 21st Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12th day of December, 2016, and City Council determined that the closing an unopened alleyway off of E. 21st Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of December 12, 2016, that the Council hereby orders the closing of an unopened alleyway off of E. 21st Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked “Exhibit A”, and is more particularly described by metes and bounds in the document marked “Exhibit B”, all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.
Public Hearing on a Resolution to Close a Portion of Chippendale Road

Action:
A. Conduct a public hearing to close a portion of Chippendale Road, and
B. Adopt a resolution to close a portion of Chippendale Road.

Staff Resource(s):
Jeff Boenisch, 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 attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk’s Office.
- A portion Chippendale Road is located in Council District 5.

Petitioners
The City of Charlotte

Right-of-Way to be Abandoned
The portion of Chippendale Road is located on the north side of Monroe Road between Commonwealth Avenue and Shade Valley Road.

Reason
Chippendale Road was recently realigned to meet up with the existing intersection of Richland Drive at Monroe Road. The abandonment of a portion of Chippendale Road will eliminate excess right-of-way left over from this realignment project; thereby, allowing it to be attached to the adjacent property for future use/development.

Notification
As part of the City’s notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.
Adjoining property owner(s)
City of Charlotte - No objection
Lake City Tractor Supply, LLC - Supports

Neighborhood/Business Association(s)
Oakhurst Community Neighborhood Association - Notified/No comments

Private Utility Companies - No objections

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

Attachment
Map
Resolution
Right-of-Way Abandonment Petition 2016-09

Right-of-Way Abandonment Area

A portion of Chippendale Road
RESOLUTION CLOSING A PORTION OF CHIPPELDALE ROAD IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Chippendale Road, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Chippendale Road to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12th day of December, 2016, and City Council determined that closing a portion of Chippepda Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of December 12, 2016, that the Council hereby orders the closing of a portion of Chippendale Road in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked “Exhibit A”, and is more particularly described by metes and bounds in the document marked “Exhibit B”, all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.
City Attorney Evaluation

Action: Approve the Governance & Accountability Committee recommendations related to the Fiscal Year 2017 evaluation of the City Attorney.

Committee Chair: Council member Kenny Smith, Governance & Accountability Committee

Staff Resource(s): Bob Hagemann, City Attorney
Cheryl Brown, Human Resources

Explanation

- At its recent meeting on November 28, 2016, the Governance & Accountability Committee (Committee) met to review the evaluation criteria for the City Attorney for Fiscal Year 2017.
- The Committee also reviewed the evaluation process of the City Attorney used in Fiscal Year 2016 and made recommendations for the process going forward.
- On November 28, 2016, the Committee voted unanimously (Smith, Mayfield, Autry; Phipps was not present) to approve the following items:
  - City Attorney’s Fiscal Year 2017 evaluation criteria, and
  - Timeline for completing the City Attorney’s Fiscal Year 2017 evaluation
- The City Attorney’s evaluation criteria include:
  - Advise the Mayor and City Council,
  - Represent the City’s Interests,
  - Assist the City Manager and Staff, and
  - Special Projects.
- The City Attorney’s full evaluation criteria and the Fiscal Year 2017 evaluation schedule are included as attachments.

Attachment
City Attorney’s Fiscal Year 2017 Evaluation Criteria
City Attorney’s Fiscal Year 2017 Evaluation Schedule
FY2017 City Attorney Evaluation Criteria

1. **Advise the Mayor and City Council** – Provide high quality legal advice and services. When, as is often the case, the law is uncertain, advise as such and be creative in identifying and developing options and solutions that will assist rather than frustrate the Council in achieving its objectives. Understand that legal risk is but one of many factors for the Council to consider in making its policy decisions.
   - Provide written legal opinions and memoranda that are thoroughly researched, well-reasoned, clear, and concise
   - Answer questions and provide procedural advice at official meetings in a manner that facilitates the work of the Mayor and Council
   - Respond to requests for advice or assistance from the Mayor and Councilmembers in a timely, understandable, unbiased, and non-partisan manner
   - Be accessible to and meet with elected officials as needed
   - Treat the Mayor and each Councilmember in a fair and equitable manner

2. **Represent the City’s Interests** – Professionally and aggressively defend legal challenges to Council decisions and actions of the City and its employees. If the City has legally wronged a citizen, seek a resolution that is both fair to the citizen and protective of the taxpayer.
   - Oversee the handling, trial, and settlement of lawsuits
   - Treat the court, members of the bar, and citizens with courtesy and respect
   - Clearly and courteously explain the City’s legal position to citizens and the media

3. **Assist the City Manager and Staff** – Advise the City Manager and his staff.
   - Provide timely day-to-day legal advice and services
   - Work with the administration as a member of the team while maintaining an appropriate level of independence

4. **Special Projects**

Additional Reporting Criteria (not for evaluation)

1. **Manage the City Attorney's Office** – Develop an effective and efficient organization.
   - Recruit and retain a competent and diverse staff
   - Provide an appropriate level of managerial oversight and direction
   - Address personnel issues in a direct and timely manner
   - Responsibly manage the department’s budget

2. **Professional Development** – Continue to learn and grow.
   - Stay abreast of changes and developments in state and federal law
   - Attend relevant Continuing Legal Education programs
   - Engage with the bar and professional organizations
Timeline for Completing the City Attorney's FY17 Evaluation

Evaluation Date: Monday, August 28 meeting, 12:00 p.m., CH-14

Leading up to the evaluation date:

Fri, July 28  The City Attorney submits to the Mayor/Council via the Mayor/Council packets self-assessment of his performance based on the dimensions previously set and provides other information he considers important in assessing his performance.

Mon, July 31  HR sends website link for Mayor/Council to individually complete an online survey of the City Attorney on the agreed dimensions. Stated deadline of Sunday, August 6.

Fri, Aug 18  Results of online survey go to the Mayor/Council and City Attorney in confidential envelopes within the Mayor/Council packets.

Mon, Aug 21  One week prior to the evaluation, the Governance & Accountability Committee reviews all of the evaluation material received by and about the Attorney and proposes specific areas to be reviewed with him during the evaluation meeting.

MON, AUGUST 28  EVALUATION MEETING

a. The Mayor/Council reviews compensation information with the Human Resources Director and then meets alone to consider the recommended areas of discussion from the Governance and Accountability Committee and may add other items for discussion if agreed to by six members of the Council.

b. The City Attorney joins the Mayor/Council at an appropriate time and provides a self-assessment, addressing the items identified by the Governance & Accountability Committee and any additional items identified by the Council. The Mayor/Council then provides its feedback to the City Attorney as well as holds a general discussion around the City Attorney’s future work plan.

c. Mayor/Council meets alone to discuss the interaction of the City Attorney, their overall evaluation of performance, and, as appropriate, changes to compensation or employment agreement.

d. Mayor/Council take a public vote on any change to compensation at the evening meeting.
**Evaluation follow up and preparation for next year's process:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>Mon, Sept 25</td>
<td>At the next scheduled Governance and Accountability Committee meeting following the City Attorney's evaluation meeting, the Governance &amp; Accountability Committee meets with the City Attorney to assess the effectiveness of the evaluation process and provides recommendations to the Mayor/Council for revision.</td>
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<td>Dependent on above date The Committee formally recommends the dimensions to the Mayor/Council for decision.</td>
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Fiscal Year 2018 - Fiscal Year 2019 City Council Focus Area Plans

Action: Approve the City Council Committees’ recommended Fiscal Year 2018 - Fiscal Year 2019 Strategic Focus Area Plans for:

A. Community Safety,
B. Economic Development,
C. Environment,
D. Housing & Neighborhood Development, and
E. Transportation & Planning.

Committee Chair(s):
Council member Julie Eiselt, Community Safety
Council member James Mitchell, Economic Development
Council member John Autry, Environment
Council member LaWana Mayfield, Housing & Neighborhood Development
Mayor Pro Tem Vi Lyles, Transportation & Planning

Explanation
▪ The Focus Area Plans (Plans) represent the City Council’s priorities and are intended to guide the organization’s strategic planning efforts.
▪ The City Council discussed the development of Fiscal Year 2018 - Fiscal Year 2019 Plans from September through November 2016.
▪ At the Council Workshop meeting on December 5, 2016, City Council reviewed each draft Fiscal Year 2018 - Fiscal Year 2019 Plan.
▪ The key Fiscal Year 2018 - Fiscal Year 2019 strategic objectives from the five Plans are listed below. Each of the five Plans have an objective related to fostering economic success in the community. The purpose of this common objective is to outline various policies and programs the City is working on to promote economic opportunity across the five Focus Areas. All five Committee-recommended Plans are provided as an attachment.

Community Safety
▪ Minimize loss of life, property damage, and injury
▪ Improve perception of safety and level of trust in community safety
▪ Develop an inclusive, representative, and highly trained workforce
▪ Enhance emergency preparedness
▪ Foster economic success for everyone in the community

Economic Development
▪ Provide access to job training and employment opportunities for youth and adults
▪ Promote the holistic development of targeted business districts and neighborhoods
▪ Foster economic success for everyone in the community
Environment
- Practice environmental stewardship in City operations and facilities
- Protect water quality as a resource to the community
- Protect air quality
- Reduce, reuse, and recycle waste
- Maintain/protect urban forest as a community resource
- Foster economic success for everyone in the community

Housing & Neighborhood Development
- Preserve and create neighborhoods that offer affordable housing options
- Preserve and create neighborhoods that are attractive and environmentally sustainable
- Preserve and create neighborhoods that are connected and vibrant
- Preserve and create neighborhoods that are engaged and welcoming
- Foster economic success for everyone in the community

Transportation & Planning
- Accommodate and support growth
- Support a vibrant and growing economy
- Maintain and support Charlotte’s transportation assets
- Foster economic success for everyone in the community

Attachment
Committee-Recommended Fiscal Year 2018 - Fiscal Year 2019 Focus Area Plans
One of the highest priorities for the City of Charlotte is to create a community where residents and visitors feel safe and citizens are actively engaged in promoting safety and addressing public safety threats. The City of Charlotte will invest in personnel, practices, and training that foster trust in public safety, reduce crime, and minimize community risks with the highest standards of integrity and professionalism.

<table>
<thead>
<tr>
<th><strong>Objectives</strong></th>
<th><strong>Strategies</strong></th>
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<tbody>
<tr>
<td>Minimize loss of life, property damage, and injury</td>
<td>Continue to refine community policing and crime fighting practices to protect potential victims of crime</td>
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<td>Improve response times for emergency calls</td>
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<td>Reduce risks to commuter safety on and around city streets, sidewalks, greenways, and transit modes</td>
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<td></td>
<td>Improve investigation clearance rate for arson, robbery, burglary, and larceny from vehicle cases</td>
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<td>Increase code inspections and other proactive risk mitigation programs in the community</td>
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<td>Improve perception of safety and level of trust in Community Safety*</td>
<td>Improve and protect quality of life in Charlotte neighborhoods and corridors</td>
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<td>Implement recommendations from the President’s Task Force on 21st Century Policing and Police Foundation Independent Assessment</td>
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<td>Expand Juvenile and Young Adult Diversion efforts and support for youth and young adult programs</td>
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<td>Develop effective planning tools for significant community events</td>
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<td></td>
<td>Implement and support community education programs in schools, neighborhoods, and during community events</td>
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<td>Develop an inclusive, representative, and highly trained workforce</td>
<td>Enhance efforts to attract and develop a public safety workforce that is more representative of the community it serves</td>
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<td>Increase education and training to include: implicit bias, cultural awareness, crisis intervention, and conflict de-escalation</td>
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<td>Enhance operational effectiveness and customer service by using technology and collaborating with other agencies</td>
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<td>Enhance emergency preparedness</td>
<td>Conduct annual disaster preparedness public education activities</td>
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<td>Maintain and continue to refine a comprehensive emergency operations plan</td>
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<tr>
<td>Foster economic success for everyone in the community</td>
<td>Collaborate between agencies to engage and strengthen relationships in vulnerable areas of the community</td>
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*Included in the Strategic Priorities Matrix*
## Community Safety
### FY2018 & FY2019 Strategic Focus Area Plan

### Performance

<table>
<thead>
<tr>
<th>Objective and Strategy</th>
<th>Measure/Target</th>
<th>FY2016 Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective: Minimize loss of life, property damage, and injury</strong></td>
<td></td>
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<tr>
<td><strong>Strategy:</strong> Continue to refine community policing and crime fighting practices to protect potential victims of crime</td>
<td>≥3% reduction in reported Part One UCR crime rates per 100,000 population</td>
<td>12.2% increase</td>
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<td>≤7 minute CMPD response to a Priority 1 (emergency) call for service</td>
<td>6.5 minute response time</td>
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<td>Percent of Fire calls where first company is on scene in ≤6 minutes (90% of time goal)</td>
<td>84.59% arrival time</td>
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<td><strong>Strategy:</strong> Improve response times for emergency calls</td>
<td>Complete ≥15 pedestrian safety and crossing projects per year</td>
<td>42 projects completed</td>
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<td><strong>Strategy:</strong> Reduce risks to commuter safety on and around city streets, sidewalks, greenways, and transit modes</td>
<td>Build 10 miles of new sidewalks and bikeways per year to enhance safety, provide transportation choices, and better connect residents to employment opportunities and services</td>
<td>13.02 miles of sidewalk and 2.96 miles of bikeways</td>
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<tr>
<td><strong>Objective: Improve perception of safety and level of trust in Community Safety</strong></td>
<td></td>
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<tr>
<td><strong>Strategy:</strong> Improve and protect quality of life in Charlotte neighborhoods and corridors</td>
<td>Keep 95% of streetlights operational city-wide</td>
<td>95.4% of streetlights operational</td>
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<tr>
<td></td>
<td>Achieve pavement rating of 90.0 or above</td>
<td>82.0 pavement rating</td>
</tr>
<tr>
<td><strong>Strategy:</strong> Expand Juvenile Diversion and support for youth programs</td>
<td>Increase the completion rate of first time youthful offenders referred to the Juvenile Diversion Program by ≥10%</td>
<td>28.7% increase</td>
</tr>
<tr>
<td><strong>Strategy:</strong> Implement and support community education programs in schools, neighborhoods, and during community events</td>
<td>Enhance the Community Response model by conducting community safety forums to disseminate crime information and obtain community input on areas to focus resources</td>
<td>9 community safety forums conducted</td>
</tr>
<tr>
<td></td>
<td>Percent of CMS 3rd grade classrooms that receive fire education programs</td>
<td>100% of CMS 3rd grade classrooms reached</td>
</tr>
<tr>
<td><strong>Objective: Develop an inclusive, representative, and highly trained workforce</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Strategy:</strong> Enhance efforts to attract and develop a public safety workforce that is more representative of the community it serves</td>
<td>Percent of women and minorities in police officer and firefighter applicant pool</td>
<td>64.8% Police 35.0% Fire</td>
</tr>
<tr>
<td><strong>Objective: Enhance emergency preparedness</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Strategy:</strong> Conduct annual disaster preparedness public education activities</td>
<td>Number of Annual Disaster and Incident Action Plans developed</td>
<td>37 plans developed</td>
</tr>
<tr>
<td><strong>Objective: Foster economic success for everyone in the community</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Strategy:</strong> Collaborate between agencies to engage and strengthen relationships in vulnerable areas of the community</td>
<td>Implement Performance Strategic Plan with other City and County Departments</td>
<td>New measure in FY2018</td>
</tr>
</tbody>
</table>

*Included in the Strategic Priorities Matrix*
## Economic Development
### FY2018 & FY2019 Strategic Focus Area Plan

“Charlotte will thrive with diverse businesses and economic opportunity for all.”

The vision will be accomplished through the success of people, places, and businesses.

<table>
<thead>
<tr>
<th>Objectives WHAT?</th>
<th>Strategies HOW?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide access to job training and employment opportunities for youth and adults</td>
<td>Implement Workforce Development Project serving individuals with multiple barriers to employment*&lt;br&gt; Increase number of work experiences and internships through City programs*&lt;br&gt; Connect individuals to jobs, apprenticeships, and other on-the-job training opportunities available through the private sector, educational institutions, and not-for-profit entities*</td>
</tr>
<tr>
<td>Promote the holistic development of targeted business districts and neighborhoods</td>
<td>Increase Amateur Sports-related tourism through enhancing and expanding amateur sports facilities*&lt;br&gt; Implement the Global Logistics Strategy for the area surrounding the Airport*&lt;br&gt; Invest in Airport facility improvements to meet domestic and international demand*&lt;br&gt; Stimulate private investment in targeted areas and within areas identified by the Community Investment Plan and Business Corridor Revitalization Plan. Examples include Smart Districts, Applied Innovation Corridor, the Northwest Corridor, the Eastland/Central Avenue Area, the West Boulevard area, Southpark Area, and the Freedom Drive Area*</td>
</tr>
<tr>
<td>Foster economic success for everyone in the community</td>
<td>Increase contracting opportunities for Minority, Women, Small Business Enterprise (MWSBE) firms through the Charlotte Business INClusion Policy*&lt;br&gt; Simplify and clarify regulatory processes for real estate development and businesses*&lt;br&gt; Provide and connect small businesses, including immigrant-owned and international businesses, to networking and learning opportunities in order to grow and operate more effectively*&lt;br&gt; Complete enhancements to the City’s web portal (CharlotteBusinessResources.com) to meet the needs and increase usage of portal by emerging international and growing small businesses*&lt;br&gt; Update economic development grant programs to better align with business needs and community goals*</td>
</tr>
</tbody>
</table>

*Included in the Strategic Priorities Matrix
### Economic Development
#### FY2018 & FY2019 Strategic Focus Area Plan

<table>
<thead>
<tr>
<th>Objective and Strategy</th>
<th>Measure/Target</th>
<th>FY2016 Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective: Provide access to job training and employment opportunities for youth and adults</strong></td>
<td>Train 90 participants in highway construction, residential and commercial construction and broadband and fiber optic cabling through community and corporate partnerships</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Implement Workforce Development Program serving individuals with multiple barriers to employment*</td>
<td>Graduate at least 72 participants from the Program by June 2018</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Increase number of work experiences and internships through City programs*</td>
<td>Place 51 individuals from the Program in employment opportunities by June 2018</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Connect individuals to jobs, apprenticeships, and other on-the-job training opportunities available through the private sector, educational institutions, and not-for-profit entities*</td>
<td>Graduate at least 50% of enrolled participants from the Pre-Apprenticeship program for Transit Management by August 2019</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Increase number of work experiences and internships through City programs*</td>
<td>Create proposal for City Council consideration to increase youth employment and internship opportunities to 1,000 by June 2019</td>
<td>Mayor’s Youth Employment Program: 357 internships</td>
</tr>
<tr>
<td>Strategy: Connect individuals to jobs, apprenticeships, and other on-the-job training opportunities available through the private sector, educational institutions, and not-for-profit entities*</td>
<td>Create Corporate Advisory Councils for workforce development program by December 31, 2017</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td><strong>Objective: Promote the holistic development of targeted business districts and neighborhoods</strong></td>
<td>Complete a North End Smart District public-private partnership agreement with developers by December 31, 2017</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Stimulate private investment in targeted areas and within areas identified by the Community Investment Plan and Business Corridor Revitalization Plan. Examples include Smart Districts, Applied Innovation Corridor, the Northwest Corridor, the Eastland/Central Avenue Area, the West Boulevard area, Southpark Area, and the Freedom Drive Area*</td>
<td>Revise economic development grant programs for City Council consideration by July 1, 2017</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Invest in Airport facility improvements to meet domestic and international demand*</td>
<td>Complete a redevelopment framework strategy for Eastland Mall site by July 1, 2017</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td><strong>Objective: Foster economic success for everyone in the community</strong></td>
<td>Continue to implement the Destination CLT program and Airport Area Strategic Development Plan</td>
<td>25% plan completion</td>
</tr>
<tr>
<td>Strategy: Increase contracting opportunities for Minority, Women, Small Business Enterprise (MWSBE) firms through the Charlotte Business INClusion Policy*</td>
<td>FY2018 Target: 14% utilization FY2019 Target: 16% utilization</td>
<td>FY2016 year-end spend is currently being reconciled. Based on preliminary data, the City is on track to meet the target for 12% MWSBE Citywide Direct Spend</td>
</tr>
<tr>
<td>Strategy: Simplify and clarify regulatory processes for real estate developers and businesses*</td>
<td>Use technology to make processes simpler for staff and customers</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Provide and connect small businesses, including immigrant-owned and international businesses, to networking and learning opportunities in order to grow and operate more effectively*</td>
<td>Create and adopt new and improved policy guidelines for Business Investment Grant Program by December 31, 2017</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Update economic development grant programs to better align with business needs and community goals*</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Included in the Strategic Priorities Matrix
Charlotte will become a global leader in environmental sustainability, balancing economic growth with preserving our natural resources.

The City of Charlotte recognizes that protecting our natural resources, promoting conservation, and improving the environment is fundamentally important to quality of life and essential to maintaining a vibrant economy.

Charlotte will become a global leader in environmental sustainability by:
- Becoming a model environmental community in how it manages solid waste, energy, water and air;
- Leading by example by practicing environmental stewardship in City operations and facilities as guided through the Internal Environmental Operations Plan;
- Seeking and supporting collaborative and regional solutions to environmental problems;
- Analyzing data and applying technologies to reach our environmental goals.

<table>
<thead>
<tr>
<th>Objectives WHAT?</th>
<th>Strategies HOW?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Practice Environmental Stewardship in City Operations and Facilities</td>
<td>Increase use of alternative fuel vehicles in City fleet*</td>
</tr>
<tr>
<td></td>
<td>Decrease waste in City facilities</td>
</tr>
<tr>
<td></td>
<td>Increase the use of recycled and environmentally friendly products</td>
</tr>
<tr>
<td></td>
<td>Reduce energy usage in City facilities*</td>
</tr>
<tr>
<td></td>
<td>Increase renewable energy usage</td>
</tr>
<tr>
<td></td>
<td>Reduce water usage in City facilities</td>
</tr>
<tr>
<td>Protect Water Quality as a Resource to the Community</td>
<td>Rehabilitate streams to improve water quality*</td>
</tr>
<tr>
<td></td>
<td>Encourage residents to conserve water through education and awareness</td>
</tr>
<tr>
<td>Protect Air Quality</td>
<td>Encourage the use of environmentally friendly transportation options</td>
</tr>
<tr>
<td></td>
<td>Increase public alternative fueling stations</td>
</tr>
<tr>
<td>Reduce, Reuse and Recycle Waste</td>
<td>Divert waste from the landfill</td>
</tr>
<tr>
<td></td>
<td>Increase composting</td>
</tr>
<tr>
<td></td>
<td>Promote waste options*</td>
</tr>
<tr>
<td>Maintain/Protect Urban Forest as a Community Resource</td>
<td>Assess aging tree canopy</td>
</tr>
<tr>
<td></td>
<td>Plant more trees*</td>
</tr>
<tr>
<td>Improve Sustainability through the Use of Data and Technology</td>
<td>Develop a pilot research and design district for the City to test Smart systems and sensor data</td>
</tr>
<tr>
<td>Foster Economic Success for Everyone in the Community</td>
<td>Promote education and job training in the field of sustainability</td>
</tr>
<tr>
<td></td>
<td>Develop affordable transit options that enhance connectivity within the Charlotte region</td>
</tr>
</tbody>
</table>

*Included in the Strategic Priorities Matrix
## Objective and Strategy

<table>
<thead>
<tr>
<th>Objective: Practice Environmental Stewardship in City Operations and Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy:</strong> Increase use of alternative fuel vehicles in City fleet*</td>
</tr>
<tr>
<td><strong>Strategy:</strong> Decrease waste in City facilities</td>
</tr>
<tr>
<td><strong>Strategy:</strong> Increase the use of recycled and environmentally friendly products</td>
</tr>
<tr>
<td><strong>Strategy:</strong> Reduce energy usage in City facilities*</td>
</tr>
<tr>
<td><strong>Strategy:</strong> Increase renewable energy usage</td>
</tr>
<tr>
<td><strong>Strategy:</strong> Reduce water usage in City facilities</td>
</tr>
</tbody>
</table>

## Objective: Protect Water Quality as a Resource to the Community

| Strategy: Rehabilitate streams to improve water quality* | Improve at least 5,000 feet of impaired stream per year | New measure in FY2018 |
|---------------------------------------------------------|
| **Strategy:** Encourage residents to conserve water through education and awareness | Treat 100 acres of impervious area runoff prior to entering streams | 216 acres of impervious area treated |
| **Strategy:** Increase number of smart irrigation devices installed by 5% | Increase number of smart irrigation devices installed by 5% | 283 devices installed |
| **Strategy:** Increase number of individuals reached through public events and conservation education efforts by 10% | Increase number of individuals reached through public events and conservation education efforts by 10% | 27,605 individuals reached |

## Objective: Protect Air Quality

| Strategy: Encourage the use of environmentally friendly transportation options | Increase the percent of residents who walk, bicycle or take transit to work | New measure in FY2018 |
|---------------------------------------------------------------|
| **Strategy:** Increase public alternative fueling stations (e.g. Electric charging stations, compressed natural gas fueling stations) | Increase the number of alternative fueling stations available to the public by 25% | 66 fueling stations available |

## Objective: Reduce, Reuse and Recycle Waste

| Strategy: Divert waste from the landfill | Reduce pounds landfilled per curbside residential unit compared to the prior fiscal year | 1,719.9 pounds landfilled per curbside unit |
|-----------------------------------------|
| **Strategy:** Increase composting | Establish a baseline number of outreach events | New measure in FY2018 |
| **Strategy:** Promote waste options* | Increase education on residential recycling for lowest recycling neighborhood profile areas | 24 events |

## Objective: Maintain/Protect Urban Forest as a Community Resource

| Strategy: Assess aging tree canopy | Assess 4,400 large trees per year to inform proper stewardship or removal strategies | 3,400 trees assessed |
|-------------------------------------|
| **Strategy:** Plant more trees* | Establish a tree canopy neutrality goal for public projects | New measure in FY2018 |
| **Strategy:** Plant 15,000 trees per year through public planting and private partnerships | Plant 15,000 trees per year through public planting and private partnerships | 10,571 (plus 5,800 seedlings given away) |

## Objective: Improve Sustainability through the Use of Data and Technology

| Strategy: Develop a pilot research and design district for the City to test Smart systems and sensor data | Test three different Smart technologies | New measure in FY2018 |

## Objective: Foster Economic Success for Everyone in the Community

| Strategy: Promote education and job training in the field of sustainability | Create five apprenticeship opportunities in sustainability | New measure in FY2018 |
|-----------------------------------------------|
| **Strategy:** Develop affordable transit options that enhance connectivity within the Charlotte region | Implement the Envision My Ride program | New measure in FY2018 |

*Included in the Strategic Priorities Matrix
**Housing & Neighborhood Development**  
**FY2018 & FY2019 Strategic Focus Area Plan**  
“"The City of Charlotte will sustain and create distinct and diverse neighborhoods for all its residents”"  

The City’s long-term health and vitality are dependent on a built environment offering diverse housing options, vibrant neighborhoods and commercial corridors, and safe access to public amenities.

The City’s housing and neighborhood strategy focuses on preserving and creating neighborhoods and amenities that allow people to reach their full potential by creating places where:
- Families have access to quality affordable housing, quality education, and equitable economic opportunity and services,
- People and businesses are safe, and
- Civic infrastructure supports neighborhood quality of life.

<table>
<thead>
<tr>
<th>Objectives WHAT?</th>
<th>Strategies HOW?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preserve and create neighborhoods that offer affordable housing options</td>
<td>Expand the supply of newly constructed affordable and workforce housing geographically dispersed throughout the City*</td>
</tr>
<tr>
<td></td>
<td>Preserve existing affordable housing options by using current and new housing strategies in all areas of the City*</td>
</tr>
<tr>
<td></td>
<td>Explore additional housing programs and strategies to increase the supply of affordable housing*</td>
</tr>
<tr>
<td>Preserve and create neighborhoods that are attractive and environmentally sustainable</td>
<td>Emphasize identifying problems with buildings (residential and non-residential) complying with code before they become neighborhood issues</td>
</tr>
<tr>
<td></td>
<td>Expand and enhance active participation in volunteer street and stream adoption and cleaning</td>
</tr>
<tr>
<td></td>
<td>Improve cleanliness of City streets and neighborhoods</td>
</tr>
<tr>
<td>Preserve and create neighborhoods that are connected and vibrant</td>
<td>Implement the projects and programs identified in the Community Investment Plan to enhance safety, livability, transportation choices, and job growth*</td>
</tr>
<tr>
<td></td>
<td>Promote digital connectedness</td>
</tr>
<tr>
<td></td>
<td>Improve access to healthy foods throughout the City*</td>
</tr>
<tr>
<td></td>
<td>Work with partners to ensure adequate lighting on City streets</td>
</tr>
<tr>
<td></td>
<td>Connect community leaders, residents, elected officials and staff</td>
</tr>
<tr>
<td>Preserve and create neighborhoods that are engaged and welcoming</td>
<td>Support volunteer engagement and neighborhood improvement through neighborhood matching grants*</td>
</tr>
<tr>
<td></td>
<td>Provide community with training and perspective to accomplish goals and create deeper engagement across diverse communities</td>
</tr>
<tr>
<td>Foster economic success for everyone in the community</td>
<td>Connect children to high-quality out of school time (OST) programs*</td>
</tr>
<tr>
<td></td>
<td>Directly and through partner organizations provide youth with internships, pre-apprenticeships, and other work experiences*</td>
</tr>
</tbody>
</table>

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## Housing & Neighborhood Development
### FY2018 & FY2019 Strategic Focus Area Plan

### Performance

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<th>Measure/Target</th>
<th>FY2016 Actual</th>
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<tbody>
<tr>
<td><strong>Objective: Preserve and create neighborhoods that offer affordable housing options</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategy: Expand the supply of newly constructed affordable and workforce housing geographically dispersed throughout the City*</td>
<td>Number of new affordable and workforce housing units annually†</td>
<td>286+ units added</td>
</tr>
<tr>
<td>Strategy: Preserve existing affordable housing options by using current and new housing strategies in all areas of the City*</td>
<td>Number of affordable housing units redeveloped or rehabilitated annually†</td>
<td>354 units redeveloped</td>
</tr>
<tr>
<td><strong>Objective: Preserve and create neighborhoods that are attractive and environmentally sustainable</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategy: Emphasize identifying problems with buildings (residential and non-residential) before they become neighborhood issues</td>
<td>55% of all nuisance cases originate from inspection and only the remaining 45% require citizen complaints</td>
<td>65.64% originated from field observations 34.36% originated from complaints</td>
</tr>
<tr>
<td>Strategy: Expand and enhance active participation in volunteer street and stream adoption and cleaning*</td>
<td>250 active Keep Charlotte Beautiful Adopt-a-City Street participant organizations</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td></td>
<td>80 miles of streams cleaned within the City of Charlotte as part of the Adopt-a-Stream program</td>
<td>83.24 miles of streams cleaned</td>
</tr>
<tr>
<td><strong>Objective: Preserve and create neighborhoods that are connected and vibrant</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategy: Work with partners to ensure adequate lighting on City streets</td>
<td>Keep 95% of streetlights operational city-wide</td>
<td>95.4% of streetlights operational</td>
</tr>
<tr>
<td>Strategy: Promote digital connectedness</td>
<td>Increase % of subsidized housing units with internet</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Improve access to healthy foods throughout the City*</td>
<td>Complete Farmers Market study</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Implement the projects and programs identified in the Community Investment Plan to enhance safety, livability, transportation choices, and job growth*</td>
<td>Build 10 miles of new sidewalks and bikeways per year to enhance safety, provide transportation choices, and better connect residents to employment opportunities and services</td>
<td>13.02 miles of sidewalks and 2.96 miles of bikeways</td>
</tr>
<tr>
<td></td>
<td>30 organizations attending neighborhood board retreats</td>
<td>31 organizations</td>
</tr>
<tr>
<td></td>
<td>30 goals accomplished in the current fiscal year by all previous board retreat attendees</td>
<td>36 goals accomplished</td>
</tr>
<tr>
<td><strong>Objective: Preserve and create neighborhoods that are engaged and welcoming</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategy: Support volunteer engagement and neighborhood improvement through neighborhood matching grants*</td>
<td>8,000 volunteer hours served as a result of grants awarded</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td>Strategy: Provide community with training and perspective to accomplish goals and create deeper engagement across diverse communities</td>
<td>60 Neighborhood Matching Grants awarded</td>
<td>60 grants awarded</td>
</tr>
<tr>
<td></td>
<td>800 people participating in City sponsored training</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td></td>
<td>80 neighborhoods represented in City sponsored training</td>
<td>New measure in FY2018</td>
</tr>
<tr>
<td><strong>Objective: Foster economic success for everyone in the community</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategy: Connect children to high-quality quality out of school time (OST) programs*</td>
<td>816 children served through City OST grant contracts</td>
<td>776 children served</td>
</tr>
<tr>
<td>Strategy: Directly and through partner organizations provide youth with internships, pre-apprenticeships, and other work experiences*</td>
<td>200 private-sector businesses and non-profits providing youth internships, pre-apprenticeships, job shadowing, and other work experiences</td>
<td>151 private-sector businesses and non-profits</td>
</tr>
<tr>
<td></td>
<td>5,000 MYEP internships and youth participating in career readiness training and other work experiences</td>
<td>4,158 internships and youth</td>
</tr>
</tbody>
</table>

*Included in the Strategic Priorities Matrix
†Precise targets will be determined at the completion of the Strategic Affordable Housing Plan
Effective planning and continued transportation investments will enable Charlotte to accommodate growth, enhance quality of life and ensure the continuation of a vibrant, growing economy. The City will continue to integrate land use, urban design, and transportation decisions that maintain mobility to create more places and neighborhoods throughout Charlotte that are walkable, transit-oriented, and bicycle-friendly.

<table>
<thead>
<tr>
<th>Objectives WHAT?</th>
<th>Strategies HOW?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodate and Support Growth</td>
<td>Implement the Centers, Corridors, and Wedges Growth Framework, the 2030 Transit System Plan and the Transportation Action Plan</td>
</tr>
<tr>
<td></td>
<td>Prepare and adopt 1) Charlotte Place Type Policies, which further define the Centers, Corridors, and Wedges growth framework; and 2) a Unified Development Ordinance, a tool to implement the City’s land use, urban design, and transportation policies*</td>
</tr>
<tr>
<td></td>
<td>Coordinate with partners to advance multimodal transportation projects (streets, transit, bikeways, sidewalks, freeways, arterials, and high-occupancy toll lanes)</td>
</tr>
<tr>
<td></td>
<td>In conjunction with regional partners, review the regional growth framework to link development patterns with transportation investments*</td>
</tr>
<tr>
<td>Support a Vibrant and Growing Economy</td>
<td>Develop the Charlotte Gateway Station project that serves regional public transit and rail services</td>
</tr>
<tr>
<td>Maintain and Support Charlotte’s Transportation Assets</td>
<td>Continue to position Charlotte as a global freight and logistics hub by investing appropriate rail and roadway projects*</td>
</tr>
<tr>
<td>Maintain Charlotte’s transportation infrastructure by planning and investing current and future resources into the City’s transportation network</td>
<td>Maintain a twelve-year resurfacing cycle</td>
</tr>
<tr>
<td>Foster Economic Success for Everyone in the Community</td>
<td>Clarify policy guidance used in evaluating rezoning requests*</td>
</tr>
<tr>
<td></td>
<td>Improve Charlotte’s mobility and accessibility by enhancing walkability and bicycle friendliness*</td>
</tr>
<tr>
<td></td>
<td>Implement the projects and programs identified in the Community Investment Plan to enhance safety, livability, transportation choices, and job growth*</td>
</tr>
<tr>
<td></td>
<td>Implement the recommendations of the CATS bus system comprehensive review to increase access to transit and effectively deploy transit resources</td>
</tr>
</tbody>
</table>

*Included in the Strategic Priorities Matrix
## Performance

### Objective: Accommodate and Support Growth

| Strategy: Implement the Centers, Corridors, and Wedges Growth Framework, the 2030 Transit System Plan and the Transportation Action Plan |
| Four major arterial road projects completed per year | Three major projects completed |
| Two major intersection projects completed per year | No major projects completed |
| Complete construction of the Blue Line Extension and CityLynx Gold Line Phase II | New measure in FY2018 |
| Conduct appropriate planning and design studies of the Silver Line (East), rapid transit alignment through Uptown Charlotte to the Airport (West), and Enhanced Bus (North) and future phases of the CityLynx Gold Line | New measure in FY2018 |

### Objective: Support a Vibrant and Growing Economy

| Strategy: Prepare and adopt 1) Charlotte Place Type Policies, which further define the Centers, Corridors, and Wedges growth framework; and 2) a Unified Development Ordinance, a tool to implement the City’s land use, urban design, and transportation policies* |
| Complete initial draft of the Unified Development Ordinance | New measure in FY2018 |
| Complete Charlotte Place Type Policy Manual | New measure in FY2018 |
| In accordance with the Gartner Study recommendations, use the Accela land development management system to complete the automation of rezoning activities to increase efficiency and improve customer service | New measure in FY2018 |

### Objective: Maintain and Support Charlotte’s Transportation Assets

| Strategy: Maintain Charlotte’s transportation infrastructure by planning and investing current and future resources into the City’s transportation network |
| Begin developing a long-term funding strategy for the Transportation Action Plan | New measure in FY2018 |
| Perform preventative maintenance on 100% of traffic signals every two years | Preventative maintenance performed on 100% of traffic signals over two year period |

### Objective: Foster Economic Success for Everyone in the Community

| Strategy: Implement the projects and programs identified in the Community Investment Plan to enhance safety, livability, transportation choices, and job growth* |
| Build 15 or more pedestrian safety and crossing projects per year to enhance safety, provide transportation choices, and better connect residents to employment opportunities and services | 42 pedestrian safety projects installed |
| Build 10 miles of new sidewalks and bikeways per year to enhance safety, provide transportation choices, and better connect residents to employment opportunities and services | 13.02 miles of sidewalk and 2.96 miles of bikeways |
| Conduct pedestrian safety awareness campaign to enhance safety, provide transportation, choices, and better connect residents to employment opportunities and services | Participated in the NC Watch for Me campaign |

| Strategy: Implement the recommendations of the CATS bus system comprehensive review to increase access to transit and effectively deploy transit resources |
| Conduct and complete a comprehensive analysis of CATS bus route structure to connect more people to jobs, employment centers, and services | New measure in FY2018 |
City Manager’s Report
Resolution to Certify and Declare the Results of the November 8, 2016 Special Bond Referendum

Action: Adopt a resolution certifying and declaring the results of the November 8, 2016 Special Bond Referendum.

Staff Resource(s):
Randy Harrington, Management and Financial Services
Robert Campbell, Management and Financial Services

Explanation
- On July 25, 2016, City Council conducted a public hearing and adopted a resolution approving the call for referendum on November 8, 2016 for $148,440,000 general obligation transportation bonds, $15,000,000 general obligation housing bonds, and $55,000,000 general obligation neighborhood improvement bonds according to the Community Investment Plan for Fiscal Years 2017 through 2021.
- The referendum was conducted on November 8, 2016 and the Mecklenburg County Board of Elections has presented the Canvass of Results of the Referendum. The Mecklenburg County Board of Elections certified the results of the Special Bond Referendum on November 28, 2016.
- The results were:
  - 264,087 (77%) in favor of the Transportation Bonds and 79,642 (23%) opposed
  - 240,025 (70%) in favor of the Housing Bonds and 103,111 (30%) opposed
  - 267,946 (78%) in favor of the Neighborhood Improvement Bonds and 76,193 (22%) opposed.
- Following the City Council action, staff will publish a Statement of Results for each bond issuance. Publication initiates a 30-day action period to dispute election results. It is not anticipated that any challenges will be filed.

Attachment
Board of Elections Certificate of Canvass 2016 Referendum Resolution
CERTIFICATE OF CANVASS OF THE
MECKLENBURG COUNTY BOARD OF ELECTIONS
FOR THE REFERENDUM OF THE
CITY OF CHARLOTTE ON THE 8TH DAY OF NOVEMBER, 2016

WE, the undersigned Chairman and Members of the Mecklenburg County Board of Elections, DO HEREBY CERTIFY that we met on November 28th, 2016 at the hour of 5 o’clock, in the office of the Mecklenburg County Board of Elections in Charlotte, North Carolina to canvass the returns of the special bond referendum held in the City of Charlotte, North Carolina on November 8, 2016.

1. The total number of voters who voted “YES” in answer to the question, “SHALL the order authorizing $148,440,000 of bonds plus interest to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”, was 264,087. The total number of voters who voted “NO” in answer to such question was 79,642. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

2. The total number of voters who voted “YES” in answer to the question, “SHALL the order authorizing $15,000,000 of bonds plus interest to provide funds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”, was 240,025. The total number of voters who voted “NO” in answer to such question was 103,111. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

3. The total number of voters who voted “YES” in answer to the question, “SHALL the order authorizing $55,000,000 of bonds plus interest to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths; paving, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping and lighting, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?” 267,946, was. The total number of voters who voted “NO” in answer to such question was 76,193. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.
4. All persons voting at said referendum were required to use ballots or ballot labels setting forth the questions to be voted upon in the form prescribed by the City Council of the City of Charlotte, North Carolina.

5. Only the persons who have been duly registered were permitted to vote at said referendum. The total number of voters who were registered and qualified to vote at said referendum was 559,948.

6. The polls for said referendum were opened at the polling places in the City of Charlotte, North Carolina on November 8, 2016, at the hour of 6:30 a.m., and were closed at the hour of 7:30 p.m. on that day.

IN WITNESS WHEREOF, we have set our hands for the purpose of certifying the result of the special bond referendum held for the City of Charlotte, North Carolina on November 8, 2016 to the City Council of said City, this 28th day of November, 2016.

Chairman

Member

Member

Notary Public

My Commission Expires: 20 June 2018
A regular meeting of the City Council of the City of Charlotte, North Carolina (the “City Council”) was duly held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, the regular place of meeting, at 7:00 p.m. on December 12, 2016:

Members Present:

Members Absent:

Councilmember ______________introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF $148,440,000 GENERAL OBLIGATION TRANSPORTATION BONDS, AUTHORIZING THE ISSUANCE OF $15,000,000 GENERAL OBLIGATION HOUSING BONDS AND AUTHORIZING THE ISSUANCE OF $55,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8, 2016

WHEREAS, the City Council of the City of Charlotte, North Carolina has considered the Certificate of Canvass of the Mecklenburg County Board of Elections canvassing the referendum held for the City of Charlotte, North Carolina on November 8, 2016 and certifying the result thereof to the City Council and has canvassed the result of said Referendum.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA that it be and hereby is certified and declared that the number of voters registered and qualified to vote at said Referendum was 559,948.

BE IT FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted “Yes” in answer to the question

“SHALL the order authorizing $148,440,000 of bonds plus interest to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design;
acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?";

was 264,087. The total number of voters who voted “No” in answer to such question was 79,642. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED,** that it be and hereby is certified and declared that the total number of voters who voted “Yes” in answer to the question

“**SHALL** the order authorizing $15,000,000 of bonds plus interest to provide funds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?";

was 240,025. The total number of voters who voted “No” in answer to such question was 103,111. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED,** that it be and hereby is certified and declared that the total number of voters who voted “Yes” in answer to the question

“**SHALL** the order authorizing $55,000,000 of bonds plus interest to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths; paving, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping and lighting, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?";

was 267,946. The total number of voters who voted “No” in answer to such question was 76,193. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED,** that a statement substantially in the form hereinafter set forth declaring the result of said referendum shall be prepared, delivered to the City Clerk for filing and recordation and published in accordance with law.
BE IT FURTHER RESOLVED, that this Resolution shall become effective on the date of its adoption.

Upon motion of Councilmember ____________, seconded by Councilmember ___________, the foregoing resolution entitled: “RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF $148,440,000 GENERAL OBLIGATION TRANSPORTATION BONDS, AUTHORIZING THE ISSUANCE OF $15,000,000 GENERAL OBLIGATION HOUSING BONDS AND AUTHORIZING THE ISSUANCE OF $55,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8, 2016” was adopted by the following vote:

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 12th day of December, 2016.
I, ____________________, the ____________________ of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution entitled “RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF $148,440,000 GENERAL OBLIGATION TRANSPORTATION BONDS, AUTHORIZING THE ISSUANCE OF $15,000,000 GENERAL OBLIGATION HOUSING BONDS AND AUTHORIZING THE ISSUANCE OF $55,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8, 2016” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 12th day of December, 2016, the reference having been made in Minute Book _____, and recorded in full in Resolution Book _______, Page(s) _______.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ___ day of ____________, 2016.

_________________________________
_______ City Clerk
City of Charlotte, North Carolina

(SEAL)
STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF $148,440,000 GENERAL OBLIGATION TRANSPORTATION BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8, 2016

WHEREAS, by direction of the City Council (the “City Council”) of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 8, 2016 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

NOW, THEREFORE, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

(1) The number of voters registered and qualified to vote at said referendum was 559,948.

(2) The total number of voters who voted “Yes” in answer to the question, “SHALL the order authorizing $148,440,000 of bonds plus interest to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”,

was 264,087. The total number of voters who voted “No” in answer to such question was 79,642. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this special bond referendum must be begun within 30 days after December 13, 2016.

CITY OF CHARLOTTE, NORTH CAROLINA

By /s/ Stephanie C. Kelly

City Clerk
City of Charlotte, North Carolina
STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF $15,000,000 GENERAL OBLIGATION HOUSING BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8, 2016

WHEREAS, by direction of the City Council (the “City Council”) of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 8, 2016 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

NOW, THEREFORE, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

(1) The number of voters registered and qualified to vote at said referendum was 559,948.

(2) The total number of voters who voted “Yes” in answer to the question, “SHALL the order authorizing $15,000,000 of bonds plus interest to provide funds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?” was 240,025. The total number of voters who voted “No” in answer to such question was 103,111. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this special bond referendum must be begun within 30 days after December 13, 2016.

CITY OF CHARLOTTE, NORTH CAROLINA

By /s/ Stephanie C. Kelly
City Clerk
City of Charlotte, North Carolina
STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF $55,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENT BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8, 2016

WHEREAS, by direction of the City Council (the “City Council”) of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 8, 2016 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

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(2) The total number of voters who voted “Yes” in answer to the question, “SHALL the order authorizing $55,000,000 of bonds plus interest to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths; paving, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping and lighting, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?” was 267,946. The total number of voters who voted “No” in answer to such question was 76,193. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this special bond referendum must be begun within 30 days after December 13, 2016.

CITY OF CHARLOTTE, NORTH CAROLINA

By /s/ Stephanie C. Kelly
City Clerk
City of Charlotte, North Carolina
Agenda #: 15    File #: 15-4482    Type: Business Item

Mayor and City Council Topics
The City Council members may share information and raise topics for discussion.
CharMeck 911 Upgrade Contract Amendment

Action:

A. Approve contract amendment #1 with West Safety Services for services to support 911 hardware and software upgrade and the implementation of additional E-911 functionality for the Charlotte-Mecklenburg Police Department, Charlotte Fire Department, and Mecklenburg Emergency Management System Agency,

B. Authorize the City Manager to approve price adjustments, amend the contract consistent with the City’s business needs and the purpose for which the contract was awarded, and to purchase maintenance and support for as long as the City uses the system, and

C. Authorize the City Manager to purchase additional software licenses, services, and hardware as needed from time to time to optimize Charlotte-Mecklenburg Police Department, Charlotte Fire Department, and Mecklenburg Emergency Management System Agency’s use of the system.

Staff Resource(s):
Katrina Graue, Police
Richard Granger, Fire
Kevin Staley, Medic
Sonya Williams, Police

Explanation
- On February 28, 2011, the City Council approved a contract with West Safety Services for the E-911 system (Intrado), the system serving as the initial point of contact between the caller and the public safety agency, receiving the incoming call, allowing the collection of data from the caller that is transferred into the Computer Aided Dispatch systems used by Charlotte-Mecklenburg Police Department (CMPD), Charlotte Fire Department (CFD), and Mecklenburg Emergency Management System Agency (Medic) to provide a public safety response to the caller.

- Contract amendment #1 is needed to purchase additional 911 positions and to upgrade the system providing access to new functionality. The amendment is fully funded by the Public Safety North Carolina 911 Services Fund.

- Contract amendment #1 will achieve the following goals:
  - CMPD will add additional 911 positions to the CMPD 911 Center providing the ability to increase 911 call-taking capacity. The additional positions should be in place prior to the upgrade in order to streamline that process.
  - Replacement of the current 911 hardware, which has been in place since October 2011, with the latest software, positioning CMPD, CFD, and Medic to take advantage of next
Agenda #: 16  
File #: 15-4470  
Type: Consent Item

Generation 911 capabilities and new functionality, such as:

- Allow the agencies to access the 911 system services from all connected communications locations;
- Make the transition for CMPD, CFD, or Medic to the Backup 911 Center site seamless, eliminating the need for manual processes;
- Make the transition for CMPD and CFD to the Joint Communications Center seamless, eliminating the need for a manual processes; and
- In the event of a disaster, allows CMPD, CFD, or Medic the capability to assign personnel to other agency sites and respond to public safety calls from the site.
  - Provide the capability to receive 911 requests via text and respond to 911 text messages from a citizen needing public safety assistance, including the hard of hearing community, which is not an option available currently.
- The total price of the products and services to be provided under this contract amendment are estimated to be approximately $1,150,000, excluding ongoing software maintenance and support.
- Annual expenditures for ongoing software maintenance and support under the contract will not exceed 5% per year for maintenance and support each year.

Charlotte Business INClusion
No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy)

Fiscal Note
Funding: Public Safety North Carolina 911 Services Fund
Firefighting Turnout Gear

Action:

A. Award unit price contracts to the following lowest responsive bidders for the purchase of firefighting turnout gear for one year:
   - Atlantic Emergency Solutions,
   - Municipal Emergency Services, Inc., and
   - Newton’s Fire & Safety Equipment, Inc.

B. Authorize the City Manager to renew the contracts for up to four additional, one-year terms with possible price adjustments and to amend the contracts consistent with the City’s business needs and the purpose for which the contracts were approved.

Staff Resource(s):
Kevin Gordon, Charlotte Fire Department
Karen Ewing, Management & Financial Services

Explanation

- Firefighting turnout gear is used by the Charlotte Fire Department (CFD) for personal firefighter protection while performing daily tasks including firefighting, search and rescue, and responding to building entrapments and gas leaks. Firefighting turnout gear consists of a jacket and pant and helps protect the firefighters from thermal and mechanical injury.
- On May 19, 2016, Management & Financial Services issued a two-phase Invitation to Bid for CFD and on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA) for firefighting turnout gear. Three bids were received from interested bidders, and each bid offered products from a different manufacturer.
  - In phase I, the City required bidders to furnish sample gear for CFD to test and evaluate the compliance with specifications, quality, durability, and performance of the gear.
    - Three bidders submitted on one or more of the required manufacturers’ products, and provided information including references and sample reporting, and proposed alternate sample gear.
    - Based on the evaluation results, CFD approved specific products for which the bidders could provide unit price bids.
  - In Phase II, the City approved two of the proposed alternate samples and requested fixed unit price bids for eight products.
- To accommodate the diverse need of CFD and other CCPA public entities, all three bidders were selected to provide specific manufacturers’ products.
  - Atlantic Emergency Solutions is an authorized distributor for Innotex brand gear.
  - MES is an authorized distributor for Globe brand gear.
  - Newton’s Fire & Safety is an authorized distributor for Morning Pride brand gear.
Agenda #: 17. File #: 15-3747 Type: Consent Item

- The companies will be paid the unit prices set forth in the contracts, copies of which are available upon request.
- The contracts give the City the option to renew for four additional, one-year terms with applicable price adjustments included in the contract pricing sheet.
- The first year combined annual expenditure is estimated to be $1,894,968.
  - On October 10, 2016, the Charlotte City Council authorized the City Manager to accept the 2015 Assistance to Firefighters Grant from the U.S. Department of Homeland Security, Federal Emergency Agency in the amount of $1,401,750, with a local match of $127,431. This grant will allow CFD to purchase additional personal protective equipment, such as helmets, boots, hoods, and gloves, in addition to turnout gear.
  - CFD plans to use a portion of the 2015 grant funds (estimated at $1,274,319) and operating funds (estimated at $620,649) to purchase replacement turnout gear for an estimated 1,044 fire operations personnel during the initial term of the contracts.
- CFD intends to purchase approximately $1,722,268 in Globe gear from MES during the initial one year term.
- CFD plans to buy approximately $172,700 in Innotex gear from Atlantic Emergency Solutions during the initial one year term.
- The additional turnout gear will help ensure the proper maintenance and exchange of turnout gear, and will enable CFD to move towards its ultimate goal to provide two sets of turnout gear for each operations staff member.
  - Proper maintenance and exchange of turnout gear is critical for the health and safety of firefighters.

Background

- The National Fire Protection Association recommends replacing all protective clothing every 10 years, or when the garments are damaged to the point of noncompliance with safety specifications.
- The CCPA is a cooperative purchasing program within Management & Financial Services with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- Firefighting turnout gear is commonly used by entities of all sizes. Offering competitively-priced gear through CCPA benefits entities nationwide.
- CCPA contracts are available for the use of and to benefit all entities that must comply with state purchasing laws (cities, counties, public and private schools, colleges and universities, non-profits, and all governmental entities).
- CFD does not plan to use Morning Pride gear. The Newton’s Fire & Safety contract will be utilized by other CCPA public entities.

Charlotte Business INCllusion

No subcontracting goals were established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INCllusion Policy).

Fiscal Note

Funding: CFD Operating Budget and the 2015 Assistance to Firefighters Grant
Building Commissioning Services

Action: Approve a unit price contract for building commissioning services with the following companies for a three-year term:

- System WorCx, PLLC,
- RMF Engineering,
- McCracken & Lopez, P.A., and
- HEA Engineers LLP.

Staff Resource(s):
William Haas, Engineering & Property Management

Explanation

- Building commissioning is a third-party, independent service involving design phase input and plan review to test and adjust mechanical, electrical, and plumbing systems. This is an on-going City practice in order to maintain optimum efficiencies.
- The service ensures the systems work together to achieve optimum efficiency, reducing operating costs and improving performance of the building while also increasing satisfaction of the tenants.
- These consultants will provide building commissioning services on new and existing Police, Fire, and other City buildings on an as-needed basis.
- A commissioning agent will be used, as required by the Policy for Sustainable City Facilities, to help ensure mechanical, electrical, and plumbing systems operate at optimum efficiency.
- On July 18, 2016, the City issued a Request for Qualification for Building Commissioning Services. In response to the RFQ, the City received seven proposals from interested professional service providers.
- Consultants were selected pursuant to the Council-approved qualifications-based selection process in accordance with North Carolina General Statutes.
- Expenditures for each contract are estimated to be $250,000 over the three-year term, for a total of $1,000,000.

Charlotte Business INClusion
The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). Each of the Prime firms listed has included MWSBEs on its project team, and for each work order issued, committed 10% ($25,000) to the following certified firms:

System WorCx, PLLC
- AeroRaq Engineering (MBE) (commissioning services)
- Christian Engineering (MBE, SBE) (commissioning services)
- The Milbourne Group (MBE, SBE) (commissioning services)
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**File #:** 15-4293  
**Type:** Consent Item

**RMF Engineering**  
- Building EnergetiCx (SBE) (commissioning services)

**McCracken & Lopez, P.A.,**  
- High Performance Building Solutions (SBE) (commissioning services)

**HEA Engineers LLP**  
- The Milbourne Group - Consulting Engineers (SBE, MBE) (commissioning services)

**Fiscal Note**  
Funding: General Facilities Community Investment Plan
Aerial Mapping Services

Action: Approve a unit price contract with the following companies for aerial mapping services for a term of three years:

- Avioimage Mapping Services, Inc.,
- Independent Mapping Consultants, Inc., and
- So-Deep/SAM NC, Inc.

Staff Resource(s):
Jackie Brim, Engineering & Property Management

Explanation
- Aerial mapping is a safe, accurate and cost effective method for acquiring the base information needed for engineering design of Community Investment Plan projects.
- The base mapping includes the visible physical features, contours of the surface elevations, and an elevation point at a 10 foot interval.
- On October 12, 2016, the City issued a Request for Qualification (RFQ) for Aerial Mapping Services for Capital Improvement Projects. In response to the RFQ, the City received seven proposals from interested professional service providers.
- Consultants were selected pursuant to the City Council-approved, qualifications-based selection process in accordance with North Carolina General Statutes.
- Total expenditures for each contract are estimated to be $200,000 over the three-year term, for an aggregate total of $600,000.

Charlotte Business INClusion
No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy). One of the firms selected, Avioimage Mapping Services, Inc. is a City certified SBE.

Fiscal Note
Funding: General Community Investment Plan
Storm Drainage Improvement Project Engineering Services

Action:  
Approve a unit price contract for engineering services on storm drainage improvement projects with the following consultants for a three-year term:

- D&A Wolverine, PLLC, and
- ESP Associates, PA

Staff Resource(s):  
Doug Lozner, Engineering & Property Management

Explanation

- Storm Water Services uses contracted engineering firms on storm drainage improvement projects that are the highest ranking projects in the program backlog each year.

- The projects may include storm drainage improvements that reduce house and street flooding, repair failing infrastructure, or enhance water quality of nearby creeks.

- On July 13, 2016, the City issued a Request for Qualification (RFQ) for Various Storm Water Services Projects. In response to the RFQ, the City received 25 proposals from interested professional service providers.

- Consultants were selected pursuant to the City Council-approved, qualifications-based, selection process in accordance with North Carolina General Statutes.

- Work will include, but is not limited to:
  - Evaluation,
  - Analysis and recommendations for repair and/or improvement,
  - Design of repairs and/or improvements,
  - Preparation of construction documents,
  - Environmental assessments, and
  - Construction oversight and monitoring.

- Total expenditures to the two consultants are estimated to be $3,000,000 in the aggregate over a three-year term.

D&A Wolverine, PLLC Contract

- The first project to be initiated under this contract will be the Chandworth Storm Drainage Improvement Project.

- The project drainage area is approximately 200 acres and bordered by Park South Drive and Sulkirk Road to the north, Sharon Road to the east, Ashton Drive and Riverbend Road to the south.
and Park Road to the west.

- The work will include design, permitting, preparation of construction drawings, and specifications, as well as construction administrative activities.

**ESP Associates, PA Contract**

- The project to be initiated under this contract will be the Hill Street Storm Drainage Improvement Project.
- The project drainage area is approximately 245 acres and bordered by West 4th Street to the north, Stonewall Street and South Graham Street to the east, West Bland Street and South Tryon Street to the south, and Interstate I-77 to the west.
- The work will include design, permitting, preparation of construction drawings, and specifications, as well as construction administrative activities.

**Charlotte Business INClusion**

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). Each of the Prime firms listed has identified MWSBE firms to participate as project scopes are defined, and committed 10% of the total contract amount to the following certified firms:

- **D&A Wolverine, PLLC (SBE)**
  - The Survey Company, Inc. (SBE) (surveying)
  - Survey Mapping & Control, Inc. (SBE) (surveying)
  - Avioimage Mapping Services (SBE) (mapping)
  - Carolina Wetland Services, Inc. (SBE, WBE) (wetland delineation, environmental permitting)
  - Spot 'em, Inc. (MBE) (utility locates and subsurface investigations)
  - Sweetwater Utility Explorations, LLC (SBE) (utility locates and subsurface investigations)

- **ESP Associates, PA**
  - Ameridrill Corporation (SBE) (drilling)
  - Wescott Structures, PA (SBE, WBE) (engineering services)

**Fiscal Note**

Funding: Storm Water Community Investment Plan

**Attachment**

Maps
Location Map: Storm Drainage Improvement Engineering Services
Chandworth Storm Drainage Improvement Project (Council District 6)
Location Map: Storm Drainage Improvement Engineering Services
Hill Street Storm Drainage Improvement Project (Council Districts 2 and 3)
City of Charlotte

Agenda Date: 12/12/2016

Agenda #: 21. File #: 15-4435 Type: Consent Item

Telecommunications Lease Amendment with New Cingular Wireless PCS, LLC

Action:

A. Approve an amendment to the lease with AT&T, operating as New Cingular Wireless PCS, LLC, at 2300 South Point Road, Belmont (Gaston County parcel identification number 192173), modifying the lease rate and extending the term of the lease for three additional, five-year terms, through October 31, 2047, and

B. Adopt a resolution authorizing the City Manager to execute all necessary documents to complete the lease amendment between the City of Charlotte and New Cingular Wireless PCS, LLC.

Staff Resource(s):
Amanda Byrum, Engineering & Property Management
Paul Wilkerson, Innovation & Technology

Explanation
- Since 2005, the City has leased ground space for a telecommunications tower on property located in Belmont, North Carolina, owned by the South Point Volunteer Fire Department.
- The City constructed and owns the telecommunications tower and operates it for public safety communications.
- In order to generate revenue for public safety communications to offset the costs of the telecommunications tower and equipment maintenance, the City began leasing space on the tower and the ground.
- The tower was constructed to the specifications used for public safety equipment, which are more limited than those typically utilized for commercial carrier operation.
- In 2008, the City entered into a lease agreement with AT&T, operating as New Cingular Wireless PCS, LLC, with an expiration date of October 31, 2032.
- AT&T recently determined that the site was generating lower revenues than projected. As a result, AT&T submitted a request to reduce the lease rate in order to continue operations at the site.
- In consultation with Innovation & Technology, staff determined that continued revenue collection would be beneficial to the City and negotiated the lease rate reduction and extended lease term with AT&T.
- The lease amendment will reduce the lease rate from $1,500 to $1,350 per month as the new base rate and will extend the term of the lease for three additional, five-year extension terms.
- The reduction in the lease rate is accompanied by a rent guarantee period through November 30, 2031, providing for the payment of rent whether or not AT&T is able to continue operating under the lease.
- The new lease rate will escalate by 15% at the start of each five-year extension term, beginning on December 1, 2021.
- The new lease expiration date will be October 31, 2047.
- Space on the tower and ground are available for additional lessees, if other telecommunications
companies are interested in co-location.

Attachment
Resolution
RESOLUTION AUTHORIZING THE LEASE OF TOWER AND GROUND TELECOMMUNICATIONS SPACE TO AT&T, OPERATING AS NEW CINGULAR WIRELESS PCS, LLC

WHEREAS, the City of Charlotte built and owns a public safety telecommunications tower (the "Tower") and also leases ground space adjacent to the Tower, on property owned by the South Point Volunteer Fire Department and located at 2300 South Point Road in Belmont; and

WHEREAS, the Tower and the ground-leased area both have space which is suitable for the installation and operation of general telecommunications equipment and which is currently surplus to the City's needs; and

WHEREAS, the City has leased this surplus space on the Tower and on the ground ("Tenant"), to AT&T, operating as New Cingular Wireless PCS, LLC ("Tenant"), beginning in 2008, for a term set to expire in 2032; and

WHEREAS, Tenant now desires to reduce the monthly rental rate from $1,500 to $1,350 with a 15% rent escalation every five years for the remainder of the lease, beginning on December 1, 2021, and to extend the term of the lease for three additional, five-year extension terms, until October 31, 2047; and

WHEREAS, in consideration for the rent reduction and lease extension, Tenant has agreed to a rent guarantee period through November 30, 3031; and

WHEREAS, the required notice has been published and Council is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.131 of the City of Charlotte Charter, that it hereby authorizes the lease of the above referenced Property as follows:

The City Council hereby approves the lease of the City property described above to AT&T, operating as New Cingular Wireless PCS, LLC, on the above-described terms, and authorizes the City Manager or his Designee to execute any instruments necessary to the lease.

THIS THE 12th DAY OF December, 2016.
Amendment to the City-County Single Storm Water System Agreement

Action: Adopt a resolution to approve the amended and restated Agreement for operation of a single Storm Water System in Mecklenburg County.

Explanation

- In October 1993, Council approved the original agreement with Mecklenburg County for the joint operation of a single storm water utility within the City limits.
- The Agreement defines the operation of a consolidated storm water program in Mecklenburg County.
- State law requires coordination among storm water programs operating in the same geographic area and prohibits the imposition of fees for storm water services by more than one entity in a given area.
- The Agreement enables the City and the County to meet these statutory requirements by defining the allocation of roles and funding.
- The minor enhancements and clarifications to the City-County Interlocal Agreement will:
  - Consolidate language from a separate City-County shared programs agreement into a single agreement to aid in flexibility and streamline processes related to work plans.
  - Add an option for the City and County to have separate fee credit policies in the future.
  - Recognize that the County approves credits when notified of the change by the City.
  - Make the Agreement consistent with the way fees are currently billed.
  - Ensure consistency with General Statutes as well as include added flexibility for Advisory Committee meetings related to hearing appeals and variances.
- City and County staff have reached consensus on the content of the revised agreement and the Storm Water Advisory Committee endorsed it at their October 20, 2016 meeting.
- The proposed Agreement is expected to be approved by the Mecklenburg County Board of County Commissioners in early 2017.

Background

- On June 24, 2002, Council approved the Amended and Restated Agreement for operation of a single storm water system in Mecklenburg County.
- On March 28, 2005, Council approved a resolution amending the 2002 Agreement to clarify public
hearing requirements for rate adjustments.

- On June 22, 2009, Council approved revisions to align the responsibilities of the Storm Water Advisory Committee to: Hear and make decisions on appeals and variances to be consistent with adopted City Ordinances; Clarify the use of the fixed fee for billing systems; Provide the authority to set rates based on more than two tiers; Clarify length of terms for Storm Water Advisory Committee members; Extend the term of the initial agreement from July 1, 2009 until June 30, 2010, which shall be automatically renewed each fiscal year thereafter unless notice of non-renewal is given.

**Fiscal Note**

Funding: The proposed amendments to the Agreement will not impact the Storm Water Services budget or the general fund.

**Attachment**

Agreement for Operation of a Single Storm Water System

Resolution
THIS AMENDED AND RESTATED AGREEMENT (hereinafter “Agreement”) made as of ____________________________, by and between MECKLENBURG COUNTY, a political subdivision of the State of North Carolina (hereinafter “County”), and the CITY OF CHARLOTTE, North Carolina, a municipal corporation of the State of North Carolina (hereinafter “City”).

WITNESSETH:

WHEREAS, in 2009 the City and County executed an amended and restated “Agreement for Operation of a Single Storm Water System in Mecklenburg County”, which Agreement the parties desire to amend and restate; and

WHEREAS, the purpose of this Agreement is to recognize that a single storm water system exists in Mecklenburg County, and that the goal of the City of Charlotte and Mecklenburg County is to provide comprehensive storm water services in an efficient, effective, and equitable manner; and

WHEREAS, the Charlotte City Council (hereinafter “City Council”) and Mecklenburg County Board of Commissioners (hereinafter “Board of County Commissioners”) believe the most equitable source of revenue for storm water services to be primarily storm water service fees assessed on the basis of contribution of runoff from each property; and

WHEREAS, North Carolina General Statutes 153A-277 and 160A-314 require that no storm water service fee may be levied whenever two or more units of local government operate separate structural and natural storm water and drainage system services in the same area within a County unless units of local government allocate among themselves the functions, duties, powers, and responsibilities of jointly operating a single system within the same area; and

WHEREAS, the County and City currently have certain distinct responsibilities in connection with the operation, maintenance and financing of separate systems; and

WHEREAS, the purpose of this Agreement is to continue the single storm water public enterprise created by the parties in 1993 in Mecklenburg County, to allocate storm water responsibilities, and to establish the method and responsibilities for financing and operating a single, comprehensive storm water quantity and quality management program in Mecklenburg County.
NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AND FULFILLMENT OF THE TERMS OF THIS AGREEMENT, THE COUNTY AND CITY AGREE AS FOLLOWS:

1. **Major system** - The County shall be responsible for administering storm water management programs on the major system (defined as streams having a watershed greater than one square mile) and enforcement of the regulated floodway ordinance in the unincorporated areas of the County, and within the corporate limits of such municipalities as may be authorized by this Agreement with the County and/or any applicable ordinances. The County shall establish levels of service and cost, prioritize, schedule, and manage “storm water management programs”, as such phrase is defined in G.S. 153A-274(7), related to the major system (including, but not limited to water quality, water quantity, the flow of storm water and the prevention of flood losses) and shall be responsible for financial accounting of associated revenues. The City of Charlotte hereby allocates responsibility for the major system within the corporate limits of the City to the County.

2. **Minor system** - The County shall be responsible for administering storm water management programs on the minor system (defined as streams and drainage systems with a watershed of less than one square mile) in the unincorporated areas of the County, and within the corporate limits of such municipalities as may be authorized by this Agreement with the County. The County shall establish levels of service and cost, prioritize, schedule, and manage “storm water management programs”, as such phrase is defined in G.S. 153A-274(7), related to the minor system (including, but not limited to water quality, water quantity, the flow of storm water and the prevention of flood losses) in unincorporated areas, and shall be responsible for financial accounting of associated revenues. The City shall be responsible for the minor system and shall establish levels of service and cost, prioritize, schedule, and manage “storm water management programs”, as such phrase is defined in G.S. 153A-274(7), relating to the minor system within the corporate limits of the City as they may change from time to time as the result of annexation or otherwise.

3. **Charlotte-Mecklenburg Storm Water Services** - The storm water services to be provided pursuant to this Agreement shall be conducted as a public enterprise to be known as the Charlotte-Mecklenburg Storm Water Services (CMSWS).

4. **Water quality** - The City and County are responsible for protecting and restoring the quality of storm water runoff and surface waters as required by the Clean Water Act and associated regulations promulgated by the United States Environmental Protection Agency, to the extent described in their respective National Pollutant Discharge Elimination System (NPDES) permit, and/or the State of North Carolina, and other laws and regulations that may apply.

5. **Financing** - Pursuant to N.C.G.S. 153A-278 and 160A-314, the County shall, unless otherwise provided by this Agreement, establish, revise, charge, and collect storm water fees and issue, where appropriate, storm water credits for property within the unincorporated areas of the County, and within the corporate limits of the City and such other municipalities as may be authorized by this Agreement with the County. Storm water fees shall be a periodic service charge, which shall consist of three components as follows:
i) **Fixed and Administrative Cost Component** shall be used to pay those expenses that are not influenced by the amount of impervious area on a parcel of property, including but not limited to the cost of producing bills and collecting fees, determining impervious area, and operating customer service functions (hereafter referred to as the “Billing Services”). Funds resulting from the Fixed and Administrative Cost Component of the fees shall be used only for Billing Services. Costs associated with this component shall be updated annually and incorporated into an annual budget according to the process detailed in the Charlotte-Mecklenburg Billing and Collections Cost Allocation Methodology Document (“Methodology Document”) attached hereto as Exhibit A and incorporated herein by reference. The Methodology Document may be revised from time to time, by mutual consent of the City and County Managers, and will replace the document attached hereto as Exhibit A. The City and County Managers must agree on this annual budget prior to the beginning of the next fiscal year. If the City and County Managers cannot agree on a budget, the Mayor shall appoint two City Council Members and the Chairman of the Board of County Commissioners shall appoint two County Commissioners to meet together and work with the Managers on resolving the issue. The Managers shall approve any budget recommended by a majority of the members of this six-member group. In the event that the annual budget has not been agreed upon by the City and County Managers prior to the beginning of a fiscal year, the City and County shall proceed as if the prior year’s budget is continued. By mutual consent of the City and County Managers, (a) the Methodology Document may be amended and, as amended, be substituted for the immediately prior version and attached hereto as Exhibit A, and (b) funds from the Major System Cost Component and the Minor System Cost Components may be used to pay a portion of the cost of the Billing Services.

ii) **Major System Cost Component** shall be used to pay those expenses incurred in administering storm water management programs designed to protect water quality and manage structural and natural storm water and drainage systems of all types with a watershed greater than one square mile. The Major System Cost Component of the service charge for detached single-family residences shall have the number of tiers and associated amounts as determined by the County consistent with this Agreement and 153A-277. For all other property, the service charge shall be calculated and applied on a per-square-foot of impervious area basis as determined by the County consistent with this Agreement and 153A-277. In accordance to this Agreement, revenues from the Major System Cost Component shall be distributed to the County for usage in the Mecklenburg County Storm Water Special Revenue Fund.

iii) **Minor System Cost Component** shall be used to pay those expenses incurred in providing storm water management programs designed to protect water quality and manage structural and natural storm water and drainage systems of all types with a watershed of less than one square mile. The Minor System Cost Component of the service charge for detached single-family residences shall have the number of tiers and associated amounts as determined by the City or County consistent with this Agreement and with 160A-314 or 153A-277, as applicable.
For all other property, the service charge shall be calculated and applied on a per square foot of impervious area basis as determined by the City or County consistent with the terms of this Agreement and with 160A-314 or 153A-277, as applicable. Revenues from the Minor System Cost Component collected within the corporate limits of the City shall be distributed to the City for providing minor system services within its corporate limits. Revenues from the Minor System Cost Component collected within the unincorporated areas of the County shall be distributed to the County for providing minor system services within the unincorporated areas of the County.

On or before April 15 of each year during the budget process, the City shall inform the County if it wishes to alter the Minor System Cost Component. If the City requests that the County alter the Minor System Cost Component levied within the corporate limits of the City, the Board of County Commissioners shall schedule and hold a public hearing on the proposed alteration in the service charge. In addition, the City Council shall schedule and hold its own public hearing on the proposed alteration in the service charge. Following the public hearings, the Board of County Commissioners shall alter the Minor System Cost Component of the service charge to be levied within the City after it receives notification from the City Council of the desired alteration in the Minor System Cost Component. The Board of County Commissioners and City Council shall attempt to schedule the public hearings before May 30 so that changes made in the Minor System Cost Component can be placed into the budget for the next fiscal year.

In the event a change is requested separate from the annual budget process, the County shall conduct such public hearings and other measures as required by the North Carolina General Statutes to establish new charges within sixty (60) days of the City’s request.

6. Work Plan(s) - The City and County may provide services to each other based on certain specific work plan(s) (hereinafter “Work Plans”) agreed to, in writing, by the City and County. This may be performed without requiring further approval by the City Council or Board of County Commissioners for individual projects or specific Work Plan(s) unless other polices, laws or regulations require approval by the governing bodies. Work Plans primarily associated with operating expenses will be developed prior to the governing bodies’ adoption of the annual budget. Work Plans may include operating expenses, capital investments and maintenance activities.

The party providing the service may be reimbursed by the entity receiving the service at a frequency and rate as mutually agreed to in writing by the parties for the approved Work Plan. Compensation will occur on an actual cost basis in accordance with the approved work plan and the approved budget. The Work Plan(s) may be and the budget(s) may be amended from time to time upon mutual consent of the City and County. Reimbursement shall not exceed the budget, as amended unless otherwise agreed to by mutual consent. The hiring of personnel, consultants, contractors, and procurement of equipment shall be handled with the respective agency (City or County) performing the work.

The County’s employees are not employed by nor are they agents of the City.
The City’s employees are not employed by, nor are they agents of the County.
7. **Credits** – Properties subject to storm water service charges may be granted credits against the fee in accordance to the credit policies approved by the City Council and Board of County Commissioners. The City’s credit policies shall be applied to the Minor System Cost Component of the service charge for all accounts within the corporate limits of the City. The County’s credit policies shall be applied to the Major System Cost Component of the service charge for all accounts within the corporate limits of the City. The County’s credit policies shall be applied to both the Major and Minor System Cost Components of the service charge applicable to all accounts outside the corporate limits of the City. The City and County will strive to have common Storm Water fee credit policies.

The City hereby retains the responsibility for reviewing and approving credit applications within the City for both the Major and Minor System Cost Components of the service charge. The Board of County Commissioners shall adopt changes to the City’s fee credits as they are revised from time to time after it receives notification from the City Manager of the desired change.

8. **Billing** - Pursuant to NCGS 153A-277 and 160A-314 under this Agreement the County has primary responsibility for the Billing Services. However, until otherwise provided pursuant to this Agreement, the County agrees that the City shall perform the Billing Services throughout the unincorporated areas of the County as well as the City. In addition, the City will also perform the Billing Services for other client municipalities which contract with the County to operate and maintain storm water systems provided said provisions are agreed to in writing by City and County Managers.

In the event the County decides to perform the Billing Services itself, or the City chooses to discontinue performing the Billing Services for the County, that party shall give written notice three hundred sixty (360) days before said change to the other party’s Manager. The change can only be effective at the beginning of a fiscal year (i.e., July 1). Within one hundred twenty (120) days of said change, the City shall submit a schedule showing the costs associated with the Billing Services that have been incurred and unrecovered by the City. These costs shall include operational costs in excess of the annual budget, not to exceed five percent (5%) of the annual budget; unpaid capital expenses, as described in Exhibit A; and system termination costs, as described in Exhibit A. Final settlement is required within sixty (60) days of the submission of costs.

9. **Billing and Collection System Costs** – The County shall pay the total costs for charges necessary to provide the Billing Services for the County and its other municipal participants. In the event the County or one of its municipal clients requests an individual change or changes to the Billing Services, the Methodology Document, as described in Exhibit A, will be used to develop a proposed budget and shall be agreed to by the City and County Managers. The County’s final payment to the City for these costs will be addressed as part of the annual final settlement.

10. **Distribution of Revenues** – So long as the City is responsible for the Billing Services, before the distribution of storm water fees collected for the County or a municipality serviced by the Charlotte-Mecklenburg Storm Water Services, the City shall deduct the Fixed and Administrative Cost Component. The City shall also deduct the Minor System Cost Component collected to provide storm water services within the corporate limits of the City as
described in Section “5.iii” of this Agreement. Net revenues shall be distributed to the County by the 25th of each month for usage in the Mecklenburg County Storm Water Special Revenue Fund.

Within one hundred twenty (120) days of the close of the fiscal year, the City shall submit a schedule showing the cost actually incurred for providing Billing Services as described in Section 5.iii, and the amount over and under the annual budget for such services. Final settlement is required within sixty (60) days of the submission of such information.

The County shall have no obligation to pay any amount for Billing Services which is more than five percent (5%) greater than the annual budget as described in Section “5.i” of this Agreement unless mutually agreed upon in writing by the City and County Managers. In the event actual costs incurred for Billing Services are less than the budget, the difference between the budgeted amount and the actual costs for providing the service will be remitted to the County within sixty (60) days of the submission of such information. Any Fixed and Administrative Cost Component revenues not spent in the year collected can be used only for Billing Services.

If there is a change in the Billing Services provider pursuant to the provisions of Paragraph 8, the County shall distribute the City’s Minor System Cost Component revenues by the 25th of each month following the last billing cycle or on the first business day thereafter.

11. **Indemnity of Each Party** – County agrees to indemnify and hold City harmless from and against any and all claims, liabilities, damages and expenses, including attorneys fees, arising from the County’s operation of its major system within the corporate limits of the City and from the County’s use of revenue raised from the major system cost component of the service charge. City agrees to indemnify and hold County harmless from and against any and all claims, liabilities, damages and expenses, including attorneys fees, arising from the City’s operation and maintenance of the minor system in the City and from the City’s use of revenues raised from the minor system cost component of the service charge.

12. **Charlotte-Mecklenburg Storm Water Advisory Committee** – A nine member citizens advisory committee shall be established with representatives of the following categories:

- schools, colleges, hospitals, or churches – 1 member (individual to be employed full time by the institution or be a board member or officer of the institution);

- industry, manufacturing, or commercial – 1 member (individual to be employed full time in the management and/or operation of industrial, manufacturing, or commercial property);

- environmental organizations – 1 member (individual to be a member of a generally recognized organization involved in environmental issues);

- financial, accounting, or legal professional – 1 member (individual to be employed full time in providing financial, accounting or legal services);
• developer or land development design professional – 1 member (individual to be employed full time in land development or the design of building or land improvements);

• general contractor – 1 member (individual to be employed full time as a construction contractor);

• residential neighborhoods – 3 members (individuals shall not qualify for one of the other categories).

The members shall be appointed as follows:

• 3 members by the City Council;

• 3 members by the Board of County Commissioners;

• 1 member by the towns in the northern part of Mecklenburg County as determined by the northern towns;

• 1 member by the towns in the southern part of Mecklenburg County as determined by the southern towns; and

• 1 member by the eight previously appointed members above.

The initial determination of specific categories to be appointed by the County and City will be determined by lottery after the two appointments are made by the towns in accordance with the above listing. The ninth member appointed by the Committee must represent the category not filled by the City, County or Town appointments. The members shall serve staggered, three year terms such that three members are appointed each year. Each member’s term of service shall begin on a July 1 and end on a June 30 for the staggered three-year terms of service. If a member is not appointed by July 1, his or her term will nevertheless end on June 30 three years after the intended July 1 appointment. The categories of the three members to be appointed each successive year shall be allocated to the City, County, and towns or Committee by lottery. In the event a jurisdiction cannot identify a candidate for the category assigned by the lottery, a “residential neighborhood” representative may be appointed. The Committee position will revert back to the assigned category at the expiration of the term.

No member may be appointed to more than two full or partial terms. Attendance requirements will follow City, County or Towns attendance policies for those members appointed by the City, County and Towns. The member appointed by the Committee shall be automatically removed from the Committee if he/she fails to attend at least seventy-five percent of the regular and special meetings of the Committee during any calendar year. Unless specified otherwise in an attendance policy adopted by the City, County or a Town, a member will be considered present at regular and special meetings if they attend via conference telephone call. However, no member may attend more than two meetings via conference telephone call during any calendar year. The Committee shall select a Chairperson each year from its own members by majority vote. Each member will continue to serve until 1) his or her term has expired and a successor
A majority of the number of Committee members currently in office constitutes a quorum. Every action of the Committee requires the concurring votes of the majority of Committee members currently in office except when hearing appeals and variances in accordance with G.S. 160A-388. The Committee may adopt its own rules of procedure which may not be inconsistent with the terms of this Agreement. The responsibilities of the Advisory Committee shall be as follows:

- **Policy.** Review and recommend to the City Council and Board of County Commissioners storm water management policies, policy changes, long-range plans, and their budgetary and rate impacts. The recommendations are to conform, in nature, to the successful operation of a single utility in Mecklenburg County and provide consistent guidelines and design principles for the community.

- **Capital Improvements.** Review and comment to the City Council and Board of County Commissioners on capital improvement programs. These capital improvement programs should be reviewed and evaluated on the basis of a comprehensive storm water quantity and quality management program in Mecklenburg County.

- **Operations Program.** Review and comment to the City Council and Board of County Commissioners on the annual operating budget for their respective service charge areas including but not limited to public education activities, customer service, and the billing and collections system.

- **Storm Water Appeals.** Hear appeals and reach decisions on: service charges, credits, and adjustments. Hear requests for changes from City and County staffs and from private parties, and make recommendations to the City Council and Board of County Commissioners on the following matters: the application, modification and enforcement of storm water policies. These policies should be reviewed and evaluated on the basis of a comprehensive storm water quantity and quality management program in Mecklenburg County.

- **SWIM Buffer Appeals and Variances.** To the extent provided in the City Zoning Ordinance and/or the County Zoning Ordinance and/or the zoning or land use ordinance of any town located in Mecklenburg County, to hear and decide appeals and variance requests with respect to the SWIM buffer provisions of said ordinances.

- **Floodplain Regulation Appeals and Variances.** To the extent provided in the City Floodplain Regulations and/or the County Floodplain Regulations and/or the floodplain regulations of any town located in Mecklenburg County, to hear and decide appeals and requests for variances.

- **Soil Erosion and Sedimentation Control Ordinance Appeals.** Hear appeals as provided in the City and County Soil Erosion and Sedimentation Control Ordinances.
• **Post Construction Stormwater Ordinance Appeals and Variances.** To the extent provided in the City Post Construction Stormwater Ordinance and/or the County Post Construction Stormwater Ordinance and/or the post construction, zoning or land use ordinance of any town located in Mecklenburg County, to hear and decide appeals and variance requests with respect to post construction stormwater provisions of said ordinances.

• **Councils, Commissions, and Staff Resource.** Respond to City Council, Board of County Commissioners and staff requests for advice on matters related to the comprehensive storm water quantity and quality management program in Mecklenburg County.

• **Reporting.** Present the City Council and Board of County Commissioners with an annual report of key actions and issues.

Meetings conducted by conference telephone call are permissible. In addition, Committee members may attend and participate in Committee meetings by conference telephone call, and shall be counted for quorum purposes for all matters with respect to which they are entitled to participate. However, Committee members attending the meeting via conference telephone call may only vote on matters related to Policy; Capital Improvements; Operations Programs; responding to City Council and Board of County Commissioners requests; and the annual report. Committee members attending the meeting via conference telephone call may not vote on matters related to any appeals or variances.

For purposes of hearing these appeals and variances, to the extent necessary, the Advisory Committee shall be and function as a joint municipal county planning agency as specified in G.S. 160A-362, performing the functions of a board of adjustment as authorized by G.S. 160A-388. Overall administration and support of the Advisory Committee shall be provided by the County. City staff shall present all matters associated with the City’s program directly to the Committee, including but not limited to reports, recommendations, budgets, and appeals.

13. **Ownership of Real Property Involved in Undertaking.** City shall have no ownership in any real property acquired by County for the operation of the major drainage system, and the County shall be free to dispose of such real property to the extent and under procedures allowed by State law. County shall have no ownership in any real property acquired by City for the operation of the minor drainage system, and the City shall be free to dispose of such real property to the extent and under procedures allowed by State law. However, the City and County shall cooperate with each other by granting access to property when necessary for operation of the major and minor drainage systems.

14. **Methods of Amending this Agreement.** This Agreement may be amended by written agreement authorized by the governing bodies of each party and signed by authorized representatives of both parties.

15. **Term of Agreement – Methods of Terminating the Agreement.** The initial term of this amended and restated Agreement shall be from January 1, 2017 to June 30, 2018, and shall be automatically renewed each fiscal year thereafter unless notice of non-renewal is given in writing to the other party at least 18 months prior to the beginning of the fiscal year when termination is intended. For example, the
parties agree that if the notice of non-renewal were given prior to January 1, 2018, this Agreement would terminate on June 30, 2019. This Agreement may also be terminated by court order upon the finding that there has been substantial breach of this agreement by the non-complaining party so as to entitle the complaining party to be relieved of its obligations under this Agreement.

16. **Enforcement of Agreement.** The parties agree that the remedy of specific performance would be an appropriate remedy, among others, for the enforcement of this Agreement. The parties agree that the effect of this Agreement is to consolidate the storm water management services such that the Joint Resolution for Joint Operation of a Single Storm Water System Within the City Limits adopted by the Board of County Commissioners and the City Council, dated November 9, 1992, shall cease to be in effect from and after January 1, 1994.

17. **Entire Agreement.** This Agreement is the entire agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written by the authority duly granted by their respective governing bodies.

Approved as to form:  
Mecklenburg County

___________________________________  ____________________________________  
County Attorney  County Manager

____________________________________  ____________________________________  
Director of Finance  Clerk to the Board  
Mecklenburg County

City of Charlotte

____________________________________  
City Manager

____________________________________  
City Clerk
Exhibit A

Charlotte-Mecklenburg Billing and Collections Cost Allocation Methodology Document

Note: Exhibit A is not attached due to its size and there are no proposed changes to the Exhibit. The document is available for review upon request by contacting the Clerk’s Office.
RESOLUTION OF THE CITY COUNCIL AUTHORIZING ADOPTION OF THE AMENDED AND RESTATED AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE

WHEREAS, in 1993 the City of Charlotte (the "City") and Mecklenburg County (the "County") entered into an interlocal agreement for Operation of a Single Storm Water System in Mecklenburg County (the "Agreement"), which has been amended from time to time, most recently on June 22, 2009 ("Amended Agreement"), and

WHEREAS, the City and the County again desire to revise the Amended Agreement to aid in flexibility and streamline the process related to work plans, Advisory Committee meetings related to hearing appeals and variances, and make other minor clarifications and revisions, and

WHEREAS, N.C. Gen. Stat. § 160A-461, "Interlocal Cooperation Authorized," authorizes units of local governments to enter into agreement with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government, and

WHEREAS, the County and the City have negotiated and wish to amend and restate the Amended Agreement that deals with the operation and maintenance of the storm water management program within the corporate limits of the City, and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement "...shall be ratified by resolution of the governing board of each unit spread upon its minutes";

NOW, THEREFORE, be it RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, is hereby authorized to approve and ratify the Amended Agreement between the County of Mecklenburg and the City in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Certification

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by this City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 2016, the Reference having been made in Resolution Book ...

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ___ day of
December, 2016.
Cross-Charlotte Trail Planning and Design Services

Action: Approve contract amendment #2 for $680,760 for the Cross-Charlotte Trail - Brandywine Road to Tyvola Road Segment, with Kimley-Horn and Associates, Inc. for additional planning and design services.

Staff Resource(s):
Joe Frey, Engineering & Property Management

Explanation

- The Cross-Charlotte Trail is a joint City-County Community Investment Plan project to create a continuous 26 mile trail and greenway facility that will stretch from the City of Pineville, through Charlotte’s Center City, and on to the Cabarrus County line.
- This project is included in the City’s current General Community Investment Plan, with $5 million allocated from the 2014 Bond Referendum and an additional $28 million allocated from the 2016 Bond Referendum.
- On October 26, 2015, the City Council approved a contract with Kimley-Horn and Associates, Inc. (Kimley-Horn) for the design of the Brandywine to Tyvola trail segment, as well as the design of the South Charlotte Connector and planning for an additional trail segment from Davidson Street to 25th Street.
- On November 17, 2016, staff executed contract amendment #1, adding a specialty sub-consultant. The amendment was within the City Council’s original authorization and covered work elements that had not been fully developed at the time the original contract was executed.
- Contract amendment #2 will allow Kimley-Horn to carry their efforts further north and includes:
  - Construction administration assistance for the Brandywine Road to Tyvola Road trail segment (1.4 miles);
  - Full trail design from Davidson Street to Matheson Avenue as well as assistance with real estate, bidding, and construction of this trail segment (1 mile); and
  - Planning phase services for the Matheson Avenue to Craighead Road trail segment (1 mile).
- The total contract amount to-date, including contract amendment #2 is $1,658,939 and is available in the project budget. The City Council may be asked to approve additional amendments to the contract in the future.
- Design and construction administrative services may be awarded as an incentive for good performance, including meeting the project schedules, fulfilling planning deliverables, and remaining within the project budget.
Charlotte Business INClusion
All additional work involved in this amendment will be performed by Kimley-Horn and their existing subcontractors. (Part D: Section 6 of the Charlotte Business INClusion Policy). Kimley-Horn has committed 8.10% ($54,870) of the contract amendment amount to the following certified firms:

- Boyle Consulting Engineers (SBE) ($12,370) (geotechnical)
- Hinde Engineering (SBE) ($34,000) (engineering services)
- CMW Design Strategies (SBE) ($8,500) (design services)

Fiscal Note
Funding: General Community Investment Plan

Attachment
Maps
Location Map: Cross-Charlotte Trail Planning and Design Services
Tyvola Drive to Brandywine Road (Council District 6)
Location Map: Cross-Charlotte Trail Planning and Design Services
Davidson Street to Matheson Avenue, Matheson Avenue to Craighead Road
(Council District 1)
Brown Grier Road & Gallant Lane Sidewalk Project

Action: Award a contract in the amount of $238,521.25 to the lowest responsive bidder Red Clay Industries, Inc. for the construction of Brown Grier Road & Gallant Lane Sidewalk project.

Staff Resource(s): Chandler Crofts, Engineering & Property Management

Explanation
- The Brown Grier Road and Gallant Lane Sidewalk project will support the City’s Sidewalk Program to enhance connectivity, offer transportation choices, and improve pedestrian safety.
- Construction will include new sidewalk along the south side of Brown Grier Road and along the east side of Gallant Lane in order to improve pedestrian access to Kennedy Middle School and Steele Creek Elementary School.
- Pedestrian improvements at the intersection of Brown Grier Road and Gallant Lane will also be included as part of the project.
- On October 11, 2016, the City issued an Invitation to Bid; three bids were received from interested service providers.
- Red Clay Industries, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by third quarter 2017. The construction duration is 90 days and will be completed before the start of the 2017/18 school year.

Charlotte Business INClusion
Construction contracts estimated to be less than $300,000 are informal and are exempt from the goal setting process (Part A: Section 3.1 of the Charlotte Business INClusion Policy).

Fiscal Note
Funding: General Community Investment Plan

Attachment
Map
Location Map: Brown Grier Road & Gallant Lane Sidewalk Project (Council District 3)
Bearmore Drive Storm Water Improvement Project

Action: Award a contract in the amount of $859,734.76 to the lowest responsive bidder B & N Grading, Inc. for the Bearmore Drive Storm Water Improvement project.

Staff Resource(s):
Stewart Edwards, Engineering & Property Management
Harold Gaines, Engineering & Property Management

Explanation
- The Bearmore Drive Storm Water Improvement project will improve 270 feet of concrete box culvert and 200 feet of concrete pipe storm drainage infrastructure to address flooding of streets and four properties in the 1100 block of Bearmore Drive.
- The project is located within the Stonehaven Neighborhood which is bound by Rama Road, Sardis Road and Monroe Road.
- The work will include:
  - Replacement of storm drainage and structures,
  - Curb and gutter, driveways, and
  - Asphalt pavement repair.
- On October 10, 2016, the City issued an Invitation to Bid for Bearmore Drive Storm Water Improvement Project; four bids were received from interested service providers.
- B & N Grading, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by December 2017.

Charlotte Business INClusion
Established SBE Goal: 14.00%
Committed SBE Goal: 20.01%
B & N Grading, Inc. exceeded the established subcontracting goal, and has committed 20.01% ($172,000) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INClusion Policy):
- Jones Grading & Fencing, Inc. (SBE, MBE) ($20,000) (grading)
- Landmark Materials, LLC (SBE) ($43,400) (hauling)
- R.R.C. Concrete Inc (SBE) ($20,000) (concrete)
- Streeter Trucking Company, Inc. (SBE, MBE) ($31,600) (hauling)
- Trull Contracting, LLC (SBE) ($57,000) (paving and storm drainage)

Established MBE Goal: 6.00%
Committed MBE Goal: 6.00%
B & N Grading, Inc. met the established subcontracting goal, and has committed 6.00% ($51,600) of the total contract amount to the following certified firm(s) (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Jones Grading & Fencing, Inc. (SBE, MBE) ($20,000) (grading)
- Streeter Trucking Company, Inc. (SBE, MBE) ($31,600) (hauling)

B & N Grading, Inc. is a City (SBE)

**Fiscal Note**
Funding: Storm Water Community Investment Plan

**Attachment**
Map
Location Map: Bearmore Drive Storm Water Improvement Project (Council District 6)
Metrolina Regional Travel Demand Model Services

Action:

A. Approve a contract with the following companies for regional travel demand modeling services for a term of three-years:

- Parsons Brinckerhoff, Inc.,
- Citilabs, Inc., and
- Cambridge Systematics, Inc.

B. Authorize the City Manager to amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.

Staff Resource(s):
Anna Gallup, Transportation

Explanation

- The Metrolina Regional Travel Demand Model is a computer modeling tool for evaluating existing and future travel in the Metrolina Region.
- Ongoing refinement and updates of the Metrolina Regional Travel Demand Model are necessary to maintain the state-of-the-practice travel demand model as required by U.S. Department of Transportation for air quality conformity determinations, highway travel forecasts, and transit ridership forecasts.
- As custodian of the Metrolina Regional Travel Demand model, the Charlotte Department of Transportation (CDOT) is responsible for the development, modification, enhancement, ongoing maintenance, and the distribution of the Official Model. City staff and consultants complete this work on behalf of the eleven-county, bi-state region.
- On October 7, 2016, the City issued a Request for Proposal (RFP) for on-call technical support with the Regional Travel Demand Model. In response to the RFP, the City received four proposals from interested service providers.
- The Project Team, consisting of staff from CDOT, NCDOT, and SCDOT, evaluated the proposals and determined that Parsons Brinckerhoff, Inc. (WSP | Parsons Brinkerhoff), Citilabs, Inc., and Cambridge Systematics, Inc. best meet the City’s needs in terms of qualifications, experience, and responsiveness to RFP requirements.
- Total expenditures for all contracts over a three-year term are estimated to be as follows:
  - Parsons Brinckerhoff, Inc.- $150,000 (including but not limited to enhancement of the freight (truck) component of the model and guidance regarding development of a tour-based mode choice component),
  - Citilabs, Inc.- $150,000 (including but not limited to assistance refining the tour-based model and expand it to include a tour-based mode choice component), and
  - Cambridge Systematics, Inc.- $50,000 (including but not limited to model calibration/validation, and travel survey development).
- Funding is as follows:
Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) grant funds- 80% ($280,000), and
Charlotte Regional Transportation Organization and the North Carolina Department of Transportation - 20% ($70,000) of which Charlotte’s share will be $26,250.

Small Professional Services Firm (SPSF) Opportunity
For Federal Highway Administration funded projects, the North Carolina Department of Transportation (NCDOT) does not mandate a goal through the State’s SPSF program, however, the following SPSFs will be used on this project:
Citilabs, Inc. is a SPSF, and Cambridge Systematics, Inc. will use Clearbox Forecast Group, PLLC (SPSF) for approximately 10% of the contracted work.

Fiscal Note
Funding: Federal Highway Administration grant, Federal Transit Agency grant, NCDOT grant, and CDOT Operating Budget
Private Developer Funds Appropriation

Action: Adopt a budget ordinance appropriating $19,000 in private developer funds for signal modifications from Central Piedmont Community College.

Staff Resource(s): Scott Putnam, Transportation

Explanation
- The $19,000 in private developer funding is for traffic signals/upgrades and related work associated with a developer project. The funding is restricted to this project.
- The following developer is fully funding traffic signal installations and improvements to mitigate traffic impacts around the respective development project:
  - Central Piedmont Community College contributed $19,000 for signal modifications consisting of a span transfer and pedestrian signals at the intersection of East 4th Street and Charlottetowne Avenue.
- The signal meets the same criteria as other traffic signals approved by the City.
- Payments made by developers are in response to estimates of work prepared by the Charlotte Department of Transportation (CDOT) and supplied to the developers.
- Any funding contributed by developers for signal projects that is unused by the City will be refunded after project completion.
- CDOT will be installing and operating the signal as part of the existing signal systems in the area.

Fiscal Note
Funding: Private Developer Contributions

Attachment
Map
Budget Ordinance
ORDINANCE NO. ________________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 8040-X, THE 2016-2017 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $19,000 FOR TRAFFIC SIGNAL MODIFICATIONS AND IMPROVEMENTS

BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of $19,000 hereby estimated to be available from the following private developer source:
   Central Piedmont Community College ($19,000)

Section 2. That the sum of $19,000 is hereby appropriated in the General Capital Investment Fund (4001) into the following project:
   Sig Mod 4th and Charlottetowne - 4292000289 ($19,000)

Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

_____________________________________
City Attorney
Solid Waste Services Work and Asset Management Implementation Contract Amendment

Action: Approve contract amendment #1 with Black and Veatch for implementation, systems integration, and training services associated with the Cityworks Work and Asset Management System.

Staff Resource(s): Victoria Johnson, Solid Waste Services
Ed Reaves, Solid Waste Services

Explanation
- The Cityworks Work and Asset Management System is an application to manage internal and external work orders and to manage the equipment and supplies required to perform these work orders.
- Solid Waste Services (SWS) began implementing Cityworks in 2013 to replace an end-of-life, unsupportable, and inadequate work management application as a component of a long-term enterprise technology strategy transition being implemented by Charlotte Department of Transportation (CDOT), Engineering & Property Management, Charlotte Water, Charlotte Area Transit System, and SWS.
- The initial project phases in SWS were completed in June 2016 under a previous contract.
- On June 27, 2016, the City Council approved a new master services contract with Black and Veatch in the estimated amount of $800,000 for work and asset management program implementation services of Cityworks in the CDOT.
- SWS is seeking to amend the Black and Veatch master services contract to proceed to the next phase of SWS’ Cityworks implementation.
- Contract amendment #1 is estimated at $200,000 and is within the original budget for the Solid Waste Services Work and Asset Management project. The amendment provides additional professional services required for implementation, systems integration, and training services associated with Cityworks.
- New and enhanced functionality of this phase and contract amendment include:
  - Improved service delivery and tracking capabilities;
  - Support for preventative maintenance activities;
  - Field automation of work order and inventory control processes;
  - Better assessment of asset condition and operation life; and
  - More reliable information for prioritizing maintenance, repair, and overhaul activities.
- Including contract amendment #1, the new contract is estimated at $1,000,000.
- Additional services may be required as Cityworks’ usage is extended within the City.

Charlotte Business INClusion
No subcontracting goal was established for this amendment because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy).
Fiscal Note
Funding: Solid Waste Services Operating Budget
Charlotte Water Sewer Line Equipment Contracts

Action:

A. Approve the purchase of sewer line equipment, as authorized by the sole source exemption of G.S. 143-129 (e)(6),

B. Approve unit price contracts with Public Works Equipment & Supply Inc., Jet Vac Equipment Co., LLC., and Griffin Sales Inc. for the purchase and repair of sewer line equipment for the term of three years, and

C. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.

Staff Resource(s):
Angela Lee, Charlotte Water

Sole Source Exemption

- General Statute 143-129 (e) (6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.

- Sole sourcing is necessary for this contract for compatibility with existing equipment.
- The City Council must approve purchases made under the sole source exception.

Explanation

- Charlotte Water inspects approximately 200 miles of sewer line per year. Sewer line cameras allow staff to inspect these lines from the inside with visual footage and help prevent sewer overflows.
- The cameras document footage before and after cleanings, help assess the condition of the pipe, and understand hazards (i.e. identify collapses, protruding taps, and root balls).
- Occasionally, the equipment requires the repair or replacement of components, such as cleaning nozzles, hoses, cables, and camera parts.
- The contracts will allow the purchase of sewer cameras, jet cameras, replacement parts, and repair service.
- The collective estimated expenditure for all contracts is $350,000 per year.

Charlotte Business INClusion
This is a sole source contract and is exempt (Part A: Appendix 27 of the Charlotte Business INClusion Policy).
Agenda #: 29. File #: 15-3533 Type: Consent Item

Fiscal Note
Funding: Charlotte Water Operating Budget
McAlpine Creek Wastewater Treatment Plant Project Construction Advisory Services

Action:

Approve a professional services contract with Black & Veatch International Company in the amount of $4,573,998 to provide Owner's Advisor Services for the McAlpine Creek Wastewater Treatment Plant Clarifier and Aeration Rehabilitation Project.

Staff Resource(s):
Carl Wilson, Charlotte Water

Explanation

Charlotte Water owns and maintains five major wastewater treatment plants in Mecklenburg County. The McAlpine Creek Wastewater Treatment Plant (WWTP) is the largest and is located in the southern part of Mecklenburg County.

The McAlpine Creek WWTP Clarifier and Aeration Rehabilitation project is a multi-year, five phase project, to replace or rehabilitate the systems as necessary to provide safe discharge and ensure permit compliance.

The estimated total construction cost for this project is $70 million. Therefore, it will be constructed in five phases, over a span of five to six years.

On July 11, 2016 the City issued a Request for Qualifications (RFQ) for Owner’s Advisor Services for the Clarifier and Aeration Rehabilitation Project. In response to the RFQ, the City received two proposals from interested professional service providers.

The Project Team, consisting of staff from Charlotte Water, evaluated each teams’ qualifications and determined that Black & Veatch International Company is the best qualified firm to meet the City’s needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

Black & Veatch International Company was selected to serve as Charlotte Water’s Owner’s Advisor through all phases of the Project. Services to be provided include assisting Charlotte Water through the procurement phase, participating in design workshops and Guaranteed Maximum Price negotiations, and construction administration and inspection activities.

Background

In 2015 Charlotte Water completed evaluations of the McAlpine Creek WWTP Clarifiers and Aeration System. The evaluations document in detail the condition of these systems, parts of which have been in service since the late 1960s and are past their useful lives.

Due to the complex nature of the Project in a critical area of the WWTP, the Progressive Design-Build delivery method has been chosen as the project delivery method. This approach allows for the selection of a Design-Build team best qualified to perform work of this type. Therefore, several
additional contracts associated with the Project will be presented to Council at a later date:

- Design-Build Team Preconstruction Services, anticipated to be presented to Council in Summer 2017.
- Design-Build Team Guaranteed Maximum Price for each of the anticipated five phases of the project, anticipated to be presented to Council in Spring 2018 for the first phase.

**Charlotte Business INClusion**
The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). Black and Veatch International Company has committed 3.06% ($140,000) of the total contract amount to the following certified firm:

- Joel E. Wood & Associates, LLC (SBE) ($100,000) (geotechnical)
- The Survey Company, Inc. (SBE) (30,000) (surveying)
- Avioimage Mapping Services, Inc. (SBE) ($10,000) (aerial topography)

The nature of this work does not lend itself to high subcontracting opportunities. However, the Charlotte Water project team will re-assess potential MWSBE utilization as each phase of the project progresses.

In addition, Charlotte Water anticipates greater opportunities for MWSBE utilization during each of the five construction phases of this project.

**Fiscal Note**
Funding: Charlotte Water Community Investment Plan

**Attachment**
Map
Four Mile Creek Tributary to McKee Road Sanitary Sewer Improvements
Engineering Services

Action:
Approve a contract in the amount of $312,690 with Merrick & Company for professional engineering design services for the Four Mile Creek Tributary to McKee Road Sanitary Sewer Improvements project.

Staff Resource(s):
Carl Wilson, Charlotte Water

Explanation
- The Four Mile Creek Tributary to McKee Road gravity sewer serves residences and businesses located along the Interstate-485 corridor between Weddington Road, Pleasant Plains Road, and McKee Road in Matthews.
- The area serviced by this gravity sewer line is experiencing a high rate of infill development and changes in land use since the original line was designed in the 1980s.
- Portions of the gravity sewer are approximately 30 years old and cannot accommodate projected growth within the service area.
- In order to address capacity concerns, the project includes the replacement of approximately 4,300 linear feet of 15 and 8-inch diameter gravity sewer, including a segment of gravity sewer underneath I-485.
- On August 3, 2016, the City issued a Request for Qualifications (RFQ) for Professional Engineering Services for Miscellaneous Sanitary Sewer Improvement Projects. In response to the RFQ, the City received 16 proposals from interested professional service providers for the five projects listed in the RFQ. The Four Mile Creek Tributary to McKee Road Sanitary Sewer Improvements was one of the five projects listed in the RFQ.
- The Project Team, consisting of staff from Charlotte Water, evaluated the proposals and determined that Merrick & Company is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- At this time, Merrick & Company will perform preliminary design services, sanitary sewer evaluation surveys, develop construction documents, prepare easement plats, submit permitting packages, and provide bid phase services for the replacement of the Four Mile Creek Tributary to McKee Road gravity sewer.
- Once the engineering design services are complete for the project, staff will bring forth a contract to the City Council for construction administration services in Summer 2018.
- This phase of the project is anticipated to be completed by the end of 2018.
Charlotte Business INClusion
The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). Merrick & Company has committed 28.07% ($87,771.80) of the total contract amount to the following certified firm(s):

- Hinde Engineering, Inc. (SBE) ($17,440) (permitting)
- Gavel & Dorn Engineering, PLLC (SBE) ($15,950) (flow monitoring)
- Carolina Wetland Services, Inc. (SBE, WBE) ($14,849.80) (wetlands delineation)
- Toughwater Fishburne Pipeline Management & Engineering (SBE) ($13,200) (field services)
- Boyle Consulting Engineers (SBE) ($12,557) (geotechnical)
- Avioimage Mapping Services, Inc. (SBE) ($8,000) (aerial topography)
- Spot’em, Inc. (MBE) ($5,775) (utility locating and soft digs)

Fiscal Note
Funding: Charlotte Water Community Investment Plan

Attachment
Map
Professional Engineering Services for Four Mile Creek Tributary to McKee Road Sanitary Sewer Improvements - Map

Four Mile Creek Tributary to Fairview Road Sanitary Sewer Improvements Map

Project Area is located within Town of Matthews
Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements Professional Engineering Services

Action: Approve a contract in the amount of $330,500 with STV Engineers, Inc. for professional engineering design services for the Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements project.

Staff Resource(s): Carl Wilson, Charlotte Water

Explanation
- The Little Sugar Creek Tributary to Fairview Road gravity sewer line parallels Tyvola Road and Fairview Road, on the south, from Piedmont Row Drive to the Lower Sugar Creek Gravity Sewer Outfall in Park Road Park. This gravity sewer line serves homes and businesses located in the SouthPark area of Charlotte.
- The area serviced by this gravity sewer line has seen a high rate of infill development and changes in land use since it was designed and constructed in the 1960s.
- The projected sewer flows from the proposed redevelopment of the site indicates that additional sewer capacity is required in the Little Sugar Creek Tributary to Fairview Road gravity sewer line.
- In order to address capacity concerns, the project includes the replacement of approximately 6,000 linear feet of 12-, 10-, and 8-inch diameter gravity sewer.
- On August 3, 2016, the City issued a Request for Qualifications (RFQ) for Professional Engineering Services for Miscellaneous Sanitary Sewer Improvement Projects. In response to the RFQ, the City received 16 proposals from interested professional service providers for the five projects listed in the RFQ. The Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements was one of the five projects listed in the RFQ.
- The Project Team, consisting of staff from Charlotte Water, evaluated the proposals and determined that STV Engineers, Inc. is the best qualified firm to meet the City’s needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- At this time, STV Engineers, Inc. will perform preliminary design services, develop construction documents, prepare easement plats, submit permitting packages, and provide bid phase services for the replacement of the Little Sugar Creek Tributary to Fairview Road gravity sewer.
- Once the engineering design services are complete for the project, staff will bring forth a contract to the City Council for construction administration services in Summer 2018.
- This phase of the project is anticipated to be completed by the end of 2018.

Background
- On November 28, 2016, the City Council:
  - Approved a five-year reimbursable contract with Barclay Properties of Southpark, LLC. to pay for the design and construction of the Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements project, and,
Approved a budget ordinance appropriating $350,000 from Barclay Properties of Southpark, LLC. for Fiscal Year 2017.

**Charlotte Business INClusion**
The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INClusion Policy). STV Engineers, Inc. has committed 9.82% ($32,455.63) of the total contract amount to the following certified firm(s):
- Hinde Engineering, Inc. (SBE) ($18,655.63) (utility coordination)
- Avioimage Mapping Services, Inc. (SBE) ($10,300) (aerial topography)
- AmeriDrill (SBE, MBE) ($3,500) (geotechnical)

**Fiscal Note**
Funding: Charlotte Water Community Investment Plan

**Attachment**
Map
Professional Engineering Services for Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements - Map

- Project Area is located within City Council District 6
- Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvements Map
Water Service Relocation and Water Main Abandonment

Action:

A. Award a contract in the amount of $1,699,291 to the lowest responsive bidder Atlantic Coast Contractors, Inc. for water service relocations and water main abandonments, and

B. Authorize the City Manager to renew the contract for up to two terms with possible price adjustments and to amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.

Staff Resource(s):
Carl Wilson, Charlotte Water

Explanation

- Charlotte Water maintains approximately 4,200 miles of water lines and over 262,600 water connections.
- A number of streets, especially in the older parts of the system, have more than one water line in service because parallel lines have been constructed to increase capacity. As the oldest lines reach the end of their service life, the connections to these lines need to be relocated to the newer lines. Abandoning the older lines also reduces the potential for leaks and improves water quality for the customer.
- This contract targets infrastructure and areas in the distribution system with the highest failure rates to be proactive in reducing the number of unplanned repairs.
- The contract will provide 3/4-inch and one-inch water service relocations and associated water main abandonments. It will also provide the capacity to replace out-of-standard and leak prone water services in areas that were served by private water companies prior to purchase by Charlotte Water.
- The contract also includes a licensed plumbing company to address work on private property related to water service relocations where needed.
- The contract amount is based on the unit prices competitively bid for items typically used during water service relocations and water main abandonments.
- On October 6, 2016, Charlotte Water issued an Invitation to Bid for this project; two bids were received from interested service providers.
  - In accordance to North Carolina General Statute 143-132, if three bids are not received from reputable and qualified contractors, the project must be re-advertised and the contract may then be let to the lowest responsible bidder even though only one bid is received.
  - The project was re-advertised on November 3, 2016; two bids were received from interested service providers.
- Charlotte Water selected Atlantic Coast Contractors, Inc. as the lowest responsive, responsible bidder.
- The contract gives the City the option to renew for two additional terms with price adjustments.
Agenda #: 33. File #: 15-4318 Type: Consent Item

based on the Construction Cost Index.

Charlotte Business INClusion
Established SBE Goal: 7%
Committed SBE Goal: 10.36%
Established MBE Goal: 2%
Committed MBE Goal: 2.12%

Atlantic Coast Contractors, Inc. exceeded the established subcontracting goal and has committed 10.36% ($176,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Piedmont Underground (SBE) ($140,000) (utility construction)
- Jones Grading and Fencing, Inc. (SBE, MBE) ($34,000) (fencing, hauling, concrete)
- Shipp’s Fire Equipment (SBE, MBE) ($2,000) (backflow certification)

Fiscal Note
Funding: Charlotte Water Community Investment Plan
Agenda Date: 12/12/2016

**Agenda #:** 34. **File #:** 15-4352  **Type:** Consent Item

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**Water and Sewer Main Installations (Fiscal Year 2017)**

**Action:**

A. Award a contract in the amount of $3,427,591.75 to the lowest responsive bidder Dallas 1 Construction, LLC for Water and Sewer Main Installations (Fiscal Year 2017), for new construction or replacement of water and sewer mains, improvements to existing sewer mains, and to improve hydraulic capacity throughout the Charlotte Water service area, and

B. Authorize the City Manager to renew the contract for up to two terms with possible price adjustments and to amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.

**Staff Resource(s):**
Carl Wilson, Charlotte Water

**Explanation**

- Charlotte Water uses contractors to install water and sewer main extensions and replacements. Contractors are also utilized to provide improvements to existing sewer mains to improve hydraulic capacity. This contract will provide for all of these services.

- This contract consists of an undetermined number of additional individual projects consisting of water main extensions/replacements, sanitary sewer main extensions/replacements, and combined water and sewer main extensions/replacements, which will be assigned by the Engineer as needed.

- Bids are unit price and based on estimated quantities for items needed for these tasks.

- On October 24, 2016, the City issued an Invitation to Bid for FY17 Water and Sewer Main Installations; two bids were received from interested service providers.
  - In accordance to North Carolina General Statute 143-132, if three bids are not received from reputable and qualified contractors, the project must be re-advertised and the contract may then be let to the lowest responsible bidder even though only one bid is received.
  - The project was re-advertised on November 17, 2016; three bids were received from interested service providers.
  - Dallas 1 Construction, LLC was selected as the lowest responsive, responsible bidder.

- The contract gives the City the option to renew for two additional terms with a price adjustment based on the Construction Cost Index.

**Charlotte Business INClusion**

Established SBE Goal: 7%
Committed SBE Goal: 7.03%
Dallas 1 Construction LLC met the established subcontracting goal and has committed 7.03% ($240,000)
Agenda #: 34. File #: 15-4352 Type: Consent Item

of the total contract amount, less a $15,000 Temporary Stream Crossing Allowance, to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Barton Contracting (SBE) ($239,500) (asphalt paving)
- MTC Consultants (SBE) ($500) (backflow testing)

Fiscal Note
Funding: Charlotte Water Community Investment Plan
Standby Power and Electrical Improvements at the Lee S. Dukes Water Treatment Plant

Action:
Award a contract in the amount of $1,206,450 to the lowest responsive bidder Wharton-Smith, Inc. for the transport and installation of a City-owned generator to the Lee S. Dukes Water Treatment Plant, and appropriate interconnections to the plant’s electrical control system.

Explanation
- Charlotte Water owns and maintains three water treatment plants in Mecklenburg County. The Lee S. Dukes Water Treatment Plant (WTP) is in Huntersville.
- This project will move an existing 900 kilowatt Caterpillar generator from a decommissioned lift station to be used as a redundant power source at the Lee S. Dukes WTP.
- This contract will provide for the relocation of this generator to the Lee S. Dukes WTP, and interconnection into the WTP’s electrical control system.
- On October 24, 2016, the City issued an Invitation to Bid for Standby Power and Electrical Improvements at the Lee S. Dukes WTP; one bid was received from interested service providers.
  - In accordance to North Carolina General Statute 143-132, if three bids are not received from reputable and qualified contractors, the project must be re-advertised and the contract may then be let to the lowest responsible bidder even though only one bid is received.
  - The project was re-advertised on November 17, 2016; four bids were received from interested service providers.
  - Wharton-Smith, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by summer 2017.

Charlotte Business INClusion
Established SBE Goal: 4.00%
Committed SBE Goal: 0.00%
Wharton-Smith, Inc. failed to meet the established subcontracting goal, but earned the minimum Good Faith Efforts (Part B: Section 5 of the Charlotte Business INClusion Policy). The majority of cost is for labor and materials required for installation, resulting in limited opportunities to subcontract with SBEs.

A further detailed write-up of Wharton-Smith, Inc. Good Faith Efforts is included as an attachment.

Fiscal Note
Funding: Charlotte Water Community Investment Plan
Attachment
Map
Good Faith Effort Summary
Standby Power and Electrical Improvements at the Lee S. Dukes Water Treatment Plant – Map

Project Area is located in the Town of Huntersville
Good Faith Efforts Summary for Lee Dukes Water Treatment Plant Standby and Electrical Improvements

Background

The Lee Dukes Water Treatment Plant Standby and Electrical Improvements contract was bid on November 28, 2016. A total of four (4) firms submitted bids for the contract. Staff is recommending contract award to the low bidder, Wharton-Smith, Inc. with a total contract award amount of $1,206,450.00.

The Established SBE Goal for this project was set at 4%, as derived from the City’s subcontracting goal setting formula.

At bid opening, Wharton-Smith’s SBE participation was 0%.

Good Faith Effort (GFE) Summary

Per the City’s CBI Policy (Part B: Section 2.1), because the Established SBE Goal on this contract was not met at bid opening, Wharton-Smith was required to submit documentation reflecting their efforts in earning the required minimum 50 Good Faith Effort (GFE) points, out of a total available 155 GFE points. City staff has reviewed Wharton-Smith’s documentation and confirmed Wharton-Smith’s achievement of 55 GFE points, comprised of the following efforts:

- GFE 5.3.1: Contacts (10 points)
- GFE 5.3.2: Making Plans Available (10 points)
- GFE 5.3.3: Breaking Down Work (15 points)
- GFE 5.3.10: Quick Pay Agreements on the Construction Contract Up For Award (20 points)
Airport Schindler Elevator Corporation Contract Amendment

Action: Approve contract amendment #6 in an amount not-to-exceed of $2,019,307 to Schindler Elevator Corporation for modernization of four moving walkways serving Concourses B and C, and a Terminal elevator, and all associated ongoing maintenance.

Staff Resource(s):
Jack Christine, Aviation

Explanation
- Schindler Elevator Corporation provides labor and parts related to the maintenance of 93 elevators, escalators, and moving walkway systems located at the Airport.
- Four moving walkways serving Concourses B and C and one Terminal elevator need to be modernized to meet code requirements, improve dependability, and enhance safety.
- Contract amendment #6 in the amount of $2,019,307 will provide funds to modernize and enhance safety of moving walkways serving B and C concourse and Terminal elevator #6.
- The equipment at the Airport experiences high traffic therefore reliability and safety are important to ensure efficient movement of passengers through the Terminal.
- The new total value of this contract, including amendments, is $11,509,301.60.

Background
- On June 10, 2013, City Council approved a maintenance service contract with Schindler for a five year term, with two renewal years. During the first year and a half, the total spend was $842,220.
- In October 2013, the City Manager approved contract amendment #1 for an administrative change to allow quarterly billing occurrences.
- In January 2014, the City Manager approved contract amendment #2 to procure an inventory of spare handrails for the escalators and moving walks in the amount of $91,152.83.
- On May 27, 2014, the City Council approved contract amendment #3 to refurbish two terminal escalators in the amount of $404,041.
- On January 26, 2015, the City Council approved contract amendment #4 for $6,964,885.78. This amendment provided funds for the maintenance of 17 new escalators and elevators being placed into service. Amendment #4 also provided for major infrastructure modernization, which included three elevators, two moving walkways, and two escalators.
- On September 28, 2015, the City Council approved contract amendment #5 for $1,187,695 to complete modernization and electronic upgrades on two moving walkways located in the Terminal atrium.
Charlotte Business INClusion
No subcontracting goal was established for this amendment because there are no subcontracting opportunities (Part D: Section 6 of the Charlotte Business INClusion Policy).

Fiscal Note
Funding: Aviation Community Investment Plan
Airport Information Display System Maintenance and Support Services Contract Amendment #3

Action:

A. Approve contract amendment #3 with Signature Technologies, Inc. d/b/a ComNet for maintenance of the Airport’s information display system for a term of six months, and

B. Authorize the City Manager to renew the contract for two additional, six-month terms with possible price adjustments and to amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.

Staff Resource(s):
Brent Cagle, Aviation

Explanation

- The Airport uses information display monitors throughout the Terminal to communicate airline operational information to passengers and airport personnel. These monitors include flight information displays, baggage information displays, and visual paging for Americans with Disabilities Act compliance.
- In 2003, the Airport selected Signature Technologies, Inc. as a sole source provider to provide proprietary parts, software, and maintenance for these operational displays.
- On January 13, 2014, the City council approved a three-year extension to the maintenance agreement, which expires at the end of December 2016.
- A waiver of competitive solicitation was granted for the contract extension in order to incorporate changes to the information display system that will result from Aviation’s newly implemented gate management program.
- The Airport will issue a Request for Proposal for these services in 2017 that will include the gate management program requirements.
- Estimated contract expenditures for the contract extension are $112,500 for six months of service.

Charlotte Business INClusion
No subcontracting goal was established for this extension because there are no subcontracting opportunities (Part D: Section 6 of the Charlotte Business INClusion Policy)

Fiscal Note
Funding: Aviation Operating Budget
Airport ATM Agreement

Action:

A. Approve a three-year agreement with Bank of America to operate all ATM locations at the Airport, and

B. Authorize the City Manager to extend the agreement for two additional, one-year terms consistent with the City’s business needs and the purpose for which the contract was approved.

Staff Resource(s):
Brent Cagle, Aviation

Explanation

- On November 14, 2011, the City Council approved an agreement with Bank of America to service all the ATM locations at the Airport.
  - The current agreement is scheduled to expire on December 31, 2016.
- On September 27, 2016, the Airport issued a Request for Proposals (RFP) for companies to operate 14 ATM locations at the Airport with two different options for proposing:
  - Location Method: Companies could propose on one or multiple ATM locations in the Terminal. Each proposal was composed of a set monthly flat fee with a proposed per transaction fee.
  - Exclusive Method: Companies could propose on exclusive rights to all ATM locations in the Terminal. Each proposal was composed of a set annual flat fee with a proposed per transaction fee.
- The Airport received proposals from two interested service providers.
- Aviation evaluated the proposals and selected Bank of America as the provider to best meet the City’s needs. Bank of America’s proposal projected the highest revenue to the Airport while providing the most flexibility to meet changing passenger needs and accommodate Airport expansion.
- Under this agreement, Bank of America will pay an annual flat fee of $1,596,000 and $.75 per transaction fee. The transaction fee revenues are estimated at $318,750 per year for a total estimated annual amount of $1,914,750.

Airport Concessions Disadvantaged Business Enterprise
No subcontracting goal was established because there are no subcontracting opportunities.
Fiscal Note
Funding: Revenue from this lease will be deposited in the Aviation Operating Fund.
Airport Cargo Facility Lease

Action:

A. Approve a five-year lease agreement with United Parcel Service, Inc. for cargo facility space, and

B. Authorize the City Manager to approve two additional, five-year terms and a month to month renewal option at the end of the term consistent with the City’s business needs and the purpose for which the contract was approved.

Staff Resource(s):
Brent Cagle, Aviation

Explanation

- In August 1995, the Airport entered into a 10-year cargo facility lease with United Parcel Service, Inc. (UPS). The lease included two optional, five-year renewal terms.
- UPS operates an air-to-ground cargo operation at Charlotte Douglas International Airport enabling expedient delivery of parcels to and from the Charlotte region.
- UPS requested that the Airport enter into a new five-year lease to commence on January 1, 2017.
- Aviation conducted an appraisal of the property and determined the fair market value of the facility.
- The total value of this lease over the five year term is estimated at $901,600, including ramp space and hangar rental. Airport service facility costs vary yearly and will be in addition to the rental rates as part of the lease agreement.

Fiscal Note
Funding: Revenue from this lease will be deposited in the Aviation Operating Fund.
Blue Line Extension Landscape Installation Contracts

Action:

Award two contracts to the same lowest responsive bidder, Champion Landscapes, Inc. for Landscape Installation as part of the Blue Line Extension project:

- $282,345.80 for Segment A, and
- $151,067.40 for University City Boulevard and J. W. Clay Boulevard Parking Garages.

Staff Resource(s):

Jill Brim, CATS
Kourtnie Vincent, Engineering & Property Management

Explanation

- The contracts provide landscape installation services and warranty of the plant material in Segment A, and the University City Boulevard, and JW Clay Boulevard Parking Garages as part of the LYNX Blue Line Extension light rail project.
- Work on Segment A will consist of two phases.
  - Phase 1 will include planting trees, shrubs, ornamental grasses, perennials, groundcover and bulbs in planting areas from 7th Street to Eastway Drive beginning in February 2017.
  - Phase 2 will include planting of trees, shrubs, and ornamental grasses at the 36th Street station beginning in October 2017.
- Work on the University City Boulevard and J. W. Clay Boulevard Parking Garages will consist of planting trees, shrubs, and groundcover in planting areas beginning in January 2017.
- On October 18, 2016, the City issued Invitations to Bid (ITBs) for landscape installation services for Segment A, the University City Boulevard and J. W. Clay Boulevard Parking Garages. In response to the ITBs, the City received one bid for Segment A and two bids for the Parking Garages from interested service providers.
- Champion Landscapes, Inc. was selected as the lowest responsive, responsible bidder.
- The contracts are the last of the BLE Landscaping prime contracts with an anticipated completion of fall 2018.

Background

- Due to the quantity of plant material required, previous contracts were approved for plant growing services to ensure that an adequate number of plants were available for the BLE project. The plant growing contracts were approved by City Council on July 15, 2015. These plants will be provided to the installation contractors.
- On September 26, 2016, the City Council awarded Segment B, Segment C, and Old Concord Road
Agenda #: 40. File #: 15-4406 Type: Consent Item

Park and Ride Lot Landscaping contracts to Champion Landscapes, Inc.

Disadvantage Business Enterprise
DBE participation goal was set for this contract pursuant to the City's federally required and approved DBE program.
Established DBE goal: 4.5%
Committed DBE goal are as follows:

Segment A
Champion Landscapes, Inc. has committed 7.4% ($21,000) of the total contract amount for Segment A in the following certified DBE firms: Grants Creek Nursery

University City Boulevard and J.W. Clay Boulevard Parking Garages
Champion Landscapes, Inc. has committed 7.6% ($11,500) of the total contract amount for University City Boulevard and J.W. Clay Boulevard Parking Garages in the following certified DBE firms: Grants Creek Nursery

Fiscal Note
Funding: Transit Community Investment Plan
Agenda #: 41. File #: 15-4354 Type: Consent Item

CATS Express Bus Service Agreements

Action:

A. Authorize the City Manager to negotiate and execute an agreement with Sugar Creek LLC to compensate the City for additional operating costs of up to $288,430 on CATS I-77 express services resulting from Sugar Creek’s closing of the High Occupancy Vehicle (HOV) lanes during construction,

B. Authorize the City Manager to negotiate and execute a municipal agreement with North Carolina Department of Transportation (NCDOT) to receive $1,374,000 to operate additional express bus service in the I-77 corridor as a mitigation to congestion during the construction of the I-77 Express Lanes Project, and

C. Adopt a budget ordinance appropriating $1,374,000 from the North Carolina Department of Transportation to the CATS Operating Budget.

Staff Resource(s):
David McDonald, CATS
Larry Kopf, CATS

Explanation
- Construction of the I-77 Express Lane Project, extending from the NC-16/Brookshire Freeway interchange to NC-150 in Mooresville, is now underway.
- The High Occupancy Vehicle (HOV) lanes on I-77 will be closed beginning in December 2016 to facilitate construction of the Express Lanes that are scheduled to open by January 2019 between Uptown Charlotte and Mooresville, North Carolina.
- Closure of the HOV lanes will impact all traffic, including CATS existing express services, resulting in longer run times for buses and additional costs.

Action A (Existing Bus Service)
- Action A will provide funding from Sugar Creek, LLC to compensate CATS for the additional service hours and cost impacts to the existing express bus services in the I-77 corridor due to the closure of the HOV lanes and the added congestion in the corridor.
- Sugar Creek, LLC is the contractor that is performing the work on the I-77 Express Lanes Project for NCDOT.
- Sugar Creek, LLC is required by its contract with NCDOT to mitigate the effects of closing the HOV lanes. As part of this mitigation, it will compensate CATS for the additional operating costs associated with the longer travel times for existing express bus routes in the corridor due to the increased congestion and the lost use of the HOV lanes.
- CATS is negotiating an agreement with Sugar Creek, LLC for up to $288,430 as a mitigation
measure while the HOV lanes are closed for construction.

Action B (New Bus Service)
- Action B will provide funding from NCDOT to CATS to provide additional express bus trips in the corridor during construction and to conduct public outreach and promote these services and other travel demand management techniques during construction to mitigate the congestion of construction for the general public.
- The construction of the I-77 Express Lanes Project will cause increased traffic congestion and delays to I-77 during the construction.
- NCDOT is proposing to increase CATS service and to promote public outreach in the corridor to mitigate the traffic congestion during construction of the I-77 Express Lanes Project between Uptown Charlotte and Mooresville, North Carolina.
- NCDOT will reimburse CATS for the costs of operating and marketing additional express services in the corridor in the amount of $1,374,000 over the next three years.
- The funding from NCDOT will result in 15 new peak trips on routes 48X Huntersville Express, 53X Northlake Express and 77X North Mecklenburg Express.
- By improving service frequency and marketing existing and new bus trips, CATS estimates that three thousand cars will be removed from the interstate each day resulting in reduced congestion, improved air quality and a convenient alternative to driving I-77 for peak work trips.

Charlotte Business INClusion
This is a Municipal Agreement contract and is exempt (Part A, Appendix 1.27 of the Charlotte Business INClusion Policy).

Fiscal Note
Funding: The agreements will provide funding to the CATS Operating Budget.

Attachment
Budget Ordinance
ORDINANCE NO. __________________________

AN ORDINANCE TO AMEND ORDINANCE NUMBER 8040-X, THE 2016-2017 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $1,374,000 TO THE CATS OPERATING BUDGET FOR EXPRESS BUS SERVICE

BE IT ORDAINED, by the City Council of the City of Charlotte:

Section 1. That the sum of $1,374,000 is available from the NCDOT

Section 2. That the sum of $1,374,000 is hereby appropriated in the CATS Operating Budget to the following project:

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<th>Source</th>
<th>Type</th>
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Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

______________________________
City Attorney
Budget & Performance Management Software Migration

Action: Approve a contract in the not-to-exceed amount of $250,000 with Obero, Inc. for the software migration from IBM Clarity to IBM TM1 for the City’s Budget and Performance Management System.

Explanation
- IBM’s Clarity product is the City’s current budget and performance management system, which allows the City to produce and monitor the operating and capital budgets and performance measures.
- Clarity is becoming a legacy product and IBM will discontinue support for the product within the next few years.
- The City has selected IBM’s TM1 as the replacement software program for budget and performance management, as it meets the immediate needs of the organization without purchasing a new software solution.
  - On July 27, 2015, the City Council approved a Dual Entitlement Renewal Program with Obero, Inc., for the software maintenance and subscription agreement to allow the City dual entitlement on the software licenses for both Clarity and TM1.
  - The dual entitlement agreement provides a reduced migration option that the City may migrate to TM1 from Clarity without purchasing a new solution. This option enables the City to avoid a lengthy procurement process, payment of new software licenses, and the implementation of a new software solution.
- Under the contract referenced in the action item, Obero, Inc. will migrate the current Clarity platform to the TM1 software program.
- As an IBM partner, Obero, Inc. has performed over twenty successful software migrations of Clarity to TM1.
- The City has contracted with Obero, Inc. for the past three years for software support pertaining to the City’s budget and performance management system.

Fiscal Note
Funding: Technology Capital Investments
Agenda #: 43.File #: 15-4458 Type: Consent Item

Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of $14,135.98.

Staff Resource(s):
Robert Campbell, Management & Financial Services

Explanation
- Notification of Property Tax and Business Privilege License Tax refunds due to clerical or assessor error are provided to the City by Mecklenburg County.

Pearson Review Update
- In accordance with the ordinance approved by the City Council on August 25, 2014 and the North Carolina law, a list of refunds, which have been paid since the last City Council Business Meeting as a result of the Pearson Review, is available at the City Clerk’s Office.
- The amount of Pearson Review refunds paid since the last City Council Business Agenda Meeting on November 28, 2016 totaled $5,427.30.

Attachment
Taxpayers and Refunds Requested
Resolution
## Taxpayers and Refunds Requested

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A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.

3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of December 2016 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.
Resolution of Intent to Abandon a Portion of W. Palmer Street, Penman Street, and an Alleyway off of W. Palmer Street

Action:
  A. Adopt a Resolution of Intent to abandon portions of W. Palmer Street, Penman Street, and an alleyway off of W. Palmer Street, and
  B. Set a public hearing date for January 9, 2017.

Staff Resource(s):
Jeff Boenisch, Transportation

Explanation
  A Portion of W. Palmer Street, Penman Street, and an alleyway off of W. Palmer Street are located in Council district 3.

Attachment
Map
Resolution
Right-of-Way Abandonment Petition 2016-08

A portion of W. Palmer St., Penman St., and an alleyway off of W. Palmer St.
RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of W. Palmer Street, Penman Street, and an alleyway off of W. Palmer Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, NCDOT Rail Division has filed a petition to close a portion of W. Palmer Street, Penman Street, and an alleyway off of W. Palmer Street in the City of Charlotte; and

Whereas, a portion of W Palmer Street is a 35-foot wide right-of-way beginning 154 feet northwest from its intersecting point with S. Graham Street, continuing 149 feet to its terminus within an existing railroad right-of-way, and consists of 6,891 square feet; and a portion of Penman Street is a 50-foot wide right-of-way beginning 157 +/- feet northwest from its intersecting point with S. Graham Street, continuing 226 feet to its terminus at an existing railroad right-of-way, and consists of 10,958 square feet; and an alleyway off of W. Palmer Street begins at its intersecting point with W. Palmer Street, continuing 252 +/- feet to its terminus at a property currently or formerly owned by Clarence W Wall and Millicent M Wall (D.B. 05992, P.G. 341), and consists of 2,516 square feet, as shown in the maps marked “Exhibit A-1 through A-3” and is more particularly described by metes and bounds in the documents marked “Exhibit B-1 through B-3” all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of December 12, 2016, that it intends to close a portion of W. Palmer Street, Penman Street, and an alleyway off of W. Palmer Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9th day of January 2016, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.
Property Transactions - Briar Creek Relief Sewer Phase III, Parcel #33.1

Action: Approve the following Acquisition: Briar Creek Relief Sewer Phase III, Parcel #33.1

- **Project:** Briar Creek Relief Sewer Phase III, Parcel #33.1
- **Owner(s):** 3217 Shamrock, LLC
- **Property Address:** 3217 Shamrock Drive
- **Total Parcel Area:** 1,071,486 sq. ft. (24.598 ac.)
- **Property to be acquired by Easements:** 14,444 sq. ft. (.332 ac.) in Utility Easement
- **Structures/Improvements to be impacted:** None
- **Landscaping to be impacted:** Trees and various plantings
- **Zoned:** R-17MF
- **Use:** Multi-family
- **Tax Code:** 099-063-45
- **Purchase Price:** $21,675
- **Council District:** 5
Agenda #: 46. File #: 15-4445 Type: Consent Item

Property Transactions - Michael Baker Bridge Replacement, Parcel #1

Action: Approve the following Acquisition: Michael Baker Bridge Replacement, 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.

Project: Michael Baker Bridge Replacement, Parcel #1
Owner(s): James Kevin Turnage, Jr. and Lisa Marie Turnage
Property Address: 3157 Fairfax Drive
Total Parcel Area: 30,703 sq. ft. (.705 ac.)
Property to be acquired by Easements: 5,523 sq. ft. (.127 ac.) in Storm Drainage Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and various plantings
Zoned: R-3
Use: Single-family Residential
Tax Code: 175-097-06
Purchase Price: $14,229
Council District: 6
Agenda #: 47. File #: 15-4446 Type: Consent Item

Property Transactions - Michael Baker Bridge Replacement, Parcel #3

Action: Approve the following Acquisition: Michael Baker Bridge Replacement, Parcel #3

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.

**Project:** Michael Baker Bridge Replacement, Parcel #3  
**Owner(s):** SNH SE Properties Trust  
**Property Address:** 2101 Runnymeade Lane  
**Total Parcel Area:** 464,322 sq. ft. (10.659 ac.)  
**Property to be acquired by Easements:** 1,449 sq. ft. (.033 ac.) in Storm Drainage Easement and Utility Easement, plus 8,486 sq. ft. (.195 ac.) in Miscellaneous Easement  
**Structures/Improvements to be impacted:** Fence  
**Landscaping to be impacted:** None  
**Zoned:** INST(CD)  
**Use:** Home for the aged  
**Tax Code:** 175-102-30  
**Purchase Price:** $17,150  
**Council District:** 6
Property Transactions - Grier Heights Sidewalk, Parcel #11

Action: Approve the following Condemnation: Grier Heights Sidewalk, Parcel #11

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 U.S. Department of Housing and Urban Development reimbursement.

Project: Grier Heights Sidewalk, Parcel #11
Owner(s): Elbie Dewitt Wallace, Jr. and Anoinette Wallace
Property Address: 336 Orange Street
Total Parcel Area: 7,000 sq. ft. (.161 ac.)
Property to be acquired by Easements: 366 sq. ft. (.008 ac.) in Sidewalk and Utility Easement, plus 724 sq. ft. (.017 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Trees and various plantings
Zoned: R-5
Use: Single-family residential
Tax Code: 157-012-39
Appraised Value: $2,175
Property Owner’s Counteroffer: $2,500
Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.
Council District: 1
Property Transactions - Grier Heights Sidewalk, Parcel #24

Action: Approve the following Condemnation: Grier Heights Sidewalk, Parcel #24

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 U.S. Department of Housing and Urban Development reimbursement.

Project: Grier Heights Sidewalk, Parcel #24
Owner(s): Kaitlin Littlejohn
Property Address: 401 Heflin Street
Total Parcel Area: 6,189 sq. ft. (.142 ac.)
Property to be acquired by Easements: 539 sq. ft. (.012 ac.) in Temporary Construction Easement
Structures/Improvements to be impacted: None
Landscaping to be impacted: Tree
Zoned: R-22MF
Use: Multi-family
Tax Code: 157-012-91
Appraised Value: $850
Property Owner’s Concerns: The property owner is concerned with the loss of their tree and are contacting a landscaper to determine the value.
City’s Response to Property Owner’s Concerns: Staff informed the property owner that the tree will not be removed and will be protected during construction.
Recommendation: To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.
Council District: 1
Property Transactions - Grier Heights Sidewalk, Parcel #25

**Action:** Approve the following Condemnation: Grier Heights Sidewalk, Parcel #25

This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for U.S. Department of Housing and Urban Development reimbursement.

**Project:** Grier Heights Sidewalk, Parcel #25  
**Owner(s):** Blake K. Rhyne  
**Property Address:** 321 Heflin Street  
**Total Parcel Area:** 5,905 sq. ft. (.136 ac.)  
**Property to be acquired by Easements:** 410 sq. ft. (.009 ac.) in Temporary Construction Easement  
**Structures/Improvements to be impacted:** None  
**Landscaping to be impacted:** None  
**Zoned:** R-15  
**Use:** Multi-family  
**Tax Code:** 157-012-35  
**Appraised Value:** $700  
**Property Owner’s Counteroffer:** $900  
**Property Owner’s Concerns:** Property owner does not agree with the compensation amount being offered and with a tree that will be removed during construction.  
**City’s Response to Property Owner’s Concerns:** Staff explained that the tree will be protected during construction and suggested for the owner to submit a counter offer, with justification for review.  
**Recommendation:** To avoid delay in the project schedule, staff recommends proceeding to condemnation during which time negotiations can continue, mediation is available and if necessary, just compensation can be determined by the court.  
**Council District:** 1
Reference - Charlotte Business INClusion Policy

The following excerpts from the City’s Charlotte Business INClusion Policy are intended to provide further explanation for those agenda items which reference the Charlotte Business INClusion Policy in the business meeting agenda.

Part A: Administration & Enforcement
Appendix Section 20: Contract: For the purposes of establishing an 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, MBE or WBE Goal has been set.
- Financial Partner Agreements, Development Agreements, 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 shall be “Exempt Contracts” from all aspects of the Charlotte Business INClusion Policy, unless the Department responsible for procuring the Contract decides otherwise:

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 shall be Exempt Contracts, 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 shall be Exempt Contracts.

Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate shall be Exempt Contracts.

Federal Contracts Subject to 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 shall be Exempt Contracts.

**State Contracts Subject to MWBE Requirements:** Contracts for which a minority and women business participation goal is set pursuant to G.S. 143-128.2(a) due to a building project receiving funding from the State of North Carolina shall be Exempt Contracts.

**Financial Partner Agreements with DBE or MWBE Requirements:** Contracts that are subject to a disadvantaged business development program or minority and women business development program maintained by a Financial Partner shall be Exempt Contracts.

**Interlocal Agreements:** Contracts with other units of federal, state, or local government shall be Exempt Contracts.

**Contracts for Legal Services:** Contracts for legal services shall be Exempt Contracts, unless otherwise indicated by the City Attorney.

**Contracts with Waivers:** Contracts for which the SBO Program Manager or the City Manager waives the SBO Program requirements shall be Exempt Contracts (such as when there are no SBE subcontracting opportunities on a Contract).

**Special Exemptions:** Contracts where the Department and the Program Manager agree that the Department had no discretion to hire an SBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

**Appendix Section 35: Informal Contracts:** Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

**Construction Contracts Less Than or Equal To $500,000:**

**Service and Commodities Contracts That Are Less Than or Equal To $100,000:**

**Part B: Formal Construction Bidding**

**Part B: Section 2.1:** When the City Solicitation Documents for a Construction Contract contain an MWSBE Goal, each Bidder must either: (a) meet the MWSBE Goal, or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements. Failure to do so constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

**Part B: Section 2.3:** No Goals When There Are No Subcontracting Opportunities.

The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

**Part C: Services Procurement**

**Part C: Section 2.1:** When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each MWSBE that responds to the Proposer’s solicitations and each MWSBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

**Part C: Section 2.1:** No Goal When There Are No MWSBE Subcontracting Opportunities. The City shall not establish an MWSBE Goal for Service Contracts where there are no MWSBEs certified to perform the
scopes of work that the City regards as realistic opportunities for subcontracting.

**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:

- Notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or
- Establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.
Reference - Property Transaction Process

Property Transaction Process Following Council Approval for Condemnation

The following overview is intended to provide further explanation for the process of property transactions that are approved by City Council for condemnation.

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During this time, City staff continues to negotiate with the property owner in an effort to reach a mutual settlement.

- If a settlement is reached, the condemnation process is stopped, and the property transaction proceeds to a real estate closing.

- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the City’s legal representative. Filing of the condemnation documents allows:
  - The City to gain access and title to the subject property so the capital project can proceed on schedule.
  - The City to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.

- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The City’s condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
  - North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.
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
  - Leave voice messages.
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If the City Council approves the resolutions, the City Attorney’s office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney’s Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to a trial before a judge or jury to determine “just compensation.”
- Full text of each resolution is on file with the City Clerk’s Office.
- The definition of easement is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or “in gross,” such as public utility easement.
- The definition of fee simple 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, commonly, synonym for ownership.