

City of Charlotte

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



Meeting Agenda

Monday, November 26, 2018

Council Chambers

City Council Business Meeting

Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
Council Member Braxton Winston II

5:00 P.M. ACTION REVIEW, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, ROOM 267

1. Closed Session (as necessary)

2. Mayor and Council Consent Item Questions

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the Action Review meeting.

3. Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

4. 2019 Legislative Agenda

Staff Resource(s):

Jason Kay, City Manager's Office
Dana Fenton, City Manager's Office

Time: 15 minutes

Explanation

- City Council prepares annual legislative agendas outlining policy preferences to the United States Congress and the North Carolina General Assembly.
- The Intergovernmental Relations Committee met in September, October, and November to consider and recommend the proposed legislative agendas. On November 19, the Committee voted 4 - 0 to recommend the State and Federal legislative agendas to full Council.

Future Action

City Council will discuss the proposed agendas during the Strategy Session on December 3, 2018, in preparation for a vote during the Business Meeting on December 10, 2018.

5. 2019 Council Meeting Calendar

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Time: 5 minutes

Explanation

- The City Clerk will provide an overview of the 2019 City Council meeting calendar.

Future Action

City Council will be asked to approve the 2019 Council meeting calendar at the Business Meeting on December 10, 2018.

6. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Marie Harris, Strategy and Budget

Time: 10 minutes

Synopsis

Staff responses to questions from the beginning of the Action Review meeting.

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

Call to Order

Introductions

Invocation

Pledge of Allegiance

PUBLIC FORUM

7. Public Forum

8. Consent agenda items 31 through 99 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.

AWARDS AND RECOGNITIONS

9. Homelessness Awareness Month

Action:

Mayor Lyles will read a proclamation recognizing November 2018 as Homelessness Awareness Month.

10. CLT250 Proclamation

Action:

Mayor Lyles will read a proclamation recognizing December 3, 2018, as the 250th anniversary of the City of Charlotte, marked by the year-long celebration of CLT250.

PUBLIC HEARING

11. Public Hearing on a Resolution to Close an Unopened Alleyway Off of Spencer Street

Action:

- A. Conduct a public hearing to close an unopened alleyway off of Spencer Street, and
- B. Adopt a resolution to close an unopened alleyway off of Spencer Street.

Staff Resource(s):

Liz Babson, Transportation
Esteban Valverde, 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.
- The unopened alleyway off of Spencer Street is located in Council District 1.

Petitioners

Peter Harakas

Right-of-Way to be Abandoned

The unopened alleyway off of Spencer Street is located northeast of 36th Street.

Reason

This abandonment will allow each of the two abutting owners to incorporate the unopened right-of-way into their land so that they will have full title and interest in the right-of-way that they are currently maintaining and caring for.

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)

Thomas R. Simpson - No objections
CITI Properties, LLC - No objections
Carolina Cottage Homes - No objections
Timothy R. Stevenson - No objections

Neighborhood/Business Association(s)

None

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(s)

Map

Resolution

[Council Map Spencer St](#)

[Resolution to Close a portion of an unopened alleyway off Spencer Street](#)

POLICY

12. City Manager's Report

13. Targeted Housing Rehabilitation Program

Action:

Approve the Housing and Neighborhood Development Committee's recommendation to convert the targeted housing rehabilitation pilot program into a permanent resource.

Committee Chair:

LaWana Mayfield, Housing and Neighborhood Development

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Miles Vaughn, Housing and Neighborhood Services

Explanation

- The Targeted Housing Rehabilitation Pilot Program, marketed as TLC for CLT, provides moderate housing rehabilitation for single-family dwellings occupied by low and moderate-income households.
- City staff and nonprofit partners conducted extensive outreach into each neighborhood to share information about the program and confirm community interest. Since the program's launch, staff has connected with over 300 households through face-to-face conversations and surveys.
- These rehabilitation projects represent over \$2.5 million combined investment toward preserving affordable housing units and allowing residents to age in place. The conversion of the program into a permanent resource is identified in the Housing Charlotte Framework as part of supporting family self-sufficiency.
- On October 17, 2018, the Housing and Neighborhood Development Committee voted unanimously (Mayfield, Driggs, Egleston, Harlow, and Newton) to make the program a permanent resource.
- The program will continue to serve these neighborhoods through Fiscal Year (FY) 2019, and approval of the action will allow new neighborhoods to be served in FY 2020 based on funding availability.

Background

- In Spring 2016, the Housing and Neighborhood Development Committee unanimously approved the pilot program.
- In September 2016, staff identified Camp Greene and Lincoln Heights as pilot neighborhoods for the program. The selection was based on data, including median income of households, age of the housing stock, housing code violations, and the pace of neighborhood change.
- In October 2016, surveying of households began in both communities.
- Rehabilitation work began in January 2017 and to date, renovations are complete on 45 housing units with another 23 at some stage of renovation.
- On September 12, 2018, the Housing and Neighborhood Development Committee received a report on the progress of the pilot project and a recommendation to convert the pilot to a permanent program. The Committee requested additional information and deferred action to the October 17 meeting.

Fiscal Note

Funding: Community Development Block Grant

Attachment(s)

October 17 Housing and Neighborhood Development Committee Presentation

[Oct 17 2018 TargetedRehab Print](#)

14. Neighborhood Traffic Calming Policy

Action:

Approve the Transportation and Planning Committee's recommendation to accept the proposed Neighborhood Traffic Calming Policy updates.

Committee Chair:

Greg Phipps, Transportation and Planning

Staff Resource(s):

Liz Babson, Transportation
Kathy Dennis, Transportation
Tamara Blue, Transportation

Current Policy

- The Neighborhood Traffic Calming Policy was adopted in 1997, with the last update occurring in 2006.
- The City's existing policy requires high thresholds and a cumbersome petition process for neighborhoods to receive traffic calming tools. Moderating travel speeds through neighborhoods supports the City's Vision Zero efforts. The existing requirements include:
 - Speed humps: 1,000 vehicles per day plus a successful petition,
 - Multi-way stops: 600 vehicles per day on main street and petition encompassing 1,200-foot radius around intersection,
 - Speed humps plus multi-way stops: 2,500 vehicles per day and petition,
 - Petition requirements: Original signatures of all parcel owners and 60 percent support required for successful petition.
- The director of the Charlotte Department of Transportation (CDOT) is authorized by ordinance to change speed limits on City streets. While the current policy provides the opportunity to request speed limit reduction via petition, CDOT routinely reduces speeds on neighborhood streets when requested without a petition.

Proposed Changes

- Staff reviewed traffic calming policies from peer cities. The proposed changes to the Neighborhood Traffic Calming Policy will modernize and better align Charlotte's policy with other cities.
 - Speed humps: Reduce threshold to 600 vehicles per day,
 - Multi-way stops: Combine volume on main and intersecting street traffic to meet 600 vehicles per day and reduce the petition-required impact area to 1,200 linear feet from intersection,
 - Speed humps plus multi-way stops: 1,500 vehicles per day and postcard in lieu of second petition within five years of first mechanism installation,
 - Petition requirements: Original signature of only one parcel owner and petition packet for homeowners' associations in lieu of 60 percent signed petition,
 - In addition, Housing and Neighborhood Services has agreed to assist distressed neighborhoods with the petition process.
- CDOT will continue to change the posted speed limit on local residential streets to 25 miles per hour as requested without requiring a petition.

Committee Discussion

- The Transportation and Planning Committee received information and discussed proposed changes to the policy at the meetings on June 24, September 22, and October 26, 2018.
- On October 26, 2018, the Committee voted unanimously in favor of advancing the proposed Neighborhood Traffic Calming Policy to the full Council (Phipps, Eiselt, Egleston, and Winston voted in favor; Ajmera was absent).
- Full Council received a presentation highlighting the current policy with proposed changes at the City Council Strategy Session on November 5, 2018.

Attachment(s)

Draft Neighborhood Traffic Calming Policy

[DRAFT 2018 Neighborhood Traffic Calming Policy](#)

BUSINESS**15. Sale of City-Owned Property on Piaffe Avenue and Shady Oak Court****Action:**

- A. Adopt a resolution approving the sale of 3.3 acres of City-owned property located at 4125 Piaffe Avenue and 11915 Shady Oak Court (parcel identification numbers 195-056-48 and 195-181-99) to Syetta Chapman for \$60,000, subject to the upset bid process, and**
- B. Authorize the City Manager to negotiate and approve all documents necessary to complete the sale of the property.**

Staff Resource(s):

Angela Lee, Charlotte Water

Mike Davis, Engineering and Property Management

Tony Korolos, Engineering and Property Management

Explanation

- The City-owned property at 4125 Piaffe Avenue and 11915 Shady Oak Court (adjacent to Council District 5) is 3.3 acres and zoned R (residential).
- The City acquired the property through purchase of a private water system and the parcels functioned as neighborhood well lots.
- Ms. Chapman, an individual, proposes to purchase the property for the appraised value of \$60,000.
- On September 25, 2018, Ms. Chapman presented the highest qualifying initial offer with the following terms:
 - Purchase price of \$60,000 with a five percent earnest money deposit of \$3,000,
 - Due diligence period of 120 days, and
 - Closing to occur within 30 days after the expiration of the due diligence period.
- If City Council approves Ms. Chapman's initial offer, the terms will be advertised for upset bid.

Fiscal Note

Funding: Charlotte Water Operating Budget

Attachment(s)

Map

Resolution

[Location Map - Sale of City-Owned Property on Piaffe Avenue](#)

[Resolution Piaffe Ave and Shady Oak Court](#)

16. No Grease Barbershop Lease Renewal

Action:

Adopt a resolution approving a five-year lease agreement renewal with No Grease Barbershop for space at the Spectrum Center.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- No Grease Barbershop has leased Suite D at 333 East Trade Street in Council District 1 since 2008 and would like to renew the lease for an additional five-year term.
- The current lease for 333 East Trade Street, Suite D, began January 1, 2014 and will end December 31, 2018.
- The new lease agreement will begin on January 1, 2019 and end December 31, 2023.
- The terms of the lease agreement are as follows:
 - Term: Five years,
 - Rate: \$18 per square foot,
 - Payment: \$2,961 per month (\$35,532 per year) with three percent annual increases, and
 - No Grease Barbershop will be responsible for all utilities.

Fiscal Note

Funding: General Fund

Attachment(s)

Map
Resolution

[Location Map - No Grease Barbershop Lease Renewal](#)

[No Grease Resolution 2018](#)

17. Naming Agreement for Bojangles' Coliseum and Surrounding Complex

Action:

Approve a Naming Rights and License Agreement with the the Charlotte Regional Visitors Authority and Bojangles' Restaurants, Inc. for Bojangles' Coliseum and the surrounding complex.

Staff Resource(s):

Tracy Dodson, City Manager's Office
Bob Hagemann, City Attorney's Office
Cindy White, City Attorney's Office

Explanation

- In November 2008 the City and the Charlotte Regional Visitors Authority (CRVA) entered into a 10-year agreement granting Bojangles' Restaurants, Inc. (Bojangles') naming rights to Bojangles' Coliseum (Council District 1).
- The agreement expires on December 31, 2018 because the City and the CRVA opted to renegotiate at the end of 10 years rather than allowing the agreement to automatically renew.
- The proposed new naming rights agreement will begin on January 1, 2019 and will run for 10 years, after which it will renew annually for five, one-year terms, unless either party provides notice of non-renewal. The new agreement makes the following key changes to the current agreement:
 - Increases the license fee paid by Bojangles' from \$125,000 per year for all 10 years to \$240,000 per year for the first year with increases of \$10,000 per year during the initial 10-year term. After the initial term, the fee increases by five percent per year (same as the current agreement).
 - Grants Bojangles' naming rights for the complex and the surrounding property which will be enhanced by the connecting walkway being built between Ovens Auditorium and Bojangles' Coliseum (the Bojangles Entertainment Complex).
 - Provides that the City and CRVA will not enter into a naming rights agreement with a company or brand for Ovens Auditorium, though the City could change the name to refer to an individual.
 - Adds provisions for promotion of the facilities through digital media, including a consolidated website for the Bojangles' Entertainment Complex; a monthly events email; and CRVA presence on social media such as Facebook, Twitter, and Instagram.
 - Clarifies and revises the detailed exclusivity restrictions regarding signage, product sales, and related commissions within the Coliseum and the Complex, in a way the CRVA believes will positively impact revenue.
- Other than road signs under the control of the State of North Carolina or the City, the CRVA will bear the initial cost of fabricating and installing any new signage within the Complex, including existing signage that must be updated to reference the Bojangles' Entertainment Complex or to reflect the updated Bojangles' Coliseum logo. The CRVA will also maintain and repair the signs after installation, with Bojangles' to pay for any work necessitated by changes to advertising copy. Changes to signs and logos are subject to CRVA approval.

Fiscal Note

Funding: CRVA will pay the costs of fabricating and installing signage.

18. Construction Manager at Risk Services for the Charlotte Convention Center Phase I Renovation

- A. **Approve a Construction Manager at Risk contract in an amount not to exceed \$98,000,000 with Holder-Edison Foard-Leeper Company for the construction phase of the Convention Center Phase I Renovation project,**
- B. **Approve a contract in the amount of \$2,000,000 with TVS North Carolina, P.C. for architectural services during bidding, construction, and close-out phases,**
- C. **Adopt a budget ordinance appropriating \$110,000,000 from the Convention Center Tax Fund for the Convention Center Phase I Renovation,**
- D. **Adopt a budget ordinance to amend the Fiscal Year 2019 budget to transfer \$2,500,000 from the Convention Center Tax Fund to the Convention Center Phase I Renovation, and**
- E. **Adopt a budget ordinance appropriating an additional \$2,500,000 from the Convention Center Tax Fund Balance for the Convention Center Phase I Renovation.**

Staff Resource(s):

Tracy Dodson, City Manager's Office

Mike Davis, Engineering and Property Management

Robert Campbell, Finance

Explanation

- In 2015, the Charlotte Regional Visitors Authority (CRVA) initiated a study to improve competitiveness of the 22-year-old Charlotte Convention Center, a City-owned and maintained facility (Council District 1). The study concluded that several improvements would advance the Convention Center's marketability and competitiveness.
- On September 25, 2017, City Council approved the set-aside of \$110,000,000 of future debt capacity for the Convention Center Phase I Renovation.
- The Convention Center Phase I Renovation incorporates several facility improvements identified in the study, including:
 - Enhancing the meeting experience,
 - Increasing the amount of breakout space,
 - Creating new, pedestrian-friendly connections between the Convention Center and Center City, and
 - Upgrading technology and buildings systems.
- City Council has received several presentations from CRVA and City staff throughout the life of the project since 2016. The most recent presentation, which outlined the proposed renovation, budget, and construction schedule, was provided during the Strategy Session on November 5, 2018.

Action A

- The City has selected the Construction Manager at Risk (CMAR) project delivery method to provide more effective coordination, more control of project costs and schedule, and to better mitigate risks during construction.
- Representatives from the City and CRVA selected Holder-Edison Foard-Leeper Company using the qualifications-based selection process to provide construction management services for the proposed improvements to the Convention Center.
- This contract with Holder-Edison Foard-Leeper Company is for Construction Phase Services for the coordination of all construction activities and delivering the project in collaboration with the City and the design consultant.
- Holder-Edison Foard-Leeper Company as the CMAR will not be allowed to self-perform the construction work. The CMAR is required to prequalify all first-tier subcontractors and competitively

bid the work to subcontractors.

- Holder-Edison Foard-Leeper Company will be responsible for managing the subcontractors' work and delivering the project on schedule and on budget.

Action B

- This contract with TVS North Carolina, P.C. will provide architectural services during the bidding, construction, and close-out phases.
- On November 3, 2016, CRVA issued a Request for Qualifications (RFQ); two proposals were received.
- TVS North Carolina, P.C. was selected by the City and CRVA as the firm best qualified to meet the Charlotte Convention Center's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ.
- CRVA entered into a contract with TVS North Carolina, P.C. for \$5,850,000, effective October 1, 2017, for architectural services during the design, development, and construction phases.
- Per the City Policy on Sustainable Facilities, the Convention Center Phase I will be designed to achieve LEED version 4 certification for building operations and maintenance.
- LEED certification is awarded to buildings that demonstrate a high level of energy efficiency and sustainable design.

Action C

- This action appropriates the previously discussed \$110,000,000 for Phase I construction. This funding will be moved from Convention Center Fund Balance into the project account.
- As part of the \$110,000,000 total, City Council agreed to reimburse CRVA up to \$8,500,000 for Convention Center design/development costs.

Actions D and E

- In FY 2019, City Council approved \$2,500,000 in the Convention Center Tax Fund to cover half the cost of replacement and repair of an existing chiller plant, estimated to be \$5,000,000.
- Action D moves the original \$2,500,000 from the Convention Center Tax Fund into the project account.
- Action E appropriates an additional \$2,500,000 from the Convention Center Tax Fund for the remaining cost of the chiller plant replacement. This funding is being accelerated from the planned FY 2020 allocation and is incorporated in existing debt models.
- Combining the chiller plant replacement and the renovation construction allows the City and CRVA to use resources more efficiently and reduce the amount of time the facility is out of operation.
- The addition of the replacement and repair of the chiller plant to the project scope brings the total budget to \$115,000,000.

Charlotte Business INclusion

Construction Manager at Risk Contract

The City has established subcontracting goals of 14% Minority Business Enterprise (MBE) and 7% Small Business Enterprise (SBE) for this project and Holder-Edison Foard-Leeper Company has committed to meeting the established goals. (Part G: Section 2.7 of the Charlotte Business INclusion Policy).

Contract with TVS North Carolina, P.C.

The City negotiates subcontracting participation after the firm is selected for this services contract (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). TVS North Carolina, P.C. has committed 34.27% (\$685,494) of the total contract amount to the following certified firms:

- Neighboring Concepts, PLLC (MBE) (\$221,520) (architectural support)
- McCracken & Lopez, PA (SBE) (\$348,469) (mechanical, electrical, plumbing)
- Wescott Structures, PA (SBE, WBE) (\$67,205) (structural engineering)
- Hartranft Lighting Design, LLC (SBE) (\$7,800) (lighting design)
- Superior Mechanical Systems, Inc. (MBE) (\$27,000) (mechanical design)
- Howard Brothers Electric of Charlotte, LLC (WBE) (\$13,500) (electrical design)

Fiscal Note

Funding: Convention Center Tax Fund

Attachment(s)

Map

Budget Ordinances

[Location Map - Charlotte Convention Center Phase 1 - Construction Phase](#)

[Convention Center Ordinance C](#)

[Convention Center Ordinance D](#)

[Convention Center Ordinance E](#)

19. Spectrum Center Data Duct Bank Project

Action:

- A. **Approve a contract in the amount of \$285,425.60 to the lowest responsive bidder Carolina Conduit Systems, Inc. for the Spectrum Center Fiber Optic Cable Duct Bank project, and**
- B. **Adopt a budget ordinance appropriating \$285,425.60 of Tourism Fund Balance into the Fiber Optic Cable Duct Bank project.**

Staff Resource(s):

Danny Pleasant, City Manager's Office
Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management
Robert Campbell, Finance

Explanation

- City Council approved the City Services Agreement with the National Basketball Association (NBA) on July 27, 2015. The Agreement was amended and restated when Charlotte's hosting opportunity moved from 2017 to 2019. Charlotte will host the NBA All-Star game and related events in February 2019.
- The City-owned parking lot at 501 East Trade Street, located in Council District 1, will be used as a "broadcast compound," accommodating at least 35 mobile TV production trailers and related temporary structures for broadcast media to provide coverage of the event.
- Due to the presence of the LYNX Gold Line tracks and electrified catenary systems along Caldwell Street, additional elevated bridging or underground infrastructure is required to allow fiber-optic access for the media to connect from the parking lot into the arena.
- Fiber connectivity will be critical as the City hosts major events at the arena in the future.
- The safest, most secure, and cost-effective, long-term solution is to install an underground duct bank which will be a permanent solution for connectivity.
- Approximately 90 linear feet of concrete duct bank will be installed between the City-owned lot and the Spectrum Center loading dock at a depth of at least 10 feet.
- On October 15, 2018, the City issued an Invitation to Bid; one bid was received.
- Carolina Conduit Systems, Inc. was selected as the lowest responsive, responsible bidder.
- The Tourism Fund will be used for this project. Funding is available because sufficient savings were achieved in the most recent debt financing structure.
- The project is anticipated to be completed in first quarter 2019.

Charlotte Business INclusion

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

Fiscal Note

Funding: Tourism Fund

Attachment(s)

Map
Budget Ordinance

[Location Map - Fiber Optic Cable Duct Bank under Caldwell Street](#)

[Duct Bank Ordinance](#)

20. Private Developer Funds Appropriation

Action:

- A. Approve Developer Agreements with Old Concord Apartments at the Blue Line LLC, C4 Cstore Holdings, LLC, Hazel Southpark Apartments, and RailYard LLC for traffic signal installations and improvements, and**
- B. Adopt a budget ordinance appropriating \$168,835 in private developer funds for traffic signal installations and improvements.**

Staff Resource(s):

Liz Babson, Transportation
Charles Abel, Transportation

Explanation

- Private developer agreements and funds appropriations are needed when a developer is required through the City rezoning process to make traffic signal improvements.
- Funding contributions from private developers must be appropriated prior to the City's initiation of work.
- The \$168,835 in private developer funding is for traffic signals, traffic signal modifications and/or upgrades, and other related work associated with the developers' projects. The funding is restricted to the projects noted below:
 - Old Concord Apartments at the Blue Line LLC contributed \$65,400 for traffic signal modifications at the intersection of North Tryon Street and Old Concord Road (Council District 4),
 - C4 Cstore Holdings, LLC contributed \$44,275 for traffic signal modifications at the intersection of Statesville Road and Riley Avenue (Council Districts 2 and 4),
 - Hazel Southpark Apartments contributed \$30,000 for traffic signal modifications at the intersection of Barclay Downs Drive and Carnegie Boulevard (Council District 6), and
 - RailYard LLC contributed \$29,160 for traffic signal modifications at the intersection of South Tryon Street and Bland Street (Council District 3).
- These developer contributions are based on cost estimates prepared by the Charlotte Department of Transportation (CDOT).
- Any funding contributed by the developer(s) for a signal project that is unused by the City will be refunded back to the developer(s) after project completion.
- CDOT will install and operate these signals as part of the existing signal systems in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map
Budget Ordinance

[Traffic Signal Improvements 102318](#)

[Budget Ordinance 11.26.2018](#)

21. Nominations to the Bicycle Advisory Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Three appointments for three-year terms beginning January 1, 2019 and ending December 31, 2021.
 - Haley Beaupre has completed two full terms; therefore, she is not eligible for reappointment.
 - Robert Boyer is eligible and interested in reappointment.
 - David Adam Raskoskie is eligible and interested in reappointment.

Attachment(s)

Bicycle Advisory Committee Applicants

22. Nomination to the Business Advisory Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term for a Certified Small Business Enterprise representative recommended by the Hispanic Contractors Association beginning immediately and ending April 28, 2020.
 - Baldwin Mercedes has resigned.

Attachment(s)

Business Advisory Committee Applicants

23. Nomination to the Charlotte Business INClusion Advisory Committee

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term for a representative from and recommended by the Latin American Chamber of Commerce beginning immediately and ending February 28, 2019, then continuing for a three-year term from March 1, 2019 until February 28, 2022.
 - Yeferson E Orvalle Urena has resigned.

Attachment(s)

Charlotte Business INClusion Advisory Committee Applicants

24. Nominations to the Charlotte Housing Authority

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- Three appointments for three-year terms beginning December 18, 2018, and ending December 17, 2021.
 - Lucy Brown is eligible and interested in reappointment.
 - Shirley Fulton is eligible and interested in reappointment.
 - Ray McKinnon is eligible and interested in reappointment.

Attachment(s)

Charlotte Housing Authority Board Applicants

25. Nomination to the Charlotte Mecklenburg Public Access Corporation

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending June 30, 2020.
 - Antrice Mitchell did not meet attendance requirements.

Attachment(s)

Charlotte Mecklenburg Public Access Corporation Applicants

26. Nomination to the Charlotte Tree Advisory Commission

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning December 14, 2018 and ending December 13, 2021.
 - Kimberly Sanders is not interested in reappointment.

Attachment(s)

Charlotte Tree Advisory Commission Applicants

27. Nomination to the Civil Service Board

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending May 16, 2019, then continuing for a three-year term from May 17, 2019 and ending May 16, 2022.
 - Karen Burke has resigned.

Attachment(s)

Civil Service Board Applicants

28. Nomination to the Historic District Commission

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term in the category of Resident Owner of Wesley Heights, beginning immediately and ending June 30, 2019.
 - Kim Parati did not meet attendance requirements.

Attachment(s)

Historic District Commission Applicants

29. Nomination to the Housing Appeals Board

Action:

Nominate citizens to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning January 1, 2019 and ending December 31, 2021.
 - Gregory Pizarro, Jr. is eligible and interested in reappointment.

Attachment(s)

Housing Appeals Board Applicants

30. Mayor and City Council Topics

The City Council members may share information and raise topics for discussion.

CONSENT

31. 2018 Charlotte-Mecklenburg Police Foundation Donation

Action:

Authorize the City Manager to accept a donation from the Charlotte-Mecklenburg Police Foundation in the amount of \$255,000 for various Charlotte-Mecklenburg Police Department initiatives.

Staff Resource(s):

Kerr Putney, Police

Johnny Jennings, Police

Explanation

- The Charlotte-Mecklenburg Police Department (CMPD) often applies for grants to fund programs and expenses that support its approved operating budget.
- The City has been awarded a donation from the Charlotte-Mecklenburg Police Foundation, a non-profit and volunteer organization dedicated to strengthening CMPD services and promoting public safety within CMPD's jurisdiction by raising private donations.
- This donation will fund:
 - A smartphone application that will allow residents to stay in better contact with CMPD and allow CMPD to more effectively inform, engage, and communicate with residents,
 - Vehicle barriers to ensure pedestrian and officer safety during special events, and
 - The continuation of Command College, a formalized leadership program for CMPD Command Staff.
- The total amount of this donation is \$255,000. This donation does not require the City to provide matching funds.

Fiscal Note

Funding: General Grant Fund

32. Motorcycle Repair Parts and Service

Action:

- A. **Approve the purchase of motorcycle parts, as authorized by the sole source exemption of G.S. 143-129(e)(6),**
- B. **Approve a contract with Motorcycles of Charlotte for the purchase of motorcycle parts and services for the term of three years, and**
- C. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Kerr Putney, Police

Nathan King, Police

Sole Source Exemption

- G.S. 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because there is only one supply source in close proximity to the City to provide parts and services in a timely manner. The next closest dealership is in Greensboro, North Carolina and would require transport and significant down-time for repair, thus negatively impacting availability.
- The City Council must approve purchases made under the sole source exemption.

Explanation

- The City has 10 motorcycles that are used for the enforcement of traffic laws, to escort vehicles and motorcades, and for other special events in order to protect and serve residents.
- The extensive daily use of the motorcycles requires routine maintenance and replacement of parts on a regular basis.
- Total expenditures for all three years are estimated to be \$199,980.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Police Operating Budget

33. Charlotte Fire Department Strategic Deployment and Operational Planning Software

Action:

- A. Approve a contract with Levrum Code3 Strategist to provide, implement, and maintain strategic deployment and operational planning software,**
- B. Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved, and**
- C. Authorize the City Manager to purchase maintenance and support as required to maintain the system for as long as the City uses the system.**

Staff Resource(s):

Reginald Johnson, Fire

Explanation

- The Charlotte Fire Department (CFD) needs the capability to predict operational workloads for a five- to 10-year timespan and evaluate alternate deployment strategies.
- This type of effective, long-term planning requires the ability to map station locations as well as apparatus and staff deployment while also accounting for urban growth, incident trends, and other related factors that may impede response times.
- In the past, CFD has relied on more rudimentary resource deployment modeling based on historical data for long-range planning purposes.
- This software will allow CFD to integrate predictive analysis into the department's planning so it can more efficiently deploy resources.
- In Fiscal Year 2018, CFD contracted with the vendor on a trial basis to ensure that this software provided the necessary tools to meet the department's needs; this trial was successful.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the City's best interest. A waiver of competitive solicitation was approved for this vendor on August 16, 2018.
- CFD will spend \$125,000 during the first year of the contract. Annual expenditures for licenses and support are estimated to be \$41,000.

Charlotte Business INCLUSION

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

Fiscal Note

Funding: General Grants Fund and Charlotte Fire Operating Budget

34. Amend Contract for Fire Department Records Management System Maintenance and Support

Action:

- A. Approve contract amendment #2 to the contract with FDM Software, LTD to provide records management system maintenance and support, and
- B. Authorize the City Manager to purchase additional maintenance and support for as long as the City uses the system.

Staff Resource(s):

Reginald Johnson, Fire

Kevin Gordon, Fire

Explanation

- On May 28, 2002, City Council approved a contract for the installation and implementation of the records management system. Continued maintenance and support for the system was approved by City Council on January 28, 2013.
- This amendment extends the contract to allow the City continued maintenance and support for as long as the City uses the software.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the City's best interest. A waiver has been approved for these services based on the Fire Department's extended use of the FDM records management system and the need for ongoing maintenance and support.
- The Fire Department uses the records management system to hold essential information such as:
 - Permits,
 - Hydrant locations,
 - Incident information,
 - Personnel information, and
 - Training certificates.
- Annual expenditures for maintenance and support are estimated to be \$80,000.

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).

Fiscal Note

Funding: Fire Operating Budget

35. Amend Contract for Fire Computer-Aided Dispatch System Maintenance and Support

Action:

- A. Approve contract amendment #2 to the contract with TriTech Software Systems to provide computer-aided dispatch system maintenance and support,
- B. Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was awarded, and
- C. Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.

Staff Resource(s):

Reginald Johnson, Fire
Kevin Gordon, Fire

Explanation

- The Computer-Aided Dispatch (CAD) system is the primary software system used for dispatching the closest and most appropriate apparatus to a call for service.
- The Charlotte Fire Department (CFD) implemented a CAD system from TriTech Software Systems in 2002.
- On August 26, 2013, City Council approved a contract amendment (Amendment #1) for ongoing maintenance and support for the system for a term of one year, plus four, one-year renewals.
 - Amendment #1 covered maintenance and support for the CAD system after the initial warranty and original contract's maintenance expired.
 - The final term of the 2013 approved amendment (Amendment #1) expires in 2019.
- This amendment extends the contract to allow the City continued maintenance and support for as long as the City uses the software.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the City's best interest. A waiver has been approved for these services based on CFD's extended use of the CAD system and the need for ongoing maintenance and support.
- Annual expenditures are estimated to be \$200,000.

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).

Fiscal Note

Funding: Fire Operating Budget

36. Fire Apparatus Fabrication and Customization Services

Action:

- A. **Approve a unit price contract with Anchor-Richey EVS for fire apparatus fabrication and customization services for an initial term of three years, and**

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

Staff Resource(s):

Reginald Johnson, Fire

Explanation

- The Charlotte Fire Department requires fabrication and customization services for a variety of apparatus on an ongoing basis.
- Fabrication services may include equipment additions such as shelving, compartment modifications to accommodate equipment additions, bracket mounts, pump installations, retrofits, and other modifications as required.
- The needs for fabrication services vary and are identified on an as-needed basis.
- Waiver of a competitive solicitation process for services may be granted on a limited basis when deemed appropriate and in the City's best interest. A waiver has been approved for these services based on the limited number of vendors with the required qualifications to provide these services.
- Annual expenditures are estimated to be \$100,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Fire Operating Budget, Capital Equipment Fund, or General Grant Fund

37. Intelligent Transportation System Projects Engineering Services

Action:

Approve professional services contracts in the estimated amount of \$575,000 for the inspection and construction administration of Intelligent Transportation Systems projects with the following firms:

- Exult Engineering (\$250,000),
- SEPI Engineering & Construction (\$175,000), and
- STV Engineers, Inc. (\$150,000).

Staff Resource(s):

Liz Babson, Transportation

Ashley Boenisch, Transportation

Explanation

- Intelligent Transportation Systems (ITS) projects are part of the implementation of the ITS Master Plan described in the Transportation Action Plan.
- The City continues to install fiber optic cable to support its growing communications system with over 300 miles of fiber optic cable connecting over 600 traffic signals.
- Fiber optic cabling, traffic signal interconnection, and video traffic management cameras provide the ability to remotely adjust traffic signals in response to traffic flow and emergency conditions. Does this work have a safety component associated with Vision Zero? (No correlation with Vision Zero.)
- The contracts will provide inspection and construction administration services for five ITS projects:
 - Harris Boulevard from University City Boulevard to Rocky River Road and from Old Concord Road to Mclean Road (Council District 4),
 - Wilkinson Boulevard from Morehead Street to Josh Birmingham Parkway (Council District 3),
 - Steele Creek Road from Westinghouse Boulevard to South Tryon Street (Council District 3),
 - Arrowood Road from South Tryon Street to South Boulevard (Council District 3), and
 - Mallard Creek Road from Harris Boulevard to Governor Hunt Road (Council Districts 2 and 4).
- These contracts will vary from project to project and may include utility relocation services, construction administration, or construction inspection.
- On August 16, 2018, the City issued a Request for Qualifications (RFQ); six proposals were received.
- Exult Engineering, SEPI Engineering & Construction, and STV Engineers, Inc. were selected as the best firms to meet the City's needs in terms of qualifications, experience, and responsiveness to RFQ requirements.
- The contract amounts were determined based on the anticipated ITS projects each firm will be assigned. The projects vary in length, the number of traffic signals, and the number of cameras.

Background

- On September 11, 2017, City Council approved a municipal agreement with the North Carolina Department of Transportation to accept a Congestion Mitigation and Air Quality (CMAQ) grant for the construction of ITS projects in the amount of \$1,580,000.
- CMAQ funding for construction is \$1,580,000 (79 percent) and the City's match for construction is \$420,000 (21 percent) for five projects along sections of these corridors: Harris Boulevard, Wilkinson Boulevard, Steele Creek Road, Arrowood Road, and Mallard Creek Road. The grant also reimburses the City for up to 15 percent of inspection and construction administration costs.

Charlotte Business INclusion

This contract is a Federal contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy). However, Exult Engineering is a certified SBE and SEPI Engineering is a certified WBE.

Fiscal Note

Funding: Community Investment Plan

Attachment(s)

Map

[Map Intelligent Transportation Systems Projects 103118](#)**38. Harris Boulevard Intelligent Transportation System Project****Action:**

Approve a contract in the amount of \$397,933.75 to the lowest responsive bidder, STS Cable Services, Inc. for the Harris Boulevard Intelligent Transportation Systems project.

Staff Resource(s):

Liz Babson, Transportation

Ashley Boenisch, Transportation

Explanation

- The Intelligent Transportation Systems (ITS) project is part of the implementation of the ITS Master Plan described in the Transportation Action Plan.
- Traffic signals and traffic management cameras are major components of an ITS and connecting them with fiber optic cable provides the ability to monitor and remotely adjust traffic signals to improve traffic flow.
- The project extends communications in Council District 4 along Harris Boulevard from University City Boulevard to Rocky River Road and Old Concord Road to Mclean Road and includes:
 - 2.4 miles of fiber optic cable,
 - Connections to three existing traffic signals, and
 - Five traffic management camera installations.
- On August 30, 2018, the City issued an Invitation to Bid; three bids were received.
- STS Cable Services, Inc. was selected as the lowest responsive, responsible bidder.
- The anticipated completion date is the third quarter of 2019.

Background

- On September 11, 2017, City Council approved a municipal agreement with the North Carolina Department of Transportation to accept a Congestion Mitigation and Air Quality (CMAQ) grant for the construction of ITS projects in the amount of \$1,580,000.
- CMAQ funding for construction is \$1,580,000 (79 percent) and the City's match for construction is \$420,000 (21 percent) for five projects along sections of these corridors: Harris Boulevard, Wilkinson Boulevard, Steele Creek Road, Arrowood Road, and Mallard Creek Road.
- The work associated with this contract supports the projects outlined in the previously-adopted municipal agreement.

Charlotte Business INclusion

This contract is a Federal contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Community Investment Plan

Attachment(s)

Map

[Map: Intelligent Transportation Systems Project Harris and Old Concord](#)

39. Traffic Signal LED Replacement

Action:

Approve a contract in the amount of \$395,186 with Brooks-Berry-Haynie & Associates, Inc. for replacement of LED displays in traffic signals for a term of three years.

Staff Resource(s):

Liz Babson, Transportation

Bryan Tarlton, Transportation

Explanation

- The City transitioned from incandescent bulbs to LED traffic signal displays more than 10 years ago. LED displays save energy and have a longer life than incandescent bulbs.
- This contract will replace about 10,000 traffic signal LEDs at approximately 400 intersections throughout Charlotte.
- The North Carolina Department of Transportation (NCDOT) will reimburse the City for LED materials and installation replacements on state maintained roads within the city limits.
- On July 30, 2018, the City issued a Request for Proposals (RFP); three proposals were received.
- Brooks-Berry-Haynie & Associates, Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated contract expenditures are \$395,186.

Charlotte Business INclusion

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

Fiscal Note

Funding: Transportation Operating Budget and NCDOT funding

40. Traffic Signal Equipment

Action:

- A. Award a unit price contract to the lowest responsive bidder Halifax Security, Inc. dba North American Video for the purchase of traffic signal related equipment for a three-year term, and
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Liz Babson, Transportation

Bryan Tarlton, Transportation

Cooperative Purchasing Exemption

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

Explanation

- The Charlotte Department of Transportation installs and maintains traffic signal equipment, including cameras and cables. This equipment requires continuous maintenance and replacement.
- On October 10, 2018, the City issued an Invitation to Bid; five bids were received.
- Halifax Security, Inc. dba North American Video was selected as the lowest responsive, responsible bidder.
- Annual expenditures are estimated to be \$130,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Transportation Operating Budget

41. Ready Mix Concrete

Action:

- A. **Approve unit price contracts for the purchase of ready mix concrete for one-year terms to the following vendors:**
- **Concrete Supply Company,**
 - **Southern Concrete Materials, and**
- B. **Authorize the City Manager to renew the contracts for up to three, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Liz Babson, Transportation
Stephen Bolt, Transportation

Explanation

- Ready mix concrete is used in the maintenance, repair, and installation of sidewalks, curbs and gutters, driveways, traffic signal cabinet foundations, pedestrian signal foundations, and accessible ramps.
- These contracts allow for the delivery or pick-up of concrete products. Multiple vendors are necessary to meet scheduling demands and customer service needs.
- On October 9, 2018, the City issued an Invitation to Bid; two bids were received.
- Concrete Supply Company and Southern Concrete Materials were selected as the lowest responsive, responsible bidders.
- Total annual expenditures for the two contracts are estimated to be \$2,000,000.

Charlotte Business INClusion

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

Fiscal Note

Funding: Powell Bill Fund

42. Roadway Construction Services Fiscal Year 2019 C and D

Action:

- A. Approve a contract in the amount of \$896,896 to the lowest responsive bidder United of Carolinas, Inc. for a term of 12 months for Specialized Roadway Construction Services Fiscal Year 2019 C, and**
- B. Approve a contract in the amount of \$998,866 to the lowest responsive bidder United of Carolinas, Inc. for a term of 12 months for Specialized Roadway Construction Services Fiscal Year 2019 D.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tonia Wimberly, Engineering and Property Management
Becky Chambers, Engineering and Property Management

Explanation

- These contracts will provide construction services on an as-needed basis for minor infrastructure projects including, but not limited to, minor roadway, pedestrian safety, accessible ramps, sidewalk gaps, and other work associated with these features.
- Work includes traffic control, erosion control, clearing and grading, drainage, milling, asphalt paving, retaining wall, concrete curb, driveways, pedestrian refuge island, accessible ramps, and utility relocations.
- Work orders will be issued on a task order basis prior to work starting.

Action A

- On September 25, 2018, the City issued an Invitation to Bid; three bids were received.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.

Action B

- On October 5, 2018, the City issued an Invitation to Bid; three bids were received.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.

Charlotte Business INclusion

Action A

Established SBE Goal = 18.00%

Committed SBE Goal = 18.40%

United of Carolinas, Inc. has identified SBEs on its project team, and for each work order issued, committed 18.40% of the total contract amount to the following certified firms:

- J & R Tough Construction, Corp (SBE, MBE) (concrete earth handling, erosion control)
- Cesar A. Leon L.L.C. (SBE, MBE) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (hauling)

Established MBE Goal = 8.00%

Committed MBE Goal = 18.40%

United of Carolinas, Inc. has identified MBEs on its project team, and for each work order issued, committed 18.40% of the total contract amount to the following certified firms:

- J & R Tough Construction, Corp (SBE, MBE) (concrete earth handling, erosion control)
- Cesar A. Leon L.L.C. (SBE, MBE) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (hauling)

Action B

Established SBE Goal = 18.00%

Committed SBE Goal = 18.04%

United of Carolinas, Inc. has identified SBEs on its project team, and for each work order issued, committed

18.04% of the total contract amount to the following certified firms:

- J & R Tough Construction, Corp (SBE, MBE) (concrete earth handling, erosion control)
- Cesar A. Leon L.L.C. (SBE, MBE) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (hauling)

Established MBE Goal = 8.00%

Committed MBE Goal = 18.04%

United of Carolinas, Inc. has identified MBEs on its project team, and for each work order issued, committed 18.04% of the total contract amount to the following certified firms:

- J & R Tough Construction, Corp (SBE, MBE) (concrete earth handling, erosion control)
- Cesar A. Leon L.L.C. (SBE, MBE) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (hauling)

Fiscal Note

Funding: General Community Investment Plan

43. Dave McKinney Avenue Extension and McFarlane Boulevard Connector Projects

Action:

Approve a contract in the amount of \$227,923 with STV Engineers, Inc. for design services for the Dave McKinney Avenue extension and McFarlane Boulevard connector projects.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Veronica Wallace, Engineering and Property Management

Explanation

- This contract will provide design services to extend Dave McKinney Avenue and a feasibility study for the McFarlane Boulevard connector, both identified in Phase 2 of the Northeast Corridor Infrastructure Program (NECI) (Council District 4).
- NECI is a collection of projects selected to improve pedestrian, bicyclist, and motorist access to the LYNX Blue Line Extension.
- The Dave McKinney Avenue extension project will extend Dave McKinney Avenue from West Rocky River Road along the northern property line of Newell Elementary School to tie into a parcel currently being rezoned for a future housing development.
- This contract also includes a feasibility study of the McFarlane Boulevard connector to connect McFarlane Boulevard to the I-85/US 29 connector.
- On September 7, 2017, the City issued a Request for Qualifications (RFQ); 13 proposals were received.
- 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.

Charlotte Business INclusion

The City negotiates subcontracting participation after the firm is selected for this services contract (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). STV Engineers, Inc. has committed 10.08% (\$22,965) of the total contract amount to the following certified firm(s):

- Carolina Wetland Services, Inc. (SBE) (\$2,375) (environmental),
- The Dodd Studio, LLC (SBE) (\$6,000) (landscape architecture), and
- Progressive Design Group, Inc. (SBE) (\$14,590) (traffic/transportation engineering)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Dave McKinney Avenue Extension and McFarlane Boulevard Connector Projects](#)

44. Amend Contract for Sale of City Property Located on West Tyvola Road

Action:

Approve an amendment to the existing contract between the City of Charlotte and Laurel Street Residential, for the sale of 11.686 acres of property (parcel identification number 143-133-01) located on West Tyvola Road.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Pamela Wideman, Housing and Neighborhood Services

Explanation

- The City-owned property on West Tyvola Road, Council District 3, is 11.686 acres and currently conditionally zoned UR-2 (CD) urban residential.
- On February 13, 2017, City Council approved the private sale of the property to Laurel Street Residential (Developer) for \$1,235,000, subject to development of a mixed-income community including a minimum of 120 units of affordable and workforce rental housing units.
- The Developer would like to amend the existing contract to extend the closing date from November 15, 2018 to December 31, 2018, in order to secure funding with the U.S. Department of Housing and Urban Development (HUD).
- The Developer is using a HUD 221(d)(4) loan for housing unit construction at West Tyvola Road and is scheduled to close on the loan in December 2018.
- Earnest money deposit funds totaling \$40,000 are currently held in escrow.

Fiscal Note

Funding: General Pay-As-You-Go

Attachment(s)

Map

[Location Map - Extend Closing Date for Sale of City Property - West Tyvola Road](#)

45. Acquire Land for Charlotte-Mecklenburg Police Department Independence Division Station

Action:

Approve the purchase of a 0.06 acre parcel (parcel identification number 165-041-03) located at the intersection of Independence Boulevard and City View Drive in the amount of \$90,000 from McEwen Associates & McDowell/Cochrane, LLC.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management
Kerr Putney, Police
Johnny Jennings, Police

Explanation

- In February 2010, the Charlotte-Mecklenburg Police Department (CMPD) adopted the Facilities Strategic Plan, which outlines facility goals through 2025 and prioritized the transition from leased division offices to City-owned stations. The Facilities Strategic Plan was updated in 2016 and identified construction of the Independence Division Station as a top priority.
- McEwen Associates & McDowell/Cochrane, LLC owns 0.06 acres off Independence Boulevard at City View Drive and Conference Drive in Council District 5, zoned B-2 (business). The parcel includes a billboard.
- This parcel will be assembled with an adjacent parcel (parcel identification number 165-012-01) acquired on October 10, 2018 from the North Carolina Department of Transportation.
- The parcel is well-situated to meet CMPD's objectives to provide quality and efficient service, and be highly visible and accessible within the community.
- The terms of the acquisition are as follows:
 - Negotiated purchase price of \$90,000, and
 - Closing is expected to occur in December 2018.
- CMPD Independence Division currently leases 10,000 square feet in the building at 9315 Monroe Road, in Council District 6, for \$105,235 annually. The lease expires on May 31, 2023.
- As part of the mandatory referral process, the Planning Commission reviewed the transaction on March 20, 2018 and provided no additional comments.

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Land Purchase for Charlotte-Mecklenburg Police Department Independence Division Sta](#)

46. Fire Station 26 Mechanical Systems Upgrades

Action:

Approve a contract in the amount of \$122,478 to the lowest responsive bidder Armstrong Mechanical Services, Inc. for the Fire Station 26 Mechanical Systems Upgrades project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management
Reginald Johnson, Fire
Kevin Gordon, Fire

Explanation

- The project involves the replacement of the HVAC equipment at Fire Station 26, located at 9231 South Tryon Street (Council District 3).
- The equipment has reached the end of its useful life and is in need of replacement.
- The work will include:
 - Removal of existing HVAC equipment,
 - Replacement of two existing split system furnaces with two new split system furnaces and one split system heat pump,
 - Replacement of two electric wall heaters with two mini-split systems, and
 - Upgraded control system.
- On October 9, 2018, the City issued an Invitation to Bid; one bid was received.
- Armstrong Mechanical Company, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2019.

Charlotte Business INclusion

The City solicited bids only from City-certified SBEs, therefore 100% of the project participation is being committed to the following certified firm: Armstrong Mechanical Services, Inc. (SBE) (Part A: Section 2.3 of the Charlotte Business INclusion Policy). Armstrong Mechanical Services, Inc. (SBE) has committed 13.68% (\$16,750) of the total contract amount to the following certified firms:

- Controls Service Group (SBE) (\$9,250) (Building Controls)
- Electric System Specialists, Inc. (SBE) (\$7,500) (Electrical)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Fire Station 26 Mechanical Systems Upgrades](#)

47. 5516 Central Avenue Roof Replacement

Action:

Approve a contract in the amount of \$389,000 to the lowest responsive bidder Rike Roofing Services, Inc. for the 5516 Central Avenue Roof Replacement project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
William Haas, Engineering and Property Management

Explanation

- This project will replace the roof of the building at 5516 Central Avenue (Council District 5).
- City Council approved the purchase of this 3.89-acre parcel on October 23, 2017, with planned capital improvements to include a new roof and HVAC system.
- The existing roof has exceeded its expected life and is experiencing recurring leaks.
- The new roof will improve energy efficiency, provide better future occupant comfort, and prevent further damage to the interior of the building.
- The new roof will have a 20-year manufacturer's warranty against water intrusion.
- On October 5, 2018, the City issued an Invitation to Bid; seven bids were received.
- Rike Roofing Services, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2019.

Charlotte Business INclusion

No subcontracting goal was established for this contract because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - 5516 Central Avenue Roof Replacement](#)

48. Cooperative Purchasing Contracts for Vehicles and Equipment

Action:

- A. Approve the purchase of vehicles and equipment from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),
- B. Approve unit price contracts as Citywide contracts with the following vendors for the purchase of vehicles and heavy equipment for a term of one year under the North Carolina Sheriff's Association (NCSA):
 - James River Equipment (NCSA contract # 19-03-0504),
 - Asheville Ford Lincoln, Capital Chevrolet, Capital Ford of Raleigh, Modern Chevrolet, and Piedmont Truck Center (NCSA contract # 19-05-0911),
- C. Approve unit price contracts as Citywide contracts with the following vendors for the purchase of construction equipment for a term of one year under the Sourcewell cooperative program:
 - Clark Equipment Company (Sourcewell contract # 042815-CEC),
 - Ascendum Machinery Inc. (Sourcewell contract # 032515-VCE), and
- D. Authorize the City Manager to extend the contracts for additional one-year terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Chris Trull, Engineering and Property Management

Cooperative Purchasing Exemption

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

Explanation

- City vehicles and equipment are assessed on an annual basis to determine replacement needs based on a rating of vehicle usage, age, maintenance costs, and condition.
- G.S. 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- Cooperative purchasing agreements result from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs, all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise that can be utilized on a local, regional, and national level.
- Vehicles and equipment being purchased include light and medium duty pickup trucks, heavy duty cab and chassis, mini excavators, skid steers, and heavy duty construction equipment.
- Fiscal Year 2019 expenditures for all contracts combined are estimated to be \$5,750,976.

Charlotte Business INclusion

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

Fiscal Note

Funding: General and Enterprise Capital Equipment Replacement Funds

49. Wanamassa Storm Drainage Improvement Project

Action:

- A. Reject the low-bid submitted by Zoladz Construction Co., Inc. for the Wanamassa Storm Drainage Improvement Project, and**
- B. Approve a contract in the amount of \$2,274,638.30 to the lowest responsive bidder Sealand Contractors Corp., for the Wanamassa Storm Drainage Improvement Project.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Matt Gustis, Engineering and Property Management

Explanation

- The Wanamassa Storm Drainage Improvement project will reduce flooding of streets, properties, and structures. Construction will include the installation of storm drainage, water/sanitary sewer, curb, gutter, and driveways.
- The project area is located in the Irwin Creek watershed with boundaries of Wanamassa Drive to the north, Irwin Creek to the south, Stardust Drive to the east, and Oak Drive to the west, in Council District 2.
- On August 2, 2018, the City issued an Invitation to Bid; five bids were received.
- Sealand Contractors Corp. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by fourth quarter 2019.

Reject Low-bid Explanation

- Zoladz Construction Co., Inc.'s bid in the amount of \$1,985,026.45 was found to be non-responsive as a result of failing to meet the City's Charlotte Business INCLUSION Program established subcontracting goal.

Charlotte Business INCLUSION

Established SBE Goal: 19.00%
Committed SBE Goal: 19.00%

Sealand Contractors Corp. met the established SBE subcontracting goal and has committed 19.00% (\$432,182) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INCLUSION Policy):

- On Time Construction, Inc. (SBE) (\$226,875) (concrete, masonry)
- Complete Service, LLC (SBE, MBE) (\$90,986) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$90,986) (hauling)
- Martin Landscaping Co. (SBE) (\$20,350) (landscaping)
- A1 Precision Fence Company (SBE) (\$2,985) (fence installation)

Established MBE Goal: 8.00%
Committed MBE Goal: 8.00%

Sealand Contractors Corp. met the established MBE subcontracting goal and has committed 8.00% (\$181,972) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INCLUSION Policy):

- Complete Service, LLC (SBE, MBE) (\$90,986) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$90,986) (hauling)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - Wanamassa Storm Drainage Improvement Project](#)

50. Margaret Turner Storm Drainage Improvement Project

Action:

Approve a contract in the amount of \$3,693,679.28 to the lowest responsive bidder, Sealand Contractors Corp., for the Margaret Turner Storm Drainage Improvement Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Matthew Gustis, Engineering and Property Management

Explanation

- The Margaret Turner Storm Drainage Improvement project will reduce flooding of streets, properties, and structures. Construction will include the installation of storm drainage, water/sanitary sewer, curb, gutter, and driveways.
- The project area is located in the Long Creek watershed with boundaries of Old Plank Road to the north and east and Brookshire Boulevard to the south and west, in Council District 2.
- On September 13, 2018, the City issued an Invitation to Bid; three bids were received.
- Sealand Contractors Corp. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by second quarter 2020.

Charlotte Business INclusion

Established SBE Goal: 20.00%
Committed SBE Goal: 20.00%

Sealand Contractors Corp. met the established SBE subcontracting goal and has committed 20.00% (\$738,737) of the total contract amount to the following certified SBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Axiom Foundations, LLC (SBE) (\$307,000) (foundation engineering)
- Darnell Jones Trucking, Inc (SBE, MBE) (\$144,250) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$144,255) (hauling)
- On Time Construction, Inc. (SBE) (\$74,460) (concrete/masonry)
- Whitesell Trucking, Inc. (SBE) (\$27,980) (clearing & grubbing)
- R & N Construction Group, LLC (SBE) (\$19,200) (retaining wall)
- Habitat Assessment & Restoration Program, Inc. (SBE) (\$14,982) (landscaping)
- A1 Precision Fence Company (SBE) (\$6,610) (fence installation)

Established MBE Goal: 7.00%
Committed MBE Goal: 7.81%

Sealand Contractors Corp. exceeded the established MBE subcontracting goal and has committed 7.81% (\$288,505) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Darnell Jones Trucking, Inc (SBE, MBE) (\$144,250) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$144,255) (hauling)

Fiscal Note

Funding: Storm Water Community Investment Plan

Attachment(s)

Map

[Location Map - Margaret Turner Storm Drainage Improvement Project](#)

51. Charlotte Water Microbiological Analysis System

Action:

- A. **Approve a five-year contract with Bruker Daltonics, Inc. to provide and integrate a Specialized Laboratory System for the Analysis of Microbiological Organisms in Water,**
- B. **Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved, and**
- C. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.**

Staff Resource(s):

Angela Lee, Charlotte Water
David Czerr, Charlotte Water

Explanation

- This specialized laboratory system analyzes for a wide array of biological contaminants in water to ensure that the public water supply remains safe.
- On August 14, 2018, the City issued a Request for Proposals (RFP); three proposals were received.
- Bruker Daltonics, Inc. best meets the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFP requirements.
- Expenditures for licensing and integrating the system are estimated to be \$219,022.
- Annual expenditures for maintenance and support are estimated to be \$37,365.

Charlotte Business INClusion

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

Fiscal Note

Funding: Charlotte Water Capital Equipment Fund and Operating Budget

52. Fats, Oil, and Grease Tracking Application

Action:

- A. **Approve a three-year contract with Swift Comply to provide and implement a fats, oil, and grease tracking application,**
- B. **Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved, and**
- C. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.**

Staff Resource(s):

Angela Lee, Charlotte Water
David Czerr, Charlotte Water

Explanation

- The buildup of fats, oils, and grease (FOG) can cause sanitary sewer overflows.
- Sanitary sewer overflows are when untreated wastewater is discharged from the sanitary sewer system into the environment prior to reaching a treatment plant.
- Charlotte Water monitors and inspects over 5,000 restaurants per year to reduce commercial contributions of FOG into the sanitary sewer system.
- The FOG application will catalog and track compliance of restaurants with the City's Sewer Use Ordinance.
- On June 29, 2018, the City issued a Request for Proposals (RFP); two proposals were received.
- Swift Comply best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to the RFP requirements.
- Expenditures for licensing and implementing the system are estimated to be \$140,000.
- Annual expenditures for maintenance and support are estimated to be \$24,300.

Charlotte Business INclusion

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

Fiscal Note

Funding: Charlotte Water Community Investment Plan and Operating Budget

53. Sanitary Sewer Degreaser

Action:

- A. Approve the purchase of sanitary sewer degreaser by piggybacking on a previously bid contract as authorized by G.S. 143-129(g),**
- B. Approve a contract with TP Environmental Products & Services, LLC for the purchase of sanitary sewer degreaser for the term of one year, and**
- C. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water
David Czerr, Charlotte Water

Piggybacking Exemption

- G.S. 143-129(g) allows local governments to purchase from any supplier that has, within the past twelve months, contracted to furnish the item to any federal, state, or local agency.
- The contract must be one that was entered into following a public, formal bid process substantially similar to the one set forth in the North Carolina statutes, and the vendor must be willing to provide the items to the City at the same or more favorable terms.

Explanation

- Grease in sewer lines continues to be one of the most common causes of sanitary sewer overflows.
- Sewer line cleaning for grease involves washing the sewer lines via a high-pressure water nozzle pulled through the sewer lines. Adding degreasers to the wash water provides for a more effective cleaning process.
- On February 20, 2018, the City of Raleigh issued an Invitation to Bid and awarded a contract to TP Environmental Products & Services, LLC on April 19, 2018.
- TP Environmental Products & Services, LLC is willing to provide Bison 300 Sewer Degreaser to the City at the same or better terms as are provided in its contract with the City of Raleigh.
- The price (\$15.75 per gallon) and terms offered under the contract are competitive and it is in the City's best interest to procure Bison 300 Sewer Degreaser through the contract.
- Annual expenditures are estimated to be \$110,000.

Charlotte Business INClusion

This contract is being purchased off an existing contract as a piggybacking contract, and is exempt (Part A: Appendix 27 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: Charlotte Water Operating Budget

54. Little Hope Creek Basin Sanitary Sewer Improvements Design-Build Services

Action:

- A. **Approve a contract in the amount of \$6,280,430 with Park Construction of North Carolina, Inc. for Phase 1 Design-Build Services for the Little Hope Creek Basin Sanitary Sewer Improvements project, and**
- B. **Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

Staff Resource(s):

Angela Lee, Charlotte Water
Ron Hargrove, Charlotte Water
Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- The project will provide for approximately 33,000 linear feet of gravity sanitary sewer, to replace existing sanitary sewer, ranging from 10 to 24-inch diameter to increase capacity in the Little Hope Creek Basin (Council Districts 1, 3, and 6).
- This contract includes design services and development of a guaranteed maximum price (GMP) for construction.
- The project will require the acquisition of easements along the sewer main corridor. During acquisition negotiation, property owners will have an opportunity to voice comments and concerns about the alignment of the sewer and easement acquisition affecting their property.
- On July 13, 2018, the City issued a Request for Qualifications (RFQ); 12 proposals were received.
- Park Construction of North Carolina, 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.
- In the future, Council will receive a request for the approval of the GMP once it is established.

Charlotte Business INclusion

The City negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). Park Construction of North Carolina, Inc. has committed 20.20% (\$1,268,650) of the total contract to the following certified firms:

- Gulf Coast, LLC (SBE) (\$446,250) (easement acquisition, title/legal, appraisals, appraisal reviews)
- Tidemark Land Services, Inc. (SBE) (\$383,900) (survey, subsurface utility locates, easement mapping)
- Capstone Civil Engineering, Inc (SBE, MBE) (\$290,000) (CCTV and cleaning, geotechnical services)
- Avioimage Mapping Services (SBE) (\$54,200) (aerial survey and imagery)
- Gavel & Dorn Engineering, PLLC (SBE) (\$49,500) (sewer smoke testing)
- Carolina Wetland Services (SBE, WBE) (\$44,800) (wetland delineation, environmental)

MWSBE goals will be refined as the City works through the GMP process. The request for Council approval of the GMP, at a later date, will also include a determination of the MWSBE goals for the entire project.

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Map - Little Hope Alignment Corridor](#)

55. Davidson Water Transmission Main Phase III Design-Build Services

Action:

- A. **Approve a contract in the amount of \$2,186,227 with Propst Construction Company for Phase 1 Design-Build Services for the Davidson Water Transmission Main Phase III project, and**
- B. **Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

Staff Resource(s):

Angela Lee, Charlotte Water
Ron Hargrove, Charlotte Water
Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- This project will provide a 24-inch water transmission main for the Town of Davidson (adjacent to Council Districts 2 and 4) to improve water service, alleviate low pressures, and augment fire hydrant supply in the area.
- The project will be completed in three phases, and is being delivered in close coordination with an existing North Carolina Department of Transportation project.
- Phase III of this project includes routing the water main north from downtown Davidson to beyond the Iredell County line.
- This contract includes design services and development of a guaranteed maximum price (GMP) for construction.
- The project will require the acquisition of easements along the sewer main corridor. During acquisition negotiation, property owners will have an opportunity to voice comments and concerns about the alignment of the sewer and easement acquisition affecting their property.
- On July 13, 2018, the City issued a Request for Qualifications (RFQ); 12 proposals were received.
- Propst Construction 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.
- Phases I and II of this project are currently in construction and are on schedule for completion in January 2019.
- In the future, Council will receive a request for the approval of the GMP once it is established.

Charlotte Business INclusion

The City negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). Propst Construction Company has committed 22.70% (\$496,217) of the total contract to the following certified firms:

- Capstone Civil Engineering, Inc. (SBE, MBE) (\$215,179) (geotechnical, wetlands services, subsurface utility locates, arborist services)
- CES Group Engineers, LLP (SBE,WBE) (\$201,938) (surveying)
- Yellow Duck Marketing, LLC (SBE) (\$50,000) (public relations support)
- Lil Associates II, Inc. (SBE, MBE) (\$17,400) (diversity consulting services)
- JAAMCO Drain Cleaning & Video Inspection, Inc. (SBE) (\$11,700) (sewer CCTV services)

MWSBE goals will be refined as the City works through the GMP process. The request for Council approval of the GMP, at a later date, will also include a determination of the MWSBE goals for the entire project.

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Map - Davidson Water Main Alignment Corridor](#)

56. Goose Creek Trunk Sewer Extension to Fairview Road Design-Build Services

Action:

- A. **Approve a contract in the amount of \$859,523 with Crowder Construction Company for Phase 1 Design-Build Services for the Goose Creek Trunk Sewer Extension to Fairview Road project, and**
- B. **Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

Staff Resource(s):

Angela Lee, Charlotte Water
Ron Hargrove, Charlotte Water
Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- This project will provide public sewer service to concession and bathroom facilities at Veteran's Memorial Park in the Town of Mint Hill (adjacent to Council District 5) by providing an extension of approximately 6,500 linear feet of trunk sewer, which will serve the Goose Creek Basin.
- This contract includes design services and development of a guaranteed maximum price (GMP) for construction.
- The project will require the acquisition of easements along the sewer main corridor. During acquisition negotiation, property owners will have an opportunity to voice comments and concerns about the alignment of the sewer and easement acquisition affecting their property.
- On July 13, 2018, the City issued a Request for Qualifications (RFQ); 12 proposals were received.
- Crowder Construction 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.
- The project was prompted by Mint Hill and, in accordance with the Charlotte Water Extension Policy, the Town was granted a five-year reimbursable agreement in order to accelerate construction.
- On July 23, 2018, City Council approved a Resolution to enter into an Interlocal Agreement and Reimbursable Sewer Construction Contract with Mint Hill to design and build the sewer trunk line.
- In the future, City Council will receive a request for the approval of the GMP once it is established.

Charlotte Business INClusion

The City negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INClusion Policy). Crowder Construction Company has committed 22.16% (\$190,457) of the total contract to the following certified firms:

- Capstone Civil Engineering (SBE, MBE) (\$71,080) (geotechnical and planning support)
- Carolina Wetland Services, Inc. (SBE, WBE) (\$32,894) (natural resources permitting)
- Lil Associates II, Inc. (SBE, MBE) (\$17,400) (CBI outreach and diversity consulting services)
- CriTek Engineering Group, P.C. (SBE, MBE) (\$14,080) (quantity estimate quality assurance)
- Avioimage Mapping Services (SBE) (\$13,343) (aerial photogrammetry)
- Yellow Duck Marketing LLC (SBE)(\$9,950) (public outreach)
- Sweetwater Utility Exploration LLC (SBE) (\$9,200) (utility locating)
- Toughwater Fishburne Pipeline Management & Engineering (SBE) (\$7,500) (design review)
- Hinde Engineering, Inc (SBE) (\$6,760) (encroachment coordination and permitting)
- Pictec (SBE) (\$5,900) (scheduling services)
- Gavel & Dorn Engineering PLLC (SBE) (\$2,350) (sewer line sizing confirmation)

MWSBE goals will be refined as the City works through the GMP process. The request for Council approval

of the GMP, at a later date, will also include a determination of the MWSBE goals for the entire project.

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Map - Goose Creek Alignment Corridor](#)

57. Dairy Branch and Derita Branch Tributary Sanitary Sewer Improvement Design-Build Services

Action:

- A. **Approve a contract in the amount of \$5,447,873.50 with B.R.S., Inc. for Phase 1 Design-Build Services for the Dairy Branch and Derita Branch Tributary Sanitary Sewer Improvement projects, and**
- B. **Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.**

Staff Resource(s):

Angela Lee, Charlotte Water
Ron Hargrove, Charlotte Water
Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- Dairy Branch is a tributary creek of Little Sugar Creek, located in south Charlotte, which currently has approximately 8,500 linear feet of 18 to 10-inch gravity sewer that follows the creek from Freedom Park to South Boulevard (Council District 1).
- Derita Branch is a tributary creek of Little Sugar Creek, located in northeast Charlotte, which currently has approximately 16,000 linear feet of 15 to 8-inch gravity sewer that follows the creek from 36th Street and ends at North Graham Street and West Sugar Creek Road (Council Districts 1 and 4).
- The purpose of these projects is to increase sanitary sewer capacity, as identified through Charlotte Water's Capacity Assurance Program, allow for future development, and rehabilitate aging sections of sewer.
- This contract includes studying the basins to identify solutions to increase sanitary sewer capacity, design services, and development of a guaranteed maximum price (GMP) for construction.
- The projects will require the acquisition of easements along the sewer main corridor. During acquisition negotiation, property owners will have an opportunity to voice comments and concerns about the alignment of the sewer and easement acquisition affecting their property.
- On July 13, 2018, the City issued a Request for Qualifications (RFQ); 13 proposals were received.
- B.R.S., 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.
- In the future, City Council will receive a request for the approval of the GMP once it is established.

Charlotte Business INclusion

The City negotiates participation for Design-Build contracts after the firm is selected and scopes of work are defined for design and construction services (Part G: Section 2.7 of the Charlotte Business INclusion Policy). B.R.S., Inc. has committed 36.37% (\$1,981,357.50) of the total contract to the following certified firms:

- CES Group Engineers, LLP (SBE) (\$522,406.50) (ground survey & easement maps)
- Gulf Coast, LLC (SBE) (\$365,000) (easement acquisition, title/legal, appraisals, appraisal reviews)
- CriTek Engineering Group, P.C. (SBE, MBE) (\$194,000) (outreach, drainage, E&SC and value engineering)
- Habitat Assessment and Restoration Program, Inc. (SBE) (\$169,242.25) (wetland delineation and environmental permitting)
- Capstone Civil Engineering, Inc. (SBE, MBE) (\$150,553.50) (geotechnical services)
- Gavel & Dorn Engineering, PLLC (SBE) (\$134,800) (cctv, flow monitoring, sewer modeling)
- Hinde Engineering, Inc. (SBE) (\$128,089.50) (utility coordination)
- Lil Associates II, Inc. (SBE, MBE) (\$103,200) (outreach)
- RDL Private Utility Locating, LLC (SBE, MBE) (\$89,100) (soft digs)

- Avioimage Mapping Services, Inc. (SBE) (\$58,000) (aerial survey and imagery)
- Right of Way Contractors, LLC (MBE) (\$33,675.75)(easement clearing)
- Pride Communications (SBE) (\$33,290) (public involvement, communications)

MWSBE goals will be refined as the City works through the GMP process. The request for Council approval of the GMP, at a later date, will also include a determination of the MWSBE goals for the entire project.

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Map - Dairy Branch Alignment Corridor](#)

[Map - Derita Branch Alignment Corridor](#)

58. Solids Hauling Services for Wastewater Package Plants

Action:

- A. **Approve a unit price contract with L & L Environmental Services LLC for Solids Hauling Services for Wastewater Package Plants for an initial term of one year, and**
- B. **Authorize the City Manager to renew the contract for up to four, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Jackie Jarrell, Charlotte Water

Explanation

- The City requires solids hauling services for two wastewater package plants operated by Charlotte Water in the Town of Mint Hill. Package wastewater plants are utilized to provide on-site wastewater treatment for a subdivision when the public system is too far from the development.
- These package plants require solids hauling services to transfer non-hazardous waste materials to the McAlpine Creek Wastewater Treatment Plant, located in the Town of Pineville (adjacent to Council District 7), for proper disposal.
- On October 9, 2018, the City issued a Request for Proposals (RFP); four proposals were received.
- L & L Environmental Services LLC, a state permitted 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 RFP requirements.
- Annual expenditures are estimated to be \$150,000.

Charlotte Business INclusion

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

Fiscal Note

Funding: Charlotte Water Operating Budget

59. Replacement Pumps, Pump Parts, and Process Equipment

Action:

- A. Approve the purchase of Replacement Pumps, Pump Parts, and Process Equipment, as authorized by the sole source exemption of G.S. 143-129(e)(6),
- B. Approve contracts with the following companies for the purchase of Replacement Pumps, Pump Parts, and Process Equipment for the term of five years:
- ABB Inc.,
 - Carolina Seals, Inc.,
 - Combs Technologies, Inc.,
 - Emory Wilson Process, Inc.,
 - Jim Myers & Sons, Inc.,
 - KL Shane, Inc.,
 - MSA Safety Inc.,
 - Philadelphia Mixing Solutions, Ltd.,
 - Primary Flow Signal, Inc.,
 - Pro Chem, Inc.,
 - Pumps, Parts & Service, Inc.,
 - Siemens Industry, Inc.,
 - The Perkinson Company, Inc.,
 - WC Equipment Sales, Inc.,
 - Westech Industrial,
 - WSG & Solutions, Inc.,
 - Xylem Dewatering Solutions, Inc., and
- C. Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

Staff Resource(s):

Angela Lee, Charlotte Water

Ron Hargrove, Charlotte Water

Sole Source Exemption

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

Explanation

- Various pumps and process equipment have been installed within Charlotte Water facilities through competitively bid construction projects.
- In order to maintain compatibility during a repair, replacement pumps and parts may only be obtained from assigned representatives or the manufacturer.
- Charlotte Water's pumps and process equipment need to be repaired and/or replaced in a timely and cost-effective manner in order to meet state and federal permit requirements.
- Total contract expenditures across all 17 contracts are estimated to be \$5,000,000 over five years.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion

Policy).

Fiscal Note

Funding: Charlotte Water Operating Budget

60. LYNX Blue Line Extension Rail Car Engineering

Action:

- A. **Approve a five-year contract for up to \$1,183,550 with LTK Engineering for Light Rail Vehicle engineering services, and**

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

Staff Resource(s):

John Lewis, CATS

Gary Lee, CATS

Explanation

- In order to maintain and ensure reliability of the City's light rail vehicle fleet, periodic engineered overhauls are required.
- CATS does not have the appropriate technical capacity on staff to perform these necessary engineering services and technical support.
- This contract will supplement existing CATS Rail Car Maintenance staff by providing the necessary technical expertise to perform engineering support of major components and sub-components as well as midlife overhauls. This support ensures CATS meets the manufacturing requirements to ensure vehicle reliability.
- The vendor will prepare vehicle overhaul technical specifications and perform onsite quality assurance before, during, and after the actual overhaul performed by Siemens.
- On September 22, 2017, the City issued a Request for Qualifications (RFQ); one proposal was received.
- LTK Engineering is the best qualified firm to meet the City's needs in terms of qualifications, experience, cost, and responsiveness to RFQ requirements.

Disadvantages Business Enterprise

LTK Engineering has committed 8.80% to the following certified firm to participate as project scopes are defined:

- Railcar Quality Services Inc. (DBE) (Provide vehicle and source inspection services)

Fiscal Note

Funding: CATS Operating Budget GL String

61. CATS Electronic Payment Services

Action:

- A. **Approve a three-year contract with Value Payment Systems LLC to provide and implement electronic payment services,**
- B. **Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved, and**
- C. **Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.**

Staff Resource(s):

John Lewis, CATS

Blanche Sherman, CATS

Explanation

- Since 1998, the City has maintained multiple contracts with Genfare to provide ticket vending machines (TVMs), fare boxes, equipment, and maintenance.
- Genfare TVMs utilize a secure data pathway for electronic payment services provided by Value Payment Systems LLC.
- By January 2018, TVMs were installed or replaced across the Blue Line and Blue Line Extension.
- With the installation of more TVMs, electronic payment services have increased to near contract thresholds, requiring a contract to be established.
- Electronic payment services facilitate the exchange of credit and debit card payment transactions through the TVMs and payment terminals.
- The TVM contractor, Genfare was solicited through a Request for Proposals (RFP) process and best met the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- A proposal was not solicited for electronic payment services because Genfare is designed to work with Value Payment Systems LLC.
- Value Payment Systems LLC will provide daily reports detailing transaction activity and provide a daily data file detailing each transaction processed the previous day.
- Expenditures for licensing and implementing the system are estimated to be \$180,000 annually.

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: CATS Operating Budget

62. Airport Concourse E Air Handling Units Replacement

Action:

Approve a contract in the amount of \$782,100 to the lowest responsive bidder The Bowers Group LLC for the Concourse E Air Handling Units Replacement.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Existing air handler equipment on Concourse E no longer provides the necessary capacity required to properly condition and cool the indoor air and therefore requires replacement.
- This contract will provide for the purchase and installation of two replacement air handling units located on Concourse E. The work will include adding air distribution terminals inside the concourse and additional drains for condensation.
- These larger units will provide increased cooling capacity to maintain the optimal indoor temperatures needed to accommodate increased passenger traffic.
- On July 19, 2018, the City issued an Invitation to Bid; no bids were received. The project was re-advertised on August 17, 2018; three bids were received. The lowest bid was not responsive; the contract is being awarded to the second lowest bidder.
- The Bowers Group LLC was selected as the lowest responsive, responsible bidder.
- The activity is occurring on airport property (Council District 3).

Charlotte Business INclusion

The City negotiates subcontracting participation after the firm is selected for this services contract: (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy).

The Bowers Group LLC has committed 79.97% (\$625,440) of the total contract amount to the following certified firms:

- Superior Mechanical Systems, Inc (MBE)(\$586,000)(HVAC)
- Besco Electric Corporation (MBE)(\$30,040)(electrical)
- Corner Stone Construction Services, Inc (SBE)(\$9,400)(roofing)

Fiscal Note

Funding: Aviation Community Investment Plan

63. Airport Interior Landscape Services

Action:

- A. **Approve a contract with Rolling Greens, Inc. for interior landscape services for a term of three years, and**

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

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- The Aviation Department contracts for the maintenance and care of the trees and plants in the Airport's passenger terminal.
- On August 9, 2018, the City issued a Request for Proposals (RFP); two proposals were received.
- Rolling Greens, Inc. best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Annual expenditures are estimated to be \$55,800.
- This activity is occurring on airport property (Council District 3).

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: Aviation Operating Budget

64. Airport North End-Around Taxiway Project

Action:

- A. **Approve a contract in the amount of \$27,127,373 with Talbert, Bright & Ellington, Inc. for design services of the Runway 18C/36C End-Around Taxiway project, and**
- B. **Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation
Jack Christine, Aviation

Explanation

- The Runway 18C/36C North End-Around Taxiway Project will increase operational efficiency and enhance safety by reducing runway crossings.
- The project will provide for design of the taxiway and other associated elements, including roadways, structures, utilities, and holding/de-icing pads.
- This contract will include surveying, geotechnical investigation, utility coordination, environmental and storm water permitting, engineering, and construction bidding.
- On April 13, 2018, the City issued a Request for Qualifications; three proposals were received.
- Talbert, Bright & Ellington, Inc. is the best qualified firm to meet the City's needs based on their experience, as well as the first tier sub consultants who will provide specialized services and experience for particular elements of the end-around taxiway project. These first tier sub consultants include:
 - HNTB of North Carolina, PC,
 - STV, Inc.,
 - Kimley-Horn & Associates, Inc., and
 - Delta Airport Consultants, Inc.
- This activity is occurring on airport property (Council District 3).

Disadvantaged Business Enterprise

The City negotiates subcontracting participation after the firm is selected for this services contract. Talbert, Bright & Ellington, Inc. has committed 10.13% (\$2,748,186) of the total contract amount to the following certified firms:

- Aviation Alliance (DBE) (\$1,067,861) (airfield electrical and NAVAID)
- McFarland Construction (DBE) (\$528,000) (project documentation)
- CES Group Engineers (DBE) (\$446,375) (topographical surveys, staking, permitting)
- MA Engineering (DBE) (\$323,050) (subsurface utility engineering)
- Connico, Incorporated (DBE) (\$222,900) (cost estimating)
- Flehan Engineering (DBE) (\$65,000) (civil engineering)
- Capstone Civil Engineering (DBE) (\$50,000) (geotechnical drilling services)
- Mid-Atlantic Drilling (DBE) (\$45,000) (geotechnical drilling services)

Fiscal Note

Funding: Aviation Community Investment Plan

65. Airport South Crossfield Taxiway Project

Action:

- A. Approve a contract in the amount of \$14,505,649 with WSP USA, Inc for design services of the South Crossfield Taxiway project, and
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Brett, Cagle, Aviation
Jack Christine, Aviation

Explanation

- The South Crossfield Taxiway Project will increase airfield operational efficiency with the construction of a new cross-field taxiway connecting the center and eastern-most runway. In addition, this project includes the extension of Taxiway F and the relocation of existing de-icing pads from the cargo area to the south end of the center runway.
- This contract will include surveying, geotechnical investigation, utility coordination, environmental and storm water permitting, engineering, and construction bidding.
- On June 17, 2018, the City issued a Request for Qualifications (RFQ); four proposals were received.
- WSP USA, 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.
- This activity is occurring on airport property (Council District 3).

Disadvantaged Business Enterprise

The City negotiates subcontracting participation after the firm is selected for this services contract. WSP USA, Inc. has committed 18.72% (\$2,715,348.31) of the total contract amount to the following certified firms:

- Walls Engineering (DBE) (\$1,049,287.59) (airfield electrical)
- Eden & Associates (DBE) (\$560,098.15) (earthwork)
- RDM International (DBE) (\$498,946.76) (pavement design)
- CES Group Engineers (DBE) (\$280,000) (surveying)
- Connico, Inc. (DBE) (\$220,024.13) (cost estimation)
- MA Engineering (DBE) (\$106,991.68) (utility exploration)

Fiscal Note

Funding: Aviation Community Investment Plan

66. Airport Terminal Lobby Expansion Amendment

Action:

Approve contract amendment #1 in the amount of \$770,806 with GS&P/NC, P.C. for additional architectural and engineering design services for the Terminal Lobby Expansion project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- During the design process for Terminal Lobby Expansion, the need for a Central Energy Plant (CEP) was identified in order to serve the utilities for the building expansion.
- As design progressed, it was determined that modifications were required for Checkpoint E for increased passenger throughput during construction. The modifications will include new screening equipment and modifications to the existing infrastructure.
- This amendment provides necessary design service to accommodate changes to the CEP and Checkpoint E.
- On October 23, 2017, City Council approved a contract in the amount of \$21,750,000 with GS&P/NC, P.C. for architectural and engineering design services, as well as project coordination activities for the Terminal Lobby Expansion project.
- The new total amount of the contract, including amendment #1, will be \$22,520,806.
- This activity is occurring on airport property (Council District 3).

Charlotte Business INclusion

All additional work involved in this amendment will be performed by GS&P/NC, P.C. and their existing subconsultants (Part D: Section 6 of the Charlotte Business INclusion Policy).

GS&P/NC, P.C. has committed 13.46% (\$103,739) of the total contract amendment amount to the following certified firms:

- Laurene, Ricker & Sorrell, PC (SBE) (\$71,239) (structural design)
- DAS Architecture, Inc. (SBE) (\$32,500) (architectural services)

Fiscal Note

Funding: Aviation Community Investment Plan

67. Airport Concourse A Expansion Phase I Design Services Amendment

Action:

Approve contract amendment #2 for \$194,540 with Perkins + Will North Carolina, Inc. for additional design services and construction administration support for Concourse A Expansion airline and airport support spaces.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Concourse A Expansion Phase I has space available for airline and airport support services.
- This amendment will provide the design services for the upfit of these spaces.
- On September 28, 2015, City Council approved a contract in the amount of \$7,835,982 with Perkins + Will North Carolina, Inc., for design services for the Concourse A North Expansion Phase I.
- On June 12, 2017, City Council approved contract amendment #1 to Perkins + Will North Carolina, Inc. in the amount of \$183,800 for design of expanded space in Existing Concourse A and additional renovation design for replacing Chiller13 in the West Chiller Plant that serves Concourse A Expansion.
- The new total of the contract, including this amendment, will be \$8,214,322.
- This activity is occurring on airport property (Council District 3).

Charlotte Business INclusion

All additional work involved in this amendment will be performed by Perkins + Will North Carolina, Inc. and their existing subconsultants (Part D: Section 6 of the Charlotte Business INclusion Policy).

Perkins + Will North Carolina, Inc. has committed 19.66% (\$38,250) of the total contract amendment amount to the following certified firm:

- C-Design, Inc. (SBE) (\$38,250) (architectural services)

Fiscal Note

Funding: Aviation Community Investment Plan

68. Airport Concourse Renovation Design Services Amendment

Action:

Approve contract amendment #2 for \$390,166 with C Design, Inc. for additional design services and construction administration support for Concourse A Renovation and Concourse B Renovation projects.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- Aviation is renovating the existing Concourse A and Concourse B as part of the Terminal Rehabilitation project.
- On March 23, 2015, City Council approved a contract in the amount of \$1,402,000 with C Design, Inc. for design services to renovate Concourses A, B, and C.
- On June 12, 2017, City Council approved amendment #1 in the amount of \$1,480,090 with C Design, Inc. for design of expanded space in existing Concourse A and additional renovation design for Concourses A, B, and C.
- This amendment includes: sustainability design coordination; design services associated with passenger boarding bridge electrical upgrades; revisions related to the aircraft fuel master plan; and additional construction administration as needed for the ongoing terminal renovations program.
- The new total value of the contract, including this amendment, is \$3,272,256.
- This activity is occurring on airport property (Council District 3).

Charlotte Business INclusion

All additional work involved in this amendment will be performed by C Design, Inc. and their existing sub consultants (Part D: Section 6 of the Charlotte Business INclusion Policy).

C Design, Inc. has committed 21.61% (\$84,330) of the total contract amendment amount to the following certified firms:

- AME Consulting Engineers (SBE) (\$80,330) (mechanical and electrical engineering, plumbing and fire protection)
- Laurene, Richker and Sorrell, PC (SBE) (\$4,000) (structural engineering)

Fiscal Note

Funding: Aviation Community Investment Plan

69. Airport Ground Power Unit and Pre-Conditioned Air Unit Parts

Action:

- A. **Approve the purchase of ground power unit and pre-conditioned air unit parts, as authorized by the sole source exemption of G.S. 143-129(e)(6),**
- B. **Approve a unit price contract with ITW GSE, Inc. for the purchase of ground power unit and pre-conditioned air unit parts for the term of three years, and**
- C. **Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Sole Source Exemption

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

Explanation

- Aviation owns and maintains 89 passenger boarding bridges. The ground power units and pre-conditioned air (PC air) units are integral components of the boarding bridges as they provide regulated power and air conditioning to the aircraft.
- ITW GSE, Inc. is the manufacturer of this specialized airport equipment, and the original equipment manufacturer parts are required to maintain performance standards, standardization, and compatibility with existing equipment.
- This contract will provide ground power unit and PC air unit parts.
- Annual expenditures under the contract are estimated to be \$200,000.
- This activity is occurring on airport property (Council District 3).

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Operating Budget

70. American Express Travel Related Services Company, Inc. Lease

Action:

- A. **Approve a 10-year lease agreement with American Express Travel Related Services Company, Inc., and**
- B. **Authorize the City Manager to amend the lease for two, five-year lease extensions consistent with the purpose for which the agreement was approved.**

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- The East Terminal Expansion Phase II project is located at the Airport between Concourse D and Concourse E with an anticipated opening of summer 2019 (Council District 3). The project includes an upper level containing approximately 13,295 square feet of leasable space.
- American Express Travel Related Services Company, Inc. will lease this space for a Centurion Lounge, which is expected to open in fall 2019.
- This lease includes a one-time payment of \$5,000,000 and a minimum of \$3,000,000 of on-property advertising expenditures over the initial 10-year term.
- The annual rent is \$525,701 with a total 10-year lease value of \$10,500,000, which includes annual price adjustments.

Airport Concessions Disadvantaged Business Enterprise

The ACDBE participation goal will be negotiated based on the total expenses of goods and services for the agreement, not to exceed 50%. American Express Travel Related Services Company, Inc. has agreed to utilize certified ACDBE firms in order to meet or exceed the negotiated goal for the duration of this Agreement. The obligations of both the City and American Express Travel Related Services Company, Inc. under this Agreement shall be subject to the provision of all federal regulations relating to the ACDBE program.

Fiscal Note

Funding: Aviation's Operating Budget

71. American Airlines Lease

Action:

Approve a five-year lease with American Airlines for office space in the Old Terminal Building located at 4700 Yorkmont Road.

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- American Airlines will lease 18,870.2 square feet of office space in the Old Terminal Building at the Airport to support its airline operations (Council District 3).
- Annual rent is \$270,409.97 with a total five-year lease value of \$1,352,049.83.

Fiscal Note

Funding: Aviation's Operating Budget

72. Lufthansa Airlines Lease

Action:

Approve a five-year lease with Lufthansa Airlines for office and ramp space in the Terminal at Charlotte Douglas International Airport.

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- Lufthansa will lease 1,445 square feet of office space on the passenger level of the Airport terminal and 790 square feet of office space on the ramp level of the Airport terminal to accommodate its passenger operations (Council District 3).
- Annual rent is \$104,463.90 with a total five-year lease value of \$522,319.50.

Fiscal Note

Funding: Aviation's Operating Budget

73. Air General, Inc. Lease

Action:

Approve a five-year lease with Air General, Inc. for office and warehouse space at 4818 A-1 Express Drive.

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Explanation

- Air General, Inc. will lease 743 square feet of office space and 1,014 square feet of warehouse in the cargo area at the Airport to support its cargo operations (Council District 3).
- Annual rent based on the cargo rental rate is \$18,321.64, with a total five-year lease value of \$91,608.21.

Fiscal Note

Funding: Aviation's Operating Budget

74. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$2,323.64.

Staff Resource(s):

Robert Campbell, Finance
Dan Pliszka, Finance

Explanation

- Mecklenburg County notified and provided the City of Charlotte the list of Property Tax refunds due to clerical or assessment error.

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[Resolution](#)

75. Meeting Minutes

Action:

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

- October 1, 2018 Special Meeting,
- October 1, 2018 Zoning Meeting,
- October 8, 2018 Business Meeting,
- October 15, 2018 Zoning Meeting,
- October 22, 2018 Special Meeting, and
- October 22, 2018 Business Meeting.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

PROPERTY TRANSACTIONS

76. In Rem Remedy 212 South Cloudman Street

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development and Community Safety

The In Rem Remedy items were initiated from three categories:

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

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

Field Observation: (212 South Cloudman Street)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (212 South Cloudman Street) (Neighborhood Profile Area 385).

Attachment(s)

In Rem Packet for (212 South Cloudman Street, Council District 2)

[212 S Cloudman St](#)

77. In Rem Remedy 7200 Doblinway Drive

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development, and Community Safety

The In Rem Remedy items were initiated from three categories:

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

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

Field Observation: (7200 Doblinway Drive)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (7200 Doblinway Drive) (Neighborhood Profile Area 229).

Attachment(s)

In Rem Packet for (7200 Doblinway Drive, Council District 5)

[7200 Doblinway Dr](#)

78. In Rem Remedy 2300 Lanecrest Drive

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development, and Community Safety

The In Rem Remedy items were initiated from three categories:

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

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

Field Observation: (2300 Lanecrest Drive)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (2300 Lanecrest Drive) (Neighborhood Profile Area 312).

Attachment(s)

In Rem Packet for (2300 Lanecrest Drive, Council District 1)

[2300 Lanecrest Dr](#)

79. In Rem Remedy 3260 Reid Avenue

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

Public Purpose:

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

Policy:

- Housing and Neighborhood Development, and Community Safety

The In Rem Remedy items were initiated from three categories:

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

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

Field Observation: (3260 Reid Avenue)

Action:

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at (3260 Reid Avenue) (Neighborhood Profile Area 159).

Attachment(s)

In Rem Packet for (3260 Reid Avenue, Council District 3)

[3260 Reid Av](#)

80. Property Transactions - Wilmore Drive/Park Avenue Sanitary Sewer Replacement, Parcel #5

Action: Approve the following Acquisition: Wilmore Drive/Park Avenue Sanitary Sewer Replacement, Parcel #5

Project: Wilmore Drive/Park Avenue Sanitary Sewer Replacement, Parcel #5

Owner(s): Perry Roland Davidson and Mary Harris Davidson

Property Address: 2022 Wood Dale Terrace

Total Parcel Area: 16,672 sq. ft. (.383 ac.)

Property to be acquired by Easements: 4,619 sq. ft. (.106 ac.) in Sanitary Sewer Easement, plus 1,363 sq. ft. (.031 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-5

Use: Single-family Residential

Tax Code: 119-074-15

Purchase Price: \$13,875

Council District: 3

[Location Map - Wilmore Drive.P5 .docx](#)

81. Property Transactions - Denbur Drive Sanitary Sewer to Serve 7908, Parcel #3

Action: Approve the following Acquisition: Denbur Drive Sanitary Sewer to Serve 7908, Parcel #3

Project: Denbur Drive Sanitary Sewer to Serve 7908, Parcel #3

Owner(s): George Thomas Benton, Jr, Steven Douglas Benton, Nicholas J. Benton and Katharine Arlie Benton

Property Address: 7901 Denbur Drive

Total Parcel Area: 80,968 sq. ft. (1.859 ac.)

Property to be acquired by Easements: 7,868 sq. ft. (.181 ac.) in Sanitary Sewer Easement, plus 2,633 sq. ft. (.06 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 111-122-29

Purchase Price: \$28,428

Council District: 5

[Location Map - Denbur Drive Sanitary Sewer to Serve 7908.P3 .docx](#)

82. Property Transactions - Glenn Teague Road to serve 6130 & 6116, Parcel #1

Action: Approve the following Acquisition: Glenn Teague Road to serve 6130 and 6116, Parcel #1

Project: Glenn Teague Road to serve 6130 and 6116, Parcel #1

Owner(s): Gerald A. Chadwick and Amy Joy Chadwick

Property Address: 6124 Glenn Teague Road

Total Parcel Area: 17,290 sq. ft. (.397 ac.)

Property to be acquired by Easements: 2,555 sq. ft. (.059 ac.) in Waterline Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-5

Use: Single-family Residential

Tax Code: 023-241-20

Purchase Price: \$12,000

Council District: N/A

[Location Map - Glenn Teague Road to serve 6130 and 6116.P1 .docx](#)

83. Property Transactions - Upper Taggart Creek Outfall, Parcel #27

Action: Approve the following Acquisition: Upper Taggart Creek Outfall, Parcel #27

Project: Upper Taggart Creek Outfall, Parcel #27

Owner(s): Community Apartments Corporation of Metrolina #5

Property Address: 4350 Denver Avenue

Total Parcel Area: 114,981 sq. ft. (2.640 ac.)

Property to be acquired by Easements: 17,416 sq. ft. (.4 ac.) in Sanitary Sewer Easement, plus 5,809 sq. ft. (.133 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-22MF

Use: Multi-family

Tax Code: 061-071-64

Purchase Price: \$13,150

Council District: 3

[Location Map - Upper taggart Creek Outfall.P27.docx](#)

84. Property Transactions - Peachtree Hills Sidewalk, Parcel #1

Action: Approve the following Acquisition: Peachtree Hills Sidewalk, Parcel #1

Project: Peachtree Hills Sidewalk, Parcel #1

Owner(s): Timothy Joseph Marsh

Property Address: 1004 Oakdale Road

Total Parcel Area: 32,336 sq. ft. (.742 ac.)

Property to be acquired by Easements: 2,495 sq. ft. (.057 ac.) in Sidewalk and Utility Easement, plus 5,042 sq. ft. (.116 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Use: Commercial

Tax Code: 037-292-27

Purchase Price: \$10,250

Council District: 2

[Location Map - Peachtree Hills Sidewalk.P1.docx](#)

85. Property Transactions - Yellowstone Zebulon Street Connectivity, Parcel #2

Action: Approve the following Acquisition: Yellowstone Zebulon Street Connectivity, Parcel #2

Project: Yellowstone Zebulon Street Connectivity, Parcel #2

Owner(s): Karen C. Shaw

Property Address: 2701 Rozzelles Ferry Road

Total Parcel Area: 387,451 sq. ft. (8.895 ac.)

Property to be acquired by Fee: 32,146 sq. ft. (.738 ac.) in Fee Simple

Property to be acquired by Easements: 3,578 sq. ft. (.082 ac.) in Storm Drainage Easement, plus 789 sq. ft. (.018 ac.) in Sanitary Sewer Easement, plus 3,777 sq. ft. (.087 ac.) in Waterline Easement, plus 34,828 sq. ft. (.8 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Various plantings

Zoned: I-1

Use: Industrial

Tax Code: 071-143-42

Purchase Price: \$375,200

Council District: 2

[Location Map - Yellowstone Zebulon Street Connectivity.P2.docx](#)

86. Property Transactions - Hinsdale - Tinkerbell Drainage Improvements, Parcel #24

Action: Approve the following Acquisition: Hinsdale - Tinkerbell Drainage Improvements, Parcel #24

Project: Hinsdale - Tinkerbell Drainage Improvements, Parcel #24

Program: Flood Control

Owner(s): Benjamin J. Case and Sarah Case

Property Address: 5516 Warewhip Lane

Total Parcel Area: 19,714 sq. ft. (.453 ac.)

Property to be acquired by Easements: 672.34 sq. ft. (.015 ac.) in Storm Drainage Easement, plus 666.19 sq. ft. (.015 ac.) in Temporary Construction Easement, plus 1,100 sq. ft. (.025 ac.) in Existing Drainage Accepted as Storm Drainage Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 209-073-09

Purchase Price: \$55,500

Council District: 6

[Location Map - Hinsdale - Tinkerbell Drainage Improvements.P24.docx](#)

87. Property Transactions - Bristol Farms Wastewater Pump Station, Parcel #10

Action: Approve the following Condemnation: Bristol Farms Wastewater Pump Station, Parcel #10

Project: Bristol Farms Wastewater Pump Station, Parcel #10

Owner(s): Shakesha C. Bynem

Property Address: 8542 Langley Court

Total Parcel Area: 12,442 sq. ft. (.286 ac.)

Property to be acquired by Easements: 1,199.64 sq. ft. (.028 ac.) in Sanitary Sewer Easement, plus 1,152.23 sq. ft. (.026 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-12

Use: Single-family Residential

Tax Code: 111-401-50

Appraised Value: \$2,250

Property Owner's Counteroffer: \$2,250

Outstanding Concerns: Property owner has become unresponsive.

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: 4

[Location Map - Bristol Farms Wastewater Pump Station.P10.docx](#)

88. Property Transactions - Irvins Creek Trunk, Parcel #11

Action: Approve the following Condemnation: Irvins Creek Trunk, Parcel #11

Project: Irvins Creek Trunk, Parcel #11

Owner(s): Burger King Corporation

Property Address: 7002 Matthews-Mint Hill Road

Total Parcel Area: 39,536 sq. ft. (.908 ac.)

Property to be acquired by Easements: 10,109 sq. ft. (.232 ac.) in Sanitary Sewer Easement, plus 581 sq. ft. (.013 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-D

Use: Commercial

Tax Code: 195-182-35

Appraised Value: \$43,850

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: N/A (Mint Hill)

[Location Map - Irvins Creek Trunk.P11.docx](#)

89. Property Transactions - Irvins Creek Trunk, Parcel #12

Action: Approve the following Condemnation: Irvins Creek Trunk, Parcel #12

Project: Irvins Creek Trunk, Parcel #12

Owner(s): First-Citizens Bank & Trust Company

Property Address: 6930 Matthews Mint-Hill Road

Total Parcel Area: 62,225 sq. ft. (1.428 ac.)

Property to be acquired by Easements: 1,270 sq. ft. (.029 ac.) in Sanitary Sewer Easement, plus 585 sq. ft. (.013 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-D

Use: Commercial

Tax Code: 195-182-36

Appraised Value: \$2,600

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: N/A (Mint Hill)

[Location Map - Irvins Creek Trunk.P12.docx](#)

90. Property Transactions - Irvins Creek Trunk, Parcel #13

Action: Approve the following Condemnation: Irvins Creek Trunk, Parcel #13

Project: Irvins Creek Trunk, Parcel #13

Owner(s): Mint Hill Festival Limited Partnership

Property Address: 6904 and 6914 Matthews Mint Hill Road

Total Parcel Area: 372,166 sq. ft. (8.544 ac.)

Property to be acquired by Easements: 32,203 sq. ft. (.739 ac.) in Sanitary Sewer Easement, plus 478 sq. ft. (.011 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: B-D

Use: Commercial

Tax Code: 195-182-45

Appraised Value: \$100,050

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: N/A (Mint Hill)

[Location Map - Irvins Creek Trunk.P13.docx](#)

91. Property Transactions - Wilmore Drive/Park Avenue Sanitary Sewer Replacement, Parcels #6 and 7

Action: Approve the following Condemnation: Wilmore Drive/Park Avenue Sanitary Sewer Replacement, Parcels #6 and 7

Project: Wilmore Drive/Park Avenue Sanitary Sewer Replacement, Parcels #6 and 7

Owner(s): 601 Kingston LLC

Property Address: 601 West Boulevard and 541 West Worthington Avenue

Total Parcel Area: 161,077 sq. ft. (3.698 ac.)

Property to be acquired by Easements: 23,768 sq. ft. (.546 ac.) in Sanitary Sewer Easement, plus 5,679 sq. ft. (.13 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-5

Use: Single-family Residential

Tax Code: 119-074-28 and 119-074-27

Appraised Value: \$9,775

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

City's Response to Property Owner's Concerns: Staff informed property owner they could obtain their own appraisal in order to justify a counter offer.

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: 3

[Location Map - Wilmore Drive - Park Avenue Sanitary Sewer Replacement.P6and7.docx](#)

92. Property Transactions - Upper Taggart Creek Outfall, Parcel #12

Action: Approve the following Condemnation: Upper Taggart Creek Outfall, Parcel #12

Project: Upper Taggart Creek Outfall, Parcel #12

Owner(s): Greenbrier Business Park Owners Association, Inc.

Property Address: Taggart Creek Road

Total Parcel Area: 139,480 sq. ft. (3.202 ac.)

Property to be acquired by Easements: 19,983 sq. ft. (.459 ac.) in Sanitary Sewer Easement, plus 7,465 sq. ft. (.171 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: I-2

Use: Industrial Common Area

Tax Code: 115-111-10

Appraised Value: \$5,675

Outstanding Concerns: The property owner and staff are working through the easement language.

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: 3

[Location Map - Upper Taggart Creek Outfall.P12.docx](#)

93. Property Transactions - Upper Taggart Creek Outfall, Parcel #29

Action: Approve the following Condemnation: Upper Taggart Creek Outfall, Parcel #29

Project: Upper Taggart Creek Outfall, Parcel #29

Owner(s): Heirs of Kathleen G. Blair

Property Address: Carlyle Drive

Total Parcel Area: 10,280 sq. ft. (.236 ac.)

Property to be acquired by Easements: 3,053 sq. ft. (.07 ac.) in Sanitary Sewer Easement, plus 2,602 sq. ft. (.06 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-4

Use: Flum/Swim Floodway (No Build Zone)

Tax Code: 061-071-58

Appraised Value: \$1,900

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 3

[Location Map - Upper Taggart Creek Outfall.P29.docx](#)

94. Property Transactions - Williams Station Wastewater Pump Station, Parcel #10

Action: Approve the following Condemnation: Williams Station Wastewater Pump Station, Parcel #10

Project: Williams Station Wastewater Pump Station, Parcel #10

Owner(s): Amy Blackley and Luke Hansen

Property Address: 2901 Williams Station Road

Total Parcel Area: 22,820 sq. ft. (.524 ac.)

Property to be acquired by Easements: 2,643.59 sq. ft. (.061 ac.) in Sanitary Sewer Easement, plus 1,044.95 sq. ft. (.024 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: Storage building

Landscaping to be impacted: Trees

Zoned: R-9

Use: Single-family Residential

Tax Code: 193-441-53

Appraised Value: \$2,550

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

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

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: N/A (Matthews)

[Location Map - Williams Station Wastewater Pump Station.P10.docx](#)

95. Property Transactions - Win Hollow Pump Station, Parcel #9

Action: Approve the following Condemnation: Win Hollow Pump Station, Parcel #9

Project: Win Hollow Pump Station, Parcel #9

Owner(s): Cascades, LLC

Property Address: Plaza Road Extension

Total Parcel Area: 680,470 sq. ft. (15.621 ac.)

Property to be acquired by Easements: 1,129.49 sq. ft. (.026 ac.) in Sanitary Sewer Easement, plus 890.16 sq. ft. (.02 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-3

Use: Single-family Residential

Tax Code: 111-011-02

Appraised Value: \$325

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: N/A

[Location Map - Win Hollow Pump Station.P9.docx](#)

96. Property Transactions - Cross Charlotte Trail Brandywine - Tyvola, Parcel #17

Action: Approve the following Condemnation: Cross Charlotte Trail Brandywine - Tyvola, Parcel #17

Project: Cross Charlotte Trail Brandywine - Tyvola, Parcel #17

Owner(s): Richard V. Pacella

Property Address: 3450 Selwyn Avenue

Total Parcel Area: 65,304 sq. ft. (1.499 ac.)

Property to be acquired by Easements: 3,887 sq. ft. (.089 ac.) in Greenway Easement, plus 6,213 sq. ft. (.143 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 175-131-09

Appraised Value: \$28,100

Property Owner's Concerns: Property owner is concerned with the amount of compensation being offered.

City's Response to Property Owner's Concerns: Staff informed the property owner that they can obtain their own appraisal to justify a counter offer.

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: 6

[Location Map - Cross Charlotte Trail Brandywine.P17.docx](#)

97. Property Transactions - Cross Charlotte Trail Brandywine - Tyvola, Parcel #19

Action: Approve the following Condemnation: Cross Charlotte Trail Brandywine - Tyvola, Parcel #19

Project: Cross Charlotte Trail Brandywine - Tyvola, Parcel #19

Owner(s): Harry Sibold

Property Address: 3514 Selwyn Avenue

Total Parcel Area: 60,651 sq. ft. (1.392 ac.)

Property to be acquired by Easements: 4,575 sq. ft. (.105 ac.) in Greenway Easement, plus 1,606 sq. ft. (.037 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees and various plantings

Zoned: R-3

Use: Single-family Residential

Tax Code: 175-131-39

Appraised Value: \$23,075

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

City's Response to Property Owner's Concerns: Staff informed the property owner's representative that they can obtain their own appraisal to justify a counter offer.

Outstanding Concerns: The property owner has become unresponsive.

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: 6

[Location Map - Cross Charlotte Trail Brandywine.P19.docx](#)

98. Property Transactions - Cross Charlotte Trail Brandywine - Tyvola, Parcels #10 and 11

Action: Approve the following Condemnation: Cross Charlotte Trail Brandywine - Tyvola, Parcels #10 and 11

Project: Cross Charlotte Trail Brandywine - Tyvola, Parcels #10 and 11

Owner(s): JSBM, LLC

Property Address: 2100 Hassell Place

Total Parcel Area: 43,920 sq. ft. (1.008 ac.)

Property to be acquired by Easements: 8,516 sq. ft. (.196 ac.) in Greenway Easement, plus 5,211 sq. ft. (.12 ac.) in Temporary Construction Easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Trees

Zoned: R-5

Use: Single-family Residential

Tax Code: 175-151-05 and 175-151-07

Appraised Value: \$55,050

Recommendation: To obtain clear title and avoid delay in the project schedule, staff recommends proceeding to condemnation.

Council District: 6

[Location Map - Cross Charlotte Trail Brandywine.P10 and 11.docx](#)

99. Aviation Property Transaction - 5900 Wilkinson Boulevard

Action: Approve the following property acquisition:

Staff Resource(s):

Brent Cagle, Aviation
Haley Gentry, Aviation

Project: Airport Gateway Central

Owner(s): Nisbet E P Company

Property Address: 5900 Wilkinson Boulevard

Total Parcel Area: .973 acres

Property to be acquired in Fee: .973 acres

Property to be acquired by Easements: N/A

Structures/Improvements to be impacted: Commercial Building

Landscaping to be impacted: Trees

Zoned: I-2

Use: Commercial

Tax Code: 061-282-07

Purchase Price: \$931,500 and all relocation benefits in compliance with federal, state, or local regulations

Council District: 3

[Location Map - 5900 Wilkinson Blvd.pdf](#)

Adjournment

REFERENCES

100. 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 that reference the Charlotte Business INClusion Policy in the business meeting agenda.

Part A: Administration and Enforcement

Part A: Section 2.3: Targeted Outreach and Designated Contracts for Small Business Enterprises (SBEs).

When feasible, the Charlotte Business INClusion (CBI) Office may designate certain Contracts or categories of Contracts in which solicitation efforts will be directed only to SBEs. In designating Contracts for targeted outreach or SBE participation, the CBI Office takes into account the size and scope of the Contract and the availability of SBEs to provide the applicable services or products.

Part A: Section 3.1: Subcontracting Goals. The City shall establish one or more Subcontracting Goals for all Construction Contracts of \$300,000 or more and for all Architecture, Engineering, and Surveying Contracts of \$100,000 or more. Contracts estimated to be less than these thresholds are exempt from the goal setting process.

Appendix Section 20: Contract: For the purposes of establishing an (Minority, Women, and Small Business Enterprise (MWSBE) subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration, and remodeling; (b) architectural work, engineering, surveying, testing, construction management, and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services), and (d) apparatus, supplies, goods, or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE, Minority Business Enterprise (MBE), or Women Business Enterprise (WBE) Goal has been set.
- Financial Partner Agreements, Development Agreements, Infrastructure Improvement Agreements, Design-Build, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the Charlotte Business INClusion Program Policy.

Appendix Section 27: Exempt Contracts: Contracts that fall within one or more of the following categories are "Exempt Contracts" and shall be exempt from all aspects of the Charlotte Business INClusion Policy:

No Competitive Process Contracts: Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

Managed Competition Contracts: Managed competition contracts pursuant to which a City department or division competes with Business Enterprises to perform a City function.

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

Federal Contracts Subject to Disadvantaged Business Enterprise (DBE) Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as

set forth in 49 CFR Part 26 or any successor legislation.

State Funded Contracts Subject to the State's MWBE Requirements: Contracts that are subject to an MWBE Goal set by the State of North Carolina pursuant to N.C. Gen. Stat. 143-128.2.

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

Interlocal Agreements: Contracts with other units of federal, state, or local government.

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

Contracts with Waivers: Contracts for which the City Manager or CBI Program Manager waives the CBI Program requirements (such as when there are no MWSBE subcontracting opportunities on a Contract).

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

Appendix Section 35: Informal Contracts: Contracts that are estimated to be less than the following dollar thresholds prior to issuance of the City Solicitation Documents:

- Construction Contracts: \$500,000, and
- Service Contracts and Commodities Contracts: \$100,000.

Part B: Construction and Commodities Contracts

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

Part B: Section 2.3: No Goals When There Are No Subcontracting Opportunities. The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs, or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

Part C: Service Contracts

Part C: Section 2.1(a) Subcontracting Goals: No Goal When There Are No MWSBE Subcontracting Opportunities. The City shall not establish Subcontracting Goals for Service Contracts where (a) there are no subcontracting opportunities identified; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part C: Section 2.1(b) and 2.1(c): The City may require each Proposer to submit with its Proposal one or more of the following: (a) a Participation Plan describing how Proposer intends to solicit MWSBE participation; (b) the Proposer's Committed Subcontracting Goals; and (c) an affidavit listing the SBEs and MWBEs it intends to use on the Contract.

Part C: Section 2.1(h) Negotiated Goals: The City may seek to negotiate Subcontracting Goals after Proposals have been submitted.

Part D: Post Contract Award Requirements

Part D: Section 6: New Subcontractor Opportunities/Additions to Scope/Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new MWSBE subcontracting opportunity, the City shall either (a) notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or (b) establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.

Part G: Alternative Construction Agreements

Part G: Section 2.7: Prior to City Council's vote to award the Alternative Construction Agreement, the Program Manager and the Company shall negotiate and agree on proposed MWSBE Goals for the Project and on a Participation Plan that describes the outreach and efforts the Company will be required to undertake to meet the MWSBE subcontracting goals.

101. 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.

102. Reference - Property Transaction Process

Property Transaction Process Following City Council Approval for Condemnation

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

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During this time, 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.