

City of Charlotte

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



Meeting Agenda

Monday, October 26, 2026

Council Chamber

City Council Business Meeting

***Mayor Robert Harrington
Mayor Pro Tem James Mitchell
Council Member Dimple Ajmera
Council Member Dante Anderson
Council Member JD Mazuera Arias
Council Member Ed Driggs
Council Member Malcolm Graham
Council Member Renee Johnson
Council Member LaWana Mayfield
Council Member Joi Mayo
Council Member Kimberly Owens
Council Member Victoria Watlington***

4:00 P.M. CITY COUNCIL ACTION PREVIEW AND CONSENT AGENDA, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, ROOM 267

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

1. Mayor and Council Consent Item Questions and Answers

Staff Resource(s):

Hannah Bromberger, Strategy and Budget

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items.

2. Consent agenda items 15 through 31 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Time: 10 minutes

Consideration of Consent Items shall occur in the following order:

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

3. Action Preview Overview

Staff Resource(s):

Marcus Jones, City Manager

4. Action Preview Items

Passenger Vehicles for Hire

Staff Resource(s):

Jessica Battle, City Attorney's Office

Time: Presentation - 15 minutes; Discussion - 25 minutes

Explanation

- Receive an overview of the proposed revisions to the city's Passenger Vehicles for Hire Ordinance as recommended by the Safety Committee.

Electric Bikes

Staff Resource(s):

Jessica Battle, City Attorney's Office

Time: Presentation - 10 minutes; Discussion - 25 minutes

Explanation

- Receive an overview of the proposed revisions to the city's Code of Ordinances to address the use of electric bikes on sidewalks and roadways as recommended by the Safety Committee.

5. Closed Session

**5:30 P.M. CITY COUNCIL BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
COUNCIL CHAMBER**

Call to Order

Introductions

Invocation

Pledge of Allegiance

AWARDS AND RECOGNITIONS

6. Imagine a Day without Water

Action:

Council Member Driggs will read a proclamation recognizing October 15, 2026, as Imagine a Day without Water.

PUBLIC FORUM

7. Public Forum

PUBLIC HEARING

8. Public Hearing and Decision on the Hajoca Building Historic Landmark Designation

Action:

- A. Conduct a public hearing to consider historic landmark designation for the property known as the "Hajoca Building," also known as the Fowler Building (parcel identification number 123-041-09), and**
- B. Adopt an ordinance with an effective date of October 26, 2026, designating the property known as the "Hajoca Building," also known as the Fowler Building (parcel identification number 123-041-09), as a historic landmark.**

Charlotte-Mecklenburg Historic Landmarks Commission Representative(s):

Stewart Gray, Historic Landmark Department Director

Tommy Warlick, Historic Landmarks Department Historic Preservation Specialist

Staff Resource(s):

Erin Chantry, Planning, Design, and Development

Explanation

- The city has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) to designate the Hajoca Building (also known as the Fowler Building) as a local historic landmark.
- Public hearings are required prior to City Council action on designation requests.
- The Hajoca Building is located at 1447 South Tryon Street in Council District 3.
- Designation of this property could significantly contribute to its long-term preservation.
- The Hajoca Building is listed under parcel identification number 123-041-09, and the recommended designation would include the exterior and specified elements of the interior of the building and the land listed under tax parcel number 123-041-09.
- The property is zoned TOD-UC.
- The property is owned by 1447 South Tryon LLC.
- Based on the current value, the potential amount of deferrable taxes would be approximately \$10,559.43 for the City of Charlotte taxes and \$17,756.42 for Mecklenburg County taxes.

Attachment(s)

Ordinance

Information Sheet

Designation Report

[Ordinance - Hajoca Building HLD](#)

[Information Sheet - Hajoca Building HLD](#)

[Designation Report - Hajoca Building HLD](#)

9. Public Hearing and Decision on the River Point East of Dixie River Road Voluntary Annexation

Action:

- A. Conduct a public hearing for the River Point East of Dixie River Road voluntary annexation, and
- B. Adopt an annexation ordinance with an effective date of October 26, 2026, to extend the corporate limits to include this property and assign it to the adjacent City Council District 3.

Staff Resource(s):

Monica Holmes, Planning, Design, and Development

Holly Cramer, Planning, Design, and Development

Emma Knauerhase, Planning, Design, and Development

Explanation

- Public hearings to obtain community input are required prior to City Council taking action on annexation requests.
- A petition has been received from the owners of this 13.092-acre property located on the east side of Dixie River Road and south of West Boulevard in western Mecklenburg County.
- The property is owned by Crescent River District LLC.
- The property is vacant and is zoned MUDD-O ANDO (Mixed Use Development District, Optional, Airport Noise Disclosure Overlay).
 - Rezoning petition 2016-056 rezoned this site in November of 2016 as part of the larger River District project that entitled 1,378 acres with a mix of residential and commercial uses.
- The petitioned area consists of one parcel: parcel identification number 141-281-06.
- The property is located within Charlotte's extraterritorial jurisdiction and shares boundaries with current city limits.
- The intent of the annexation is to extend municipal services to the site to facilitate the development of 80,000 square feet of mixed commercial uses, 15,000 square feet of retail, and 75,000 square feet of other commercial uses across the site.
- In the evaluation of this annexation area, Charlotte-Mecklenburg Stormwater Services, Charlotte-Mecklenburg Police Department, Charlotte Department of Transportation, and Charlotte Solid Waste Services noted that this annexation area would have minimal to no impacts to the departments' resources.
- In reviewing the area's current and future land use, the Charlotte Fire Department noted that the site is within the Effective Response Force travel time standards and provided advisory considerations.
- The potential revenue generated from this annexation area is projected to exceed the estimated cost of extending municipal services to the site.

Consistency with City Council Policies

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

Attachment(s)

Map

Annexation Ordinance

Rezoning Petition 2016-056

[Map - River Point East of Dixie River Road Annexation](#)

[Ordinance - River Point East of Dixie River Road Annexation](#)

[RZP2016-056 Approved Site Plan](#)

POLICY

10. City Manager's Report

11. Charlotte Business INClusion Policy Amendments

Action:

Amend the Charlotte Business INClusion Policy as recommended by the Economic Development and Workforce Committee.

Committee Chair:

James Mitchell, Economic Development and Workforce Committee

Staff Resource(s):

Cheryl Wright, Contracting and Procurement

Steven Coker, Contracting and Procurement

Lina James, City Attorney's Office

Current Policy

- The Charlotte Business INClusion (CBI) Policy establishes the city's business inclusion program and includes provisions for participation goals, registration requirements, contractor obligations, and policy compliance and enforcement.
- City Council approved the most recent version of the CBI Policy on September 26, 2022.

Proposed Changes

- The proposed amendments to the city's CBI Policy will ensure that the Policy conforms to the requirements set forth in Session Law 2026-41, which became effective July 1, 2026.
- Specifically, the proposed revisions will:
 - Remove provisions for Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) participation, goals, compliance, registration, and other race-conscious and gender-conscious considerations;
 - Establish a single Small Business Enterprise (SBE) program focused on developing small businesses and strengthening their ability to compete for city contracts;
 - Based on City Charter authority, retain the SBE program to include contract goals, good faith negotiation, good faith efforts, contractor participation obligations, and the program's compliance and enforcement framework;
 - Update basis of legal authority for CBI SBE program to include reference to Session Law 2026-41; and
 - Clarify roles, responsibilities, and the relationship between the Council Adopted CBI Policy and the city-administered CBI Administrative Procedures Manual.

Background

- On July 1, 2026, Session Law 2026-41 became effective. Among its changes, the law:
 - Amended the statewide public contracting statutes that required MBE and WBE participation, goal setting and good faith efforts;
 - Removed race-conscious and gender-conscious elements from considerations in public contracts;
 - Abolished the State Office of Historically Underutilized Businesses which certified MBE and WBE firms; and
 - Repealed the city's Charter authority to administer its own MBE/WBE program.
- Following the enactment of Session Law 2026-41, the city has ceased including MBE and WBE goals and compliance requirements in city contracts.
- Provisions within the CBI Policy for goal setting and contract participation for SBE firms have not been affected.
- As of July 1, 2026, the CBI Administrative Procedures Manual was amended to comply with the legal requirements of Session Law 2026-41.

Committee Discussion

- On October 5, 2026, the Economic Development and Workforce Committee reviewed the proposed

amendments to the CBI Policy and voted unanimously by members present (Mayfield, Anderson, Mazuera Arias, and Watlington) to recommend adoption of the amended CBI Policy by the full City Council.

Attachment(s)

Charlotte Business INClusion Policy, 2026 Edition

[CBI Policy - 2026 Updates](#)

12. Extension of the Temporary Moratorium on New Telecommunications and Data Storage Facilities

Action:

Adopt an ordinance to extend the temporary moratorium on the acceptance, processing, and approval of applications for new telecommunications and data storage facilities within the City of Charlotte, North Carolina, and its Extraterritorial Jurisdiction, which is set to expire no later than November 5, 2026, to October 18, 2027, pursuant to NC General Statute 160D-107.

Staff Resource(s):

Alyson Craig, City Manager's Office

Heather Bolick, Special Initiatives

Terrie Hagler-Gray, City Attorney's Office

Explanation

- The Charlotte Unified Development Ordinance (UDO) defines a data center as a "telecommunications and data storage facility, accessed only by employees, that houses computer systems and associated components related to the transmittal and receiving of information, including but not limited to telecommunications systems, telecommunication and telephone switching systems, cloud storage systems, and server farms."
- Per the UDO, data centers are permitted uses by right in the following zoning districts:
 - General Commercial (CG),
 - Regional Commercial (CR),
 - Office Flex Campus (OFC),
 - Research Campus (RC),
 - Manufacturing & Logistics (ML-1 and ML-2),
 - Innovation Mixed Use (IMU), and
 - Uptown Core (UC).
- Currently all data centers, regardless of size, type, or capacity, are treated the same under the UDO.
- Data centers are subject to applicable zoning and general development standards (setbacks, height, transparency, landscape yards, screening, exterior lighting, etc.) but have no additional prescribed conditions.
- At the April 27, 2026, Council Business Meeting, City Council directed staff to provide information on the status of data centers in Charlotte.
- On May 11, 2026, city staff shared the following with City Council:
 - The existing data center inventory in Charlotte;
 - Environmental impacts of data centers (water usage, energy consumption, noise);
 - Jobs and economic development considerations; and
 - Legal constraints with modifying certain land use requirements in the UDO due to Session Law 2024-57 (SB 382), which limits the ability of local governments to down-zone property without the written consents of all affected property owners.
- At the May 11, 2026, Business Meeting, City Council adopted the following recommendations made by staff:
 - Conduct a public hearing on May 26, 2026, to consider the adoption of a 150-day temporary moratorium on data centers to begin on June 8, 2026; and
 - Refer the issue of data centers to the Transportation, Planning, and Development (TPD) Committee on June 1.
- On May 26, 2026, City Council held a properly noticed legislative public hearing on the proposed moratorium in accordance with NC General Statute Section 160D-601(b).
- The purpose of the temporary moratorium is to allow the city to analyze and study the unique development, infrastructure, and environmental impacts of data centers and prepare and consider appropriate regulatory and policy changes to address those impacts. These considerations include, but are not limited to, impacts on water consumption, energy demand, noise, and land-use

compatibility.

- The city has assembled a multi-disciplinary team of city staff with expertise across city departments to study and explore the impacts of data centers and create a unified strategy to address concerns during the proposed moratorium period.
- On June 1, 2026, staff presented to the TPD Committee on what would occur during a 150-day moratorium on data center approvals.
- City Council has considered and addressed the following statements required to adopt a temporary moratorium in accordance with NC General Statute Section 160D-107(d):
 - A statement of the problems or conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the local government and why those alternative courses of action were not deemed adequate;
 - A statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to imposition of the moratorium;
 - A date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium; and
 - A statement of the actions, and the schedule for those actions, proposed to be taken by the local government during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium.
- On June 8, 2026, City Council adopted a 150-day moratorium on the acceptance, processing, and approval of applications for new telecommunications and data storage facilities in the City of Charlotte and its extraterritorial jurisdiction, which will expire no later than November 5, 2026, or upon city Council approval of new regulations and/or policies regarding data centers, whichever occurs first.
- The TPD Committee discussed data centers research and next steps at the August 3, 2026, Committee meeting.
- At the September 8, 2026, TPD Committee meeting, the Committee discussed a potential extension of the temporary moratorium, and the Committee voted unanimously by members present (Driggs, Johnson, Mayfield) to recommend extension of the temporary moratorium for consideration by full Council.
- At the September 14, 2026, Council Business Meeting, Council received an overview of the extension of the temporary moratorium recommended by the TPD Committee.
- Per state law, an extension requires a showing of good-faith efforts toward the goals of the original moratorium and new facts and conditions warranting the extension.
- The city has made good-faith efforts in achieving the goals of the moratorium including:
 - Engaging with World Resources Institute, which produced a Data Centers Impacts Report compiling national research and cross-jurisdictional examples, to help Charlotte evaluate how best to manage these impacts within North Carolina's statutory environment;
 - Convened a 19-member Data Center Community Task Force including technical experts and community leaders who gave preliminary recommendations to Council; and
 - Launched a comprehensive community engagement plan including an education campaign, community survey, and both in-person and virtual community meetings.
- New facts and conditions warrant an extension of the moratorium including:
 - Recent research conducted by World Resources Institute, which shows that data center impacts are variable and complex; and
 - Staff and task force members acknowledged that Charlotte lacks specific regulatory tools, such as capacity verification, monitoring protocols, and cooling standards, and needs technical research to support them.
- At the October 12, 2026, Business Meeting, Council received an update on data centers research completed thus far and held a public hearing on an extension of the temporary moratorium.
- City Council recognizes that certain property and/or projects are exempt from this moratorium under NC General Statute Section 160D-107(c) and acknowledges that the city cannot enforce this moratorium as to exempt property and/or projects.

Attachment(s)

September 8 TPD Committee Presentation
Ordinance

[Presentation - Data Centers 09.08.2026](#)

[Ordinance - Data Centers Moratorium Extension](#)

BUSINESS**13. Charlotte Water Grant Closeout for Lead and Copper Rule****Revision****Action:**

- A. Authorize the City Manager to close out a grant in the amount of \$400,000 with the North Carolina Department of Environmental Quality for American Rescue Plan Act funds for the Lead and Copper Rule Revision project, and**
- B. Accept the summary provided.**

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Chuck Bliss, Charlotte Water

Explanation

- This grant allowed Charlotte Water to develop a database of water services line types within Charlotte Water's service area, utilizing science-based testing protocols.
- Charlotte Water has worked to identify and document the materials of water service lines throughout the community in support of compliance with the U.S. Environmental Protection Agency's (EPA) Lead and Copper Rule Revisions (LCRR) and Lead and Copper Rule Improvements (LCRI).
- The Final Report has been presented to Council in the attached Summary.
- Awarded funds will be expended by December 2026.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Charlotte Water Lead and Copper Rule Revision Summary

[Charlotte Water and the Lead and Copper Rules Program Update](#)

14. Mayor and Council Topics

CONSENT

15. Police Undercover Vehicles

Action:

- A. Approve the purchase of unmarked leased vehicles from a cooperative contract,**
- B. Approve a unit price contract with Hendrick Automotive Group for the purchase of unmarked leased vehicles for a term of four years under Sourcewell contract #081325-HD, and**
- C. Authorize the City Manager to extend the contract for additional terms as long as the cooperative contract is in effect at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

Staff Resource(s):

Chief Estella Patterson, Police

Stephen Fischbach, Police

Kellie High-Foster, Police

Explanation

- The Charlotte-Mecklenburg Police Department (CMPD) requires new, furnished, unmarked, leased vehicles for use in undercover work, investigations, and other covert law enforcement operations.
- This contract will provide vehicles on an as-needed basis to support these operations.
- NC General Statute Section 143-129(e)(3) allows local governments to purchase from formally organized cooperative purchasing contracts.
- A cooperative purchasing agreement results from the consolidation and competitive solicitation of multiple public agency requirements. By aggregating common needs all agencies are able to leverage economies of scale, such as volume discounts, improved terms and conditions, reduced administrative costs, and access to professional and technical expertise.
- Annual expenditures are estimated to be \$625,000.

Charlotte Business INclusion

Effective July 1, 2026, Session Law 2026-41 eliminated the authority of North Carolina local governments to use race-conscious and gender-conscious contracting requirements. In compliance with the new law, no MBE/WBE/MWBE/MSBE/WSBE/MWSBE goals or compliance requirements will be included in city contracts. SBE goals are not affected and shall continue to be used in compliance with the CBI program and applicable law.

Small Business Participation

Cooperative purchasing contracts leverage contracts established by other governmental agencies and do not involve the city conducting a bidding process and are thus exempt from CBI Program goals. Subcontracting opportunities are typically not feasible under cooperative purchasing arrangements.

Fiscal Note

Funding: Police Operating Budget

16. Program Services for Housing Opportunities for Persons with AIDS

Action:

- A. Approve a contract in the amount of \$2,954,407 with RAO Community Health for a term of one year to provide programming that supports individuals and families living with HIV/AIDS, and**
- B. Authorize the City Manager, or his designee, to renew the contract for up to two, one-year terms with possible price adjustments, and to modify, amend, and extend the term of the contract with the purpose for which the contract was approved.**

Staff Resource(s):

Raquishela Stewart, Housing and Neighborhood Services
Warren Wooten, Housing and Neighborhood Services

Explanation

- On August 25, 2025, City Council approved a \$2,308,647 contract with RAO Community Health to administer the Housing Opportunities for Persons with AIDS (HOPWA) Tenant Based Rental Assistance (TBRA) Program in the 11-county program service area, and authorized the City Manager to extend the term of the contract for up to three years.
- RAO Community Health was selected in response to a June 2025 request for proposals (RFP) process based on their ability to meet HOPWA TBRA Program objectives, as well as their qualifications, experience, cost-effectiveness, and responsiveness to the RFP requirements.
- As the HOPWA TBRA Program Administrator, RAO Community Health delivers complex, essential services to individuals and families across the eleven-county HOPWA service area, helping them find, secure, and maintain affordable housing, including providing rental and utility assistance, along with other supportive services such as case management, mental health support, transportation, and food and nutrition assistance.
- Staff originally intended to renew the contract for up to three additional one-year terms, with price adjustments and funding provided through the city's annual HOPWA allocations. After the four-year period, a new RFP will be issued to solicit proposals for these administrative services in the 11-county area.
- This action establishes a new 2026 contract with price adjustments, and allows for up to two additional one-year renewals, also with price adjustments, as originally intended to ensure continuity and consistency of these critical services.
- The city received a total of \$7,942,829 HOPWA allocations in Fiscal Year 2026 (\$3,858,201) and Fiscal Year 2027 (\$4,084,628) from the U.S. Department of Housing and Urban Development's (HUD) to help low-income persons living in the program service area with HIV/AIDS and their families, achieve and maintain housing stability and improve their access to and engagement in HIV/AIDS treatment and care.
- HOPWA funds must be spent within three years of each annual allocation.
- The total estimated cost for the originally planned four-year service period is approximately \$12,000,000, or about \$3,000,000 per year, beginning with the 2025 contract. These amounts are contingent upon receiving annual HOPWA allocations from HUD.
- If HUD's annual HOPWA allocation decreases, the contract price adjustments will reflect this.

Background

- The HUD HOPWA program is the only federal program dedicated to the housing needs of people living with HIV/AIDS.
- The City of Charlotte acts as the HOPWA regional administrator for the Charlotte Metropolitan Statistical Area, which includes the counties of Anson, Cabarrus, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, and Union in North Carolina, and the counties of Chester, Lancaster, and York in South Carolina. This required Program Service Area is determined by HUD.

- HOPWA funds support a wide range of housing and social services including program planning, rental assistance and short-term payments to prevent homelessness, and the coordination and delivery of support services such as housing information, counseling and navigation services, assessment and case management, substance abuse treatment, mental health treatment, nutritional services, job training and placement assistance, and assistance with daily living.
- In addition to RAO Community Health's administration of the TBRA Program in the Program Service Area, the city's HOPWA allocations also support other local non-profit agencies that provide eligible activities for people living with HIV/AIDS including Hope Haven, House of Mercy, Kintegra Health, Mecklenburg County Health Department, NsideOut Excellence, and Roof Above.

Charlotte Business INclusion

This contract is subject to HUD requirements and is exempt from the CBI Program.

Fiscal Note

Funding: HUD HOPWA allocation

17. Storm Drainage Pipe Video Inspection and Cleaning

Action:

- A. Approve unit price contracts for storm drainage pipe video inspection and cleaning services for a term of three years with the following:**
- **Duke's Root Control, Inc.,**
 - **EnviroWaste Services Group, Inc.,**
 - **Sweeping Corporation of America, LLC, and**
- B. Authorize the City Manager to renew the contracts for up to one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Debbie Smith, Transportation
Kathleen Cishek, Transportation
Tonia Wimberly, Transportation

Explanation

- The Charlotte Department of Transportation operates and maintains Charlotte's multimodal transportation network, which includes roadways, bike, and pedestrian facilities.
- These task order contracts will provide specialized inspection services to assess the condition of the city's storm drainage infrastructure related to transportation projects.
- On May 29, 2026, the city issued a Request for Proposals (RFP); eight responses were received.
- The companies selected best meet the city's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- At renewal, potential price adjustments may be considered based on legitimate and justified increases in the cost of doing business. The ability to consider price adjustments also allows the city to accept decreases, if warranted.
- Annual aggregate expenditures are estimated to be \$500,000.

Charlotte Business INclusion

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Small Business Participation

The selected companies have elected to self-perform 100% of the work on these contracts and have provided the required documentation to demonstrate that they can perform all scopes of work on these contracts with their own forces.

Fiscal Note

Funding: General Capital Investment Plan

18. Design and Construction Administration Services for Irwin Creek Wastewater Recovery Facility Workspace Improvements

Action:

- A. Approve a unit price contract with C Design, Inc. for the Irwin Creek Water Resource Recovery Facility Workspace Improvements for a term of six years, and**
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
David Czerr, Charlotte Water
Chuck Bliss, Charlotte Water

Explanation

- Charlotte Water is repurposing an existing building for additional workspace at the Irwin Creek Water Resource Recovery Facility that supports operational needs in Council District 3.
- The renovated area will include a wastewater analytical laboratory, pilot study space, offices, a break area, and restrooms.
- On April 29, 2026, the city issued a Request for Qualifications (RFQ); two responses were received.
- C Design, 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.
- Annual expenditures are estimated to be \$88,858.33.

Charlotte Business INclusion

Effective July 1, 2026, Session Law 2026-41 eliminated the authority of North Carolina local governments to use race-conscious and gender-conscious contracting requirements. In compliance with the new law, no MBE/WBE/MWBE/MSBE/WSBE/MWSBE goals or compliance requirements will be included in city contracts. SBE goals are not affected and shall continue to be used in compliance with the CBI program and applicable law.

Small Business Participation

The city negotiates contract participation after the proposal selection process. C Design, Inc. has committed 4.85% (\$25,850) of the total contract amount to the following certified firm(s):

- Forrest Geomatics PLLC (SBE) (\$5,850) (surveying)
- Structural Capacity PC (SBE) (\$20,000) (structural engineer)

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

19. Wastewater Biogas to Renewable Natural Gas Project

Action:

- A. Approve a contract with Burnham RNG, LLC for the sale of unconditioned biogas recovered from the wastewater treatment process for a term of 20 years, and**
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water

Joseph Lockler, Charlotte Water

Richelle Hines, Charlotte Water

Explanation

- Charlotte Water intends to sell a wastewater treatment byproduct (unconditioned biogas) that will be converted into renewable natural gas (RNG).
- As a condition of the sale, Burnham RNG, LLC will finance, design, construct, own, operate, and maintain a new RNG processing facility within the McAlpine Creek Wastewater Treatment Plant site in the Town of Pineville (adjacent to Council District 7).
- The terms of the agreement are as follows:
 - Burnham RNG, LLC will have access to Charlotte Water property for a 20-year term, and
 - Charlotte Water will receive a net revenue share of 25 percent over the 20-year term.
- On March 18, 2026, the city issued a Request for Proposals (RFP); five responses were received.
- Burnham RNG, LLC best meets the city's needs in terms of qualifications, experience, value, and responsiveness to RFP requirements.
- The sale of unconditioned biogas to be converted into RNG supports the city's Strategic Energy Action Plan to reduce greenhouse gas emissions.

Background

- Charlotte Water is implementing an RNG project at McAlpine Creek Wastewater Treatment Plant. This initiative focuses on converting biogas generated from the wastewater digesters at the McAlpine Creek Wastewater Treatment Plant into RNG.
- Benefits of the RNG Project include:
 - Reduction in greenhouse gas emissions at the treatment plant;
 - Reduction in flaring of methane; and
 - Revenue generation from the sale of RNG.

Fiscal Note

Funding: Proceeds from sales will be deposited with Charlotte Water general revenues

20. Water and Sanitary Sewer Infrastructure Construction

Action:

Approve a contract in the amount of \$15,198,357.30 to the lowest responsive, responsible bidder Fuller and Co. Construction, LLC for new water and sanitary sewer infrastructure construction.

Staff Resource(s):

Angela Charles, Charlotte Water

David Czerr, Charlotte Water

Bhavana Swayampakala, Charlotte Water

Thomas Powers, City Attorney's Office

Explanation

- This contract will provide for new water and sanitary sewer infrastructure construction throughout the Charlotte Water service area.
- Projects include supporting public requests to extend water and/or sewer service to locations where no service exists, water system reliability projects for system improvements, and sewer capacity projects to support capacity for growth.
- On June 2, 2026, the city issued an Invitation to Bid (ITB); five bids were received.
- Fuller and Co. Construction, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be completed by the last quarter of 2029.

Charlotte Business INClusion

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Fiscal Note

Funding: Charlotte Water Capital Investment Plan

21. Storm Water Repair and Improvement Projects

Action:

- A. Approve a contract in the amount of \$4,953,338 to the lowest responsive, responsible bidder Hux Contracting, LLC for the Storm Water Repair and Improvement FY2027-B projects, and**
- B. Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Angela Charles, Charlotte Water
Mike Davis, Storm Water Services
Logan Oliver, Storm Water Services

Explanation

- This contract is part of an ongoing program to provide repairs and improvements to storm drainage infrastructure across the city.
- Approximately 25 projects may be constructed from this contract within a contract term not to exceed 24 months. The number of projects may vary depending on the nature and extent of the repairs constructed.
- On September 8, 2026, the city issued an Invitation to Bid; three bids were received.
- Hux Contracting, LLC was selected as the lowest responsive, responsible bidder.
- The projects are anticipated to be completed by the second quarter of 2029.

Charlotte Business INclusion

Effective July 1, 2026, Session Law 2026-41 eliminated the authority of North Carolina local governments to use race-conscious and gender-conscious contracting requirements. In compliance with the new law, no MBE/WBE/MWBE/MSBE/WSBE/MWSBE goals or compliance requirements will be included in city contracts. SBE goals are not affected and shall continue to be used in compliance with the CBI program and applicable law.

Small Business Participation

Hux Contracting, LLC is a city certified SBE.

Established SBE Goal: 12.00%

Committed SBE Goal: 12.00%

Hux Contracting, LLC met the established subcontracting goal and has committed 12.00% (\$594,400) of the total contract amount to the following certified firm(s):

- Above Average Trucking Co., LLC (SBE) (\$594,400) (hauling)

Fiscal Note

Funding: Storm Water Capital Investment Plan

22. CATS Blue Line Axle Counter System

Action:

- A. Approve the purchase of the Frauscher Axle Counter System by the sole source exemption, and**
- B. Authorize the City Manager to negotiate and execute a contract with Frauscher Sensor Technology USA Inc. for the purchase of the Frauscher Axle Counter System.**

Staff Resource(s):

Brent Cagle, CATS
Kelly Goforth, CATS
Jill Brim, CATS

Sole Source Exemption

- NC General Statute Section 143-129(e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because a needed product is available from only one source or supply.
- City Council approval is required for any purchases made under the sole source exception.

Explanation

- The CATS Blue Line light rail system requires an upgrade to its signal system to include an Axle Counter System (ACS). The upgrade will improve system reliability and reduce delays associated with electromagnetic interference.
- An ACS is a safety-certified electronic system used to determine whether a section of track is occupied or clear. Trackside sensors detect and count train wheel axles entering and leaving each track section, allowing the system to confirm whether the track section is clear.
- When electromagnetic interference occurs with the current system, the system responds in a fail-safe condition that stops the train or prevents the train from proceeding until the track condition can be verified. While this provides a safe response, it can result in operational delays.
- The Frauscher ACS is safety-certified and has a proven record of over three years of use in North America transit systems, including operation in harsh weather conditions.
- Total expenditures are estimated to be \$797,975.
- Consistent with Section 1.01(c)(ii)(A) of the Primary Interlocal Agreement between the Metropolitan Public Transportation Authority (MPTA) and the city dated June 22, 2026, the MPTA Executive Committee reviewed this Material Contract Action and did not request further review.

Charlotte Business INclusion

Effective July 1, 2026, Session Law 2026-41 eliminated the authority of North Carolina local governments to use race-conscious and gender-conscious contracting requirements. In compliance with the new law, no MBE/WBE/MWBE/MSBE/WSBE/MWSBE goals or compliance requirements will be included in city contracts. SBE goals are not affected and shall continue to be used in compliance with the CBI program and applicable law.

Small Business Participation

Sole source contracts are exempt from CBI Program goals, as these contracts do not involve a competitive bidding process and do not present opportunities for subcontracting. Sole sourcing was required for this contract because a needed product is available from only one source or supply. This aligns with what is required by NC General Statute Section 143-129(e)(3).

Fiscal Note

Funding: CATS Capital Investment Plan

23. CATS Rail Maintenance of Way On-Call Services Contract Amendment

Action:

Approve contract amendment #1 for \$600,000 to the contract with Modern Railway Systems, Inc. for rail maintenance-of-way on-call services.

Staff Resource(s):

Brent Cagle, CATS

Kelly Goforth, CATS

Explanation

- Rail maintenance-of-way (MOW) on-call services provide 24/7 emergency response, track maintenance, and engineering support to keep rail networks operational and safe.
- On February 1, 2026, following a competitive solicitation process, the city entered into a contract with Modern Railway Systems, Inc. for \$100,000 for rail MOW on-call services.
- Amendment #1 provides additional funding to support the implementation of the Blue Line Axle Counter System project, an upgrade to the signal system that will improve system reliability and reduce delays.
- This project is within the Scope of Services of this contract; however, this project work was unforeseen at the time of the contract award.
- The new estimated value of the contract including this amendment is \$700,000.
- Consistent with Section 1.01(c)(ii)(A) of the Primary Interlocal Agreement between the Metropolitan Public Transportation Authority (MPTA) and the city dated June 22, 2026, the MPTA Executive Committee reviewed this Material Contract Action and did not request further review.

Charlotte Business INclusion

Effective July 1, 2026, Session Law 2026-41 eliminated the authority of North Carolina local governments to use race-conscious and gender-conscious contracting requirements. In compliance with the new law, no MBE/WBE/MWBE/MSBE/WSBE/MWSBE goals or compliance requirements will be included in city contracts. SBE goals are not affected and shall continue to be used in compliance with the CBI program and applicable law.

Small Business Participation

Contract goals were not established for this amendment because the contract's scope of work or goods required does not present viable subcontracting opportunities. Modern Railway Systems, Inc. will be responsible for 100% of the work or goods, and there are no opportunities to include subcontractors. This assessment was confirmed by CBI and the respective department after reviewing the project's scope and potential for division into subcontracting opportunities.

Fiscal Note

Funding: CATS Capital Investment Plan

24. Red Line Preliminary Engineering Agreement

Action:

Authorize the City Manager to negotiate and execute a Preliminary Engineering Agreement with Norfolk Southern in an amount up to \$1,241,406 to support the advancement of the Red Line Commuter Rail Project through design and engineering review.

Staff Resource(s):

Brent Cagle, CATS

Kelly Goforth, CATS

Brian Nadolny, CATS

Explanation

- The CATS Red Line Commuter Rail Project is advancing into the 30 percent design and environmental phase. The project will utilize the O-Line railroad corridor that the city acquired from Norfolk Southern in 2024, which will require continued coordination with Norfolk Southern due to the project's proximity to and interaction with Norfolk Southern's active freight service and main line operations.
- As the Red Line design advances, a formal engineering and technical review process with Norfolk Southern will be critical to ensure that proposed improvements are compatible with Norfolk Southern railroad operations, facilities, and safety requirements.
- The proposed Preliminary Engineering (PE) Agreement will provide a framework for Norfolk Southern to perform engineering, design, and technical review activities associated with the Red Line Project, providing funding for Norfolk Southern to perform the following activities:
 - Review of the existing 15 percent Red Line design: Norfolk Southern will review the project's existing 15 percent design plans and supporting technical information to identify potential conflicts, railroad requirements, operational concerns, and other issues that need to be addressed as the project advances.
 - Engineering and design of improvements affecting Norfolk Southern's main line: Norfolk Southern will perform engineering and design associated with portions of the Red Line Project that directly affects or interfaces with Norfolk Southern's active main line and railroad facilities, as documented in the 2024 Comprehensive Rail Agreement.
 - Review of the 30 percent Red Line design: Once the project's 30 percent design plans are developed, Norfolk Southern will conduct an additional engineering and technical review. This review will allow Norfolk Southern to evaluate the more advanced design and identify remaining conflicts or concerns necessary to advance the project toward final design phases and construction.
- The PE Agreement is intended to provide a coordinated process for Norfolk Southern's engineering involvement as the Red Line design progresses. The \$1,241,406 authorization will allow CATS to reimburse Norfolk Southern for the engineering and technical services required under the Agreement.
- Consistent with Section 1.01(c)(ii)(A) of the Primary Interlocal Agreement between the Metropolitan Public Transportation Authority (MPTA) and the city dated June 22, 2026, the MPTA Executive Committee reviewed this Material Contract Action and did not request further review.

Fiscal Note

Funding: CATS Capital Investment Plan

25. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$51,346.95.

Staff Resource(s):

Matthew Hastedt, Finance

Melissa Westfall, Finance

Explanation

- Mecklenburg County notified and provided the city the list of property tax refunds due to clerical or assessment error.
- Property taxes are refunded when there is a clerical or assessment error and a taxpayer has paid more property taxes than the true assessed value.
 - Appeals on assessed values are routed through Mecklenburg County's resident advisory Board of Equalization and Review (BER). The BER hears appeals from taxpayers and reviews current assessments made by the Tax Assessor to make a determination whether taxes should be refunded.
- The city budgets for appeals annually based on actual appeal amounts from prior fiscal years.

Attachment(s)

Taxpayers and Refunds Requested
Resolution

[List of Taxpayers 26.10.26](#)

[Resolution October 26, 2026](#)

26. Meeting Minutes

Action:

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

- **September 14, 2026, Business Meeting, and**
- **September 21, 2026, Zoning Meeting.**

Staff Resource(s):

Stephanie Kelly, City Clerk

Billie Tynes, Deputy City Clerk

Explanation

- Meeting Minutes can be viewed using the link below:
[Agendas, Past and Present](#)

Attachment(s)

Meeting Minutes

[09.14.2026 Business Meeting](#)

[09.21.2026 - Zoning Meeting](#)

27. Set a Public Hearing on the Harrison United Methodist Church Voluntary Annexation

Action:

Adopt a resolution setting a public hearing for November 23, 2026, for the Harrison United Methodist Church voluntary annexation petition.

Staff Resource(s):

Monica Holmes Planning, Design, and Development
Holly Cramer Planning, Design, and Development
Sheighla Tippet Planning, Design, and Development

Explanation

- The city has received a petition for voluntary annexation of private property.
- Public hearings are required prior to City Council action on annexation requests.
- This property is located within Charlotte's extraterritorial jurisdiction.
- The area proposed for annexation shares a boundary with current city limits.
- Annexation of this area will allow for more orderly development review, extension of city services, capital investments, and future annexation processes.
- The 18.79-acre "Harrison United Methodist Church" site is located along the west side of Lancaster Highway in southern Mecklenburg County.
 - The property is owned by Harrison United Methodist Church.
 - The site is currently occupied by a religious institution.
 - The property is zoned R-3 (single family residential), this area is located outside of Charlotte's Extraterritorial Jurisdiction and maintains County Zoning that mirrors Charlotte's 2021 Legacy Zoning Ordinance.
 - The petitioner intends to maintain the existing church and develop unused portions of the site with 78 multi-family attached units.
 - The development sought requires a rezoning. The petitioner intends to seek a UDO zoning district to accommodate the proposal. UDO zoning districts may only be requested for sites within Charlotte City Limits or Extraterritorial Jurisdiction, necessitating annexation of this site prior to rezoning.
 - The property is located immediately adjacent to Council District 7.
 - The petitioned area consists of one parcel: parcel identification number 223-591-65.

Consistency with City Council Policies

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

Attachment(s)

Map
Resolution

[Map - Harrison United Methodist Church Annexation](#)

[Resolution - Harrison United Methodist Church Annexation](#)

CONSENT - PROPERTY TRANSACTIONS**28. Property Transactions - Southpark Loop (Cameron Valley Parkway), Parcel # 1**

Action: Approve the following condemnation: Southpark Loop (Cameron Valley Parkway), Parcel # 1

Project: Southpark Loop (Cameron Valley Parkway)

Owner(s): HRLP Morrocroft, L.P.

Property Address: 6805 Carnegie Boulevard

Total Parcel Area: 328,310 sq. ft. (7.537 ac.)

Property to be acquired by Easements: 1,078 sq. ft. (0.025 ac.) in sidewalk easement and 837 sq. ft. (0.019 ac.) in temporary construction easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Tree and various plants

Zoned: MUDD-O

Use: Mixed Use Development District - Optional

Parcel Identification Number(s): 183-175-02

Appraised Value: \$68,350

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

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

Recommendation: The recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 6

Attachment(s): Map

[Map - Southpark Loop \(Cameron Valley Pkwy\), Parcel #1](#)

29. Property Transactions - Southpark Loop (Cameron Valley Parkway), Parcel # 2

Action: Approve the following condemnation: Southpark Loop (Cameron Valley Parkway), Parcel # 2

Project: Southpark Loop (Cameron Valley Parkway)

Owner(s): Lawrence H. Meuers and Nancy C. Meuers

Property Address: 4203 Cameron Oaks Drive

Total Parcel Area: 33,961 sq. ft. (0.780 ac.)

Property to be acquired by Easements: 129 sq. ft. (0.003 ac.) in sidewalk utility easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: None

Zoned: R-15 PUD

Use: Residential, Single Family - Planned Unit Development

Parcel Identification Number(s): 183-171-45

Appraised Value: \$3,200

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

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

Recommendation: The recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 6

Attachment(s): Map

[Map - Southpark Loop \(Cameron Valley Pkwy\), Parcel #2](#)

30. Property Transactions - Southpark Loop (Cameron Valley Parkway), Parcel # 3

Action: Approve the following condemnation: Southpark Loop (Cameron Valley Parkway), Parcel # 3

Project: Southpark Loop (Cameron Valley Parkway)

Owner(s): 6826 Morrison Blvd., LLC; TKC CCXVI, LLC; Golden Triangle #6 - Avery, LLC; Queens Barrister II, LLC; and HCC Limited Partnership

Property Address: 2620 Coltsgate Road

Total Parcel Area: 324,644 sq. ft. (7.453 ac.)

Property to be acquired by Easements: 161 sq. ft. (0.004 ac.) in sidewalk utility easement and 1,736 sq. ft. (0.040 ac.) in temporary construction easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Various landscaping

Zoned: O-15(CD)

Use: Office District (Conditional Zoning)

Parcel Identification Number(s): 183-177-04

Appraised Value: \$84,225

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

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

Recommendation: The recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 6

Attachment(s): Map

[Map - Southpark Loop \(Cameron Valley Pkwy\), Parcel #3](#)

31. Property Transactions - Southpark Loop (Cameron Valley Parkway), Parcel # 4

Action: Approve the following condemnation: Southpark Loop (Cameron Valley Parkway), Parcel # 4

Project: Southpark Loop (Cameron Valley Parkway)

Owner(s): Golden Triangle #11 - Morrison BS, LLC

Property Address: 6816 Carnegie Boulevard

Total Parcel Area: 47,373 sq. ft. (1.088 ac.)

Property to be acquired by Easements: 588 sq. ft. (0.013 ac.) in sidewalk utility easement and 3,138 sq. ft. (0.072 ac.) in temporary construction easement

Structures/Improvements to be impacted: None

Landscaping to be impacted: Various landscaping

Zoned: O-15(CD)

Use: Office district (conditional zoning)

Parcel Identification Number(s): 183-177-05

Appraised Value: \$150,300

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

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

Recommendation: The recommendation is to proceed to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.

Council District: 6

Attachment(s): Map

[Map - Southpark Loop \(Cameron Valley Pkwy\), Parcel #4](#)

Adjournment

REFERENCES

32. Reference - Property Acquisitions and Condemnations

- The city has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- Real Estate staff diligently attempts to contact all property owners by:
 - Sending introductory letters via regular and certified mail,
 - Making several site visits,
 - Leaving door hangers and business cards,
 - Seeking information from neighbors,
 - Searching the internet,
 - Obtaining title abstracts, and
 - Leaving voice messages.
- For most condemnation cases, the city and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If the City Council approves the resolutions, the City Attorney's office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to a trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.
- The definition of easement is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or "in gross," such as public utility easement.
- The term "fee simple" is a synonym for ownership and is an estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited.

33. Reference - Property Transaction Process

Property Transaction Process Following City Council Approval for Condemnation

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

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

- If a settlement is reached, the condemnation process is stopped, and the property transaction proceeds to a real estate closing.
- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the City's legal representative. Filing of the condemnation documents allows:
 - The City to gain access and title to the subject property so the capital project can proceed on schedule.
 - The City to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.
- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The City's condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
 - North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.