

**Mavor Patrick L. McCrory      Mavor Pro Tem Susan Burgess**

Michael Barnes  
Nancy Carter  
Andy Dulin  
Anthony Foxx  
Patsy Kinsey

John W. Lassiter  
Don Lochman  
James Mitchell, Jr.  
Patrick Mumford  
Warren F. Turner

# CITY COUNCIL MEETING

Monday, April 9, 2007

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

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# CITY COUNCIL AGENDA

Monday, April 9, 2006  
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## **5:00 P.M. DINNER BRIEFING CONFERENCE CENTER**

### **1. Pedestrian Wayfinding Policy Implementation**

**Resource:** Jim Kimbler, Transportation

**Time:** 20 minutes

#### **Synopsis**

- Charlotte City Council adopted the Center City Transportation Plan on April 24, 2006, including a Pedestrian Circulation & Walkability policy recommendation to implement the Pedestrian Wayfinding System.
- The Pedestrian Wayfinding System for Uptown Charlotte was designed based on extensive review by uptown leaders and stakeholders, hospitality industry representative, Charlotte Center City Partners (CCCP) and City staff.
- Locations for installing the pedestrian wayfinding signs have been identified through a coordinated effort with CCCP, City staff, and the Charlotte Area Transit System (CATS). Wayfinding signs replace existing guide signs.
- The production and installation of those signs needs to occur before the opening of the Blue Line light rail transit in the fall of 2007.
- Future phases will include Uptown Phase II, which includes the balance of Uptown and historic information. Staff will also continue to work with stakeholders to implement the Parking Collaborative and the associated Parking and Vehicular Wayfinding System. Staff will present an update to City Council at a future date.

#### **Future Action**

- Contract award will be on the May 14, 2007 City Council Business Agenda.

### **2. Double Oaks Redevelopment Opportunity**

**Resources:** Pat Garrett, Housing Partnership

**Time:** 30 minutes

#### **Synopsis**

- In 2001, the Charlotte City Council adopted the Statesville Road Corridor Plan. This plan called for the comprehensive revitalization of the Statesville Road corridor and neighborhoods along the corridor between Graham Street/Statesville Road intersection and Interstate 85.
- Since the Plan's completion, the Housing Partnership, along with the City and other partners, has been engaged in comprehensive revitalization activities. Notable activities include completion of housing in the Park at Oaklawn HOPE VI development, reclamation of Kohler Avenue, construction of two

senior housing projects, and revitalization work in the Druid Hills neighborhood.

- Prior to the adoption of the plan, the Housing Partnership had done extensive revitalization work along the corridor, in both the Greenville and Genesis Park communities.
- The Housing Partnership has an opportunity to purchase the Double Oaks Apartments from the current owner, which will address a major impediment to revitalization efforts along the corridor.
- The 60 acre tract located on the west side of Statesville Road between Badger Road and LaSalle Street currently has 576 units in 165 barracks style buildings. Only two-thirds of the units are currently occupied.
- Preliminary development plans call for development of a 1,000 unit housing development, with 700 market rate units and 300 affordable units, along with a retail center, and park and recreation amenities, estimated to total over \$120 million.
- The Housing Partnership is projecting a need for \$20 million in gap financing. Initially, \$15 million is needed to help pay for acquisition, pre-development, relocation, demolition, new infrastructure, and development fees. An additional \$5 million is needed over multiple years to pay for affordable housing development.
- The Housing Partnership requests permission to work with City staff to develop a financing plan for the development, which may include use of CDBG Section 108 Loan, synthetic tax increment financing, infrastructure financing, housing trust fund and other available financing.

#### **Action Requested**

- If Council concurs, City staff will work with the Housing Partnership to provide a feasibility report to the City Council within the next 30 days.

#### **Attachment 1**

Description and Map of Existing Double Oaks Development  
Overview of the Housing Partnership

### **3. Redistricting Plan**

**Committee Chair:** Susan Burgess

**Resource:** Mike Boyd, City Attorney's Office

#### **Synopsis**

- Council will review the two redistricting plans considered by the Redistricting Committee. Committee members are Susan Burgess, Chair; Foxx, Lassiter and Mumford.

**Future Action**

- A redistricting plan must be approved at the latest prior to the beginning of the filing period for candidates for Mayor and Council which is July 6, 2007. This item is item 8, page 8 of this agenda.

**Attachment 2**

Resolution Revising Boundaries of Council Electoral Districts  
Redistricting Plan A Map and associated statistics  
Redistricting Plan B Map and associated statistics  
Briefing Paper on Redistricting  
Factors That May Be Considered in Redistricting

**4. Scaleybark Redevelopment Project Update**

**Resource:** Tom Flynn, Economic Development

**Time:** 20 minutes

Discussions were still underway at the print time of this document. If possible, staff will provide Council information prior to this dinner presentation.

**7:00 P.M. AWARDS AND RECOGNITIONS  
MEETING CHAMBER**

**CONSENT**

- 5. Consent agenda items 14 through 27 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk before the meeting.**

## PUBLIC HEARING

### 6. Public Hearing on Proposed Revisions to the Floodplain Regulations



**Action:** Hold a public hearing on the proposed Floodplain Regulations revisions.

**Committee Chair:** Anthony Foxx

**Staff Resource:** Tim Richards, Engineering & Property Management  
Dave Canaan, County Storm Water

#### Explanation

- The current ordinance, adopted in 2003, requires revisions to:
  - Reflect new Federal Emergency Management Agency (FEMA) requirements
  - Document general administrative improvements
  - Change some local standards
  - Introduce new levee requirements
- City Council held a public hearing on the proposed revisions in July 2006. The Floodplain Regulations revisions were referred to the Environment Committee for review and recommendation.

#### Committee Action

- The Environment Committee discussed the proposed revisions during five meetings between September 2006 and January 2007. In addition, the Committee held a special meeting with representatives of the Chantilly neighborhood to discuss their specific concerns.
- On January 16<sup>th</sup>, the Committee unanimously approved all the changes recommended by the staff and Storm Water Advisory Committee except provisions related to Substantial Improvement and definition of New Construction.

#### Substantial Improvement

- Substantial Improvement rules determine when an existing structure is required to be raised to FEMA (current development conditions) or Community Base Flood Elevation (future build-out conditions) requirements.
- Staff recommended no exemptions in the substantial improvement rules because of the current floodplain management goal of reducing the potential loss of life and property due to flooding. The exemption also leads to some inconsistency in applying the rules to new construction vs. renovations.
- The Committee approved an exemption option for substantial improvement that means buildings with their lowest finished floor above FEMA Base Flood Elevation +1 foot, but below Community Flood Elevation +1 foot, will not be required to elevate the lowest floor above the Community Base Flood Elevation when they are substantially improved.

- The Committee is recommending the exemption to allow property owners, who are considering substantial improvements to their property, the ability to realize immediate cost savings. It provides short-term marketability of the properties and will allow larger improvements, possibly increasing the value of the property.

#### New Construction

- The Committee expanded the definition of New Construction to also mean: Construction of a replacement structure after total demolition; or renovation of an existing structure that affects two external walls and has a total cost over 50% of the building's value. This definition is important in determining if a building is a Substantial Improvement or actually New Construction in the Floodplain Ordinance.
- Staff originally recommended definition of New Construction was less detailed than the Committee recommendation; however, staff supports the new definition when using it to describe the difference between renovations and new construction.

#### Other

- The Committee added provisions related to notification of current and future owners of floodplain property, and a request to the Mecklenburg Board of County Commissioners to support the development, funding and implementation of a Floodplain Remapping program.
- Members of the committee are: Anthony Foxx (Chair), Susan Burgess, Nancy Carter, Don Lochman and Pat Mumford.
- On March 5, 2007, staff presented the proposed revisions to the City Council, which decided to proceed with the public hearing/adoption process.

#### **Background**

- The Floodplain Regulations were first adopted by the City in 1971 and are required to participate in the federal flood insurance program.
- The current ordinance was approved by the City Council in 2003.
- The Floodplain Regulations are administered by Mecklenburg County in connection with the County's responsibility for maintenance of the major streams.
- The Storm Water Advisory Committee (SWAC) evaluated these issues through a dedicated sub-committee and involved outside development and environmental interests. SWAC discussed the proposed revisions during five meetings between September 2006 and January 2007. In addition, SWAC held a special meeting with representatives of the Chantilly neighborhood to discuss their specific concerns.
- A special SWAC sub-committee involving outside parties interested in levees met to assist in developing the levee language.
- A guidance document was used to assist applicants in the Floodplain permitting process is being developed.
- The revised Floodplain Regulations will go into effect July 1, 2007.

**Future Action**

- Council will be asked to adopt the revised Floodplain Regulations on April 23, 2007.

**Attachment 3**

Summary of Proposed Revisions  
Proposed Floodplain Regulations revisions  
March 5, 2007 Workshop Presentation

## POLICY

### 7. City Manager's Report

- Transit Monthly Report for March 2007  
**Attachment 4**
- South Corridor Chronology of Cost Estimates  
**Attachment 5**
- Update on Half-cent Sales Tax for Transit

### 8. Redistricting Plan

**Action: Consider a resolution to approve Redistricting Plan A or B.**

**Committee Chair:** Susan Burgess

**Staff Resource:** Mike Boyd, City Attorney's Office

#### Explanation

- As a result of voluntary annexations approved since 2005 and the involuntary annexations that will take effect on June 30, 2007, the City Council district boundaries must be revised to include the annexations. The annexations increased the population of the City and the affected districts.
- Under applicable law, the populations of the districts cannot vary by more than 5% from the average district population.
- Relevant population information is as follows:
  - 683,368 - Total estimated City population, including annexation and in-fill development
  - 97,624 - Average district population
  - 102,505 - Maximum district population
  - 92,743 - Minimum district population
- District 2 is too large with an estimated population of 103,218 and District 6 is too small with an estimated population of 92,123. The remaining districts have estimated populations within the legally, accepted range.
- Plans A and B are “least change” plans that seek only to reduce the estimated population of District 2 and increase the estimated population in District 6. Plan A moves precinct 13 from District 2 to District 1 and precinct 8 from District 1 to District 6. Plan B moves precinct 40 from District 1 to District 3 and precinct 98 from District 3 to District 6.
- At its meeting of March 22, 2007, the Redistricting Committee could not agree on a redistricting plan to send so they voted to send Redistricting Plans A and B to Council for its consideration.
- Council Members Lassiter and Mumford voted for Plan A. Council Members Burgess and Foxx voted for Plan B.
- Plans A and B are the only plans that were submitted to the Committee.

- A redistricting plan must be approved prior to the beginning of the filing period for candidates for Mayor and Council which is July 6, 2007.

**Attachment 2**

Resolution Revising Boundaries of Council Electoral Districts

Redistricting Plan A Map and associated statistics

Redistricting Plan B Map and associated statistics

Briefing Paper on Redistricting

Factors That May Be Considered in Redistricting

## BUSINESS

### 9. South Corridor Light Rail Project Betterment Change Order

**Action:** Authorize the City Manager to execute a contract change order with Archer Western Contractors to increase the contract amount for the Roadbed/Bridges/Track work contract for installation of trench fill material at the Charlotte Convention Center at a not-to-exceed cost of \$1,049,496.

**Staff Resources:** Ron Tober, Charlotte Area Transit System  
Jeb Blackwell, Engineering and Property Management

#### Explanation

- The City is constructing infrastructure improvements that complement the South Corridor Light Rail Project but are not funded within the project budget.
- This improvement includes up-fitting the facility to allow the passage of the light rail vehicles through the Convention Center.
- This improvement is separate from and is funded outside of the \$462.7 million Estimate at Completion for the South Corridor Light Rail Project that was determined with Federal Transit Administration in September 2006.
- Additional information concerning this betterment, including funding information, is provided below.
  - Charlotte Convention Center Modifications Phase 2
    - The Charlotte Convention Center Modifications Phase 2 Project managed by Engineering & Property Management, includes up-fitting the facility to allow for the passage of light rail vehicles.
    - Within the project's allocated budget, funding was reserved for the trench fill material necessary for the operation of Light Rail Transit (LRT) vehicles through the facility.
    - Staff determined that Archer Western should provide the work based on efficiency and schedule management.
    - This is new work and it will not impact the South Corridor's overall project schedule.
    - The money reserved for this work is unencumbered in the Transit Capital Budget.
    - Provides funding for the additional construction of trench fill material at the Charlotte Convention Center in the amount not to exceed \$1,049,496.

#### Disadvantaged Business Enterprise Opportunity

Established DBE Goal: 20%

Committed DBE Goal: 20%

This is an amendment to the original contract awarded by Council dated February 21, 2005. The DBE identified was: The Artis Group, Inc.

**Funding**

Transportation and Economic Development Capital Investment Plan

**10. Nominations/Reappointments to Boards and Commissions****Action: Nominate or reappoint citizens to serve as specified.****A. BUSINESS ADVISORY COMMITTEE**

- Two appointments for three-year terms beginning April 29, 2007.
  - Karen Henning, recommended by the Chamber, is eligible and wants to be reappointed.
  - Raymond Groth is also eligible, but does not want to be reappointed (no category).

**Attachment 6**

Applications

**B. BUSINESS EXPANSION FUNDING CORP**

- One appointment for a three-year term beginning May 1, 2007.
  - Joe Mynatt is eligible and does want to be reappointed.

**Attachment 7**

Applications

**C. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION**

- Three, three-year appointments beginning July 1, 2007.
  - Sue Korenstein and Kevin Wardlaw are eligible to be reappointed.
  - Shaun Kruse is eligible, but does not want to be reappointed.

**Attachment 8**

Applications

**D. CITIZENS' TRANSIT ADVISORY COMMITTEE**

- One appointment for a two-year term beginning July 1, 2007.
  - Christopher Edwards is eligible and wants to be reappointed.

**Attachment 9**

Applications

**E. CIVIL SERVICE BOARD**

- One, three-year appointment beginning May 16, 2007.
  - T. Michael Todd is eligible for reappointment and wants to serve another term.

**Attachment 10**

Applications

**F. COMMUNITY RELATIONS COMMITTEE**

- Eleven appointments for three-year terms beginning July 1, 2007.
  - Victoria Carter, Maura Chavez, Judy T. Marshall, Kimberly Munn, Keith Proctor, Louise Shackelford, Marty Viser and Deborah Walker are all eligible to be reappointed.
  - Connie Vetter is eligible but does not want to be reappointed.
  - Kevin Campbell and Wendell Fant are not eligible for reappointment.

**Attachment 11**

Applications

**G. HISTORIC DISTRICT COMMISSION**

- Five appointments for three-year terms beginning July 1, 2007.
  - Amy Clark, Jonathan Crotty, John Phares, Damon Rumsch and William Sheffield are all eligible and want to be reappointed.

**Attachment 12**

Applications

**H. HISTORIC LANDMARKS COMMISSION**

- One appointment for an unexpired term beginning immediately and ending July 16, 2008. Valerie Lewis has resigned effective March 1, 2007.

**Attachment 13**

Applications

**I. HOUSING TRUST FUND ADVISORY BOARD**

- Two, three-year appointments beginning May 1, 2007. Neither of the following is eligible for reappointment.
  - Brian Simpson in the Banking/Finance Category
  - Patrick Neely in the Legal Category

**Attachment 14**

Applications

**J. KEEP CHARLOTTE BEAUTIFUL**

- Two appointments for three-year terms beginning July 1, 2007.
  - James McCoy is eligible and wants to be reappointed.
  - Katina Stavrakas is not eligible for reappointment.
- One appointment for an unexpired term ending June 30, 2008.
  - Glenn Dellinger has resigned.

**Attachment 15**

Applications

**K. NEIGHBORHOOD MATCHING GRANTS FUND**

- Two appointments for two-year terms beginning April 16, 2007.
  - Ruth McCann is eligible for reappointment
  - Tara Beverly is not eligible for reappointment.
- One appointment for an unexpired term ending April 15, 2008.
  - Robert B. Settle has moved out of Mecklenburg County.

**Attachment 16**

Applications

**L. PAROLE ACCOUNTABILITY COMMITTEE**

- Two, three-year appointments beginning June 2, 2007.
  - Norris Anderson and Betty Lambert are not eligible for reappointment.

**Attachment 17**

Applications

**M. PLANNING COMMISSION**

- Appointments for two, three-year terms beginning July 1, 2007.
  - Yolanda Johnson is eligible and wants to be reappointed.
  - Warren Cooksey is not eligible.

**Attachment 18**

Applications

**N. STORM WATER SERVICES ADVISORY COMMITTEE**

- One appointment for a three-year term beginning April 2, 2007.
  - Donald Jones is eligible and does not want to be reappointed.

**Attachment 19**

Applications

**O. TREE ADVISORY COMMITTEE**

- Two positions for unexpired terms beginning immediately.
  - Term ending December 13, 2007 and the next full term. Jimmy Cortez, Jr. has missed three consecutive regular meetings of the Committee.
  - Term ending December 13, 2009. Roy Heizer has missed four consecutive regular meetings.

**Attachment 20**

Applications

**P. WASTE MANAGEMENT ADVISORY COMMITTEE**

- One recommendation to the County Commission for a three-year term beginning May 19, 2007.
  - Gregory Scharlemann is eligible for reappointment.

**Attachment 21**  
Application

**11. Mayor and Council Topics**

Council members may share information and raise topics for discussion.

## Introduction to CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget, are low bid and comply with Small Business Opportunity Program Policy.

Consent II consists of routine items that have also been approved in the budget, but require additional explanation.

The City's Small Business Opportunity (SBO) Program's purpose is to enhance competition and opportunity in City contracting with small businesses in the Charlotte metropolitan statistical area. Participation of small business enterprises (SBE) is noted where applicable. Contracts recommended for award as of March 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization. Professional service contracts recommended for award as of August 1, 2003 comply with the provisions of the SBO program policy for SBE outreach and utilization.

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit.

Contractors and Consultants

All contractor and consultant selections follow the Council approved process unless described otherwise.

## CONSENT I

### 12. Various Bids

#### A. Resurfacing FY2007A

CDOT

**Resource:** Layton Lamb

**Action**

Award the low bid of \$5,962,490 by Blythe Construction, Inc. of Charlotte, North Carolina. The work consists of resurfacing approximately 68 miles of city streets and includes traffic control; pavement milling; resurfacing; manhole and water valve adjustments; wheelchair ramps and pavement markings. This is the first of two resurfacing contracts for FY2007. Construction completion for the FY2007A resurfacing contract is estimated for November 2007.

Attached is the list of streets to be resurfaced. This list and the list for the 2<sup>nd</sup> resurfacing contract may also be viewed at <http://www.charmeck.org/Departments/Transportation/Street+Maintenance/Home.htm>. The second resurfacing contract was bid March 27, 2007 and is scheduled for award on April 23, 2007.

**Small Business Opportunity**

Established SBE Goal: 7%

Committed SBE Goal: 11.25%

Blythe Construction exceeded the SBE established goal and committed 11.25% (\$670,830) to the following SBE firms: ACS Pavement Marking, Inc., All Points Trucking, Inc. and Paving Solutions.

**Attachment 22**

List of Streets to be resurfaced

**B. Storm Water Bio-Engineering****EPM****Resource:** Jarrod Karl**Action**

Award the low bid of \$214,500 by Carolina Wetland Services, Inc. of Charlotte, North Carolina. This contract provides comprehensive planting services for water quality improvement projects constructed by Storm Water Services. The work will involve the installation of vegetation in stream banks, stream buffers and wetlands. Vegetated stream banks and wetlands are essential for erosion prevention, water quality improvement and generation of mitigation credit. The total contract amount was based on spend rates for similar projects over the past five years. Construction completion is scheduled for second quarter of 2009.

**Small Business Opportunity**

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract because subcontracting is not anticipated. Carolina Wetland Services, Incorporated is a certified small business enterprise.

**13. Refund of Property Taxes**

**Action: Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$1,514.71**

**Staff Resource:** Teresa Smith, Finance**Attachment 23**

Resolution

List of property tax refunds

## CONSENT II

### 14. I-277/Independence Boulevard Intersection Improvements

- Action:**
- A. Adopt a budget ordinance appropriating \$130,000 in developer contributions to the I-277/Independence Intersection Improvement projection Project Fund, and**
  - B. Approve Change Order #3 with Blythe Development Company in the amount of \$303,373.50.**

**Staff Resources:** Bette Frederick, Engineering & Property Management

#### Explanation

- As part of the Midtown Square redevelopment project, City Council appropriated \$6.9 million for:
  - Engineering and construction for replacement of the Independence Boulevard bridge over Little Sugar Creek
  - Improvements to the Kings Drive/Independence intersection
  - Pedestrian and automobile connectivity by realigning the I-277 ramps as well as pedestrian improvements along Stonewall Street
- Previous awarded contracts include engineering design services, and construction contracts for the above work.
- Blythe Development was awarded the construction contract for Phase I of the project which consisted of the bridge construction, ramp realignment of I-277 and pedestrian, bike and automobile connectivity along Stonewall and Kenilworth.

#### Budget Ordinance

- Infrastructure improvements in the vicinity of the Metropolitan (Midtown Square) include enhancements to the intersection of the Kings Drive/Independence Boulevard intersection. The intersection design includes better accessibility to the new Bank of America branch at that location, and the bank agreed to contribute \$90,000 to the cost of the work. An agreement between the City of Charlotte and Bank of America was executed by the City Manager.
- As part of coordinating the infrastructure improvements to Independence Boulevard, the City made storm drainage and water line improvements on behalf of Pappas Properties. Pappas is contributing \$40,000 for this work.
- The two contributions total \$130,000.

#### Change Order #3

- Change Order #3 is not related to the work funded by the budget ordinance, which appropriates developer contributions. The change order is part of the project implementation.

- Change Order #3 primarily provides for an electrical duct bank for decorative and overhead lighting on the project. The duct bank was not included in the plans, but was determined by Duke Power to be a requirement of their service. With the above reimbursements, funds are available in the project budget, utilizing the project contingency. The total contract amount with the change order is \$5,390,641.16. Construction completion is scheduled for 2<sup>nd</sup> quarter 2007.

#### **Change Order History**

- Change Order #1 for \$418,166.20 for the sewer line relocation under the Independence bridge was approved on July 24, 2006. The plans were designed to build the bridge over the sewer line but due to the age of the line, it was decided to replace the line while the bridge was under construction. Change Order #2, approved on January 31, 2007, was for \$93,286. This change order was for additional Duke Power work for street lighting along Stonewall Street for the Streetscape work.

#### **Small Business Opportunity**

All additional work involved in this change order will be performed by the prime contractor, Blythe Development Company, and their existing subcontractors. Blythe committed \$10,000 (3.3%) of the change order amount to D's Trucking Service, Inc. For this project, Blythe Development has made a total commitment to SBE firms of 16.74%. This change order complies with Section 10.3 of the SBO Program Policy

#### **Funding**

Economic Development Capital Investment Plan and Developer Contributions

#### **Attachment 24**

Budget Ordinance

## **15. Professional Services Agreement with ANT Info Systems**

**Action:** Approve a nine-month contract with ANT Info Systems totaling \$150,150 for professional technical services related to the upgrade of the field service order component of the Utility Billing and Management System, Advantage 4.0 system.

**Staff Resources:** Phillip Borneman, Business Support Services

#### **Explanation**

- There is a current project to upgrade Utility Billing and Management System to the new Advantage 4.0 system. The project is scheduled to be completed in December 2007.
- A major part of the Utility Billing and Management System upgrade project involves upgrading the field service component of the system. This is in the

original scope of the project. This service component provides technicians the ability to process water service orders in the field. Water Service technicians in the field currently receive and update orders such as delinquent turn-on and turn-off. This upgrade will allow other service orders to be added, such as move-in and move-out.

- The full time Technical Team Leader for the Utility Billing and Management System was called up for military service, and remains on military leave from the City. A project such as this would normally fall under the direction of the full time Team Leader.
- ANT Info Systems specializes in leading and managing technical upgrade and implementation projects. ANT Info Systems has experience with the City's Utility Billing and Management System having served as the Technical Project Leader for the initial implementation, and for a period of time following that, as a technical lead and resource for operational support.
- The \$150,150 in expense can be covered within the existing project budget as a result of cost savings from reduction of customizations and software vendor services, as well as lower hardware expenses.

#### **Small Business Opportunity**

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was established because no subcontracting is anticipated.

#### **Funding**

Water and Sewer Operating Budget

## **16. FY07 Contract #2, Water and Sanitary Sewer Service Installations**

- Action:**
- A. Award the low bid of \$2,026,370.50 by B.R.S., Inc., Richfield, North Carolina for installation of domestic water and sanitary sewer services throughout Mecklenburg County; and**
  - B. Adopt a budget ordinance appropriating \$2,026,371 from the water and sewer capacity and connection fee revenues.**

**Staff Resource:** Barry Gullet, Charlotte-Mecklenburg Utilities

#### **Explanation**

- This contract provides for installation of domestic water and sewer services (taps), to new customers, throughout Mecklenburg County.
- Due to the higher than projected volume of service installations, Utilities is issuing a second contract for installation of water and sewer taps.

#### **Budget Ordinance**

- In FY07, \$6 million was appropriated for water and sewer installations.

- During calendar year 2006, Utilities installed 607 more taps than during calendar year 2005. Requests for service installations during the first 3 months of 2007 are up 18% compared to the same period in 2006.
- Additional monies needed for the balance of FY07 and FY08.
- Capacity fee and connection fee revenues will exceed expectations during FY07 & FY08.

### **Small Business Opportunity**

Established SBE Goal: 3%

Committed SBE Goal: 0%

B.R.S. failed to meet the goal, but exceeded the minimum number of Good Faith Effort points and met the mandatory outreach requirements.

### **Funding**

Water and Sewer Capital Investment Plan

### **Attachment 25**

Budget Ordinance

## **17. Utility Construction Inspection Services Contract**

**Action: Approve a construction inspection services contract with Capstone Civil Group of Charlotte, North Carolina in an amount not to exceed \$360,000.**

**Staff Resource:** Barry Gullet, Utilities

### **Explanation**

- This contract supplements Utilities' staff inspectors by providing construction inspection services for:
  - fire hydrant and valve repair projects throughout Mecklenburg County
  - water main replacement/rehabilitation projects associated with Neighborhood Improvement Projects
- Capstone Civil Group will be responsible for inspecting a minimum of 12 Neighborhood Improvement Projects over the next year. Capstone will also inspect over 100 fire hydrant and valve repair sites.
- Current number of construction projects exceeds Utilities' ability to inspect with existing staff. Last year several informal contracts totaling \$300,000 were used to keep up with the workload. This contract consolidates the various informal contracts into one, for a term of one-year.
- Contract will ensure the work that staff cannot accomplish can be done on a timely basis and cost-effectively. Capstone will be paid on an hourly-basis.
- Capstone Civil Group was selected using the Council approved qualifications-based selection process.

**Small Business Opportunity**

Pursuant to Section 5 of the SBO Program, no SBO utilization goal was set for this contract, because subcontracting is not anticipated. Capstone Civil Group is a certified SBE firm.

**Funding**

Water and Sewer Capital Investment Plan

**18. Water Main Replacement Contract #2, Renewal #1**

- Action:**
- A. Approve the first renewal of FY06 Water Main Replacement Construction Contract #2, with Propst Construction Company in the amount of \$1,597,386.75, and**
  - B. Adopt a budget ordinance appropriating \$ 1,597,387 from water and sewer revenue bonds.**

**Staff Resource:** Barry Gullet, Charlotte-Mecklenburg Utilities

**Explanation**

- The original contract was awarded by City Council on May 22, 2006, in the not to exceed amount of \$1,558,426.10.
- The contract allows for three, one-year renewals.
- The contract provides for the replacement of aging water mains throughout Mecklenburg County that have reached the end of their service life. These replacements maintain service reliability, water quality and reduce maintenance costs.
- The budget ordinance is needed to fund the on-going water main replacement program. The current contract with Propst has been completed ahead of schedule and thus additional funding is needed prior to July 1, 2007.

**Small Business Opportunity**

Established SBE Goal: 8%

Committed SBE Goal: 8.10%

Propst Construction committed \$129,388 to the following SBE firms: On Time Construction, Inc., Miller Plumbing Contractor, Inc., Union Paving Contractors, Inc., and Reliable Woodworks, Inc.

**Funding**

Water Capital Investment Plan

**Attachment 26**

Budget Ordinance

## 19. Seat Belt Convincer Grant

**Action:**   **A. Adopt a resolution authorizing the Charlotte-Mecklenburg Police Department to apply for grant funds from the Governor’s Highway Safety Program to purchase a seat belt convincer, and**

**B. Adopt an ordinance appropriating \$14,700 in grant funds.**

**Staff Resource:**       Captain David Haggist, Charlotte-Mecklenburg Police

### Explanation

- The Police Department’s Highway Interdiction Traffic Safety (HITS) Unit wants to purchase a seat belt convincer for use in its educational programs.
- The convincer is a device that simulates a crash and demonstrates how seat belts can protect motor vehicle occupants.
- The convincer is a vehicle seat mounted to a sled like device that, when released, delivers an impact equal to that of a five mile collision.
- The convincer will be used during educational programs presented by the HITS Unit in a variety of venues.

### Funding

Governor’s Highway Safety Program; no matching funds required

### Attachment 27

Resolution

Budget Ordinance

## 20. Assets Forfeiture Appropriation

**Action:**   **Adopt an ordinance, appropriating \$722,397 in police assets forfeiture funds to purchase various equipment and services.**

**Staff Resource:**       Greg Crystal, Charlotte-Mecklenburg Police

### Explanation

- Federal law allows law enforcement agencies to use their share of seized assets for law enforcement related expenditures that are not included in the agency’s annual budget.
- This ordinance appropriates \$722,397 from assets forfeiture accounts.
- The funds will be used for:
  - equipment and training for investigative personnel
  - auto theft “bait cars”
  - refurbishing of shotguns
  - tasers
  - other police related expenses
- A detailed spending plan is attached.

**Funding**

Assets forfeiture

**Attachment 28**

March 2007 Assets Forfeiture Expenditures

Budget Ordinance

**21. Public Safety Radio Equipment Shelter**

- Action:**
- A. Approve the purchase of a prefabricated equipment shelter to house public safety radio equipment without competitive bidding, as authorized by the cooperative purchasing exemption of G.S. 143-129(e)(3), and**
  - B. Approve a contract with GTSI for the purchase of a prefabricated equipment shelter in the amount of \$304,095.**

**Staff Resource:** Susan Johnson, Business Support Services**Explanation**

- On February 26, 2007 City Council approved a contract with Motorola Inc. to purchase equipment for the upgrade of the Public Safety Radio System. At that time permission to use homeland security grant funds for the shelter was pending.
- This contract purchases a specialized equipment shelter, 24' X 24', to house the previously approved radio equipment for the Midland site to provide coverage in eastern Mecklenburg County. The shelter is pre-wired and specially grounded to ensure the protection of the approximately \$2.4 million of electronic equipment to be installed.
- This is a prefabricated shelter. The price includes all electrical wiring, heating and cooling and installation of the shelter.

**Cooperative Purchasing Exemption**

- GTSI has a national contract through US Communities Cooperative Purchasing Alliance that guarantees their prices to be the lowest offered to a Government Entity. The GTSI contract was competitively bid and awarded by Fairfax County, Virginia on July 26, 2006.
- NC Senate Bill 914, effective January 1, 2002, authorizes the exception to competitive bidding for competitive group purchasing.
- GTSI is the federal government's leading supplier for public safety and homeland security products and focuses exclusively on government agency customers worldwide.

**Small Business Opportunity**

Pursuant to Section 2.21 of the Program policy regarding purchases without competitive bidding, this contract is exempt from the Small Business Opportunity Program.

**Funding**

US Department of Homeland Security and US Department of Justice Community Oriented Policing Grant

**22. Public Safety Microwave Equipment Upgrade**

- Action:**
- A. Approve the purchase of public safety microwave equipment without competitive bidding, as authorized by the sole source purchasing exemption of G.S. 143-129(e)(6), and**
  - B. Approve a contract with Motorola, Inc. in the amount of \$446,369 for the purchase of microwave equipment for Police Headquarters.**

**Staff Resource:** Susan Johnson, Business Support Services

**Sole Source Purchasing Exception**

- G.S. 143-129 (f) 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 because compatibility and standardization with existing infrastructure are the overriding considerations. This is the standard equipment utilized in this radio network and is the only equipment staff has received training and certification to support.
- Purchases made under the sole source exception require City Council approval.

**Explanation**

- Microwave radio technology transmits voice and data.
- The CMPD Headquarters microwave equipment is no longer supported by the manufacturer and repair parts are not available should it fail.
- The replacement microwave will be used to connect the Police and Fire Dispatch Centers to the Public Safety Radio Network.
- Due to the high availability requirements placed on the radio network, particularly this segment of the network, this is the preferred method of providing connectivity.
- This microwave will also support the connection of the Police Command and Control Center to the regional interoperability network.

**Small Business Opportunity**

Pursuant to Section 2.21 of the Program policy regarding purchases without competitive bidding, this contract is exempt from the Small Business Opportunity Program.

**Funding**

Federal COPS Grant

**23. Voice Mail System and Related Services**

**Action:** Approve a five year contract with Call Coverage, Inc. in the amount of \$432,000 for a replacement Voice Mail System and related services. The annual cost for the Voice Mail Replacement System and related services is \$86,400.

**Staff Resource:** Susan Johnson, Business Support Service

**Explanation**

- The City and County currently use a Meridian Voice Mail system provided under contract with BellSouth for communications related services. The BellSouth contract for voice mail services expires August 29, 2007 and the Meridian Voice Mail system has reached manufacturer's end of support life.
- A joint City/County Request for Proposals process was used to select a vendor to provide a replacement voicemail system and associated services.
- Six proposals were received and each was evaluated using selection criteria that included price, total cost of ownership, capabilities, training and maintenance support.
- Call Coverage offered the lowest total cost of ownership price among the vendors and demonstrated strengths in functionality, compatibility and integration to current telephone systems.
- This pricing will remain fixed for the five year contract. The annual cost for the replacement Voice Mail System and related services is \$86,400, which is 8% less than the current annual cost.

**Small Business Opportunity**

Pursuant to Section 5 of the SBO program, no SBO utilization goal was set for this contract because subcontracting is not anticipated.

**Funding**

General Fund Operating Budget

## 24. State Medical Assistance Team Grant

- Action:**    **A. Enter into a grant agreement with the Carolinas Medical Center in the amount of \$30,500 to purchase equipment to be used by the Charlotte-Mecklenburg State Medical Assistance Team (SMAT), and**
- B. Adopt a budget ordinance appropriating \$30,500 in funding.**

**Staff Resource:**        Jon Hannan, Fire

### **Explanation**

- The U.S. Department of Health and Human Services made funds available through the State Office of Emergency Medical Services for SMAT Teams.
- Carolinas Medical Center applied for a grant listing the Charlotte Fire Department as a sub-grantee. Grant funds will be spent on medical equipment for the SMAT Team. The SMAT Team would be deployed for a decontamination, mass medical event or as the Fire Department deems necessary.
  - Examples of the type of equipment to be purchased include backboards, automatic external defibrillators, masks and pulse oximeters.
  - This equipment will be used during deployments of the SMAT team and dispatches to provide medical support at events such as the Fire Department's Candidates Physical Agility Test.
- Charlotte has 1 of the 29 SMAT teams located throughout the State.
- The Charlotte SMAT has never been deployed, but several teams across the State were deployed during Hurricane Katrina and in support of the Tall Ships Regatta which took place last summer in Morehead City.
- The Charlotte Fire Department will retain control of all equipment purchased for this program. The equipment will be stored on the SMAT trailer, which is housed at Station 34.

### **Funding**

2005 Health Resources and Services Administration Grant awarded by the US Department of Health and Human Services

### **Attachment 29**

Budget Ordinance

## 25. Airport Relocation of West Boulevard

- Action:**    **Approve a change order to a contract with STV/Ralph Whitehead Associates of Charlotte, North Carolina in the amount of \$219,302.41 for additional design of West Boulevard relocation.**

**Staff Resource:**        Jerry Orr, Aviation

**Explanation**

- In January 2003, City Council awarded a contract in the amount of \$520,000 to STV/Ralph Whitehead Associates for the planning and design of the relocation of West Boulevard (N.C. 160).
- The original contract provided for the planning and design of a four lane roadway that connects I-485 at Garrison Road to existing West Boulevard near Airport Drive on the south side of the Airport.
- A lack of immediate funding for the total project requires the Airport to break the construction into two phases as described in the Council Dinner Presentation on March 26<sup>th</sup>:
  - The first phase will construct a portion of the road from I-485 to Byrum Drive and resurface Byrum Drive to Yorkmont Road, and construct a second portion of road from Byrum Drive to the existing West Boulevard.
  - The second phase will construct the remainder of the roadway south of Byrum Drive.
- This change order will provide plans, as well as bidding and construction administration services for both phases of construction.
- This change order will also provide additional planning and design services for a 345 foot bridge over Coffey Creek, which will be in the second phase of construction.
- This change order cost is within the project budget.

**Disadvantaged Business Enterprise**

The Federal DBE Program neither requires nor permits goals for every contract. The City must meet its overall goal by using a mix of contract goals and race-neutral means.

**Funding**

Airport Capital Investment Plan

**26. Airport Runway Materials Testing**

**Action:** Approve a contract with MACTEC Engineering and Consulting, Inc. of Charlotte, North Carolina in the amount of \$1,600,000 for testing services.

**Staff Resource:** Jerry Orr, Aviation

**Explanation**

- On February 26, 2007, Council approved a contract with E.S. Wagner Company, LLC of Piedmont, SC in the amount of \$43,626,829 for the grading of the third parallel runway.
- Under this contract, MACTEC will test soils, asphalt and concrete for earthwork, storm structures and roadways.
- The City advertised this opportunity on November 11, 2006 and issued a request for proposals.

- MACTEC was selected based on their experience and qualifications of personnel.

**Disadvantaged Business Opportunity**

Established DBE Goal: 15%

Committed DBE Goal: 15%

MACTEC will subcontract 15% of the contract (\$240,000) to DBE On-Spec Testing.

**Funding**

Airport Capital Investment Plan

## 27. Meeting Minutes

- |                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Action:</b> Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:</p> <ul style="list-style-type: none"><li>- February 19, 2007 Zoning Meeting</li><li>- February 26, 2007 Business Meeting</li><li>- March 5, 2007 Workshop</li><li>- March 7, 2007 Budget Retreat</li><li>- March 19, 2007 Zoning Meeting</li></ul> |
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