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Andy Dulin	James Mitchell, Jr.
Anthony Foxx	Patrick Mumford
Patsy Kinsey	Warren F. Turner

CITY COUNCIL MEETING

Monday, September 25, 2006

CITY COUNCIL AGENDA

Monday, September 25, 2006

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Charlotte Regional Partnership

Staff Resources: Tom Flynn, Economic Development
Ronnie Bryant, Charlotte Regional Partnership

Time: 20 minutes

Synopsis

- The Charlotte Regional Partnership is a private/public economic development organization representing the 16 county Charlotte region (12 counties in North Carolina; 4 counties in South Carolina).
- The City of Charlotte allocated \$112,533 for the Charlotte Regional Partnership for FY07. The Charlotte Regional Partnership's total budget for FY07 is \$3,087,742.
- The purpose of the presentation is to update Council on the progress of the Charlotte Regional Partnership and its work plan for FY07.
- The key objectives for FY07:
 - To market directly to companies and company executives
 - To market to major corporate real estate and location consultants around the world
 - To leverage existing industry resources to develop contacts for marketing and investor leads
 - To "convert" companies considering the area (active suspects) to company visits (active projects)
 - To successfully market the Charlotte region's film and television assets
 - To implement a Regional Economic Development Visioning Plan for the Charlotte region as directed by the North Carolina legislature
- Council requested this briefing during budget conversations.

Future Action

No future action is required.

Attachment 1

Balanced Scorecard Report for FY06

2. Baseball, Second Ward Village and Third Ward Park

Staff Resource: Curt Walton, City Manager's Office

Time: 30 minutes

Synopsis

- Council last received a briefing on July 24, 2006
- Staff will provide an update on the following:
 - The land swap, including a draft terms sheet
 - Infrastructure in Second Ward
 - Draft baseball terms sheet
 - Outstanding Issues
 - Mecklenburg County Commissioners Action
 - Land Swap Values
 - Arena Out-Parcel #1
 - Next Steps

Future Action

- Council will ultimately be asked to consider a lease agreement with the Charlotte Knights and an inter-local agreement with Mecklenburg County relative to the land swap.

3. Utility Survey and Mapping Project

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Time: 10 minutes

Synopsis

- This presentation will give an overview of a proposed contract with Dewberry and Davis, Inc. to perform extensive surveying of the existing water and sewer system.
- The presentation will focus on:
 - the volume of work to be accomplished by the project
 - how the project will facilitate the continued development of the Utilities GIS
 - how it will improve customer service

Future Action

- The contract with Dewberry and Davis will be on the October 9th Council agenda.

4. Irwin Creek Relief Sewer Project

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Time: 15 minutes

Synopsis

- This presentation will explain the change that is recommended for approval on the September 25th Council agenda. Information will also be provided on rock related issues on the Irwin Creek project and on future pipeline construction.

Future Action

- Change order #1 for the Irwin Creek Relief Sewer is on the September 25th Council agenda, item #12, page #16.

**6:30 P.M. CITIZENS FORUM
MEETING CHAMBER**

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

CONSENT

- 5. Consent agenda items 10 through 22 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.**

ZONING

6. Rezoning Petition 2006-19

Action: Render a decision on rezoning Petition 2006-19 by Family Support Services, Inc. for a change in zoning of approximately 9.8 acres located north of The Plaza and east of Glenfiddich Drive, from R-4 to Institutional.

Staff Resource: Keith MacVean, Planning

Explanation

- A protest petition has been filed and is sufficient to require affirmative votes of three-fourths of the Mayor and Council, not excused from voting, in order to rezone the property.
- This item was deferred from the September 18, 2006 Zoning Meeting because the full council was not present.
- A majority of the Zoning Committee voted to recommend that this petition be approved, contingent upon the following:
 - A minimum five-foot sidewalk is constructed from the existing buildings to the public sidewalk. The Zoning Committee voted to find this proposal to be consistent with the Eastside Strategy Plan.
 - A bus shelter pad is constructed per CATS standards. The Zoning Committee voted to find this proposal to be consistent with the Eastside Strategy Plan.
- Staff agrees with the recommendation of the Zoning Committee.

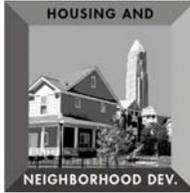
Attachment 2

Zoning Committee Recommendation
Staff Analysis
Site Map

POLICY

7. City Manager's Report

8. Kroc Center



- Action:**
- A. Discuss the Housing and Neighborhood Development Committee's recommendation to present the Belmont and Independence locations for further analysis, and**
 - B. Select an option and, if required, a funding source for City investment in a Kroc Center.**

Committee Chair: Susan Burgess

Staff Resource: Tom Flynn, Economic Development Office

Explanation

- The Salvation Army requests that the City assist in the development of a Kroc Center in Charlotte. The Salvation Army has narrowed the list of potential locations to three sites:
 - Belmont/Hope VI
 - Independence Boulevard near WTVI
 - Monroe Road near Oakhurst Elementary School
- The Salvation Army has a very strong preference for the Belmont/Hope VI site, which would require the relocation of the City's Light Vehicle Maintenance Facility. The Charlotte Housing Authority (CHA) and their Belmont/Hope VI development partner, Grubb Properties, have offered the City a site to relocate the Light Vehicle Maintenance Facility. However, this offer does not cover all costs of relocating this facility, which is estimated to be \$3-4 million and is detailed in the attachment.
- In order for the Hope VI development to stay on schedule, the Housing Authority needs a decision on whether Belmont is the preferred site for the Kroc Center by September 30th.

Committee Discussion

- The Housing and Neighborhood Development Committee recommendation was to present the Belmont and Independence sites to City Council for further analysis. This was done at the Council dinner briefing on September 11, 2006. In discussing the Kroc Center, the Committee discussed the following issues:
 - Funding beyond infrastructure is inconsistent with City policy
 - Concerns about duplication of services
 - Lack of County participation in a facility focused on recreation and social services
 - Economic impact of Kroc
 - Other capital investment priorities

- Site alternatives other than the three presented

Options for Council Action

If Council chooses to move forward, here are five options for consideration.

1. Provide for a Kroc Center in Belmont/HopeVI location on the current Light Vehicle Maintenance site as long as the City is kept financially whole by the Housing Authority or the Salvation Army.
 - a. According to the Salvation Army, the lack of City financial contribution may jeopardize approval of the Kroc foundation funds.
 - b. This option would also include the transfer of three acres of City property to the County for ball fields. The property is valued at \$ 540,000 and would be credited to the City as part of the City/County real estate ledger system.
 - c. City staff is meeting with the Housing Authority, Salvation Army and Grubb Properties on September 20th and will provide Council with updated information in the September 22nd Council-Manager Memo.
2. Accept CHA's offer of an alternative site for the Light Vehicle facility, identify additional City funding of \$3 to 4 million for the Light Vehicle facility and direct the City Manager to negotiate the appropriate agreements for Council's approval.
 - a. This option would also include the transfer three acres of City property to the County for ball fields as described under Option 1.
 - b. Funding options include: delaying Annexation Fire Station; using Community Economic Development Strategy Plan funds; Fund balance.
3. Indicate preference for the Independence site, offer to provide City funding of \$4 million for infrastructure (road improvements) and \$6 million for program costs, and identify a source of funds.
 - a. Site is contingent upon land assembly from four landowners.
 - b. Funding options for the \$4 million infrastructure include: Neighborhood Improvement Program; Community Economic Development Strategy Plan funds; Fund balance.
 - c. Funding options for \$6 million include: Fund balance; 10 year Financial Partner Grant from General Fund.
4. Indicate preference for the Monroe Road site and offer to provide \$2 million for infrastructure (road improvements) and identify a source of funds.
 - a. Road cost estimate is very preliminary.
 - b. Funding options for \$2 million are: Neighborhood Improvement Program; Community Economic Development Strategy Fund; Fund balance.
5. Eliminate the Belmont/HopeVI site, offer to provide City infrastructure assistance only at other proposed Kroc Center sites and identify a source of funds.
 - a. Gives guidance to Salvation Army on City participation at Independence, Monroe or other sites the Salvation Army may consider. City infrastructure requirements are estimated at \$4 million for the

Independence site and \$ 2 million for the Monroe Road site. Funding options for infrastructure are identified in Options 3 and 4.

- b. Possible sale of some City Yard land to Citiline for market rate housing.
- c. CHA can proceed with Hope VI project as originally planned.

Staff Recommendation

- If Council chooses to proceed, staff recommends that City Council make any option contingent upon the following:
 - Financial operating pro-forma for the Kroc Center acceptable to the City
 - Fundraising Feasibility Study acceptable to the Community Capital Campaign Board
 - Management and Program Plan acceptable to the City
 - Demonstration of collaborative and sustainable partnerships with other non-profit partners, including the United Way

Attachment 3

September 11th Presentation to the City Council
Response to Council Questions Regarding Kroc Center
YMCA Membership Information
HAND Committee Summary – September 7, 2006

BUSINESS

9. Fall Cankerworm Appropriation

Action: Adopt a budget ordinance appropriating \$120,000 from General Fund fund balance for additional banding of City Street Trees and a communications plan to encourage the banding of trees on private property.

Staff Resource: Don McSween, Engineering & Property Management

Explanation

- In spring of 2006 there was a large outbreak of Fall Cankerworms in Charlotte neighborhoods from Derita to Dilworth.
- Heavy Fall Cankerworm infestations over several years can kill large, old oaks.
- In late November, Landscape Management will band 3,400 additional street trees in the most affected neighborhoods at a cost of \$100,000.
- The Communication Plan will encourage citizens in affected neighborhoods to band private property trees. Implementation of the Plan will cost \$20,000 and includes paid media advertisements, direct mailings, and various instructional materials.
- The banding programs will be evaluated over the next seven months for effectiveness in reducing the Fall Cankerworm populations. Future strategies and recommendations will be made based on the results of the evaluation.
- Council was briefed on cankerworms at the September 11th dinner meeting.

Funding

General Fund Balance

Attachment 4

Budget Ordinance

Power Point presentation from September 11, 2006 Dinner Meeting

Street Tree Banding and Communication Plan

MAYOR AND COUNCIL TOPICS

At the end of the formal agenda, 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

10. Various Bids

A. Water and Sewer Street Main Extension Construction FY07 Contract #4	Utilities
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Staff Resource: Doug Bean

Action

Award the low bid of \$1,915,038.80 to Davis Propst Construction Company of Concord, North Carolina for construction of sanitary sewer and water mains along existing roadways in Mecklenburg County.

Small Business Opportunity

Established SBE Goal: 3 %

Committed SBE Goal: 3.04 %

Propst Construction Company committed 3.04% (\$58,300) to the following SBE firms: Capstone Civil Group, Union Paving Contractors and On Time Construction.

B. Clanton Road Pedestrian Safety Project EPM

Staff Resource: Dmitry Shklovsky

Action

Award the low bid of \$408,960.16 by Sealand Contractors Corporation of Charlotte, North Carolina. This project will convert Clanton Road from a four-lane undivided road to a two-lane median divided road with bicycle lanes on both sides, and planted medians and pedestrian refuges between West Boulevard and Sargeant Drive. This project will be constructed under a municipal agreement with NCDOT approved by City Council on March 28, 2005. Under this agreement, NCDOT will fund 70% of the construction costs up to a maximum of \$296,800, while the City will pay all remaining construction costs. Construction completion is scheduled for second quarter of 2007.

Disadvantaged Business Enterprise

Established DBE Goal: 1%

Committed DBE Goal: 2.45%

Per the municipal agreement with NCDOT, the federal DBE Program must be followed. Sealand Contractors exceeded the DBE goal and committed 2.45% (\$10,032) to the following DBE firm: Darnell Jones Trucking.

11. In Rem Remedy

For In Rem Remedy #A-G, the public purpose and policy are outlined here.

Public Purpose:

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

Policy:

- Housing & Neighborhood Development
- Community Safety

The In Rem Remedy items were initiated from 3 categories:

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

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

Public Safety:

- A. 3209 aka 209 Boyd Street (Neighborhood Statistical Area 21 – Lakewood Neighborhood)
- B. 1720 Clearwood Lane (Neighborhood Statistical Area 109 – Moores Chapel Neighborhood)
- C. 7611 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood)
- D. 7621 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood)

Field Observation:

- E. 223 S. Gardner Avenue (Neighborhood Statistical Area 25 – Smallwood Neighborhood)
- F. 6001 Linda Vista Lane (Neighborhood Statistical Area 121 – Sunset Road Neighborhood)
- G. 2843-1 Rozzelles Ferry Road (Neighborhood Statistical Area 25 – Smallwood)

Public Safety:

A. 3209 aka 209 Boyd Street

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3209 aka 209 Boyd Street (Neighborhood Statistical Area 21 – Lakewood Neighborhood).

Attachment 5

B. 1720 Clearwood Lane

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1720 Clearwood Lane (Neighborhood Statistical Area 109 – Moores Chapel Neighborhood).

Attachment 6

C. 7611 Reames Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 7611 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood).

Attachment 7

D. 7621 Reames Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 7621 Reames Road (Neighborhood Statistical Area 123 – Beatties Ford/Trinity Neighborhood).

Attachment 8

Field Observation:

E. 223 S. Gardner Avenue

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 223 S. Gardner Avenue (Neighborhood Statistical Area 25 – Smallwood Neighborhood).

Attachment 9

F. 6001 Linda Vista Lane

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 6001 Linda Vista Lane (Neighborhood Statistical Area 121 - Sunset Neighborhood).

Attachment 10

G. 2843-1 Rozzelles Ferry Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2843-1 Rozzelles Ferry Road (Neighborhood Statistical Area 25 - Smallwood Neighborhood).

Attachment 11

CONSENT II

12. Irwin Creek Relief Sewer Phase II Project – Construction Contract Change Order #1

Action: Approve construction contract change order #1 for \$477,000 with Rockdale Pipeline, Inc. for the Irwin Creek Relief Sewer Phase II Project.

Staff Resource: Doug Bean, Charlotte Mecklenburg Utilities

Explanation

- The project involves laying a sanitary sewer pipeline 20 to 30 feet deep for 10,550 feet near I-77 from West Boulevard to Fifth Street. Approximately 40% of the project is tunneled. This project is required as part the City's commitments to the Environmental Protection Agency.
- During the course of tunneling under Irwin Creek, the tunnel boring machine encountered a large underground concrete pier or foundation. This pier could not be removed by the boring machine and therefore equipment had to be mobilized to excavate the pier and lift the boring machine out of the tunnel shaft from the surface.
- Per the contract specifications, this is considered an unforeseen condition and the contractor is due additional compensation for the change.
- This change order is a negotiated settlement covering underground conditions encountered as part of the tunneling and pipe laying process.

Contract History

- Council awarded the construction contract in the amount of \$21,347,376.74 on April 28, 2005. With change order #1, the new contract total is \$21,824,376.74.

Funding

Half of the funding will come from the contract contingency. The other half will come from the project's unencumbered balance.

13. Environmental Protection Agency Agreement on Sewer Overflows

Action: Approve an Administrative Order on Consent and a Consent Agreement and Final Order with U.S. Environmental Protection Agency (EPA).

Staff Resource: Doug Bean, Charlotte-Mecklenburg Utilities

Explanation

- Utilities conducted a voluntary self-audit of wastewater collection practices in 2000 through an EPA program.
- Heavy rains in 2003 resulted in a large number of sewer overflows.
- Utilities has worked in good-faith to reduce the number of overflows that occur each year.
- EPA is offering an administrative agreement to resolve regulatory issues associated with past overflows.
- The Administrative Order on Consent and the Consent Agreement and Final Order include requirements for Utilities to:
 - Continue and refine on-going collection system programs
 - Complete specific planned CIP projects
 - Review overflows from FY05 and FY06 and determine if additional CIP projects are required, and if so, to begin them within 5 years
 - Pay \$125,000 in civil penalties
 - Perform a Supplemental Environmental Project at a cost of \$300,000
- Council received a dinner briefing on this topic on September 5, 2006.

Funding

Sewer Operating Budget

14. Event Traffic Control Contract

- Action:**
- A. Approve a three-year contract, with an option to extend for two additional one-year periods, with Parking Unlimited Inc. to provide traffic control and curb management services associated with events held at the uptown arena. The first year amount is not to exceed \$350,000 with the ability to adjust in future years to account for inflation, and**
 - B. Authorize the City Manager to exercise the options to extend the contract.**

Staff Resource: Phil Reiger, Transportation**Explanation:**

- In the FY2007 budget City Council approved \$350,000 to implement the uptown arena traffic control plan, which is a \$50,000 reduction from the previous year.
- On June 6, 2006 the City issued a RFP for a traffic control and curb management contract.
- The contract scope includes set-up, adjustment, and removal of all traffic cones, barrels and barricades; and management of the right-of-way as defined in the event traffic control plan for 140 events.
- Two vendors responsibly submitted proposals.

- In August 2006 a selection committee facilitated by Procurement Services and comprised of members from the Charlotte Department of Transportation, the Charlotte Mecklenburg Police Department, and Budget and Evaluation met and unanimously chose Parking Unlimited Inc. as the most qualified service provider.
- Parking Unlimited, the City's current uptown arena traffic control services provider, is a local company with over ten years of experience providing special event traffic control and parking services in Charlotte.
- Some of their experiences include providing transportation management for the Charlotte Coliseum, Bank of America Stadium, Lowes Motor Speedway, Speed Street, Taste of Charlotte, Bank of America Criterion and the Wachovia Championship.
- Parking Unlimited has over 550 trained, local, part-time employees available to staff events.
- The other responsive proposal submitted by the McLaurin Parking Company reported less experience providing service in urban centers, with no experience in uptown Charlotte or city of comparable size; and access to an existing local staffing pool of only 35 people.
- Parking Unlimited Inc. was the low cost provider
- Upon contract approval, Parking Unlimited Inc., in conjunction with the CMPD staff will take appropriate measures to implement the traffic control plan.
- The contract will be written not to exceed \$350,000 in the first year with the ability to adjust using an inflation factor in future years.

Small Business Opportunity

Established SBE Goal: 5%

Committed SBE Goal: 2.03%

Parking Unlimited Inc. committed 2.03 % (\$5,500) of the total contract amount to the following certified SBE: CC Communications, Inc; Fast Signs; KS Image Solutions and Alegra Printing. Parking Unlimited Inc. failed to meet the mandatory contacts for this project. Of the eight SBE contacts required, only seven were notified. The SBO program manager has waved the mandatory outreach requirement pursuant to SBO policy section 14.6.a.

Funding

Transportation Operating Budget

15. Storm Water Fee Revenue Bond Application

Action: Approve a resolution directing staff to apply to the Local Government Commission for authorization of up to \$50 million in Stormwater Fee Revenue Bonds.

Staff Resource: Greg Gaskins, Finance

Explanation

- On June 19, 2006 Council approved the FY07-11 Capital Investment Plan including \$155.8 million long term capital plan for Stormwater.
- This action authorizes staff to apply to the Local Government Commission to issue up to \$50 million in Stormwater Revenue Bonds, sets a financing team and directs staff to complete other matters required for a bond sale.
- Proceeds from these bonds and PayGo will fund two years of the ongoing Stormwater Capital Program.
- This action is the first of two required to sell the bonds.
- The second action authorizing the bond order and related documents will occur on October 9, 2006.

Attachment 12

Resolution

List of projects

16. United States Geological Survey 2006-2007 Cooperative Agreement

Action: Approve the 2006-2007 Cooperative Program Agreement with the United States Geological Survey (USGS) for storm water data collection activities in the amount of \$324,130.

Staff Resource: Tom Calhoun, Engineering and Property Management

Explanation

- The agreement is used to maintain the rainfall and stream flow gage system.
- Data from the gage system is used to:
 - Determine flood-prone areas
 - Review impacts of rain events
 - Determine long-term trends
 - Aid in water-quality investigations
 - Assist in the design of drainage infrastructure
- This agreement also maintains the Flood Information and Notification System (FINS) used to notify emergency personnel of potential threats to life and property.
- This agreement leverages City funds with USGS funds. Total cost is \$585,400. The City's share is \$324,130. USGS will pay the remainder of the cost.
- Mecklenburg County has a similar agreement with USGS. Total cost of that contract is \$464,200. The County's share is \$272,590. USGS will pay the remainder of the cost.

Contract History

Since 1961, the City of Charlotte and Mecklenburg County have worked with the USGS, gathering rainfall and stream flow information through a cooperative, cost-sharing program.

Funding

Storm Water Operating Budget

17. City Code Amendment Concerning Bicycles

Action: Adopt an ordinance amending Chapter 14 of the City Code, entitled “Motor Vehicles and Traffic,” to allow bicycles to park on the sidewalk.

Staff Resource: Captain Chuck Adkins, Charlotte-Mecklenburg Police

Explanation

- The center city is experiencing an increase in vehicles such as bicycles, motorized scooters, and mopeds parking on sidewalks.
- Ad hoc committee, including representatives from a number of city departments, agreed that motorized vehicles should not park on sidewalks due to the danger in having them ridden on sidewalks with pedestrians and the heat from the exhaust and mufflers.
- The Committee felt that bicycle riding should be encouraged but the current ordinance prohibits any vehicle, including non-motorized bicycles, from parking on sidewalks.
- The amendment states that the prohibition against parking on sidewalks does not apply to non-motorized bicycles.

Attachment 13

Amendment to Ordinance

18. Airport Purchase of Wetland and Stream Mitigation Credits

Action: Approve an agreement with the State of North Carolina, in the amount of \$464,000, for the purchase of wetland and stream mitigation credits under the Ecosystem Enhancement Program.

Staff Resource: Jerry Orr, Aviation

Explanation

- The Airport’s third parallel runway is currently in the design stage.
- Environmental regulations require that the City mitigate the impact to wetlands and streams caused by the runway construction.

- Under a credit banking system established by the regulations, the State of North Carolina's Ecosystem Enhancement Program (EEP) can undertake projects to enhance streams and wetlands and then sell those credits.
- The Airport expects to need a total of 13,547 linear feet and 1.062 acres of mitigation credit for the third parallel runway project. EEP currently has 2,000 credits available for purchase.
- The price of \$232 per linear foot is set by EEP's schedule of fees and is not negotiable.
- 75% of the cost of purchasing the mitigation credits is eligible for reimbursement through an existing grant from the Federal Aviation Administration.

Funding

Airport Capital Investment Plan

19. Mobile Data Computers for Fire Apparatus

Action: Approve a sole source contract with TriTech Software Systems for \$286,028 to purchase mobile data computers and software for fire apparatus.

Staff Resource: David Duffy, Fire

Sole Source Exemption

- G.S. 143-129 (f) provides that formal bidding requirements do not apply when:
 1. Performance or price competition are not available;
 2. A needed product is available from only one source of supply; or
 3. Standardization or compatibility is the overriding consideration.
- This will be a sole-source purchase because compatibility and standardization are overriding considerations, as provided for by G.S. 143-129 (f). With 56 fire companies and seven battalion chiefs, the hardware and software must be uniformly available and functional. All TriTech clients who have VisiCAD use TriTech's software for mobile data computers because of the compatibility and seamless interfaces.
- The City Council must approve purchases made under the sole source exception.

Explanation

- When the Fire Department purchased TriTech Software Systems' VisiCAD for its computer-aided dispatching system in 2002, mobile data terminals were installed in fire apparatus.
 - These terminals are supposed to capture time data points (en route times and on-scene times, for example), but they fail daily, requiring staff time to determine when a fire company is on-scene, for example, and to enter the data manually in the CAD system.

- The plan has been to replace the mobile data terminals in fire apparatus with laptops after staff was satisfied that the CAD infrastructure was stable and functioning properly. The mobile data terminals were the best available when CAD was implemented over three years ago.
- Now that the CAD and records management system are installed and working well, the next phase of the technology plan is the laptops. A pilot program was conducted in battalion chiefs' cars and several inspectors' vehicles.
- There are two reasons to upgrade to laptops.
 - decrease response time by providing automatic notification to fire companies of incident information, which will be a quicker and more comprehensive process
 - give fire companies on the scene direct access to GIS data such as routing for quickest response and location of hydrants, premise history, details and cautions (such as location and amounts of hazardous materials). None of this is available with the mobile data terminals.

Small Business Opportunity

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

Funding

Annual 911 Surcharge funding will be used for this project. By law, these funds can only be used for equipment and technology to support emergency communications and response. The 911 surcharge funding cannot be used for operating expenses.

20. Multifamily Refuse and Recyclables Collection Contract Extension

Action: Authorize the City Manager to approve a three-year extension of the existing Multifamily Refuse and Recyclables Collection Contract with Allied Waste Services currently scheduled to expire on December 31, 2006.

Staff Resource: Wayman Pearson, Solid Waste Services
Carl Terrell, Solid Waste Services

Explanation

- The Multi-Family Refuse and Recyclables Collection Contract provides solid waste collection services to multifamily complexes having 30 or more residential units and to designated public facilities.
- Allied Waste Services provides these services for the City under a contract, which is scheduled to expire December 31, 2006.
- Allied Waste Services approached the City offering a three-year extension for the provision of these services.

- Solid Waste Services, with concurrence from Procurement Services, recommends extension of this existing agreement based on the following:
 - new proposed costs are projected to be higher than the current contract pricing
 - Allied Waste Services is a long-term service partner providing collection services to multifamily communities in a quality and seamless manner for many years
- The Charlotte Apartment Association supports the extension since the contract will provide some stability to supplemental garbage collection rates.

Service Reduction and Supplemental Garbage Collection

- As part of the FY06 budget review and adoption process, City-provided multi-family garbage collection was reduced from twice a week to once a week effective October 1, 2005.
- After the service level reduction, some complexes needed supplemental collections to meet their waste disposal requirements.
- The City assisted in negotiating supplemental collection rates with Allied Waste Services that complexes pay directly to Allied Waste for independently contracted service.
- Allied Waste Services' supplemental collection rates for complexes are \$15 for each collection of a dumpster and \$145 for a compactor, with no additional cost for waste disposal.
- City and supplemental collection rates paid to Allied Waste Services will follow the same adjustment schedule for increases.

Extension Terms

- Allied Waste Services will maintain the current contract pricing in the first extension year and increase pricing for years two and three based upon the Consumer Price Index for the Southern Region.
- The City currently pays Allied Waste Services \$6.57 for each collection of a dumpster and \$92.28 for each collection of a compactor.
- The City and Allied Waste Services would negotiate at any time during the contract, a prorated fuel surcharge to compensate Allied Waste Services for the increased cost of fuel, if fuel prices in the Charlotte Metro Area exceed \$3 per gallon and remain at that level for 90 consecutive days.
- In FY06, the City paid Allied Waste Services approximately \$1.9 million for services performed under the Multifamily Refuse and Recyclables Collection Contract.
- Allied used Urban Disposal, Inc, a certified SBE firm to collect the recyclables component of the contract. In FY06, 17.82% (\$341,785) of the \$1.9 million contract proceeds were paid to this subcontractor.

Small Business Opportunity

All work involved in this contract extension will be performed by Allied Waste Services and its existing subcontractor, Urban Disposal, Inc. This extension complies with Section 10.3 of the SBO Program.

Funding

Solid Waste Services Operating Budget

21. Property Transactions

Action: Approve the following property acquisitions (A-D).

Acquisitions

- A. Project:** Briar Creek Relief Sewer Phase I, Parcel # 38
Owner(s): Gregory A. Currie
Property Address: 2307 Sharon Road
Property to be acquired: 14,348 sq. ft. (.329 ac.) in Sanitary Sewer Easement, plus 7,822 sq. ft. (.180 ac.) in Right of Way to be Abandoned, plus 7,243 sq. ft. (.166 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$16,000
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: 100 Year Flood Plain (VACANT)
Tax Code: 153-105-16
Total Parcel Tax Value: \$4,500
- B. Project:** Edgewood Neighborhood Improvements Project Storm Water Easements, Parcel # 2
Owner(s): Jerry H. Pettus, Sr.
Property Address: 4746 Tuckaseegee Road
Property to be acquired: 23,958 sq. ft. (.550 ac.) in Fee Simple (Total Acquisition)
Improvements: None
Landscaping: None
Purchase Price: \$11,550
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 059-023-18
Total Parcel Tax Value: \$8,100
- C. Project:** Fred D. Alexander Boulevard - Section C, Parcels # 39, 40, 41, 42 & 44
Owner(s): Leslie Howard Mustin
Property Address: 400 Oak Street
Property to be acquired: 79,802 sq. ft. (1.832 ac.) in Fee Simple, plus 21,824 sq. ft. (.501 ac.) in Storm Drainage Easement, plus 32,059 sq. ft. (.736 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None

Purchase Price: \$250,000

Remarks: Compensation was established by an independent, certified appraisal and appraisal review.

Zoned: I-2

Use: Industrial

Tax Code: 035-052-11 / 15

Total Parcel Tax Value: \$204,400

- D. Project:** Loganville Road Connection, Parcel # 1
Owner(s): Wade F. Mizelle And Wife, Violet C. Mizelle (aka Wade Fredrick Mizelle And Wife, Violet Elizabeth Clark Mizelle)
Property Address: 5024 Prosperity Church Road
Property to be acquired: 13,160 sq. ft. (.302 ac.) in Fee Simple, plus 2,343 sq. ft. (.054 ac.) in Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$45,509
Remarks: Compensation was established by an independent, certified appraisal and appraisal review.
Zoned: R-3
Use: Single Family Residential - Rural Acreage
Tax Code: 029-321-26
Total Parcel Tax Value: \$225,700

22. Meeting Minutes

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

- August 28, 2006, Business meeting
- September 5, 2006 Workshop