



CHARLOTTE™

**City Council
Follow-Up Report**

April 26, 2013

April 15, 2013 – Zoning Meeting

Fish Advisories and Lake Water Quality Staff Report

Staff Resources: Barry Gullet, Utilities, 704-336-4962, bgullet@charlottenc.gov

Daryl Hammock, City of Charlotte Storm Water Services, 704-336-2167, dhammock@charlottenc.gov

Rusty Rozzelle, Mecklenburg County Storm Water Services, 704-336-5449,

rusty.rozzelle@mecklenburgcountync.gov;

During the Zoning meeting, Council member Claire Fallon requested more information regarding fish advisories for the lakes in Mecklenburg County.

The State has currently issued fish consumption advisories for certain fish in the lakes bordering Mecklenburg County. Some of the advisories are specific to these lakes, and others are statewide advisories. While in most cases fish caught in the lakes are safe to eat, the list was recently updated in April to add striped bass caught in Lake Norman and blue catfish caught in Mountain Island Lake. These advisories recommend that pregnant and nursing mothers, as well as children, avoid eating both fish species. All others are advised to eat no more than 1 meal per week of striped bass from Lake Norman and 1 meal per month of blue catfish from Mountain Island Lake.

Fish consumption advisories do not mean the lake water itself is unsafe, and there are no impacts related to the drinking water. Some metals and chemicals build up in fish tissue. When that happens, people who eat the fish could consume concentrated levels of those chemicals. The levels of PCBs, mercury and other contaminants are usually much higher in the fish tissue than in the surrounding water. Because these contaminants are less concentrated in the water than in fish tissue, they do not present a known health risk for people using Charlotte-Mecklenburg area lakes or the Catawba River for recreation such as swimming, wading or boating.

More information is available on the Storm Water Services website, including a complete listing of all fish consumption advisories in Mecklenburg County:

Overview

<http://charmeck.org/stormwater/creekslakesponds/Pages/FishConsumptionAdvisories.aspx>

List of Specific Advisories

<http://charmeck.org/stormwater/creekslakesponds/Documents/FishConsumptionAdvisoryTable12-22-11.pdf>

Any public health inquiries should be directed to the North Carolina Department of Health & Human

Resources at <http://epi.publichealth.nc.gov/oeo/programs/fish.html>

April 22, 2013 – Council Business Meeting

FY2013 Traffic Calming Road Humps Project

Staff Resource: Robert Gallup, Transportation, 704-336-3922, rgallup@charlottenc.gov

During the April 22 City Council meeting, there was discussion regarding City Council's adopted traffic calming program, and in particular, speed humps. Below is information from CDOT staff regarding the program.

On October 13, 1997, the Charlotte City Council approved speed humps for installation on local, City-maintained streets at the urging of neighborhood residents. Since that time, the devices have been popular with Charlotte's neighborhoods. The CDOT has processed over 1500 requests for general traffic calming and over 1000 requests specifically for speed humps. There continues to be demand for speed humps on neighborhood streets.

Speed Hump Program Facts:

The CDOT maintains a list of approximately 70-80 qualified streets waiting for construction funding. Wait time from request to installation is generally two years at current funding levels. Historically, approximately 30 streets per year have been treated with speed humps. There are 1782 units currently in place on 542 streets.

Candidate streets must meet City Council adopted requirements for volume (at least one thousand vehicles per day) and speeding (prevailing speed must be five or more miles over the posted speed limit) and requesting neighborhoods must complete a consensus process. The consensus process can be completed by a petition in support of speed humps or by completing a neighborhood homeowner's association (HOA) package. A petition requires 60% of property owners within the identified impact area to sign the petition. If the HOA process is used, a letter of endorsement is required from the HOA after completing a neighborhood mailing and discussion period. The HOA is required to notify property owners within the identified impact area.

Speed humps are the most commonly requested and installed traffic calming device. All-way stop installations, the second most installed traffic calming treatment, are often a default choice if the street does not qualify for speed humps. Traffic circles, chicanes and curb extensions are also offered but have a longer project timeline, are more expensive to build and can have significant impact on abutting property owners making these choices less desirable to neighborhoods. All traffic calming treatments have eligibility and neighborhood consensus requirements similar to speed humps with varying volume requirements. Any change to the City's traffic calming program requires Council action.

In early post-installation studies on streets treated with speed humps, the CDOT showed a street speed reduction of three to nine miles per hour when compared to studies before speed humps were installed. Depending on street characteristics, the reduction amount is varied. After speed humps have been installed, studies show that vehicles may still achieve speeds between 25 and 35 miles per hour but are less likely to achieve higher, more threatening speeds sometimes found before treatment.

Speed humps have an advantage over other traffic calming options as they allow speeding to be treated in mid-block areas and are not dependent on intersections for placement. Intersections are the only available

locations for all-way stops, traffic circles and curb extensions sometimes limiting effectiveness as a whole-street treatment.

Speed humps installed by the CDOT are actually “speed tables” which measure 22 feet in crossing distance and provide a smoother ride than a more aggressive speed bump as typically experienced in private parking lots. This “table” design provides speed control at the unit (speeds are typically 18 mph crossing the unit) and has not been found to cause vehicular damage. Proper spacing (400-600 feet apart) helps minimize the arc of speed between units to reach levels found before speed humps were installed. All candidate streets are reviewed by the Charlotte Fire Department for response time or response frequency issues.

Conclusion:

Speeding continues to be a concern for residents in Charlotte neighborhoods with only a small number of realistic, cost effective options available to mitigate their concerns. Speed humps are the most versatile, cost efficient speeding remedy currently available and are the treatment of choice within neighborhoods.

SBE Opportunities for Professional Services

Staff Resource: Nancy Rosado, Neighborhood & Business Services, 704-336-2116, nrosado@charlottenc.gov

During the Mayor and Council Topics portion of the meeting, Councilman Mitchell asked if the policy for the newly branded Charlotte Business INclusion policy would change how the City handles professional services contracts to allow for more opportunities for MWSBEs.

The Charlotte Business INclusion Policy allows for expanded efforts in the outreach and utilization of Small Business Enterprises (SBEs) and Minority, Women Business Enterprises (MWBEs) for City-funded services contracts. The Charlotte Business INclusion office has also requested additional staff to support the City’s efforts in growing MWSBE utilization on services contracts.

Per the Charlotte Business INclusion policy adopted by Council on April 8th, for:

Prime Contracts: The City will establish annual citywide SBE and MWBE goals. Additionally, the Charlotte Business INclusion program will seek to identify certain contracts in which solicitation efforts will be directed only to SBEs. This strategy may be implemented for some categories of services contracts (other than Architecture, Engineering, and Surveying).

Subcontracting: The City may establish subcontracting goals for services contracts of \$100,000 or more as follows:

1. Set an SBE/MWBE subcontracting goal - A subcontracting goal can only be established on contracts that have subcontracting opportunities identified along with estimates pertaining to the dollar value of those subcontracting opportunities, and certified/registered SBEs/MWBEs. *(Existing and future strategy)*
2. Negotiate SBE/MWBE subcontracting goals – The City may seek to negotiate subcontracting goals after proposals have been submitted. *(Existing and future strategy)*
3. Require subcontracting commitments, participation plans, or good faith negotiations - Proposers will be required to submit with their proposal one or more of the following: their committed subcontracting plan; their subcontracting solicitation plan; or documentation

demonstrating their efforts to recruit and negotiate in good faith with SBEs and MWBEs. (*New Strategy*)

4. The City will consider the proposer's SBE/MWBE outreach efforts, utilization commitments, and documentation as a factor in the evaluation process and may exclude a proposal from further consideration if the City determines that the proposer has not met the established goal (if applicable) and/or has not provided the required documentation. (*New Strategy*)

The strategy to be implemented by City staff for each service contract will be determined based on the type of service contract up for award and NC bid statutes.

North Carolina law (N.C.G.S. 143-64.31) currently mandates that contracts for architects, engineers, surveyors, and construction managers be let with a two-step process in which the first step is selecting the firm that is most qualified based on competence and qualification "without regard to fee." Once the most qualified firm is identified, the City must negotiate a fair and reasonable fee for the work. Because the City is prohibited from requiring these firms to bid their overall fee during the solicitation phase, the City cannot establish an SBE/MWBE subcontracting goal on the front end of the process as a percentage of that fee. For that reason, the City negotiates an SBE goal for these types of contracts after the most qualified firm has been identified. This method often times leads to SBE subcontractor utilization that is more than what a comparable project goal would be established at.

For services contracts estimated at more than \$100,000 City departments must consult with the Charlotte Business INCLUSION Office in determining the most appropriate subcontracting strategy.

Additional Background Information:

When setting an MBE or WBE goal the City may only set a goal for those categories of firms that have experienced discrimination.

The City differentiates between the various categories of Services contracts as follows:

- **Architectural, Engineering, and Surveying (AE&S)** – Includes architectural design firms, engineering services, materials and soils testing, inspections, and surveying, among others
- **Professional Services** – Includes any services provided by a person or firm that is of a professional nature other than AE&S, requiring special licensing, educational degrees, and unusual highly specialized expertise (i.e., financial and legal services, information technology, advertising, appraisal, consulting and training services, among others)
- **Other Services** – Any service that is labor intensive and not a professional or construction service (i.e., janitorial and security guard services, employment services, and moving services, among others)