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**WEEK IN REVIEW:**

Mon (Aug 19)	Tues (Aug 20)	Wed (Aug 21)	Thurs (Aug 22)	Fri (Aug 23)
	11:45 AM Council-Manager Relations Committee, CH-14		12:00 PM Transportation and Planning Committee, Room 280	

## CALENDAR DETAILS:

### Monday, August 19

11:45 am Council-Manager Relations Committee, Room CH-14  
**AGENDA:** Update on community input regarding the Citizens Review Board; Handbook for citizens advisory board members and Code of Ethics; City attorney's evaluation survey results (closed session)

### Thursday, August 22

12:00 pm Transportation and Planning Committee, Room 280  
**AGENDA:** Transit oriented development policies part II; Long Range Transportation Plan and strategic mobility fund

**ATTACHED:** [August and September calendars](#)

## INFORMATION:

### FirstNet Ceases Negotiations with Charlotte for Wireless Communication Spectrum Management Lease Agreement

*Staff Resource: Chuck Robinson, Shared Services, 704-432-3539, [clrobinson@charlottenc.gov](mailto:clrobinson@charlottenc.gov)*

In September 2010, City Council approved accepting an American Recovery and Reinvestment Act (ARRA) grant for the implementation of a Public Safety cellular broadband network by the City of Charlotte and Mecklenburg County. The grant, from the Broadband Technologies Opportunity Program (BTOP) through the Department of Commerce's National Telecommunications and Information Administration (NTIA), consisted of \$16.7 million in federal funds and \$4.4 million in "in kind services" from the City, which consisted of staff time and opportunity costs associated with leasing space on City owned towers.

In February 2012, federal legislation established an independent authority (First Responder Network Authority, or FirstNet) responsible for building a nationwide public safety cellular network. In May of 2012, NTIA suspended BTOP funds for cellular equipment in the seven jurisdictions that deploy public safety broadband networks, including Charlotte. This was done to ensure development within these jurisdictions would be consistent with the FirstNet national network design. A prerequisite for having funding restored was the completion of a spectrum management lease agreement with FirstNet.

In March of this year, the City of Charlotte began negotiating a lease agreement with FirstNet. On Tuesday, August 13, 2013, FirstNet announced that it was ceasing negotiations with the City of Charlotte as well as the New Jersey Department of Treasury and Adams County, Colorado without completing agreements. No specific reason was given for this decision, but early in this process, the City and FirstNet agreed that if Charlotte believed it would be unable to successfully complete its proposed Public Safety Broadband project associated with its BTOP

grant, it would not enter into a lease agreement with FirstNet. Staff believe the sustainability issues identified below led to their decision.

Much has changed in the 15 months since the suspension of grant funding for cellular related equipment by NTIA. These changes include:

- State building codes, which increased standards for communications tower construction and modification. This significantly increased the City's project cost.
- Rate decreases for services by commercial cellular providers, which greatly changed the sustainability of the City's business model.
- A better understanding of the cost of special device requirements, which can range from 50% to several hundred times more expensive than commercially available devices.

These changes in the technology environment and the limited physical scope of the Charlotte project (Mecklenburg County) would create funding shortfalls in both the deployment and operations phases of the project. Over the last four months, the City of Charlotte has been working with FirstNet, the State of North Carolina and its partners in the LTE project, Alcatel-Lucent and Crown-Castle, to develop a successful "go forward" strategy to overcome these challenges. While staff believe the team was successful in developing a set of strategies to overcome the deployment challenges, the City was unable to overcome the sustainable operations issues.

After careful consideration of the benefits and risks associated with the Charlotte Public Safety Broadband Project, FirstNet has decided to not pursue a lease agreement with the City. The City's project team will be consulting with NTIA and its partners to identify an alternative public safety communications project for which the City can use the remaining BTOP grant funds. The project team will keep Council apprised of new developments.

This project was designed to improve the City's overall public safety communications network, but has no impact on the City's current structure or ability to provide reliable service to citizens.

The City believes strongly in the mission of FirstNet to develop a nationwide interoperable broadband network. The City's project team looks forward to sharing the knowledge and experience it has gained over the last three years with the State of North Carolina and FirstNet to support the successful deployment of this critical communications system.

### **Beatties Ford Road Widening Project - Median Update**

*Staff Resource: Johanna Quinn, CDOT, 704-336-5606, [jquinn@charlottenc.gov](mailto:jquinn@charlottenc.gov)*

*Tim Greene, E&PM, 704-336-3649, [tlgreene@charlottenc.gov](mailto:tlgreene@charlottenc.gov)*

The Beatties Ford Road Widening Project, identified in the FY2009-2013 Capital Investment Plan, widens Beatties Ford Road from two lanes to four lanes with left turning lanes, planted medians, bicycle lanes, sidewalk and planting strips. The improvements, designed to increase the safety and capacity of the road, are from Capps Hill Mine Road to Pauline Lane (1.5 miles). Five workshops were held to present alternatives and gain feedback from the public. The total project cost is estimated to be \$14,115,000.

Since the workshops, Council has heard objections to the Beatties Ford Road Widening Project from business interests along the corridor through Council appearances, emails, and other means. Mr. Paul Holmes, 3840 Beatties Ford Road, has spoken to Council requesting the proposed landscaped median, between Capps Hill Mine Road and Slater Road, be replaced with a painted median (five-lane roadway), so that his business clients have left turn access into and out of his driveway (full access).

Project team members met with Mr. Holmes on Thursday, August 8 to develop a solution that would allow Mr. Holmes full access to his property. Mr. Holmes' property is directly across from Capps Hill Mine Road and has a circular driveway with access to Beatties Ford Road north and south of the Capps Hill Mine Road intersection. The team and Mr. Holmes have agreed to realign the driveway on the north end of his property to the intersection of Beatties Ford Road and Capps Hill Mine Road. The realigned driveway will be directly across from Capps Hill Mine Road. The new alignment allows full access to Mr. Holmes' property. His south driveway will remain as it currently exists. Mr. Holmes was pleased with the new alignment, but told staff that he would continue to oppose the median between Capps Hill Mine and Slater Road on the grounds that it restricts access for businesses.

There are two businesses between Capps Hill Mine Road and Slater Road, King Funeral Home and Mr. Holmes' business, The Enterprise Group. The realignment of Mr. Holmes' driveway and the median opening at the funeral home for processions provides full access for both businesses in the block between Capps Hill Mine Road and Slater Road.

On September 23, 2013, staff will request that Council award a contract for clearing and grading in order to begin utility relocation in advance of general road construction. Remaining parcel acquisitions will come before Council in November and December of 2013. General Construction work is scheduled to begin in 2014.

## **ATTACHMENTS:**

[July 22 Council-Manager Relations Committee Summary](#)