

**CITY COUNCIL RESEARCH DIVISION  
LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Ordinance 2022-47

**Introducer/Sponsor(s):** Council President at the request of the Mayor

**Date of Introduction:** January 11, 2022

**Committee(s) of Reference:** NCSPHS, F

**Date of Analysis:** January 13, 2022

**Type of Action:** Appropriation; designation of oversight agency; emergency passage on first reading requested

**Bill Summary:** The bill appropriates \$1,200,000 from General Fund fund balance to the Code Enforcement Revolving Fund for contractual services to retain the services of the private developer's current contractor to demolish the Berkman Plaza II building by implosion. The Municipal Code Compliance Division of the Neighborhoods Department is designated as the City's oversight agency for the contract. Emergency passage of the bill on first reading is requested in order to expedite the demolition to protect the public's safety due to the building's instability and to avoid additional costs for the project if the contractor working on the project were to demobilize and remove the protective barriers and other safety measures from the site, which would have to be re-installed at a later date.

**Background Information:** Pece of Mind Environmental, Inc., the demolition contractor hired by the owner of the Berkman II tower, has informed the City that it is owed a considerable sum by the tower's owner for work already done on the project, has filed a construction lien on the property, and intends to demobilize and leave the site for other jobs until it is paid. The company has also informed the City that the structure is in a weakened state because of the demolition work already completed in preparation for the implosion of the building, which has now been delayed several times, and that it cannot guarantee its safety in the event of a high wind event. In order to protect public health and safety, the City will appropriate \$1.2 million from General Fund balance to have the implosion subcontractor – Controlled Demolition Inc. – continue its preparations on a single-source procurement basis and complete the implosion process in the near future to reduce the danger posed by the weakened structure.

**Policy Impact Area:** Public safety

**Fiscal Impact:** The City will appropriate \$1.2 million from General Fund balance for a single-source contract with the demolition firm.

**Analyst:** Clements