
RULE OF THE CHAMBER

Any person wishing to address City Council shall step up to the lectern, state their name and address in an audible tone of voice for the record, and unless further time is granted by the presiding officer, shall limit their address to three (3) minutes.

A person may not give up or relinquish all or a portion of their time to the person having the floor or another person in order to extend a person's time limit in addressing the Council.

Any person who does not wish to address Council from the lectern, may print their name, address and comment/question which he/she would like brought before Council on a card provided by the Clerk/Treasurer and return the card to the Clerk/Treasurer before the meeting begins. The Clerk/Treasurer will address the presiding officer at the start of Citizen Comments on the Agenda, notifying him of the card comment, and read the card into the record for response.

Those who want to use audio and image recording equipment in Council Chambers that requires a monopod, tripod or other auxiliary equipment for the audio and image devices shall notify the City Clerk before the meeting begins. Arrangements will be made to accommodate the request in a manner that minimizes the possibility of disrupting the meeting. No additional illuminating lights may be used in Council Chambers unless a majority of City Council members consent. Additionally, cell phones and pagers should be set to vibrate or silent mode when inside Council Chambers.

Should any person fail or refuse to comply with any Rules of the Chamber, after being informed of such noncompliance by the presiding officer, such a person may be deemed by the presiding officer to have committed a breach of the peace by disrupting the public meeting, and the presiding officer may then order such person excluded from the public meeting under Section 3 (6) of Open Meetings Act, Act 267 of 1976.

You will notice a numbering system under each heading. There is significance to these numbers. Each agenda item is numbered consecutively beginning in January and continues through December of each calendar year.

The City of Monroe will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon one weeks' notice to the City Clerk/Treasurer. Individuals with disabilities requiring auxiliary aids or services should contact the City of Monroe by writing or calling: City of Monroe, City Clerk/Treasurer, and 120 E. First St., Monroe, MI 48161, (734) 384-9136. The City of Monroe website address is www.monroemi.gov.

**AGENDA - CITY COUNCIL SPECIAL MEETING
TUESDAY, JANUARY 18, 2011
6:45 P.M.**

- I. CALL TO ORDER.**
- II. ROLL CALL.**
- III. CLOSED EXECUTIVE SSESSEION TO DISCUSS ATTORNEY'S OPINION.**
- IV. ADJOURNMENT.**

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**AGENDA - CITY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 18, 2011
7:30 P.M.**

- I. CALL TO ORDER.**
- II. ROLL CALL.**
- III. INVOCATION/PLEDGE OF ALLEGIANCE.**
- IV. COUNCIL ACTION.**

265 Postponed at the December 20, 2010 meeting.

Communication from the Building Official, reporting back on bids received for the demolition of a property located at 369 Armitage Drive, and recommending that Council award the contract to Earth Works Excavating, in the amount of \$8,300 and that a total of \$13,300 be encumbered to include a contingency of \$5,000 for the abatement of asbestos if identified, and further recommending that the Mayor or clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe. It was moved by Council Member Beneteau and seconded by Council Member Bica that item 265 be postponed until the January 18, 2011 Council Meeting with the stipulation that the inside of the property be cleared of all rubbish and debris before that meeting.

270 Action delayed at the December 20, 2010 meeting.

Communication from the Interim Director of Planning & Recreation, submitting an application for Obsolete Property Rehabilitation Tax Exemption from West Front Development, LLC for the buildings at 114 and 116 West Front Street, and recommending that Council delay action on this item until its meeting on January 18, 2011 in order to draft the terms of the above referenced agreement and to address outstanding issues pertaining to property maintenance code compliance. It was moved by Council Member Beneteau and seconded by Council Member Paisley that item 270 be accepted, placed on file and the recommendation be carried out.

273 Tabled at the December 20, 2010 meeting.

Communication from the Building Official, reporting back on bids received for the demolition of a property located at 114 and 116 West Front Street, and recommending that Council table this action until January 18, 2011 Council Meeting in order to draft terms of an agreement to renovate the

structures and further recommending that if an agreement cannot be reached the structure be demolished. It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 273 be approved as indicated.

- V. **CONSENT AGENDA.** (All items listed under the Consent Agenda are considered to be routine by Mayor and Council and will be approved by one motion, unless a Council member or citizen requests that an item be removed and acted on as a separate agenda item)
- A. Approval of the Minutes Regular Council Meeting held on Tuesday, January 4, 2011 and the Minutes from the Work Session held on Monday, January 10, 2011.
 - B. Approval of payments to vendors in the amount of \$_____.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
 - 3. Appointments.
 - 1. Communication from the Mayor's Office, submitting a proposed resolution for appointments to various boards, commissions and committees, and recommending that the resolution be adopted.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the resolution be adopted.
 - 4. Multi-Sports Complex Software Contract.
 - 1. Communication from the Finance Director, submitting a proposal from Max Enterprise Software for the purchase of their most current events scheduling software program for a total cost of \$22,410, and recommending that Council approve entering into the attached agreement with Maximum Solutions, Inc. for the purchase and finance of the Max Enterprise Software and further approve the City Manager to sign the agreement on its behalf.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
 - 5. Professional Services Contract for Processing of LiDAR Elevation Data.
 - 1. Communication from the Director of Engineering & Public Services, submitting a request for a service agreement for professional services contract for processing of LiDAR Elevation Data, and recommending that Council award the above contract to Woolpert in the amount of \$10,000, and that the Director of Engineering & Public Services be authorized to execute it on behalf of the city, once a commitment from FEMA to accept the dataset and extend the comment / protest period for the new FIRMs is received.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
- VI. **MAYOR'S COMMENTS.**
- VII. **CITY MANAGER COMMUNICATION.**
- VIII. **COUNCIL COMMENTS.**
- IX. **CITIZEN COMMENTS**
- X. **ADJOURNMENT.**



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Appointments

DISCUSSION: The attached Resolution recommends appointment to various City Boards and Commissions whose terms have expired and/or where there is a vacancy.

Therefore, it is recommended, that City Council approve the proposed Resolution making appointments to various City Boards and Commissions.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Operations

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ N/A
Cost of This Project Approval	\$ N/A
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

<u>SOURCE OF FUNDS:</u>	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Mayor's Office

DATE: 1/12/11

REVIEWED BY: Robert E. Clark, Mayor

DATE:

COUNCIL MEETING DATE: 1/18/11

RESOLUTION

WHEREAS, there are terms on various Boards, Commissions, and Committees which have vacancies; and

WHEREAS, a diligent effort has been made to fill these appointments;

THEREFORE BE IT RESOLVED that the following person is hereby appointed to the office and the term hereinafter indicated, January 18, 2011

CITIZEN PLANNING COMMISSION

Harold Caldwell	3 year term to January 13, 2014
Kathy Powers	3 year term to January 13, 2014
Suzanne Mielnik	3 year term to January 13, 2014*

CIVIL SERVICE COMMISSION

David Thompson	6 year term to January 11, 2016**
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CONSTRUCTION BOARD OF APPEALS

Matt Notario (electrical)	3 year term to January 13, 2014
Dave Swartout (alternate)	3 year term to January 13, 2014*

ETHICS COMMITTEE

James Jacobs	6 year term to January 9, 2017
Steve Latondress	6 year term to January 9, 2017

LEGISLATIVE CONTACT PERSON

Robert E. Clark	1 year term to January 9, 2012
Edward Paisley (Alternate)	1 year term to January 9, 2012

METROPOLITAN WATER POLLUTION CONTROL BOARD

Robert E. Clark	1 year term to January 9, 2012
George Brown	1 year term to January 9, 2012
Mary V. Conner (Alternate)	1 year term to January 9, 2012

MONROE COUNTY OPPORTUNITY PROGRAM

Edward Sell (Rep.)	2 year term to January 14, 2013
Matt Wallace	2 year term to January 14, 2013

MONROE HISTORIC DISTRICT COMMISSION

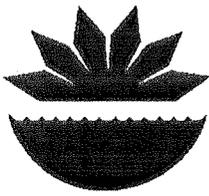
Barry Egen	3 year term to January 13, 2014
James Johnson	3 year term to January 13, 2014
Harold Caldwell	3 year term to January 13, 2014

MONROE HOUSING COMMISSION

Anthony Webb	5 year term to January 11, 2016
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*fills expired term

**term expired Jan. 2010



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Multi-Sports Complex Software Contract

DISCUSSION: The Monroe Multi-Sports Complex (MMS) has been using Maximum Solutions Max Enterprise 2004 Software for the scheduling of events at the Monroe Multi-Sports Complex. The software was put in place over five years ago when JRV Management was the contracted manager of the facility. Rink Management Services would like to upgrade this software program to the most current Max Enterprise Software. The upgraded software will allow the ability to not only schedule events effectively, but may be used for Point of Sale, Activity Registration, Online Registration, Point of Sale/Inventory, Credit Card Processing, Video Link to allow the Complex Schedule and rink advertising on the lobby video screens, and Web Link which will allow the schedule to be posted daily by the software to our website, this will allow our customers to be able to view the arena schedule online for any given day. The current 2004 version can only function with ice scheduling. The benefits of the new version is the Online Registration for classes & programs, On Site Registration and reporting, Point of Sale which will be used to track and report admissions for public skating, bounce, and birthday parties, along with the use of Point of Sale with inventory for loss prevention of concession and pro shop inventory.

Rink Management has secured financing for this software over four and half years of \$415.00 per month with a total cost of \$22,410.00. The cost is the same regardless of whether it is paid monthly or up front. The monthly payment for the software will be an expense of the Multi-Sports Complex. The software will not be Rink Management Services Corporation property. It will be owned by the City of Monroe and would be available for use by the Recreation Department.

The contract with Rink Management Services Corporation requires that the City agree with and sign any contracts to be entered into related to the operation of the facility. This provision wasn't in previous management contracts related to the MMS. For that reason, this agreement must be approved by the Mayor and City Council to comply with the contract and the City purchasing ordinance.

It is recommended that the Mayor and City Council approve entering into the attached agreement with Maximum Solutions, Inc. for the purchase and financing of the MaxEnterprise Software and further approve the City Manager to sign the agreement on its behalf.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: January 18, 2011

REASON FOR DEADLINE: Needed for MMSC Operations

STAFF RECOMMENDATION: For Against

REASON AGAINST:

INITIATED BY: Edward Sell, Finance Director and Lou Lombardo, General Manager, MMSC

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Multi-Sports Complex

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$22,410
Cost of This Project Approval	\$22,410
Related Annual Operating Cost	\$N/A
Increased Revenue Expected/Year	\$N/A

SOURCE OF FUNDS:

City

Account Number

Amount

101-70.757-977.000(Annually)

\$
\$4,980.00
\$
\$
\$
\$

Other Funds

\$
\$
\$
\$

Budget Approval: 

FACT SHEET PREPARED BY: Lou Lombardo, General Manager, MMSC

DATE: 1/11/2011

REVIEWED BY: Edward Sell, Finance Director 

DATE: 1/11/2011

COUNCIL MEETING DATE: January 18, 2011



**Maximum Solutions, Inc.
MaxEnterprise Software Financing Agreement**

Financer: Maximum Solutions, Inc.
9800 Shelard Parkway, Suite 110
Plymouth, MN 55441
800-976-6646

Customer: Rink Management Services Corporation
Monroe Multi-Sports Complex
333 N. Dixie Highway
Monroe, MI 48162

Contact Name: Tom Hillgrove

Contact Phone: 804-550-7002

Maximum Solutions Product(s) covered by this agreement:

MaxEnterprise Software

- Facility Reservation
- Activity Registration
- On Line Registration
- POS/Inventory
- MaxVideo Link
- MaxWeb Link
- Credit Card Processing

1.0 Financing Agreement Commencement Date:

1/1/11

Agreement terms:

- 1.1 Financer will license the MaxEnterprise software to customer for its' exclusive use. Customer will abide by all terms and conditions of standard software license agreement.
- 1.2 Customer shall be entitled to receive telephone technical support, upgrades and enhancements to currently installed product(s) during the term of the financing agreement.
- 1.3 At the conclusion of the financing term, the customer will have paid for the software covered by this agreement, the first fifty four (54) months of service

and any applicable user training. (Travel expenses associated with user training would be in addition to the terms of this agreement and be billed separately at the conclusion of the on site training).

- 1.4 Customer will be invoiced for annual service to cover the next year at the conclusion of the term of this agreement at the agreed upon rate.
- 1.5 If customer defaults on payment during the term of the agreement at a given location, the client will have the right to transfer the license to another RMSC location and continue making payments for the remaining portion of the agreement. If the customer does not transfer the license to another location, the MaxEnterprise software will be returned to Maximum Solutions and a penalty will be assessed as follows:
 - Cancellation during the first 12 months - \$4,000
 - Cancellation during months 13-24 - \$2,000
 - Cancellation during months 25-36 - \$1,000.
- 1.6 Any new MaxEnterprise software applications installed during the term of the agreement may be purchased or, if mutually agreed upon between the parties, may be added to this agreement.

2.0 Financing Agreement Payment Terms:

- 2.1 Agreement is for a term of fifty four (54) months and is non-cancelable and non-transferable.
- 2.2 Payment terms:
 - \$415/month for 54 months.
- 2.3 Monthly Payment will be made via check. If payment is not received within 5 Business days of the monthly due date, payment will be processed from customer supplied credit card.
- 2.4 Payments returned due to insufficient funds will be assessed an additional \$40.00 service charge.

3.0 Taxes:

- 3.1 Customer shall be responsible for any and all applicable federal, state, provincial or local taxes.

Agreed by Customer:

Company Name

Authorized Signature

Title

Date

Accepted by Financer:

Pat Walter
President
Maximum Solutions, Inc.

Date



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: PROFESSIONAL SERVICES CONTRACT FOR PROCESSING OF LIDAR ELEVATION DATA

DISCUSSION: The City of Monroe was notified in August 2010 that the Federal Emergency Management Agency (FEMA) had prepared draft Flood Insurance Rate Maps (FIRMs) that would go into effect following a 30-day comment period. These rate maps, which are prepared for nearly every county in the United States, are used to determine which properties are most susceptible to flooding. Properties classified in the 1%-chance annual flood zone (commonly referred to as the 100-year flood plain) are subject to a variety of potential building limitations, and property owners with mortgages and loans from Federally-guaranteed institutions generally are required to carry flood insurance.

When FEMA and their consulting firm presented the proposed FIRM maps, there was a great deal of concern not only in the City of Monroe but across the county that drastic changes had been made to the areas classified as being in the 100-year flood plain. On the whole, a great many more properties county-wide have been added to this flood hazard area than were removed from the current 100-year flood plain. While FEMA and their consultant insist that the "best available data" was utilized in preparing the maps, professional staff from the City of Monroe and across the county have been disputing this assertion since that time, based largely on FEMA's inability or unwillingness to provide a basis of comparison between the proposed maps and the original preparation standards of the maps currently in force. FEMA has granted all of Monroe County an extension of the comment period through December 31, 2010, and we have requested another extension to June 30, 2011 that has not yet been acted upon. While FEMA was gracious enough to send representatives to a local officials' meeting on December 14, that meeting was largely fruitless, and as of right now we appear no closer to any resolution of the issue than we were in September. We have been continually being involving our State and Federal legislators in this issue, and in particular Congressman Dingell's staff has proven invaluable in this role.

One data set that the City of Monroe and others have been pressing FEMA and their consultant to utilize is LiDAR (Light Detection and Ranging) data obtained by the Southeastern Michigan Council of Governments (SEMCOG) in 2010, which is currently under-going final review by the United States Geodetic Survey (USGS) and is planned to be available in early February for public use. This data, which is obtained by aerial photography with technology that will measure vertical displacement from the aircraft, is generally felt by all parties to be the most accurate data available, and could be used to provide a far superior set of FIRM maps. However, since the SEMCOG / USGS project will only make the raw data available, FEMA and their consultant do not appear willing to expend the time and money needed to incorporate this raw data into the proposed FIRMs, and since it was not available at the time of commencing the preparation of the new maps in 2008, they have stated that they are under no obligation to consider it. However, if this raw data were in turn processed into a usable form with 2-foot vertical contours delineated already, we believe it could be incorporated in the new maps with relative ease and at marginal cost to FEMA.

While the City staff continually has maintained the position that FEMA ultimately has the obligation to prepare maps that are as accurate as possible before making such a large potential imposition on the residents of our area, we have come to the realization that the only way we may be able to move this issue forward is to commit to FEMA that the City of Monroe will arrange for processing of the raw data from the SEMCOG / USGS LiDAR project and present it to FEMA for incorporation into the proposed FIRMs. While we do not and will not have any assurances that, once the new data is incorporated and the new flood boundaries are interpolated from the data, the revised maps will differ from the new maps proposed by FEMA, preliminary review of new raw data points in the Port of Monroe area show that the use of this data nearly exactly matches the current (old) maps. This is encouraging to this point, and if the pattern bears out over the City proper, hundreds of homeowners could potentially be spared the expense of unnecessarily being required to carry flood insurance.

The Engineering Department solicited a quotation from Woolpert (attached) to perform the necessary processing of the 2010 LiDAR raw data into a Digital Terrain Model (DTM) with 2-foot vertical contours that will meet all of FEMA's certification requirements and be ready for use. We have worked with Woolpert in the past, specifically for the flight that prepared the baseline aerial photo still in use for the City of Monroe's Geographic Information System. Since this is a professional services contract and time is of the essence, we did not solicit additional quotations. However, given our past experience, they are qualified to perform this work and we feel that the price quoted is reasonable. They provided two prices, but the \$10,000 price within the City limits only without a small buffer will still meet our needs.

(DISCUSSION CONTINUED NEXT PAGE)

(DISCUSSION CONTINUED)

Obviously, we will not actually enter into the contract until such time as FEMA commits to utilizing the data once it is ready, and formally commits to an extension of the comment / protest period to June 30, 2011, which we believe to be adequate to complete this work. However, this data does provide benefit to the Engineering Department staff in a variety of ways, so processing of this data can yield substantial benefits in project concept planning, economic development review for prospective clients, and even assisting residents that are in the current flood plain areas with direction on whether they have a reasonable chance of their homes actually being above the base flood elevation before hiring a surveyor. For these additional reasons and many others, funding was set aside in the Capital Improvements Program in past years for Geographic Information Systems (GIS) work, and sufficient funding is still available.

IT IS RECOMMENDED that the City Council award the above contract to Woolpert in the amount of \$10,000, and that the Director of Engineering and Public Services be authorized to execute it on behalf of the City, once a commitment from FEMA to accept the dataset and extend the comment / protest period for the new FIRMs is received.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: January 18, 2011

REASON FOR DEADLINE: The raw data is scheduled to be made available around February 1, and work should start immediately if it is to be accepted by FEMA.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Engineering Department, Economic and Community Development Department, Port of Monroe, various industrial, commercial, and residential property owners throughout the City of Monroe

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$10,000
Cost of This Project Approval	\$
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:

City
GIS

Account Number
401-95.449-818.020 07C12

Amount
\$10,000

Other Funds

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Dir. of Engineering & Public Services

DATE: 01/12/11

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: January 18, 2011



Memo

To: Jerry Roberts

From: Brad Fugate

Date: December 21, 2010

Subject: Contour Estimate

Scope of Services

Project Area

Woolpert will provide DTM/Contour mapping of the entire City of Monroe, along with a 50-foot buffer outside the City boundary. The City boundary will be the same as the original 2004 DEM boundary +/- 16 sq. miles. See figure 1.



Figure 1

Contours

Using the 2010 Monroe County LiDAR data and orthoimagery, Woolpert will compile DTM breaklines and Hydro breaklines. Some features that may be represented by DTM breaklines include: natural slope breaks, ditches, and tops and bottoms of embankments; and constructed slope breaks such as roads and graded areas. Features that are represented by Hydro Breaklines include: closed water bodies (lakes and ponds) over 1 acre in size and rivers, streams, creeks over 20-feet wide. No single line streams will be compiled. Woolpert will generate 2-foot contours using the LiDAR derived mass points, DTM breaklines, and Hydro breaklines. The 2-foot contours will have an accuracy of ± 1.3 feet @ 95% confidence level. Spot elevations will be placed in appropriate areas to help define the terrain. Contours will be continuous and not be labeled, however every fifth contour (10-foot/20-foot intervals) will be shown as an index contour and represented with a heavier line weight. All contours will contain an elevation attribute that will hold the photogrammetrically obtained elevation.

Fee

Option 1 Total Lump Sum Fee (16 sq. miles)\$13,455.00

Option 1 Total Lump Sum Fee (12 sq. miles)\$10,000.00

Jerry Roberts
December 21, 2010
Page 2

Compensation to be paid to Woolpert for providing the requested Services shall be as follows:

The total lump sum fee for the project is \$13,455.00 or \$10,000.00 based upon project area.

Woolpert will invoice the county each month on percent of task complete. All invoices must be paid within 30 days.

Schedule

The project will be completed within 120 days after notice to proceed.

Deliverables

Woolpert will deliver the following:

- One set of 2-foot Contours in shapefile format
- All data will be delivered on an DVD or external hard drive.