

The City Council of the City of Charlotte, NC, convened for a Workshop on Monday, March 1, 2010, at 5:20 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding. Council members present were: Michael Barnes, Patrick Cannon, Nancy Carter, Warren Cooksey, Andy Dulin

ABSENT UNTIL NOTED: Councilmembers Susan Burgess, David Howard, James Mitchell, Edwin Peacock III, Warren Turner

ABSENT: Councilmember Patsy Kinsey

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UPDATE FROM HOLLAND & KNIGHT

Curt Walton, City Manager, said first there is an amended agenda in front of you. We reordered the agenda items for tonight so you can see what the order will be. The first item is Rich Gold from Holland & Knight is here. He was here for the Governmental Affairs Committee meeting at 4:00, and Rich will give us an overview of the federal process and our pieces of it and then some of the larger issues that the federal government is dealing with that may or may not impact us. I will turn it over to Rich.

Rich Gold, Holland & Knight, said he was working with the City of Charlotte in Washington, DC, on Federal priorities. I believe Ron was going to run and get copies, so slides will be on paper for you hopefully before I'm done, but I did want to update you all on the status of Charlotte's federal initiative and frankly more broadly what is going on in Washington and then take questions and have any discussion as warranted based on that. He began a PowerPoint presentation entitled, City of Charlotte Federal Update, a copy of which is on file in the City Clerk's Office. He said I'll focus on a few things here – the federal appropriations process, the general status of federal legislation up in Washington at this point, many members of Council's upcoming trip for the National League of Cities to Washington, DC, and any particular questions you have.

I'm going to reverse order here a little bit and start out with – I guess I'll stick, since it's on the slides, with the appropriations process. We have been lucky enough over the last five years to be representing the City of Charlotte in Washington, DC, and have been successful working with you in achieving over \$240 million in total federal funding during that time period for major city projects ranging from transportation to law enforcement to environmental efforts and look forward to continue working with the City this year.

As you all know, the appropriations process kicks off the beginning of the year with member request deadlines where members ask their constituents for important local priorities that they can pursue funding for at the federal level, and most of the North Carolina delegation have their deadline set sometime in the month of February so we are pretty much at the end of that process. The reason members of Congress have those request deadlines in place is because the appropriations committees in the House and the Senate have deadlines in this year. Those deadlines are March 19th in the House and the beginning of April in the Senate such that members of Congress then take the time, that three week difference, to review what you all have submitted to them, ask any questions that need to be asked, and then can submit to the Appropriations Committee the forms that are required to make spending requests.

So we are currently in the process of finalizing the submitting all those forms to the delegation and answering any questions that staff have. It's a very detailed and paper-intensive process at this point, and we are just about done with that. As you all know, your priorities for the year, as has been set by Council, the Charlotte Blue Line Light Rail Extension for the northeast corridor, monitoring tracking, prosecuting priority offenders funding, emergency communications collocation, Gang of One continues on the list this year, and Police Activities League, youth initiative, and Briar Creek sewer relief.

Once we are done working with the delegation to get all their funding requests prepared and submitted to the Appropriations Committee, we then interact on behalf of the City with

Appropriations staff to answer any questions they have about projects and coordinate very closely with the delegation so that the delegation at the right times is weighing in and answering questions and pushing through your projects as hard as they can.

Councilmember Barnes said a question for you regarding the previous slide. If you are going to answer this later, fine. Are you going to give us the numbers we are requesting for each of those projects?

Mr. Gold said I was keeping it general tonight. Let me see. I think I have numbers in here for each of the projects. Did you have something specifically, or did you want me to go through item by item?

City Manager Walton said, Mr. Barnes, it's in our write-up right behind the tab for this item. It includes the funding -- \$40 million for the northeast, \$966 for priority offenders, \$5 million for emergency communications, Gang of One is \$1,050,000, and then Briar Creek is \$4 million.

Councilmember Barnes said, thank you, sir. Let me follow that up then. There was a \$24 million that Burr and Hagan had requested. What is the status of that now?

Mr. Gold said for the northeast extension?

Councilmember Barnes said yes.

Mr. Gold said for the northeast they were successful last year in obtaining funding for the northeast, and we continue forward this year. As you all know, you will be working towards entering into a full funding grant agreement with FTA hopefully first quarter of 2012, so this will likely be our last year of requesting appropriated funding before we are in the budget hopefully.

Councilmember Barnes said are you familiar with the 24 --

City Manager Walton said didn't the 24 turn into 14 when it went through --

Mr. Gold said in conference, yes, but that was concluded when we passed the appropriations bills back in December.

Councilmember Barnes said are we going to get the 14?

Mr. Gold said yes. Just to go through the general federal legislative landscape up there right now, obviously the 900-pound gorilla of issues right now in Washington is healthcare reform, as you are aware. President Obama held his healthcare summit last week. It was very clear the differences between the parties in terms of their approach to healthcare reform at this point. Bipartisanship at the end of the day very unlikely, so it's likely that the president will announce and we understand it will be most likely this Wednesday that Democrats should proceed forward. He is encouraging the House to take up the Senate-passed Bill, which passed the Senate in December, and then the House and Senate will then pass under reconciliation protection, which I will explain in a moment, changes to the Senate Bill to perfect it.

Reconciliation is a process under the Budget Act that was passed in the early '70s that allows the Senate to take up changes to the federal budget that impact the budget in terms of major spending, major spending being over a couple of billion dollars under the protection of a privileged resolution, which would require only 51 votes as opposed to the 60 votes required for normal votes in the Senate that can be filibustered, so, in other words, the protection is the measure cannot be filibustered. So we expect that to happen. If you all recall from consideration of the House-passed healthcare bill that bill passed with three votes to spare back in July, so obviously the President and the Speaker are going to have to work real hard to make sure they have the votes for this bill, but the general expectation is that at the end of the day they will get there.

We are sort of going in reverse time order because I think you can presume that everything else I'm about to talk about will come before healthcare because once healthcare happens it's very unlikely you are going to get much moving through the Senate, so we actually expect the

healthcare final passage to not occur until the end of April, and the order of priority and things moving before then will include a second jobs bill. As you may recall, a first jobs bill of about \$15 billion passed last week -- contains the things contained on the slide. A second jobs bill likely will be taken up this week, and the foundation of that bill is a compromise by Chairman Baucus and Grassley and ranking member Gassley of the Finance Committee that will include small business tax cuts, transportation spending, and other initiatives to spur the economy. Unclear whether we have the votes in the Senate to cut off debate on that bill, in other words, 60 votes, but we will know that sometime in the next couple of days.

Councilmember Cannon said, Mr. Gold, I think earlier we talked a little bit about there being some Republican support but maybe not enough to maybe take this over the hurdle on the \$100 billion ask, which I think is the right number on this jobs bill. Would you reiterate where you think we might be with Senator Burr, please?

Mr. Gold said Senator Burr's position, and again I'm not comfortable speaking for him, but in terms of what he has said publicly his concerns right now are focusing on the deficit and reducing the federal deficit, which everybody knows is at a record-breaking pace right now in terms of growth, and, therefore, is concerned that we pass spending measures that are an offset by equivalent cuts to the federal budget. So that has been his position on these spending measures that he can't support them unless they are offset. Many members on the Republican side of the aisle have a very similar position right now on spending measures.

Councilmember Cannon said, Mr. Mayor and members of Council, in our Governmental Affairs Committee Meeting that Councilmember Carter shares, Councilmember Dulin did say that he would make the appropriate contact to Senator Burr to work on our behalf to see what we can do to muster his support understanding how important this bill is and what it could mean to our state but more so even to our city. I would assume, Mr. Dulin, that is still in order.

Councilmember Dulin said I will say the exact answer here that I did in committee. Sure. We didn't have any discussion over it, but sure. We will reach out that way with discussion amongst ourselves of how we want that pinpointed. You don't want to waste a shot at that contact without making sure that the committee chair and others are involved with what we want that message to be, but no problem.

Councilmember Cannon said, by the way, that's not a setup or anything. That's only a question only because the report that you have we all know it's about relationships, and I think you have some sort of relationship with the senator.

Councilmember Dulin said it's like this, and this is me.

Councilmember Cannon said on second thought.

Councilmember Dulin said, sure, I'll call the guy, you know.

Mr. Gold said a handful of other issues out there. Obviously another big one, particularly for the region, financial services reform. Senator Dodd, who chairs the Senate Banking Committee, is working very closely with Senator Corker, a Republican of Tennessee, who is a mid-level member on the Banking Committee on the Republican side of the aisle. They are getting very close to a final compromise. The main sticking point there between Republicans and Democrats at this point has been the Consumer Financial Protection Agency, which the President has proposed to make sure that consumers are protected as the title says and make sure that we don't have any more taxpayer bailouts moving forward. It's very likely that we will end up with, if not solid bipartisan support there, at least a number of Republicans crossing over to support the bill at the end of the day; and, again, are hopeful that will get done before healthcare comes back again.

Transportation reauthorization -- there's likely to be an extender of the current bill to take it through the beginning of next year, and we are not likely to see reauthorization in its complete form -- another five-year bill, which will be estimated to cost around \$500 billion until next year. We are going to have a short-term extension of the current program to take us through next year, and at that time we will hopefully finalize the new law. The main sticking point on

transportation reauthorization is the fact that the federal gas tax is bringing in substantially less now than it was when the program was enacted. The last bill was around \$350 billion. The gas tax is now bringing in significantly less than that even, and at the same time, the goal at the federal level is to have the next bill be about \$500 billion total, so you can see the gap that needs to be made up in revenues. We are going to have to get past the next election before Republicans and Democrats jointly are willing to talk about some kind of gas tax increase or other kind of funding mechanism like that to increase transportation spending again.

On the housing front, one program we wanted to mention to you all and make you aware of is a new administration proposal. The Structure of the Sustainable Communities Planning Grant Program will become clear in about the next month or so. It's something we have been talking about in DC when the Mayor made his visits up there. It is a program to help communities, in the first instance, plan for sustainable build-out using transit-oriented development and other mechanisms that Charlotte has been on the cutting edge for the last decade on, and after that, it is likely there will be some implementation funding. So as soon as we get the notice of funding availability from HUD, we'll make sure to work with staff on that and make sure you all are well positioned for that program.

The last issue I would mention is climate change. We have a tri-partisan group of Senators here, including Sen. Lieberman, who is an Independent at this point, working on legislation. We expect to see a modified version of what we have been talking about so far in the bill that passed the house, which is an economy wide cap and trade program that these three Senators will put forward this week. Senators Kerry, Graham, and Lieberman are working on a sector-by-sector approach that would create a cap on greenhouse gas emissions for the utility industry, would probably put a tax in place on petroleum to cover the transportation sector, and put industrial energy efficiency requirements in place for the industrial sector as opposed to a full economy wide cap. Again, we expect to see the details of that proposal, though not necessarily legislative language, this week, and as soon as we have more detail, we will get that out to you. We are not expecting climate change will move forward this year, but this proposal will be a big step forward and may form the basis of a bill that could become law next year in 2011.

Just wanted to mention briefly our plans for the National League of Cities meeting coming up. Obviously you all will be up for a period of days, and I should emphasize up front that Council's participation both in the League of Cities meetings and probably more importantly in meetings with the delegation is the bread and butter of your federal advocacy. We, at Holland & Knight, are very simply your representatives in Washington to do staff work when you are not there, but having you there to meet with the delegation is critical. They appreciate it, and it's important to drive the importance of your projects and policy issues home with them, so we really appreciate you spending the time to do that. We'll likely have a dinner meeting on Monday night to pre-brief and go over where things stand at that point. Obviously things change relatively quickly right now, so I'm down here to do a little of that today, but two weeks from now we could be in a different place, and we'll obviously provide a legislative update. We will then likely have a delegation breakfast Tuesday morning first thing with the House members and individual meetings with Senators Burr and Hagan to follow after that, so by the time we finish, we will have gotten through to the delegation on your priorities, and that's a perfect time as it's right before they have to make their final requests to the Appropriations Committee, so a very well timed visit.

Councilmember Carter said we also have time with the North Carolina delegation as a whole to meet with the delegation, and I think that is a one-two punch that we should not leave on Tuesday but come on Wednesday as well so we can interface one more time.

Mayor Foxx said, as you can see, there is a lot on the table that is happening at the federal level that impacts us at the local level, and, Rich, I want to thank you for updating us not only on the appropriations but also on some of the regulatory issues that are being debated in Washington. We obviously are very interested in the financial services regulations because the uncertainty regarding what comes out of that process has an economic development impact to us as the second largest financial services center in the country, so we'll be watching that very carefully. Council, I will also say that we will be working hard to make sure that we are keeping you up to date on all of these things that are tracking, so as we get updates from Holland & Knight, you

will also be getting those updates in real time, so we are trying to kind of create more transparency around the government relations aspect of things than we have had in the past.

Councilmember Dulin said a couple of questions, if I could, Mayor. Rich, you mentioned that you were waiting to get questions from staff before y'all wrapped up your work and made your pitch. Is that staff from the Congressional staffs?

Mr. Gold said we don't wait. Normally what they do is they will wait until they meet with a member of Congress on projects, and he may ask questions, and then come back to us and sort of say, "Can you find out these details," and then we work with your staff to make sure we have all the "I's" dotted and "T's" crossed, whether it's financial information or a time of construction, whatever the particulars might be of questions from members.

Councilmember Dulin said by the time we get up there, and I am planning on making the trip this year. I think this is too important not to have my thumb on there, you know, participate. We'll have a briefing so we can be – I really like to read stuff before I get into it.

Mr. Gold said absolutely. We will put a briefing book together for you that will kind of lay out all the projects, where they are in the process, and who is carrying what.

Councilmember Dulin said this is a different subject, but I assume that the \$25 million ask has been put in for the streetcar. When will we hear back about that one way or the other?

Mr. Gold said the circulator request? I don't believe that it has been put in yet. Have you put in your circulator? It is in?

Councilmember Dulin said we were under a deadline, a tight deadline.

Mr. Gold said I believe the awards for that request are the end of September of this year, but I'll get back to you and confirm that.

Councilmember Dulin said are y'all spending time on that?

Mr. Gold said the urban circulator funds are through the Recovery Act, and so we are not allowed to lobby DOT, but you are as members, as local government elected officials. So anybody who is a registered lobbyist cannot contact the department on that funding. That was part of the transparency requirements in the Recovery Act. So we are supporting you on that effort, but we are not making direct contacts, and we have had the delegation weigh in because they are allowed to, but we are not directly contacting DOT ourselves.

Councilmember Dulin said we went over in our meeting here right before dinner some of these asks, and the Gang of One came up. That's supported. I really want us to keep pushing that, Mayor. The Police Activities League – we didn't get to that number. That's more – you know, it's on our federal list here, but that's more of a local act; isn't it? It's \$260,000.

City Manager Walton said the Chief has used some other grant money that has come from different sources for PAL this year, so it's not part of our earmark process – just Gang of One.

Councilmember Dulin said PAL and Gang of One are different.

City Manager Walton said right.

Councilmember Dulin said I didn't –

City Manager Walton said CMPD has applied for grant money that has been applied to PAL earlier in this year, so that is why it is handled that way, and Gang of One is an earmark. Gang of One doesn't really have a grant program to work through the same way that PAL has.

Councilmember Dulin said here's a \$260,000 ask for the Police Activities League, which I support. I want to see that thing ramp up; not ramp down.

City Manager Walton said it's a grant; isn't it, Ken? I think it's a grant application.

Deputy Chief Ken Miller, Charlotte-Mecklenburg Police Department, said my understanding is it's a grant.

Councilmember Dulin said I would like for somebody to figure out what it is because it's important that be successful, and it's on our list.

City Manager Walton said what list are you looking at, Mr. Dulin?

Councilmember Dulin said Federal Legislative Agenda in our Workshop for tonight under Police.

City Manager Walton said I don't have that.

Councilmember Dulin said priority offenders, \$966,000; emergency communications location, \$5 million. That's the building out at Sealtest; is that right?

City Manager Walton said that is the communications center that is yet to be sited. I see that list. I just wasn't seeing the Police Athletic League. I'm sorry. I do see that.

Councilmember Dulin said my question to Fran over at the Gang of One was why \$1,050,000, and she answered that question, but my question about the Police Activities League is why \$260,000? How do we know? Maybe that's what the Chief can get or maybe that's what is available, but I'm interested how we get to these numbers. We are asking Holland & Knight to help us go get it.

City Manager Walton said we'll get that for you. Again, we go through that before you approve the program, which is in November, so I don't recall the basis for the 260, but we'll be glad to bring that back to you.

Councilmember Dulin said may I continue just briefly?

Councilmember Cannon said I think, Councilmember Dulin, that Jeff Hood, who is the program director over there actually looks at and assesses what the actual need might be, and then from there makes a recommendation, and then from there it comes back this way.

Councilmember Dulin said that might be. If this is federal, that's different, but I know that the Police Activities League will be a very hot subject in our budget deliberations the next two or three or four months because I'm going to be bringing it up, you know, to try to help Jeff help the kids. If this is federal, that's fine. We have got our federal guys working. This is an opportunity for us to talk about this, and I was just curious.

Councilmembers Burgess, Howard, and Peacock arrived at 5:45 p.m.

Mayor Foxx said, Curt, I don't know if there is any possibility if we could get Mr. Dulin's question answered about what exactly this would go to before the meeting closes today, but if you can, great; if not –

City Manager Walton said I think we'll have to get that. We're sure it's a grant instead of an earmark. The other things on this page are earmarks, so the grant application would have that information in there, and you already approved that grant application.

Councilmember Dulin said we have already approved it? Okay.

City Manager Walton said sometime back.

Mayor Foxx said you done, Andy?

Councilmember Dulin said, yes, sir. All of these are lumped in together rather than some being grant applications and some being earmarks. Yes, done.

Councilmember Carter said one of the debates we have been having is how the funding comes to the city, and I hope that Holland & Knight has been intentional about expressing our desire to see that funding flow directly to the city and bypass the state.

Mr. Gold said, yes, ma'am. It has been actually since before the Recovery Act started we have been pushing on the delegation and working with the folks and particularly Speaker Pelosi in the House, who has been very strong about at least certain programs, setting aside funding particularly in the areas of transportation for local governments directly, and there has been some headway in that space with programs like the TIGR program, but we are still, no doubt, in a place on normal, federal highway's formula funding that most of the funding is flowing directly to the state, and what happens to it at that point varies very much from state to state. So there has been a little headway made, but, as many of you know, I served in the Clinton administration what seems like a long time ago, and we always used to like to say that President Clinton entered office a governor and left a mayor. We are committed to making sure that is the same with President Obama as well.

Mayor Foxx said that's great. The only other thing we haven't touched on, Rich, is I know Sec. LaHood is interested in MPO reform, and that's a topic that has generated some interest in this region as we go through the census and start realigning our MPO districts. If there was one thing that wasn't there that I would just maybe add is just that issue and keeping us abreast of what is going on.

Mr. Gold said, yes, Mayor, and I think obviously we have got our authorizations that we need to take care of in the Transportation Authorization Bill, whether it be continuing the northeast line or the north corridor, continuing the streetcar, but at the same time, there are going to be other policy issues. I think when we start up on transportation reauthorization again the beginning of the next Congress I'm sure you all on the Council will want to weigh in on and perhaps adopt formal policy positions on issues like that where we can be weighing in with the Transportation Committee and pushing.

Councilmember Mitchell arrived at 5:48 p.m.

Councilmember Barnes said, Mr. Gold, one more question for you regarding the TIGR grant for the north corridor. Some time ago we discovered that some of our neighbors to the north were doing their own lobbying. Is that happening now with regard to this particular ask that we are making, and, if so, are we dealing to some extent with the squeaky wheel getting the oil. We are asking for northeast corridor money. We are also asking for north corridor money. If the three towns up there ask for north corridor money, does that in any way impact our ask for the northeast corridor?

Mr. Gold said I think it's clear for the delegation that the priority for the region is the northeast corridor and continuing to get that funded. Obviously the delegation has put a lot of effort into that project to date and has literally obtained tens and millions of dollars in federal funding for it. That project is on line. It has been well rated by the Federal Transit Administration. It will enter – fingers crossed and everything goes well – full funding grant agreement with the federal government, which will be the final grant mechanism we need to build the project the first quarter of 2012. I think that project is well situated. Our counsel to you as your federal advocate is that you need to be opportunistic as things move forward and try and achieve funding for projects where opportunities present themselves as the streetcar with some of the ARA funding, for instance. We will continue to move forward on build-out. North corridor has some work to do in terms of, you know, if it's going to go through the new starts process, we need to make sure we have our non-federal share all lined up, and we need to certainly have our environmental work in line with the way FTA wants it.

Previously I think an environmental review had been done for a RIF loan, and, therefore, had been done in compliance with FTA requirements. So it's going to have some work to do over the next 18 months or so to get itself lined up for federal funding, and we'll go from there. But at the end of the day, you can have two projects moving forward side-by-side. That is actually happening now in Denver and San Francisco, so this isn't about one part of the region winning

while the other loses or whatever. We are going to try to get these all done at the end of the day. It's just a matter of sequencing them.

Councilmember Barnes said we believe what you just said that we are trying to operate regionally, but do you know whether or not people are lobbying for the north corridor separate and apart from what we have asked you all to do?

Mr. Gold said we have had relatively reasonable cooperation with their lobbying groups up there in Washington, and I do not believe at this time – I'm not aware that there has been a separate appropriations request this year for the north corridor. The delegation, I think, has been very clear on its priority being northeast, so I don't believe the delegation would be receptive to that kind of request at this juncture. I should say in the current budget climate to be pulling down the amount of money that the delegation has with \$14 million in FY10 funds coming down in the bill in December, you know, the delegation has done quite well here, so we need to not overburden them.

Councilmember Barnes said does Holland & Knight work for any of the three towns north of Charlotte?

Mr. Gold said, no, the only entity we represent in the State of North Carolina is you.

Mayor Foxx said, thank you, Rich. Appreciate the update. Look forward to another visit soon. Some of you all will be going to Washington, so you will be seeing Rich and the team at Holland & Knight, so enjoy that.

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ENVIRONMENT AND TRANSPORTATION: DEVELOPMENT STANDARDS: PURPOSE AND IMPLEMENTATION

Mayor Foxx said for those of you who have just joined us we have shuffled the order a little bit here, and we have now Development Standards: Purpose and Implementation. Just by way of introduction, I sent a letter on January 7th to the City Manager asking for an update on our development standards. Some of our policies that we have adopted in the past couple of years have been – they have actually had trigger points at which we were supposed to get this kind of update anyway, but there has been a lot of discussion and concern and consternation in some corners of our city about the impact of these development standards, and, frankly, as I have seen and heard of some of the examples of some of these standards, I feel pretty strongly that at least some of the issue has to do with the way the prose of these guidelines and rules have been applied in practice. I'm hoping to hear a little bit today from staff about what you are finding in terms of how these rules are being applied and whether the flexibility that was intended in some of these rules has actually been practiced. With that, Curt, I will turn it over to you and your staff.

Curt Walton, City Manager, said Debra Campbell, Jeb Blackwell, and Danny Pleasant will be making the presentation with Debra leading off, so I'll turn it over to her.

Debra Campbell, Planning, began a PowerPoint presentation entitled, "Development Standards: Purpose and Implementation," a copy of which is on file in the City Clerk's Office and said I'm going to start off the presentation and kind of provide I hope a context or framework for these development initiatives. As you know, we are talking about three initiatives, and we'll be presenting a little detailed information. Jeb will be talking about the tree ordinance and the post-construction control ordinance, and we put a fifth slide because sometimes we talk in language that we interchange policies and ordinances, so we wanted to make sure that we understood what each one of these initiatives are. The USDG, our Urban Street Design Guidelines are policies that have been adopted by Council, and Danny will give you the details of those. They are being used as a way to provide guidance for decision making, but they do not have the force of law like the post-construction control ordinance as well as the tree ordinance. The tree ordinance is being amended and revised and updated, and the post-

construction control ordinance is a new standard that has been developed that Council has adopted.

We thought again that it would be good to put these ordinances in a context, a framework, and have something that you all are very familiar with, and these are just excerpts from your focus areas, and we highlighted some of kind of the terms from your tag lines starting off with the vision – Charlotte will be a community of choice for living, working, and leisure. But each one of these ordinances somehow our policies touch your tag line. For example, creating great neighborhoods under Housing and Neighborhood Development; Community Safety, creating safe neighborhoods from flooding and so forth; Transportation in particular, integrating land use and transportation choices having a context sensitive design of streets with development; Economic Development, prosperous and livable city through quality economic development. We think through these ordinances and policies we are creating that sense of place where definitely economic development can thrive, and then Environment that is probably the most direct linkage with particularly the post-construction and the tree ordinance being a national leader and balancing growth with some fiscal policy.

I also would like to add, and Danny will talk about this, that Urban Street Design Guidelines, although now currently in a policy format, they are being rewritten to reflect ordinance language, and he will talk to you about that schedule for adoption. So, in essence, how do these initiatives advance your adopted vision for the community? The first being post-construction, and I'm giving you the *Readers Digest* version. Jeb will go into detail. Simply improve water quality by addressing flooding. In terms of the tree ordinance, enhance the natural environment, increasing livability and long-term economic vitality, and then your Urban Street Design Guidelines literally mobility and connecting people and places and jobs and schools with streets, sidewalks, bikeways, and transit.

This slide, we think, is probably – especially for my portion of the presentation – the most important one because we want to make sure that you understand we are looking at this from a very balanced perspective – at least the staff work that has gone on as well as the stakeholder work that has gone into each one of these initiatives. We think we advance transportation, community safety, environment, housing and neighborhood development, and economic development. We think if you take your tag lines they all add up to what we think are elements of sustainable growth. With sustainable growth, literally things need to be interrelated and holistic. You need to look from a broad perspective –

Mayor Foxx said I want you to finish and then I have a question.

Ms. Campbell said but there is a sense of urgency in terms of particularly for PCCO. These are mandated standards from both federal and state, and if I misspoke, please clarify that. We admit some short-term costs, but we think that the short-term costs may be avoiding future costs, so short-term costs, and we hope there will be – not hope – we think and feel pretty confident that these standards will bring long-term value to our community, and, again, maintain us as a competitive place to live, work, and do business.

Mayor Foxx said, Madam Planning Director, I wanted to ask you – the Council has clearly supported this vision that you have just articulated, but in terms of achieving that balance in practice you are talking about departments like the Transportation Department, Engineering and Property Department, Planning, Economic Development, so some of the ways in which this gets reduced into operational reality is that it goes into certain departments and then departments are looking at their own issue. Who is responsible for striking that balance?

Ms. Campbell said I would suggest to you that we definitely start out with our line staff trying to be able to be capable of striking that balance. When they can't, we have an appeal process where ultimately, and, Curt, do I say this or do I need you to say this? The City Manager has given me the authority, the Planning Director I should say – the Planning Director the authority to make the decision if there are disagreements, but we are doing a lot of training for all of our staff to make sure they understand the importance of, again, taking this balanced approach and not operating from silos. That is why the thing about being interrelated and being holistic is real relative and important as it relates to implementation for these initiatives.

Mayor Foxx said that's a question I'll probably come back to, but go ahead.

Ms. Campbell said I'll now turn it over to Jeb to get into the details.

Jeb Blackwell, Engineering and Property Management, continued with the PowerPoint presentation and said I'm here to talk about the Post-Construction Control Ordinance and the Tree Ordinance. The Post-Construction Control Ordinance (PCCO) was adopted by City Council in 2007 and implemented in '08. There was a very extensive input process with stakeholders. You may recall we reached a consensus document that there came concerns later on cost, so it was sent back to work on some more. It was very extensively studied prior to it coming with a good many cost studies being done on that, so there was recognition that there was a cost impact to that, so I don't want to suggest that there is not. What I want to suggest is that we had some significant issues that we had to address, as Debra described.

If you look at the colored sections of the map, anything on there that is -- these areas here and there and there are -- those small light-colored areas are the creeks that are not found to be impaired. These other areas all -- those waterways are all impaired, and with each renewal of our MPDS permit the regulations are rising and the expectation is it's not a trend -- it's a pattern. They expect us to be cleaner and start to address those. When we walked into the PCCO, there was a mandate -- I will show you a slide on that in just a moment -- that we address new development, but there was a tremendous amount of pressure that we are going to have to deal with those.

So our stakeholder group agreed on four major goals when they were meeting, and one of those was that we would meet the regulatory requirements. Another was that we address issues in Goose Creek where we had heel-splitters. We had some special issues there. If we were going to allow permitted activity, we had to have some additional protection. One was we start getting to the restoration issue, which really gets to where we went a little beyond the mandated minimums and required work on redevelopment sites. I would note that many of the surrounding communities also went beyond the mandated minimum.

Then our fourth one that was adopted by the committee was also, I think, a very good ones, which was we had some significant flood control issues, and the feeling was we needed to address those, especially single family. Many of us hear from people downstream from single family, and the flooding issues are severe. So, again, going at those issues required a little bit more ordinance than the minimum requirement, and, of course, we still have many outstanding issues. Unless you go at redevelopment, you already have a problem. It doesn't get solved.

The path that we set then seems to be correct. We are seeing current permit requirements from the federal government every five years you have to renew your permit. Different people are on different cycles. They are finding that redevelopment is being a requirement in those, so our permit is up for renewal in 2012, and we fully anticipate that the steps we have taken to deal with redevelopment are going to be mandated, so we feel like, one, it was the right thing to do; and, two, we think in '12 we are not going to have a choice on that. Again, we think we are aligned with those future mandated requirements. I think that's all I have to say on that slide.

There were a lot of cost studies done on this. I think there were about four rounds of cost studies actually done on this by various ones. This is from a Council directive one that we did, and what this kind of illustrates is while there are lots of different numbers on different studies, these hold fairly true, and this is for single family. (Tape change). What we found trying to fix these downstream through our storm water program when we have a water quality problem and we have to treat it or when we have a flooding problem, it costs five to ten times more to be fixed by the public sector after the problem leaves the site, so part of this question is if the flooding and water quality problems are going to have to be addressed what is the best way for us, as a community, to address them, and there is a balance between the public sector addressing them, and that's a fair question, and the private sector addressing them. The sense here was that part of this needed to be addressed in the public process.

Councilmember Howard said, if you could, you said the new ordinance met the minimum requirements and then went a little bit beyond. So, the little bit beyond addressed the flood reduction in natural area and stream buffer.

Mr. Blackwell said in this section that's correct, and on commercial, we went beyond in another area, which is we make requirements on redevelopment sites, which was not mandated at the time we did this in '07.

Councilmember Howard said, Mayor, if it's okay – I wondered if you would walk through those three just a little bit for me why you needed to go beyond the minimum.

Mr. Blackwell said, well, the flood control was in single family houses we didn't have detention, so we were getting increased impervious when people would put in a subdivision, and that was causing a lot of flooding problems downstream. All the types of development we required detention to minimize the negative impact of that additional impervious on the downstream residents, so we added a detention requirement on single family. That was the flood control portion of it. The tree portion was there was a time when subdivisions went in that they got turned in lunar landscapes, and we lost a lot of the trees, so this was going to protect some of the additional trees in that area. Natural areas have some water quality benefits, and the trees that tend to be protected tend to be in the less attractive homes area anyway, so they tended to help us with some buffer areas in addition. Those are the two primary additions.

Councilmember Howard said and the stream buffers –

Mr. Blackwell said there is a stream buffer protection requirement also, and we are slightly above the state minimum on that. The state minimum on the stream buffer ranges from 30 to 100 feet, and our stream buffer requirement is slightly above the minimum but very close to what the minimum is.

Councilmember Howard said what is it?

Mr. Blackwell said it is going to vary depending on the size of the stream. There are a lot of variables in that. We can get you that information.

Councilmember Turner arrived at 6:01 p.m.

Mr. Blackwell continued with the PowerPoint presentation and said the Tree Ordinance has not yet been adopted. As shown here, we adopted it first in '78, and we have revised it a number of times, and this is a current revision that is underway. This one is actually in the closing portions of its input process and will be coming to Council soon for approval. Charlotte, we don't have mountains, and we don't have water. If you look at any common element that people talk about the beauty of our city, it might be the trees. It could be the single thing, and we have always been very good about protecting our trees. When we had our urban canopy analysis done in 2002, I think American Forest said of 78 cities or so they looked at we were the only one that had a 45% or better canopy, which is what their goal was, so we have a great canopy, and certainly everybody knows that. This ordinance has certainly been a priority for the city.

We are trying to protect existing trees, and we are trying to plant additional trees. As patterns have changed on development, we have had to adjust this ordinance a number of times. The one thing that is happening is as you see the picture there that is how we normally protect trees in the setback. With more and more urban type development, there is not a setback, so we aren't able to protect the trees there. In addition, trees in that location, one of the complaints we had with the ordinance as it stands today is that it's hard to see some stores and stuff, so the goal here is to make that instead of using a setback to allow them to have a 15% tree save or some appropriate tree save – there is some variability in it – wherever it works best on that site, so it actually adds flexibility under the current ordinance. This ordinance also will reduce the spacing. Right now trees can be 60 feet apart in a parking lot. This cuts it to 40. There are a number of administrative changes in tree save areas. We didn't use to require no invasives. For example, sometimes we would find these trees had kudzu all over them in a subdivision or something, so there are some other requirements administrative and that sort.

Here's the process forward on this one. We expect that we are going to have a consensus agreement. Right now the only item that is still being debated is the 15% tree save and looking at possible mitigation on some sites where that is a hardship, but the rest of it we have a

consensus document on. We just completed another cost analysis on that as directed by the City Council. Our expectation is we are going to reach a consensus fairly soon on that document and then we'll be presenting that to the Environment Committee in April, to the full Council in May, and then look for adoption in June. The other two things going forward on this that we are also in the final phases – components of another Urban Ecosystem Analysis (UEA), which we'll be able to compare to the '02 study, which will be able to show what our canopy looks like today. Then we will use that for this proposed focus areas to have that for the Environment Committee and the Council to set a tree canopy goal, which we don't have today. We used the one that American Forest does of 45% or greater, and then staff will be required to do measure the effectiveness of the tree ordinance on meeting these goals.

Councilmember Howard said it will be interesting to me just for a second to kind put the PCCO and the Tree Ordinance together. Does the requirement for the tree save in the natural areas go together? Do they overlap?

Mr. Blackwell said they do. They are not added, and they are very closely matched. The Tree Ordinance will supersede the PCCO on the tree-save areas. The Tree Ordinance is the better place to be setting our tree goals than the PCCO, so, one, they are almost identical, and they do not overlap, and we will adjust to where those are the same.

Councilmember Howard said there are not two requirements. If I'm developing a parcel –

Mr. Blackwell said that's correct.

Councilmember Howard said I can meet the tree save by having trees in the natural area.

Mr. Blackwell said your 15% -- if that was your Tree Ordinance requirement – would be the same 15%. It's not 30 as the PCCO.

Councilmember Barnes said, Mr. Blackwell, I had a question regarding the 15% tree-save piece. One of the concerns that I have had a number of constituents express to me in the northern part of the city is that it appears that developers frequently clear their sites back to the boundary line, and they will save 15% of the trees kind of on the back end of the development so that otherwise it's clear-cut. People have asked me why we don't require them to mix it up a bit more so there are trees saved within the site. One, I would like to know who designates whether the 15% is again disbursed or in one isolated area; and, two, what could we do in partnering with the private sector to make sure the communities are more attractive from a tree location perspective?

Mr. Blackwell said the current ordinance on commercial require the tree save to be in the setback area, but on subdivisions we do not restrict. That is part of the flexibility of the ordinance is that they have a lot of latitude about where they save those trees. At this point, we don't have anything in the ordinance that would make those trees – they want really the ability to develop their site as works best for them, and we are trying to get a canopy amount really more focused on the actual location of those trees, so we don't get into somebody doing a subdivision and say the trees have to be at this location.

Councilmember Barnes said have we ever contemplated providing for some incentive in turn for better distribution of trees or better distribution of tree save?

Mr. Blackwell said we don't have one for distribution of tree save. The current ordinance does allow them to give some amount of density if they save more trees than the ordinance requires, but we don't do anything on location of those trees that I'm aware of. Tom is that –

Tom Johnson said that's right, we do not.

Councilmember Barnes said what I'm asking is another way of whether we might provide an additional incentive for saving more than 15% and doing a better distribution of the percentage saved.

Mr. Blackwell said we haven't looked at that, but I don't know – it might be too late to try and work that in.

Councilmember Barnes said I don't know who you are looking at, but –

Mr. Blackwell said the head urban forester.

Councilmember Barnes said I have been on the HAND Committee for a number of years now, and whenever we have looked at what people would deem to be attractive communities they tend to be communities where you have a better distribution of trees. So if there is some way we can provide an incentive through a density bonus or some other arrangement – maybe even a discounting if they would be interested – a discounting of some fees to do a better distribution I would like to hear that because I think it has become clear to a lot of us that some of the things in allowing certain types of development is actually costing us more than it's helping us right now.

Councilmember Carter said to support it and move it a little further there is another thing I have been talking about and that is sustaining the terrain. Rather than leveling the property, perhaps adding to that density in a similar fashion if you maintain the original contour of the land or at least a certain percentage because I think that is part of the attractiveness of our city. It adds variety to neighborhoods, which is sorely lacking in some cases. I think if you have variety, then you have a variety if you live there, and that to me is very important in our city.

Mr. Blackwell said at this point we don't have any ordinances that would address that sort of thing.

Councilmember Carter said I suggest that as a topic of study.

Councilmember Dulin said real quick comment on those comments. We can turn up the volume knob on where developers have to save trees and so forth, but in most cases, in my opinion, a lot of that would add to the cost of the development, which adds to the cost of leases or adds to the cost of the homes. One of the things, Mr. Mayor, I really appreciate you bringing this subject up because the USDG and the Tree Ordinance and the PCCO what we are trying to do is give our city staff and the folks that are helping us make decisions about what we do give some leeway so that we are not so rigid, so that we don't drive development across the border to Lancaster County or to Rock Hill or to Fort Mill or, you know, east or west in our own state. We want to make sure that people who want to come here and put capital in can do it in Charlotte, and I appreciate you bringing this up.

If you will go back one slide, Jeb, one more then. Thank you. A lot of us are in tough sidewalk battles right now. I have two of them. Patsy Kinsey has a tough one. I mean they are tough everywhere. Building sidewalks is something I think we are all for. I'm a big advocate for it. It's easy to get a neighborhood fired up about a sidewalk until they find out it's on their side and not Jim's side across the street. One of the problems we are having now, and it's in the USDG is an eight-foot planting strip. Staff, in some cases, has been very flexible and come down to a five foot, but we are adamant that it has to be five feet. Even in that slide there, that's only about a three-foot planting strip – maybe four foot – so that example that you are using in your presentation doesn't even meet our current USDG. I just thought – that struck me as soon as the slide jumped up, I went WOW!! That would not be allowed in our presentation.

If you go forward two slides, I think that's down near the origins of Park Road, but that is a fine looking street right there. It's expensive to build that, but that is what you are looking for. Whether we can get everyone to build it that way, I mean that is a thing of cost. You are talking about jacking up the cost of a house. You start putting in just the curb alone, but anyway that's good looking. The flexibility – we need to be flexible with the folks that are trying to spend capital in our community. We need to live by our own design guidelines. If we are going to insist on eight feet, then we better change our slides around to show eight-foot planting strips.

Councilmember Cooksey said I wanted to expand a bit on that, and in particular what I appreciate you pointing out in the presentation, Mr. Blackwell, is this notion of the 45% tree canopy is the macro-goal for the city, and I think we would do best in our policy making if we think about that overall goal citywide. Again, if you have got a piece of land being developed at 15% tree save for that development that we believe is contributing to the 85%, I think you said it, but it bears repeating. It doesn't matter citywide to our macro-goal where that 15% is. The goal

is to get it there. That was something I recall last year in Environment Committee, a year and a half or so ago, working through a variation of the Tree Ordinance. One of the issues that I had particular concern about was the 15% mandate on industrial properties. I tried to get that out because when you look at the macro level of the city I believe the number -- and Ms. Campbell will nod or shake her head if I get it right -- 8% of the total land we have zoning jurisdiction over is zoned industrial, and some of that is vacant and some of that is not. I did not think the attempt to micromanage 15% tree save on 8% of the land that we have zoning control over was really worth the effort particularly when we have an additional goal of wanting to preserve and protect industrial land for industrial development from an economic development perspective.

Again, the more we can stick to a top level macro perspective citywide we are aiming for a 45% tree canopy, I think the better we are going to be able to balance all the things we have to balance in our regulations rather than getting down to the level of a ten-acre or 20-acre development and saying, well, if you have got 20 acres, where would your acre and a half of trees be so long as it's the 15% level.

Councilmember Barnes said just a quick response to my good friend, Mr. Dulin. That doesn't happen just by chance, Andy. It costs money to do it, and if we want most of the city to eventually look that way it's going to take a commitment by us and the private sector to make sure it happens. I appreciate your point about the impact it has on the cost of development, and during the original committee discussions on the USDG I know there was talk about staff being flexible with the private sector. My concern is if we are not careful about how we go about encouraging development on a specific site as well as the infrastructure outside the site, we are going to find ourselves buying more and more. We have already started doing it, and it's going to keep happening because I don't see a lot of value in some of the stuff that has been developed over the last six years, and I think the chickens are coming home to roost because people that bought those houses got into them with no money down or whatever the situation may be, and a lot of them are walking, and the community is deteriorating, and the current residents are looking to us and saying, okay, you all do something about it.

My point to you is there is a time in our country's history and the city's history where we build middle class neighborhoods that people lived in and took care of the homes and they were sustainable neighborhoods. A lot of what we have allowed and encouraged over the last few years is what I call junk housing, and it's not healthy for the city because taxpayers either pay before or after. What I'm worried about is we are going to start paying more after to deal with some of the problems that have been precipitated upon us. I'm all for flexibility where it's feasible and necessary, but I think we have got to have some sort of attention paid to the quality of what we do or the quality of what we allow to be done.

Councilmember Dulin said I agree. One quick, friendly response. I agree with you. When we shorten blocks and put more asphalt in, which makes more impervious run-off, it raises the cost of developing that land. When we put other restrictions on when somebody does built it, how they build things, and we raise the cost up of them building that structure, they build a cheaper structure to have some profit in it, and I think we can get the building standards up and build a better house, a better shopping center, a better senior area if we make it easier for people to build and to invest rather than more expensive. The shorter blocks and more run-off is a pretty good example of jacking the cost up and having more run-off, Nancy. You have less dirt -- you have less red clay that doesn't perk for the water to go into.

Mayor Foxx said I appreciate the point. This reminds me of a discussion that happened last Thursday when you got philosophical agreements and disagreements, and I'm not going to sit in the middle of that one. Danny, why don't you go ahead.

Danny Pleasant, Transportation, said, Councilmember Dulin, this was actually fairly cheap to do because that street has been there for probably 80 or 90 or 100 years or so. We just simply got out the paint and the trucks and did a nice restriping job.

Councilmember Dulin said Park Road?

Mr. Pleasant said Park Road in the Dilworth area -- the old part of Park Road. It has the fundamental bones and the good structure that we are really trying to get back to so that we have

more of those kinds of streets. As Jeb mentioned, Charlotte is really known for its tree canopy. We don't have big mountains, we don't have a seashore, but we have great trees, so we are very well known for that. In fact, one of the real trademarks of Charlotte when people come to visit is these beautiful tree-lined streets. Quite honestly, through our current development patterns that we are seeing out there, we are not getting addition to that inventory of beautiful tree-lined streets. So the Urban Street Design Guidelines (USDG) kind of help us get there in a number of ways.

Streets in the city make up the largest single land use in the city. They make up about 20% of the City's land out there, and all of that is the public realm. So you are talking about a very large part of the public realm that absolutely identifies what Charlotte is all about. People come in and see the trees, they see a good quality street. They think a good quality town, a good quality city, so it's really important that we get the streets right, and USDG aspire to get those right.

The USDG were conceived as certainly a functional mechanism of accommodating lots of users in the streets because a city street is built for lots of users – for pedestrians, for bicyclists, for cars, for transit riders, as a place where neighborhood life plays out as people are walking along the streets and enjoying each other. It's a place where property derives value in the kinds of streets that front the property. So it's important we get all these things right. The USDG were adopted in 2007 by City Council, and we are currently in the process of writing the ordinance revisions, drafting the ordinance revisions that connect the USDG as policy to our City zoning and subdivision codes, so that process is currently underway. We should have language to you in the May timeframe or so. We'll give that language to you. We will begin a stakeholder review process so we have all the folks in the development industry in particular and others weigh in on the language itself in a review format.

We have done lots of work with the USDG in the past few years particularly in our Capital Improvements Program (CIP), the projects that we build as a city. Currently we are up to about 85 projects that we have built according to the USDG. We feel like they have been very successful projects. They come up with a quality street that is appealing to a number of users. Then we have about 100 projects that are underway in some form or fashion that we will be using the USDG, so we feel like we have made good progress.

Here's some examples of projects that we have done, capital projects that we have done with the USDG. This is McVay Street. Here is an example of a narrow urban cross-section. We hadn't put the trees in by the time this photograph was taken, but it will be a pretty, little street, and it's in Grier Heights as part of a neighborhood improvement project, I believe, that we did. Look here at Rozzelles Ferry Road. It's a project that we came in and did as a retrofit project. Remember, there is really a difference in how you apply these in a greenfield versus a retrofit. A retrofit requires our greatest level of flexibility and paying attention to the context and the land and the neighborhoods we are in. The greenfields projects we have to be a little more careful with. Even on this project, you can see some variability, so we had to pull the sidewalk way back here to avoid a very nice line of trees. Here we had to pull the sidewalk in closer because of some constraints there, but I think you will agree that overall with the bike lane buffering the sidewalk it's a very nice pedestrian environment, very nice motoring environment for that matter. So we have a good variety of projects we have been able to do. This one in Raintree is one that has been recently completed, a sidewalk retrofit project. We have gotten good, positive comments from the residents in that area as well.

Then in the development area, as we review conditional rezoning, a staff recommendation uses the USDG when we bring our recommendation forward for projects, and you can see there is a good variety of treatment there, so we have gotten quite a number of projects. You told us when you adopted the USDG that you wanted some review of how rezoning are occurring. We have done that review and found that about half the projects we reviewed and gave you recommendations would be affected by the USDG; the other half would be done pretty much business as usual.

We looked at the cost components you talked about, and Jeb really covered that because we did it jointly with the Post-Construction Control Ordinance cost evaluation because it didn't make sense to use a different set of street standards if we knew this was your policy direction, and we really found in that process that Councilmember Dulin's point we really lost – we added about

less than 1.5% of impervious surface when we did our sample developments using the USDG and PCCO, so it's really a very small increase in impervious, almost negligible to a point because keep in mind if there is a new street chances are that would have been a couple of houses, rooftops, driveways, additional impervious surface, so the difference is not that great. We did do that work. The cost work that we did, as with PCCO, we did several different assumptions about cost.

I have got to tell you. It's not easy to do a cost comparison. In fact, I'm not sure you can accurately do it simply because of a couple of things. One, there is so much variability in sites and land and kinds of projects that are getting done out there that it's difficult to get a side-by-side comparison, apples and oranges comparison between the two; and, secondly, the market is moving more toward compact urban, walkable urban type development. It's in all the literature. It's in the private sector literature as well a public sector literature, so it's very difficult to nail it down if you did this subdivision with USDG or without, you know, what is that comparison. It's tough, but given that we still did a reasonable cost comparison, and we think for a typical single family subdivision you would be talking about a cost increment increase of about \$1,900 to \$2,900 per lot increase for that physical infrastructure. So, we did the best we could, not overly confident that is precise, but we think it's probably in the ballpark.

Again, the issue is on flexibility of the USDG and our ability to demonstrate flexibility as we are dealing with the development industry. We believe that we can definitely get there. We have to keep in mind that we are always sort of in a struggle of flexibility versus predictability. So when you are drawing up codes and ordinances, as Debra said, that's the law. It needs a certain level of predictability so you know what you are facing when you come to the counter to get that done. We believe through drafting the ordinances and work with our consultant that we can find a way that if you walk in the door and everything is where it needs to be according to the USDG that you are good to go right there. If not, there is a way you can work through a staff level process to get you that flexibility that you need to get to, and we can detail that for you as we move this thing forward in the May timeframe.

Councilmember Howard said, Danny, the cost and flexibility slide you had a second ago did you do that for infill projects and for greenfield developments?

Mr. Pleasant said the ones we did here were greenfield developments, I believe, assuming you have got a new piece of land. So we recognize that – you know, you really do have to look at the cases for the infill development in particular and build accordingly.

Councilmember Howard said did you find that the cost was similar? You said it was negligible when it came to the one you said. I was wondering if there was a difference in cost between infill sites where you already had some existing infrastructure and streets or if you had to go do it in greenfields.

Mr. Pleasant said, no, we didn't do a specific cost evaluation of infill development. We were really just looking at greenfield type development. Through our experience in rezoning, we have been able to go in and work with developers on the infill type development many of them throughout the city, and to this point, we haven't run into much of a debate about one costs more than the other because most all of those are going to be those walkable urban type developments anyway. I'm just going to wrap up by saying on this particular slide that by the very nature because we are talking about ordinance type language in the future those roads the developers build, which is most all of them quite honestly, there is going to have to be a prescriptive part of it just because of what it is, but within that, we believe we have offered more choices and more flexibility than even our current street design standards provide, so we think we can do that. One of the themes of the USDG all along has been to match the street with the adjacent land use, so we are very much committed to the flexibility components.

Councilmember Dulin said I'm having trouble even with my glasses reading what you have here. Obviously one of them is residential streets – the upper one. The lower one is a street like East Boulevard. Pedestrian zoned does that say?

Mr. Pleasant said we didn't put it out there hoping you could read it.

Councilmember Dulin said I can see residential street. I got no shot at the other stuff.

Mr. Pleasant said that is more or less your medium, more prescriptive type of street that has dimensions on it. This one is really the street design you would use for streets that we in the public sector would build, and it's not dimension at all. The thought there is you think it through before you start applying dimensions and sizes and that sort of thing. That's the purpose of this.

Councilmember Dulin said I'm already getting multiple questions about East Boulevard. I'm sure, Susan, you probably are, too, being a Dilworth resident, but we are getting ready to extend that. Sure enough, it's worked on the lower end of East, and I suspect it will work on the upper end of East, too, but it would be nice for us to have some real definite information about what is going on up there so we can tell folks it's going to be short-term pain before it gets better, but it will work.

Mr. Pleasant said we will certainly get you some information on the project.

Councilmember Peacock said three things. Number one, I wanted to give the audience a little update. My committee members here certainly know that we spent an enormous amount of time on the one subject that you touched on, which has been the tree ordinance, but I think it has been pretty emblematic of a lot of why we are here tonight to talk about all three of these together. On the tree ordinance, I believe what we have done is brought together what is in our environmental statement, which is trying to bring together a balance and growth with sound fiscal policy, which is what Debra brought out from the very beginning and we are closing here with the wrap of a power trying to bring those two forces together.

In our very committee and what we hope to bring back to Council for you all is a subcommittee that has not prepared an analysis, and, Jeb, you used the term analysis. It wasn't really exactly an analysis. It was a report from one entity that studied it. It was almost 20 partners that have gotten involved in this and have actually played out how this ordinance would feel with a 15% tree save. I think the reason we are hearing this type of discussion tonight and why Mayor Foxx was thoughtful enough to bring this before us is how much do these three speak to each other, and I think tonight you all have given us an excellent summary of all three of them.

I have two questions for you all. Are there examples that have been brought to y'all's attention where these don't speak to each other because that's really why I think this subject may be coming back? Debra or Danny or Jeb, where is the friction? You have given us exactly what it is, but I want to know a little more about what you are hearing now that we are starting to try this out a little bit. Then I have a follow-up question, Mr. Foxx.

Ms. Campbell said I think they looked at me in that "ladies first" kind of look. I know why now. Through the rezoning process particularly related to the ability to meet some of the USDG, there have been issues raised. When we come across those kinds of instances, our staff punts or brings Danny or I into the picture if they cannot solve or resolve the problem, and Danny and I have to make some executive decisions that in this instance we cannot for whatever reason. It may be cost. We may feel that the advantages of meeting them do not bring the amount of value we think it may be midblock, and it may be years before we will be able to complete the rest of the block. I think it has been those instances, and I don't know, Danny or Jeb, if you all want to comment further, but let me suggest to you that these issues are not simple.

They are very complex, and as we urbanize, we are going to get into more and more complex development type issues. If our goal is simply about quantity, how much development we have in the community and we don't temper it with quantity and quality and don't take that holistic balanced approach that you all have taken with your focus areas, I don't think that we will be a city or a community that can distinguish ourselves competitively from any other city particularly in this region and in this country. We are competing from a nationwide, international perspective. These types of things we think – protecting the environment, protecting properties from flooding, adding to our public realm what the USDG do, we think that bring values, economic value to our community. And, yes, there are some short-term costs, but we think long term our city can reinvent itself because it has a good structure, a good framework from which to reinvent itself from.

Councilmember Peacock said one comment to that, Debra, and I appreciate – I don't disagree at all with any of the principles you are espousing. They are absolutely spot on with what we are trying to accomplish between growth and sound fiscal policy. I would like to hear more reports back from you all or City Manager Walton about where we are meeting and intersecting between two ordinances because there is no perfectly written ordinance, but examples where we are showing our flexibility and where we are making executive decisions to solve the problem that those that are bringing petitions to us and bringing the creation of new neighborhoods or new developments or new office complexes where those are being met. Council should know as well, too, what really did bring a lot of the consternation about the tree ordinance came from the fact that the industrial part of the discussion was not being addressed, and that is why we weren't delaying anything in the committee. We didn't want to bring back something to this Council that was going to be something that was going to have a whole section of the commercial community, who are already on their back, without having it fully walked through that. I have to thank Tom over here, who has done just an exceptional job with everything we have done with the subcommittee, and I think we are going to be able to come back with a really exceptional piece of work that this Council will be speaking to.

Debra, do you know of any specific instances that you can say, yes, Edwin, I remember this one project? One comes to mind for me, which was the Colwick Medical Park that Walter Fields was the petitioning agent on. It was a medical building that the petition was ultimately denied, but I recall a tree. There was a component about the trees as far as the tree save, and that actually in that PCCO would have required them to tear down an enormous amount of trees of which we were hearing from all the neighbors about, and this was regardless of whether we had updated that. That was one issue that comes to mind to me, but can you think or Danny, Jeb, can you guys think of anymore?

Mr. Pleasant said I'm not familiar with that one. We have had a lot of – we have had about ten instances where people have taken advantage of – for example, there's a buy-out option in the PCCO, and transit corridors and our target redevelopment areas, which really caps the cost that you could end up incurring on all that and keeps it – makes it so you can deal with those kinds of conflicts on those really tight urban type sites. We can certainly bring you a list of the ones that have taken advantage of that sort of thing. I'm afraid that I don't know the instance that you are describing off the top of my head.

Councilmember Peacock said Nancy is nodding. She knows what we are referring to.

Ms. Campbell said I would suggest to you when USDG were first adopted in 2007 and maybe even a little earlier we were using them as a basis to review some of the petitions. We were having some conflicts until we got everyone comfortable with flexibility, that we can be flexible. It's not a one-size-fits-all particularly from the policy perspective. Maybe we are having trouble with remembering the specifics because we are not running into that often anymore. I apologize if we can't draw a specific case, but I think our staffs are working through it. We have some –

Mr. Pleasant said I will just agree with Debra that a lot of these very complex conditional rezonings really do take some negotiation and back and forth between the developer, our various departments in interest, and that sort of thing. I have been in practice for 30 years or so, and of all the places I have ever worked or been aware of, this is one place that really does have a very horizontal approach, collaborative approach so that we all know each other pretty darn well. I like to joke that we give each other's speeches, but we know each other's subject area well enough and our interests well enough that seldom do these things get away from us that they are not very well coordinated. If we have a problem, chances are you are going to hear about it when it comes approval time for the rezoning, and that stuff plays out. You will probably remember them as well as we would, quite honestly, if there are some that seem like an excessive amount of friction or discordance among our various disciplines.

Councilmember Peacock said my follow-up question to all three of you while you are here, and we have heard an enormous amount this past week on the subject of affordability and at the backdrop of all of this is the subject about affordable housing, affordable developments, being able to bring people in to places where they work and dine and be with their family and do all the things they do. I think a lot of this has started about ten months ago. Many of us on Council here saw a presentation called the Affordable Housing Dream, and that was a white paper that

was done by Mr. Crosland, who is quite revered in the community for all the great things he has done. I wanted to get staff's reaction to that, number one, and then, number two, tonight I know on our Speakers' Forum we are getting ready to hear from the Affordable Charlotte Cabinet, which is going to talk about affordability on that, so I wanted to get you all's reaction to that and sort of what our preparation is from a staff perspective and really also from Council – how are we going to react as this discussion keeps going.

Mr. Pleasant said as your transportation guy it's hard to talk about housing and housing affordability and that sort of thing, but I would make this observation, I guess, from sort of a qualitative and value perspective. A couple of things come to mind. One is I'm struck by the older neighborhoods in town that have great streets and great street life going on. Many, many of them were built and remain today lower income areas. They were built – much of Dilworth and Sedgefield were built as factory housing, for example, for the mills along South Boulevard. They were built as good, quality streets for working folks, moderate income folks, and they still are vital and they work today. So, I think you can have that.

The second thing that kind of comes to mind to me is over a long period of time streets, again, is where community life plays out, and having good, solid bones in those communities has that lasting value over a long period of time. It always returns back to the community. I guess the third thing I would observe, totally out of my professional element, is we need to be careful about very simplistic views of what affordable housing is. In some of the subdivisions that I consider having probably the streets we would rather not have, there is a lot going wrong in those subdivisions that have to do with the house itself, the types of building materials, and that sort of thing. So, if your only view of affordable housing is a single-family house in a subdivision, then that's a fair simple view, and I think our community, in just talking to my colleagues, there are lots of ways you can address affordable housing in addition to that paradigm. That's a good model, too. I'm not saying it's a bad model, but I don't think it's the only model.

Mr. Blackwell said I guess all I would add is with regard to the PCCO and trees I would hate to think to provide affordable housing we wouldn't be able to have trees in the community, and the regulatory requirements are optional, but would we want affordable housing that added to flooding downstream, or would we want affordable housing – the pieces that are in there we try to reflect will it minimize the costs on those, again, as far as letting people meet them as many ways as we can, but it's difficult to think that we are really adding to the quality of the community if we don't meet those needs.

Ms. Campbell said, lastly, I will conclude. I'm not going to go through these. I think you can read them. (Tape change) All of those things add to the cost of the house. I also would add that whenever we create development standards we may not have a cost benefit analysis, but intuitively we are always thinking about how is this going to impact the cost of not just affordable housing but commercial, whatever it is? Lastly, I would suggest to you that our goal with all that we are doing is really about building a community, and we can look at this as individual housing units, but I really think we are trying to build neighborhoods and communities, and, yes, there is a slight cost short term but with long-term value we think.

Councilmember Cooksey said two things, Mr. Pleasant, I think is where this goes. When you mentioned earlier about getting back to the way streets were designed, it triggered a memory, and I don't know that the answer – I doubt you are carrying this with you in your head, but it raises a question that I would be interested in following up with. What kind of ordinances and policies were in place in Charlotte at the time the streets that we like that are historical were built? I think that would be an interesting thing to explore about were they built because that's what the market built at the time or were they built because there were some regulations and ordinances in place at the time that we kind of backed away from and now we are coming back to?

Mr. Pleasant said I can't say there were. I can suspect that there were probably not much. I would say there is a real distinction in Charlotte and most communities out there, particularly Sun Belt communities, between sort of pre-World War II and post-World War II. There were certain building and development conventions that took place before World War II that more or less said as you build a neighborhood, build subdivisions, you build it block by block, street by street. You just kind of extend naturally and organically the street network out there. Then, you

know, John Nolan comes along and builds Myers Park a little more curvilinear, and it kind of evolves from there. So, I would say not a whole lot, but there was sort of a building convention that took place back then that produced a lot of the great streets we have. The difficulty that we have is under current standards and ordinances you can't build them like that anymore; you just can't build them that way. So we are trying to allow the kinds of streets that were built without code; in other words, kind of loosen up and be a little more flexible than even our conditions today.

Councilmember Cooksey said the second point, Mayor, is basically more for us. I don't think we should ever let any conversation about trees pass without noting that we do need to keep our radar screen not simply the planting of new ones and the maintenance of the 45% in that respect, but we also need to worry about those that were planted 70, 80, and 90 years ago that, again, we can't let a conversation pass without reminding ourselves we should be thinking about those as well. You drive down the older neighborhoods that have the great rows of trees that were deliberately planted that way. They are aging out, and we need to be worried about those as well.

Councilmember Howard said for me the rub of all three of these come down to the flexibility, and, Debra, you mentioned that you thought that the application of it has gotten better and the flexibility is starting to show because you are not remembering as many. What are some of those things that you would look to apply flexibility to? Is it cost? Where do you give the flexibility when you are trying to pull three of these together? One of the things that jumped out at me when we looked at the street section of Rozzelles Ferry, for instance, Danny, you mentioned on one side you wanted to widen it to protect the trees, and on the other side there was some constraints on the other side. It looks like it was a creek or the terrain dropped off a lot, and I was just wondering – I have heard the horror stories in that situation where you want the sections to be the same on both sides, and you make a developer build a retaining wall, which drives up the cost, as opposed to just letting it come back in. I mean is that where the flexibility comes in? Are we going to require you do it on both sides no matter what? You remember that section I'm talking about? It was a fence or something where it dropped off, and the City allowed itself to come back in and make that strip a little shorter, so what is the – where could the developers get flexibility in these three ordinances?

Mayor Foxx said if I could add on to that, David, not to take away from the point you are making, but I think what has happened in this presentation is it's been a good refresher course for why these policies have been adopted, but where I think it's falling a little short for me is on what are we going to do differently, if anything, based on what the experience has been to this point. That's where –

Councilmember Howard said or what we are doing different. If it's not happening now, where are we being flexible?

Councilmember Peacock said to my question on specifics. I just didn't know if you all knew of any that were –

Mr. Pleasant said I think Debra mentioned in her comments in response to questions a few minutes ago we have been through sort of this process over the last really two and a half years to train our staffs. Jeff and Debra and I got all of our staffs in this room, all the people that do projects, do development review, and that sort of thing. We had a half day workshop of how do you build flexibility into your daily work, whether it's on the regulatory side or the project development side of it because we were getting a lot of things – USDG. That means that eight-foot planting strip and five-foot sidewalk, and you shall never vary that. So what we did is we gave our staffs permission to think, you know, to use their good judgment, their good education to see the guidelines as a set of principles and policies but to adjust the project within the bounds of the land, the trees, the other obstacles that are there, the type of neighborhood that is there, and we have done this now again and again and again, whether it's sidewalk projects or street projects or just about anything that has to do with the USDG, that urban public space.

Mayor Foxx said let me put a final point on it because I think this is really important. Because of the market conditions right now we are seeing less activity generally, so the fact that we are not having as many issues that you are seeing may not be necessarily a reflection of the flexibility

being so much better as much as it may be that the deal flow is a lot slower – not taking anything away from the thing that you guys have done. But if I were talking to the development community, what they would say is that there has been some slowing down partly because the regulations appear to them to be more burdensome than the previous state of play. So what I'm trying to help discuss here is how we are trying to work through these issues with the folks that we want to be doing development that helps get this vision cast out there in an environment in which they are, in many cases, having trouble just getting any kind of deal done.

I just think it's important to send some message about what we are doing to respond to some of the concerns that have been made, and I know a lot of them are context sensitive and based on the particular application of the rules to a particular case. But I mean I would have thought there would be something we could say – you know, Debra, your point about the planning director playing a role in resolving conflict I think is a very, very important point because there is a perception that there isn't a single point of authority to resolve these conflicts. I think that's an example of the type of response that I think would be useful in this discussion.

Councilmember Howard said my follow-up. These are the kinds of things that the ordinance needs to address because as we go from policy to ordinance that is the part that started to scare me just a little bit because when it becomes law we have some level of liability, exposure, when you don't address it correctly. Before we go all the way through the writing up of an ordinance, this would be the time right now to build in where those flexibilities need to be so that we don't revisit this in another two years because we didn't take the time to figure out where the flexibility needed to be when you apply these processes. That's where I was going with the whole round of questions.

Councilmember Burgess said I think it's important for us not to lose sight of one fact, and that is – I guess two. What I heard tonight is that at least at a staff level we are being very reasonable about the application of these guidelines and that there is a process and that the staff has had lots of discussions and training about that type of flexibility. I have a greater degree of comfort that the City is being reasonable to our developers. Number two, our USDG are a national model. The NCDOT is basing theirs on our experience. Nationally Charlotte is known for complete street policies, and that's another way of saying USDG, but we are getting an awful lot of recognition for this. There is some competing interests of our own goals with the environment of shorter block lengths and impervious surfaces, but we just got an award from the EPA for our USDG, so obviously they have seen the balance or looked at it in the balance and given us an awful lot of credit for being sensitive to the environment with these guidelines. I think we ought to take pause in all of our angst and look at the accomplishments we have done. I really want to give an awful lot of credit for the leadership and expertise of our staff for bringing this to us.

Mayor Foxx said very well put.

Councilmember Turner said I agree with you, Councilmember Burgess. I think that was a point well said. I kind of want to reflect and go back a little ways, Debra. When I came on this Council, I recall much of what has been said tonight, kind of like a rehashing for me. I have heard this, and this is, in essence, what brought us to this point in the beginning – the things that concerned us – flooding, sprawl, bad street design, if any. When I look at the conversation on tree save, I recall when we once were discussing around this dais, this table, and at the dais downstairs our canopy, construction, clear cutting – all of those things were a concern. We gave a charge to come up with a policy in order that it would help us to control those things.

I have enjoyed personally when we put this in place it allowed us to do just what you said. I know I used to see you all the time, and I heard you repeat it tonight, is one size does not fit all. I knew that simply meant for me that there will be times when we are going to have to really get down and work these things out, our differences with folks that are looking to develop in our city. I also was very concerned when we had really bad policies in place that allowed development to take place without any post controls ordinance in place, letting this happen to older neighborhoods that were south of that new development, clear cutting, all those things.

I am not convinced that I am at the point that I believe that there is a need to go back and to revise this ordinance and change our position. What I am supporting that I do believe and still believe that one size does not fit all, and I think we have done a good job in doing just that,

helping to work through our differences when necessary. Can you tell us at all – in your opinion, is there an alarming instance here where we see this large list of folks that say, hey, we are not doing business in Charlotte, we are leaving because of these ordinances. Before you answer that, I also want to answer that we put them in for those reasons to control and help us better continue to develop quality communities, a quality city where we can have these very things that we have been concerned about that they can be there. Mr. Cooksey stated earlier about the tree planting. We have addressed that. We know that we started planting trees where older trees throughout our city and our arborist have been keeping those things on charge because we knew if we did not do that eventually when these older oaks get old and go away we would not have a tree in place.

I'm very concerned to hear what is it that is really driving this? Are we seeing that much of a volume in our office where we feel that folks are saying, hey, we don't want to do development because I think that was one of the things that I liked about it. It actually slowed down and removed people that were not willing to do a quality project in our city for the quality of life and the long term aspect. We know we have beautiful neighborhoods that are 100 years old we can go into, and it was just stated earlier that grid system that we used to have or we still have in some neighborhoods, I believe personally what drove a lot of that was the industry that we were in, the time, rail, cargo being moved, industrial, and if you could just touch back on do you believe and should I believe that there is a high percentage where we are seeing developers saying we can't do business in Charlotte and we are losing business at a rate that is alarming that we need to really look at this policy.

Ms. Campbell said as the planning director I have not gotten that kind of information nor had those kinds of interactions with developers. Now if they identify issues and concerns they have about meeting the standards we have been, I think particularly with USDG, been very, very flexible in trying to problem solve. I don't know if you all would want to add. With PCCO, there are federal and national mandates, so a lot of the communities are having to meet those standards.

Mr. Blackwell said one thing I would say is in a lot of cases the flexibility isn't a matter of us working with the developer. Certainly we try to do that to the maximum extent possible, but the ordinances are written with as much flexibility in them as they can. The PCCO allows off-site or on-site mitigation for trees. It has got off-site mitigation for pollutant removal. There is phosphorous buy-down. When the ordinance was written, we worked, and as Mr. Cooksey pointed out, there was a major exemption for industrial. As we worked through with our developer groups, with the shareholder groups, we said what flexibilities do you need for this to be able to work, and so a lot of the flexibility was written into the ordinance. So if they look at their site and go this works, it's not necessarily they sat down and we had to find a way around the ordinance. There are a lot of ways to meet the requirements to try to not put somebody in a box where there is really only one option, and it's not viable. The instance you are talking about where somebody would come into Debra's office and go I'm having to leave that is what we are trying to not have, of course.

Mayor Foxx said, look, there has been a lot of conversation on this. I do want to echo on what Mayor Pro Tem Burgess has said about the policies themselves. They really are trying to get us in a position where our strategy is more proactive than reactive and we are building the community we want to live in in the future. I still think there are sort of three big question marks that we need to get our arms around. One is this issue of cost benefit. There has been some conversation about the cumulative effect of these policies. I know it's hard to measure in the abstract. A lot of the studies I have seen have assumed kind of worst case scenarios with block lengths and so forth that may not in practice be applied because of the sensitive flexibility that is supposed to be there, but I do think we need to figure out how to pare those costs down.

For example, if there can be more certainty and more speed through the regulatory process, that may generate cost savings that can be an offset against the cost of doing some of the activity that has been discussed, but I think that issue of cost is something we need to stay in front of. The second one is the clear authority to resolve conflicts, and really, Debra, I know this is not a consensus building activity really. It really is a conflict resolution activity. So I think it is going to inhere some challenges for you in terms of just doing that, but I think that is exactly what some in the community are asking for. And, then the flexibility piece, you all get the policy and

you get the practice, but I think you can't spend enough time with the folks on the front lines helping them understand what we are trying to get to because I do continue to hear a horror story or two here or there about how the person on the front line is dealing with this. I don't think you have heard anybody up here say we don't think these regulations are ultimately good for our community. I just think it's a question of how they get applied. Mr. Walton, I think I'm interested in kind of another step here where we get more of a drill down on exactly how we are going to do the things that are on that last page. Is there a way you can think of for us to –

City Manager Walton said I think that is a very wide spectrum. I think on the clear authority we have that, and I think on the flexibility we have that, too. The issue on cost was the issue at the point of the ordinance adoptions a couple of years ago, and, in my opinion, it's a philosophical issue of how much is too much. I don't know what we can do to drill down further on that. It would I suppose go through, as you deliberate the tree ordinance that is coming this spring, it would be a discussion point there. Also post construction is already an ordinance, and USDG is heading toward ordinance, so I think it would be part of that stakeholder process going forward. I'm not clear if you are asking us to do something.

Mayor Foxx said if you go back to the last slide, which I took to be kind of staff's basic response to a lot of concerns that have been raised in the development community. What I'm saying is I think those are the right issues, but is there a level below that we can get to so that we understand how the staff is actually going to accomplish what is here. Does that make sense?

City Manager Walton said Debra is nodding yes, so I will say that, but I think the cost is the function of the ordinance that you ultimately adopt. Do you have any suggestion on cost? I guess, Mayor, I'm not clear whether you are asking for a process outside of the ordinance development or if you are saying go ahead with the ordinance development and we'll deal with those issues.

Mayor Foxx said I'm saying go ahead with the ordinance development, but I am saying that these would be points that are responsive to some of the issues you have been receiving from our partners in this endeavor, so the question I have is can we put some tactical points underneath these high level bullet points that help us understand exactly what this means in practice because the practice is where I'm hearing the problem.

Mr. Pleasant said, Mayor, if I might. I think from an USDG perspective we are not going to be in a position to give you what you want until we actually nail down the language. So once we have the language drafted and we get into that review process, we expect it to be a three-step review process with our stakeholders and others. I think at that point then we'll actually know how it works operationally, and once we know how it works operationally, I think we can do a better job of trying to quantify some of those cost impacts as the case may be. I still will tell you that you are dealing with sort of a squashy subject matter because of the various development sites, types of development, and the way the market is coming towards these principles already and maybe is actually in front of us a little bit. I think we are going to have better tools once we get the language and see how it operationalizes before we start trying to calculate what costs would be.

Mayor Foxx said even if it's conceptual I think we are applying these rules today, and we have some experience with the application, and I think the more we can just say this is how we are trying to deal with addressing costs while creating value, this is how we are dealing with developing predictable yet flexible standards, giving people just a greater level of specificity about how we are trying to accomplish those things. That's what I'm asking for because I think if that's our response there will still be some uncertainty out there about how it goes. I'm not asking for you to adopt or give us an ordinance tomorrow. I'm just saying can we get a level below what is up there right now.

City Manager Walton said I don't know how, but we'll talk about it. I think one thing we would need to know is we are not hearing the horror stories. We are hearing the horror rhetoric, but we are not hearing specific projects that didn't happen or a specific project that cost 10% more. One thing that would be helpful for us to know is where those horror stories are and when they were because that timeline continuum is very important.

Mayor Foxx said I take your point, and I think you are going to hear some of those stories later tonight with the Speakers' List. You are going to hear a wide range of views. I have heard them, and maybe that will help you drill down some. You understand what I'm asking for.

Councilmember Howard said because I do it every day I know there is also a need for just an education about why above the minimum.

Mr. Blackwell said on post-construction control?

Councilmember Howard said I heard a lot of overlap that the tree ordinance also addresses some requirements that were required by the state and the federal level. This is why the extras, and I mean I don't know if there is so much, Mayor, that the cost is as much as the reason why. To build a fairly good educational process where everybody understood this is why we zoned beyond the minimum in this one, this is why we zoned beyond the minimum in this one. I think that would help a lot of people understand why it was necessary.

Mayor Foxx said to your point, Mr. Howard, I think we are going to get to a place where some of the questions that are being raised are being raised by some – not all – because of a disagreement with the answer, but I do think there is some benefit to maybe pulling back some of the things because I think there were 33 stakeholder meetings on the PCCO, and I'm sure there is some detail in there that can be pulled back and used to help provide those answers.

Mr. Blackwell said, again, only one of the four goals is mandatory minimums. The other was trying to address the current problems, which had to do with flooding and water quality.

Mayor Foxx said I really appreciate y'all taking the time to do that, and we'll have some more conversation as we go along.

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ECONOMIC DEVELOPMENT: SMALL BUSINESS OPPORTUNITY PROGRAM (SBOP) TASKFORCE

Mayor Foxx said this taskforce, of course, was formed by the action we took back in December. Appointments were made in late January, and the committee has had an opportunity to meet some. Michelle Fish is one of the co-chairs along with Julius Chambers, and she is here to give us an update. This is not a final set of recommendations. It is sort of a status report, so, Michelle, thank you and welcome. Thank you for your service.

Michelle Fish, Integra Staffing & Search, said we have met twice. Our first meeting was February 10. These are our initial top three action areas for the SBOP. Our first is outreach. One of the things we are looking at is rebranding the program intent by communicating the SBOP benefit and value proposition -- programs designed to make individuals and their businesses sustainable and also scalable for future growth through training and development with the City's various program partners. It's important to clearly communicate that the registry and as an SBE does not guarantee work. The value of the program is that owners are able to strengthen their businesses and increase the likelihood of being awarded a contract.

We are also looking at branding the SBOP program through "I'm an SBE" campaign, and during this formulation of the campaign it will be critical to review findings of previous surveys conducted by SBOP to ensure the types of training development initiatives currently being offered to meet the SBEs. Also increase reach to various ethnic communities and business organizations with a focus on building viable and strong businesses.

Our second area that we are looking at with the SBOP program is the training and development piece. As we are looking at assessing the programs currently offered by the City and their various partners and making enhancements when necessary. Who else can the City partner with to educate and develop strong businesses within our region? We are going to assess the SBEs' program capacity and create development plans for specific businesses so SBEs are aware of what steps to take and who to connect with in order to increase probability of success.

Our last area, which is our third area we are going to focus on, is going to be measurement and tracking. We are going to review findings of previous surveys conducted by SBOP and conduct a follow-up survey to more specifically define the barriers to SBEs' successes. We are going to review and assess the SBE participation numbers currently tracked by staff and determine what changes would be helpful to measure and improve program successes and tracking measurements. If there are SBEs who are unable to secure contracts, we need to know why this is. We also are going to implement a system to share success stories to future increased exposure.

Our short-term goals for this are to outreach with emphasis on programs providing training and development opportunities with various partners. Our long-term goals for this program are to monitor and track the success of SBE that utilize the education and development portion of the SBOP versus those who do not take advantage of this piece. The other thing is improving utilization in specific demographic areas and increase the numbers of businesses that graduate from the program. We also are going to improve certification numbers in specific key business units, for example, landscaping where there are not a lot of people registered. We have got measurement and tracking, outreach and training, and development are the three areas we are going to focus on.

Councilmember Peacock said, Mr. Foxx, my question is for Nancy Rosado, if you could come up. Nancy, you have just come on board in the Restructuring Government Committee last year, which Chairman Mitchell at the time headed up. Tell me what is different about our assignment in the committee and what we studied about the effectiveness of this program and what Ms. Fish's charge has been in their committee, and what do you expect out of this?

Nancy Rosado, Neighborhood and Business Services, said I came in at the tail end of the Restructuring Government process, so I can't speak to the beginning of the process. I know the process itself really looked at getting stakeholder feedback on the program. They really talked to primes. They talked to SBEs to really get a sense from them as what were some of the areas they could improve or enhance. So we looked at how we set goals, for example. That was one of the areas that we really spent a lot of time and really working to trying to fine tune. We also looked at the personal net worth and looked at the application process to see how can we go about tailoring our program, making it more easily available to others so they can apply to the program as well.

This taskforce really is looking at what are some of those other areas that we can look at that from an outsider coming in – these are folks who aren't necessarily SBEs or primes, so they bring a different perspective to the taskforce, and they really are business owners. They have kind of gone through the trenches, so they can really give it a more global approach. That is the sense I'm getting, but it's really too soon to tell because the taskforce has only met twice, so they really have just begun to dialogue at this point. They are really looking at the barriers to entry, how can we look at eliminating some of those barriers, and really the communication piece about the program to say, you know, this program, the Small Business Opportunity Program, it's not an end to a means; it's a means to an end. It's really about kind of helping businesses strengthen and grow so they can hopefully graduate out of our program, but at the same time giving them some of those opportunities for contracting.

Councilmember Peacock said the committee's focus at the time, if you remember, was about creating effectiveness and making it simpler and easier to do business with the City of Charlotte, so under Chairman Mitchell and the rest of the committee members, we were hoping to get to that final result on that. I know that is a work in progress, so I hope the work we have done doesn't just turn into the exact same work they are working on to bring back the same recommendations. I hope that you will share the Minutes from those meetings and you all be aware of what Council has looked at on this program before, and thanks in advance to you and Alvin for the great work you are doing in helping that group.

Councilmember Cannon said, Nancy, you can stay where you are, if you don't mind. Thank you, by the way, and thank you also. You made mention of the application process that you all had paid some attention to, and I haven't seen the new application right now. Did you all address the issue of trying to identify how you deal with asking a small business for the exact

amount of money they are making in their business because the feedback obviously in the community for years has been that no one really wants to participate in the program largely in part because they don't want to be treated like they are a company on Wall Street; that they are not really a public trading company, if you will. The issue there I think is about obviously we understand trying to determine capacity, but what happened with that? Did you all create a range to help to try to determine capacity, or is that number still in play?

Ms. Rosado said in order to become a Small Business Enterprise (SBE) there are certain criteria that you have to meet, and one of them is you can't exceed the size standards, which are a quarter of the SBE size standards. So, for example, for a construction company, we look at three years of the gross receipts, and the average receipts for those three years can't exceed \$7,750,000. So, we do look at the financials of all of the businesses in order to assess whether they qualify for the program, and we still do that now, so that did not change.

Councilmember Cannon said do we still realize that we are losing companies from participating largely in part because of that?

Ms. Rosado said because the nature of the program is a small business program these are the criteria that the City has established as far as determining what actually – defining a small business, so we define a small business by making sure they are within a certain geographic area by looking at the size standards, by looking at the personal net worth and making sure the owner doesn't exceed that personal net worth capacity, but that's how the City defines SBE.

Councilmember Cannon said I think we should continue to try to measure that as best we can, however, I hope this Council will give some thought or consideration to the idea of trying to establish a range, which will be a little bit more attractive for companies wanting to participate in this SBE program because right now many of them are falling off and not taking part in it. Thank you, Nancy, so much for that. Ms. Fish, the one thing you made mention of that I think this is about outreach, training, and measuring tracking.

Ms. Fish said correct.

Councilmember Cannon said how in your estimation is this going to get at helping us do a better job of tracking SBEs to the program?

Ms. Fish said being an SBE graduate myself I can say as far as the outreach is concerned I think it's rebranding and communicating the message that it's just not getting City contracts or doing business with the City, but it's also educating and building sustainable businesses. So I think the message itself is going to be more attractive to our outreach and going to make people look at other areas.

Councilmember Cannon said you said that the SBE program doesn't guarantee work.

Ms. Fish said does not guarantee work, correct.

Councilmember Cannon said that's what you want to convey to SBEs?

Ms. Fish said we also want to convey the education piece and training piece. But there have been probably a lot of people lost in the program that signed up for the program thinking they would get business just because they signed up, but it doesn't mean they are a sustainable that is going to get a contract every single time, so I think it's the whole message. We need to look at the whole message of the program.

Councilmember Cannon said maybe this is another question – maybe not for your committee but maybe staff, Curt, I don't know. That is how we get primes to be more about goodwill in trying to do business with SBEs because right now I will tell you that we have a lot of firms out here that are calling, Mayor, about if not every week, every other week about how they can't get business today because of how they are having to compete or not being able to compete because primes will not hire them largely in part because I guess they don't have to per se, but there needs to be some type of driving force to get folks to create like what we talked about earlier – to create a balance in this community where everyone has an opportunity to enjoy the fruits of what

they worked for in the past to try to gain something in the future for at least a half a Cheerio on the table for them and their families. What can we do to work toward that?

Ms. Rosado said we are going to continue – I think really it's working to educate primes, to educate our small business owners, especially the SBEs. Oftentimes we'll hear from primes that they have reached out to SBEs and the SBEs didn't submit bids for whatever reason that might be, so that's one of the things that we are working on. It's really that communication and that dialogue, and, again, to try to get them to build those relationships with the primes so there is that comfort level and they can submit those bids and they can call and have that communication. We also find that oftentimes when the SBEs do submit a bid sometimes their bids aren't competitive especially in this type of an economic environment that makes it difficult, so we are trying to do everything we can to help our SBE. We just recently did a workshop on how to submit a winning bid. So, again, it's the education piece because oftentimes they are just not sure how to estimate a project. We are trying to educate both sides – the primes as well as the SBEs to help build those bridges.

Councilmember Cannon said for the sake of time because do you have another meeting he has to go to, and you can get back to me on this, but I would like to know how we are dealing with these entities that are still fronting businesses, if you will. We can talk about that further, Mr. Manager and Mr. Mayor.

Councilmember Howard said just a small one. Just to piggyback on what Patrick is talking about. I know, Mr. Manager, at a couple of meetings ago, Nancy pointed out under one of the Consent Items that the staff took the time to break down contracts to allow SBEs to do business with the City as well. I'm not sure if that's one of the areas you are looking at, and I'm not even sure if that's the purview of this committee, but looking at ways to break down the contract where it makes sense to allow more people to do business at something. I thought it was a good point when Nancy pointed that out during the Consent Item portion of the meeting.

Mayor Foxx said I want to personally thank Michelle and Julius Chambers and the other members of the group for investing the time. We'll hear periodic updates as we go along, but 96% of the jobs in this community are tied to small businesses, and, as you know, at the federal level and at the state level, it's going to be a big push and is a big push to support the expansion of small businesses. This taskforce is looking at a very important issue for us because it really gets to one of the ways we can help support them is by using them, so that is one of the things that the taskforce is looking at. Yes, we have done some tinkering with the program over time to try to expand, but I think and I'm hoping this taskforce will take a really holistic look at the entire procurement program that we use to try to find some ways to give small businesses more of a leg up in City procurement because when we help them we are also helping to grow jobs, so thank you.

* * * * *

Mayor Foxx left the meeting at 7:33 p.m.

CITIZENS' FORUM

Mayor Pro Tem Burgess said the Mayor has to leave, and we need a time check. It's time for our Citizens' Forum. We have some added speakers. We have now 15 speakers, and I want to get some clarity on our rules. We have usually three minutes. Are we going to stick to the three minutes? Madame Clerk, what has been communicated to our speakers – three minutes. Then we have two other agenda items. I want to see how time sensitive they are. The first is ReVenture Park, which we have allotted 30 minutes, and the second is Memorandum of Understanding with Mount Holly.

Curt Walton, City Manager, said the MOU with Mount Holly will be coming forward at a future Business Meeting, so I don't think it's imminent, so we could reschedule these two, and you could do them afterwards. I think together they will take an hour, so it just depends on partly your schedules, but I think both projects we could reschedule.

Mayor Pro Tem Burgess said we have people here prepared to speak on especially ReVenture, so we need to make that decision now if we are going to go forward or if they may have other plans this evening.

City Manager Walton said I would said, Mayor Pro Tem, they sort of go together – the Long Creek is separate from ReVenture. The two are really codependent in a lot of ways from our perspective, so I would either hear them both or hear neither.

Mayor Pro Tem Burgess said what's the Council's pleasure? Do you want to stay later and hear them as they are expected?

Councilmember Cooksey said they are here for us.

Councilmember Dulin said I vote to work.

Mayor Pro Tem Burgess said we will work, so thank you very much, Council members. I know that this extends our night, everybody's night, but we got into something very important on redevelopment standards, so I think that was also time well spent.

MENTAL ILLNESS

Barbera Stewart-McCamin, 3645 Hashem Dr., said I'm now married. Many of you may remember me when the (inaudible) study was being performed here in Charlotte, so you wonder where I went. I'm here tonight to talk not about the SBE Program, which I now understand has changed. (tape change) headaches and what have you and having mini-strokes. I didn't know what was going on with me at the time, but I knew I was going through something. I woke up one night babbling to my husband, and I thought I was talking to him. I couldn't understand why he couldn't understand me, and I was saying take me to the bus, get me out of here. You see, I was having mini-strokes. Also what was happening was my brain was having a chemical imbalance. Every mental illness – not every of them – all of them – but from schizophrenia to bipolarism is caused by a chemical imbalance in the brain, and that is what was happening to me. Now, it takes a lot to stand here and tell you that I suffer from a mental illness, but I do so because it has to come out of the closet. Mental illnesses strike down people during their youthful years – 16 to 30. That is the prime of your lives – 16 to 30 you are either in high school, you are either going off to college on the bright side of your life, or you are in the prime of your career, and, so, therefore, I'm calling upon you to embrace mental illness. Set aside a day as a City Council, set aside a week in which you will educate the public about mental illnesses. Some of our number one stars suffer from these illnesses such as bipolarism. It simply means you have high days and low days, and you see it on TV. Nowadays they are doing commercials on the medications. Am I right or wrong? So the bottom line is with the stressful times that we are facing today where we are going to lose our jobs, facing whether we are going to lose our cars, we are going to lose our homes, stress is the number one factor, number one trigger in the upgrowth of these diseases cropping their ugly, little heads, and they are stealing our lives away. I lost two and a half years, almost three years, where I don't remember anything, so when I ran into Cindy the other day while being at City Hall, she said, Barbera, you are back? I said I never left, Cindy. I never left. I was up there on Randolph Road, and I'm not ashamed to tell you that. You need to know that because it affects members in our families, so, therefore, if you could set aside a day or a week just for simple and pure education to the public, you will be doing your public a wonderful asset, and that's all I have to say about it.

Mayor Pro Tem Burgess said thank you very much, Ms. Stewart. I know it takes a lot of courage to come and educate the public, and we appreciate what you have done tonight.

ENVIRONMENT AND TRANSPORTATION: DEVELOPMENT STANDARDS

Ned Curan, 13860 Ballantyne Corporate Place, said I want to talk very briefly about the General Development Policy (GDP) and the things that we talked about or you all talked about earlier this evening. First, I want to commend the staff and the stakeholders group. I have not participated in them meeting after meeting, but it's apparent that an awful lot of work has gone in for an awful long time on those policies and people of good faith are working very hard towards

the development of those ordinances. I heard several members ask about horror stories, and I heard them talk about have we lost opportunities, and I'm not going to come forth tonight with a horror story or a lost opportunity. Instead I would ask you to challenge the staff and challenge even the stakeholder groups to simply look to the past. At a time when we are all focused on securing jobs, it would be a good time to say how would the ordinances, the language we are looking at in law, apply to things like the Wachovia Operations Center that employs several thousands of people, the TIAA-Cref Center, the Royal Sun Alliance headquarters that is now the headquarters of Maersk, or even to large office complexes like the University area, the Coliseum area, Ballantyne, SouthPark, even uptown. Look to the past and test it to these large campus environments and say could we still induce these companies to come here with these policies. You don't need to hear about a horror story that might be pending or one that might happen. Simply look at the past, ask ourselves if we still want to attract these types of employers, and would these ordinances with the flexibility that is appropriate fit it. Secondly, I would simply challenge the notion of the ordinance, which is law and flexibility. One of the things I saw was predictability. That is very important from the development community's standpoint. For us to attract businesses and induce them, we need to know about predictability and say this is how we can meet your needs. So when an ordinance having that predictability when we also talk about flexibility is challenging. The rules shouldn't be just about the big guy, shouldn't be just about the large employers. It needs to fit the small employers, too, because, as the Mayor said, that's where 96% of the jobs are. Lastly, as I watched folks struggle this evening in good faith I'm reminded sometimes occasionally when I read things in the media that the development community continues to stall and delay these, and I just think that's grossly unfair when you look at how much reflection is going into this. We are all trying to get this right, and I appreciate the good faith efforts on the part of this Council and the staff.

Natalie English, 330 South Tryon St., said I'm going to speak a little more generally with regard to how these regulations and how then others might impact the cost of doing business and from an economic development perspective what that might mean. You all know what we do. The Charlotte Chamber grows the economy by trying to attract jobs. We work with your staff, who are greatly helpful, and in those small percentage of cases where we need incentives, your staff and you all have been very supportive when we need them. Most of the time, however, incentives aren't needed. What is needed is a quality of life, which these regulations speak to and a business climate that they want to choose. I just urge you as you are working through how we implement these regulations ensuring that we maintain a business climate and a cost of doing business in this community that will allow us to continue, whether it's the office developments that Mr. Curran spoke about or whether it's small business, which we know is so important and Michelle Fish and others spoke about earlier tonight. We need to make sure we don't outweigh quality of life issues to the extent that then we don't have a life because we can't attract the jobs.

Dan Faris, Chairman, Charlotte Area Bicycle Alliance, said I am here to say that we have been through a long process with the Urban Street Design Guidelines (USDG), and we are continuing on that process, and all along the way we have been in full support – (CABA) Charlotte Area Bicycle Alliance – in support of the USDG. Honestly, we thought the issues that have been brought forth by some of the opposition to the USDG had been answered – those questions had been answered. I think at least on the issue of impervious surfaces and the potential for pollution, Mr. Pleasant answered that tonight that it's not really a serious issue at all. As far as money, I'm not sure, and from what I've heard tonight a lot of people are not sure about how much it's going to cost to implement this to make a development affordable. Given that we have always found ways to be successful in moving this city forward and solving problems, I have no doubt that there is enough creativity in this city to make sure that all stakeholders, and this is the issue that staff has done, I think, a wonderful job on is built in the flexibility in the USDG so it's not cookie-cutter. Each project goes through the six steps, and in those six steps, my understanding is, there is a lot of input from people – citizens, community, developers, staff – until you reach a point where you can have a solution to this particular project. It may not be like the next project that comes up. So we feel like this is a process that has gone on a long time, basic questions have been answered, that we need to move forward, and in the process of turning some of the policies into code and ordinance, once again, staff, working with stakeholders, will be able to come up with something that will work for the whole city – not just a particular segment of the city. One of the speakers just mentioned TIAA-Cref as an example – big, huge complex. Well, our understanding is when they first moved here, UNCC promised them some bike lanes to connect TIAA-Cref to the University, which makes total

sense, and my understanding is they were very upset when they got here and they didn't have those bike lanes.

Elizabeth Barnhardt, 1242 Chandler, said I represent the 7,000 realtors of the Charlotte Regional Realtors Association, and like Natalie and Mr. Curran ahead of me, I really want to thank you for hosting this public forum and this public discussion. We have come a long way since the Charlotte Chamber hosted this very discussion many years ago with the former city manager talking about our concerns and our anticipated concerns as it related to the ordinances. Our two chief concerns were that they were going to be developed and implemented in silos and there was no chief authority when it came to resolving those conflicts. I think we heard in tonight's presentation that staff and Council have worked very diligently to address both of those concerns. As we move forward, I really encourage you and the Council and the staff to work with the real estate industry in addressing that flexibility and that affordability that goes with the housing that we are going to need in this community as we grow. My CEO, Ann Marie Howard, says, "Homes are where jobs go to sleep at night," and as we look at that job growth and the anticipated economic development here in the Charlotte region, we do need to think about how we grow and how we grow sustainably, so I fully support all three ordinances and their policies and what their intentions are, and how we look at them combined together is going to be our challenge. On behalf of the Charlotte Regional Realtors Association we do anticipate and do look forward to working with the Council and with all the staff on trying to improve and meet the challenges these ordinances present us.

Jon L. Morris, 1318 Carlton Ave., said I'm here on behalf of NAOP as a past president of that organization as well as a current board member. I have also played an extensive role and talked with many of you personally and directly in both the USDG Stakeholder Committee as well as the tree ordinance process as part of the cost benefits analysis of the later, and I would make two entreaties to you as a member of both of those processes is keep the regulation consistent and coordinated. What I'm seeing now is a little bit of bifurcation, a little bit of difference in what was done with the tree ordinance and what is being asked – I'm sorry – what was done in the PCCO and what is being asked in the tree ordinance. Again, a lot of work has gone into that and a lot of work will go into that. I'm seeing some real potential clashes with what is being done with those two ordinances, which are very let's create trees, let's create open space, and the USDG, which are very much are let's add sidewalks and let's add bike lanes and let's add bridges and roads. I see a clash there that we really need to be looking forward to. Then when a site just can't sustain development, when it can't get the right number of trees or the right number of impervious area or do the right number of bridges allow for reasonably priced, commercially reasonable off-site mitigation -- that's a huge component that has been successfully applied with wetlands -- allow that same concept to be applied in a commercially reasonable manner to development sites. Finally, as Ned alluded to, what these projects – the devil is really in the details, and I can tell anybody who wants to listen about a couple of horror stories. One we are going through with a major headquarters announcement right now with my company, and the Mayor and the Economic Development staff are working with us on that, but this company doesn't want to add extra lanes to the road. It wants to add mobile area with trees and grass, and the City initially was saying, no, you can't do that because of ordinances that are in place. So it's interesting sometimes how the tree ordinance said let's add trees, and the USDG or Section 19 says let's add paved area, and how that comes together. It is being worked out to everybody's mutual benefit, but I would just say let's keep our eyes open towards that, and thank everybody for their time tonight.

Tom Pearson, 4301 Fairview Oak, said I won't take but just a minute, but as a developer, I have seen lots of changes occur in this city, and I'm sure there has never been a regulation that wasn't well intended, but I think sometimes we need to step back from what we call the battlefield and say how is this really affecting this city. I think too many times we put in regulations that while well intended have helped to price our workforce housing and limit the number of people who can afford to live in our city. I think that is something that is vital for Charlotte that Charlotte needs to keep workforce housing affordable here. We in the development community are all facing very tough times now as we all try to right-size our businesses, and we are doing lots of things to make ourselves slimmer and hopefully allowed to stay in business. I think this is a good time that the City may want to step back and look at some of its ordinances and say maybe we need to look at these again and see if there is a way that we can right-size them and make them better match what the community's needs are in 2010. One

last thing. The Mayor was talking about this where he talked about the need for staff sometimes to understand more about the effect of regulations and what it's going to do. As a member of the development community, I think we all stand ready to help the City at any time better understand what these regs are doing or would do, and we have done this in some areas. Years ago there was a group put together called the Subdivision Steering Committee, and it was put together, I guess, by the planning director. This is a group that meets with staff, developers, and engineers, and we meet once a month, and we talk about issues as it relates to land development. I think many times we have been able to solve the problem that the City was trying to solve but solve it in such a way that it is more economical and cost efficient for the community.

Mayor Pro Tem Burgess said I want to go back to Mr. Gaskin. Has he arrived?

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THE IMPACT OF LAND USE REGULATIONS ON AFFORDABLE HOUSING IN CHARLOTTE

We are changing the topic to the impact of land use regulations on affordable housing, and the next group of speakers will be addressing that. Mr. Manyika, are you coordinated with other speakers on this?

Noah Manyika, Nexus Urban Serve, 800 N. College St., said, yes, I am. I lead an organization called Nexus Urban Serve. We work with at-risk children, but I'm part of this group called Affordable Charlotte Cabinet, which is a growing list of leading citizens and representatives of nonprofits, faith-based, and civic organizations, who are passionate advocates for affordable housing and understand the community's social ills resulting from the lack of affordable housing. I will just go through what I am supposed to read and then I will tell you why I'm in. Affordable Charlotte Cabinet Mission – here's our mission – to increase the number of affordable housing opportunities through a comprehensive, coordinated, and collaborative strategy to reduce or eliminate obstacles to affordable housing and reduce upwards price pressure on housing at all levels. Let me talk a little bit about what I mean. The reason why I'm in is because 40% of kids from low-income communities do not graduate from ninth grade. You ask me and say what is the connection with affordability, and I would say this. I am absolutely convinced in the 15 years that I have worked in Charlotte that the reason why we have the problems that we have is because families from low-income communities are becoming much more and more transient, and the cost of actually helping those families is increasing as a result. So when we talk about cost – I think we shouldn't just look at cost of development. We should also look at the cost of solving some of the problems that we need to solve in this community. How do we make sure that, for instance, the programs we provide for kids in a community where after three months the turnover is 25%, how do we make sure we get the most bang for our buck. How do we make sure that all the other problems that we are trying to solve with single mothers and so on that we absolutely get the most out of the money that we are investing there. I think it would be terrible if as a community we just look at this as what is the cost of developing a building. We should look at what is the cost of actually solving some of the problems that we have in this community, and I have no doubt that the Council is committed to that, that this is a shared concern. We have had several meetings with staff, and I have absolutely no doubt that the staff also shares that concern. I hope that we are going to expand the dialogue maybe from a dialogue between developers and the Council to include other people who are really concerned about this. Our work is becoming harder, our work is becoming more expensive, and it is becoming more and more difficult for us to actually move to close the achievement gap because Charlotte is becoming less and less affordable. I hope you will listen to some of my friends and hear the examples that they have to bring, and, for me, here is the horror story. I will say it again -- it's why I'm in – 40% of kids from low-income communities are not graduating from ninth grade. That is a horror story, and if that is connected with affordability we need to do something about it.

Josh Bryan, Community Link, 601 E. 5th St., said we are an affordable housing nonprofit here in Charlotte. He began a PowerPoint presentation and said our mission is to enable individuals and families to obtain and sustain safe, decent, and affordable housing. We don't build housing, and we don't finance housing projects in any way, but as a social service nonprofit agency what are the problems we are seeing in our community, what are the problems that are facing our

customers? Of course, homelessness is something we have to deal with every day with our customers. In the Charlotte MSA (Charlotte Metropolitan Statistical Area), which is really what Community Link serves, the area that Community Link serves, there are about 8,000 homeless individuals on any given night. Unemployment is affecting approximately 106,000 individuals, but unaffordable workforce housing – housing that is too expensive for a full-time employee to afford – is affecting approximately 351,000 individuals. That is a very conservative estimate, but, as you can see, that really trumps all the other problems that our customers are facing. To look at this problem, we'll begin with the income.

Councilmember Barnes said may I ask you a question? That previous slide – are you suggesting that half the people in Charlotte can't afford their rent?

Mr. Bryan said I will explain to you in just a second how –

Councilmember Barnes said are you talking about the MSA?

Mr. Bryan said in the MSA. All these numbers are coming from the MSA.

Councilmember Barnes said the total population of the MSA is?

Mr. Bryan said the total number of jobs in the MSA is 878,000.

Councilmember Barnes said total population.

Mr. Bryan said total population – I don't know that exactly.

Mayor Pro Tem Burgess said would you please go back to the other slide. I think Ms. Carter has a question.

Councilmember Carter said I think there is a number transfer here. If you look at that number and the next number, the top column on your right, number of jobs, I think you might have transposed some numbers there.

Mr. Bryan said, no, ma'am. In working with some economists in the last few years, this is just sort of a guideline we are using – the 40%. Forty percent of Charlotte's workforce is making less than \$14 an hour, so 40% of Charlotte's workforce is 351,000 individuals.

Councilmember Carter said it's the same number as your homeless population.

Mr. Bryan said unaffordable workforce housing, housing that is too expensive. Not homeless. This is housing that is too expensive given a person's income.

Mayor Pro Tem Burgess said are those the number of people?

Mr. Bryan said number of jobs.

Mayor Pro Tem Burgess said, as Mr. Barnes said, our population in the city is approximately 700,000.

Mr. Bryan said right.

Mayor Pro Tem Burgess said and you are saying half of those people are in unaffordable housing.

Mr. Bryan said what I'm saying is those people are having to spend more than 30% of their gross income towards housing, which is, as a HUD guideline, HUD mandate, is what the customers we serve are required to spend towards housing.

Mayor Pro Tem Burgess said we just don't know what the universe is.

Mr. Bryan said I'm sorry, and I wish I had Charlotte's specific data. But to carry on, 40% of the Charlotte MSA workforce is making less than \$14 an hour. That's including rookie teachers, cooks, security guards, etc. Now, when this comes into play is when you compare it to housing costs. The housing costs are representing the same region, and the fair market rent at the top is what HUD deems appropriate for their homeless customers. So, for instance, a two-bedroom unit, HUD suggests that their homeless customers that need a two-bedroom unit should pay \$806 a month towards rent. Given that the guideline is paying 30% of gross income towards housing, that person is required to make \$15.50 an hour in order to afford it. So, again, in the Charlotte MSA, there are 443,000 jobs that cannot afford that two-bedroom unit. This is sort of the housing cost gap. At the very bottom of the spectrum, someone earning minimum wage, they can afford to put \$377 towards housing per month. As you can see, even an efficiency unit at HUD fair market rent is above their heads. Forget if they have a child and are required to have a two-bedroom unit, it's absolutely unattainable. At the top of that 40% group that I mentioned earlier, someone earning \$14 an hour can afford an efficiency, can afford a one-bedroom unit, but as soon as you get to a two- and three-bedroom unit, it again becomes too expensive. For our customers, the majority of them are needing a two- and three-bedroom unit. Especially by HUD guidelines if it's a parent and two kids and one kid is a male and one kid is a female, they are required to be in a three bedroom.

Mayor Pro Tem Burgess said your three minutes are up. I don't know if you have coordinated with the next speaker to continue the PowerPoint.

Sherrill Hampton, JCS University, 100 Beatties Ford Rd., said I'm director for the Center for Applied Leadership and Community Development at Johnson C. Smith University in District 2. Go Bulls; that is correct, and we are Charlotte's premiere urban university, just a few blocks from the city center here and the Government Center. We are also a proud member of the Charlotte Affordable Cabinet, and we feel so strongly about the correlation between regulatory barriers and housing affordability and what that means for the revitalization of our neighborhoods that have been identified through the Quality of Life Study that the City does every other year or every two years in trying to help declining neighborhoods and to even enhance those stable neighborhoods so that all citizens can have a better quality of life and to increase the economic vitality of the area. A number of major academic institutions have been involved in the research around this topic. It is a very timely topic that is going across the country nationally. The University of Pennsylvania, our own University of North Carolina at Chapel Hill, even the McArthur Foundation has just recently released an RFP calling for proposals from academic institutions looking at this same – an issue of affordability and regulatory barriers and how that may mitigate or lessen the affordability for all of our citizens in our area. I'm not going to prolong it. You have that. The next slide, and I'm not technically challenged, so what am I supposed to mash here? Even of the trade associations and for that – not only the realtors but the Home Builders Association, a number of members have been – organizations across the country are involved in this matter and looking at it very closely. The central question we want to leave you with this evening is that why, given what seems to be a convincing correlation between housing prices and land use regulations, do people resist to see that regulations are a major cause and can increase or lessen the affordability, and when you lessen the affordability for houses, you affect new jobs, you affect workers, you affect the quality of life, you affect schools. So the University, along with the Affordable Housing Cabinet, offers its academic research capabilities to help the Mayor and all of the Council and staff around this issue because it is very important to the economic vitality and quality of life. Affordable housing is needed. You will see the speakers coming behind me will give those hard core project examples for what has been taking place.

Merritt Card, Habitat for Humanity, 3815 Latrobe Dr., said I'm the land acquisition person from Habitat for Humanity. Habitat has built over 900 units in our 25 years of existence. We are faced with a question. Where are we going to build the next 900 as we are running out of infill lots, so that forced us into looking at developing a site. We chose a site often mentioned as being conveyed to Habitat at some point owned by the City – old Plato Price School between Wilkinson Boulevard and Billy Graham Parkway on Morris Field Drive. This chart shows the development of the site pre-PCCO in effect. The site is approximately nine acres and is currently zoned R-8. In this configuration, we can get 60 units, single family, and some multifamily triplexes, duplexes, etc. The lot is crowned, and in the middle is a tree. The current water goes right to Plato Circle and it goes left down to Morris Field Drive because of the crown.

This slide now shows when we have imposed PCCO to the site. Now we reduce the number of units from 60 to 50. We have to put in a rain garden – in fact, two rain gardens because of the configuration of the site and two detention ponds. We could level the site, but the cost of leveling is exorbitant, and this is more practical for us to follow. These drawings have been developed by a very qualified land planner and civil engineer, and the numbers you are about to see with help from Blythe Brothers helped us develop those. This is the cost – 60 units, \$6,100, let's say, per unit. The mix of units, and we get down to the bottom, and the total development costs in this configuration about \$12,500. Now, with PCCO in effect, we drop the units to 50 -- \$7,500 per unit, but our development costs are now \$19,600, and that's an increase that is significant – 44% over the other. That's the point we are trying to make. It is a number. These are bona fide numbers. We have not figured in the tree ordinance -- that would have to be mitigated – nor have we figured in this particular study the cost of replacing the element and the rain garden. That is a figure that we won't know until we do it. It's several thousand dollars per each. We are talking about families and a percentage – 30% of the AMI – and that's a number, but these are families who make life decisions every day whether they are going to put food on the table or a pair of shoes for little Johnny or grandma is going to get her medicine. They will not understand the extra money to replace an element and a rain garden. I don't understand it. Anyway, 44% increase over what it would be, and that concludes my comments.

Councilmember Barnes said may I ask a question regarding the two slides. I just want to understand the makeup of the development costs. On the first slide, you had it at twelve five, and on the second, nineteen six. Help me understand what makes up that number. You have on that slide there that the total development cost of nineteen six per unit. On the previous slide, it was twelve five per unit. I'm asking if you can help me understand what the makeup is, what constitutes the development costs.

Mr. Card said the development costs, of course, the total infrastructure package including all of the PCCO requirements.

Councilmember Barnes said so does the rain garden create that \$7,000 increase per lot?

Mr. Card said also remember we lost ten lots. At 50 under the PCCO; it's 60 under the original configuration.

Councilmember Barnes said then I would say you should have lower costs because you are developing few lots, but I know that is not right.

Mr. Card said cost per –

Councilmember Barnes said help me understand though what makes up the – is it the rain gardens, is it the detention ponds?

Mr. Card said under this slide we are looking at the pre-PCCO, which did not have rain gardens, did not have detention ponds. The next slide, if you will, that included the rain gardens and all of the other requirements of PCCO plus all the other infrastructure requirements we have to put in.

Councilmember Barnes said what I'm saying is what made the twelve five go to nineteen six? Was it curbing –

Mr. Card said PCCO.

Councilmember Barnes said, no, no. Tell me what specifically we are requiring that makes that number go from twelve five to nineteen six.

Mr. Card said the ordinance requires –

Councilmember Barnes said no.

Mayor Pro Tem Burgess said we need to have some order here. Mr. Barnes, finish your question.

Councilmember Barnes said I'm saying can you give us examples of the –

Mr. Card said I have the detail – not here in this slide, but I will be glad to provide it for you. We have that.

Councilmember Howard said if you would entertain me trying to address a little bit of it, Mike.?

Councilmember Barnes said, no, I don't want –

Councilmember Howard said rather than answer the question I'll leave it alone.

Councilmember Barnes said I'd rather have it from him.

Councilmember Howard said you got it.

Mayor Pro Tem Burgess said is this flowing the way you expected? So we'll go to Optimist Park.

Ray Farris III, Tuscan Development, 1355 Greenwood Cliff, said I'm here to give a specific example in Optimist Park, and let me orient you. What we are looking at – at the bottom of this Davidson, we have 15/16 and the curving street is Parkwood. When we started this, we had about six acres. We hired David Furman to do a 12-unit project called Aught Twelve. We had a great experience with the city, with Planning. We were able to sell those 12 units working with House Charlotte to help with funds. We were able to sell that project out. North of that was Duncan Gardens. That was the next project we did, which started in 2006. That was 42 units. That worked as well. But let me get into specifics. The site cost was \$7,000 per unit, and the reason why that site cost was low was we were able to avoid using underground detention, we didn't have a lot of the other costs. We were able to attract police officers, a lot of teachers. Then in 2006, Duncan Gardens came along, and if you notice our site cost per unit was \$8,139. Now, we are still able to stay under the 129,000 for each unit. In 2008, we started Block 90, and this was to be the crowning jewel of the site. We had to downzone it from I-2, which is the same zoning classification where the asphalt plant came in that cost about \$40,000. We had a great deal of other costs. We had rain gardens we had to put in and actually have these items listed here at the bottom of the page. The storm water detention, sidewalks – we are actually replacing some sidewalks and in many cases worked well – CMUD fees, electrical requirements, and all these impervious costs, and what this did was it increased our site cost to \$20,000 per unit. Now this is important because this is very granular. This is a direct cost that increased the unit from \$110,000 to \$130,000, and for our two-bedroom units they went from about 140 up to about 180 to 200,000. This kept us from being able to tap the Home Program in Charlotte, and this is, in my mind, something that directly correlates these development standards with housing costs. In another project I want to share fits under the horror stories on Central/Briar Creek. We had a site as right that could have 193 units. We presented three different plans, three of which were rejected, and because of that and because of the timing and this market, the bank ended up taking back this project. So today we missed the opportunity for this housing.

Bert Green, Habitat for Humanity, said in the slide that you see before you is taken directly from John Crosland, Jr.'s affordable housing dream, and it's an attempt to evaluate three different housing scenarios starting at \$1.2 million with the total package of the house and lot going down to \$150,000. We addressed work capacity fees, sewer capacity fees, permit fees, sewer connection fees, water meter connection fees, zoning fees, grading permits, and you can see at the very bottom here what we have done is identify the cost per house and land. The cost ranged from ten five to sixty three hundred with a percent of the home price ranging from almost 1% to 4.2%. As an example that Merritt Card presented to you before, when we not only look at the land and development costs for the property, but we add that to the cost of our home, the direct cost of our home with a 45% increase in development cost on the land, when we evaluate that from the standpoint of our total cost of our three- and four-bedroom houses, which are our most popular houses, we get almost a 9% increase in the housing costs as we evaluate the two development scenarios. What does this do? It just makes us look at the disparate impact of these impact costs on affordable housing. It's much easier to absorb in higher income housing than it is the lower income housing. That's the lesson here. I would like to also address your question, Michael. As we look at these two examples and as a result of the decrease in the number of lots

we can develop in one example versus another, we have a numerator that is increasing and a denominator that is decreasing, and the basic difference in the two costs of development are essentially the two rain gardens we have to develop and the two detention ponds that are required. Those are pretty much priced on a square foot basis and the size of those are dictated by the ordinance that determines exactly what you have got to have. The other thing that I would suggest is that as we look at this we really need to look at the fairness issue. Why are we asking new development to bear this cost? We didn't ask the residents of Myers Park to pay for the flood mitigation that went on behind Park Road Shopping Center. We all paid for that. I think one challenge that Council is going to be faced with here is to evaluate the fairness component. If this is indeed a quality of life issue, it seems to me (tape change).

Roger Lewis, 6109 Rosebriar Ln., said I'm a retired apartment developer. I was invited to come back out of retirement to put a coat of polish on the loafers and come on down and chat with you a little bit tonight. I have an example, too. A little more than a year ago we looked at what would the delta or the change in cost be for an existing apartment project where we had the data for all of the development standards for that project. We picked one that I didn't even work on. It wasn't done by my company, but Land Design, who helped us with this study, had the base data. This is what they came up with. This is the Preserve on Ballantyne Commons Parkway. On the left as it was done; on the right as it would have to be done to meet all the current PCCO. Some of the changes are pretty self-evident. There is additional tree planting, there are additional storm water control facilities, the private drives and the parking have been superseded by public roads, and there are probably several dozen changes. So you can see graphically what those changes imply in terms of extra pavement and a loss of units. We lost about 36 units. So what does that mean? I'm the oldest guy here probably, so that means I'm the least technologically adept here. Can we go to the next slide? Bottom line in the lower right, then we took these changes to a contractor and said what would it cost? What would the difference be since we are really dealing with the difference? He came up with \$6,800. Okay, well apartment these days cost more than \$100,000 apiece to create in the first place. So what? What's \$6,800 when you are already talking about 100, 110, 120. Well, every dollar that goes into an apartment has got to be paid for. It has got to be paid for through the mortgage and a return on the equity, and a 10% return on incremental money to provide enough money to pay the mortgage and give the developer a little back, what that means is for every thousand dollars extra that goes in the rent has to go up \$8.33 a month, so at the end of the year you have got \$100 – 10% return. Well, \$8.33 times \$6,800 that's \$57. Well, if you make \$100,000 a year and you are living in a nice apartment, it doesn't make much difference, but if you make \$25,000 a year, that delta is crippling. It is a huge, huge delta, and I would suggest that the net sum of our community is the net sum of the projects. Some will be more than that; some will be less than that. We believe that all would have a material cost increase that will hurt our lower income citizens.

Mayor Pro Tem Burgess said thank you so very much to everyone who came. Obviously you spent an awful lot of time with this presentation, and it was very, very helpful to the Council. This Citizens' Forum following the staff presentation was extremely important because not only can we hear from you but you could also hear from our staff why we are in the position we are in especially with PCCO. It was a mandate, and we did what we needed to do. Sometimes we went a bit beyond what we needed to do, but the only thing we didn't consider, I believe, what I heard tonight is that could we have spread the costs broader than the per unit, and we really didn't consider that. We have a lot to think about, a lot to do, and, again, thanks to all of our speakers tonight to help us put some examples of what our policies have been. We work in theory, and until we see a project on the ground, we really don't know what impact it has on just the development and certainly on our families who can least afford these changes. Any other comments from Council members?

Councilmember Peacock said I came in tonight just expecting just a nice, casual workshop that we would enjoy learning a few things about the variety of things that are going on in this community, and this has turned into an enormous discussion about affordable housing. I have the chairman of Housing and Neighborhood Development here in front of me. I'm the chair of the Environmental Committee, and I have heard issues around both of these. I don't think I have seen a presentation that comes from citizens in a coordinated format like this with as much content as we are seeing here. Now, one of the comments we had from staff was that perhaps Mr. Crosland's was too narrow. What I'm seeing, and if you all agree with me or don't agree

with me, I don't know, but I'm seeing a pretty broad perspective here that is raising real concerns. Those seem like real numbers, and they certainly don't seem like something we can take casually here. I would recommend, if the Council would support it, and I'm going to let Councilmember Cannon speak here, to a joint referral to the Housing and Neighborhood Development Committee and possibly to the Environment to maybe split up the workload and take a closer look at these numbers, and, Councilmember Cannon, I was reading some of your notes, and I probably am going to agree with many of them, so if you can speak up.

Councilmember Cannon said I might want to yield to the chair of HAND first to see if he –

Councilmember Mitchell said I'm open if the Council thinks that is a worthy exercise for us to take. I think it's an excellent idea.

Councilmember Cannon said I think the question is how much is too much, and who is it passed on to at the end of the day? That's what we're hearing. What obviously isn't rhetoric is at the end of the day who are these costs being passed on to, and who is it – the least of those that may not be able to afford a \$9,000 increase in the cost of a new home due to regulations. That may or may not be something that's important, but certainly that's why I will support the referral to committee just to kind of hammer out what are we able to do to ensure that there is some balance that is being addressed, and certainly I think that can be handled at the committee level between both HAND and the Environmental Committee because staff has come back with some good recommendations. We are in a tough situation, I think, to try to balance this thing to say the least, but I would hope that we would support that recommendation. I am certainly with that.

Councilmember Turner said I'm a little concerned with that recommendation, and I'm concerned based on our previous presentation that we just finished. Are we getting ahead of ourselves here by doing that because if we are waiting on Debra and them to get back with us because I think their recommendation – to go back and look at what they recommended that we focus on and try to solve, addressing the costs while creating value, developing practical yet flexible standards. I mean this is what we are talking about. We spent the first hour and a half talking about that. Is this where we want to send this now, or do we want to wait?

Councilmember Cannon said I think that's a valid question, but I don't think what we did talk about, Councilmember Turner, was who is this passed onto and how are we able to deal with that issue at hand. That did not come up in conversation in those presentations, and I would be interested in how we might look at handling that. Now, if that's not of a concern about the end user at the end of the day and how much it's going to cost that person, then I respectfully understand.

Councilmember Turner said it's not that I don't think it's something. I think Council has wrestled with that for some time now, but I want to go back because to me it brings – my point is addressing a cause while creating value, and I'm going to go back to that because that's where we are heading anyway to look at whether or not this is working and to work out where it's not working. I'm just not for sure should we be making that decision right now based on this point when we left and gave Debra and them I think a standstill kind of charge, a let's wait and see.

Councilmember Barnes said I tend to agree with Councilmember Turner. Having been a part of one of the committees that spent quite a bit of time on one of these guidelines heading towards being an ordinance, I have some concern about us essentially forgetting why we did what we did. One of the reasons that the Council supported PCCO is because of the downstream flooding that people experienced. You and I talked, Andy, about one of your constituents who has flooding every time there is a storm, and there is a reason for that. When we build these massive parking lots with no retention systems, no trees, nothing to absorb the water, you get a massive rush of water going downstream.

You guys may remember with the Griffith project at Harris and Statesville where the developer undertook on its own to put in place retention and detention systems that would keep rainwater on that site as long as possible, and that's kind of the point here. With the slide of the apartments in Ballantyne, that was part of the point if you do it that way today you have more trees and more impervious area thus reducing a lot of that storm water runoff that we have been trying to wrestle with. The County has had to buy apartment complexes in your district because of flooding

issues, so there is a trade-off between the 6,000, 8,000, whatever the number may be to build a home, the apartment, and the environmental damage that we are trying to avoid. I have no interest at all right now, unless we hear some more information that would be more persuasive, to send any of these ordinances or guidelines to committee to be reworked.

I have heard from the speakers. I can appreciate what they are saying, but my concern is it's almost like what we are doing to health care. Either you have it or you don't, and that's what bothers me because I'm not hearing a lot of wiggle room for how we really tweak it. It's like, well, let's do a four-foot sidewalk and a three-foot planting strip and call it a day, or let's not plant the trees and not create the detention ponds. I recognize that people are saying, well, let's just be flexible, but, again, I hate to bring up the DC thing, but that's kind of what that sounds like nowadays, too. So, my concern is that what we are ultimately trying to do is just dismantle the efforts, and that's what scares me, and I will finish with this. You go through Districts 2, 3, 4, and 5. I don't have that difficult a time finding a sign from the '90s or from the 100s, so I dare submit to all of you that in those four districts and part of 1, too, that people don't have a hard time finding "affordable housing", and, by the way, I have been saying this for five years, too. We have done a horrible job of defining affordable because hopefully all housing is affordable to somebody, but when you can literally go down Harris Boulevard and any number of streets and corridors and see signs that say from the 100s, from the 90s, you can't tell me there is no affordable housing in the city. If we are talking about free housing, that's one thing; but to say there is no affordable housing, and, therefore, we need to dismantle all these regulations is, in my opinion, a bit premature.

Councilmember Carter said I appreciate the true effort to understand, and in both of those committees we have done, I think, really outstanding work because of the staff, because of the taskforces helped us understand the cost. Where I'm having difficulty is where the Mayor indicated something today – where we overlap. If you look, there is a common area in these two pieces of paper, and where those ordinances overlap, we are accomplishing a common goal, and if that's true, then we are saving money in these common areas, and that's what concerns me because I don't think we are hearing about these common areas where those ordinances are leaving us room to save money. I heard a statement up here the terrain – if we considered terrain – it would have given a bonus that would have saved money that would have lowered the cost.

So I think there are areas in here where we already have built into our ordinances a capacity to save money and to lower the costs, and I'm concerned that we are not seeing that. That's what I'm not hearing. That would be the only reason I would say send it back to committee, but I think we can accomplish that outside the committee process, which is lengthy, and I'm not sure I want to revisit this. This has been on the table for years.

Councilmember Peacock said thank you, Councilmember Barnes and Ms. Carter, for your comments as well, too. Let me make it clear. My intent of the referral – let me describe what I think might be helpful to staff to give some direction if this motion were to be supported tonight to go to the committees. First of all, I break it down that no one in this room that I have heard from staff or even from the speakers has questioned the intent of what we are trying to accomplish here, and, Ms. Carter, I agree with you. I don't think we need to be rehashing and reevaluating, Mr. Barnes. My intent is absolutely not nor would I want a committee's intent to dismantle any of these ordinances completely.

Councilmember Barnes said I wasn't suggesting that.

Councilmember Peacock said I know you weren't, but my point is that they have shown us tonight tangible results that were unintended from what we had originally started with, and I think the charge of the committee should be specific to look at what Ms. Carter is mentioning, which is let's take a closer look at the overlap issue and then secondly let's try to show how flexibility can be solved for Mr. Farris' project that he just highlighted there because we all agree in the charge of the HAND Focus Area Plan that we are trying to address a serious problem of about 15,000 units out there that we need somewhere that are going to meet this workforce housing need in this growing city that we are in.

So when we have developers that are looking to bring jobs and opportunity, who are looking to subscribe to our wedges and our corridors plan that we are all espousing and being a smart

growth city, we just have to look in the committee on how we can improve this result because I don't think that was our intention at all on staff. I just want to find ways that we can help solve and close that gap or to prevent it from getting further because I think what they are highlighting to us, and perhaps staff can counter that, is where is that balance between growth and sound fiscal policy here because they are showing me something that is saying it's having a direct impact on what Mr. Cannon is saying, which is it's getting boiled down to that very, very small core element of someone who is at a very low AMI, and it affects them much more than it would a dual income household at \$100,000.

Councilmember Cannon said I'll conclude with this. Mr. Barnes, you know you are always pretty pointed about who you are talking to, but you weren't very pointed when you talked about who was trying to dismantle what has been put in place, so I don't know who that was meant for, but if it happened to be meant for me, I want to ensure for the record that – so I can go to bed and sleep well tonight – that there is no intent ever on my behalf to try to dismantle what ultimately I think is some very good visionary outlook, Ms. Campbell, Jeb, the whole clergy. So I wanted to be clear that was not the issue, but I think it was raised a moment ago about really the costs and the flexibility. I think we are all open to try to understand the costs and flexibility here as best can be worked out.

Now, Ms. Carter mentioned if it can be worked outside of committee. I can live with that, but if there is a way that through the committee it is able to be addressed without going through trying to dismantle, if you will, some of the other things; being more targeted because that is what you asked for. You wanted to know specifically what will be the area of focus to ensure that we would not be tinkering in the areas where we would be messing with something that has been worked on for a very long time. Remember, I'm returning. Where's Ron Kimble? Earlier I said I was new, but he reminded me I was returning. But there are some issues where you all – Susan and Warren and Andy and others – have been working for a very long time on these things, and I am catching up, but I think it's worth taking a look at.

At the end of the day, those persons, those families at the end of the spectrum that will be impacted by the decisions that we make, and as I said before, I want to be able to sleep at night, and a part of me being able to sleep at night is understanding that if we are to build or to create that quality of life community that we all talk about so often, whether it's on the campaign trail or otherwise that Bert spoke to earlier, that we have done all that we can to ensure that we are addressing those families that will at the end of the day have to take on that cost. Somebody in here may not be worried about it because they are taken care of, they make a nice, little income where they can support them and theirs, but for those that struggle – and I will tell you that just a doctor about two weeks ago was trying to get a place in uptown Charlotte only to be beset with having to come up with, you know, what was 1.5 thousand, which then turned into nine thousand, and the point is this. Here you would think by title that the person is okay, but they struggled to make that end meet. That matters to somebody, and all I'm saying is when you are talking about \$9,250 that matters to somebody, and we ought not lose sight of that. How we drill down on that, I don't know, but I would hope at some point that when you start talking about costs think about the other people and not ourselves.

Councilmember Howard said I have actually heard the presentation from Mr. Crosland a couple of times, and actually my good friend, Collin, over there he knows that we actually first met a couple of hours because I argued we kind of understand both sides of this – the affordable and the planning side real well. There are definitely some conflicts internally with me about both sides because I understand the need for both. In fact, one of my major arguments to Mr. Crosland was let's not trade one expense for another while we are trying to help. Let's not add other expenses like transportation and some other ones while we are doing it. But I will tell you the one thing that does jump out to me, I do appreciate the fact that this Council has dealt with the policies when it comes to planning, and I definitely appreciate the fact that needs to work its way through what we talked about earlier.

The one area I think that may be something the committee could deal with now, Mr. Mitchell, would be the whole part about the percentage of the – the slide that talked about the percentage that the affected fees have on a more expensive house than a less expensive house. Maybe there is some room to talk about it, and I know, and Warren Turner reminded me, it's probably not the best year to talk about revenues, but maybe there is a conversation to be had about some sliding

scale fee when it comes to housing and what we are trying to accomplish when it comes to affordable housing in this community. I know that is something that Mr. Crosland talked about with me at length, and maybe there is an area where at least some conversation can be had. I know the state actually just passed a bill that helped affordable housing developers with their taxes waiving the taxes, which does help the bottom line. I mean those savings are rents that can be saved that are passed on to residents, and I don't think the effects, Mr. Manager, were huge when that happened, but it did help the bottom line of affordable, multifamily sites. Maybe if Council is interested at all, maybe there is a conversation to be had at least about the effect the fees have on affordable housing and if there is something that can be had there.

Councilmember Barnes said a couple of things. One, I don't recall anyone on staff ever saying to us that implementation of these guidelines and ordinances would not create increased costs. So what I, in part as an alternative, would suggest is to allow staff to actually respond to this document because I don't think they are going to stand before us and say, you know, we are just stunned this happened. We never imagined there would be any increased cost. They knew there would be increased cost. Now, how much I don't know, but it would be interesting for me at least to hear what their take is on what we just heard before we again send it all back to committee. I met with John Crosland and Bailey and Collin I think it was last year, so there has been this energy for a long time to do something about these guidelines and ordinances.

Again, I'm not unwilling to look at and make adjustments, but what I'm saying to you guys is when we passed it I think you were chair of the Transportation Committee, weren't you, Pat Mumford? Wow, and we talked about staff being flexible and being willing to work with people, and they said we are going to do it. You heard a few moments ago from Jon Morris with this headquarters building – I don't know what he's talking about – but he said staff is working with them. I think we are leaving this impression that the guidelines and ordinances are flawed, the staff isn't willing to work with people, when, in fact, they are, and I guarantee if I challenge the City Manager he could probably get someone to give us examples of where they have been flexible.

Again, that's why I keep questioning about what we are really talking about because they are saying we are being flexible, and we are saying, well, you are not being flexible enough because you are not waiving fees and so forth. One of the issues we are going to have with sliding fees, and I brought this up to you guys at the Retreat – I have got a developer now who is saying, look, I need you guys to waive all my sewer fees, water and sewer fees, waive my building permitting fees so I can finish these houses off. As soon as we do that, do you know how many developers are going to be down here saying waive mine, too. So, I know there is a balance that we have got to strike, but just to go around and take the position that there is something so flawed about these guidelines and ordinances that we have got to change them right now that worries me a little bit especially if we are not going to give staff a chance to respond to what we have heard tonight because I appreciate everyone who came down, even the gentleman who I gave a hard time to, to share with us their concerns about the ordinances and the cost of housing, but I would also like to hear from staff about whether they thought this stuff was surprising. Mr. Cannon suggests that they didn't expect it. I think he's wrong. I think staff can tell us that they knew there was some increase, some cost increase, and I would rather have that dialogue at a dinner meeting to hear from them and us just have a dialogue about it than to send this thing back to committee and have it come out whatever fashion it might. That bothers me.

Councilmember Mitchell said did you want to say something?

Mayor Pro Tem Burgess said I just want to say that I think that is a very reasonable course of action right now. We know there is some data in here that needs to be corrected, and we also know that post construction is a mandate, and there may be some ways that we can work with those who mandated the state and federal government to help mitigate the costs that, of course, are passed on, but if you recall, when we passed this ordinance, we knew exactly the effect it was going to have on the lowest in housing and how disproportionate it was. We discussed it. It is no surprise, and we passed it, but I do think now that we have some real life examples that it is very appropriate for the staff to look at this and see if there are any other options that we may be able to work with our affordable housing partners to help mitigate the disproportionate effect. We really do – we have two more speakers and two more topics, so Mr. Mitchell, Mr. Cooksey, and let's see if we can move on.

Councilmember Mitchell said I'll be very brief, but let me give you my take on the discussion today because I don't think it's an "us" versus "them". I truly think we have a policy in place that we all voted on and staff believes in. Then if we have real examples of the impact of the policy that has occurred in our community. I want to make sure we leave here saying I think we are all on the same team. We are just trying to provide affordable housing to our citizens in Charlotte, so it's not an "us" versus "them" mentality. I think what gives me deep heartburn though is we talk about Housing Trust Fund, having voters vote for a bond to put up 5,000 units in the name of affordable housing, and we clearly see that we would never get to those numbers, it should leave some of us with an uncomfortable feeling that why set the bar so high when some of our policies will not allow us to achieve that.

So I hope there would at least be some openness to say let's go back – I don't want to see the whole PCCO because I think we have spent a lot of time, but those areas that really impact the affordable housing units and building more rooftops, Council, I do think we need to get out of the box. Remember our Retreat. We said we are going to be creative, we are going to be more open with no filters, and I think this tests us are we committed about affordable housing in our community or not. So let's get away from "us" versus "them" and about affordable units for our community.

Mayor Pro Tem Burgess said well said. Mr. Cooksey, you can wrap it up.

Councilmember Cooksey said I want to pick up on something that both Councilmember Barnes and Councilmember Cannon have addressed at different points in this meeting, and those are definitional. I think one of the things that if we truly want to be creative and think differently about how we address it, we have to address things like graphs such as this that point out what the housing cost gap at \$14 an hour is and the like and realize that they are based on data and they are based on standards that are imposed upon us rather than that we have adopted and that are hard standards. I would think in particular about Councilmember Cannon's approach to the Small Business Program talking about a range instead of a hard starting and ending number. These numbers are based on this hard premise of HUD that it's 30%. It's 30% regardless apparently of size of household. While it varies, 30% of one's income is what goes.

Now I'm thinking back to when I first moved here I was paying more than 30% of my income to the apartment I was in, and at one point I was considering getting a roommate to cover the costs and go from a one bedroom to a two bedroom because that would be cheaper and bill the roommate. There are all kinds of ways that people adapt and cope that I think federal regulations do not necessarily capture, and if we want to tackle this creatively and address, as Councilmember Barnes said, dealing with how we are defining affordability one of the things we may consider or we may decide it's too big a windmill and we not go with is are we going to simply accept what HUD lays out as a standard or are we going to either on our own or through our contacts in the National League of Cities try to do some sort of pushback and say, wait a minute, the regulations that are coming down – never mind the ones that we are imposing – the ones that are coming down to us from on high in Washington are not necessarily for what we, on the ground, see every day as we work with that issue. That is about as brief and profound as I get.

Mayor Pro Tem Burgess said can we agree then to ask the staff to respond to this and bring it back at a future Workshop? Is that good?

Councilmember Peacock said I would only simply say that I think Mr. Barnes has found a perfect compromise, and I would love to hear it. I would agree with that and rescind my motion to refer it to committee, but I think I would like to say that if the answer comes back and I feel like it's not in depth enough and we are not responding to what we are seeing here then we certainly should go to the next step which is refer it to committee. Does that sound fair enough?

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Mayor Pro Tem Burgess said can we move on then to our last two speakers.

CITY BUSINESS

Rayvone Motley, 1224 Condon St., Apt.3, said there is an old saying "Let sleeping dogs lie," but I was woken up, and it's due to City, Angela Lee, I have been fired. I thought I was left alone, but I am a topic of conversation in her memo, and if you look at the date on here and the last line this is where my trouble started when I tried to help someone out of filing a grievance. The supervisor actually beat up a coworker, and I was trying to help him out of filing a grievance, and he is still working, and I'm fired. He is still on the job. Then another one was sexual harassment. One of my coworkers – she was a temp – and she had been having trouble out of this guy named Johnny Morrison, so he took her by his house and wanted her to get out, but she wouldn't get out, and he actually told her that he would knock her out and take what he wanted. And she reported it, and I took it to Angela as a written up grievance. She dismissed it saying she was a temp. Any time you work for the City under that umbrella, you are protected by the City, but they dismissed it. I have been trying to bring this to Council, bring it to Angela. It was written to Doug. It was dismissed, but I requested my files as being fired, and that was in there. So I'm just wanting to know if there is any way that this man still could be reprimanded because he is still working and I'm not just because I really wanted to help someone out because I knew it was wrong. If Mr. Guller is here –

Curt Walton, City Manager, said we don't respond to personnel issues.

Ms. Motley said I'm just trying to get it out.

Mayor Pro Tem Burgess said could I ask – we were just distributed a memo that starts with Doug. Who is this memo from?

Ms. Motley said exactly. That's who I want – it came from somebody on Council or somebody I spoke to who I met with. I'm glad they put it – it was mistakenly put in my file.

Mayor Pro Tem Burgess said this is from you?

Ms. Motley said no. This is from somebody –

Mayor Pro Tem Burgess said did you give this to us?

Ms. Motley said, yes, I'm giving it to you so you can find out where it came from because they knew this was wrong, but, Angela, Doug, they swept it under the rug, and this man is still working, and I'm not, but I'm still okay with it. It's not about me. I want to try to help someone out so it won't happen to them, too.

Mayor Pro Tem Burgess said thank you very much.

Scott McCluney, 945 N. College St., said I was held in false imprisonment from '01 to '03, and it's 2010, and I have been fighting this thing and fighting this thing. There was no conviction, no trial, and at the time of the false imprisonment my retirement survival disability insurance was still sent. It wouldn't stop, but my policy – the Social Security Administration was supposed to stop it, but they didn't. They left me out on the street homeless, and I have been fighting since '04 to '10 about this thing. I have documentation from the justice system saying this thing was disposed, thrown in the trashcan like it never did happen. The Legal Aid said they don't have enough staff members to assist me with this, meanwhile I'm sleeping on the street and I can't afford my own place with the income, the retirement survival disability that I'm receiving now. I'm coming to y'all to see who has the authority. I have called everybody. I have faxed these documents to everybody. The only person who could help me was Urban Ministry, and that is why I'm here tonight to see who do I need to go to. I talked to Bud Burro, and he said send it to Washington, you know, and I'm in the Mecklenburg County Jail System without a trial. By national laws, if you are in the system without a trial and you can prove it, and here's my documents saying this thing was disposed, and to have a federal building like Social Security Administration to be saying this issue has been resolved and no one owes me, and by policy they are supposed to stop my benefits, but this company called the Access Program right beside the

Men's Shelter was receiving my benefits during the whole time of the false imprisonment. Who can help me with the situation?

Mayor Pro Tem Burgess said, Mr. Manager, would you have someone talk to him to see if there is any other resource in the community that might be available to him?

Curt Walton, City Manager, said, yes, ma'am.

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Mayor Pro Tem Burgess said that ends our Citizens' Forum, and we agreed earlier to listen to two other topics. The order has been changed, I believe, from our original agenda, and we'll start with the ReVenture Park, and then that will flow right into the Mt. Holly.

Curt Walton, City Manager, said actually the other way around – Long Creek first.

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ENVIRONMENT: MOU WITH MOUNT HOLLY FOR LONG CREEK WASTEWATER TREATMENT PLANT

Curt Walton, City Manager, said let me introduce Barry Gullet on his first very long day of being interim director.

Barry Gullet, Utilities, said I wanted to talk to you tonight and give you – I'll try to be brief – a brief introduction to a work in progress. It's a memorandum of agreement (MOU) that we are working on with the City of Mount Holly to build a new wastewater treatment plant. This is a very complex project, and it's one that we have been working on for quite some time, and it's the first time that the City of Charlotte will have undertaken building a brand new wastewater treatment plant since sometime in the 1970s. The world has changed a lot since that time, and so has the process.

He began a PowerPoint presentation and said I want to start out by showing you a little bit of context of where this project is, what it involves, and then we'll get to the highlights of the MOU. First of all, Long Creek Drainage Basin is up in the NorthLake Mall area, goes all the way from NorthLake Mall down to the National Whitewater Center, and you can see that it's a pretty large area. It's the yellow area on this map. It's larger than the drainage basins that are served by either the Sugar Creek Treatment Plant or the Irwin Creek Treatment Plant, so you can see it's a big part of the county – 485 goes right through the middle of it about ten miles through there. Right now what we are doing is we are pumping the wastewater that is produced in that area 27 miles all the way down to the McAlpine Creek Wastewater Treatment Plant in Pineville. So one of the goals of this project is to deal with that wastewater a little closer to where it's produced.

We did a Wastewater Master Plan a few years ago in 2007. You have seen some of this before – last year in some of the budget meetings, and the recommendations from that plan were that we needed to provide more wastewater treatment capacity. The way the plan proposed to do that was to build this new treatment plant at Long Creek and to expand the Sugar Creek Treatment Plant and to do some upgrades and rehab work at our other treatment plants. So that's the plan that we have been following.

Now, the master plan said that we would need this capacity by 2013, and that is when our flows would exceed the capacity that we have at those three treatment plants. Actually that flow in spite of the economy is actually still ahead of those projections. As a matter of fact, in February the McAlpine Treatment Plant was at 94% of its capacity, so that's getting a little close for comfort already. From the regional perspective and the reason we need to include another partner such as Mt. Holly in the plans for the Long Creek plant is that the state has rules that limit the number of pounds of nutrients that can be discharged into Lake Wylie – puts a cap on that – and all of that amount of phosphorous and nitrogen is already allocated to the existing

treatment plants that are on Lake Wylie, so there isn't room to bring in a new plant unless you consolidate plants that are there. So the plan is that we build a regional plant that provides a higher level of treatment for all the players, then we can discharge, treat, and discharge more wastewater, so it will be cleaner water and more water, and there are environmental benefits of this as well.

Another driver to do it now is that Mt. Holly needs more treatment capacity as well as we do. They also need to upgrade their treatment plant. You can see from this aerial photo how these plants all are situated, and where we are proposing to construct the Long Creek Treatment Plant is literally a stone's throw across the river from the existing Mt. Holly Wastewater Treatment Plant and just a little bit downstream along the river from an industrial wastewater treatment plant at Clariant. This is where you are going to hear from the ReVenture folks in just a few minutes.

Councilmember Turner said I hate to come in at this point of your presentation. I have had some really long debate over it, and I understand and I want you to make sure that Council – because my first proposal when I first saw this is why would we put that pump station there, the new wastewater treatment north on contaminated property – that is already contaminated by Clariant? You are going to take good property and contaminate it with a wastewater treatment facility to pump more wastewater from Mt. Holly – I'm sure that's a cost that's not free – with even a greater risk of having a spill or the pipe burst because you are going to have to create pipes across that Lake Wylie. I just want to get that out there because I have never been totally comfortable with our proposal in regards to this, and I'm just wondering has that changed? Have we looked at it because no one ever really made me understand why it is that we must have it there versus north on property that is already contaminated?

Mr. Gullet said part of the problem with putting it on this land that is already contaminated is the fact that it is contaminated, so that complicates the construction process. We have worked with Clariant for a number of years to try to utilize that existing wastewater treatment plant without building a new one. That is an industrial wastewater treatment plant, and quite frankly, that is still an option that is on the table. This pipeline would not go through the river. It would go under the river through bedrock under the river over to Mt. Holly, a relatively short distance. So, I'm not sure that completely addresses your issue. There is always a risk involved, but I believe we would be lowering the risk by putting this here instead of raising the risk.

So the status of this project is that we started with a very high level feasibility study in 2006 in conjunction with Mt. Holly, and then we convened a stakeholder process in 2007 that was pretty extensive, included a lot of varied interest, and we went through all the issues related to this. We have been working with the state. We have done an extensive amount of water quality modeling. We have done a lot of work with Mt. Holly to try to come to some agreeable arrangement whereby we could build this plant, and so now we are almost complete with the environmental impact statement. We are about 99.5% complete with that, I believe, and we need to submit it to the state and get it in the process.

To help confirm the commitments that Charlotte and Mt. Holly have to work together on this plant, we really would like to submit with that environmental impact statement a MOU between the two parties that really is not a binding memorandum, but it lays out the terms and the concepts we believe we could work with to develop a more detailed interlocal agreement. We believe that would strengthen the environmental impact statement. Getting a permit for this treatment plant is not a slam dunk; it's not a done deal. When we present this environmental impact statement, there are still going to be issues that are going to need to be addressed and going to need to be worked through through this process. So that is why we are here tonight to give you an introduction to that MOU that we would like to submit with that.

Now, complicating this a little bit is we were working on this plant project before the ReVenture concept came to light, but since the ReVenture project has evolved, we believe there is a good opportunity there for us to work together with them and to incorporate the wastewater treatment process and plant into their project. There may be benefits for the citizens, there may be benefits for the environment, may be benefits for the success of the ReVenture Eco Park, so we are still working with them. They are very much part of this as we move forward.

The industrial treatment plant that you saw on that slide that belongs to Clariant would also be incorporated into this project in some way, shape, or form. It is currently discharging wastewater, treated wastewater, into the river. The plan is that treated wastewater would be diverted. That would be converted to a pre-treatment facility, treat any high strength waste that might be generated on that eco park site, and that flow would then be diverted into the public treatment plant, the new treatment plant, and treated in conjunction with that, so there is another benefit there.

The highlights of the MOU, and, again, this is very much a work in progress. We hope to bring this to Council within the next few weeks. There were some management changes in Mt. Holly that took place on Friday of last week that might change that schedule a little bit. We are not quite sure yet. We are still trying to get a handle on that. But the proposal right now as it stands would be that the initial plant would be about a 12 million gallon per day plant, and it would be split between – that capacity would be divided between Charlotte and Mt. Holly. Ultimately it would be 25 million per day, and Charlotte would provide most of the flow to that. Under the proposal as it stands now, and, again, this could change depending on how the ReVenture project goes.

As the project stands now, Charlotte would own, finance, build, and operate the plant, and Mt. Holly would essentially transfer their wastewater treatment permit to us to help us get this project permitted and under way. Mt. Holly would pay the City of Charlotte a fee for treating the wastewater in the plant based on the actual operating costs, and they would pay the capital costs of building that river crossing that Councilmember Turner mentioned. Mt. Holly would get treatment capacity in exchange for their permit essentially, so you can see how the numbers kind of work out here, and all of this, of course, is contingent upon the receipt of the permits and approval of the funding for this project.

The alternatives to this –

Mayor Pro Tem Burgess said would you go back to the other slide about capital costs?

Mr. Gullet said the way it would work out is this looks complicated, so let me see if I can simplify it a little bit. Under the plan, we would essentially give Mt. Holly six million gallons per day of treatment capacity. They would initially pay for half a million gallons per day. Then as the plant expands, they would pay for another half, and they would get one, and then they would pay for the full amount for the second million gallons to get them up to the full eight million gallons per day. Now, the reason we are able to do this, and this is where I was going with the next slide, is that our next alternative is to continue to pipe this wastewater to another treatment plant, so there is an incremental cost to build those bigger pipes all the way down to either the Erwin Creek Treatment Plant off Billy Graham Parkway or to the Pineville Treatment Plant. So that offsets the cost of us working with Mt. Holly to be able to offer them this arrangement. What we need from Mt. Holly is that allocation so we can provide the higher level of treatment to provide cleaner water but more of it. So, that's the way the deal is set up right now, and, again, it's based on that cost differential for us to go to our second alternative. Does that answer your question?

Mayor Pro Tem Burgess said yes.

Councilmember Carter said is there an increased cost of living each year involved in the fee charged to Mt. Holly, and then, number two, if Mt. Holly reneges on the agreement, is there some claw-back on the arrangement?

Mr. Gullet said the treatment cost would be based on the actual cost, so there wouldn't need to be any kind of index or anything. It would be based on the actual treatment cost of operating the plant. In terms of whether Mt. Holly backs out or not, they really wouldn't be able to back out after the agreement is executed because their treatment plant will go away, so this would become their only option for treating wastewater.

Councilmember Carter said if they had a better offer somewhere like somewhere to the west.

Mr. Gullet said if they did the treatment plant on our side is already constructed, so there really wouldn't be any advantage to them to do that, I don't believe.

Councilmember Carter said technology.

Mr. Gullet said we talked about options. This was the recommendation from the master plan for several reasons. The environmental benefit, as I mentioned earlier, if we don't build this treatment plant and we keep doing what we are doing, we are putting that treated wastewater back in the Catawba River but we are putting it in way downstream of the Lake Wylie Dam, which essentially takes water out of Lake Wylie that might be better used in Lake Wylie, so this provides more water in Lake Wylie and cleaner water in Lake Wylie than they are seeing now because this is going to be a modern, state-of-the-art treatment plant as opposed to the older treatment plants that are discharging there now.

The costs are similar when you factor in the cost of conveyance versus the cost of working with Mt. Holly. This greatly reduces the distance that the wastewater is piped, so as we talked about that reduces a lot of disruption, and somewhere down the road remember these utility systems are pretty much forever, and even if we build a new pipeline now, somewhere down the road about 50 years that pipeline will have to be replaced again, so if you can imagine what replacing 27 miles of pipeline that goes through the Airport and goes all the way around to the south side of Charlotte will be in 50 years that is no small undertaking, I'm sure.

The other thing I need to point out here is that this is probably Charlotte's last opportunity for a treatment plant at this location. You saw the size of the area that this plant serves. Once Mt. Holly – if this deal doesn't work out and Mt. Holly makes a substantial investment in their treatment plant, as they are going to have to do, then they don't have the incentive nor the reason to participate in a regional plant that would really provide more environmental benefits than either of us doing anything alone. Also, the ReVenture project will probably be either completed or not, and that won't be an option on the table any more either to work with them. So, this is probably our last shot. We have looked at a treatment plant at this location for at least 40 years off and on, and the conclusion until this last time was there wasn't enough development, there wasn't enough growth in that Long Creek Basin to justify building a treatment plant there, but now with the completion of 485, the NorthLake Mall development, and all the other growth that is taking place in that area it's there, and it doesn't make sense anymore to keep piping that wastewater 27 miles.

This is going to be a complex project from a funding perspective as well. The estimated cost to the plant is \$197 million – very, very expensive project. That may be a high estimate. We haven't done any design work whatsoever on this plant yet reason being the permit is so very uncertain on this. The current rate structure we have for sewer rates probably will not support that amount of money without a rate increase of some sort. So to help with that, we are working with ReVenture again and believe that they might be able to bring some ideas to the table and maybe a public-private partnership that can help us afford to do this. There are some issues with that process as well. The North Carolina statutes don't give us a lot of flexibility in doing that particularly in working through it as a sole source procurement, so we have some attorneys that are helping us with that now and hope to have an answer for that soon.

Councilmember Turner said would you go back to the slide – I want to see the aerial view from the property, the sites we are talking about, please? Now, that's a nice, healthy price tag. It probably will exceed that when it's time for us to get going. Can you tell this Council who owns the property right there that is proposed at Long Creek today?

Mr. Gullet said this property?

Councilmember Turner said where we are proposing to go, yes, sir.

Mr. Gullet said Clariant Corporation owns that.

Councilmember Turner said that is a purchase, right? That will be a purchase. We would have to buy that land.

Mr. Gullet said, yes, that's correct.

Councilmember Turner said, now, I'm going to go back to my point again, and I'm going to beat this until somebody comes up, and I'm sure Edna is going to help me in a few minutes. If that land is already contaminated, and I don't understand – can you help us? Does anybody have knowledge what is the federal guidelines in regards to how long those wells can stay contaminated without them having to clean them up? The way I'm thinking is sometime at some point in order to make that land north of us at Clariant have any value to it they are going to have to clean it up. If they are not planning on cleaning it up, then I want to know what is the length of time that those wells can stay like that without having any attention other than what they have done already to meet federal guidelines. Because if you chose the site that is already contaminated, there is a cost that is going to be incurred just to have it cleaned up, but to have a site cleaned up to recontaminate and put something on it that is going to have a value to it long term to me is worth looking at. First, it's contaminating good property and spending good money to do it without a partnership, and I have heard you just say that they are going to come up and talk about a partnership here with us. I'm willing to hear that, but I'm going to be honest with you. If they can't nail it home for me, I'm going back to that's my first location until someone tells me why we shouldn't be looking at that.

Mr. Gullet said, okay, a couple of points. One is that I believe in the ReVenture proposal I think you will hear a little bit about the contamination issue, so I think they can probably address that issue better than I can. The second point is that wherever we put the wastewater treatment plant I wouldn't categorize it as contaminating the land. I would categorize it as using the land but not contaminating the land.

Councilmember Turner said it's land that you are not going to use for anything else but that.

Mr. Gullet said that's correct.

Councilmember Turner said the point is well taken.

Councilmember Cannon said obviously \$197 million, as alluded to by Mr. Turner, is a pretty expensive nut. When is this long-term savings realized because I'm sure it occurs one day, but where is the savings? How long does it take for us to be able to realize or the taxpayer to realize that there is a savings?

Mr. Gullet said the savings is in the initial capital costs. If we continue to do what we are doing today, we still have to build treatment capacity at one of our plants, so the expansion cost of that will be there plus the conveyance cost of building the pipeline. So what we are saying is the initial capital cost to do this project compares very favorably with the cost to do the alternatives, so it's the capital costs where the savings is.

Councilmember Cannon said you are certain right now that if we don't do this now that there is not going to be another opportunity.

Mr. Gullet said there are no guarantees period, but my best forecast is that this window for putting a treatment plant is closing.

Councilmember Dulin said can we go back to the picture of the aerial, please. What is at the very bottom of that picture is the Whitewater Center.

Mr. Gullet said that's correct.

Councilmember Dulin said so we go in here and we start building, and that plant is going to be there clearly forever. We will not contaminate that Whitewater Center or the neighbors; is that correct?

Mr. Gullet said that's correct. Actually we are very concerned about fitting into the environment, and that was one of the topics that our stakeholder group talked extensively about. The reason the plant is located exactly where it is is that land has already been disturbed. It's not low; it's high actually. This land is kind of sitting up on top of a hill, I believe, and the creek is

low through here, but this is land that was disturbed by Clariant some years ago I believe to recover fill material to cover up a landfill on some other parts of their site, so there is not as much disturbance. Some of the original ideas here had the treatment plant located over here in this area, but that would require us taking out more trees. So we looked at it and decided to propose it over here –

Councilmember Dulin said obviously up to the right is Whitewater Elementary School.

Mr. Gullet said that's correct.

Councilmember Dulin said how do you get into and out of this site?

Mr. Gullet said there are a couple of possibilities. One is that we incorporate access with ReVenture in their development plans, and they have some site layouts that show that. The other possibility is that we come off an existing road and come in. We have also looked at building an access road down the power line right-of-way. This is a power line right-of-way along here. We have an existing pump station. The pump station that is pumping from here to Pineville sits right here, and that pump station is designed so that it can be incorporated into the treatment plant as a part of the process, so we have to have access to that and to this area.

Councilmember Dulin said, Barry, what are you hearing from the downstream neighbors – all the way across 85? You know, that is practically a residential part of the creek.

Mr. Gullet said we included a lot of those people in the stakeholders group. We had people from South Carolina that were part of the stakeholder process. We had people from the town of Belmont. We had folks from the Whitewater Center, who were all part of the stakeholder process. We think they are on board. Again, there are still a lot of opportunities for comment and feedback on this project, so I'm not ready to declare victory yet, but we have been working with them and will continue to do that.

Mayor Pro Tem Burgess said I think this sort of flows right into ReVenture, but I do have a question about odors. I know our wastewater treatment plants have really come a long way with odors and what area is impacted, but you can still smell it sometimes. Will it affect the Whitewater Center area and what else is around that that may be impacted by the odor?

Mr. Gullet said the plan is that this plant would be initially designed and built with odor control built into it as opposed to retrofitting like we have had to do at some of our old plants that were built in 1920. So we don't believe there will be an odor issue associated with this. We believe we can control the odors.

Councilmember Dulin said we just spent \$487,000 two weeks ago on more odor stuff for an older plant.

Mayor Pro Tem Burgess said are you next steps?

Mr. Gullet said I think we covered the next steps unless there are particular questions. We are going to be bringing that MOU back to you. The timing on when we bring it back to you is going to depend in part on the situation in Mt. Holly, but we are working with them.

Councilmember Turner said I do have another question because your last point there is target completion date is 2013. You are being very optimistic.

Mr. Gullet said very optimistic.

Councilmember Turner said what I wouldn't want to happen is that we get this presentation again in a very short period of time and then it becomes an emergency and we are making decisions without having the time to really look at what are our options.

Mr. Gullet said understood.

Councilmember Turner said I hope that whatever information – whichever direction this Council is going to give the City Manager to go we need to do it because I don't like last minute decisions. I see a price tag to this, but I also see some other issues that are going to come out if we don't get this right.

Mr. Gullet said we are going to be working through some of the funding issues with the Restructuring Government Committee over the next few weeks.

Mayor Pro Tem Burgess said I know this is really premature, but can you give us some sense of how much we would have to raise our utility rates to pay for this?

Mr. Gullet said I'm really not prepared to do that tonight. There are too many unknowns out there to be making forecasts at this point.

Councilmember Cooksey said I was expressing my delight and glee at being able to discuss this in Restructuring Government, which will happen on March 11 and March 25 for those who would like to be there.

Mayor Pro Tem Burgess said can we move on to ReVenture?

* * * * *

ECONOMIC DEVELOPMENT: REVENTURE PARK DEVELOPMENT

Tom McKittrick, President, Forsite Development, Inc., began a PowerPoint presentation and said I sincerely appreciate you staying late and hearing about our project ReVenture. I'm Tom McKittrick. I own Forsite Development. We are the project developer for ReVenture Park. Mayor Pro Tem, I'm going to follow your lead and try and be profound and brief. There are some incredibly complex projects with lots and lots of moving parts. Literally going to try and skim the treetops. To give you an idea of where this property is located, Barry did a good job. This is the outline of the site. The property he is talking about is here. This is 667 acres, 485/I-85 here, Whitewater Center are some of the boundaries.

I'm a huge fan of the elevator speech, so when you have big, complicated projects you need to be able to boil them down in kind of brief, succinct bullet points, if you will. In summary, what ReVenture is it is a 667-acre track of I-2 property. To my knowledge, it is the largest tract of unused I-2 industrial real estate in the metro Charlotte area. It's currently listed as a Federal Super Fund site, so, yes, there is some contamination there. We have been working with the EPA over a year, and basically where we are is we have gotten the EPA to agree to delist the property from Super Fund status, and we are now in the process of enrolling it in the North Carolina Brownfields Program. So effectively the federal government has said that they want North Carolina to be the controlling agency on the property, and we are negotiating the final points of that. I will tell you we should have that fully papered in probably the next six months is reasonable.

Our plan is once we have this brownfield agreement in place is to recycle that site, if you will, and create an eco industrial park, and specifically that is an industrial development that is strictly focused on renewal energy and alternative fuels projects, actually restricted for those projects specifically. If it's not within the clean energy realm, it's not going to be a fit for ReVenture. If we are successful here, there could be in excess of 1,000 jobs that are created -- we'll spend some time on that – and over \$900 million of next new investment. We believe, and the EPA has verified, that this is literally a model for how these sites can be redeveloped, and we think what we are learning here can be duplicated in many, many sites throughout the southeast.

There is a lot going on in this picture, and really what I'm going to try and do there are probably 15 projects that we are in discussion or negotiating on, but there are really two anchor projects. This facility here is a biomass waste energy power plant that we are in the process of working on. This is somewhere between a 44- and 50-megawatt facility that we are proposing there. The other anchor project that Mr. Gullet talked about is the Long Creek Wastewater Treatment Facility starting out at a 12-mgd facility with the ability to grow to 25. There are multiple other

projects that I won't get into a lot of detail here, but another key component is the environmental sensitivity. We are developing on a somewhat challenged site. This area along the Long Creek Basin we are proposing at least 120-acre conservation easement. We are negotiating and discussing the concepts of that with Dave Cable of the Catawba Lands Conservancy as we speak. That will connect, that will give the opportunity for the Carolina Thread Trail to connect through that conservation easement to the Whitewater Center, so huge potential public impact, beneficial impact there of the project. I would tell you that this will probably grow beyond 120 acres. This is another 40-acre site. We are looking at a conservation easement. This is a new proposed business park that there is a scenario where that may end up staying green, untouched acreage as well, so we would be well in excess of 200 acres of conservation area as well as this green space here as part of the CMU project would always stay green and a good buffer with the Whitewater Center.

Councilmember Howard said the slide before. Mr. Turner was just talking about the wells I guess that the Clariant plant used. Are you going to talk about later how you deal with those – the contamination? Where is the majority of the contamination?

Mr. McKittrick said good question. So basically the contamination if you take the center line of Long Creek, okay, to this property line here, which is basically the area that CMU is talking about for their project. Everything in here is generally considered brown acres. There are some contamination issues that we have to deal with. Everything on the other side of that is clean, green, untouched acreage. What we have done is modified the permit on the site. This was all labeled as Superfund, and we have basically modified that permit and established a line – the green from the brown acres, if you will, and that was done. That was one of the first key steps that we had to do. What we have from a contamination standpoint there are basically three ground water plumes on the site. Clariant inherited this problem; they didn't create it. They have spent well north of \$40 million out here remediating the site. What we have today is a very intricate system of pumping wells that pump off all that contaminated ground water that goes to an on-site 4mgd wastewater treatment facility here. That water is cleaned and then clear water is discharged in the Catawba River. That 4mgd permit is one of the things we are talking to Barry and his group about is consolidating that into this plant here and truly creating a state-of-the-art, if you will, wastewater treatment facility.

Mayor Pro Tem Burgess said pretreatment?

Mr. McKittrick said basically this is a full-blown treatment facility here. It would go to a pretreatment system to clean out the major contaminants, and then that water would then flow to this new facility where it would be further treated. To get into some additional details on the biomass, again, hitting some highlights, to give you an idea, 44 to 50 megawatts. If we are at 50 megawatts, you are looking at enough power to generate 50,000 homes, roughly 1,000 homes per megawatt. It's a huge renewable energy project, one of the largest being contemplated in the southeast. There are really three fuels we are looking at: processed municipal solid waste, and we'll get into a little bit of detail there; wood waste, and we are talking to the County about receiving all the wood debris and fibrous wood material that is collected currently and using that as a fuel; and potentially the bio-solids that CMU creates on this new proposed facility could be used as fuel for the biomass. This MSW, I will tell you, is the backbone fuel, and it represents probably 80 to 85% of the fuel for this whole project. It's combined heat and power. There is excess steam and heat that is generated from this facility that is an attraction for other manufacturing related users, and there are a variety of very large name brand companies that we are in deep conversations with as we speak to partner with us to develop that facility.

One of the things I would like to plant a flag in the ground. This is not an incinerator. I want to be real clear about that. Incinerator is drastically different technology. I will be glad to stay as late as you want and talk about all that after this meeting, I'm sure, but this is designed to reduce the amount of volume that goes into a landfill; this is designed to create energy, and two different fuels, and we can get into great detail on that. When we talk about MSW, what we are proposing is an off-site facility to take municipal solid waste. It's sorted and shredded basically into a confetti-like material. You can see bales of this material here. That is the fuel that will be used for the biomass plant. It is not raw garbage. It is a defined, classified biomass feedstock that we are talking about.

So, I told you there was a lot going on with ReVenture, and not to throw too many concepts in the mix here, but we are in the process of trying to identify area sites, if you will, to do this RDF processing. Probably the key site and most logical option that we can come up with is the Statesville Avenue Landfill that is currently owned by the City. This is 155 acres at I-85 and Statesville Avenue. It's a closed landfill that was closed in 1970. Our plan, we have a proposal into the City, but our plan – to hit some highlights again – is to do the RDF processing here that is directly adjacent to a site that already is an existing waste transfer station. We would process that RDF material here and then develop a state-of-the-art recycling facility to kind of further enhance the City's recycling efforts that is more of a commercial facility for construction debris, automotive, concrete, asphalt recycling, and so forth.

The key to this project would be a stream restoration. Irwin Creek is in dire need of a restoration. We think this offers a good opportunity to do that, and it also leaves this area here as recreational open space for the public. This neighborhood here could certainly benefit. They don't want to see, I would say, heavy industrial uses. Our proposal is to leave that as a green open space area and potentially dedicate that to Parks and Rec and create a park environment. We have also got a 4-megawatt solar field here that we have proposed on this area. This is all landfill acreage, and in my opinion, probably the best use of that site.

Councilmember Howard said how are you planning to use the power generated – biomass and solar? Is that something you are selling to Duke, or are you going to use it to do something on the site?

Mr. McKittrick said the core concept would be that we would negotiate a power purchase agreement with Duke Power. They would buy back all the energy we are creating on-site.

Councilmember Howard said is that something you have already talked to them about?

Mr. McKittrick said we have had very high level conversations with Duke, multiple high level conversations. They are well aware of what we are trying to create here, and we have had some excellent buy-in. We owe them a power purchase agreement. There are a lot of details that go into that, but that is forthcoming. I will tell you phase one of that proposal will be probably delivered to them next week.

Councilmember Howard said does it throw off a good bit of energy for both facilities – the biomass, the solar?

Mr. McKittrick said, yes, 44 to 50 megawatts on the biomass; 4 megawatts on the solar on the ReVenture campus; and then the proposal we have got for Statesville Avenue there is land there to do at least a 4 megawatt project on a portion of that site.

Mayor Pro Tem Burgess said can you use the phantom grease that are captured from restaurants in this biomass process?

Mr. McKittrick said the short answer is yes. There are multiple conversations going on about emerging technologies that could come together and cohabitate at ReVenture. The brown grease, yellow grease, recycling into biofuels is a conversation we have had extensive amounts of discussion about. It's on the table. Actually one of those facilities has a lot of the infrastructure in place to do biodiesel refining, and there is a group of scientists that have been talking to us extensively about doing exactly what you are talking about – yellow grease, brown grease recycling to biofuels. All that material is used in animal feed today, and there are significantly better and higher uses for it.

Mayor Pro Tem Burgess said turn a liability into an asset.

Mr. McKittrick said exactly. Trying to talk to you about everything that is going on in ReVenture and capture it into a real short presentation is difficult. There are lots of very encouraging, exciting conversations. We are trying to create an energy hub, if you will, and a regional hub that is going to take Charlotte a huge step forward in its effort to become the new energy capital. In my opinion, this is a real strong step in that direction.

Councilmember Carter said this is exactly what we saw in Austria, and the goal there is no landfills, and this is such a positive thing, but I need to raise one question. We talked about scent at the other plant. This is where I'm worried because when we saw the biomass plants scent was remarkable.

Mr. McKittrick said there is a lot to that. In the RDF, processing off-site is the solution to that problem. When you see this RDF material, they were probably taking raw MSW and using that as fuel for biomass. The drastic difference is the RDF.

Councilmember Carter said that presumes another use of energy, so you are using energy to recycle so it's not as probably cost effective or as efficient.

Mr. McKittrick said it is more expensive clearly, significantly more expensive, but it is the state-of-the-art, leading edge technology. It's not new technology. It's been around for 20+ years. It's just the most advanced way to create a biomass to energy power plant.

Councilmember Turner said my question is with regards to safety. What issues does that bring about for us?

Mr. McKittrick said safety issues?

Councilmember Turner said what danger does it bring to the quality of life in that area? Does it pose any danger to us?

Mr. McKittrick said absolutely no safety issues whatsoever. The issue is – we are agreeing in this brownfield agreement to carry on with the pumping and treating of ground water forever. If there is a safety issue, that is the thing that is at stake, and everyone is absolutely focused on ensuring that Catawba River is always protected now and forever. As part of our agreement, we have negotiated that we will carry on with that. We are actually proposing to do significantly more than what is required on the remediation side to speed up the clean-up of the site.

Councilmember Turner said you talked about the solar field. Where are you going to store that energy before you sell it to Duke Power because you have to store it and transfer it, right?

Mr. McKittrick said one of the benefits of the site is the electrical infrastructure that exists on the property. There are multiple interconnects and substations scattered throughout that property where we will be able to basically reverse, DC engineer those substations and wield juice back into the grid, and Duke's transmission line borders the property, so it is perfectly set up to do what we are talking about doing, and we are using all of that existing infrastructure to recreate these projects.

Councilmember Dulin said last week we got a request from the historic folks to make a ford across the Catawba River an historic spot. He said thousands of years old – his term; not mine. Do you know where that ford is along this strip? That's a crazy question.

Mr. McKittrick said it's not a crazy question. No one has ever brought that up as any historical significance.

Councilmember Dulin said not on your 600 acres, on your frontage. Not on y'all.

Mr. McKittrick said not on our property. Not to my knowledge, no.

Councilmember Dulin said that would be interesting to know whether it was north or south of this site.

Mayor Pro Tem Burgess said it's around it.

Councilmember Dulin said it has got to be right in there somewhere.

Mayor Pro Tem Burgess said he also said it may be underwater.

Mr. McKittrick said to give you an idea of what we are talking about with biomass this is what we are trying to create. This was actually developed in Cape Cod in the cranberry growing regions. I defy you to find a more environmentally aware of sensitive area. It's this project only smaller. This is an 80-megawatt facility. We will be roughly half this size. This will be the project that is located on ReVenture. This would be the other project that would be located on the Statesville Avenue Landfill site. I think that's like code for speed up.

Jobs and investment – every elected official I have met the first question is how many jobs are we talking about. This is an attempt to show you the amount of jobs we think conservatively would be created from just the projects we are working on. There is well over 1,000 plus the construction jobs – not including construction – and there are a multitude of off-site service jobs we think will be created. We are actually working with UNC to create an economic impact study. Net investment, over \$900 million, and that's code for net new tax base. That tax base doesn't exist here today obviously.

The second question I get is what are you asking for, and I want to make another statement that we are not asking for any local money to fund this project. Lots of companies approach you when they are developing projects. We are not asking for money. We are, however, having a team of people in Washington focused on obtaining federal stimulus dollars, grants, bonds, credits, loan guarantees, and so forth -- multitudes of buckets of money that have been created under the new administration to facilitate these projects. We are laser focused on dragging as much of our tax dollars back to North Carolina to facilitate these projects.

Councilmember Carter said, Mr. Manager, is there any interest in the City of Charlotte for stimulus funds that would be challenged by this request?

City Manager Walton said we know of none that we could receive.

Councilmember Carter said good answer.

Mayor Pro Tem Burgess said what was the answer?

City Manager Walton said we know of none that we could receive. There apparently are some that private industry can receive.

Councilmember Dulin said I'm still not sure what the question was.

Councilmember Carter said are we competing for the same funding from the federal government.

Mayor Pro Tem Burgess said for stimulus money.

Councilmember Carter said for stimulus funds. The City versus –

Mr. McKittrick said to follow up on that to my knowledge absolutely none. There are specific buckets for private industry and municipalities, and they are completely different and rarely comingle. Basically what we are going to do tonight is to make Council aware of just the project in general, its scope. It's a huge project, lots of moving parts. We think the public benefit is substantial. The CMU issue that Mr. Gullet mentioned is not an issue; it's an opportunity. There is clearly some opportunities there to collaborate to make that a better project, a more cost effective project, and we are willing and are actually exploring multiple scenarios there. We have pitched the idea, the concept of a privatized project where we would design, build, own, and lease that facility to CMU. They would operate it. There's also a scenario where we would retain an operator, and it would be a true privatized facility, and CMU would pay basically a per gallon treated charge, if you will.

There are opportunities to go after some of those stimulus dollars to offset some of the costs of that project that we think can help bring in this facility well under the \$197 million that has been proposed. Lots of things on the table to be discussed, and basically what we need to do is get the right people in a room and just hash through what's possible and go through the details. That's one of the things that I'm certainly hopeful we can continue. The Statesville Avenue Landfill site – that's an opportunity I think to be a sister campus to ReVenture and foster a lot of the

things the City is talking about doing with renewal energy and public green space. We talked a lot about trees tonight and tree ordinance. I can assure you we will exceed any tree ordinances that are currently in existence or will be forever in the future.

The last is we have a few zoning issues – not issues – just clarifications that we are working through. There could be a zoning through site plan amendment or potentially we could have a text amendment. Most of the projects that we are talking about are permitted in the I-2 zoning. Some of it wasn't contemplated when the I-2 designation was created, so we are working through a lot of those issues with staff, and they have been incredibly helpful there.

Mayor Pro Tem Burgess said I have a question about the Statesville Avenue Landfill, which the City owns, as you mentioned. Is that property under your proposal conveyed to someone else?

Mr. McKittrick said yes. In general, we have proposed to purchase the property and offer a liability transfer where we would indemnify the City from any future environmental liability that would occur on the site. That's part of this whole process – liability transfer, indemnifications on ReVenture. That's part of what we do as buying surplus industrial real estate.

Mayor Pro Tem Burgess said didn't we have a similar deal?

Mr. McKittrick said it's basically a very similar structure only more detail on what we propose as far as the reuse of the property. Thank you very much for your time. I appreciate your late hours.

Councilmember Howard said a couple of things. In your book, the slide that you had about Statesville Avenue plant is not in there. I was wondering if I could get anything you have about it.

Mr. McKittrick said ReVenture is not contingent upon Statesville Avenue. We thought it made sense to bring up our proposal because of the synergies and the tie-in, and, again, the concept here is to present you with what is going on with the project and give you an idea of what we are working on.

Councilmember Mitchell said I was just going to support Mr. Howard. Tom, if you can, because there is a mass developer for the state on the corridor, so as a district representative, anything you can help him facilitate that I would really appreciate. If you could get a copy of the Statesville Avenue Landfill, that would be great.

Councilmember Howard said that will probably talk about the question about the transfer station. You talked about transferring – you gave it a name –

Mr. McKittrick said MSW, municipal solid waste.

Councilmember Howard said I was wondering. When it dries, does that smell?

Mr. McKittrick said it does not. All of that processing is done in a building, so the option, the opportunity for smell is basically contained in that structure.

Councilmember Howard said but you are transferring it from one place to another.

Mr. McKittrick said right. To the extent a garbage truck smells, that's basically the extent of the smell that you would ever see. Those garbage trucks would pull inside a facility, dump that material onto a tipping floor, and that material would be processed in the RDF.

Councilmember Howard said I think what I'm asking, Mr. City Manager, is I'm sure the city engineer and the CMUD folks will be very involved because of the technology. I would love to know more about the technology. This gentleman has definitely shared what they are doing in other places, but when it comes to having a sewage facility and biomass in the same area just making sure that technology is controlled. I think the folks over in Mr. Turner's district would really want us to make sure that technology is solid because a lot of people live over there, and we have an investment in the Whitewater facility. The last thing would be especially as it relates

to spillage and to the river just making sure that technology is as solid as it can be because not only do we not want sewage but we don't want biomass spillage. I know we don't drink from that river, but I mean still, that is not something we want to add to.

Councilmember Dulin said one comment. How is your legal department going to do when the Obama administration sues you for copyright infringement on their logo? That's a nice presentation, guys. It was better than what I expected it to be when I read the stuff this weekend.

Mayor Pro Tem Burgess said it's awesome. It's just amazing to get your mind around, and I really do appreciate the Council's patience with going forward with these two things because this Mt. Holly MOU is very timely. If nothing else comes before the Council, then I guess we're adjourned, and have a great evening.

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ADJOURNMENT

The meeting was adjourned at 9:55 p.m.

Melissa T. Johnson, Deputy City Clerk

Length of Meeting: 4 Hours, 35 Minutes
Minutes Completed: April 5, 2010