

The City Council of the City of Charlotte, NC, convened for a Dinner Briefing on Monday, December 13, 2010, at 5:20 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding. Present were Councilmembers Michael Barnes, Jason Burgess, Nancy Carter, Patrick Cannon Warren Cooksey, Andy Dulin, David Howard, Patsy Kinsey, Edwin Peacock III, Warren Turner

ABSENT UNTIL NOTED: Councilmember James Mitchell

ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Pro Tem Cannon filling in for Mayor Foxx, who has left the room.

Councilmember Carter said No. 20, Central Avenue at Eastland. There was originally about \$3.5 million scheduled for this streetscape, etc., and I would like to know what is happening with the remainder, please. Then No. 24, the technology grant for our police, can we connect this with the court system? Is that a viable question? See if that is something that can alleviate the problem with carrying all of our cases in huge bundles. No. 31, language access for HUD programs, I would suggest that we connect with the International Cabinet to see if there is a different road, but an additional road down which we can travel to help our communication with our immigrant or foreign speaking population.

Councilmember Dulin said No. 22, police vehicle replacement purchase. This says we are going to buy these Chevrolet Tahoes for the Canine Unit from Bobby Murray Chevrolet. I would like to know where that is, please, and I take it that by state law has to be low bid.

Curt Walton, City Manager, said, yes, sir.

Councilmember Dulin said that was just sort of a, gosh, I wish we could keep those dollars kind of thing. No. 28, Mr. Manager, Steele Creek Division Police Station design, \$423,000. I can only assume – pardon me. I am assuming that since we have the footprint for the Metro Division on Beatties Ford Road and we have the footprint now – I think we are going to use that same approach to that same design on Woodlawn for the Providence Division – that this will be a third use of that basic design, and I’m wondering why – those fees look high. One of the reasons why you make a cookie-cutter is so you can save money on design. Same size, 12-5. No. 32, the NASCAR Hall of Fame Close Out Amendment No. 1. I suspect some others might bring that up as well. I would like some additional discussion on why we have these late-coming architectural design fees, amendment fees, and the fact that we have a pot of \$5 million left over really doesn’t make any difference. I just was curious about that.

City Manager Walton said we’ll be glad to talk about that, Mr. Dulin. This was a Council action that you approved about a year and a half ago, so this is the budget for that process.

Councilmember Dulin said we already approved the work, and this is just us paying them for it?

City Manager Walton said, yes, sir.

Councilmember Dulin said scratch 32. Then 48-A. One of the multiple property transactions. This was the only one out of all of them this week that was out of line. I’m wondering why. We are paying them more than the tax value. Of course, you want to do that, but this is 9.57 acres, and I’m sort of curious. We are clearly buying somebody’s farm out that is out near the Airport somewhere -- \$77,000 an acre. I’m sort of curious. Those numbers sort of jump off at me from time to time, and I’m curious about that real estate transaction.

Councilmember Barnes said, Mr. Manager, back to Item 32, is that related to the \$40 million additional work that the Council approved to finish the whole thing?

City Manager Walton said \$40 million?

bvj

Councilmember Barnes said didn't we go from \$154 million to \$195 million or so?

City Manager Walton said we can address – if the answer to that question is key to your other question, we can address it then.

Councilmember Barnes said I'm just curious whether this item is related to the exhibit work and the other work that I didn't vote for but the Council approved that brought the –

Unidentified Speaker said mostly.

Councilmember Barnes said it appears that the folks at Pei, Cobb and Freed requested \$2.6 million, and we negotiated an amount of \$1.5 million.

City Manager Walton said, yes, sir.

Councilmember Barnes said thank you.

Councilmember Peacock said my question is on No. 32 as well, Mr. Manager. I'm trying to understand the last bullets. Is the whole theme construction budget currently has an unspent balance of approximately \$5 million. There are sufficient funds to cover this payment and still achieve nearly \$3.5 million in construction costs, and all these savings are contractually obligated to capital costs. If we agreed on a Council action the previous year, we sort of leave it open to say there is going to be \$5 million that is going to remain unspent and then when we negotiate it out then we'll pay it out; is that what we have done?

City Manager Walton said we reserved the whole amount, and then as we do the work, bid the work and completed the work and then negotiated the final price, that was the residual – the \$5 million that was left before we did this item.

Councilmember Peacock said so at the completion of the project is all the \$3.5 million intended to be spent or are we hopeful that it will be able to return some of it back?

City Manager Walton said the \$3.5 million stays in the project budget for the building for capital purposes. It can only be used for the Hall of Fame for capital.

Ashleigh Martin, Deputy City Clerk, said just a note. For Item 32, the NASCAR Hall of Fame architectural close-out, the architect's name is not listed correctly. The name correctly listed would read Pei, Cobb, Freed and Partners Associates, LLP.

Mayor Pro Tem Patrick Cannon said, for the record, when we get out there on the floor, you will make that same notation. Thank you. So we have Items 20, 22, 24, 28, 31, 32, and 48-A. Are there any others?

Councilmember Barnes said Item 30. Mr. Manager, I noticed that for the Items A1-A8 there are there areas 1 through 8 listed. I wanted to get some further detail as to where those areas are so it's something we can share with our constituents.

City Manager Walton said I'm not sure if we have that geographically – if we have that tonight, but we'll try.

Councilmember Barnes said just where Area 1 is.

City Manager Walton said okay.

Mayor Foxx said we have a very young constituent, who is here tonight, who I think deserves to be introduced here. Jason, would you like to introduce who we have here tonight?

Councilmember Burgess said sure. This is a very small human. This is Sidney Susan Burgess. She was born at 7 pounds, 11 ounces and now is 12 pounds and is now off the scale. She is a sweetheart, and she never cries. If she's anything like her mother, she will be crying a whole lot making her voice heard as Jillian does, but Jillian is in town for the Christmas holiday with her husband, Grant, and we are so pleased that she is here.

ITEM NO. 2: GANG OF ONE GRANT AND RE-USE OF GREENVILLE RECREATION CENTER

Curt Walton, City Manager, said I would like to introduce Fan Cook and Gina Shell and Ruth, if she is here. In 2005, I believe it was, we transferred the Greenville Center and I believe the Amy James Center to the County as part of the zoning trade-off to make the dollars work. Due to the funding situation with the County, they are preparing to abandon the Greenville Center, so we would like to take it back and reuse it for Gang of One – rent it for a dollar a year. So they are here to talk about the reuse and how that process would work.

Rev. Fran Cook, Gang of One, said Gang of One has received a grant from the North Carolina Department of Juvenile Justice to develop vocational services for gang-involved youth. The funding originated from the American Recovery and Reinvestment Act. The application was submitted through Mecklenburg County, the Juvenile Crime Prevention Council, per grant guidelines. The funding was accepted by Mecklenburg County in November, and we anticipate the programs will start in January. As you can imagine with a grant fiscal year, we will have a very short fiscal year of the grant. The grant period currently will end June 30, 2011. It is our expectation that grant period will either be extended another six or 12 months or there will be a continuation grant for year two for this project, so we are not looking at a six-month project.

The grant funds will be used to provide vocational programs for up to 60 juveniles, who will be served by Gang of One's Gang Re-Entry and Intervention Team, our GRIT Team, at the Greenville Recreation Center that Curt just mentioned. These clients will receive job skills training, they will participate in a culinary arts program, they will receive life skills training. Our client and their families will participate in quarterly family nights at the Greenville Recreation Center, and perhaps most significantly the Greenville Recreation Center will be open to youth by outside groups – after-school programs, community special events. We want to reopen the facility for use by this community.

Councilmember Cannon said, Fran, with the culinary arts program, are you all looking at tie-in at all with Johnson and Wales here?

Rev. Cook said, as a matter of fact, we have been in conversation with Johnson and Wales and have a meeting scheduled with them in February to discuss a partnership.

Councilmember Cannon said I see that working really, really well.

Rev. Cook said we really want to build sustainability into this.

Councilmember Cannon said please pursue that. That would be great.

Rev. Cook said the funds will be used for two purposes. One is for the facility. We want to install commercial grade appliances for our kitchens to support the culinary program. There are two kitchens at this facility. We want to upfit the classrooms and the multi-purpose rooms for programming, again, not just programming for Gang of One and our GRIT Team clients but for community use as well, and then for utilities and janitorial services. Additionally these funds will allow us to hire personnel that we need to operate in this facility – a facility manager, a programs coordinator to help us scheduling not only our events but outside events around them, and then a chef or cooking instructor, and then a jobs skills instructor.

Gina Shell, Engineering and Property Management, said the City Manager already discussed the transfer of the facility from the City to the County in 2005. It was closed by the County in

September due to budget cuts. This grant would allow us to reopen the facility. It would be operated by Gang of One on behalf of the Police. We have aligned the original lease term with the original grant terms of six months – January 1st through June 30th – renewal annually with a token \$1 per year rent. Gang of One and CMPD would cover the operating and maintenance expenses, and as Fran mentioned, allow use by external groups. We would adopt the same facility rental rates that the County currently uses in other facilities. So tonight Council will be asked to accept the grant, adopt an ordinance appropriating the funds, and authorize the City Manager to negotiate and execute the lease and operating agreement.

Councilmember Howard said I think it's a great idea. It's definitely taking an asset that is in the middle of a very important community where the City has invested a lot of money and using it. Back to the \$1 per year, you said that's renewal for the dollar for how long? I didn't see that up there; did I miss that? Is that a ten-year lease in perpetuity?

Ms. Shell said we could continue that arrangement as long as we would like to continue operating the facility.

Councilmember Howard said I guess what I'm really asking is does Park and Rec when things get better maybe for the County have the right to take it back or do they want to take it back? Have those conversations been explored?

Ms. Shell said at this time they are not anticipating reopening it as a recreation center, but with our just taking it as a lease arrangement and operating it, we could leave that open to them if they decided to reopen it.

Councilmember Howard said it's just the investment in that building, Mr. Manager, over time we should probably protect ourselves so they don't just kind of come in and say, you know, we have identified in our 2015 Plan that we should have a recreation center here, and we want to take it back after we have invested money in keeping the building up. Just a thought.

City Manager Walton said we agree.

Councilmember Cannon said, one, let me commend you for what you continue to do with regard to gangs in this community, for those youth, particularly those that are coming out. Fran, you stated that up to 60 – this will house up to 60 juveniles; is that correct, or at least up to 60 juveniles will be –

Rev. Cook said with the GRIT the number of clients we can accept the reentry and the intervention clients is based upon the number of case managers that we have, and, of course, as we grow this initiative the number of referrals that we have. So we currently have two case managers on staff, we have 30 active clients, we are making preparations to hire a third case manager mid-next year, and so we anticipate having 60 clients by then. If the need is there, we will go ahead and hire a fourth case manager as well, which would mean our numbers of GRIT clients would bump up to about 80, but we are saying 60 right now.

Councilmember Cannon said I'm going somewhere with that, which is simply here. What is the number that are trying to reenter right now – what are the number of gang members that are trying to reenter right now?

Rev. Cook said there are 40 throughout the state. The majority of them are in Concord at Stonewall Jackson. The trick to the reentry is they all don't come out at the same time, so we are working with clients in the facilities as well as in transition and then back home here in Mecklenburg County, and we will work with each client at least 12 months. We are rotating with the reentry folks.

Councilmember Cannon said how long is the process for them going through this job rating skills training program?

Rev. Cook said I'm sorry.

Councilmember Cannon said how long is the program; how long does it take?

bvj

Rev. Cook said we are anticipating with the job skills an eight- to 12-week program. The culinary we will discuss that with Johnson and Wales, but, again, an eight to 12, 16 week. We want to gauge it to the needs of the kids. We are working with juveniles so we are prepping them for introduction into our schools that offer the more advanced degrees in the culinary arts – the associate degrees and so on.

Councilmember Cannon said what level of discussions have you had with the Greenville Neighborhood Association?

Rev. Cook said we have not had any discussion with the association to date. We are making preparation for that. We wanted to ensure that we were able to reopen the facility before having those. It's almost a Catch 22 there.

Councilmember Cannon said, yeah, I would say so. One of the things we try to do is to make sure that the community is engaged in some capacity or another before moving forward. Gee, I wish that we had touched base with them ahead of time or that someone had reached out to them to engage them either way because the one thing you don't want to do – that could be just as much of a big miss in this whole thing as it would be to get some approval from the Mayor and City Council in support of something like this. I'm going to have to probably try to make a phone call between now and 6:30 to the leadership over there to find out potentially where they are with this.

Rev. Cook said we certainly –

Councilmember Cannon said I don't need them reading about it in the newspaper or seeing it on television tonight at 10:00.

Councilmember Turner said thank you for those questions, Mr. Cannon, because that's exactly what I was going to ask her in regards to communication over there with them. I'm a little concerned that you put the cart before the horse on this one. If there is pushback based on the community, and we don't have the answers right now because we haven't communicated with them, I surely would be very hesitant to support something that they might find not in their best interest of their community, so I, too, wish you would have had this conversation with them prior to coming before us tonight. Now, none of these people are going to be staying here. They are just come there for training; is that correct?

Rev. Cook said that's correct.

Councilmember Turner said how long is the culinary process?

Rev. Cook said we haven't set the curriculum for that, but we are anticipating that process will be somewhere between eight and 16 weeks. We are having meetings in February to discuss that.

Councilmember Turner said last year based on what I'm reading here this grant is from July 1, 2010, and runs out June 30, 2011. Is this left over from the media knowledge or something grant that we went to Washington and lobbied for, or is this another special funding grant?

Rev. Cook said, no, sir, this is another pot of funds from the state.

Councilmember Turner said so from July 1st – well, we are looking at approximately seven months.

Rev. Cook said that's what I'm saying we would probably have to extend it. When the request for proposal went out for reentry juveniles in Mecklenburg County from the Juvenile Crime Prevention Council, when that first came out, we did not apply for that, and they had several applications. Those were not successful, and so they went through a second round of funding and applications. That was part of the delay that they had. That's why we anticipate the extension of six months on this particular period or a year two continuation of funding to ensure that we get this off the ground and sustained.

Councilmember Turner said will this grant be in the same amount each year? Based on what I'm reading here the shortfall is going to come from the City – Police Delinquency Prevention Forfeiture account and the City's Facility Capital account. What happens if the state offers this grant again through the federal government and it's less than the \$300,000 that you are applying for or that you received already?

Rev. Cook said we would try to fill the gap of the need with other grants or funding resources that we have available so that we can continue the program.

Councilmember Turner said but there is no guarantee because we don't have no window to know how much money you are going to have.

Rev. Cook said you are correct. There is never a guarantee with a grant. This is the first year of what they call second round funding for gang reentry and intervention, so there is a strong probability that there is a second year planned as well, and again that has to do with sustainability. It would not help the state or us to have such a brief period for such a significant program.

Councilmember Cannon said in having some discussions with the district representative this is something I know he is on board with in just having a brief conversation with him about it. He is trying to make it here a little bit later on, but I know it is something he is in support of. The other thing that I think we have to pay attention to on this is that this is just not for those persons that are coming back for reentry.

Rev. Cook said that's correct.

Councilmember Cannon said this is also for the Police Activities League per se.

Rev. Cook said, yes, sir.

Councilmember Cannon said so this is a greater, a bigger picture than just the one we are trying to tailor it down to right now. It is really about, again, the use of the center for several things regarding the Police Activities League; correct?

Rev. Cook said exactly. The wonderful thing about this grant is the primary focus is Gang of One for the funding dollars, but we were able to leverage those dollars to support the Police Activities League and then also the center itself for the community.

Councilmember Cannon said just for the record I wanted to make sure, Mayor, and the Council knew that the district representative – in this case, Councilmember James Mitchell – is on board with this.

Councilmember Dulin said how about the upfit costs. That building has been dormant now for maybe a year before we get to it.

City Manager Walton said since September, I believe.

Councilmember Dulin said then it ought to have not deteriorated too much, but there will be some costs to fire everything back up. Does it come out of this cash?

Rev. Cook said it does. Our building maintenance superintendent has reviewed the building. There are some minor touch-ups to be done, and then the upfit of the kitchen, which the grant will pay for. Other than that, we are not doing any major upfit.

Councilmember Dulin said any chance that we can put in our \$1 a year lease with the County should they take it over within the next two years or three years, sometime that they repay us for those repairs we do to their building. That might have a leaky roof by now for all we know.

City Manager Walton said, yes, sir, we can handle that through the negotiation process.

Councilmember Dulin said it just makes sense we are bettering their building.

bvj

Mayor Foxx said appreciate the good work on this. This is a really innovative way to reuse a facility, so thank you for that.

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ITEM NO. 3: NASCAR HALL OF FAME SMALL BUSINESS OPPORTUNITY REPORT

Curt Walton, City Manager, said since the construction of the Hall of Fame is now complete we have the final report on the small business opportunity accomplishments through that. Alban Burney will lead off. Carol Lilly is also here.

Alban Burney, Neighborhood & Business Services, said as you look at this presentation on today the theme of it can be summarized in one word – success; success in the area of small business enterprise utilization, success in the area of diversity, success in individual small business enterprises who did great things on this project, as well as success in achieving a project cost savings, and finally success for the City of Charlotte Small Business Opportunity Program, which received state recognition as a result of these efforts. To talk about small business enterprise utilization, I would like to introduce Mr. Scott Lilly of Lilly Associates, as well as Mr. Mike Pearly, senior vice president of Turner BE&K.

Scott Lilly, Lilly Associates, said we are pleased on behalf of Carol Lilly, the president of Lilly Associates, to share these results with you this evening. He began a PowerPoint presentation entitled, “NASCAR Hall of Fame Small Business Opportunity Final Report,” a copy of which is on file in the City Clerk’s Office.

Mr. Burney said, Councilmember Cooksey, in regards to a question that you had at the Dinner Briefing a couple of weeks ago in terms of success stories, we also wanted to highlight those SBEs who worked as primes on this project, so you see three of those SBEs here. He continued the PowerPoint presentation with the bottom slide on page 3.

Councilmember Cannon said, Mr. Burney, any numbers on anybody that might be an architect – maybe in steel, maybe in concrete that had an opportunity to participate in the venture over there?

Mr. Burney said I do not have those numbers handy, but that is information I can get and provide for you.

Councilmember Cannon said that would be nice to have. I appreciate you looking into that.

Councilmember Howard said Pei, Cobb is the architect, so \$600,000 would have been architect.

Mr. Burney continued with the bottom slide on page 4. To talk a little bit about the expense report, I will turn it over now to Jim Schumacher.

Jim Schumacher, Assistant City Manager, said we are very pleased that the construction of the building has finished the way it has with the good results on the SBO Program as well as the good results of having some savings at the end of the project, and we had included these slides as part of this presentation really as background information as you consider the contract amendment on the agenda later tonight. Good questions earlier, and I think Curt addressed those. If any others come up here, I will give them a try. But these numbers just show kind of breaking the total dollars of the project out into several different categories where the dollars lie. He continued with the bottom slide on page 5 and said the reserve for Convention Center HVAC, you will remember that we kind of married the heating and cooling of the Hall of Fame and the new ballroom with the heating and cooling of the Convention Center by using the chillers and boilers from the existing Convention Center. There is still some work to be done to fine tune that total system, and we are showing a reserve of some dollars to do that. You will recall the developer of the office tower made a contribution for additional parking in the parking deck. You also may recall that we got into some dispute with them about whether they were in fact

going to pay what they owed us, and in the end, they did pay 100% of what they owe us after an arbitration process. This number here, the 3.2, represents overall project savings after the amendment that is on the agenda tonight. Just to clarify that one a little bit further. Back in September of '08 when we expanded the budget by that \$32 million, you will remember that some of those dollars were to replenish the contingencies in the overall project. The question at the time will we have to spend all of that, and my answer was I don't know. But now my answer is, no, we don't have to spend all of that. We have this 3+ million that we do not spend out of that 195.

Councilmember Barnes said, Mr. Schumacher, I wanted to ask you a question. It's tangentially related to what you are going through now, and I wanted to ask you because this may be the only opportunity to ask the question. We received a document from the CRVA on Friday pertaining to the Hall of Fame, and I wanted to clarify my understanding of what we were planning to have happen there. It concerns a statement in their materials that the NASCAR special events staff thinks that the Crown Ballroom is a wonderful space. They noted that the ballroom had some structural limitations that would need to be addressed in order to handle the level of rigging utilized for their top tier award banquet, which I assume would be, for example, the Sprint banquet. I recognize years ago when I asked Mr. Kimble about this that there was a guarantee that Charlotte would ever host the Sprint Cup or Nationwide or truck series banquets, but what struck me about that was we apparently did not have Pei, Cobb and Freed or others design that room such that it accommodates that type of event. You don't have to answer that now unless you know the answer, but I would like some feedback from you and from our private sector partners regarding the thinking behind not working perhaps more closely with NASCAR to make sure that if they ever chose to bring the banquet to Charlotte, especially the big one for Sprint Cup, that we would be in a position with that ballroom to adequately host the event.

Mr. Schumacher said I think it would be good for us to get you a more detailed answer later, although just a general reply. As you are going through a project like this, there is a great tendency to say we ought to do this, we ought to do that, we ought to include this. As project manager, one of the things we have to do is keep the client from doing too much of that. By keeping some constraint on that, that's how we end up with savings at the end of the project. Now, I don't know if that was a specific decision like that, but it may have been, but we'll get you more detailed information.

Councilmember Barnes said I appreciate that. I don't know if it was a \$10 issue or \$10 million issue. I don't know, but I would like to know.

Councilmember Carter said the projected savings do they accrue to the City or to the developer?

Mr. Schumacher said no savings accrued to the developer. Basically it comes down to we don't borrow those final dollars.

Councilmember Carter said toward the entirety and he does not get credit or the developer does not get credit for that. It comes off the City's portion; not the developer's.

Mr. Schumacher said the savings accrue fully to the City. We have one more slide to go back to here, and I do want to quickly introduce Mike Burley. Luther Cochran, who led our joint venture, was scheduled to be here and had a last minute conflict come up just this afternoon, and Mike is here to represent him.

Mike Burley, Turner B&K Davis, said we want to thank you for the opportunity to serve the City in building the NASCAR Hall of Fame. You look at the results that were produced with the SBE and MWBE. It's an absolute winning story to be telling that we will continue to tell and share with other players and customers that we have but most importantly keeping something within the city that we think is a prize and jewel just like the NASCAR Hall of Fame, and we thank you for the opportunity to serve you.

Mayor Foxx said thank you.

Mr. Burney said finally I just wanted to mention, and you may have remembered seeing this in a Council-Manager Memo several months ago that the City of Charlotte Small Business

Opportunity Program was recognized by the North Carolina Minority Women Business Enterprise Network with the good corporate steward award back in July 2010, and you see a picture here -- Nancy Rosado, SBO program manager – receiving the award from Shelby Morman, the president of the N.C. MWBE Coordinator’s Network, so our efforts were recognized statewide, and we wanted to show the award tonight.

Mayor Foxx said congratulations to you.

Councilmember Barnes said I wanted to thank Mr. Walton and our staff and the private sector for achieving this goal. You frequently hear me and others comment when folks don’t meet the numbers. You all have done it, and I appreciate that. I appreciate the value that it creates and brings to the community. I recall that Wachovia hit 20% with their cultural facilities – now Duke Energy headquarters – but that whole project. I think this sets a situation where we can begin to heighten our expectations when people are doing work in this city, and Wachovia set the example and you set the example. Our partners helped, and I think it’s a good thing for small businesses in this community.

Mayor Foxx said thank you very much for a very good report, and I’m going to have to take lessons on projecting and enunciation. Very good job.

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ITEM NO. 4: PUBLIC SAFETY UPDATE FOR NEW YEAR’S EVE

Curt Walton, City Manager, said we had an item on Friday to come off of the Dinner, so we moved from the Manager’s Report, the Public Safety update, for New Year’s Eve, so we wanted to do that tonight and ask Major Gallant from CMPD to do that for you.

Major Gallant, Charlotte-Mecklenburg Police Department, said I think this year we provided a comprehensive public safety plan for New Year’s Eve. This year has brought some additional challenges for us. As you probably know, the City is hosting the Meineke Car Care Bowl at Bank of America Stadium on that day as well as First Night. There is also a 3:00 Charlotte Bobcats game at Time Warner Cable Arena that night also.

We recognized these challenges early on, so I think with our early planning we are fully prepared to ensure a safe and secure New Year’s Eve for our citizens. The Center City will be fully staffed with an adequate number of officers for all events this night and during the daytime. In addition, every CMPD division will be staffed at greater than normal numbers in preparations for the celebrations. No neighborhood will be staffed to a lower level due to the activities in the Center City, and we have been able to achieve these additional resources by adjusting work hours and work assignments.

The day will begin with the Meineke Car Care Bowl, which begins at noon and ends at approximately 4:00 p.m. The Bobcats will host the Golden State Warriors, which would begin at 3:00 until about 6. The First Night activities begin at 8:00 p.m. It’s a non-alcohol event. The stage will be located on Levine Avenue of the Arts, which is First Street. South Tryon between Martin Luther King and Stonewall will be closed at approximately 9:30 or it could be earlier if spectators overfill that area. Activities are going to include a live band, raising the Queen City crown, and some fireworks at midnight. We expect this event to conclude at approximately 1:00 a.m. Up until about 11:15, citizens can with the purchase of a \$10 bracelet enjoy a wide array of activities at various private venues along the site area along Tryon Street.

Our goal is to create a safe environment, to allow our citizens to come into the Center City and have a safe event. We will have officers in normal uniform. We will be out engaging disorder type crimes. You can expect to see officers on foot, bicycles, Segways, marked patrol cars, of course, and then in the observation towers. So, our camera system will also be fully staffed and operational. Officers have been told to closely monitor the crowd for illegal activity particularly alcohol offenses, disorderly conduct, and, of course, weapons offenses, any fighting, firework offenses – not of that will be tolerated.

We expect heavy motor vehicle and pedestrian traffic throughout the day and evening hours. Parking will be restricted. Through experience, we are very much aware of the areas around the Center City, particularly our entertainment districts that tend to bottleneck with both pedestrian and vehicle traffic particularly during New Year's Eve and Fourth of July. We have made sure we place additional resources in those areas to facilitate movement of traffic.

We expect no civil disturbances, however, we will have officers assigned to our CMPD Civil Emergency Unit in Center City. They will be in regular uniforms. The mobile unit could be moved to any part of the city if needed. This is the same strategy we have utilized since 2006. It has been successful, been favorably received by the public, and the good thing is we have had fewer and fewer arrests each year, so we are expecting that this year. We work with the Charlotte Fire Department, the Sheriff's Department, and MEDIC. They have all been briefed, and they are working with us during this event. Our Operations Command Center will be open, and members of those command staffs will be there to help facilitate communication and coordination. Overall, we are expecting a large crowd, but we think it is going to be a very safe event, and I think we are fully prepared.

Councilmember Cannon said you are interfacing pretty much also with DOT on parking related issues.

Major Gallant said, yes, sir, we will have a DOT person out there with us actually in the field, and we'll have one in the Command Center to facilitate traffic flow. We will be utilizing our cruising pattern for traffic lights, and we'll put officers in the street when needed to facilitate traffic movement. Traffic is always a concern particularly around College Street, around the EpiCentre and, of course, Trade and Tryon.

Councilmember Cannon said a greater concern is parking, and inasmuch as folks understand what signage says in terms of where they can park and they cannot park to make a New Year a nice New Year, we need to be conscious of that as best we can as we continue to deal with this issue and community safety. I say that on behalf of several of us who have been sitting here on the Council. David Howard said, uh-huh, and raised his hand. How many officers will be on hand total?

Major Gallant said it's going to fluctuate during the day. The late night part you are probably looking at approximately maybe 200.

Councilmember Cannon said approximately 200 officers. Last question. Where will the fireworks display be held?

Major Gallant said it is going to be at First Street, Levine Avenue of the Arts. It is going to have a stage set up there. They are either going to fire the fireworks from the Knight theatre or I think right behind the stage. That part is still up in the air. We are trying to work on that today, so we hope to have that finalized by the end of this week.

Councilmember Cannon said you did say 200 police officers.

Major Gallant said that's an approximation.

Councilmember Cannon said approximately 200 police officers.

Major Gallant said some of those are secondary employment officers; some of those are on-duty officers.

Councilmember Cannon said you are comfortable with that number.

Major Gallant said, yes, sir, very much so.

Councilmember Cannon said and we'll be able to entertain the number of people that will be downtown.

Major Gallant said yes.

bvj

Councilmember Barnes said I am not a fireworks expert, but I just want to make sure I understood what you said. The question is are they going to be firing fireworks off the Knight Theatre, which is next to the Duke Energy Center?

Major Gallant said they are still working on that plan. They are working with the Fire Department to get the necessary approval if they can even do that. That's one of the plans. The other one I think was behind the stage, but either way they will have the appropriate fall-out area. It's the type of fireworks where apparently it doesn't require that big of a fall-out area. I don't know what type. Apparently it's not the huge ones you are thinking of.

Councilmember Barnes said, again, I'm not an expert either.

Major Gallant said the original plan was some real low-level stuff where there was no fall-out zone at all. Whatever they come up with I assure you it is going to be safe.

Mayor Foxx said thank you for the report and best of luck and good work on New Year's Eve with our community. We don't say often enough to our forces how much we appreciate what you do, but we really do, so thank you.

* * * * *

ITEM NO. 5: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Curt Walton, City Manager, said Eric Campbell has the report on consent items that were pulled.

Eric Campbell, Assistant City Manager, said I would like to quickly review some of the questions that were posed during Consent. On Item 20, Central Avenue Eastland Mall streetscape, Ms. Carter asked a question regarding the remaining funds and how are they being spent. Councilmember Carter, roughly the staff costs remaining on that was \$400,000; planning and design was \$800,000. There was miscellaneous expenses of approximately \$600,000 that included area plans, trees, and real estate, and the project itself had a savings of approximately \$800,000.

Councilmember Carter said may I ask, please, how that remainder will be spent?

City Manager Walton said once the project is complete, the 800 would go back into the capital budget for reallocation.

Mr. Campbell said on Item No. 22, the police replacement vehicles, Councilmember Dulin just confirmed that dealer is located in Raleigh.

Councilmember Dulin said just interestingly enough we buy our BMW motorcycles for the police officers from a Raleigh-based BMW dealership. Somehow they can get the business away from us.

Mr. Campbell said on Item No. 22, the U.S. Department of Justice technology grant, Councilmember Carter, you asked if this project was one that helped us connect further with the court system and the DA's Office. Actually, this is a different project. This is a grant that actually helps police departments talk with each other about public safety intelligence, however, CMPD is still in the process of pursuing that project and working with the DA's Office on improving the technology there.

On Item No. 28, Police Steele Creek Division station design, Councilmember Dulin asked a question regarding the cost and the common footprint between Beatties Ford Station and the Providence Station. Councilmember Dulin, they are the exact same footprint. There was \$100,000 additional added to this particular project for upgrades due to geothermal and solar panels and environmental enhancements to this particular building, so that's the difference in the cost.

bvj

Councilmember Dulin said can you run those additions by me one time. Do we have a break-out of what it would be?

Mr. Campbell said I believe we can provide that.

Councilmember Dulin said this \$423,000 includes all those additional.

Mr. Campbell said yes.

City Manager Walton said design for those additional, yes, sir; not the actual cost.

Mr. Campbell said, right, not the actual cost.

City Manager Walton said so it has features that the other buildings haven't had.

Councilmember Dulin said we are spending how much more to design in the stuff?

Mr. Campbell said it was an additional 100,000 included in the budget for those environmental upgrades.

Councilmember Dulin said so roughly this would be a \$323,000 design deal before we added to it. These are \$6 million buildings, if I remember correctly.

City Manager Walton said \$6.5.

Councilmember Dulin said do we know how much these added design features are going to cost to the \$6.5 million building? It's a small building relatively. It's 12,500 feet.

City Manager Walton said knowing that answer is part of what we get from this work – doing the design.

Councilmember Dulin said, y'all, I'm just a little bit – again, that's again sort of putting the cart before the horse. We are okaying an additional \$100,000 design work here and we don't know whether we'll use it or not because we don't know what the costs are down the line. Remember, a couple of years ago we stopped a green roof on a sewer transfer station. They were going to spend \$125,000 in extra concrete to make the roof strong enough to hold grass, I guess. I mean I would sort of like to know going in.

City Manager Walton said we have a difference between then and now as we have a Council-adopted policy for capital projects and the integration of green features into those projects, so we are following that process you see in the box there – the things that we are essentially incorporating into this building. The building costs more to design – the \$100,000 that Eric is talking about – to accommodate these, and these things are included in the macro price, which I think is \$6.5 million.

Councilmember Dulin said I hear that, sir. Thank you. I'm not prepared to support that tonight, so I plan on – we need police stations. These are fabulous police stations. They are more community oriented. It's a community gathering place, but for right now, I would like to say I would like to save \$100,00 on design costs and then save whatever numbers of hundreds of thousands of dollars on additional things that we are going to add to it, and that's just my opinion.

Councilmember Barnes said, Mr. Dulin, I thought you were asking a question about why we couldn't use the same template from the Metro Division Office and the new Providence Division Office to save some money at this site. Is that part of what you were getting at?

Councilmember Dulin said, yes, sir. I thought that we would be saving money since we are indeed using a set of plans we have already got. Apparently using a set of plans that we already own and we have paid for now twice costs \$323,000.

Councilmember Barnes said is that your understanding, Mr. Campbell?

Mr. Campbell said my understanding is that the template or the footprint is the same. The additional \$100,000 was for the environmental design enhancements.

Councilmember Dulin said then there ought to be a cost for using our plans that we have purchased twice already and adding \$100,000 to it.

Councilmember Barnes said what I'm trying to understand is if we are using the same blueprints, I suppose, why aren't the costs somewhat minimized at this new site?

City Manager Walton said the buildings aren't identical, and elevations and topography and how you come in and out of the site, for example, are going to be different in each case. Providence is different than Beatties Ford even though the building has essentially got the same plan.

Councilmember Dulin said Providence, by the way, you know got clear-cut – not a bush left over there, Nancy, not a single bush. We clear-cut that site I mean to the very edge of the property owners. Nothing living.

Mayor Foxx said thank you for that illuminating description.

Councilmember Dulin said we are big on having private people save 15% of their trees starting January 1.

Mayor Foxx said let's go on.

Mr. Campbell said Item 30, FY2011 Tree Planting Services, Mr. Barnes, you asked about the areas and where those areas were located. The premise behind the program is concentrating on the older neighborhoods where trees have recently been removed, so Areas 1, 2, and 3 are Dilworth; Areas 4, 5, and 6 are Myers Park; Area 7 is Plaza-Midwood; and Area 8 is Wilmore-Wesley Heights.

On Item 31, language access plan for HUD programs, Councilmember Carter, to your question about reaching out to the International Cabinet – that was done for that program. Then the final question was from Mr. Dulin on property transactions on Item A. Basically the land we are talking is prime industrial land located at the intersection of New West Boulevard and Steele Creek next to the developing intermodal yard. Approximately it's one and a quarter miles from the I-485 interchange, which makes it prime property, so that's why the cost is where it is.

Councilmember Peacock said maybe Mr. Campbell or Walton can – we are approving tonight the Council 2011 schedule. A couple of things that I didn't know were clarified or not and maybe I can get it off-line or not. The Chamber's Inter-City visit, do you know when the date is for that?

City Manager Walton said June 22-24th.

Councilmember Peacock said the next question I have is more of a clarifying question. On June 13th, that's our budget adoption, and unlike this year, that will occur on television; is that correct?

City Manager Walton said that's a regular meeting. If I could just bring one thing. I think Councilmember Burgess also had something to point out. If you look at April, Easter is late this year. The week of April 18th is Holy Week and that's also CMS spring break, so we, on the 25th, are recommending combining zoning and business, which will be an intense meeting, but we really couldn't figure out a way in the week of the 18th to make it work.

Councilmember Peacock said which comes first – business or zoning?

City Manager Walton said in the past we have done it zoning because we have to advertise a specific time for that.

December 13, 2010
Business Meeting
Minute Book 131, Page 348

Councilmember Burgess said I had a request to move the City Council Retreat from the 2nd, 3rd, and 4th -- I think it really was only going to be the 3rd and 4th -- to January 31st and February 1st. Just for consideration.

Mayor Foxx said does anyone have an objection?

Councilmember Barnes said my friend, Mr. Burgess, and I talked about it. It's fine with me.

Mayor Foxx said let me also add. I have talked to a number of people in the faith community about the September schedule of the Council. Occasionally our meeting schedule falls in the high holy season of the other religions such as Judaism and Islam and others, and some people -- we have had meetings when people haven't been able to come because of fasting season and whatever, so I would like us to look at maybe moving our schedule around so that we avoid those dates in the future. If it's meeting on a Tuesday instead of a Monday or whatever. It's usually just one week out of September where we have to adjust, and we didn't have to do that this year, by the way.

City Manager Walton said I think we tested for that.

Mayor Foxx said you did that on this one?

Deputy Clerk Martin said we did.

City Manager Walton said I think September 19th is probably the night before a primary should any of you care.

Councilmember Dulin said, fine, if we want to be cognizant of what other religions are doing, what are some of the other religions on that list that you tested?

City Manager Walton said I think we looked primarily at the Jewish holidays.

Mayor Foxx said thank you. That's the most extensive discussion we have ever had about the meeting calendar, but it's good to work through that. We are going to move the date of the Retreat. We have tested for religious conflicts, and we have gotten your issue addressed.

Councilmember Cooksey said do we have a Closed Session?

Mayor Foxx said, Mr. Manager, the Closed Session is not happening?

City Manager Walton said, no, that's what fell off. That's why we had 32 extra minutes.

* * * * *

Councilmember Mitchell arrived at 6:18 p.m.

The meeting was recessed at 6:18 p.m. for the Council to move to the Council Meeting Chamber.

* * * * *

BUSINESS MEETING

The Council reconvened for the regularly scheduled Business Meeting at 7:00 p.m. in the Council Meeting Chamber of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding.

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INVOCATION AND PLEDGE

Councilmember Dulin gave the Invocation and led the Council in the Pledge of Allegiance to the Flag.

CONSENT AGENDA

[Motion was made by Councilmember Cannon, seconded by Councilmember Mitchell, and]
[carried unanimously to approve the Consent Agenda as presented with the exception of Item]
[No. 48-I for speakers, Item Nos. 28 and 32 for discussion, Item Nos. 48-U and 48-X, which]
[were settled, and 48-Z, which was pulled by staff.]

The following items were approved:

- 18. Contract to the lowest bidder, CertaPro Painters, in the amount of \$19.55 per man hour for building painting in and around the Airport properties for Aviation.

Summary of Bids

| | |
|------------------------------|----------------------|
| CertaPro Painters | \$19.55 per man hour |
| United Painting Services | \$22.50 per man hour |
| A&K Painting Company | \$22.65 per man hour |
| Stone Restoration of America | \$29.89 per man hour |

- 19. Contract to the lowest bidder, MV Momentum Construction, LLC in the amount of \$491,150 for the construction of the Charlotte Department of Transportation Orr Road salt storage shed located at 601 General Commerce Drive.

- 20. Contract to the lowest bidder, United Construction, Inc., in the amount of \$1,298,927.18 for the Central Avenue at Eastland Mall Streetscape Project, and approve the purchase of mast arm pole as authorized by the sole source exemption of G.S. 143-129(e) from Duke Energy in the amount of \$289,760.60 for the following locations within the project limits: Central Avenue at Bell South/Eastland Mall driveway, Central Avenue at Reddman Road, and Fire Station #42.

Summary of Bids

| | |
|---------------------------------|----------------|
| United Construction Inc. | \$1,298,927.18 |
| Sealand Contractors Corporation | \$1,443,075.64 |
| Ferebee Corporation | \$1,494,499.39 |
| Callahan Grading | \$1,514,869.13 |
| Blythe Development | \$1,592,850.00 |

- 21. Contract to the lowest bidder, Morlando Construction, in the amount of \$963,175.08 for installation of storm water pollution prevention measures at Central Yard.

Summary of Bids

| | |
|--------------------------------------|----------------|
| Morlando Construction, LLC | \$963,175.08 |
| Harvest Environmental Services, Inc. | \$969,636.80 |
| United Construction Company | \$1,118,998.10 |
| Blythe Development Company | \$1,166,503.80 |
| Sealand Contractors | \$1,186,327.45 |
| Siteworks, LLC | \$1,245,709.66 |

- 22. Purchase of police vehicles as authorized by the state contract exception of G.S. 143-129(e)(9), purchase of 25 V-6 Dodge Chargers at a cost of \$567,225 from Horace G. Ilderton, LLC per state contract, and purchase of six K-9 equipped Chevrolet Tahoes at a cost of \$150,120 from Bobby Murray Chevrolet per state contract.

23. Purchase of two SkyWatch Sentinel Towers as authorized by the cooperative purchasing exception of G.S. 143-129(e)(3), and contract with ICX Technologies for the purchase of two SkyWatch Sentinel Towers in the amount of \$143,640.
24. Authorize the City Manager to approve grant related contracts and purchases not to exceed the grant balance of \$987,604.91 over the during of the COPS 2007 Technology Grant.
25. Authorize the City Manager to negotiate and execute a contract with Intergraph to upgrade and consolidate the Computed-Aided Dispatch (CAD) system in an amount not to exceed \$3,000,000, and authorize the City Manager to expend an additional amount not to exceed \$1,000,000 for ancillary hardware, software, and services for the implementation and configuration of the consolidated CAD system from various vendors.
26. Authorize the Fire chief to accept a grant in the amount of \$55,000 from the US Department of Homeland Security's 2010 State Homeland Security Grant Program for the Urban Search and Rescue Task Force, authorize the Fire Chief to accept a grant in the amount of \$51,428.57 from the US Department of Homeland Security's 2010 State Homeland Security Grant Program for the Hazardous Materials Regional Response Team, and authorize the Fire Chief to accept a grant in the amount of \$62,000 from the US Department of Homeland Security's 2010 State Homeland Security Grant Program for the NC Helo-Aquatic Response Team.
27. Grant in the amount of \$194,000 from the North Carolina Department of Crime Control & Public Safety, Division of Emergency Management, which administers the U.S. Department of Homeland Security's 2009 Buffer Zone Protection Program.
29. Contract with Dewberry & Davis, Inc. for \$2,000,000 for the storm water engineering services, and contract with Wetherill Engineering, Inc. for \$1,000,000 for storm water engineering services.
30. Eight tree planting services contracts for FY2011 with the following firms: 1) The Byrd's Group, Inc. for Area #1 in the amount of \$53,576.87; 2) Distinctive Naturescapes, Inc. for Area #2 in the amount of \$53,297.90; 3) Green Touch Tree & Turf, Inc. for Area #3 in the amount of \$48,421.17; 4) Plantation Landscape Group for Area #4 in the amount of \$27,772.50; 5) The Metrolina Landscape Company for Area #5 in the amount of \$62,926.85; 6) The Metrolina Landscape Company for Area #6 in the amount of \$53,461.20; 7) Southern Shade Tree Co., Inc. for Area #7 in the amount of \$57,183.75; 8) New Beginning Landscape, LLC for Area #8 in the amount of \$17,940, and authorize the City Manager to approve additional contracts for each contractor in a not to exceed amount of \$200,000 per contractor. The combined total for all contracts will not exceed \$700,000.
31. Neighborhood & Business Services Language Access Plan for federal housing and urban development programs.
33. Change Order #1 with Blythe Development Co. in the amount of \$250,987.50 for additional site work on Taxiway D, and Budget Ordinance No. 4567-X appropriating \$250,987.50 from the Airport Discretionary Fund Balance to the Airport Capital Investment Plan.

The ordinance is recorded in Ordinance Book 56 at Page 901.

34. Five-year contract with Johnson Controls, Inc. for building management systems operations and maintenance in the amount of \$1,642,992 plus \$1,125,000 for parts allowance, and authorize the City Manager to execute up to two, one-year extensions. The total cost for the first extension is \$583,775. The second extension is \$594,518.

Summary of Bids

Johnson Controls

\$1,642,992.00

Mechanical Systems & Services \$2,470,402.00

35. Budget Ordinance No. 4568-X appropriating \$169,545 in private developer funds for traffic signal improvements.

The ordinance is recorded in Ordinance Book 56 at Page 902.

36. Resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation to support transit planning activities for the Mecklenburg-Union Metropolitan Planning Organization.

The resolution is recorded in Resolution Book 42 at Page 805.

37. Resolution to authorize the Key Business Executive for Transportation to execute a Municipal Agreement with the North Carolina Department of Transportation for the widening and realignment of the intersection of Salome Church Road and Mallard Creek Road, and adopt Budget Ordinance No. 4569-X appropriating \$250,000 in State funding.

The resolution is recorded in Resolution Book 42 at Page 806.

The ordinance is recorded in Ordinance Book 56 at Page 903.

38. Contract with ECS Carolinas, LLP for \$116,980 to provide pre- and post-blast surveys and blast monitoring services required during the construction of the proposed Briar Creek Relief Sewer Phase II.

39. Purchase of water treatment equipment as authorized by the sole source exemption of G.S. 143-129(e)(6), and purchase of cone valve replacement parts and supporting equipment from Rodney Hunt Company in the not-to-exceed amount of \$257,000.

40. Contracts to the lowest bidders, John J. Trucking for Zones 1 and 2 and Hazel Holmes Trucking for Zones 3 and 4 for the Utilities Field Operations Division in the combined estimated annual amount of \$331,150.

Summary of Bids

| | <u>Zones 1 & 2</u> | <u>Zones 3 & 4</u> |
|-----------------------|------------------------|------------------------|
| CTC Grading | \$159,480.00 | \$281,150.00 |
| Hazen Holmes Trucking | \$122,940.00 | \$200,300.00 |
| John J. Trucking | \$120,850.00 | \$201,240.00 |
| Jones Grading | \$557,900.00 | \$717,100.00 |
| McGirt Trucking | \$131,250.00 | \$236,575.00 |
| Scott Trucking | \$134,500.00 | \$218,000.00 |

41. Final renewal of a contract with Improved Technologies, LLC in the not-to-exceed amount of \$3,885,144.47 for rehabilitation of sanitary sewers throughout Mecklenburg County.

42. Sole source exception for light rail vehicle propulsion spare parts and related repair services, and one-time purchase from Siemens Energy and Automation, Inc. for an amount of \$225,000.

43. Contract to the lowest responsive bidder, Capital Ford, in the amount of \$119,102 for the purchase of a hi-rail bucket truck.

Summary of Bids

| | |
|----------------------------|--------------|
| Cherokee Truck Equipment | \$106,202.00 |
| Capital Ford of Wilmington | \$119,102.00 |
| Altec | \$126,706.00 |

44. Approve A) Unit costs services contracts in the amount of \$350,000 each for acquisition and relocation services with the following firms: Professional Property Services, Inc.; THC, Inc.; Telecommunication & Industrial Consulting Services Corporation; Gulf Coast

Property Acquisition, Inc.; B) authorize the City Manager to execute up to two renewals to each contract for a not to exceed the original contract amount; C) approve the following unit services contracts in the amount of \$150,000 each for acquisition and relocation services with the following firms: Florida Acquisition & Appraisal, Inc.; O.R. Colan Associates of Florida, LLC; Vaughn & Melton, Inc.; Post, Buckley, Schuh, and Jernigan; and D) authorize the City Manager to execute up to two renewals to each contract not to exceed the original contract amount.

45. Release of a workers' compensation lien in the amount of \$239,373 for Workers' Compensation claim for Airport employee, Fred Golden.
46. Resolution of intent to abandon a ten-foot alleyway located off W. Park Avenue, and set a public hearing for January 10, 2011.

The resolution is recorded in Resolution Book 42 at Page 807.

47. Resolution authorizing the refund of business privilege license payments made in the amount of \$17,542.56.

The resolution is recorded in Resolution Book 42 at Pages 808-809.

- 48-A. Acquisition of 9.957 acres at 7100 & 7108 Steele Creek Road from John M. and Jessie Long for Airport Master Plan Land Acquisition.

- 48-B. Acquisition of 3,309 square feet in utility easement plus 337 square feet in temporary construction easement on Pineville-Matthews Road from Acts Retirement-Life Communities, Inc. f/d/a Adult Communities Total Services, Inc. for \$14,225 for 36" Water Main along NC 51 to Fullwood Lane, parcel #2.

- 48-C. Acquisition of 2,875 square feet in fee simple plus 1,466 square feet in existing right of way plus 373 square feet in utility easement plus 1,632 square feet in temporary construction easement at 6213 Freedom Drive from Lorine Aderhold-Snow and Bobby R. Aderhold, Jr. for \$12,340 for Freedom Drive Intersection Project, Parcel #496.

- 48-D. Acquisition of 2,885 square feet in fee simple plus 1,523 square feet in existing right of way plus 369 square feet in utility easement plus 1,461 square feet in temporary construction easement at 6229 Freedom Drive from David C. Oliver and John G. Oliver for \$11,000 for Freedom Drive Intersection Project, Parcel #498.

- 48-E. Acquisition of 2,234 square feet in fee simple plus 2,031 square feet in existing right of way plus 145 square feet in utility easement plus 2,289 square feet in temporary construction easement at 6343 Freedom Drive from Doloros Jean Davis for \$13,346 for Freedom Drive Intersection Project, Parcel #504.

- 48-F. Acquisition of 3,113 square feet in fee simple plus 5,783 square feet in storm drainage easement plus 166 square feet in temporary construction easement at 422 Pebble Pond Drive from Forrest Narmour and wife, Patsy Ann Narmour, for \$37,317 for Rea Road Widening/Improvements, Parcel #109.

- 48-G. Acquisition of 1,474 square feet in slope easement plus 2,289 square feet in temporary road easement plus 5,178 square feet in temporary construction easement at 5303 Macandrew Drive from Carmel Greens Development Group, LLC for \$35,000 for Rea Road Widening/Improvements, Parcel #121.

- 48-H. Acquisition of 38 square feet in utility easement plus 1,159 square feet in slope easement plus 2,291 square feet in temporary road easement plus 6,229 square feet in temporary construction easement at 5302 Macandrew Drive from Carmel Greens Development Group, LLC for \$28,700 for Rea Road Widening/Improvements, Parcel #123.

- 48-J. Resolution of condemnation of 2,575 square feet in fee simple plus 1,485 square feet in existing right-of-way plus 1,793 square feet in utility easement plus 168 square feet in

temporary construction easement at 6414 Freedom Drive from Murphy-Rudolph, LLC and any other parties of interest for \$1,450 for Freedom Drive Intersection Project, Parcel #240.

The resolution is recorded in Resolution Book 42 at Page 810.

- 48-K. Resolution of condemnation of 2,730 square feet in fee simple plus 1,152 square feet in existing right-of-way plus 203 square feet in storm drainage easement plus 312 square feet in utility easement plus 648 square feet in temporary construction easement at 6212 Freedom Drive from Steven Travell and Thomas P. Moore, III, and any other parties of interest for \$12,675 for Freedom Drive Intersection Project, Parcel #249.

The resolution is recorded in Resolution Book 42 at Page 811.

- 48-L. Resolution of condemnation of 2,591 square feet in fee simple plus 1,901 square feet in existing right-of-way plus 698 square feet in storm drainage easement plus 436 square feet in utility easement plus 1,837 square feet in temporary construction easement at 6337 Freedom Drive from Rachel Broome a/k/a Rachel Taylor Broome; Grover Cleveland Moss, III, as attorney in fact, and any other parties of interest for \$14,300 for Freedom Drive Intersection Project, Parcel #503.

The resolution is recorded in Resolution Book 42 at Page 812.

- 48-M. Resolution of condemnation of 282 square feet in fee simple plus 80 square feet in utility easement plus 5,063 square feet in temporary construction easement at 5304 Stallworth Drive from Naser Hanbali and wife, Rasha Atiya Hanbali, and any other parties of interest for 57,450 for Rea Road Widening/Improvements, Parcel #38.

The resolution is recorded in Resolution Book 42 at Page 813.

- 48-N. Resolution of condemnation of 1,956 square feet in fee simple plus 5,825 square feet in existing right-of-way plus 2,358 square feet in temporary construction easement at 5132 Rea Road and 5101 Summer Gate Drive from Henry Stephen Dellinger and wife, Linda H. Dellinger, Raymond E. Margerum and wife, Patricia L. Margerum, and any other parties of interest for Rea Road Widening/Improvements, Parcel #61.

The resolution is recorded in Resolution Book 42 at Page 814.

- 48-O. Resolution of condemnation of 12,333 square feet in fee simple plus 9,604 square feet in temporary construction easement at 5160 Carson's Pond Road from Carson's Pond Homeowners Association, Inc. and any other parties in interest for Rea Road Widening/Improvements, Parcel #101 and 102.

The resolution is recorded in Resolution Book 42 at Page 815.

- 48-P. Resolution of condemnation of 3,900 square feet in fee simple plus 4,393 square feet in existing right-of-way plus 4,701 square feet in storm drainage easement plus 1,948 square feet in slope easement plus 1,770 square feet in temporary road easement plus 6,255 square feet in temporary construction easement at 4900 Rea Road from Laurey Mercer Walbert f/k/a Laurey Mercer Rigsbee and spouse, Joseph A. Walbert, and any other parties of interest for 33,175 for Rea Road Widening/Improvements, Parcel #119.

The resolution is recorded in Resolution Book 42 at Page 816.

- 48-Q. Resolution of condemnation of 6,347 square feet in fee simple plus 2,683 square feet in storm drainage easement plus 3,651 square feet in utility easement plus 3,341 square feet in slope easement plus 6,923 square feet in temporary construction easement on Rea Road from Canterbury Homeowners' Association, Inc. and any other parties of interest for \$3,175 for Rea Road Widening/Improvements, Parcel #132.

The resolution is recorded in Resolution Book 42 at Page 817.

- 48-R. Resolution of condemnation of 14,898 square feet in existing right-of-way plus 1,668 square feet in storm drainage easement plus 1,505 square feet in utility easement plus 9,992 square feet in temporary construction easement on Rea Road from George R. Nassif and wife, Bergenine M. Nassif, and any other parties of interest for \$7,250 for Rea Road Widening/Improvements, Parcel #133.

The resolution is recorded in Resolution Book 42 at Page 818.

- 48-S. Resolution of condemnation of 1,853 square feet in fee simple plus 4,531 square feet in temporary construction easement at 4533 Rea Road from George R. Nassif and wife, Bergenine M. Nassif, and any other parties of interest for \$41,425 for Rea Road Widening/Improvements, Parcel #134.

The resolution is recorded in Resolution Book 42 at Page 819.

- 48-T. Resolution of condemnation of 562 square feet in temporary construction easement at 2739 Phillips Avenue from Annie Helms Norman, Trustee of the Annie Helms Norman Revocable Living Trust and any other parties of interest for \$1,325 for Revolution Park Neighborhood Improvement Project, Parcel #17.

The resolution is recorded in Resolution Book 42 at Page 820.

- 48-V. Resolution of condemnation of 335 square feet in sidewalk and utility easement plus 971 square feet in temporary construction easement at 2830 Mayflower Road from Jeffrey Kennedy and any other parties of interest for \$2,300 for Revolution Park Neighborhood Improvement Project, Parcel #56.

The resolution is recorded in Resolution Book 42 at Page 821.

- 48-W. Resolution of condemnation of 270 square feet in sidewalk and utility easement plus 1,066 square feet in temporary construction easement at 2824 Mayflower Road from Carolyn Byers Smith a/k/a Carolyn Pearl Smith and any other parties of interest for \$4,950 for Revolution Park Neighborhood Improvement Project, Parcel #58.

The resolution is recorded in Resolution Book 42 at Page 822.

- 48-Y. Resolution of condemnation of 907 square feet in sidewalk and utility easement plus 713 square feet in temporary construction easement at 5404 Rozzelles Ferry Road from Cedric X. McCorkle and any other parties of interest for \$2,025 for Rozzelles Ferry Road Sidewalk, Parcel #11.

The resolution is recorded in Resolution Book 42 at Page 823.

49. Titles, motions, and votes reflected in the Clerk's record as the Minutes of the September 27, 2010, Business Meeting; October 4, 2010, Workshop; October 11, 2010, Business Meeting; October 18, 2010, Zoning Meeting; and November 1, 2010, Workshop.

* * * * *

ITEM NO. 28: POLICE STEELE CREEK DIVISION STATION DESIGN

Councilmember Dulin said we had a discussion about architectural fees for this police station. As I move to that page, sir, and I had some questions about it. This is using the architectural design of at least two other police stations: One that is open – Metro Division on Beatties Ford Road, and one that is under construction – Providence Division on Woodlawn. This is the same building, and I had some questions for staff about why the architectural were so much. We have an item before us of \$423,000 even. We have been told in dinner that it is for \$323,000 worth of design work plus \$100,000 worth of design work for green initiatives that will go on the roof, solar, etc.

I have a problem with the \$100,000 extra design work if we don't know how much the additional work is going to cost us on the roof, and I would like to know – it doesn't have to be down to the penny but a ballpark. There are going to be 18 solar panels at \$18,000 apiece, there is going to be a water retention pond at \$50,000. I think it's legitimate for us to ask how much those added green initiatives are going to cost before we okay \$100,000 worth of additional design, and I would like to make a motion that we either defer this or deny it. Defer it for a month until the next business meeting so we can get some additional – I'm not comfortable voting for \$100,000 worth of design work that we have no idea what it will be.

Councilmember Howard said I don't know if staff wanted to respond first.

Curt Walton, City Manager, said William Haas, Engineering.

William Haas, Engineering, said let me maybe try to clarify a couple of things. We estimate that this particular building will cost another \$100,000 more than the Providence District Police Station that is currently being built on Wendover. There are a couple of extra items we want to put in this particular building that is not in the Providence District Station. It's going to be about 100 square feet larger to accommodate a larger mechanical room based on comments by our building maintenance staff. They felt like the one on Providence may be a little small for servicing equipment. We anticipate that this particular building will also be built from a different wall system. It's not going to be stud and drywall and cast stone like Providence. We may build the walls out of concrete similar to the way we are doing construction at fire stations right now. We think that provides some more energy efficiency, safety for the officers, little quiet space, things like that. We also think we can have solar hot water. That is something we might envision putting in this particular station as well as making accommodations for future solar panels on the roof to drive some power in the station so we don't have to rely as much on Duke Energy, but that would just be pipes and things like that for future use. The designs fee then would accommodate for the larger space and design of the ICF laws, which is a little bit higher level design and also they might help us achieve a federal grant – then they pay for those solar panels on the roof for the solar system, for the power system.

Councilmember Howard said out of fairness to my colleague, Mr. Dulin. I just want to point out that putting this off or denying it I think messes with the safety of the area we are talking about, and that concerns me a lot. I would like for staff to talk about timing because time is money as we talk about when developers come around, and the same thing would apply for the City. Then the upfits, Mr. Manager, my friend from the Engineering Department, I would bet that the Providence Road building was not designed with this amount of green in mind, so this is a continuation, and not only that, but the design we have now will be one that now we can take and use for the next station. I think it's a matter of getting it right, getting it better every time we do it.

The last thing I want to point out is I'm sure there are some energy savings that we hadn't taken into consideration while we are talking about this that we didn't get at the Providence Road location that we will get at this one. So, for all those reasons, I don't want to slow this down, and I will support this moving forward.

Councilmember Carter said, Mr. Dulin, if you will recall in the Environmental Committee, we passed direction for our engineering and management staff to make sure that the energy investments that we make, the environmentally friendly systems that we adopt be recouped in energy savings, so this is a directive that we have passed in committee, and it was endorsed by the Council. Thank you for doing this. We are very appreciative of looking forward and leading by example, which is one of the primary statements of our committee.

Councilmember Barnes said one of the questions that was answered for me at the Dinner Meeting concerned the nature of the Providence and Metro Division facilities, and just for the benefit of sharing this with my colleague, Mr. Dulin, it was essentially topographical issues and other issues specific to that Steele Creek site that created that cost. I actually had the same concern that you have. The Manager told us that some of the environmentally sensitive features they were building into it were features that essentially come as a part of our policy, so I'm going to support the item.

Councilmember Cooksey said, Mr. Manager, how time sensitive is this item? It's not on the list of staff-required time sensitive items, but how sensitive would this item be for referral say to the next Business Meeting?

Mr. Haas said we wouldn't begin design until Council awarded the contract, so the next meeting is another month, so it would put us another month from starting construction.

Councilmember Cooksey said thank you. The second point is we defer matters from the Consent Agenda from time to time to make sure that our colleagues have comfort with them. Generally it's SBE issues, but there are others from time to time, so I'm willing to support the deferral if it takes Mr. Dulin a little longer to get some answers to his questions.

Councilmember Dulin said thank you, Mr. Cooksey. Look, y'all, this is \$100,000 additional design cost to get the building ready if we put solar panels on it and if we do B and C and D down our list. Providence Division is still under design. Why not try to put these things in Providence Division? We don't know the answer to that. I would like to lead by example, Ms. Carter, and by example showing the community that we can save money when it's time to save money; and when it's time to put extras on a building when we are flush with cash, we might can go back and start putting some extras on a building. I think that's the example I would like to let everybody know I would like to lead by. I am more than willing if we can get the answers to how much some of these extra things will cost in a month to move forward. Heck, I'll vote for it if they bring us information that is legitimate, but tonight I would like to make a motion that we defer this one month so we can get some answers to how much this is going to cost.

[Motion was made by Councilmember Dulin and seconded by Councilmember Cooksey to]
[defer the item for one month.]

Councilmember Cannon said each area in terms of where the development might occur can be different. We have already heard relative to maybe issues with topography, it's going to be larger in scope. It's my hope that we will continue to move this forward. There was something put on the floor not long ago here to suggest that we need to see what everything is being spent on. If that's the case, then we need to pull every consent item that is in our write-up because there is nothing really here that is in an itemized form that is going to allow us to be able to see exactly how and where and what every dollar or half or nickel is being spent on. So, the one thing I certainly don't want to do is to slow a development down that we have an opportunity to go in and create a safe haven or an area for people maybe even more so than what it is if they are being challenged. So, hopefully we'll continue to move this forward. I would like to make a substitute motion that we move approval of Item No. 28 with the Police Steele Creek Division Station design.

[Motion was made by Councilmember Cannon and seconded by Councilmember Barnes]
[to approve a contract in the amount of \$423,000 with Little Diversified Architectural]
[Consulting, Inc. for architectural services to design a new office facility in the Police Steele]
[Creek Division.]

Mr. Haas said, Mr. Mayor, I want to clarify something Mr. Dulin said. We do not see this costing an extra \$100,000 for design. We anticipate it's \$100,000 more in construction than the Providence Station. This is not \$100,000 more in design.

Mayor Foxx said there is a substitute made, moved and seconded.

Councilmember Dulin said I'm sorry, sir, but that is not what we were told upstairs at dinner. We were told this number of \$423,000 was because it had \$100,000 more design work put into it, and this was not a construction number but a design number.

Councilmember Cannon said, Mr. Haas, are you correcting that for the record, sir?

Mr. Haas said I'm correcting that for the record. I apologize for the confusion.

Councilmember Dulin said, well, then that needs to be – it would be nice to have that itemized in our write-up here, and this \$423,000 says for architectural services to design a new office facility for the Police Steele Creek Division, which I'm for, by the way, but that does not include \$100,000 extra for construction. I think there are too many questions here, and I'm going to continue my motion to defer this one month until we can get some answers.

Mayor Foxx said let's have a vote on this.

Councilmember Howard said I want to understand where my colleague got \$100,000. I don't see \$100,000 specified in the write-up at all.

City Manager Walton said that was part of the answer at dinner, and Mr. Haas has corrected that. So the \$100,000 is not in the write-up. You are right. It's an additional cost to the building. It's not part of the 423.

Mayor Foxx said we have a substitute motion to approve. If that fails, we will go down to the base motion to defer for one month.

The vote was taken on the substitute motion to approve and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmembers Cooksey and Dulin

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ITEM NO. 32: NASCAR HALL OF FAME ARCHITECTURAL CLOSE-OUT

Councilmember Barnes said I pulled that item. This is a \$1.5 million payment to the architects of the NASCAR Hall of Fame. I was on the record as voting against the \$32 million that was approved a couple of years ago. This \$1.5 million is related to that \$32 million. I want to be consistent. I'm going to vote against this amendment to the contract.

[Motion was made by Councilmember Mitchell and seconded by Councilmember Kinsey to]
[approve Amendment #1 with Pei Cobb Freed & Partners in the amount of \$1,528,635 for]
[additional services related to the design of the NASCAR Hall of Fame.]

Councilmember Cannon said this amount of the 1.5 is that already built into what was already budgeted for, Mr. Walton?

Curt Walton, City Manager, said, yes, sir.

Councilmember Cannon said so there is nothing new here? Now, keep in mind, I'm coming on – I'm lagging, so I believe that what my colleague, Mr. Barnes, is referencing is probably the amount of money that was added in addition to move forward with any level of additional services; would that be correct, Mr. Barnes?

Councilmember Barnes said if I might respond, Mr. Mayor? Initially the Hall of Fame was projected to be \$154 million project, I believe, and a \$32 million request was made for exhibits and other things, and as a part of that piece of funding, this 1.5 – actually 2.6 million has been negotiated down to a \$1.5 million payment. That payment and that work was a part of the \$32 million as I understand it, and I was concerned about that \$32 million increase and voted against it. Since this is connected to that, I'm voting against this as well.

Councilmember Cannon said I see where you are, and, of course, where you are coming from. I am certainly again coming in on another side of it of where it has already been budgeted.

The vote was taken on the motion and recorded as follows:

bvj

AYES: Councilmember Burgess, Cannon, Carter, Cooksey, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmember Barnes

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ITEM NO. 48-I: CONDEMNATION AT 6023 PARK SOUTH DRIVE

[There being no speakers either for or against motion was made by Councilmember Howard,]
[seconded by Councilmember Cannon, and carried unanimously to adopt a resolution of]
[condemnation at 6023 Park South Drive for 1,329 square feet in storm drainage easement]
[plus 234 square feet in temporary construction easement at 6023 Park South Drive from]
[D&A Investment Group, LLC and Perierra Management, LLC a/k/a Perierra Management,]
[LLC and any other parties of interest for \$18,050 for Eastburn Storm Water Capital Improve-]
[ment Project, Parcel #71.]

The resolution is recorded in Resolution Book 42 at Page 824.

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ITEM NO. 7: PUBLIC HEARING TO CLOSE A TEN-FOOT ALLEYWAY LOCATED OFF S. MINT STREET

The scheduled public hearing was held on the subject item.

[There being no speakers either for or against a motion was made by Councilmember Barnes,]
[seconded by Councilmember Kinsey, and carried unanimously to adopt a resolution to close]
[a ten-foot alleyway located off S. Mint Street.]

The resolution is recorded in Resolution Book 42 at Pages 825-827.

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ITEM NO. 9: 2011 FEDERAL LEGISLATIVE AGENDA

Mayor Foxx said, Ms. Carter, the chair of our Government Affairs Committee.

Councilmember Carter said I would like to recognize the committee members, please: Vice Chairman Warren Turner, Mayor Pro Tem Cannon, and Andy Dulin. Thank you for your work especially that provided by Ron Kimble, our Deputy City Manager, and Dana Fenton, our lobbyist, who is ready to present this. We have protection of our city rights, we have transit funding, and we have funding for important issues that address the safety of our community on this legislative agenda that we recommend to you all.

Dana Fenton, City Manager's Office, said last Monday evening the Council received a briefing on the proposed 2011 Federal Legislative Agenda. It's back before you this evening. There are six issues in there – three policy issues and three project funding requests. The three policy issues are the federal surface transportation program, the drinking water security act, and collective bargaining. The three project funding requests are the Blue Line Extension, the Gang of One Program, and the Briar Creek Relief Sewer Phase 3. Be glad to answer any questions.

[Motion was made by Councilmember Cannon, seconded by Councilmember Carter, and]
[carried unanimously to approve the Governmental Affairs Committee's recommendation to]
[approve the 2011 Federal Legislative Agenda.]

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ITEM NO. 10: BUSINESS ADVISORY COMMITTEE CHARGE AND STRUCTURE CHANGES

Mayor Foxx said the committee chair of Economic Development, James Mitchell.

Councilmember Mitchell said let me recognize my committee members: Mayor Pro Tem as vice chair, Patrick Cannon; representatives are Patsy Kinsey, Jason Burgess, and Mr. Andy Dulin. We were looking at the business advisory structure to expand, and I think this is a great opportunity for us to get other representation out there in the community to look at ways how to retain businesses here in the City of Charlotte, so the recommendation before you tonight is to expand from 15 to 19. I would like to add, Council members, I apologize for this, but Mayor Pro Tem brought up an excellent point of actually expanding it to 20 to include the Native American as part of the Business Advisory Council. I did talk to City staff, Ron Kimble, and there was no objection. So in your write-up, you will see 15 to 19, and we actually changed that to 15 to 20, and move for approval.

[Motion was made by Councilmember Mitchell and seconded by Councilmember Barnes to]
[approve the Economic Development Committee's recommendation to change the charge and]
[structure of the City's Business Advisory Committee.]

Councilmember Cannon said the actual name will be the Metrolina Native American Indian Association, so if we could touch base with them. I believe the best contact is 704-347-0515.

Councilmember Cooksey said I would like to offer an amendment to strike the business sector specification from the six Council appointees, and I'll speak to it if I get a second.

Councilmember Dulin said I didn't hear the motion. One more time.

Councilmember Cooksey said to strike the sector limitations on the six Council appointees.

Councilmember Dulin said second.

[Substitute motion was made by Councilmember Cooksey and seconded by Councilmember]
[Dulin to amend the motion to strike the business sector specification from the six Council]
[appointees.]

Councilmember Cooksey said I find sector limitations too limiting from a business perspective. I realize that we kind of have them woven into some of our economic development policies, but I think we shouldn't continue to tighten the noose around that for what we do with business. I think it's more important that we keep this open so we are open to the future to different types of businesses and leave it to Council on each individual appointment as to what kind of concern we have about a sector. I opposed limited sectors for the expansion of the Small Business Loan Program, and I oppose them for this restructuring the Business Advisory Committee.

Mayor Foxx said there is a motion and a second to strike those sector limitations.

Councilmember Dulin said I think that's a pretty good catch on his part. By doing this, if we struck those from the record, Mr. Chair, it opens up the breadth of what we have got going on. It opens up more people to be able to come in so we don't get stuck with just having one smart person from one area. We can get folks from all over the community. They are Council appointments, and the Council – you are going to appoint the folks you want with the majority, but they will open up people from all over the community. I think that's a good idea, Mr. Cooksey.

Councilmember Barnes said I recall at some point, and perhaps I'm talking about another item, but I recall having a discussion about the various sectors we were intending to address, and I thought what we were doing was trying to address what are essentially the key businesses represented in Charlotte – energy, banking, manufacturing, healthcare, technology, transportation, and logistics. So, if that is still the case, if the chair agrees and Mr. Richardson agrees, I think that was the case, and I still think that structure works well just because we are

trying to make sure we are respecting the businesses that make up the majority of our local economy.

Mayor Foxx said why don't we have a vote on this item? This is an amendment to strike the sector limitations from the Council appointments, as I understand the motion.

Councilmember Dulin said I'm sorry, sir. I need a clarification. If that's the case, then I agree with you. I just want to make sure.

Councilmember Turner said, Mr. Mitchell, can you explain in regards to the recommendation they had indicating they wanted to remove a seat held by the Arrowood Association due to duplication of representation? It indicates there is a Charlotte Chamber, Southwest Chamber Chapter. Are you saying we –

Councilmember Mitchell said two people really who were serving the same area. You had one coming from the Chamber from the Southwest Chamber, and you had one coming from Arrowood as well, so you had a duplication.

Councilmember Turner said are you saying throughout the rest of the city there is no more than one person from every area?

Councilmember Mitchell said exactly. We were trying to open it up so more people can serve without having duplication. We will still have that chamber representative, but we won't have the Arrowood Association representative.

Councilmember Turner said how did we determine which seat was more important to the –

Councilmember Mitchell said I think based on the attendance and the participation level the chamber member was more involved and engaged. The Arrowood Association, staff had a tough time of finding someone actually for filling that.

Mayor Foxx said all in favor of removing the sector limitation from the City Council appointments.

The vote was taken on removing the sector limitation and recorded as follows:

AYES: Councilmember Cooksey

NAYS: Councilmembers Barnes, Burgess, Cannon, Carter, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

Mayor Foxx said that does not pass. All in favor of the baseline action to approve this item please raise your hand.

The vote was taken on approving the recommendation by the Economic Development Committee and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmember Cooksey

Mayor Foxx said that carries.

ITEM NO. 11: FINANCIAL PARTNERS REVIEW

(At the beginning of Item No. 11, there was no audio recording for Councilmember Barnes' opening remarks and Councilmember Carter's remarks. The audio resumed during Councilmember Howard's remarks as follows:)

Councilmember Howard said that was actually the next part because I didn't want to forget the part that Mayor Pro Tem Cannon brought up about potential of representation on at least one of these bodies. I didn't know if that would come out of this process or if we would talk about that at another time, so I just wanted to put all of that on the record.

Councilmember Turner said I just want to get something clarified here. Have we ruled out sending this to Restructuring Government?

Mayor Foxx said not yet. The motion is to send it to Budget, but that is the discussion we are having.

Councilmember Dulin said, Mr. Barnes, in your motion, do you anticipate us also staying the relationship of members of this body that are currently and have served on those boards. On many of those boards, there are colleagues of ours that are currently serving in a leadership role?

Councilmember Barnes said actually I had not considered it from that perspective, but remember that because the Budget Committee historically does this type of review, and we are talking about drilling down another couple of levels, it's not an activity that would be unorthodox or unusual, and it's just essentially taking our normal Budget Committee review a step or two further in terms of looking at efficiencies that may be realized in our relationships with those entities. If we discover recommendations that we make to the full Council that we pass along to those entities, that would be a good thing as well.

Councilmember Turner said my question is going to be to Mr. Barnes because I'm trying to make sure – the point here is that it appears to me that there are two obvious committees that this could go to. If you could explain to us what is it that you are seeking to get out of it if it came to the Budget Committee since we don't control their budget? I know we do provide them some funding. Is it our relationship or what we expect of them? I'm trying to understand what we are going to be trying to accomplish here.

Councilmember Barnes said in my estimation, Mr. Turner, it would be – and I think I can give you a decent example – it would be the same sort of undertaking that the committee will do, historically has done, in reviewing the amount of money, for example, that we give to Arts and Science Council or to any of these entities or with respect to the Center City Partners, for example, the authority we give them by way of that tax to levy a tax upon the businesses that are within their municipal service district. I don't have any particular outcome in mind. It is though, in my opinion, our job to take a look at the financial relationship as indicated here – financial, fiduciary, and organizational relationship – and determine if there are things that we could or should change.

It may be after one or two meetings we determine that these entities from our perspective are functioning as well as they can and that we shouldn't make any recommendations, and that's fine. It may also be that we'll discover things that we would recommend be changed. I have gotten some emails from people impacted by at least one of these organizations expressing some concerns about a few things, so we may want to take a look at that, and I'll share that information with you all, but I don't have any particular outcome in mind. It's just that because that particular committee has historically undertaken the job I thought it would be appropriate to continue that assignment.

Councilmember Cooksey said just wanted to express my appreciation, Mr. Barnes, for the good wording of this. I led the hold-up last go-round because I wanted to see exactly what was going on with this kind of thing, and I appreciate the wording and the time taken on that. I just would like – since we are saying some things for the record purposes – review something I replied in your email that I do hope the Budget Committee has some fun looking into the history and the results of some of the performance audits that were done on some of these organizations about

12 years ago. Like Mr. Barnes said, it's not a new idea; it's something that has been done before.

But, secondly, just delving into those contractual relationships and legal relationships that we have with these entities to see what we even can do. The hallmark I continue to have is when I was on the Convention and Visitors Bureau board it stunned me as a Council appointee that the contracts that existed between the City of Charlotte and the nonprofit CVB that transferred millions of dollars for sales and marketing included no performance requirements related to what the Bureau did. There were no expectations for how many room nights, no expectations for how many conventions booked; that kind of thing. As the committee looks at these, I would suggest that those would be the specific pathways by which money goes from the City to the entities to take a look at and see where, if any, improvements can be done.

Mayor Foxx said I only want to say this on this one that any time you delve into some of these issues with our partners it generates a certain amount of concern. I have heard from some of the partners about some of those concerns. I think what I'm hearing Mr. Barnes say and what I'm hearing others around the dais say is that what we are interested in doing here is really not that different than what we do every year. It simply is starting that process a little earlier and maybe digging a little deeper into some of the backup.

Having said all that, I think at the end of the day we'll probably find that as we think about efficiencies we essentially have outsourced the work on those efficiencies to boards through these organizations to run their own businesses. Whether those relationships are the ones the Council wants to have going forward or not is a separate question, but the relationship that exists is simply those boards more or less handle their own operations. Our decision point is probably still going to be at the end of the day whether to fund or not fund, and if to fund, at what level. But the exercise is one that we have done in the past. It's what we do annually, so it's really sort of a normal process for us; it's just starting earlier. Having said that, let's call it to a vote.

[Motion was made by Councilmember Barnes and seconded by Councilmember Carter to]
[consider referring to a Council designated committee a review of the current financial,]
[fiduciary, and organizational relationship between the City of Charlotte and respectively:]
[Charlotte Regional Visitors Authority, Charlotte Center City Partners, Charlotte Regional]
[Partnership, and Arts & Science Council to determine how greater efficiencies can be]
[achieved in each of those relationships.]

The vote was taken on the motion and recorded as unanimous.

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ITEM NO. 12: GANG OF ONE GRANT FUNDING AND GREENVILLE RECREATION CENTER AGREEMENT

[Motion was made by Councilmember Mitchell and seconded by Councilmember Cannon to]
[A) Accept a grant from the North Carolina Department of Juvenile Justice and Delinquency]
[Prevention in the amount of \$339,765 for Gang of One, B) Adopt Budget Ordinance No.]
[4570-X appropriating \$339,765 in grant funds, and C) Authorize the City Manager to]
[negotiate and execute the Lease and Operating Agreement with Mecklenburg County for]
[the Greenville Recreation Center.]

The vote was taken on the motion and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmember Cooksey

Councilmember Mitchell said because there was some discussion out there in the community about the reuse of the Greenville Community Center, I think this is a great initiative of the Gang of One and the Police Activity League. I think Jeff Hood is here. Jeff, thank you for your after-

school program activities and having the Greenville Community Center at your disposal I think will enhance your program. To Pop Sal, I think this is a great way for the neighborhood – reusing a facility that was closed due to the County having some financial issues, so thanks to everyone. We have got the grant, and I'm just looking forward to continuing to build some momentum in that community.

The ordinance is recorded in Ordinance Book 56 at Page 904.

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ITEM NO. 13: SOLID WASTE MANAGEMENT PLAN AMENDMENT FOR THE REVENTURE PROJECT

Mayor Foxx said, Mr. Mitchell, this has come through the Economic Development Committee. Would you like to introduce this item?

Councilmember Mitchell said, Mayor, I think we have four speakers.

Mayor Foxx said you can talk about it before we get to the speakers.

Councilmember Mitchell said let me just give some background information. This came before us on November 1st at Economic Development Committee. Members I introduced earlier today. Tonight if we approve this option, it's for one reason only. That's to give the County a third option on how to dispose of residential garbage in Mecklenburg County. Six Mecklenburg Towns have already signed off on this. The City where we left before us today to join with them. I think the Economic Development Committee still wants to review this. I know we have received some emails, and, trust me, we are excited about this project, but at the same time, we are monitoring it with great staff in Ron Kimble, so today is just the first step of just giving the County a third option of our garbage. So, with that, Mayor, I turn it back over to you, sir.

Mayor Foxx said is there a staff presentation before we get to the speakers?

Curt Walton, City Manager, said no.

Alan Burns, 6914 Rocky Falls Rd., said I have been active in the Charlotte community since 2000 in environmental causes and actions. I'm very concerned about climate change and carbon dioxide in the atmosphere. I have three children, and this morning I sent you an email, and, thank you, Mr. Dulin, for responding and Ms. Carter for responding to an earlier email on this subject because it is an important issue. I want to start by saying I started a Web site two years ago – www.thinkglobalgreen.org to educate people about climate change and the solutions. This Web site has been active for two years now, and I have done a lot of research and study on this subject. Earlier this year we got involved with the medical waste incinerator in Matthews, pulling in County Commissioner Jennifer Roberts and working with the (inaudible) group and Sierra Club we managed to have some action taken to limit the amount of pollution they are going to cause over the next few years. During the summer, the ReVenture issue came onto the radar, and initially I presumed that I would be opposing this. Strangely, I find myself in opposition to the environmental groups who oppose this one because the more I have learned about it, the more I am in favor of incineration or waste to energy. Let's be correct. That's waste to energy as a solution to our waste problem. It's either down to landfill or waste to energy. If you have a chance, I hope you look at my Web page on this. I have done a lot of studying on it, and Europe is moving rapidly towards WTE as a solution to climate change, and Europe takes global warming far more seriously than we do here. You also received information, I think, from Professor Hilger in response to the presentation that you received on November 19th. When I looked at this presentation from the Sierra Club, I found myself concerned about several of the things that were being said. With respect to the Sierra Club, I have proved that their opposition to landfilling and to waste to energy or incinerators because they are sold on zero waste. Being realistic, we are not going to get down to zero waste this decade, so we have to do something with the waste we produce, and all my research suggests that landfilling is a worse solution than waste to energy because waste to energy can actually produce some energy and it's less harmful to the environment. Quickly quoting here something

from the Web site, the reference is on my page on WTE. “The EPA has stated that waste to energy produces electricity –

Mayor Foxx said, I’m sorry, sir. I have to be very strict, but you can actually us your comments, and the Clerk can get them to us as well.

Mr. Burns said these are just notes, but I will forward more information to you all.

Dave Vogel, 9201 University City Blvd., said I am with The IDEAS Center at UNC-Charlotte. Like many things today, IDEAS is an acronym for infrastructure, design, environment, and sustainability. I’m actually speaking on behalf of Dr. Helene Hilger, who is the director of the IDEAS Center as she is not able to make it tonight, so the comments I’m about to share are her prepared comments. Thank you for this opportunity to provide input on the issue of whether or not to modify the LUISA Ten-Year Integrated Waste Management Plan. That includes a proposed ReVenture Park gasification facility as an additional waste management diversion option for our solid waste. The IDEAS Center, which is a sustainability themed research center at UNC-Charlotte, has been following the ReVenture Park proposal, and we would like to offer the following comments to the City Council. Comment one: A vote to add ReVenture Park to the list of options for solid waste management does not obligate us to the waste to energy facility, but it certainly allows us more degrees of freedom for waste diversion discussions as we join the rest of the nation in finding ways to minimize waste, make value added product from waste, and generally reduce our ecological footprint. Comment two: There are several levels of safeguards in place before a decision would be made to use ReVenture Park as an option for waste management. There will be thorough vetting by LUISA, Solid Waste Division, and appropriate regulatory agencies as well as input from other technical experts. While some individuals have expressed opposition of waste to energy, it would be a disservice to the citizens and rebuke the solid waste regulatory professional who advised the City Council to eliminate the ReVenture prematurely based on concerns that do not reflect the opinions of those familiar with waste management technology and risk assessment. Comment three: Waste energy is higher on the EPA hierarchy of waste management options than landfilling. A regional waste energy facility could accept much of our municipal solid waste that cannot be diverted for recycling or composting. The EPA hierarchy describes the order in which the EPA wants municipalities to prioritize their use of waste management options. Comment four: A decision to deny an additional non-disposal option is a decision to remain with the status quo. While we make every effort to divert waste from landfills, landfilling is the option used for most of our waste. Our current waste management options are source reduction, recycling, composting, and landfilling. A decision to allow the possible use of waste to energy is a decision to make what was formerly a waste into a feed stock of renewable energy production and the preprocessing will increase our capture of recyclables. Comment five: Our current waste management options are not without risk. Any waste that –

Mayor Foxx said thank you very much.

Edna Chirico, 1904 Stoneyridge Dr., said I am with Chirico Huber Properties, a consultant to the ReVenture project. Just want to make two points, the first being there was some concern about the level of community involvement, and I want to give you the days of the community meetings that have existed and those that are already scheduled. There are two different facilities under discussion. One is more centrally located to I-85 and 77, and the other is in northwest Charlotte-Mecklenburg. With respect to the centrally located facility, we have held meetings with the Druid Hills community on July 29th and again on August 3rd, and we have scheduled January 8th a meeting of the general community at the Sugar Creek Presbyterian Church, and that is going to be at 10:30 in the morning with a driving tour of the area. There will be more scheduled in that area. With respect to northwest Mecklenburg, we had meetings beginning October of 2009 with the Charlotte and Gaston County Green Conference, a presentation that was repeated in October of 2010. January 2010 we had a public meeting for the community at the Whitewater Academy. February 2nd we had a Mt. Holly community meeting because Mt. Holly is very close to this facility. January 6, 2011, we have another one scheduled for the business owners and anybody else who wants to come – 7:30 a.m. – that’s 16 and Mt. Holly-Huntersville Road, and then again January 13th in the evening at Cook’s Presbyterian Church for the community out there. We will also be presenting in February to Mt. Holly Matters, and we are willing to schedule any other meetings that you feel are necessary to get the word out. In

addition to that, we have been endorsed by the Mountain Island Lake Marine Commission, the Lake Wylie Marine Commission, the Catawba Lands Conservancy, and NorthEnd Partners, and we are again talking to all the civic groups.

Lisa Lee Morgan, 1930 Abbott St., said I'm with Color Energy. I'm here to support ReVenture Park and especially the waste to energy facility and the recycled fuel facility and the option to amend the Solid Waste Plan. Between the two facilities that this plan will engender, it will create at least 245 new jobs. This will be the largest renewable energy project in North Carolina when it's fully built out. The project is recycling and restoring a 667-acre Super Fund site. It is also contributing – it's a major new anchor to Charlotte's claim as the new energy capital. It is an eco-industrial park that will be a new national model. It will provide the key link in an 18-mile section of the greenway that will connect Mt. Holly to the Whitewater Center. Finally, this project will result in a net reduction of greenhouse gas emissions of 429,322 tons annually, which is the equivalent of taking 78,000 cars off the highway.

Catherine Mitchell said I am the chair for Citizens for a Healthy Environment. My organization has been working diligently on incineration issues for our region over the last couple of years, and we are especially concerned about this proposed facility. From the very beginning, the proposed ReVenture program has been nothing if not chameleon. Our communities watched as plans keep being brought forward and then keep changing with too little information in a timely manner so that we are allowed to really, fully look at the technologies that are being presented and how they are going to impact the community. We keep coming up against deadlines that are too soon to be able to really assess the information. I would like to know how local municipalities or local and state regulatory agencies can make any kind of informed decisions on public health issues and long-term fiscal decisions when the plans for this facility keep changing. The environmental community has been asking specific questions from the beginning such as what kind of technology will be used, what permits will be needed, what companies will be used, what kind of experience and track records do these companies have that will be available for review to help us assess their qualifications in light of very real public health concerns and long-term fiscal decisions and responsibilities. Not only have the answers been very slow in coming, but they keep continuing to change even at this point. First, it was a land swap. Now the City pays ReVenture \$6.1 million for another piece of property because the company doesn't want to get bogged down by having to deal with extra permits for a closed landfill, and my question is was this site not touted as the perfect site for ReVenture since the project's inception, and my next question is did ForSite Development somehow not anticipate permitting issues when they were going into the project in the first place. Councilmember Dulin, you were quoted in an article in the *Mecklenburg Times* last Friday saying the problem with the site that there are many residences near the site, and I can understand that since we all know that residences and neighborhoods near incinerators are not a very good idea. And, my question to you is why suddenly are we getting this information at the very last minute? Why, if the Economic Development Committee has been looking at this all along, why are we now just before the end of the year getting the information that, oops, the land swap has suddenly changed and now the City is going to have to pay \$6.1 million because these neighborhoods aren't safe because they are too close to the facility, and my question to you is why, why is it unsafe to put this facility close to these neighborhoods? There's a real good reason for that, and that is because incineration is definitely still on the table. It is on the table. Make no mistake about that, and what's more – I'm ending, but I would like to say I would ask you please vote not or at least put a delay on this.

Bill Gupton said I'm the chair of the Central Piedmont Sierra Club. I'm speaking tonight on behalf of our 2,300 members. We heard earlier that your vote tonight is simply a vote to allow an option to move forward on the solid waste plan. That is not correct. Tonight is the only vote that you will have to impact this policy change for the City of Charlotte. There will be no other opportunity to share your voice and make a way into this decision. The only other opportunity will be a vote on the wastewater plan and a plan to spend \$6.1 million. So, I urge you to make sure that you are very comfortable with the public health, the public safety, and the economic issues behind this because what you are being asked to vote on tonight is not just a plan to allow an option. We are going to submit tonight information which we sent to you earlier -- our press release of Friday when we learned significant changes which have taken place in this proposed project. We want to make sure those are a part of the record. We are also sending to you information that was raised in the Economic Development Committee regarding fires and

explosions at gasification incineration plants and refuse derived fuel plants. We want to make sure you have an opportunity to learn about the dangers associated with these facilities. We also sent you an email and information about the 20 neighborhoods that are surrounded by the proposed incinerator site. We also wanted to make you aware of the 25 schools that are within 3.8 miles of the proposed incinerator site. We wanted to make sure that you are very comfortable in approving a plan to begin incinerating our garbage for the next 20 years. A lot has changed with this plan. They are now proposing two incinerators – not one. The size of the plant has been reduced, and the value that it brings to the City has been reduced from 40 to 80 megawatts down to 20 megawatts to avoid not becoming a major polluter of our community. So much has changed on this if you vote tonight you give the developer a blank check to make further changes in our policy and impact the quality of life for our community. So if you are not completely comfortable with these health issues, these public safety issues for our children, for our communities, for the neighborhoods that will be impacted by this, I urge you on behalf of the Sierra Club members to defer this decision or to vote no tonight.

Mayor Foxx said that concludes the speakers we have on our list tonight, and now this item is open for Council discussion.

Councilmember Mitchell said, Mayor and Council, thank you, and I would like, if we can, Ron Kimble, staff, just so we can address some of the comments that were made, so I want the viewers to be very clear about this project. The first one, Ron, is the \$6.1 million. Two people have made reference that the City is buying this land for \$6.1 million.

Ron Kimble, Deputy City Manager, said involved with the negotiations on the ReVenture project is the City's desire to get land for a new wastewater treatment plant along the banks of the Catawba River. The idea of a land swap came about many months ago for the old Statesville Avenue land as a partial satisfaction of the land purchased by the City on the wastewater treatment plant out on the banks of the Catawba. The offer on the table by the developer was a \$50,000 purchase of the old Statesville Avenue landfill along with the indemnification agreements that would have to be signed in order to make sure that any future harmful effects to anybody on that site there would be an indemnification agreement on that particular site. So the difference now is \$50,000 in the land swap, \$6.1 million versus \$6,050,000, so there's about a \$50,000 difference by moving to the site that is known as 1200 Amble Drive as opposed to swapping the Old Statesville Avenue Landfill for the intended new wastewater treatment site at the Catawba River on the south side of the clearing site. It is not a new issue. In terms of the dollar exchange, the exchange of property, it's a \$50,000 price difference.

Councilmember Mitchell said, Ron, one more question, please. As relates to residents being close to the residents, I think the discussion is now the new site is closer to residents than the previous site, and I think you provided for us actually the distance between the two. Can you share with us the residential distance between the old versus the new site?

Mr. Kimble said the site at 1200 Amble Drive, which is near the intersection of I-85 and Graham Street, I think the closest residence to the proposed site is somewhere around 2,400 or 2,500 feet to that location. The Old Statesville Avenue Landfill site I think we calculated that the closest resident there is about 1,500 feet from that particular site. I think the conversation about neighborhoods though is neighborhoods around either one of those two sites, and I believe in fairness they may have been talking about neighborhoods also in and around the waste energy site as well, which is planned for the Clariant site.

Councilmember Mitchell said one question, Mayor. Tom, if you don't mind, there was a comment made about two incinerators and I saw you quickly shake your head and say no. Please give us confidence that we are only talking about one.

Tom McKittrick said I'm the project developer for ReVenture, and I'm not sure where that comment came from – two incinerators. First of all, our project is a waste energy gasification technology and it is at the ReVenture site, the only site we are proposing. The Amble Drive site will be a recycled fuel site where we will prepare a fuel that will be used at ReVenture to create electricity.

Councilmember Barnes said, Mr. Kimble, I have a question for you. Just for clarification, are we paying \$6.1 million for land at the Clariant site?

Mr. Kimble said for a future siting of a Char-Meck Utilities Wastewater Treatment Plant at that location.

Councilmember Barnes said it is a Super Fund site, so there is a lot of chemical contamination and other contamination at that site, is that correct?

Mr. Kimble said the land on the southern tip of that site is not as such.

Mr. McKittrick said the entire site was listed as a Super Fund site. We have modified the permit to only apply to the contaminated real estate. There is only about half of that property that is actually contaminated. The property we are selling to Charlotte-Mecklenburg Utilities is completely untouched, uncontaminated, I-2, heavy industrial real estate not encumbered by any environmental matters whatsoever.

Councilmember Barnes said how many acres are we buying there?

Mr. Kimble said 186 is our intention. The current siting of the Long Creek Pump Station. We need to buy the land that sits on because we have been a rent-free tenant on that site for a number of years awaiting the outcome of this negotiation, and then we also need to buy an adjacent site for the future location of the wastewater treatment plant, and the reason why we need a new wastewater treatment plant here is that the McAlpine system is about a 64 million gallon a day facility, and it's very close in getting to capacity on many days, so we need relief for about half of our city with the amount of sewer that comes through the system.

Councilmember Barnes said I think you have helped me with some of the questions I have. I just want to make a couple of points. I spoke to Mr. McKittrick earlier today, and I have some ongoing communications with Ms. Chirico and with Mr. Kimble. The Amble Drive site is in my district. So is the Statesville site, and I expressed to them a couple of key concerns. The Amble Drive site it is the impact of the 241 trash trucks going to that site every day and the fact that we tend to lose a lot of our garbage or at least it seems to happen along Tryon and 85 when they are going to Concord. I recognize that is not your issue, but because we are directing them into that part of the city it becomes my problem.

Also I expressed to them an interest in making sure there were no odors emitting from that building if it's built on Amble Drive, and I also expressed a concern – I have been talking about this for about a year now. When the Transportation and Planning Committee was working on the Catawba Area Plan, I talked about the air quality issues and whether there would be any emissions from this gasification process, and, Mr. McKittrick, I recognize that the technology cutting edge or bleeding edge or whatever the term might be, but it's really difficult for me as a community leader to explain to people who may be impacted by the gasification process, what it is if I either never see it or have not been adequately informed as to what it is. I know I have been asking for a DVD or something to show us precisely what that process is. We have talked about the low oxygen environment, and I recognize that people like Mr. Gupton, who are going to continue to raise environmental concerns, and I don't know that he's wrong because as I said to you today if you are burning this garbage it has got to produce some smell. There has to be something that comes out of that smokestack or whatever the device would be at the top of the outlet device, and it would help me not only to have you describe it tonight but to actually show us and show the community what the process looks like and with respect to that low – I don't remember the term you used today about the permitting –

Mr. McKittrick said minor source air permit.

Councilmember Barnes said the minor source air permit is that a slight stink or a great stink? I don't know, but I think people who live up there care. And, here's why it's important. When we were talking about providing for future development around the Whitewater Center in that area and the Crosland property, we wanted to make sure it was right for quality development, and if it stinks, people aren't going to want to develop. If it doesn't stink, tell us. In fact, we should make the deal contingent upon this whole thing not smelling.

Mr. McKittrick said, Councilmember Barnes, your questions about air quality. We fully appreciate air quality and odor issues, and it's been a big part – Obtaining a minor source air permit has been a project commitment that we have made since day one, and part of the technology selection process was who can guarantee us that they can maintain a minor source air permit. So we have made the selection on the technology. It is a company called ICM out of Kansas. They are one of the largest bio-refining companies in the country, and the nice thing about them is they do have a commercial scale demonstration plant that has been in operation in Newton, Kansas, for the last 24 months. We picked them because this is a very straightforward, robust design. We can go out. We can see the facility. It's not much smaller than the unit we would be proposing at ReVenture. So that decision has been made. We made a very detailed presentation to the ReVenture Advisory Committee as part of the Solid Waste Advisory Committee that has been formed, and all of that information is available. I would love an opportunity to present to the Council at the right time a detailed proposal. Air quality we understand fully, and we are addressing those issues – creating an opportunity, if you will, to create electricity.

Mayor Foxx said, Mr. McKittrick, you have got some folks wanting to know what we are looking at here.

Mr. McKittrick said this is the demonstration plant, a 250 ton per day gasification unit in Kansas that ICM owns, and this is the technology we will be using at ReVenture Park. Basically this is a ten-foot diameter to 32-foot long. We'll have two of those at ReVenture producing 20 megawatts of electricity.

Councilmember Barnes said, Mayor, if I might continue back to Mr. Kimble, who walked away. I wanted to have you respond – one or both of you. I think it's properly for you, Mr. Kimble, to respond to the concern expressed by a couple of citizens that tonight was our last opportunity to defer or stop this. Procedurally speaking, right now we in Mecklenburg County have two places or actually it's in Cabarrus – two places to take garbage – Foxhole in South Mecklenburg and then the landfill in Concord. This creates a third option. We are, as the chair indicated, allowing the change to our Ten-Year Solid Waste Management Plan. People are concerned that if we all vote tonight to approve the action on our end that there will be no opportunity to stop this. Let's say that we discover that a minor source permit is a smelly permit. I don't know what it is, but can you respond to that issue of us having the ability to impact this after tonight?

Mr. Kimble said Mecklenburg County is charged with the responsibility of deciding where we dispose of our waste in this county. Currently they have a solid waste management plan, and you are a signer on that with the six other Towns in Mecklenburg County. Currently that plan only has really two options for how you can dispose of garbage in this county. It's either through the Speedway Landfill where we are currently disposing of our waste in this county or the Foxhole because both of those are permitted by the state of North Carolina as those opportunities for disposing of residential garbage. This would create for the county an option to look at this third possibility, which is the ReVenture project where the garbage would be taken to a refuse-derived fuel facility. The garbage would be spread out, the garbage would have recyclables extracted from it, have other metals, it would be dried, and then it would be turned into energy pellets. Those pellets then could be trucked to the waste to energy facility that would be located at the Clariant site.

There will be many reviews of what's happening with the wastewater treatment plant side of this thing with the Economic Development Committee, who is looking intently at those issues. The ReVenture Advisory Committee at the County level is looking at both the refuse-derived fuel facility and looking at the waste to energy facility. They are doing it through their representatives and through County government. The state government will be looking at this because the state is ultimately going to have to permit the solid waste changes in this county, they are going to have to permit the new wastewater treatment plant that would come on line in this county, and they and the County will also have to look at the air quality permit that would be assigned to the ReVenture site on the Clariant site. There will be lots of opportunities for this community to be involved in all of those processes and to weigh in with their input on what's going on in the evaluation of all of those elements of the plan.

Councilmember Kinsey said, Mr. Kimble, I heard you say something that I hadn't heard before, which is not unusual with this project because it does tend to keep moving around. But you said if we vote tonight that it allows the County to decide where the waste goes, which means that if the County decides to send it – if all this works out and the County decides to do it, the City has nothing to say about that, and I understand that is the way it is now, but I think we better be very clear because that has not been stated before, and it had sort of gone over my head. I would like a little more assurance that if we vote for this tonight that we are not locking ourselves into something that may not be of the best interest, in our opinion, of the citizens of Charlotte.

Mr. Kimble said in this county it is Mecklenburg County who is responsible for how we dispose of waste. They use heavy input from the Towns and from the City of Charlotte. They are the ones who have the solid waste management plan. They are responsible for negotiating the contracts on how we dispose of waste in this county. They have done that on your behalf for the last 20 years with the Speedway Landfill. You will be depending upon the County Commissioners of Mecklenburg County to ultimately make that decision, but there is going to be heavy input from the persons – and, Bruce, you may want to talk to this – from the six Towns and the City of Charlotte in this process.

Councilmember Kinsey said, Mr. Kimble, let's not go away from this yet. What kind of heavy input will we have?

Mr. Kimble said Mr. Gledhill is the one who is going to run that process, and he will tell you about the input.

Bruce Gledhill, Director, Mecklenburg County Solid Waste Services, said as Ron alluded, the reason the County Solid Waste Director is standing before you today is the interlocal agreement between the City of Charlotte and Mecklenburg County is that we manage the City's waste and the other municipalities. You are absolutely right that the final approval, and Mr. Gupton was correct, the final approval for this ultimately would be an approval by the Mecklenburg County Board of Commissioners of a service agreement between the ReVenture project and the County for disposal. That is the County's responsibility. In the meantime, the Waste Management Advisory Board, which is a Board of Commissioner's appointed organization to which this body, the Charlotte City Council, appoints five of 20 members, has been looking at the ReVenture project for a number of months.

To get further citizen involvement, the Waste Management Advisory Board formed the ReVenture Park Advisory Council, a 16-member group, five of whose members are members of the Waste Management Advisory Board. The other 11 members are technical, neighborhood, a variety of interests, and they have been diligently meeting on a two-week basis for the last two months – diligently meeting and will be continuing to meet this Friday to air all of the issues. Mr. Gupton has attended most of those meetings. So the process will continue. Ultimately, and while the is going on, Mecklenburg County Solid Waste, my organization, will be vetting the technology and working out contractual issues -- this is not fully vetted yet – working out contractual issues with ReVenture Park that will ensure that Mecklenburg County and its participating municipalities are protected against both operational and financial risk. The County is not coming up with any capital for this facility. This is entirely a private venture.

Councilmember Kinsey said, Mr. Kimble, may I ask you again. What kind of heavy input will this body have into this decision?

Mr. Kimble said we will bring this issue before the Economic Development Committee. The committee will fully vet the issues we are talking about in the County realm as well as in the City realm. There will be plenty of opportunity for that feedback on issues that aren't directly in your line of control to give that input back to the County staff, the County Commissioners, and the State of North Carolina representatives, who ultimately will have to issue the permits on these three facilities – the wastewater treatment plant, the solid waste permit, and the air quality permit.

Councilmember Kinsey said I wish that raised my level of comfort. It didn't quite get me there. I was prepared, I guess, to hold my nose and vote for this, but this is something new we really haven't talked about, and I'm on the Economic Development Committee. I am still getting

different comments, different – I had gotten some answers to my questions, and I appreciate that, but I'm not sure I'm there yet because I do fear that a vote tonight takes it out of our hands, and I'm not ready to let it be taken out of my hands yet, so I'm going to have to be a "no" tonight. I was ready to go with a "yes", but this changes it for me.

Councilmember Howard said I want to pose a couple of comments that my colleagues have made a different way. Is it fair to say the County is asking us to add this option?

Mr. Kimble said, yes, sir, they are, and they are the County, who has County Commissioners that represent all the citizens of Mecklenburg County including those in the City of Charlotte, through the interlocal agreement that we have with Mecklenburg County.

Councilmember Howard said it is also fair to say that the County has a vetting process that includes all of the committees you guys mentioned a little while ago.

Mr. Kimble said that's absolutely true, Council man.

Councilmember Howard said I think it would be helpful for me because I don't think I have ever seen what the County's vetting process if I could get that. I think that I'm asking is that before the County Commission raises their hands to say they will is it possible for the Council or the committee to get a presentation about your final decision?

Mr. Kimble said absolutely.

Councilmember Howard said I would almost like to make that part of the motion so it makes sure it comes back to us so we make sure we at least hear how the County's vetting process ended. It can just be agreed. We don't have to put it in a motion. Then the 6.1, Ron, can this deal happen without the 6.1 being part of it – without us purchasing the land? I guess maybe that is a question for Tom. Is that part of the pro forma to make this happen?

Mr. McKittrick said it's not part of the waste to energy pro forma, but it's part of the overall ReVenture Park project. The vast majority of any funds that will come from that land transaction will be posted as financial assurance with the state for environmental remediation and to go directly towards environmental remediation on the site. Those funds are going to expand the clean-up efforts, if you will, that is currently happening on that property.

Councilmember Howard said I was trying to give Ms. Kinsey some reassurance that it would come back, and that was a real part of the project because the 6.1 was important to the deal. So that's why I was wondering what level is that important to the deal?

Mr. McKittrick said it's important to remember this is a piece of the overall ReVenture project, and the land transaction is an important piece clearly to the overall project. So, I will tell you, Councilmember Kinsey, I can assure you there is going to be an incredible amount of input, and this will arguably be one of the most heavily reviewed air permits in the State of North Carolina. All of the concerns that have been raised I totally understand people want to make sure they are breathing clean air and we are not contributing to air pollution, and we are absolutely committed to that as the developer.

There are a couple of other commitments that are worth mentioning. One is we are going to continuous air monitoring on our facility. The Matthews Waste Medical Incinerator, that gets monitored once a year. I think that's where the problem started. We are agreeing to continuously monitor the air emissions coming off the project, and if they get out of compliance with the permit, the facility is shut down, so there is the check and balance there to ensure that this in no way will ever create a health issue.

Councilmember Howard said I told you, Mayor, I have got a little something left, and it's really more of a statement just to try to explain where I am on it tonight. I think it's clear to me that the way we process waste in this community right now is not sustainable. I think what I'm voting for tonight more than anything is not necessarily feeling totally comfortable having all my questions answered about ReVenture, but we do need to give the County, who is asking for flexibility, that flexibility to look at different ways. So that's kind of what I'm voting for tonight,

and I'm asking the County to be good partners and do come back and share with us the information you find so it's clear to us what we are doing. I mean we do have the bully-pulpit at our disposal that we could use, but I do know that we can't keep doing it with landfills. That's real clear to me. We just cannot do it, so the big picture on this one is that we need to give you guys that flexibility to understand this is really a partnership for us because we are kind of going out there on a limb saying, okay, County, do it right. So, I will support it tonight for that reason with the assurance that you guys will come back to us and share with us what you find.

Councilmember Carter said two questions, please. What is the County's option if we do not do this? As I understand, we are approaching the need for another landfill.

Mr. Gledhill said right now all of Charlotte's residential waste and all of the other six Towns' residential waste goes to the Republic Speedway Landfill in Cabarrus County. We are obligated through a five-year contract that ends on June 30, 2012, which is only 18 months away. We are now running close to the end of that contract. Currently without ReVenture, we have two possibilities of where we could go. Maybe we could be successful in renegotiating a new contract with the Speedway Landfill. I don't know yet. That has not been done. We could modify that operations at our County's own Foxhole Landfill to take municipal solid waste, residential waste, instead of construction and demolition debris, which is currently going there. That takes me roughly a year and a half of lead time almost to get that facility ready to take municipal waste, or we could go to the ReVenture project. Those are the options that are available to us now. Whatever it is, our current option expires, our current system going to the Speedway Landfill under an existing contract known pricing expires on June 30, 2012, 18 months from today.

Councilmember Carter said I'm thinking about the efficiency in transportation of our waste, and two of those options to me seem more efficient because they are closer to where we collect the waste. The other question I had is the change in output, the amount of energy from this project.

Mr. Gledhill said the County was made aware there have been a lot of changes, and I will be the first to admit that this project has evolved certainly. The 20 megawatts we kind of worked on. We started out with really a hopefully a 50-megawatt facility that we quickly focused on a 40, but focusing on that minor source air permit and giving us plenty of headroom to ensure that we are never bumping against the ceiling, the 20-megawatt facility started to make a lot of sense plus the economics with the utility company that we are negotiating with is really the math falls off after 20 megawatts. I would tell you this facility is starting at 20, and we are willing to talk about putting a cap on it so it can never go beyond – it will never be an 80-megawatt facility. I can absolutely assure you of that.

I'm certainly willing to discuss and put caps on this. I can't imagine why we would want to not create energy from this material over landfilling, but we cap the output at ReVenture as well as the recycled fuel facility. The cap we have agreed to there is 575,000 tons of garbage. We collect about \$1.3 million tons of garbage in the County, so roughly 40ish percent will be diverted from the landfill. It also gives us an ability to double Mecklenburg County's recycling rate as a result of this project.

Councilmember Carter said trying to consider our concern for our citizens and looking forward to using waste that is true waste – has no use except housing somewhere – and looking production of energy, which is a positive from a negative but also looking at protecting the environment, which all three issues are paramount to me in the safety, efficiency, and the quality of life within our community, I don't know how we can contractually control that enlargement of production of the energy and also the impact on the environment, and I'm looking to our city attorney to see if you have any advice to us on how we work with this system to make sure that our goals, the quality of life, environmental responsibility, and economic development and jobs for our community, are equally housed in a document that we can endorse.

DeWitt McCarley, City Attorney, said, Ms. Carter, we would be glad to look at that issue for you, but nobody has asked us to before tonight, so I don't have an answer for you.

Councilmember Carter said I think this might be another addition to what we are looking at to see if we have any impact on the future that we hold so dear for our citizens.

Councilmember Turner said I'm going to back a little bit here and make sure. Now, this particular site will only be used for yard waste; is that correct?

Mr. McKittrick said this site, the Amble Drive site, will take the residential MSW that is collected under the interlocal agreement. It will go to this facility, so yard waste is part of our memorandum of understanding with the County, but that is only the yard waste that is currently hauled out of state and used as boiler fuel. We have access to that material. It will not in any way affect Compost Central. They have complete control over the amount of flow to that facility and also there is no amount in the contract that we are negotiating with the County, so in no way are any flow amounts, if you will, part of this agreement. It gives Mecklenburg the ultimate flexibility on future recycling policy.

Councilmember Turner said without our approval or support for the Statesville site is this project still feasible?

Mr. Kimble said without Statesville and Amble Drive and though the solid waste plan is nonspecific in terms of location, but it would allow either Old Statesville or Amble Drive. Mr. McKittrick has indicated he would go to Amble Drive, but I think this is part of the program, and if this part is not eligible for study and consideration by Mecklenburg County, then this site cannot be considered. The only two sites are Foxhill and Speedway or any other option they come up with in 18 months, and I don't believe that Mr. McKittrick's project moves forward without this component.

Councilmember Turner said, Ron, stay right there, please. If for some reason this board, Council, agreed to approve this site for the Statesville Road and we later find out because I heard something a little different tonight myself in regards to will we still be at the table? What control does the City have because once we turn it over to the County, they appear to me right now they are on board. Based on what I just read here, they are on board. We are the hold-out, and if we agree to this, we are out because the only interest we would have on the Clariant property is our waste management site, and once we build that facility or expand it for the future use for what we need, that's the only interest we would have there. If that is the fact, then I'm going to go back to my previous question to you. Can you provide a piece of mind for the citizens that live in that area, for landowners that currently own land in that area, and have some future use of wanting to develop it that, one, the smell. We talked about that, but I'm going to go back to the bigger piece for me is the operational safety aspect of that plant being there. I don't care who answers the question.

Mr. Kimble said if you vote yes tonight this will allow the County to consider this as a third option. They will go through the full vetting process of negotiation with ReVenture to see if this option becomes something that would be a recommended option that they would present to the County Commissioners and ultimately to the State of North Carolina because the State has to approve the solid waste permit for this particular location. There would be, according to Mr. Gledhill, there already is heavy input from the ReVenture Advisory Committee, and he has agreed to bring back to the Economic Development Committee and to this Council the results of their conversations and how the negotiations have transpired. But the County by interlocal agreement with not only Charlotte but the six other Towns have agreed that Mecklenburg County will be on point for deciding how we dispose of waste in Mecklenburg County.

Councilmember Turner said and Mecklenburg County being the county. Let's fast forward. Let's say everything goes through. They take it to the state, the state approves it, they accept their agreement, they come up with a contract agreement of operation to do business with them. We are out of it. If we, as a Council, find there is something else there that we didn't like after the fact there is nothing we can do about it, and I think that's the question my colleague was asking you, but we didn't get a direct answer. Is that where we are?

Mr. Gledhill said broadly you are correct, sir, but – and there is a “but” associated with that though. As Councilmember Carter said earlier, she expressed certain goals for what you seek at waste disposal solution and environmental solutions, and I can tell you that my elected board, the Board of Commissioners, has those same goals that I'm working towards in the negotiations with ReVenture. It is very, very important that in whatever contract – should we enter into a contract

with ReVenture – that it includes the kind of protections that are environmental protections as well; that the contract says if the facility is not working, and Mr. McKittrick knows this, we are going to be looking at alternate disposal solutions that cost the County and the City no additional money. So there is going to be a financial responsibility on their part to be an environmental steward. That is going to be part of the contract we negotiate.

Councilmember Turner said I respect that and understand that, but I think what makes this difficult for not only the County but for this Council that at least we don't, and I have asked ReVenture the same question. There is currently no plan that you are proposing to do here, and we don't know – your goal may be that, but we are not for sure whether or not it can be attained; is that correct?

Mr. McKittrick said there are 89 waste energy facilities in the United States, and there are hundreds and hundreds of waste energy facilities throughout Europe and Japan.

Councilmember Turner said when you say that though, and I understand that as well, and I respect that, but are they sitting in the middle of neighborhoods?

Mr. McKittrick said, yes, in many instances, especially in Europe, these facilities are directly in the middle of town, and they are providing heat and power to the surrounding communities.

Councilmember Turner said based on what you are proposing to do.

Mr. McKittrick said yes.

Councilmember Turner said so if this Council flew out to Europe to where one of these plants exist would be surprisingly subjected to a foul odor that we would not like or would we be surprisingly subjected to someone telling us of the safety issues that may derive from this plant being there?

Mr. McKittrick said I will tell you that you will be thrilled, I would say, with what you would see, and I would propose that we do a field trip. I would love to coordinate a field trip to Europe. The other thing I would tell you is whatever permit we agree to and have to live up to that is the policing force, ensuring the City's safety and what we are agreeing to today. Let me also say that I truly want this. This has been a very collaborative effort with the County and the City and all the communities and neighborhoods that are surrounded by the project, and I will make an absolute commitment to you that I will continue to engage the City in whatever scenario we can come up with if it's meeting with the Economic Development Board, the Environmental Committee Boards

I would welcome those opportunities to allow you to see the entire project in aggregate because once you get a feel for what we are trying to create here I'm absolutely confident that you will be huge supporters of what we are trying to do. I live here, and the last thing I want to do is have a project that is harmful to citizens. Whatever we can do to figure out how to continue to engage the City and make you feel like you are not – I don't want you to feel like you are losing control because you are not, and I will certainly open up myself and opportunities to further that dialogue and make sure that we are doing everything you think is right for the city.

Mr. Kimble said DENR, the North Carolina Department of Environment and Natural Resources, as part of its permitting of both facilities will consider both fugitive dust emissions and odor as part of the review to make there are engineering solutions in place in the facility and there are operating practices that eliminate those.

Councilmember Turner said my final question, Ron, you mentioned that we were releasing or we got the current site where our waste management facility is there on Clariant property where we were getting it for a dollar or free; you said something like that, but now we are ready to purchase \$6 million worth of property.

Mr. Kimble said there was always in this negotiation going to be a land acquisition as part of this for a new wastewater treatment plant for the City of Charlotte. It's either a \$6.1 million purchase by the City of Charlotte. We have an appraisal that we jointly did, jointly hired, made sure the

value was correct. The early offer by ReVenture was to purchase the Old Statesville Avenue Landfill site for \$50,000 with all of the proper indemnifications and protections to go along with that – very similar to the company called ELT that came to you back two and three years ago from St. Louis negotiating the very same thing. They put almost the same exact deal on the table.

We evaluated it, but it's going to take too long for the Old Statesville Avenue Landfill details to be worked out with the State of North Carolina, and we are staring down the barrel of a July 1, 2012, need to figure out what we do with our waste in this county, so all of this is coming together to present an alternative option that Mr. McKittrick had on the 1200 Amble Drive site, which there would no longer be a swap. We would outright purchase the land for the wastewater treatment plant at the Clariant site, and he would provide the land and build the facility for the new refuse-derived fuel facility.

Councilmember Cannon said, Tom, what is the name of the entity in Europe that you have been dealing with or the one that you know of?

Mr. McKittrick said the European company that is a part of our project is the Eisenmann Corporation, which is providing the wet electrostatic precipitator, which is the key emission control piece as part of our project.

Councilmember Cannon said spell that for me.

Mr. McKittrick said E-I-S-E-N-M-A-N-N. They, in conjunction with ICM, are the unit we are purchasing.

Councilmember Cannon said do we know if Eisenmann has had any issues with regard to anything surrounding emissions, anything surrounding any aspect of what could occur that we have heard about tonight?

Mr. McKittrick said Eisenmann – the wet ESP that they are providing is the premiere emission control equipment that you can buy. I mean if you are focused on low emissions that is the piece that you are focused on. The only piece of new technology is the gasifier. The remainder of the plant is effectively a natural gas-fired power plant. It is off-the-shelf, old, proven technology that has been around for many, many, many years. That was part of the attraction to the ICM gasifier and how we landed there.

Councilmember Cannon said in terms of any of these operating plants have you come across any issues with carbon dioxide or anything like that being a problem or an issue where it's gotten –

Mr. McKittrick said there are examples, plenty of which are fueling a lot of the concerns, if you will, are old incinerator projects that were bad projects, so there are certainly examples of waste energy in this country that were not great projects. Technology has evolved a long way, and are not proposing to burn raw garbage. We are engineering a fuel specifically to maximize recyclables and pull out the material that would cause air emission problems, and then the gasifier with the system we are buying further protects us and ensures that we have a low emission footprint.

Councilmember Cannon said one of the things I know that is true that you did make mention of is literally these types of plants, as hard as it is to believe, are existing – some of them slap dead in the middle of an uptown, and the uptown is thriving. I would encourage any of us to go into – you can get an overview of the process and even its products just by Googling and going to You Tube, I guess, and you will see all kinds of information that can be shared with you on the entire process of what goes on with gasification and even some of the products that are rendered in that. There is another city. I think it is Terre Haute. It's in Indiana – another place that can be visited along with Kansas. I mean there are several places that are out there. I guess my concern is some of what my colleagues have shared around this dais, and that is this could be it for us to be able to weigh in on anything – issues of utilization as it relates to MWBE, issues surrounding anything regarding emissions, and it's my hope that – I'm asking you these questions about what has happened overseas. We have examples because it's important for us to know that kind of information before we actually just move forward with it as much as we would like to.

Mr. McKittrick said I completely understand that. There are multiple very successful examples of waste energy plants operating throughout the world. We can provide you that information. You mentioned minority participation. I don't know if Ron Leeper is here with Leeper Construction, but we have hired Ron to manage that entire process for us, and as part of what we are willing to commit to is we are willing to commit to a very robust participation program. We are trying to set up literally a national model for how these contaminated industrial sites can be put back into useful use, so that needs to be all-inclusive including minority participation, so that is a big part of what we are working on. We are willing to cap the megawatts on the facility at 40 megawatts total that we will never get beyond a 40 megawatt capacity; capping the tons at 575,000 here; continuous air monitoring is something we are absolutely willing to commit to; and the minor source air permit. That's all part of the entire package that has come together here.

Councilmember Cannon said, Mr. Kimble, you have talked a little about some of the economic upside of this in that there could be 245 jobs – or someone did – that would be created, but then beyond that what are we talking about in terms of taxes? What comes back to the City? What can the taxpayer expect to be their benefit as a result of this development in the future?

Mr. Kimble said Mr. McKittrick has put forth numbers and analysis of his own. We will need to vet all that, we will need to look at phasing of his project, but I think you had talked in terms of the number of jobs –

Mr. McKittrick said the potential we think 1,000 net, new jobs could be created on the site eventually.

Mr. Kimble said the amount of tax base and the ability to create a sustainable corporate park that would be also contributing to our brand as an energy hub of the country. I think this feeds into the sustainability, the green, the research, the development, all of the different elements of an energy kind of cluster that has been on your agenda, the Chamber's agenda, the County agenda, and other communities in this region. It feeds to that kind of vision. But all of that still has to be fully vetted and still has to be fully engaged between Mr. McKittrick, the City, and the County on this effort. He can put forth many numbers and many statistics, but those will need to be tested and vetted.

Councilmember Cannon said, Edna Chirico, anything pressing that we need to know – former County Commissioner, I should say, the Honorable. Anything we need to know in terms of any important feedback that came out of the Druid Hills neighborhood meeting per se. We know there are going to be some other meetings that will be forthcoming, but I haven't been privy to any of that feedback that may have come out of the Druid Hills area, and I know Mr. Barnes has been engaged as well as Mr. Mitchell in some respects, but what can you tell us about that?

Ms. Chirico said in all the six, seven meetings we have had and in every civic meeting we have had we have had no opposition at the neighborhood level. There is more information that they are expecting now that we have the technology, but they were very much focused on the job creation, the sustainability component to this comprehensive park and its ability to create expansion of further jobs.

Councilmember Cannon said in closing this should not be about the one that got away in the future. Instead, it should be about the one that has branded Charlotte something different than what it has been in the past and can add to it being reckoned with throughout all of these United States in terms of an energy capital. If this goes down in a direction, Tom, where it's not advantageous for this community, for this county, this region, this state, I don't know that I can come and get you, but I tell you what, we would be looking for you because this is our city, and we love our city and the citizens here love this city, and we don't want anything to damage what has been good for Charlotte in terms of its quality of life. When you talk quality of life, and you have heard Bill, you have heard from other folks here tonight, we want to make sure that this thing runs as smooth as it possibly can and any seep of anything could be problematic, and we hope that will not be the case.

Mr. McKittrick said I appreciate those comments, Councilmember Cannon, and I can assure you this is my city, too. I live here, and I am absolutely dedicated to ensuring this projects success and it does set an example for Charlotte as a new energy capital and it is the largest project of its type in the country. I think it's a very unique opportunity for Charlotte to do more than it already has on the energy capital side. We have done a lot. There has been an incredible amount that we have accomplished there, but this is private enterprise in getting involved in doing something very innovative, and I can assure you we are not going to be proposing any projects that are bad for Charlotte. That is absolute number one on our priority list.

Councilmember Howard said my remarks are actually for my friend from the County. It occurred to me while we were talking about this that ultimately our relationship in this is with you, and I would like to make sure – we have joked a lot about site visits to Europe and other places where this has been successful. I would hope that is part of your process – a site visit to actually see some of this and not just kind of what we have seen on the research that can be done over the Internet. If not Europe, somewhere in America; somebody in the process in your department or otherwise would actually go visit.

Mr. Gledhill said I think that's a very good idea and something we plan to do.

Councilmember Howard said I just wanted to make sure. The second thing is you get into this whole thing of trying to figure out backup systems, and I would love to know what your thoughts are on that. What happens if Tom's machine breaks down either in making the confetti or when it is burning? Does it pile up while we are waiting for the park to come because right now we can take it somewhere and we back it out the truck and then we leave? What happens, what's the backup in case there are mechanical issues or if it doesn't come off the way we would like?

Mr. Gledhill said we need to have through our agreement a bypass arrangement so in the event the facility is not operable, can't fulfill its environmental obligations as well as its operational for any reason, for any short period of time, that there is a bypass landfill, a secondary landfill whether it be a private contractor's landfill or the County's own landfill that is available to take waste for a period of time until the repairs could be made, so we would never process waste through a facility that is not environmentally performing.

Councilmember Howard said I would also like to say that I think it is important for us as Council members to continue to feed questions like this to our counterparts at the County so they have all of the things we want them to look into.

Councilmember Kinsey said I said from the beginning that this would be great for Charlotte if we were sort of the leader, but I'm one of those pesky people who wants details and wants to know what she is voting on. Having served on the County Commission with Ms. Chirico, I have visited our incinerator that is no longer working, of course, because we didn't put scrubbers on it, and I was also aware of what the County was doing on waste to energy project, and it never happened since we had to close down the incinerator, so this isn't new to me. I understand the garbage collection; I understand who does everything about it. But, as I say, I'm one of those pesky people who wants information.

Mr. Kimble, tonight is really the first time that, as I said earlier, I realized that the County is really going to make the decision on this, and I appreciate your assuring us we will have some input, but the bottom line is the County does it. So my question to you is, and I'm glad to know we had the land appraised because I was going to ask you that. Other than the \$6.1 million, what skin does the City have in the game?

Mr. Kimble said in addition to the land transaction there is also a need for the Clariant Wastewater Treatment Plant that is currently operational on their site to go as much off line as possible and for the City of Charlotte to be able to purchase the phosphorous and nitrogen allocation limits that are associated with that plant so that our new plant for which we are buying the land can also be permitted on that site and have the nitrogen and phosphorous allocations assigned to our plant. So we need also to purchase and have go dark as much as possible the Clariant Wastewater Treatment Plant.

Councilmember Kinsey said is that Utilities' money?

Mr. Kimble said it is, and it's all built into their rate modeling because they know that we are at capacity on McAlpine and we need to find an alternative new, additional wastewater treatment plant to help relieve the capacity challenge that we have in the McAlpine system.

Councilmember Kinsey said other than wastewater that's all we are obligated for.

Mr. Kimble said at this point in time that is correct.

Councilmember Kinsey said, oh, I don't like that answer.

Mr. Kimble said if negotiations and vetting come up with something different we will be back in touch with you, but right now all we're talking about is about \$12.7 million in the total purchase of the land and the allocation credits for the permit.

Councilmember Kinsey said, see, that's the first time I have heard that number.

Mr. Kimble said this is in committee. It was going to be discussed last Thursday. It's coming back to you this Thursday. That was the second half of the presentation that we were not able to make last Thursday in Economic Development.

Councilmember Kinsey said and yet we are expected to vote on it tonight.

Mr. Kimble said that is the wastewater treatment plant side of the equation.

Councilmember Kinsey said that is voting to give the decision to the County.

Mr. Kimble said no.

Councilmember Kinsey said, yes, it is.

Councilmember Barnes said I had a couple of questions. I will confess that I have some new concerns as a result of some of the questions Councilmember Kinsey has raised. As you all recall, this initially started out at Statesville Avenue and the landfill site there. It moved to Amble Drive; I didn't know about it. I don't think any of you knew about it. Mr. McKittrick explained to me how that happened, so that in itself was a rather surprising decision because of the impact it's going to have in that area, so I do have similar concerns about new information popping up tonight. Mr. Kimble, does the City of Charlotte pay tipping fees in Concord?

Mr. Kimble said we pay tipping fees for the waste that is disposed of by Mecklenburg County.

Councilmember Barnes said does the County pay any part of the tipping fees?

Mr. Gledhill said, no, it does not. The City of Charlotte and all the municipalities directly pay the Speedway Landfill through our agreement, and the current rate is \$26.50 per ton.

Councilmember Barnes said if the ReVenture project is approved will there be tipping fees for taking our garbage to the Amble Drive site?

Mr. Gledhill said, yes, there will be, and the tipping fees outlined in the memorandum of understanding between ReVenture and Mecklenburg County stated a tipping fee of \$25 per ton.

Councilmember Barnes said once again the City or the six Towns will pay that fee at the Amble Drive site.

Mr. Gledhill said that's correct.

Councilmember Barnes said if we move forward tonight the County will have authority over where garbage in the County goes, but we will still be paying for disposing –

Mr. Gledhill said Mecklenburg County has had since 1984 authority over where the City of Charlotte disposes of its waste through our interlocal agreements, so we have that authority currently through 2028.

Councilmember Barnes said but we have only essentially used one main site for regular garbage.

Mr. Gledhill said almost under the last agreement we almost went to the Foxhole. We have that authority to direct you to – within certain criteria, the County can direct the City to another disposal site.

Councilmember Barnes said to Councilmember Kinsey's point if we approve the action tonight we would lose the ability to have – it seems to me at least if I'm understanding it – any authority over what happens with the garbage even though we are paying the tipping fee.

Mr. Gledhill said you are right. Currently under our solid waste plan, which you approved in 2009, and which the other municipalities approved, there are only two disposal sites designated and that is the Foxhole and the Speedway Landfill, so you are right. That is where it could go currently. If the plan were changed, the County could then direct you to a third site.

Councilmember Barnes said I'm not on the ED Committee, but at least if one of them has questions it kind of leads me to have additional questions, and what I'm hearing you say – everybody – is if we defer the action or deny the action that in July of 2012 we lose – well, we won't lose, but the contract we have with the Speedway site ends. Is there month-to-month type arrangement that could be arranged?

Mr. Gledhill said what is going to happen is Mecklenburg County currently has the obligation to provide you with disposal beyond July 1, 2012. If ReVenture ceases to be an option, if it does not become an option, I'll move diligently forward having the other two options available to you.

Councilmember Barnes said what I'm asking is if we were to defer the action tonight in order to get more clarity to some of these issues certainly that members of the committee have raised it obviously puts another month closer to July 2012, but what I'm ultimately asking you is if, in fact, we get pushed a month or two beyond July 2012 could we pay the Speedway site to go there for two or three more months before ReVenture is completed?

Mr. Gledhill said Mecklenburg County needs direction as to where it is going to – how it is going to be providing that next 2012, and it won't be on a month-to-month basis. We lose all ability to negotiate if we go month-to-month with a private landfill. We either have to prepare our landfill, the County's landfill, to be ready in order to assure reasonable tipping fees to you or quickly negotiate a longer term contract with the Speedway using that as our negotiating condition.

Councilmember Carter said I want to reassure my colleagues. I'm not sure I'm the only one on Council who has seen this process in action. Two and a half years ago, I went to southeast Austria with the chair of the County Commission, Jennifer Roberts. We paid our own way -- it was on a UNCC trip – to look at energy from waste. We saw several plants embedded in small towns, embedded in large towns that were very successful. Councilmember Peacock has also seen this. This is good news, but they were successful. They heated the buildings around – 2,500 homes around the energy plant itself, and it was right there in the neighborhood. The smell was not invasive. You could not tell there was air quality problem. Did the same thing with Limoges this last spring – paid my own way on a Sisters City trip, but I saw there at the hospital this type of plant that was providing the energy for the hospital there in the center of the city, no problems for the citizens.

These are the reasons I intend to endorse having that option on the table; that I have seen those operations. They are successful, they are economically beneficial, they provide jobs, they consume waste that we would use otherwise, just destroy otherwise. I'm willing to take a risk, and I'm trying to hedge the risk, as I said before tonight, but I have learned a great deal from the people who have proposed this and who have worked extraordinarily hard to give us another option, and I'm very grateful for the staff time as well as the developer's time, so I will stand in support of this.

Councilmember Dulin said this is an awfully complicated project, awfully complicated issue to be in front of us, but this group is up to the challenge of digesting this, so to speak. We have made a point of being the nation's leader in environmental issues. We have made a point of being the nation's leader in energy and being an energy hub. Now, earlier in the evening we went around and around a little bit about energy and environmental issues on a new police station. The big difference here is this is private dollars, and the private sector is coming to us with this idea, and the private sector is putting their time and effort and money behind this and borrowing the money and paying the mortgage on it every month. The police station is the people's money, and I really like to watch the people's money.

But that said, y'all, I'm in favor of this tonight. I know that Councilmember Mitchell went to the new site on Amble Road today. I went there. I had been to the Statesville Avenue site many times, actually have a long history of knowing that area of town pretty well, so I was comfortable going to see Statesville Road. They have moved it over to Amble. I go to see Amble today. Perfectly fine site. A closed trucking facility, huge parking lot already paved and asphalted and ready to go for heavy trucks because it's a truck parking lot. Very minimal work needs to be done to take down the open-air trucking terminal. So with a relatively quick turnaround, this thing can go. It is literally 500 yards short of the County's current recycling facility that I have visited multiple times. Heck, went out there and helped you cut the ribbon on it a couple of years ago because it was the right thing to do. This is a good site. It's in the neighborhood. The synergies between County recycling and this ReVenture site will work fine.

Now, I did have some concerns, and I voiced those about the neighbors at the Statesville Road site, and we were having some neighbor pushback. As I understand it, this site on Amble Road is one and a half miles from a neighborhood or from a house. I certainly know that area pretty well, and I didn't see any of them today. Again, this is the private sector working. We have always said we would like to try to get out of the private sector's way and let them do their job. This is a good opportunity for us to step up and do that.

I want to talk a little bit about the \$6.1 million, Patsy. The ReVenture site is 660 acres, half of it badly contaminated from a Clariant chemical plant that has been out there. The contaminated site, the upper end of this linear piece of property, which, by the way, I have been out there to visit that – had a nice tour. I think Councilmember Burgess has been out. Anybody else been out? Councilmember Mitchell, Councilmember Carter have been out to see this beautiful piece of property. The ReVenture folks are going to use the upper portion of the property for what they need to do, and they are going to be doing as we have said before over and over very complicated, very interesting energy work out there and working on these new technologies. The lower part of the site, Ms. Kinsey, --

Councilmember Kinsey said, Andy, I know exactly what you are talking about. I have been on the committee. I have talked to Utilities about it. I know. But thank you anyway.

Councilmember Dulin said apparently you don't. The \$6.1 million is for 180-something acres of land, which is pretty good per acre price, and it will go into a new sewer plant that is badly needed. We are pumping sludge 20 miles from this site to Pineville now, and this site needs to be built. It's \$107 million project. We also will be taking some capacity from Mt. Holly across the Catawba River, so I mean that's a real estate deal that isn't very complicated. We need property for a massive sewer plant, and that's where that can go for a relatively good price -- \$6.1 million.

Now, the phosphates and all those things that are currently being used I have no idea how they price usages of phosphate chemicals and things that they use in sewer plants, and I'm glad I don't know that stuff, but we have pros that do, and the pros are bringing this to us today. I'm sorry that we have spent an hour and a half of our lives going over this thing. This is something that needs to be done. It's along the lines of what we said we want to do is be the national leader of these technologies, and I plan to support it. I wish we could go ahead and vote.

Mayor Foxx said we can go ahead and vote, but we have a few more speakers.

Councilmember Burgess said I just want 15 seconds. I just think there is no way we are going to have all our questions answered. We have a deadline, and we are going to have to rely on the

County at the end of the day to make these decisions, and I think we have a great opportunity to be part of this. I just would hate for us to be what comes in the way just for a control issue, just because we are losing a little bit of control, but that's just the way it's going to be, I think. If we insist that we have all the control then it may not even happen.

Councilmember Cooksey said Mr. Burgess put it very well. I will add this to it. There are plenty of opportunities to kill this along the way. I may not have been part of the ED Committee discussions, but I recognize a complicated deal when I see it. We will have the opportunity to, as a body, tell the Board of County Commissioners we have changed our minds when the board has to vote on it. We, as a body if we change our minds, will be able to tell that to a variety of permitting agencies. Again, there are lots of opportunities to kill it. I'm not interested in doing that tonight, and I fear from what I have heard of deadlines and knowing what is going on in the private sector about piecing together a variety of investors, I fear that a vote no tonight kills it when we could just as easily kill it later if that's what this Council wants to do. So my vote is an aye.

Councilmember Peacock said I would like to make a motion to adopt a resolution amending the Mecklenburg County Ten-Year Solid Waste Management Plan dated July 1, 2009, as listed in Item No. 13.

[Motion was made by Councilmember Peacock and seconded by Councilmember Dulin to]
[adopt a resolution amending the Mecklenburg County Ten-Year Solid Waste Management]
[Plan dated July 1, 2009.]

Councilmember Barnes said, Mayor, I would like to make a substitute motion to defer the item to allow an opportunity for further discussion by the committee consistent with the questions raised by Councilmember Kinsey.

Mayor Foxx said is that deferral an indefinite deferral or does it have a time?

Councilmember Barnes said 30 days.

Mayor Foxx said 30-day deferral.

[Motion was made by Councilmember Barnes and seconded by Councilmember Kinsey to]
[defer the item to allow an opportunity for further discussion by the committee consistent]
[with the questions raised by Councilmember Kinsey.]

Councilmember Cannon said what does that do in terms of permitting time? I think that's the big question here. We sort of went through that at one point, but if we could get a refresher.

Mayor Foxx said we have had a lot of discussion about a lot of things in the last hour and a half, but it's my understanding there is some urgency to moving this through.

Mr. Gledhill said, yes, there is some urgency. Even the recycled fuel facility permit will take a matter of months, and we need that to start progressing because if the facility is going to be built the permit needs to be issued first. Literally days are costly right now; days are critical at this point.

Mayor Foxx said you have heard it from the County. Days are critical. Let me just say that I understand the complexity of this. It is a project that is a new project for us, and it may not be new in the world, but it's new to us. The regulatory process has been complicated because of the nature of this project. The approval process, including tonight, has been difficult because of the fact that it's a novel project. I have heard from people from all sides of the community on this including people that I respect in the environmental community who follow these issues and who have very, very strong opinions about it. I do think at some level if we want to see this project happen we are going to have to relinquish some control that we have had. If we desire for the project not to happen, then we stop it now, and it doesn't happen. Whether there is a middle ground there, I have been thinking over the last hour and a half because I have had so much time to think, whether there is some type of middle ground to reach to get us to a point where we can express support but retain some ability to approve the plan at some point in the future. Why

don't we go ahead and have a vote on these two items, and if we land there, we can have that conversation. The motion here is to defer the item for 30 days.

The vote was taken on the motion to defer the item for 30 days and recorded as follows:

AYES: Councilmembers Barnes, Kinsey

NAYS: Councilmembers Burgess, Cannon, Carter, Cooksey, Dulin, Howard, Mitchell, Peacock, Turner

Mayor Foxx said so now we are back to the base motion, which is to approve the project as outlined in our agenda.

The vote was taken on the motion to approve amending the plan and recorded as follows:

AYES: Councilmembers Burgess, Cannon, Carter, Cooksey, Dulin, Howard, Mitchell, Peacock, Turner

NAYS: Councilmembers Barnes, Kinsey

Mayor Foxx said that's 9-2. Many of the issues that have been articulated are still to be vetted through the County and move forward.

The resolution is recorded in Resolution Book 42 at Pages 828-829.

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ITEM NO. 14: AIRPORT BAGGAGE HANDLING DESIGN

[Motion was made by Councilmember Barnes and seconded by Councilmember Cannon to]
[approve a contract with United Engineering Group, Inc. in the amount of \$135,020 for the]
[engineering design services related to the inline baggage system.]

The vote was taken on the motion and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmember Cooksey

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ITEM NO. 15: IMPEDIMENTS TO FAIR HOUSING CHOICE 2010

[Motion was made by Councilmember Barnes and seconded by Councilmember Kinsey to]
[approve the proposed Analysis of Impediments to Fair Housing Choice 2010 Update.]

Councilmember Mitchell said I'm going to yield to my chair because we had the same issue.

Councilmember Kinsey said I just wondered why this didn't come to the HAND Committee before going to HUD. Does it have to? I just ever remember seeing this before, and we certainly haven't seen it before tonight.

Mayor Foxx said is there a response, Mr. Manager, from staff?

Curt Walton, City Manager, said I think it was a different process. There was a public hearing earlier this year that led to this report, these findings. I don't believe it's gone to committee in the past. I don't know if there is timeliness to it to allow time for it to go to committee or not.

Councilmember Kinsey said when was the public hearing? Was it in front of us because that's ancient history.

City Manager Walton said August 23rd.

Councilmember Kinsey said I'm okay except most of these reports go to committees. It's a pretty thick report, so it would have been nice to have had a little more input.

Mayor Foxx said is it time sensitive?

Councilmember Turner said it goes to HUD on the 16th.

Councilmember Kinsey said I thought it had already gone.

Richard Woodcock, Neighborhood & Business Services, said the question is it time sensitive? This is something that goes along with our five-year consolidated plan. We do it every five years. That's the reason you haven't seen it in a long time, and we did the public hearing a couple of months back on this issue. We have held it up because of that plan that you approved earlier today, which is a part of that. We would like to send this to HUD and get this going.

Councilmember Mitchell said, Richard, is that HUD's deadline or our deadline, December 16th?

Mr. Woodcock said that's HUD's deadline. They are looking at this as part of our consolidated plan process. It's been wound up in part of the LAP process, the language access plan, so one has been dependent on the other, so we promised them a response in the December timeframe.

Councilmember Mitchell said do we have a HAND meeting scheduled for the rest of this year?

Councilmember Carter said I do have a question, but I want to recognize Mr. Ledger Morrisette, who is here, and express I think the Council's shared wishes that Willie Ratchford feel well after his operation. There is a statement that one of the goals is to continue to conduct lending and sales based reviews, and it regards the lower homeownership rates experienced by African Americans and Hispanics, and I think that is too narrow a focus. I hope we can expand that because I have a feeling other immigrants have had experiences in a similar fashion of discrimination, so I hope we do not have a very narrow search and address that problem, and I would hope we would involve the International Cabinet in that as well.

The vote was taken on the motion and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Cooksey, Dulin, Howard, Kinsey, Peacock, Turner

NAYS: Councilmember Mitchell

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ITEM NO. 16: 2011 CITY COUNCIL MEETING CALENDAR

Mayor Foxx said we had some discussion above about some changes which were incorporated into this action.

[Motion was made by Councilmember Howard, seconded by Councilmember Cannon, and]
[carried unanimously to approve the 2011 City Council meeting calendar as amended.]

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ITEM NO. 17: MAYOR AND COUNCIL TOPICS

Councilmember Cannon said, Mayor and Council, recall an item that came before the body regarding an idea to add a member to the CRVA, Charlotte Regional Visitors Authority, and what we have found in moving forward with the potential to do something of the sort is that in order to be able to go through that process we would pretty much have to go to the General Assembly to get the necessary approval to be able to do something like that. After we thought about it even more, obviously the questions that have been stemming about NASCAR have really gotten another level of interest and maybe another way to pursue going forward where Council can still have its level of input. So rather than going through the CRVA, which obviously would be in a more broad context because now you are talking about Bojangles Arena, NASCAR, and other areas that the CRVA is engaged in that we instead go to looking at having a member of the body serve on the NASCAR Advisory Committee largely in part because again that is where all the questions have been raised by several members of the Council, if not all. It is with that you have currently two members of the CRVA that serve on the NASCAR Advisory Board, you have two members from the banking industry, two from the NASCAR Hall of Fame, and two City officials. It's with that we now have before us whether or not to move forward and place this item on the next business agenda, which would be the January 10th meeting rather than December 20th to entertain the idea of adding a member to the NASCAR Advisory Committee.

Now, just something for thought between now and then. One, I would like to see if there is no opposition to us being able to go ahead and move forward to look at Council and potentially even the Mayor appointment not one but two members of the body to the advisory committee; one that would be Democrat and another that would be Republican, so there is a bipartisan effort in terms of having the proper representation from both sides of this board to be represented and to bring us back any information to be known about.

The other piece that needs to be under consideration is whether or not the body would want that person or those individuals to be ex officio or voting members of the advisory board. So, again, there is no real rhyme or reason to if the Mayor wants to have an appointment or if he doesn't want to have an appointment and if the Council wants to put in two appointments. It's just really up for discussion and what you think about the idea at this juncture. So, Mr. Mayor, with that again the idea, of course, is to go ahead if there is no opposition to go ahead and move forward with an agenda item to be placed on the January 10, 2011, meeting.

Councilmember Dulin said there is a little bit of opposition. We just voted tonight to send this entire issue to the Budget Committee for Councilmember Barnes' committee to study and other things the CRVA and our relationships with partners, financial partners. I think after that study – that study might come back, Councilmember Barnes, and tell us that we need some representation or we don't need some representation or the makeup of that group is not right. I think we ought to just – I don't know if we need to rush into that, and we ought to let Councilmember Barnes' committee do its work and see where it comes back.

Councilmember Cannon said nice point, Mr. Dulin. Don't have any real issues with that. I think the idea though was that you would be operating more uni-directed than being omni in scope because largely in part with that request it's really looking at the budgetary issues associated with the operations of each one of those areas or each one of those entities that will be coming before his committee. The difference in this obviously is there are marketing issues as well that many members of this body have raised – some around the price points of a ticket, some around the level of outreach, the City, County, region, statewide, nationally. There are several other related items in here that obviously a member of the board could certainly have to be able to bring back to this body if need be for the proper reports, no different than what we do with some of the other related boards where we have members serving -- Charlotte Center City Partners, Blumenthal Performing Arts. I think the list goes on. I won't go through that because everyone here on the board I think knows that. So it's with that, again, I would hope that we would continue to move forward in a direction where this Council can remained informed and involved in the process of knowing what's going on with the many questions we have had concerning NASCAR.

Mayor Foxx said to make sure I understand where we are. Are we going forward on the 10th or are we folding it into Mr. Barnes' motion?

Councilmember Cannon said, no, sir, Mr. Mayor – thank you for asking – this would be to create a total separate agenda item to put on the January 10th docket for Council approval.

Mayor Foxx said sounds like there is some concern about that, so we probably ought to have a vote on whether to do that referral, so let's do that if there is a second.

Councilmember Howard said I heard you refer to an advisory committee for the Hall of Fame. Is that one that they set up?

Councilmember Cannon said it is indeed, and we have two representatives on it right now – one in that of Mr. Ron Kimble, our assistant city manager, and also we have Jim Schumacher.

Councilmember Howard said I'm just wondering if they would have to invite us if they set it up. I understand they probably would. I'm wondering if you really want to go forward with it and not be part of what we are doing with budget. Should it go through Restructuring just to make sure that it makes sense. It sounds like we have to work with them because it's not ours – not one of our advisory committees.

Councilmember Cannon said excellent point, Councilmember Howard. They actually have sent over to us, to the body, a report to suggest that they welcome the idea of having representation from this body to be on that board. I believe the information came out to us either Thursday or maybe Friday of last week, but we certainly have the information, and their nod for us to move forward. They think it would be a good idea, and, obviously, of course, again that's why we bring it up here tonight – that's one of the reasons.

Councilmember Howard said just another thing. I guess I would like to understand what they use that body for – do they have real decision making powers? How often do they meet – do they meet biannually? The operations was what we were already in on, so I would like to make sure it's a good use of time again. Just wondering if it could be vetted to a committee if not part of the budget process outright, but if you want to move forward, I just maybe suggest at least Mr. Cooksey's committee to look at it before it comes back to us.

Councilmember Cannon said my motion is only just to get them on the agenda for January. If it would appease the Council and Mayor, they could certainly put together something I think with your questions and have it sent to us between now and the time we meet again, which is going to be quite a time from now.

Mayor Foxx said as I understand the motion it is to put an item on the agenda to have the Council appoint representatives to the NASCAR Hall of Fame Committee. That motion, if it passes and the item comes up, the Council could decide to send it to committee, could decide to approve it, could go through any number of options, but that's as I understand it. Is there a second to this?

[Motion was made by Councilmember Cannon and seconded by Councilmember Peacock to]
[place an item on our agenda on January 10, 2011, related to the topics raised by Mayor Pro]
[Tem Cannon regarding the NASCAR Hall of Fame Committee.]

The vote was taken on the motion and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Canon, Carter, Cooksey, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmember Dulin

Councilmember Howard said of all those who are familiar with our good friend, Claire Fallon, her husband, Tim, had a massive heart attack last week doing one of the things he enjoys doing the most, and that is being in the library reading. He is in the hospital, so I just wanted to say, Claire, we are praying with you. If there is anything that I can do, please let me know, and I ask the Council and the City to keep her in your prayers. She has been a staunch advocate in the University area for this community.

Councilmember Mitchell said this is a big thank you for everyone. This past two weeks have been interesting weeks for me personally, and first let me thank City staff just for your support and your involvement with the National League of Cities. There is no way I could have went to Denver and been successful by not having my City staff supporting me, so to all staff members, those who supported me quietly and those who were supporting me openly, I appreciate your effort, and to the City Council. Some of you all made the trip only because of supporting me, and I really appreciate your efforts. Thank you for being involved in the National League of Cities. As I said, the reception, I'm in the place as president, but this is about raising the profile for the City of Charlotte, so I would like thank everyone.

Mayor Foxx said for those who haven't followed this Councilmember Mitchell, our District 2 City Council representative, is the president of the National League of Cities, and among other things, he is representing not only Charlotte but 19,000 cities and towns across the country and 218 million who live in those cities and towns. So, it's a high, high honor to have someone on our board who is serving in that capacity, so we are very, very proud of you.

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ADJOURNMENT

The meeting was adjourned at 9:33 p.m.

Ashleigh Martin, Deputy City Clerk

Length of Meeting: 3 Hours, 31 Minutes
Minutes Completed: February 10, 2011