

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, July 23, 2012, at 4:30 in Room 267 of the Charlotte Mecklenburg Government Center with Councilmember Claire Fallon presiding. Councilmembers present were John Autry, Michael Barnes, Warren Cooksey, Andy Dulin, Patsy Kinsey, LaWana Mayfield and Beth Pickering.

ABSENT UNTIL NOTED: Mayor Foxx, Councilmembers Patrick Cannon, David Howard, and James Mitchell

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ITEM 1: MAYOR AND CONSENT ITEM QUESTIONS

Councilmember Dulin said I've pulled 24 and I'd like to pull 26, talk about that, that annexation and No. 40 about the CATS, the DNC lease of CATS buses.

Mr. Ron Kimble, Deputy City Manager said we will need to know the questions that you have about each one of those so we can go do the research and bring it back to you.

Mr. Dulin said No. 24 will piggyback with other questions about the Gunfire Detection Center. General questions, at least from me, I don't know what the other Councilmembers will do. No. 26 the Voluntary Annexation is that the portion of Mecklenburg County that would have been involved in the road of the CIP?

Mr. Kimble said these are airport properties, and I believe, state abandoned road properties that get us towards I-485 but not beyond. And it's cleaning up and getting all the airport and city owned property into the City Limits.

Mr. Dulin said thank you we can pull then No. 26 from my list. Thank you very much. And 40, got to go to my notes on 40, it's DNC using CATS buses for transportation which is fine, but I just want to, it says that they will pay for our driver's time, gas, etc. They will compensate us for the use of our buses. Is that correct? We will tally what they use and then bill them? My question is do we have that in writing that they will pay us?

Mr. Kimble said we will get that answer for you, but I'm sure that we will.

Mr. Dulin said and then the follow-up to that would be where? Would we be on their creditors if they're not paying their bills? I mean we'd be on a creditor's list wouldn't we? Thank you.

Councilmember Mayfield said the same questions for No. 24, just a little more background on that Gunfire Detection System. For No. 31, the Thomasboro/Hoskins Phase Neighborhood, I'm wondering regarding the SBE on that. This is a \$6 million dollar project. There was a 6% SBE goal where they met right at the SBE goal wondering if there is an opportunity to increase that SBE goal or the \$6 million dollar project.

Mr. Kimble said the initial answer would be if that was the goal and they met the goal, and they met all the requirements then therefore that is what is part of the contract.

Ms. Mayfield said and we also have opportunities where we know that some businesses go a little above and beyond, but looking at the total cost of this project and looking at that percentage, that we set at, they will see if there's an opportunity to increase that goal. Those were the only two that I pulled I believe.

Councilmember Pickering said I was interested in pulling No. 25, the weather stations, just wanted a little bit more information as to what exactly they are and No. 2, any update in the Weather Warning System issue you were called with the Tornado where we didn't get a warning.

Mr. Kimble said on the second part, we pursued that and I don't think that there is any feedback that gave us hope that they were going to move from Greenville, South Carolina and Raleigh and create any other weather alert system in Charlotte or in the Charlotte Region. We pursued that and didn't get much of anywhere with that.

Ms. Pickering said 24 was mine too and I wanted to know what other cities were using that technology so they could hear shots, and know where they were coming from. And has it been successful.

Mr. Kimble said we will get you an explanation on 24.

Mr. Kimble said Mr. Autry pulled No. 20 on Salt for Street Deicing. Did you have a question about that that we could research?

Councilmember Autry said yes sir. What's the shelf life of the salt? Because I don't think we used any last year. Is there a half life?

Mr. Kimble said if it's covered and it doesn't get wet it lasts for many many years as we stock pile it because we keep it dry and we keep it covered but we will get you the answer on shelf life of that salt.

Mr. Autry said that's my only interest right there.

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ITEM NO. 2: NORTH TRYON STREET BUSINESS CORRIDOR IMPROVEMENT PROJECT ALTERNATE DESIGN AND GREENROADS

Mayor Foxx arrived at 4:34 p.m.

Mr. Ron Kimble, Deputy City Manager said we are ready to present to you tonight on this project, it's an alternative design that we want to describe to you and Tom Russell and David Meachum from Engineering & Property Management are here to do that and I believe they are ready to go with that presentation.

Councilmember Howard arrived at 4:37 p.m.

Mr. Tom Russell, Engineering and Property Manager said thank you Ron. Good afternoon my name is Tom Russell, Senior Project Management with Engineering & Property Management and Project Manager of the North Tryon Street Business Corridor Project. Today I will be presenting the North Tryon Street Business Corridor Design Amendment Request and following my presentation, David Meachum will present a potential Greenroads Evaluation.

First I would like to describe the area to you. As many of you know, North Tryon is one of the gateways into our beautiful uptown area. This area has a great view of uptown Charlotte and also you will notice that to the left here, this is a major rail corridor and it comes through our City. Freight, rail and Amtrak use it for passenger services. If you will look at North Tryon coming down the middle here, you will see that it's a heavy industrial area as well. Now I'm going to give some history of the work that has occurred on this project to get us to this point today. In 2007, Charlotte City Council approved the Business Corridor Revitalization Strategic Plan and identified five priority corridors which included the North Tryon Street area. The goal of the plan was to attract private investment to grow jobs, businesses and services; expand the tax base and support the revitalization of the corridor into mix use areas promoting the adjacent neighborhoods as safe, viable and sustainable.

Additional actions that occurred for North Tryon, was in 2008, the City hired Warren & Associates to complete the North Tryon Redevelopment Study which included public input. The purpose of this study was to document existing conditions; identify market opportunities;

evaluate alternative land development scenarios and outline public sector investments that could leverage private sector investments. This is where the initial concept for the project was developed. You will also notice the North Tryon Area Plan. The Charlotte-Mecklenburg Planning Department use the information from the one report and gathered additional public input to create the North Tryon Area Plan that was adopted by Council in May 2010. The City identified \$9.5 million to fund the project with the 2010 bonds is a standalone project. The project team started the conceptual design with the existing rail alignment and applied the vision recommended from both of these reports and the vision was to plant a median with large planting strips on both sides to allow for large maturing street trees. The project team quickly realized that the impacts were substantial from this vision. The median width had to be increased to 22' wide due to NCDOT requirements. This is a state road. This pushed our plan improvements and vision further out on both sides. This in turn caused a large amount of right-of-way that would need to be acquired which made this very expensive for the project. If you will look below in this diagram, you will see were 22 building frontage or total take impacts occurred when we put that original vision down through the corridor. This also created longer distances at our intersections for pedestrians to cross and did not eliminate the existing left turn conflict movements we have today. The bottom line is we could not build the full cross section vision with the existing funding, nor could we impact that many businesses that are vital today in the name of economic development.

During the planning phase we held 66 project meetings that ranged with the stakeholders, the businesses, the public and the City Departments to collaborate and to get to this point. We held two public meetings during the planning phase; one was October 4, 2011; and the most recent was February 21, 2012. And the key information we learned from all of these meetings is how each business operates; where there any project impacts; which alternatives the businesses preferred and how we could minimize our planned impacts. The project team presented two alternatives at the public meetings. The first one is the median option. This cross section that you're looking at shows the original vision that was about 109' wide right-of-way that was required; and our existing right-of-way of 60'. So you can see that the impacts were great. In order for us to come up with a viable meeting option that we could bring to the public, the team went through six different alignments. If you will look at this bottom drawing, we weaved through the corridor; the alignment to try and avoid as many buildings as possible. The next thing we looked at was vehicle and truck access for the existing area. In order to allow full truck/car access, for the existing buildings to remain viable; the landscape meeting concept was dramatically reduced. If you look, you will see that our full vision or full median all the way down North Tryon from Dalton to 30th was reduced to just four small ped refuge areas. Then we had one stretch right at the beginning of Dalton that was somewhat a little bit longer than the other is.

In addition to the median being chopped up, we lost additional planting strip opportunities and the green area is on the outside. Realizing the immediate option did not meet our project goals, the consultant, Kimley-Horn, recommended a different option called a One Way Pair. The One Way Pair is the other option we presented to the public. The idea is that we get most of our improvements within existing right-of-way by narrowing the existing four lane cross section to two lanes, one way on North Tryon outbound and converting the existing two lanes on Church Street to be one way inbounds. So the new road that would have to be built to tie these in would be right here and right here. This helped the project reduce impacts to businesses, reduce costs for right-of-way, allows us to increase the limits of our improvements. You can see the cross section. The total right-of-way required is 59' and our existing right-of-way is 60'. When you compare the two alternatives in plain view; you can see the length of the project improvement is 5300' for both the median and the first section the one way pair, from Dalton to 30th. The One Way pair option allows us to improve an additional 4000' on Church Street, which is almost doubling the project improvement area. You will also notice that there is connectivity between Church and Tryon on five side streets right there. And also we have two turnarounds, one here, where you don't have to drive down and try to find a way to get back, you can actually turn around at each end point to go back on Church Street. The available access due to this grid block pattern created a middle area that we fill will attract future development to this area. When the

team took a closer look at comparing the two alternatives, we clearly saw more benefits with the One Way Pair alternative vs. the Median alternative.

The One Way Pair improves more available aesthetic area with typical street scrape improvements such as large material street trees, 8' planting strips, 6' sidewalk, decorative lights and utilities pushed back from the road. When we looked at safety, safety is improved with the One Way Pair option due to eliminating left turn movement conflicts and providing shorter pedestrian crossings. Function improvements were equal for both as the traffic in this area is Level of Service A. Multi-modal had a slight edge for the One Way Pair due to the fact that you can add a bike lane within existing right-of-way vs. the other option where you are outside the right-of-way. And with the One Way Pair on property impacts we only had one building impact and the right-of-way impact is greatly reduced. We've created a lot more green space with the One Way Pair, a large amount of planting strip on Tryon and Church Street and you create two large areas at the terminus of the One Way Pair that can be utilized for landscaping or other things such as statutes. Redevelopment opportunities not only occur on both sides of North Tryon but also on both sides of the additional 4,000' on Church Street. And the public preference when we spoke to the business community, the key stakeholders and neighborhoods, north end partners and all the businesses; they really supported this One Way Pair option as well as NCDOT.

Councilmember Howard said question for you, what about the development of the land in the middle with the One Paired? I can see where it would help on the outsides, but what's about that piece that's now stuck in the middle?

Mr. Russell said it actually creates a more attractive area because you will have frontages along Church and these corners are key areas where you have access for development and so this whole area is I guess, from what I've heard is going to be an attractive area for development.

Councilmember Kinsey said aren't there some businesses already there?

Mr. Russell said yes. There are some businesses there and there are some open areas that some future development could occur. Yes there are some existing businesses there that are I think, the Pipe Company there just redeveloped their whole lot and they spent like \$3 million dollars to do that. So there are some good businesses that are already there but there is definitely some opportunity in there and it would be attractive for the business community to put something in. You have the connectivity here and you have your main street frontage is on Church and Tryon. Mr. Russell said on the budget the costs were very similar so that in both options, the total cost for the projects were within the budget. So again the action for tonight for the Council Meeting tonight is to consider the approval of the design amendment with Kimley Horn & Associates for the North Tryon Street Business Corridor project in the amount of \$220,000. Thank you for your time and consideration. Now I will introduce David Meachum who will present the potential Greenroads Evaluation. I will be back up for questions. Thank you.

Mr. David Meachum, Engineering & Property Management said Hi I'm David Meachum I work in Engineering & Property Management and I manage the Engineering Services Division. My work group is responsible for doing the planning, design & construction admin of our City's transportation projects. Capital transportation projects. We've been thinking and talking about sustainable approaches to doing our work. How can we do a better job of planning and design and building road way projects? We've been talking about some of the goals that might fit with that. We've talked about building roads that last longer; building roads that cost less to maintain; building roads that reduce environmental impact. Given that the City has 2400 miles of city maintained streets and as we build new projects; we're adding to that; we think that looking at sustainable approaches to planning, design & construction is potentially going to bring great value to the City.

We want to learn about these approaches and how we can apply them to our road building work. We are aware of about a dozen sustainable approaches or systems that are being developed currently. Unlike the building industry; a lot of these rating systems for roadways are just not very far along in their development. There is however one that is far along and it's called R.I.

and it's called "Greenroads". That's a trademark name. What is the Greenroads Rating System? It's a third party certification process very similar to what you've probably talked about already with regards to building and LEED®. It applies to new and reconstructed projects. It recognizes and quantifies roadway sustainability and awards points for sustainable practices. So it's very much like what you've probably looked at with regards to buildings.

What can Greenroads do? It can define what roadway project features contribute to sustainability; it can help us provide an accounting tool for sustainability benchmarking; it can help us communicate sustainability efforts to keep stakeholders; it can help us manage and improve roadway sustainability and hopefully it can help us stimulate the market for sustainable practices. This was a system that was originally developed by the University of Washington and a Consultant named CH2M Hill. It is now a Non-Profit Organization that's independent of the University and CH2M Hill and it has been out there for a couple of years. This is some examples of where Greenroads has been applied to public works projects across the country. There are many but this is three that we are showing you. Again it lists what the elements are that make up Greenroads and then the points that are attributed to those particular projects.

Why do we favor Greenroads over the other systems that are out there, that are being developed? First of all it's a Comprehensive Transportation Specific System that covers design, construction operation and maintenance. It focuses primarily though on Design and Construction. It's a business ready system, it's been in operation for about two years, and it's been used, tested with over 120 projects throughout the world. Most of those being in the U.S. Another nice thing about it is it's not very expensive. The Certification itself is only \$5,000. It is a system that is favored by FHWA. Greenroads is the basis for their "Invest" System and it is supported by NCDOT. The State is currently evaluating Greenroads for use on State Road projects.

Councilmember Kinsey said excuse me I have a question. What is FHWA?

Mr. Meachum said the Federal Highway Administration.

Mr. Meachum said the North Tryon Street Pilot Project. We think the North Tryon Street Business Corridor will make a good pilot project for Greenroads. One reason is because of this unique One Way Pair design; it offers a great deal more green space that we think may lend itself to evaluate more sustainable elements. The timing is good here because we are moving this project out of planning and into design and this is the timeframe when we want to start taking sustainable elements into consideration. There is high public and local business support for the North Tryon Street Business Corridor One Way Pair. We think that will help with this pilot. Again the NCDOT is supportive of the projects since this is a State maintained road. Staff is basically ready to move ahead with this. The costs are within the project budget.

Councilmember Barnes said thank you Mr. Mayor. Mr. Meachum I will confess that having sat here and listen to your presentation on Greenroads, I know no more now than I knew 10 minutes ago. And I'm trying to appreciate the elements of Greenroads. I get it with LEED® certification on buildings, low energy consumption, low water consumption, etc. etc. carpets and furnishings that don't use a lot of chemicals. Help me again to understand the features of the Greenroads.

Mr. Meachum said let me give you a couple of examples. Greenroads has a couple of things that are mandated by the program. Must dos; an example of one of those, is you've got to do a life cycle cost analysis, so instead of just looking at the initial cost of a project; you have to look at the cost of maintaining that project over its service life. So hopefully what we design and build will not only cost less originally, but will cost less over the life of the project. The other component is optional elements. They are not necessarily mandated that you do them by Greenroads, but if you do them you earn points for them. An example of that is most of the roads we build in Charlotte are with hot mix asphalt. Hot mixed asphalt has to be heated to 300° to be able to lay it down properly. That takes a lot of energy to do that. There are other alternatives. There is a warm mix asphalt that could be considered and it costs less to create. So those are some of the things that Greenroads ask you to look at that could mean savings.

Mr. Barnes said does the warm mix last as long as the hot?

Mr. Meachum said it depends on the circumstances. It depends on the application and there are other materials other than heat or warm mix. Concrete as an example is something that can be looked at. So it depends on the circumstances. And we want to learn about them I'm not telling you we know everything; we're in the learning phase here.

Mr. Barnes said where we have applied for LEED® certifications on Police or Fire Stations and other city buildings; I've always been interested in applying those features to the buildings without spending money to pay for a particular certification. And you indicated that the Greenroads Certification is currently \$5000 is there a way to, I think the answer is yes, to apply the principles of a Greenroads Project to, for example, this North Tryon project, yet not pay for a nice trophy from somebody?

Mr. Meachum said absolutely, absolutely. In fact we would like to take the best elements that we can find in these various systems and try to apply them to our work.

Mr. Barnes said great. I'd like to see you do that. Speaking just from this seat. Without spending that money if we could apply the principles I think that's an even better worked.

Councilmember Howard said I want to go back to a question I had a few minutes ago about the One Pair. I'm going back to the original presentation. I understand that the public has obviously been vetted because I can see that the District Rep. is not here. So I just have some general questions about the way it works. One of the things that have always been a little perplexing to me is; and I'm sure some really smart people did it but it's the way 3rd and 4th Streets kind of break off downtown. When you are trying to give directions it can be real confusing to not only deal with the fact that the street now divides and comes back together; but that you have One Way streets running in both directions as well. So I'm starting to just trying to figure out how I'm going to explain to somebody's that coming from the University. Why they would even mess with Church Street and how it goes back to Tryon Street. Did anyone take into consideration the confusion that this may cause by having four lanes reduce to two lanes and then open back up to two lanes? Just from a confusion standpoint, anyone worried about that at all?

Mr. Russell said that's a great question. I wish I had the answer but I don't. I do know that what will need to take place is that C-DOT and NCDOT, because it is a State maintained road, will need to get together to figure the answer out for that. To decide how we name those two roads so that people aren't confused but I agree with your point that you know it could cause confusion with the way it's set up right now. For presentation purposes I just wanted to call what it is today and we're not sure what it's going to be called in the future, but that will need to be discussed.

Mr. Barnes said okay, the motion this evening is just to move the planning for this forward.

Mr. Russell said the design.

Mr. Barnes said the design of it forward?

Mr. Russell said yes.

Mr. Barnes said one more question. I want to support my District Rep. but I do have questions about this one. The other one has to do with, I didn't hear a lot about how it interacts with the transit line. The transit line is just another block going the other way towards the rail line. It seems like to me if you have some development potential between these two; One Way Pair Alternative Roads; what happens now between the road and the transit line as well. Is this being planned with that in mind? How do we make sure they support each other?

Mr. Russell said there have been a couple of thoughts on that. The problem is getting over to where the Blue Line Extension will go. You have 16th Street I believe and I think its 30th which turns into Madison Avenue, across the bridge. And so the thought is, there was a project identified in the CIP to make that connection from the project that we're working on here over to maybe a stationary that would be done on the Blue Line.

Mr. Barnes said I think what I'm asking and I guess I'm saying it to Danny Pleasant to Ron Kimble and to whomever else is going to work on this project going forward. However these improvements relate to the Blue Line including, now that I think about it, if I'm not mistaken Little Sugar Creek Greenway is not too far from this either. How we now start to make sure we plan all of those so we don't come back later and realize that we didn't connect them. That whole stretch between these two should be developed over time. What do we do to make sure that we plan all of those in tandem and not one off and come back and try to retrofit later?

Mr. Kimble said I think the point you're making is it is multi-modal now. It would be transit, it would be road; it would be pedestrian; it would be Greenway. So we've got to make sure that as we're doing that design and looking at that that we're taking into account all the different modes.

Mr. Howard said cross sections for sure, how to get to each other and that whole thing.

Councilmember Fallon said on the One Way Pair Alternative; are you going to do any street scape in that area that's caught between the two lanes going?

Mr. Russell said that is not within our budget. It's mainly to do both sides of North Tryon, 5300' and then the additional 4000' along Church Street.

Ms. Fallon said could you talk to the Parks Department maybe to beautify it a little.

Mr. Russell said we can certainly make some calls about that sure.

Ms. Fallon said because it looks very isolated.

Mr. Russell said I think the middle part of that One Way Pair alternative is like Councilmember Kinsey was saying is there are some vital businesses that are already there and we were working very closely with them to lessen our impact with them and there are some things that we can do with those businesses to help them out as far as access; making their deliveries; keeping their businesses going while we build the project. We haven't looked making that kind of full fledge streetscape improvements on that middle section.

Ms. Fallon said what are the aesthetics of it?

Mr. Russell said the idea is that when we do the main road and create that One Way Pair; that future development will come in and through the City's requirements; they will be required to make those types of improvements at those corners. What I was trying to say earlier to Councilmember Howard's question you know; those middle grid properties each corner is going to be a very valuable piece of property. Those corner properties where you have the access and the visibility as you create that grid system with the One Way Pair.

Ms. Fallon said thank you.

Mr. Kimble said again this is Item No. 35 on your agenda tonight.

Mayor Foxx said next item Mr. Kimble. Let me acknowledge that dinner is running a little late, so why don't we just keep working through until it arrives.

ITEM NO. 3: TREE CANOPY INVESTMENT STRATEGY

Mr. Ron Kimble, Deputy City Manager said as you know the Council has put a lot of effort into this in the last couple of years as well as Staff and the Community; and we're here to present some additional information tonight. Gina Shell from Engineering & Property Management and Dave Cable are here to present you on tree canopy initiatives.

Ms. Gina Shell, Deputy Director, Engineering & Property Management said good evening I'm very pleased to be here to give an update on your Tree Canopy Investment Strategy. We've refined the strategy and we've implemented parts of it this year and we have some plans going forward. We have created what we think is a new model for public/private collaboration. This is an excerpt from your Environment Focus Area Plan showing the vision, the measure regarding the tree canopy; your FY12 target regarding implementing the strategy and FY13 target to further refine and implement strategies to achieve 50 by 50 goal. I'm going to do a little bit of history and then I'm going to turn the presentation over to Dave Cable.

The 50% canopy and 2050 goal was adopted in June of 2011. Back in April 2010, American Forest completed our last Urban Eco System Analysis where I call it the Tree Canopy Analysis. At that time, they told us that we had a 45% canopy remaining within the City and 49 within the city and its ETJ. In June of 2010, City Council increased the annual budget for tree planting and in June 2011, set the goal 50% by 2050. At that point, staff also offered what we call the dynamic toolbox of strategies, we knew it was sort of a grab bag and we were going to have to decide what worked going forward and that's what we've done with Dave's help. This is another historical slide. This is a slide that we've used back in 2010 and 2011 explaining the goal. We felt that 50% by 2050 was a bold goal for an urban area. The American Forest recommended only a 40% goal for eastern cities. We have what we think is the best canopy among the 20 largest cities. At least it was the last time that we measured it and the data that we could find from those other cities. We want to stay in that position.

The goal was very much to be a rallying point for the community. We already had updated the tree ordinance. We didn't need to do anything else regulatory at that time. But Council did want to further set a goal that helped the community recognize the value of the canopy. Rally around it and measure success toward keeping it strong. Coincidentally and luckily for the community about the same time that Council was considering the goal, there was sort of a ground swell of community leadership and action and interest in the canopy. In particular, Marshall Simon and Rolfe Neill began talking with Susan Patterson at the Knight Foundation. Susan, on behalf of the Knight Foundation, conveyed a group of community leaders and they met through 2010 and 2011. They invited at that time Councilmember Peacock who was the Chair of the Environment Committee. They invited Curt Walton. I went often in Curt's place and so they very much tracked what Council was doing in terms of setting the goal. They did some work; they really felt that there was some good synergy to bring some awareness in the community for the canopy. So in November 2011, the Foundation and the City entered into the contract with Dave to refine the strategies.

The goals of our contract with Dave were to provide recommendations to refine and focus the strategies and keep up the momentum of the Tree Canopy Committee called together by the Knight Foundation to conduct some extension outreach to existing and potential partners and to hold the first Collaborative Summit for Tree Canopy Partners to act on collaborative opportunities as identified to better communicate and align the efforts and to conduct a pilot volunteer planning event. You will see tonight that he accomplished those goals and really has taken this initiative to a whole new level and he's brought lots of new partners to the table. At this point I'm going to turn it over to Dave, let me introduce him a bit for those of you who may not know him. Dave is one of the most collaborative community leaders that I've had the opportunity to work with. His career has really bridged private and non-profit sectors. He spent some number of years in Real Estate. His final corporate role here in Charlotte was with Wachovia Securities. He then went on to be the Executive Director of Catawba Lands Conservancy for seven years and while he was there, he conserved 5,500 acres. He raised over \$19 million for conservation and he led the creation and implementation of the Carolina Thread Trail which the Council is a partner in as well. So now let me turn the rest over to Dave.

Mayor Foxx said welcome Dave. I almost said you really did not need an introduction, but she did a really good job.

Mr. Dave Cable, Tree Canopy Coverage said it is such an honor to be here tonight to present this project. I'm really really excited about this project. This provides all of us an incredible

opportunity to really have an impact in this community long term. Create a legacy for our children and their children and their children. That's one of the reasons I'm excited about it but I'm also excited about it because I think we've got the core ingredients to really make a difference here and at the core of all of that is an incredible staff with the City. Gina is a good example of that and I've had such a unique opportunity and honor to work with people in the City to bring about this point and people in the Community too. I'm very excited about sharing it with you and I know we have I guess about 20 minutes or so and I'm going to probably overload you a little bit with information and my tendency is to get overly excited. So don't let me get overly excited up here. But I'm going to rifle through some slides and hopefully give you an idea of what we've been working on.

This is not my plan at all and this is not the City's plan and this is not any organization's plan. This is truly the community's plan and this whole process has been really rich with community involvement leading up to tonight and as you look at this, knows that I'm a little bit like that old Verizon Ad where the guy is standing there and he's got all those people standing behind him. There really has been a lot of involvement on the part of the community to get to this point of where it is and I get the honor of sharing it with you. I really believe in this project deeply and I'm very excited about moving forward with it.

Mr. Cable said through this process over the last six months or so working on this, and my job really was if you want to just boil it all down to basically answer the question, how do we get on the flight path right now 38 years from our destination so that we meet that 50 by 50 goal; 50% canopy in the year 2050. So what I've tried to do is say okay based on everything that we have going in the community, everything that we have around the tree canopy all the scientific evidence we have, all the community evidence we have, how do we really align ourselves so that we are on the right flight path and meet that goal when 2050 actually arrives. In the process of doing that, talk to an awful lot of people. This community also did a lot of due diligence around other projects around the Country and other initiatives around the country and I had the honor of going to Omaha, NE in the middle of February if you can believe that was an honor. To an institute called the Municipal Forestry Institute. Sara Morris from Landscape Management and I went there and it was a one week kind of emerging in urban forestry issues. Not from an arborous scientific standpoint but more from a community development standpoint and community support standpoint. From what I learned there, I gained a perspective on Charlotte in the strengths that we have and they are listed up here. And those strengths have been reinforced, not only in that arena of the Municipal Forestry Institute but as I've gone around and talked to people across the country, and also talked to people in this community. So a core strength of ours is the leadership and commitment shown by all of you and Curt, the Mayor, to support the tree canopy. This is our most treasured natural resource. It is who we are, it defines our sense of place and almost anybody who comes to Charlotte will comment about the tree canopy. The Catawba River is important to our future, but unfortunately it doesn't run right through the center of the City. Most people's awareness of the Catawba River is peeking over that embankment or the abutment there on I-85. The tree canopy is here front and center for us. So it's something that we need to be daubed into and thank goodness we are and I appreciate that.

We also have an amazing staff with the City. We are really blessed with some unbelievable talent in this forestry area. Landscape Management, John Lojko's group did a fabulous job; Don McSween; Tom Johnson with Urban Forestry, a great group of folks to work with. We've got great talent, we have great leadership support. We have great Urban Forestry programs including our Street Sweep program. Those are all core strengths. In addition to that, as Gina already mentioned, we really do have a superior tree canopy. I tell everybody it's the best canopy in the country. That's debatable, but I feel pretty certain that it is. It certain is in our peer group. Anyway these are core strengths that we have, plus we have a really energized community around this initiative. And I'm going to tell you a little bit about what that looks like but you know there is an occasional person who knows all about trees, but almost everybody appreciates the trees. They love to plant the trees. They love the satisfaction of planting a tree and they "get" why it's important to our community. These are great building blocks.

What are our opportunities? Our opportunities are really to have a more enhanced engagement across the community to plant trees on a voluntary basis. Other communities are way ahead of us in this regard. The Charlotte Public Tree Fund is a great little organization that's done some fabulous work planting trees and we need to build on that. There are a core piece and a core partner of this program. But we have got the potential to harness what is an unbelievable force to plant all sorts of trees. And as you're going to see in a few minutes, it's going to be important that we harness that and plant a lot of trees if we're going to meet the goal. How do we seize on these opportunities? What I'd like to propose to you tonight is an initiative called Tree Charlotte. This is not a new organization. What this is, is a collaborative. It's a framework for existing organizations to work together and to marry the great public sector work that we have going with the private sector to bring about a huge legacy for the community long term.

Councilmember Cannon arrived at 5:15 p.m.

This project, this logo, was crafted in the same way that everything having to do with Tree Charlotte has been created and that's through a collaborative effort. This is an example of the Branding Committee that creates that logo. That logo is not a camel like a lot of things are that are created by a committee. But this group of people, hopefully you can read that; it's a great group of people, a cross-section from this community, a lot of people that are well versed in marketing expertise and in addition to that people from the City, people from Duke Energy and down at the bottom we had a create team put together from the Creative Communications Section at Duke and the City of Charlotte-Communications. Tim thank you for all your support on this effort. Out of that came this logo. And then we put it out there in front of the action summit that we had a few months ago and really got an overwhelming endorsement of that. That is typical of the kinds of things that have been going on behind the scenes to lead to this program. Gina mentioned a little bit earlier about this Knight Foundation Committee. I won't dwell on this, these are the original committee members they were very involved at the outset of this project in 2010 and were really paralleling the great work that was going on in the City at the time. And what Tree Charlotte does is it brings these two things together. This great community effort that's been going on in addition to the great work in the City. That collaborative has expanded to obviously include the Tree Commission here in Charlotte; expanded the staff both with the County and the City level. Numerous community leaders and organizations. We then held this action summit, we had about 43 people from a variety of different organizations who endorse the plan and gave us some good feedback on it. You saw the Branding Committee and now the Foundation for the Carolinas has become a key partner in this effort. At this point these are all the organizations that have kind of had their fingerprints on this project so far. Don't mean to dwell on this but just to make the point that there are a lot of different organizations and people that are having input on this plan. Just to go back and revisit Gina's numbers here just for a second. The canopy was 49% in the City and ETJ; 46% in the City. About 10,000 acres during that time period. I think that opened all of our eyes as to what was going on during a really robust period of development and there has been analysis by the city staff with all of the unknowns around the canopy, we don't know what's going to happen. But very likely under a build out scenario that canopy will go down something south of 45% if we did nothing. What we don't know, is we don't know the impacts of the increased ordinance. We don't know about mortality rates. I mean Don McSween you've heard him talk about the how the geriatric state of our canopy; we have a mono culture. We don't know about the mortality rates and we don't know the impact of future developments. So there are a lot of unknowns at play here in terms of where we need to be as far as the numbers go. Current planning in round numbers 10-12,000 trees a year; we're planting roughly at this point in time. Hopefully a lot of these projects you are familiar with. We don't know about private planting that's a very hard thing to get your arms around and really the only way we're going to know the impact of private planning over a long period of time is to rely the area and do this canopy analysis over again which we really planned to do on a three year cycle.

So the conclusion from the numbers is that we need to grow the canopy by at least 5% if we're going to meet that goal by 2050, it's very likely that the canopy through mortality and

development as it returns to our community will compress that down below 45% which means we need to grow it by 5%. The alarming statistic here that you need to have in your head is if we plant 100,000 trees today; then we move the needle 1% 40 years from now. So in reality we need to plant about 500,000 trees to meet that canopy goal. If we spread that out over 20 years, that's about 25,000 trees a year; we're currently doing about 10,000 trees a year. We need to sustain the efforts that are currently underway; that leaves a deficit of about 15,000 trees. So Tree Charlotte's mission is to educate the community about the importance of trees and is to plant 15,000 trees a year. That's the mission of Tree Charlotte through a collaborative, an entrepreneurial collaborative. We will re-fly every three years so we can evaluate where we are whether we are making progress or losing ground and clearly there is not enough public land to solve this problem. We don't have enough public land to plant. We've got to go into private spaces. Residential subdivisions really represent the greatest potential for planting. Here's a summary of taking the canopy analysis and doing a subdivision analysis and also looking at faith community campuses, which we think may hold some potential too for planting. If you go down a couple, three lines there you will see under residential neighborhoods, 20% canopy or less. That means that there are 125 neighborhoods in Charlotte that have less than 20% canopy. The average of those 125 neighborhoods is 13% canopy. And the potential of those neighborhoods would be about 200,000 trees for planting. So you can see in quick order there's a lot of potential here to direct our planting efforts to those communities that are really in need of help.

Councilmember Howard said question for you Dave, I guess you are going to get to where you implement that. One of the things that we did when we dealt with the tree ordinance a couple of months ago is that we talked about that, sat aside for people who opted out, the "in lieu of" part of the tree ordinance. So is that part of this whole thing? Because one of the things I was hoping is that we don't necessarily continue to try to figure out just how to do this in a regulatory way but we get creative in some other ways. Especially in neighborhoods where they are clear cutting. Dave I guess that's why you are going with this. I don't know I guess I'm jumping ahead, are we talking about donating trees to developers or are we talking about going in and trying to right fit neighborhoods that have already, or if that's coming I can wait.

Ms. Shell said its coming.

Mr. Howard said alright I'll wait.

Mr. Cable said so the study conclusions are No. 1 we need to be a collaborative to plant trees. That's hopefully pretty clear and educate people about it. No. 2. We need to sustain the City's efforts so far that we've had historically on the great street tree programs that are underway. We need to execute volunteer tree planting. And we're looking at kind of three basic buckets here. The first one is a program called Neighborwoods; and that's where we go into a typical neighborhood and try to get the neighborhood engaged in tree planting and use it as a rallying point in the community. Engage the community, plant a lot of trees, use voluntary labor and then train them on watering and stewarding the trees. The second piece is creek relief. This is the Charlotte Public Tree Fund. It's reforestation efforts; it's a much denser planting along streams. That application of reforestation could happen in a lot of other areas too, beyond stream backs. And then the third leg of the stool is an honorary tree program where all of us could call up very easily and give a tree in honor of a family member. Most communities that are ahead of us on this whole voluntary tree planting are, have really active programs that are not necessarily money makers, but they end up planting a lot of trees under an honorary tree program like that.

The potential to attract private capital to this initiative is really extraordinary. Having been involved in raising a significant amount of money for conservation. Looking at our experiences over the last six months; I'm very optimistic that we're going to be able to take the public dollars and really lever them into the community through support from the private sector. There is a program called Greenshade that we're working with on Duke Energy and this is an example of the fact that there's no magic bullet here, there are multiple pillars that we are going to have to be involved in. One of them is a program that we've learned about in another city, San Antonio. Where folks were incented through the local energy company to plant trees on the south side of the buildings. Commercial buildings and residential buildings to give those buildings energy lift,

in other words reduce the carbon footprint and the energy costs in consumption in that dwelling. Duke has been very receptive to that, we're in pretty high level conversations with them and I'm very optimistic that we're going to be able to move that forward. There's no commitment there yet. We need collaborative leadership to keep all the partners together, we're not forming another non-profit here, and we're just playing off the strings of everyone in the community. So it's going to be important that we have periodic reconvening. We'll do the area analysis every three years and then we learned a lot from this successful project. Councilman Mitchell I want to highlight you because you are a really critical part of this.

Peachtree Hills is where we did our pilot project. I'm going to go through this really quickly. This is an example of a development that occurred in 2002. This is a snapshot on your left of what that project looked like prior to the development. And then a snap shot on the right, two years later, after the development was underway. You can magnify this 100 times across Charlotte. We've got developments like this all across Charlotte. This was Peachtree Hills. We selected it for a variety of reasons. It now looks like this, and Landscape Management basically did a landscaped plan for this development. To show this as a grow out. And this was a very important piece.

Councilmember Barnes said going back to the previous slide in the 2004 slide, are those suppose to, the trees along the peripheral, is that the and this may not be a question for you it may be a question for Planning; but is that the 10% tree save?

Mr. Cable said this project was built in two phases and as I understand it; the first phase of it was pre-tree ordinance. It was approved pre-tree ordinance. So I don't think this had a lot of, the development was not really impacted by the tree ordinance. The second phase was, but the first phase was not.

Mr. Barnes said o.k. thanks.

Mr. Cable said so Landscape Management partnered with the Conservancy, they did all of this great landscaped work. This was a critical piece when going into the Homeowners Association showing them visually what the grow out could look like in their community to get them fired up about it. And this is the ultimate plan that we are driving for in that community. We did the first phase of it and we gave folks a choice of what tree they'd like to plant in their yard. There's a HOA Park involved there. We did a tree planting program on that park in addition to individual sites. This is the day and Mr. Mitchell was there providing great leadership and also provided us with some students from West Charlotte High, the neighborhood came out, Self-Help was very involved. We just had a fabulous day of it. It was on St. Patty's Day. We met at 9:00. Duke Energy brought the lunches and t-shirts for everybody and everybody felt great at the end of the day. These are 6-8' high trees that we are planting. They are anywhere from 5-7 gallon trees. They are big enough so that Johnny won't run over it with the lawnmower, but not so big that a volunteer can't handle it. They are also big enough so that you can look back at the end of the day and feel good about what you've accomplished. These are the Partners that played a roll. You can look down the list; I mean it's an impressive group of volunteers and organizations that's stepped up to make this happen.

Mr. Howard said just a question really quick Dave and of course, all of these are Native Trees, so that they take the same amount of water was every other tree in this region? There's a real effort to due native species.

Mr. Cable said the tree collection was done by Landscape Management and it focused very much on two things; No. 1 the soils that are in the ground and the water conditions that are there and No. 2; what the neighbors voiced as what they wanted in their community. I can't guarantee you that all the trees that Tree Charlotte plant will be native; but we're going to stick to the add; if you talk to Annie Arborous she will tell you that the core value is right tree; right place and that's what's really driving the selection of those trees.

Mr. Howard said that's what I'm getting at you plant trees that are not native and they would die because of too much sunshine or not enough water would not be smart either. But we do take those same things into consideration is what I'm getting at.

Mr. Cable said Landscape Management are total pros at determining the right tree in the right place and of course to scale the City's purchasing power and their materials management is a powerful combination. It really is.

Mr. Cable said so what we learn from this pilot is that we can scale this across the City. And what we want to do now is start this fall. We can only plant really from about November 15th to maybe the 15th of March, right in there. That's the planting season. If you plant outside that window you really increase the mortality rate of the trees. We want to replicate this and scale it across the season starting this planting season. The collaborative framework really worked well. The Partners all functioned well. It just was a great event. The stewardship piece of this is really important. When I say stewardship that's everything that happens to that tree after it gets planted. What we don't want to do is put a lot of effort, plant a lot of trees and have them all die. So one of the things that folks have to do is they have to sign a pledge that they are going to take care of this tree. We send them emails to water it and there is a professional arborist training that goes on on site before they can pick up their trees so that they really learn how it works.

Mr. Cable said o.k. so what's the plan forward here? The plan forward is basically built on five pillars. I'm going to go through these really quickly. The first one is an Urban Forestry Management Plan. That is essentially a playbook for everything that we're talking about. Most cities our size have those plans. They really tie together the history of the canopy, where we're going; how are we going to replace all of these 85 year old oaks as they die off. What is our plan for dealing with that? So the first recommendation is the creation of that plan; the second is the public-private collaborative that will involve Foundation for the Carolinas; it will involve these organizations that I'm going to tell you about in just a second. It will involve Duke Energy. The third is a really active volunteer planting and stewardship program and we've got ourselves convinced through the pilot that while we don't have all the answers, we've got a good framework to move forward on. A key partner here is Neighborhood & Business Services. They have been fabulous to partner with on this. Ultimately we want to create a matching grant program to really drive the neighborhoods to have an incentive to come toward us, because they have an interest in planting trees. There will be a scoring system that not only relates to their interests but also relates to the tree canopy that is in their specific area. So while we are working on that program, we don't want to skip a year so we're going to move ahead with a Phase 2, hand select neighborhoods throughout the City that are right for this planting. Continue to plant trees this fall and then in FY14 be able to launch this matching grant program. The third piece of it is area planting process; Debra Campbell was nice enough to invite us to participate in the Park Road Woodlawn Area Plan. These are opportunities during this local fairly intimate discussion around neighborhoods to raise the awareness of the canopy and hopefully some communities will actually set sub-goals for their area plans. This is becoming a discussion item in those area plans along with other sustainability issues. Lastly is to create with Kim's leadership and other's a really good Outreaching Marketing Program. And this is so conducive to social marketing and media which I know very little about; but I have an awareness of the power of it. We've got some work to do in this area; but we've got a good start.

We are just about to launch a website that you will be able to see soon. It will have the Tree Charlotte graphics on there and will start to have an explanation as to what this program is all about. So that's kind of the framework for the plan; who are the partners? This really is designed to play to the partner's strengths. We wanted a balance for the Collaborative.

Councilmember Mayfield said thank you Mr. Mayor. How are the communities identified that you're going to be targeting for the tree planting?

Mr. Cable said what we're doing is working with Neighborhood & Business Services along with the scientific information, the information that gives us what their canopy coverage is; define

those neighborhoods where we can go in; have some leaderships, some infrastructure, communities that are interested in tree planting to continue this Phase 2. When we go into the following year, we really want to have it be driven by a grant's process.

Ms. Mayfield said and what's the plan if you go into a community and there's not support from that particular community to go out and do the tree planting?

Mr. Cable said we will probably move on. Because this can't be a hard sell in the community. It has to be something that the community has the leadership for and the interest in.

Mr. Cable said the Foundation for the Carolinas is a key partner in all of this and when we established these partner relationships; these were the things that we were trying to optimize. This graphic and I will skip right to the next one because you will see how the capital flows too. In the Northwest corner here; the Foundation for the Carolinas will house a Donor Advise Fund called Tree Charlotte Foundation. That Foundation will have a board that sits on top of it. Hopefully the Mayor and Curt and others will sit on that board. That board will provide strategic oversight to the overall effort. We'll raise private capital and give grants to the partnering agencies. On the northeast corner, the City of Charlotte, both a capital and a service provider obviously continuing all the great work that's underway. The Street Tree Program work. But in addition to that, some of the money that has already been allocated in the budget for trees will go to enhance the volunteer tree planting programs that are wound into Neighborwoods and Creek Relief. So these two boxes down at the bottom at those two kind of basic pillars that frame up what volunteer planting looks like under this plan. The Neighborwoods Program will be run by the Conservancy. They will be the front on that. They are really good at running volunteer community engagement. That's a Peachtree Hills kind of model scale across the City. The creek relief will take public tree fund. Hopefully be able to raise some money for them. Give them greater capacity and allow them to do what they do so well in the community already.

Councilmember Cannon said you're giving money to the partners to be able to move forward with it. Will you go back to monitoring and/or determine how they are benchmarked. Will you determine any benchmarks there?

Mr. Cable said it's a great question and what we have learned from some of our other organizations around the country is that that piece of it is very important to go back and actually monitor. So we will be able to report to you what the survival rate is of all the trees that we're planting. And hopefully we're going to have a quality assurance group in there so that we're always looking to improve. We don't want to plant trees and have them die. We just don't want to do that.

Ms. Mayfield said are we also looking at different types of trees that we're planting, with, keep in mind that we have an Ordinance with our signs where the trees if they get so many feet high and if they're blocking; then they are going to be cut down. But it also looks at changing the types of trees that we've been planting and we have a long history of planting. Have those conversations also been had within this "think tank" for lack of a better word right now so far as the type of trees that we are looking at planting looking forward.

Mr. Cable said it has to the extent that Landscape Management which has all of its great arborous expertise is at the hem of tree selection and tree ordering and materials management for supporting all of this.

Mr. Cable said everybody okay with this. It's a little bit complicated and we're breaking the mold here. I mean we are creating something that doesn't exist right now. But fortunately Foundation for the Carolinas, has already committed \$20,000 to this effort along with the Knight Foundation who has committed \$20,000. They are very interested in housing this project. So what that means is we don't have to create another organization. We don't have to create another 501C-3 Organization. We can create this hybrid and the Project Director and I'm going to start out in that middle box as a part-time person with a direct-link reporting to the Board Chair but with a dotted line going into the City to help coordinate things within the City. That's

the way the organizational structure is set out and you know it's going to be a pilot, we're going to see how it works and we're going to make adjustments as we need to. But there is broad community support for this framework. It's designed really to be entrepreneurial and not gobble up a lot of overhead.

Mr. Cable said our time frame forward; hopefully the management plan will be underway this year and be completed sometime next year. That's going to be an internal function. I look forward to working with staff on that. The collaborative is underway now, we've established a foundation. We are now creating the Board; I can show you some names of folks that have stepped up to the Board. We are working hard on this Greenshade Program with Duke Energy which I am very excited about. The volunteer planting we've had the pilot; we now are lining up four events for the winter. For planting we're going to try to plant 5,000 trees this year. We're going to try to plant 6,500 trees next year. So we're going to go after it. We're going to continue to hone our involvement with the area planning process and then the whole marketing thing is under development. This is the Foundation, I'm almost done here. The purpose of the Foundation is really to support the planting of 15,000 trees. It's really clear. This Board, we're going to have fun, we're going to raise some money, and we're going to make a phenomenal difference in this community. People are really excited about it. It's going to be housed at Foundation for the Carolinas, there is no new organization and the Board will serve as a fiduciary for those funds that are raised. Here are the folks that have committed so far; Johnny Harris is unbelievably excited about this and is actually recruiting other folks to this Board. Rolfe Neill is very involved. All of these people are very involved. We've got some great community leaders here that have stepped up. They really believe in this program and want to see it be successful. It's been fun to work with them.

Mr. Cable said so the vision here of Tree Charlotte is; it is a public-private collaborative to plant trees. And to raise awareness of the canopy and to educate about tree care and tree planting. It's an official entrepreneurial business model that's going to blend public and private capital. What it's not is, it's really not just a start-stop project. Marshall Simon coined this as a, you know it's really a movement to establish preservation of the tree canopy as a community value. That is really, that is the essence of what we're talking about here. And it's not a regulatory program it's not a government program; but it's a community program. So it's not some grand soviet plan. What this is is identifying what all of you have already stated. This is a key core value of our community. Now how do we ensure that we enhance it and we end up where we say we want to be in 2050? I think the community feels this is the most efficient way to get us there.

Ms. Shell said I just wanted to let you know that we will be preceding with the implementation of the 50 by 50 strategies including the collaborative partnerships that Dave has just outlined. The work can be performed within current City budgets along with the funding that's being raised. We will keep you informed and we will bring any contracts or agreements as we need to to Council for approval.

Ms. Kinsey said Mr. Kimble or the City Manager probably need to answer this; first of all I like it. I support it. But it sounds like a lot of work on Staff. Does the Council need to approve this in any way or is it just really something that we are going to do anyway? I mean I know we're concentrating on the tree canopy, but it just sounds to me like its additional work for staff and I didn't know if it was something that the Council needs to endorse and embrace.

Mr. Kimble said it would be good to see a head nod, it would maintain your funding level, but it does put additional time constraints on staff to participate but it's for a goal and a Community value that you have expressed an interest in pursuing and achieving so acknowledging that this is something that you want us to continue doing would be a good thing.

Ms. Kinsey said is this in our Environmental Focus Plan?

Ms. Shell said yes.

Mayor Foxx said head nods?

Mr. Barnes said it's a great thing.

Mr. Cannon said on the education piece I know you spoke about the marketing aspects of it and all; but I am a little bit curious about what that might look like and what it might mean so that all of the community, particularly in some of our challenged areas are educated accordingly in how they might be involved or what they can expect whatever it might be. How do you plan to deal with that, is that through uh PSA's, is it through television is it through radio, is it through Government Channel, what might that be.

Ms. Shell said hopefully all of the above; as Dave said that's probably one of the more sort of immature parts of the plan right now. I think also as we get the neighborhood matching grants portion of this really developed, we'll be able to really reach out to some of those neighborhoods in challenged areas who also have a tree challenge and let them know that this is available. Once we go and partner up with them; we will be given some very direct education and training to them regarding taking care of the trees.

Mr. Cannon said well this is a wonderful something in the way of a presentation. Especially in light of some things that have transpired in the past that may attack our tree canopy. I don't ever go any place where somebody's not talking about when they are flying over Charlotte how wonderful our canopy looks. And trying to continue to do something to maintain it and to increase the beauty of this community which is so needed and so important. Thank you again for your level of participation and hopefully this will move forward. You've got my nod.

Mr. Howard said I would just like to expand on what Mayor Pro Tem Cannon was just saying. I think I have a concern about not necessarily the challenged areas, but I want to make sure it goes to needed areas. A lot of the subdivisions over the last 10 years and I happen to live in one of them where they just kind of almost clear cut and other than the two trees they've planted in our front yard; there's not a lot of trees around. I just wanted to make sure we go where we're needed and not so much where the neighborhoods will just start saying, hey we'll take them. Because I mean you know a lot of the neighborhoods that I think that will say, we'll take them probably are ones that already appreciate trees. I want to make sure they go where we need them, like the Peachtree's. There are a lot of those out there that need trees that I would hope we put a lot of effort in and they just don't go to places where people will sign up because traditionally that is in neighborhoods that are probably already pretty well established.

Ms. Shell said using the fly over data that we talked about, we can go down to a neighborhood level and sort of access the canopy. One review that we did showed about 120 neighborhoods that we think have less than 20% so we can find them and we can reach out to them and if they have the interest and the leadership to partner with us. We can encourage them to apply.

Mr. Howard said that's kind of the part that I'm talking about. Even if there is not leadership, I would hope that we do something. I know that we can't go organize them, but those are the very areas that need them to help increase the value is what I'm getting at.

Mr. Barnes said to the point that Councilman Howard just made, I represent a number of neighborhoods that are built on Astor Lane so there were no trees there. It would be helpful to his point, for us to pay special attention I think to some of those neighborhoods and in fact I'd like to see the list of 120 that has less than 20% coverage so that we can perhaps help recruit neighbors that will be a part of taking care of the trees and so forth. So let me know. And I will try and be a part of that.

Ms. Kinsey said let us all know.

Mr. Cable said we're also planning and a little bit related to your point is, there's a lot of corporate interest in this program. And it isn't just to write a check but it's to write a check and provide volunteers. So some of the communities where we may have difficulty engaging some

of the communities like this and some of the affordable housing projects where they are heavily rented, it's going to be hard to get some of those residents fired up. But the corporate community I think will step up and help not only sponsor that capital but also resources. You have human resources. So we're going to be able to not necessarily be using residential folks who are interested but we will also have kind of volunteers outside get involved.

Mayor Foxx said I also want to join in and thank you for the effort. It's another sign that Charlotte continues to work through public and private partnerships to make our communities stronger and we are always better going together than we are going along. So thank you very much. You've been a great help.

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The meeting was recessed at 5:46 p.m. for dinner and reconvened at 6:10 p.m.

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Councilmember Mitchell arrived at 6:05 p.m.

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ITEM NO. 4: ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT REPORT

Due to time constraints, this item was not heard by Council.

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

Assistant City Manager, Eric Campbell said on Item No. 20, Councilmember Autry pulled that regarding the salt for street deicing. I think Councilmember Autry's question was the shelf life of the salt and actually there is no expiration date on it. The salt is maintained in a contained environment and there is no expiration. We can hold it as long as need be at that point. What the contract does allow is for us to have access for additional salt when the inventory that we have is low.

Councilmember Autry said o.k. so we've got a pretty good inventory now.

Mr. Campbell said yes and this allow us to replenish that if needed if we get a bad weather event.

Mr. Autry said a winter like the one before the one before?

Mr. Campbell said yes sir.

Mr. Autry said o.k. thank you.

Mr. Campbell said I will pass on Item No. 24 for the moment and go to Item No. 25. The Weather Stations for the Emergency Management that was pulled by Councilmember Pickering and you wanted more information just on the weather stations and how they worked. The Charlotte Fire Department is the administrative agency for the Federal Homeland Security Grant known as UWASI and the Weather Stations that we have now are actually expanding the existing program of stations that we have. This is in addition to the weather data that is provided by the airport. This also provides real time data for the City. And in case for some reason there is a need for evacuation of a particular part of the City; we would have the data available so this expands that.

Ms. Pickering said thank you.

Mr. Campbell said Councilmember Mayfield Item No. 31. You asked about the SBE goal of 60%. The goal is actually based on the subcontracting opportunities that currently exist. There is a risk if the goal is too high then it become unattainable based on what the market provides for the subcontracting. But this doesn't preclude us from trying to increase the goal as the project goes forward.

Councilmember Mayfield said thank you.

Councilmember Dulin said comment on that. This is a great example though that we are still doing big time infrastructure projects. Thank you.

Mr. Campbell said Councilmember Dulin you asked the question about Item No. 40 Transit Services for delegates for the Democratic National Convention. You wanted to know if we would be compensated, would we have it in writing and where are we as far as the credit agency with the contract? The contract will compensate all costs at that point. It definitely would be in writing. The contract will be treated as any other City contract with a private entity so we would have the same legal authority as with any other contract.

Mr. Dulin said thank you Mayor. Well we're six weeks out. When are we going to have it in writing?

City Manager, Curt Walton said after you authorize this.

Mr. Campbell said we will go back to Item No. 24, that's the gunfire detection system. We have Deputy Chief Medlock is here to address any specific questions you have, but he will just give us a quick overview of the program.

Mayor Foxx welcomed Deputy Chief Medlock.

Deputy Chief Harold Medlock said Good Evening Mayor and Council. The ShotSpotter System or SST is a system that allows the Police Department to hone in gunshots using a variety of for a lack of better descriptions, antennas. It will allow us to respond to specific acts of gunfire in particular neighborhoods that we would install the system. I'll be happy to answer any questions that you might have.

Councilmember Fallon said has it been tried any place else?

Deputy Chief Medlock said yes ma'am. If you will allow me Ms. Fallon the cities that probably have had the most success include Birmingham; Boston; Camden, New Jersey; Los Angeles County; Milwaukee; Minneapolis; Newark; Oakland; Rocky Mount, North Carolina; San Francisco; Washington, D.C.; and Wilmington, North Carolina.

Ms. Fallon said how do you know it's not a backfire of a car?

Deputy Chief Medlock said that's the beauty of the system, it's able to distinguish that. It's just able to distinguish firecrackers from fireworks from backfires.

Councilmember Mayfield said how are the neighborhoods identified where we are going to start this process as far as the antennas being placed?

Deputy Chief Medlock said well we have to install this first system in one particular neighborhood and we are still trying to determine that of course it is based on some of the more violent incidences that we've had recently Ms. Mayfield and so we are trying to distinguish between two or three neighborhoods where this first system would be put in force.

Ms. Mayfield said and what's the range of the antenna?

Deputy Chief Medlock said the antennae actually encompass a one square mile area and the array also allows not just within but without the, beyond the one square mile.

Ms. Mayfield said okay thank you.

Councilmember Dulin said thank you Deputy Chief, good to see you sir. This acts, from what I've read this weekend, like a sonar?

Deputy Chief Medlock said that's a good description, yes sir.

Mr. Dulin said o.k. but is it designated for a pop sound like a gunshot as oppose to being able to pick up human speech. I don't want to ease drop on human speech.

Deputy Chief Medlock said yes sir; it will not pick up speech whatsoever. It is not microphones but an array of antenna that would actually triangulate into an area and give us a pretty precise pinpoint of where that gunshot occurred.

Mr. Dulin said and one of the things I like about this is that we're testing it.

Deputy Chief Medlock said correct.

Mr. Dulin said the Council has always done a good job folks of giving the P.D. what they need to keep us safe and we will continue to do that. I plan on supporting this tonight chief, Deputy Chief.

Deputy Chief Medlock said thank you.

Mr. Dulin said we're paying for this with asset forfeiture money which is we're taking the drug dealers money and paying for it. You know to continue to fight that. Are we, with our motion tonight, going to get this implemented in time for the DNC?

Deputy Chief Medlock said no sir, we will not. Just not enough time to do the research that we need for the particular neighborhood and then install it.

Mr. Dulin said one last follow-up please sir. How much of Charlotte can we cover with the antenna?

Deputy Chief Medlock said it really depends on how much money we want to spend over the long term. Our strategy would be to identify those areas that are experiencing the most challenges in terms of violent crime and install the systems or the subscription in a particular neighborhood. So it could be several neighborhoods if we find that it's successful.

Mr. Dulin said well does that mean they are fixed or mobile?

Deputy Chief Medlock said they are fixed, yes sir.

Mr. Dulin said o.k. thank you.

Councilmember Autry said Chief glad to have you with us. This in no way infringes on anyone's 2nd Amendment Rights Constitutionally is that correct?

Deputy Chief Medlock said you are absolutely correct sir. Does not take a picture, does not record voices, the only thing that it does is capture that gunfire, gunshot.

Mr. Autry said and has that been vetted in other communities that are using this?

Deputy Chief Medlock said yes sir and every one of these and additional ones that I didn't mention, it does work that way. Yes sir it does.

Mr. Autry said thank you sir.

Councilmember Barnes said Deputy Chief Medlock I was surprised to see my hometown on the list of cities that use the system. It has to be the smallest City on that list. There was an interesting news story about this system in the last week. And one of the questions I had was is a system, two antennas or is it three? Because I guess it triangulates?

Deputy Chief Medlock said it's a series. There are a lot of antennas that go into the particular one square mile. I don't know the exact number but any one of those antenna or receivers will triangulate off of each other. So it's more than three.

Mr. Barnes said o.k. and so if you've got a neighborhood on this side of the street that has the system can you simply go across the street to another neighborhood and use the antennas from the first neighborhood to do the same thing? In other words add them in the second neighborhood and can of triangulate the entire area?

Deputy Chief Medlock said yes sir, in fact we looked initially at a larger than 1 sq. mile. We want to make sure that this technology works for us in Charlotte Mecklenburg and I think as we go through this first year and we make our assessment, we will probably come back to you with a request to do more work with this system and as a forfeiture.

Mr. Barnes said alright thank you sir.

Councilmember Kinsey said Chief this is a lot of equipment it sounds like, what does it look like I mean I can imagine it being in some neighborhoods and not being very attractive? Is that, can you hide them or how tall are they you know?

Deputy Chief Medlock said it's actually a relatively small antenna or a receiver that can be mounted on the top of a building, on a telephone or power pole, very unobtrusive.

Ms. Kinsey said o.k. good.

Ms. Mayfield said so we're saying at the end of the year we will determine whether or not to renew the subscription. Do we know a total cost yet or estimated cost since we're probably going to be coming back and asking?

Deputy Chief Medlock said it's roughly \$50,000 per square mile for a subscription, for a one year subscription.

Ms. Mayfield said and have you already planned out the ultimate goal, how many miles, how many square miles within a city that you would like in a dream world, how much of the City that you would like to be encompassed up under this?

Deputy Chief Medlock said now well in a dream world, but I think what we have to do is be smart about our money and how we deploy these and certainly we want to put them in areas that are most where it's most needed. There are so many advantages to this not only in allowing us to put police officers almost immediately after a gunshot occurs in a particularly neighborhood; but also helps us with the investigation on the back end. So that our detectives would go back if Heaven forbid, we do have someone shot or some kind of problem like that, it will actually tell us when the shots occurred and pretty much where they are so we can go and collect evidence. So I think what we have to do when we deploy is just be smart about where we put them and get the most bang for our buck.

Ms. Kinsey said, \$50,000 per year?

Deputy Chief Medlock said yes ma'am. It's actually \$40,000 with a \$10,000 installation cost. Yes ma'am.

Ms. Kinsey said so after the installation cost is paid, its \$40,000 a year? That's got a high price.

Deputy Chief Medlock said yes ma'am. Well my response if it deserves, if you'd like one Ms. Kinsey is this. The resources to allow us to pinpoint and respond immediately to a location where there is gunfire in some cases neighbors are afraid or don't want to call for a variety of reasons, this actually puts police officers almost immediately after a gunshot occurs in that neighborhood and actually on that particular street where the gunshot occurs. So it's much like other technology that we're using. It is expensive, but I couldn't put a cop in every neighborhood on every street and to be able to do that as efficiently as this does.

Ms. Kinsey said but if you start putting them in a number of neighborhoods that's gets to be very pricey. I can tell you one neighborhood in District 1 that probably we could use right now. But I'll bet you there are two or three neighborhoods in every district and when you start, that's a lot of money.

Deputy Chief Medlock said I think we just have to be smart and how we deploy and pick those areas that are experiencing the most difficulties.

Councilmember Cannon said Mr. Deputy Chief thank you for being here. One, I have had some constituents to send me a couple of emails asking a question with regard to the shooting ranges that Council has been approached by and some forth and wanted to know if those would some sort of way trigger anything relative to what we're talking about. I think this goes back to the notion and/or the idea of where you strategically locate these particular antennas. That it really probably doesn't have anything to do with where those are, but I will let you respond. How do you respond?

Deputy Chief Medlock said I don't think we'd want to put one near a gun range.

Mr. Cannon said just want to be clear about that. I wouldn't think so, but a lot of activity in that area. So the other piece here is relative to being able to test it for a duration of time with all of the positives that I've been receiving with regards to this and how it's working in other cities, it would seem that we would need a year's time to test this. I'm thinking somewhere between six, seven months but what do you say in terms of the time frame to be able to get some level of determination about if it's something that we should really take a look at?

Deputy Chief Medlock said I think if we're smart about where we install the first system and we're able to really reap some benefit very quickly I think it does shorten our evaluation time. I don't think and I think probably Chief Monroe is not one to wait if we find something that's beneficial and we find neighborhoods that are challenged and need some help we're going to come back to you. When we believe that this actually does work for Charlotte-Mecklenburg and it is effective for us and the community, we'll come back to you very quickly.

Mr. Cannon said if this system does what I think it will do. I think it's worth us making the investment. I know that yes, we have some problem communities throughout the City. But I do believe also at the same time that if we are trying to prevent the next crime or the next life from being taken; we need to make a proper investment to show indeed that we support that position. I think that we yes, have to be smart in how we spend, where we spend, this of course is coming from asset forfeiture dollars, but we still need to make sure that the general public understands that we do have a valid resource; funding resource to be able to support something as such and move forward. Again I think to prevent the next crime. This is an excellent tool from what I've seen again and Mr. Barnes I know Rocky Mount unfortunately has a lot of problems right now. Mayor Foxx again I think this is a good action item tonight and hopefully it will move forward with unanimous support.

Motion was made by Councilmember Autry, seconded by Councilmember Barnes, and carried unanimously to go into closed session Pursuant to (A). NCGS 143-318.11(a)(4) to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential Economic Development Incentives that may be offered in negotiations and (B). NC General Statute 143-318.11 (a)(5) to establish or to instruction staff or negotiating agents concerning the position that will be taken by or on behalf of the City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of Real Property by Purchase, Option, Exchange or Lease.

The meeting was recessed into closed session at 6:30 p.m.

BUSINESS MEETING

The City reconvened in open session at 7:08 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Cannon presiding. Councilmembers present were John Autry, Michael Barnes, Warren Cooksey, Andy Dulin, Claire Fallon, David Howard, Patsy Kinsey, LaWana Mayfield, James Mitchell & Beth Pickering.

ABSENT UNTIL NOTED: Mayor Foxx

INVOCATION AND PLEDGE

Councilmember Andy Dulin gave the Invocation, followed by the Pledge of Allegiance.

CITIZENS' FORUM

Water Bill

Ms. Denise Russell, 10015 Garth Wood Road said my concern as you said it was the water bill. Over the last two years we have seen constant increases and as I receive my bill I was made aware that there is a delinquency fee which initially I was advised this is billed every 58 days or 68 days; then today I was advised again that it is every 38 days. My concern is that as I spoke to other members in the community, especially our senior citizens who are having a difficult time right and low income people in our community who are losing their jobs. They are already finding it difficult to pay their bills and to hear that we are applying a \$58 fee on a \$50 bill seems excessive. I think our President stepped up when it came to payday loans and things of that nature where people are being overcharged. I think that as a City that we do need to take into consideration that everybody cannot afford what they are being charged. Basically I'm here to find out what we as citizens can do to seek relief for our community members because nobody cares about the "little old lady" who lives down the street. And in speaking to her, her daughter is basically trying to keep her, you know in a position where she can take care of herself or paying that bill for her. But I think a lot of our Citizen's just want to have the ability to pay their own bills for example and be able to do what they need to do for themselves to keep their dignity. And I think that our Councilmembers need to take into consideration that of course you're not connected to them and you don't see their life every day. But there are many members who are hurting and if we don't address things like this it continues to go on.

When I called and spoke with the representative, he said it's because you have to dispatch a truck is why you are charging \$58 well if that consumer could pay that \$50 bill without you attaching a \$58 bill to it, making it \$108; maybe you wouldn't have to dispatch that truck. So I'm just asking what we can do as Consumers to make sure that the people in our Community are taking care of so that they are not eating cat food or whatever the case may be, where they find themselves where they can't take care of themselves anymore.

Mayor Pro Tem Cannon said o.k. Well first, is to do exactly what you are doing right now and that is to let your voice be heard. Their voices also need to be heard accordingly and so inasmuch as they can be encouraged to either call their Representative, their District Rep. and those of us that are serving in at-large capacity, we certainly never mind taking an opportunity to speak with them. The second thing is relative to the senior that you made mention of. Not quite sure of that person's age, not quite certain of that person's income. But if they do qualify, based

upon their age and income; they can take part in the Homestead Act, which can help to reduce well keep them at a level where they are not impacted on the property tax side inasmuch as someone else might be; say you or myself or any of us that are represented here tonight. So those are a couple of things that can be considered. So again beyond that, we want to continue to ask you to remain encouraged and make sure that your voice is heard across the Board. Anything else from any member of the body? That's it we thank you so much for coming down and expressing your viewpoint.

Citicide Community

Lisa Jones, 1819 Bowery Court said well thank you all for allowing me to speak, this is the second time I've come before this Council and I would like to thank Antanea and Mayor Foxx and you all because when I relocated down here, I came down here because I wanted to finish my last year of college. I love Charlotte. Charlotte is an ideal city for manufacturing. I have put in hundreds and hundreds and hundreds of applications for jobs. At the average, it's about two years for me to get a job. That's insane. That's past emergency into desperation. I wanted to give Mayor Foxx an update on my progress but I would like to thank Holy Comforter Episcopal Church who is my local church here; Urban Ministries; Room in the Inn and Moore Place. There's literally no service available here for single people who do not qualify as a single mom or a senior citizen. I have seen women go into prostitution. This is the United States of America and you've got women out here that have access to no finances whatsoever. Healthcare none, I love CMC Hospital. The best hospital you have in this city. I think that yall should start progressing as trying to get manufacturing jobs here. I think they have relied heavily on the banking which fell apart but you need a back-up plan.

I do not like it that our country is treating us this way when you are allowing immigrants to come here and they are having babies here and getting food stamps and checks. Whereas a tax payer, have put my money there and I do not qualify, it's wrong. And I am speaking on behalf of that. I'm hoping that people will listen, will give donations and monies to Loaves & Fishes and to these other organizations as well. I will be contacting the representatives in the General Assembly about some other laws, because I know locally yall can't do anything about it. But know that these people are out here. I have no drug and alcohol problem but yall have a lot of programs for that here. Yall look out for yall regular citizens and as far as Barack Obama is concerned, yes he needs to be President again. This has gone too far. O.k. God Bless You all.

Mayor Pro Tem Cannon said thank you Ms. Lee, we appreciate your feedback.

Request to Amend Public Consumption Code of Ordinances 15-3

Tracy Sanchez, 1000 Suite E Van Buren Avenue, Indian Trail 28079 said Good Evening. Again I'm Tracy Sanchez; I'm the owner of the Party Pedaler. The tour bikes, we transport and entertain citizens and tourists around the City of Charlotte. We've been so far well received and highly acclaimed by some tours and groups, news organizations and even mentioned for the Democratic National Convention as a great past time. I'm here this evening asking for an amendment for the City's Public Consumption Ordinance which will prevent passengers to drink while engaging in a tour of the streets of Charlotte. I have drafted the proposal amendment and included in the packet that I've brought for us this evening. The Pedaler is operated by one driver who is responsible for steering the device. It can hold up to 14 passengers and doesn't go very fast at all about .5 miles an hour. It also acts as an open air limousine. It also shares many properties with the party bus and limousine as a transportation involving the consumption of alcoholic beverages. The difference between them and us is the Pedaler Bike is non-motorized. It's completely propelled by the passengers. The Party Pedaler has been in operation since February 2012 and has been met by Charlotte's residents, tourists and boards with open arms. We have hosted over 600 peddlers to date on the Party Pedaler with no incidents whatsoever. It's a fun experience and people have really taken to the business. We are bringing revenue into the Center City and exposing the amazing culture that Charlotte has to offer that some would not otherwise be able to experience. We ask people to get out of their hotel rooms, come and get on the bike and let's show them what Charlotte has to offer. With the amendment, the Party Pedaler

would only allow the consumption of beer and wine. Only on a BYOB basis. The Party Pedaler would never serve or sell alcohol.

My attorneys and I have spoken with a number of regulatory officials including the ABC Commission, ALE, the Charlotte Police Attorney's Office; the City Attorney and all individuals have said that as long as the Party Pedaler is not selling the alcohol, the only impediment to its operation on the streets of Charlotte is the Public Consumption Ordinance.

Because the Party Pedaler is a new type of business entity and many cities throughout the U.S. they are also being addressed through City Council and other Public Consumption Ordinance waivers. There are a few cities that have already obtained such waivers with success with no incidence. The Charlotte ordinance has already some exceptions listed for public festivals such as Speed Street. We are requesting that the City Council grant an additional exception for the Party Pedaler. Obtaining an exception would allow the Party Pedaler to serve as a great tourists and citizen's activity for the City of Charlotte. I've included the current provisions and I've also included the proposed amendment in your packets.

Mayor Pro Tem Cannon said Ms. Sanchez we will read through this; if there is more information we can certainly get that or a member of Council might be willing to ask you a question. Councilwoman Kinsey.

Councilmember Kinsey said I just want to make a comment. I was in Nashville, in the last week, for a League of City's Meeting and they have these and the people were on them and having a ball. I didn't realize that we had this here in Charlotte. I don't know whether they had alcohol or not.

Ms. Sanchez said they are BYOB as well.

Mayor Pro Tem Cannon said it sounds like you may want to make a referral to the Committee but we will hold off and wait.

Councilmember Howard said I've got one better for you Ms. Kinsey. I actually rode one of these about three weeks ago when I was in Germany. It was an interesting experience. We did not drink; it was in the middle of the day. So why don't we, I don't know it feels like I kind of want more information on this. Maybe we can refer it to the Public Safety Committee. Mr. Manager do you have another suggestion maybe?

City Manager, Curt Walton, said we would need an opinion from them or I would recommend an opinion from the City Attorney's Office on how we would go about doing this. If we have the authority to do this, etc. before we make that decision.

Mr. Howard said that would be great. So we will wait for a report back from the City Attorney on how we proceed.

Ms. Sanchez said thank you for your time.

Councilmember Dulin said thank you Mayor Pro Tem Cannon this looks like a lot of fun. All we need though is one person peeling off the backside of one of these stools into the other lane of traffic. And then all of a sudden the fun is over. So ma'am I mean I don't want to rain on your parade but I've got very serious concerns that I don't mind working through it in Committee, you know that's what we're here for. But I'm leery.

Ms. Sanchez said may I address that at all.

Mr. Dulin said no I have to ask you a question, that's the way the rules are. You've said in other cities that there were no incidents. These stools particularly if we've got folks drinking and guzzling and they're on the streets, these stools look like someone could come off them pretty

quick. Don't see any seatbelts on here, but they just look, by the way for the audience, we have a picture of what one of these things looks like.

Ms. Sanchez said that's a valid concern. Absolutely.

Mayor Pro Tem Cannon said and let me just, just for the sake of the camera, for the folks at home who probably want to get an idea about what this looks like and those that are in the viewing audience, uh if you showed it from the top screen I think they can probably take a look at it, but I will ask you a question while you're there, Ms. Sanchez. This also means, you told us of course beverages will not be served per se or sold. I would imagine that the person that works for the company who also is on this piece of machinery will not be consuming any alcohol as well? Is that correct?

Ms. Sanchez said absolutely not. Just like a limo driver or anyone of that nature.

Mayor Pro Tem Cannon said in the meantime what we will do is to go with the Manager's recommendation which is to get some level of opinion from the Attorney's Office and move this forward.

Ms. Sanchez said alright thank you again for your time.

Mayor Pro Tem Cannon said thank you so much for being here.

Request to Allow Bow Hunting for Deer on Private Property

Mr. Frank Casey, 10005 Snowflake Ct. said thank you Mr. Mayor Pro Tem Cannon and Councilmembers for allowing me to come and speak before you tonight on the situation concerning Bow Hunting in the City. Briefly, I'm a Charlotte native. Graduated from Central High School. Went on to Charlotte Fire Department in 1962, retired in 1987, in fact I was the first fireman to receive a 4 year degree from UNCC while I was in the Department. I started working on this with Nancy Carter back on May 3, 2011. I've held a North Carolina hunting license since 1957. I'm not speaking about shooting guns in the City. I know how far a bullet will travel after it leaves a gun. A mile, a mile and a quarter, maybe a mile and a half. There are many large tracks of land that have been annexed into the City. According to Jesse Smith with Barefoot Archery on Old Pineville Road, he's been there since 1966; the distance for an arrow to travel in an arch is 100 yards. According to Barefoot Archery and the Wildlife Commission in Raleigh; no one has ever been injured or killed with a bow and arrow in North Carolina that they can recall.

Have you ever heard of anyone trying to rob a convenient store with a bow and arrow? Or neighbors having a conflict out in the yard and one of them saying hold on I'm going run in the house and I'm going to get my bow and arrow and I'm going to come back and settle this dispute. I don't think so. In today's market a bow and arrow will cost you between \$250 and \$800 or higher. As you know deer in Mecklenburg County eat our plants in our yards and are hit by cars on the roadways weekly.

How many deer in North Carolina? In 1900 according to the Wildlife Commission there were around 10,000 in North Carolina. Today they estimate between one and one and a quarter million deer in North Carolina. I had 14 in my backyard not too long ago back in the Fall at one time, kind of eating on my wife's foliage out there. How many deer have been reported harvested "killed" in Mecklenburg County last year? This may shock some of you I kind of was when I read it. Six hundred and seventy two (672) deer were killed by hunters in Mecklenburg County last year. One hundred fifty three (153) with a bow and arrow. In North Carolina overall last year over 175,000 deer were harvested. I'd like to suggest that the Code of Ordinances Section 15-13 (b) Paragraph (b) be re-written as follows:

"It shall be unlawful for any person in the City to Discharge a bow and arrow within 200 ft. of any residence or occupied building.

Also unlawful to hunt on private land without the written signed and dated permission of the Landowner. This must be renewed annually. The Signature Permission.”

Mayor Pro Tem Cannon said we thank you so much for your presentation.

Councilman Autry said Mr. Casey there is an issue with an abundance of deer in the County is that correct?

Mr. Casey said yes sir.

Mr. Autry said and I think I'd probably want to hear from Mr. Shaw then because he's with the Wildlife Service so we will go ahead and let this move on.

John Shaw, State Department of Wildlife Commission said thank you. I'm John Shaw. I'm the District Wildlife Biologist with the Wildlife Resources Commission so I cover Mecklenburg County and nine other Counties East of here. Part of my job involves taking phone calls and helping folks that have nuisance wildlife issues and I get more calls about deer than any other critter that I deal with. Most of my calls come from Charlotte. There are not any viable non-lethal measures for helping landowners deal with deer problems. Most of the repellants those sorts of things are not long term solutions to the problem. To be able to keep the deer herd at a biologically acceptable level and a socially acceptable level, there has to be lethal removal of deer from the deer herd. And we prefer deer to be removed in a lethal manner by Hunters. And it can be done safely and effectively and ethically in urban areas through Bow Hunting.

It's being done now in Chapel Hill, Elkin, Kannapolis and also in Concord. The number of cities that are adopting or changing their Bow Discharge Ordinances is growing and growing. I'd be glad to take any questions from anybody.

Mr. Autry said thank you sir. Mr. Shaw you say that Chapel Hill is allowing bow hunting within the city limits?

Mr. Shaw said that is correct.

Mr. Autry said and is their ordinance structured with a perimeter on that property that they would not be allowed within?

Mr. Shaw said I don't believe so. Most cities that adopt or change their ordinance basically just remove; strike it completely from their ordinance. The Wildlife Commission and the State has gotten rules and regulations in place already that are geared toward safe hunting and ethical hunting. You can be more restrictive and put into place boundaries around occupied dwellings but it's not completely necessary. Bow hunting for those of you who aren't familiar with bow hunting, usually entails the hunter being stationary and typically 20 ft. in the air and shooting down at a target, that's about 20 or 30 yards away. So in the event they miss their target, their arrow ends up in the ground.

Mayor Foxx enters at 7:32 p.m.

Mr. Autry said what would be the number of deer that should be harvested in Mecklenburg County to keep the breed healthier.

Mr. Shaw said I can't answer that. I don't have the numbers off the top of my head. Allowing bow hunting would reduce the number of deer in Mecklenburg County and inside the Charlotte city limits. Probably more important is it would change deer behaviorally. They wouldn't be as bold and wouldn't come up and eat around the house, eat out of plantings, eat out of folks gardens.

Mayor Pro Tem Cannon said just for the sake of information for the viewing audience and for those that are represented here, both in-house and on television. One, back in August 2011, this item happened to be referred to the Community Safety Committee and it would have been at its January 18th meeting where we would have discussed the issue of Urban Hunting and the Community Safety Committee unanimously at that time, voted 5-0 not to pursue an ordinance permitting bow hunting within the city limits. A lot of this was around the concerns that the Committee had with regard to this happening in what basically would be an urban setting here the City of Charlotte rather than some more of our suburban life type cities throughout the State that have been made mention of tonight.

The Committee also felt as well that the enforcement issues, many of you will recall this, associated with such an ordinance made it impractical to implement. So it was for a few of those reasons as to why the Committee brought it back to the full council to ultimately make a decision not to pursue this particular matter going forward. Another issue that happened to be raised, understanding your point Mr. Shaw, there was still some level of concern about if a child would happen to be out there or an adult, whomever, it might be a human being period. That they may get caught some sort of way in that potential cross-fire. But I wanted to just kind of give you a little bit of background in terms of where this has been and where we are to date, which is your request to bring this forward.

Councilmember Kinsey said thank you I was going to ask you about that. I thought I remembered that we talked about it, thank you.

Councilman Dulin said guys thanks for coming down his evening. We did work on this in August of 2011 and I visited five neighborhoods or so a couple of them a couple of times over this issue. And quite frankly I'm not interested in going back into it, you know no offense. And I do by the way, I do believe Council that the deer population is over populated and some culling, some serious culling needs to occur. But I'm not comfortable at all with having, as you said, folks, seasoned deer hunters will be in stand shooting down, but I'm not at all comfortable with unseasoned deer hunters walking through the woods shooting and missing and so forth. I've got neighbors that have got not my neighbors but people I've visited with that have found arrows in their back yards, etc. and I'm just not comfortable with that so I don't know what Council will do but I will vote not to send it, bring it back up. Thank you and gentlemen, no offense.

Mayor Foxx said thank you for bringing this to the attention of the Council, is there any desire to take this up? It doesn't sound like it but I want to make sure that we give the issue it's day. Without a motion, thank you very much and if the Council should choose to bring it up at a future time so be it. But thank you for expressing your views.

Civil Rights

Melleka Davis, 9913 Ansonborough Square, Huntersville said Good Evening. I want to first of all thank you for the help that you gave me on this particular topic. I was here in November of last year and the issue is concerning domestic violence. From speaking with you, you reached out to me and Mayor Pro Tem Patrick Cannon and invited me to be part of a round table which happens at the meeting of the year. And so I'm just here today to follow-up on that topic and speak a little bit more about what is happening.

I want to talk to you this evening about the economic disparity that is occurring in our City's family courts concerning domestic violence victims. The practice right now that's been adopted is that a victim of violence will go into court to obtain a protective order. Once that order is obtained, and she shares a child with her abuser that case is moved over into Custody & Visitation. Once that happens, the matter becomes civil. When the matter is civil, domestic violence victims, excuse me, are no longer able to receive any kind of help or funding from any agency that gets federal funding for domestic violence. For us locally, that would be the Women's Commission, Victim's Assistance and even Legal Aide. With the matter being civil, a lot of domestic violence victims when they leave these violent relationships are left devastated

economically. A lot of them become homeless because of the also poor housing protective standards that we have. Which leads to a rise in homelessness for the City. Agencies are also reporting that they are seeing a trend, a disturbing trend of women cycling back through the system as criminals because they have resorted into taking the law into their own hands when it comes to protecting themselves and their children.

With this matter, I would like to talk to the City again about a lobbying to help create stricter guidelines when it comes to visitation concerning parents that have abused their children. I think that if we can work towards this goal together it will help the gap of disparity between domestic violence victims and their abuser. It will also help to be disconnected between our two court systems.

Mayor Foxx said thank you very much. We really appreciate your continuing engagement on this issue. Not only on the City's behalf but on behalf of the many victims of domestic violence.

Councilmember Cannon said and we plan to have you back at the table Ms. Davis as we continue to move forward through the process of an awareness campaign of dealing with domestic homicide, which basically is the charge of what it is that we're looking at right now. Be on standby for that right now we're still working through "messaging" if you will. So thank you for your help.

Ms. Davis said thank you and it was a daunting task but in the words of Frederick Douglas, Without struggle, there can be no progress. Thank you.

Budget

Larry Brackett, 5633 Murrayhill Road said good evening to the citizens and the Chamber and to members of the Council. The City Manager's budget is Pinocchio's script and too much power in the hands of 12 Judas goats. The truth about the Street Car; The price tag is not \$119 million dollars. It's \$500 million dollars to hustle subsidies for speculators and real estate along the tracks to wit. This Council stuffed \$3 million dollars in a speculator's pocket to build a parking deck along the tracks out W. Trade Street. We've been there, done that. Community development, non-profits that benefit no one but the profiteers, no income tax, no property tax, no sales tax, to wit. Chiquita Banana and United Technology a profiteer who just arrived with \$6 billion dollars and in a hefty garbage bag and this Council gives them \$25 million dollars in subsidies. The truth about Eastland Mall, \$13 million dollars buys a \$40 million dollar mortgage plus another \$10 million to clean up the site, condemn the mall, and assist the owners to clean up the toxic waste.

The City collects \$500 million dollars in property taxes. The City Manager dumps it in a trough called Public Safety. That is 5,000 policemen and firemen, \$100,000 dollars for each position. The \$500 million dollar figure has doubled in five years. Why? Raises to the tune of 15 ½ % compounded annually. That is a 5% step increase plus a 3% cost of living, plus 7 ½% retirement contribution. A police captain or a fire battalion commander is promised \$100,000 dollar pension. The County promises Sheriff Pendergraph \$120,000 pension. The problem with rich pensions and benefits, they are not funded. The inconvenient truth. The taxpayer will have to take the \$120,000 out of his pocket this year; and then Harry Jones can pay it out to the Sheriff. The average social security check is \$1100 a month. Bread out of the working man's pocket, not bread off the taxpayer's plate. In the words of Patrick Cannon, we are not here to serve for the sake of service.

Mayor Foxx said thank you that concludes our speakers for the evening. We want to thank all of you who have come. We now move to Awards & Recognitions.

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AWARDS AND RECOGNITIONS

ITEM NO. 7: LERNER FAMILY AND CMPD INDEPENDENCE DIVISION

Mayor Foxx said Councilmember Autry would like to recognize the Lerner Family and the Charlotte Mecklenburg Police Department's Independence Division for establishing a Partnership that successfully transformed an apartment complex in Charlotte East and Mr. Autry I will yield to you to make the appropriate recognitions.

Mr. Autry said Mayor and Council, before I was on Council you could probably go back and check the records and see where I spoke before Council more than once about an establishment on Idlewild Road at that time that was known as Idlewild Apartments. The crime factor there, the calls for service from the Police Department was a shining example of why we had the Absentee Landlord Ordinance. With the acceptance of that Landlord Ordinance, the Absentee Landlords of Idlewild Apartments saw fit to sell their operation and it was purchased by the Learners. Mark Learner, his Uncle Harry and Mark's brother, Gary operates lots of apartment units within the City. Mrs. Carter is the Property Manager there, and with the assistance of the Independence Division of CMPD that I've mentioned already they have turned that property around. They have gone in and cleaned the place up. They've made improvements to the property. The rent is still very reasonable and an affordable piece of dwelling for folks that need that price point. But the main thing is the cooperation between the property owners, the property management and CMPD to work to clean up the place. So now we don't have Idlewild Apartments anymore over there as a scourge on our community. We have a place called Arcadian Village that is ran very well and I think maybe is Captain Goelz here? Captain would you take the mike and just talk a little bit about what has changed over on that property?

Captain Goelz said absolutely we've noticed in the last few years that we used to spend quite a bit of time in the Idlewild Apartments answering numerous calls for service both nuisance as well as criminal and we've seen that number drop drastically in the last few years. The quality of life in that apartment complex has increased tremendously and we are really appreciative to the owners as well as the management out there who have worked very well with us to get rid of some of the folks that were out there causing the problems. They've certainly used our, the eviction process to their advantage and to our advantage and we really do appreciate it. We've spent a lot less time in that apartment complex which has allowed us to focus on some other areas in our community that need some attention.

Mr. Autry said thank you Captain and Council I just wanted to take this moment to thank and thank the Learners and Mrs. Carter, the Independence Division because this is a partnership that has worked in a manner that we want to see all of them to work for the betterment of the community, to make sure that we have affordable places for people to live and that those places are safe and conducive to a higher quality of life. So I think it was a real good thing that they did there and I just wanted to say thank you and take this opportunity to do it. So thank you all very much, we greatly appreciate it.

Mayor Foxx said thank you for recognizing, these are the type things that would otherwise go under the radar screen if someone didn't take the time to raise them up, so thank you very much for the recognition Mr. Autry.

ITEM NO. 8: NORTH CAROLINA LEAGUE OF MUNICIPALITIES GEORGE C. FRANKLIN AWARD

Mayor Foxx said our second acknowledgement is by the North Carolina League of Municipalities. It is called the George C. Franklin Award and to join us today, we are in the

esteem company of the Executive Director of the North Carolina League of Municipalities, Ellis Hankins, who will present this Award tonight, Ellis.

Mr. Ellis Hankins, Executive Director of the North Carolina League of Municipalities said Mr. Mayor, Council Members; it's a pleasure to be back with you. I am Ellis Hankins, Executive Director of your League of Municipalities for folks in the audience not familiar with the League. The League is the association of all of our Cities and Towns across the state, a Mayor of Charlotte had a great idea in 1908. Mayor T. S. Franklin brought a group of Mayors together he thought, they thought, that if they formed an Association and worked together, they could make progress together and they were right and it's worked well for 104 years. The League held our Centennial Conference here in 2008; Susan Burgess was President that year. Our Annual Conference will be back in Charlotte this year in October. Councilmember Cooksey is a member of the League Board of Directors. He and we look forward to hosting with you all about 2,000 municipal officials and guests from across the State and will do our best to show off our great City of Charlotte.

You have by-the-way an Alumnus of the League Staff sitting at the table, Bob Hagemann, and your previous City Attorney, also worked as a lawyer on our staff and I learned a lot of things from them, maybe they learned something from me. It is my pleasure to present an award to another one of your very good City employees on behalf of our League Membership. I came here to present this award several years ago to Chief Hannan when he was Deputy Chief and then to Mujeeb Shah-Khan who now is the Greensboro City Attorney. This award is presented in memory of a great member of the League staff who represented our municipalities and handed out a lot of legal advice and certainly worked with members of the general assembly for a lot of years long ago on behalf of all of our cities and towns. George C. Franklin, who was the League's general council; legendary lawyer and municipal lobbyist in the General Assembly. One of the things that he did, let me give you one example, in 1951, long ago, before I was born, but not long before I was born. Our cities needed financial help to repair and upgrade our city streets. Those of you who are old enough to remember know that we had a lot of bumpy unpaved city streets back then. We don't anymore. George Franklin hashed an idea with Senator Powell to put a group of legislators on some buses and ride them over some of the muddiest, bumpiest city streets they could find and they made the point. And cities every since have gotten a share of State transportation revenues, it's called the Powell Bill. Last year the City of Charlotte received \$18.6 million dollars in the Powell Bill distribution. To be put to good use in improving and maintaining the roadways on the City street system. It's a very beneficial thing.

This award, in memory of George C. Franklin, is presented every year by the League's membership in his memory but to the outstanding student in the Municipal Administration Course at UNC-Chapel Hill. That is a multi-week course with 80 or 90 students from Cities/Towns of all sizes across the State. It is the best course about an overview of Municipal Government that there is. And this year's recipient of the award, the outstanding student in that course, is Jeffrey Dulin, the Deputy Chief. It says the North Carolina League of Municipalities presents the George C. Franklin Memorial Award to Jeffrey Dulin, as the most outstanding graduate of the Municipal Administration Course, UNC-Chapel Hill 2012. Congratulations Sir and thank you all.

Mr. Hankins said his wife, Sandy, is here tonight too.

Mayor Foxx said oh let's acknowledge your wife; she obviously contributed mightily to this award.

Councilmember Mitchell said Mayor and Council if I can say something about our outstanding Executive Director, it's been a tough year for Ellis lobbying for us on the General Assembly and he still does it with a lot of passion and Ellis on behalf of all our City Council of Charlotte we appreciate your work and continue to represent us well in Raleigh.

Mayor Foxx said very well put Mr. Mitchell. We now move to Consent Items.

BUSINESS MEETING

ITEM NO. 9: CONSENT AGENDA

Motion was made by Councilmember Howard, seconded by Councilmember Dulin, and carried unanimously, to approve the Consent Agenda as presented with the exception of Item Nos. 24, 31, 33, 34, 40 and 47E.

The following items were approved:

Item No. 17: 2012 City Council Meeting Calendar Amendment

Amend the City Council meeting calendar to schedule a meeting on August 13, 2012 at 12:00 noon in Room 267.

Item No. 18: Side Loading Automated Refuse Trucks

(A) Purchase of four autocar side loading automated refuse trucks as authorized by the “piggybacking” exception of G.S. 143-129(g), and (B) Contract with Young’s Truck Center dba Advantage Truck Center for the purchase of four autocar side loading automated refuse trucks in the amount of \$993,872.

Item No. 19: Tri-Axle Dump Trucks

(A) Purchase of dump truck chassis as authorized by the State contract exception of G.S. 143-129 (e)(9), (B) Contract with Transource, Inc. for \$228,330.80 to purchase two dump truck chassis, and (C) Contract with Godwin Manufacturing for \$55,184 to purchase two dump truck bodies.

Item No. 20: Salt for Street Deicing

(A) Award the low bid unit price contract to Cargill, Inc., for the purchase of road deicing salt for three years, and (B) Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as authorized by the contract.

Summary of Bids

Cargill, Inc.	\$803,454.00
Detroit Salt Company	\$976,344.00
North American Salt	\$1,081,608.00
International Salt Co.	\$1,450,236.00

Item No. 21: Private Developer Agreement for Traffic Signal Improvements

(A) Authorize the City Manager to execute a Developer Agreement with DDR Belgate, LLC for \$292,046, and (B) Budget Ordinance No. 4931-X appropriating \$292,046 in Private Developer Funds for Traffic Signal Improvements.

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 793.

Item No. 22: Resolution Supporting NCDOT Division 10 Request for General Assembly Contingency Funds

Resolution supporting NCDOT Division 10’s request for the allocation of \$250,000 from the North Carolina General Assembly’s contingency funds (\$125,000 from the House of Representatives and \$125,000 from the Senate) for portable signage and landscape upgrades along state highways serving Charlotte.

The resolution is recorded in full in Resolution Book 43 at Page(s) 770.

Item No. 23: Hazardous Materials Response X-Ray Systems

(A) Purchase of two Open Vision X-ray systems for hazardous material responses as authorized by the sole source exception G.S. 143-129(e)(6) and (B) Contract with QSA Global, Inc. for up to \$135,000 for the purchase of the X-ray systems and related accessories.

Item No. 25: Weather Stations for Emergency Management

(A) Purchase of eight weather stations from Coastal Environmental at a cost of \$72,000 for use of real-time weather monitoring, as an approved project under the 2009 Urban Areas Security Initiative (UASI) grant program, and (B) Authorize the City Manager to extend the contract for one additional year with possible price adjustments as stipulated in the contract.

Item No. 26: Voluntary Annexation Public Hearing Date

Resolutions setting public hearings for August 27, 2012 for voluntary annexation of several City-owned and County-owned properties.

The resolutions are recorded in full in Resolution Book 43, at Page(s) 771-779.

Item No. 27: Congestion Management Process

Authorize the City Manager to negotiate and execute a contract on behalf of the Mecklenburg-Union Metropolitan Planning Organization with RS&H Architects-Engineers-Planners, Inc. to develop a Congestion Management Process (CMP) in an amount up to \$225,000.

Item No. 28: MUMPO Consultant Services

Approve the following contracts on behalf of the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) for Consultant Services: 1. Parsons Brickerhoff, Inc. for \$125,000 and 2. J.S. Lane Company for \$125,000.

Item No. 29: Utility Relocation Design Services

Agreement with Hinde Engineering Inc. in the amount of \$1,556,800 for Design of water and sewer infrastructure related to transportation projects.

Item No. 30: Water Main Replacement Professional Design Services

Professional services agreement for \$881,293 with Hazen & Sawyer (H&S) for professional design services for the replacement of a 24-inch water transmission main along Arrowood Road and Sulkirk Road.

Item No. 32: South Tryon Street Sidewalk Project

Award the low bid contract of \$519,055.69 to Red Clay Industries, Inc. for the South Tryon Street Sidewalk project.

Summary of Bids

Red Clay Industries, Inc.	\$519,055.69
Blythe Development Company	\$569,283.75
Sealand Contractors Corporation	\$578,735.75
United Construction Inc	\$639,341.06
Morlando Construction, LLC	\$689,432.45
Showalter Construction Co., Inc.	\$698,312.53

Item No. 35: North Tryon Street Business Corridor Improvement Project

Contract amendment with Kimley-Horn and Associates, Inc. for the North Tryon Business Corridor Project for \$220,000 for an alternative design option.

Item No. 36: Lake Point Water Quality Enhancement Project Change Order #1

Change order #1 in the amount of \$156,900 to United Construction, Inc. for the Lake Point Water Quality Enhancement Project.

Item No. 37: Public Auctions for Disposal of Equipment and Police Unclaimed Property

(A) A resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, and (B) Authorize said items for sale by public auctions on September 22, 2012 and September 29, 2012.

The resolution is recorded in full in Resolution Book 43, at Page(s) 800-807.

Item No. 38: Disposal of Surplus Personal Property Procedures Amendment

A resolution amending the Procedures for Disposal of Surplus Personal Property to include rolling stock valued at less than \$30,000.

The resolution is recorded in full in Resolution Book 43, at Page(s) 808-810.

Item No. 39: City of Gastonia Radio Service Interlocal Agreement

(A) Resolution approving a new Interlocal Agreement for Public Safety Radio Services with the City of Gastonia and Mecklenburg County and terminating the 2008 Gastonia Radio Interlocal, and (B) Budget Ordinance No. 4933-X appropriating \$480,929 in program revenue.

The resolution is recorded in full in Resolution Book 43, at Page(s) 811-812.

The Ordinance is recorded in full in Ordinance Book 57, at Page(s) 795.

Item No. 41: Transit Project Management System

(A) Purchase of a transit project management system as authorized by the Federal Contract Exception G.A. 143-129 (e) (9a), (B) Authorize the City Manager to negotiate and execute a start-up one-year agreement with The Winvale Group for the “e-Builder” Project Management System for an amount up to \$439,310, and (C) Authorize the City Manager to negotiate and execute up to four, one-year license extensions, with each extension amounting to \$72,900 for an amount up to \$291,600.

Item No. 42: South Boulevard Light Rail Facility Addition Design Services

Authorize the City Manager to negotiate and execute an Agreement with Redline Design Group for architectural and engineering services for an addition to the South Boulevard Light Rail Facility for an amount up to \$275,000.

Item No. 43: Airport Wireless Carrier License Agreement

License agreement with SprintCom, Inc. (Sprint) for the use of the distributed antenna system.

Item No. 44: Airport Telecommunications Contract

One-year contract with AT&T in the amount of \$137,925.90 for maintenance of the Airport’s Telecommunications system.

Item No. 45: Airport Fuel Contract

(A) Award a low bid unit price contract up to \$15,225,000 to Petroleum Traders Corp. for the purchase of bulk fuel for three years (\$5,075,000 annually), and (B) Budget Ordinance No. 4934-X to appropriate \$3,552,500 from Airport tenant revenues received from the purchase of fuel. The budget ordinance amount reflects 70% of the first year expense of \$5,075,000 with the remaining 30% Airport share of \$1,522,500 funded through existing Aviation operating funds. The contract balance will be paid over the next two years.

Summary of Bids

Petroleum Traders Corp	\$ 7,128.06
Papco, Inc.	\$ 16,152.14
Mansfield Oil Company	\$30,718.05
RKA Petroleum Companies	\$ 62,718.71
Great Lakes Petroleum	\$121,484.98
James River Petroleum	No Bid
World Fuel Services, Inc.	No Bid

The Ordinance is recorded in full in Ordinance Book 57, at Page(s) 796.

Item No. 46: Refund of Property and Business Privilege License Taxes

(A) Resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$5,333.13, and (B) Resolution authorizing the refund of business privilege license payments made in the amount of \$16,304.80

The resolution is recorded in full in Resolution Book 43, at Page(s) 813-815.

The resolution is recorded in full in Resolution Book 43, at Page(s) 816-817.

Item No. 47-A: 7713 Boswell Road

Ordinance No. 4935-X authorizing the use of In Rem Remedy to demolish and remove the structure at 7713 Boswell Road (Neighborhood Statistical Area 146 – Bradfield Farms Neighborhood).

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 797.

Item No. 47-B: 1231 Georgetown Drive

Ordinance No. 4936-X authorizing the use of In Rem Remedy to demolish and remove the structure at 1231 Georgetown Drive (Neighborhood Statistical Area 140 – Hidden Valley Neighborhood).

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 798.

Item No. 47-C: 2555 Hemphill Street

Ordinance No. 4937-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2555 Hemphill Street (Neighborhood Statistical Area 2 – Pinecrest Neighborhood).

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 799.

Item No. 47-D: 2632 Mayfair Avenue

Ordinance No. 4938-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2632 Mayfair Avenue (Neighborhood Statistical Area 9 – Ponderosa/Wingate Neighborhood).

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 800.

Item No: 48-A: 1539 Scotland Avenue

Acquisition of 649 sq. ft. (.015 ac.) in Storm Drainage Easement, plus 1,537 sq. ft. (.035 ac) in Temporary Construction Easement at 1539 Scotland Avenue from F. Brian Gibson and Wife, Mary W. Gibson for \$22,500 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel #6.

Item No. 48-B: Shopton Road

Acquisition of 10.37 acres, at Shopton Road from Ann Shull Litaker for \$456,000 for Airport Master Plan Land Acquisition.

Item No. 48-C: Airport Master Plan Land Acquisition

Acquisition of 2.44 acres at 8428 and 8500 Tuckaseegee Road from Birdie B. Suttle for \$150,000 for Airport Master Plan Land Acquisition.

Item No. 48-D: 5612 Old Concord Road

Resolution of condemnation of 14,875 sq. ft. (.341 ac.) in Fee Simple (Total Take) at 5612 Old Concord Road from Abdul H. Motan and Seema Motan and Any Other Parties of Interest for \$206,400 for Blue Line Extension, Parcel #1363.

The resolution is recorded full in Resolution Book 43, at Page(s) 818.

Item No. 48-E: 8831 Idlewild Road

Resolution of condemnation of 1,500 sq. ft. (.034 ac.) in Storm Drainage Easement, plus 260 sq. ft. (.006 ac.) in Temporary Construction Easement at 8831 Idlewild Road from Bryant Nelson Allen and Any Other Parties of Interest for \$125 for Wiseman Storm Drainage Improvement Project, Parcel #3.

The resolution is recorded full in Resolution Book 43, at Page(s) 819.

Item No. 48-F: 4305 Morington Lane

Resolution of condemnation of 1,097 sq ft. (.025 ac.) in Storm Drainage Easement at 4305 Morington Lane from Roger Scott Sells and Any Other Parties of Interest for \$650 for Wiseman Storm Drainage Improvement Project, Parcel #45.

The resolution is recorded full in Resolution Book 43, at Page(s) 820.

Item No. 48-G: 3419 Arrow Lane

Resolution of condemnation of 2,427 sq ft. (.056 ac.) in Storm Drainage Easement at 3419 Arrow Lane from Susan Gail Marchisio and Any Other Parties of Interest for \$200 for Wiseman Storm Drainage Improvement Project, Parcel #52.

The resolution is recorded full in Resolution Book 43, at Page(s) 821.

Item No. 48-H: 4303 Claybury Court

Resolution of condemnation of 383 sq. ft. (.009 ac.) in Storm Drainage Easement, plus 139 sq. ft. (.003 ac.) in Temporary Construction Easement at 4303 Claybury Court from George W. Spencer and Wife, Leslie G. Spencer And Any Other Parties of Interest for \$50 for Wiseman Storm Drainage Improvement Project, Parcel #53.

The resolution is recorded full in Resolution Book 43, at Page(s) 822

Item No. 49 – Meeting Minutes

Titles, motions and votes reflected in the Clerk’s record as the minutes of: April 23, 2012 Business Meeting and the May 16, 2012 Budget Retreat.

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Item No. 40: Transit Services for Delegates of the Democratic National Convention

Thomas Richards, 12604 Cumberland Cove Dr. said Mr. Mayor, City Councilmember’s thank you for this opportunity to come before you and speak. I represent kind of a new group to Charlotte insomuch as we’re coming together as businessowners. The Charlotte Pedicab Association. The DNC is coming up here shortly and we wanted to seek your advice and direction as to what Committee we might partner up with in hopes of improving some of the codes that exist that regulate pedicabs in Center City Charlotte.

Currently the codes that exists that define the pedicabs talk about break lights, lamps, and that’s really about it. As pedicab owners it is our goal to increase the quality of service as well as provide safer vehicles for the public. And with the Democratic National Convention coming up; we also want to make sure that the pedicab companies that are here and are currently licensed to do business are protected from some of those companies that might be coming in from out of state that don’t have the proper business license and in some cases don’t have the insurance to protect their bikes as well as the passengers on those bikes. It is our hope to partner up with whatever committee that the Council might recommend us to; in hopes of making some additions to the current pedicab codes. On page 2 it talks about insurance and it shows some basic requirements. On the second it talks about a business license here in Charlotte and on the third it talks about public safety inspections. Making sure that the brakes are actually sufficient in order

to make sure that the pedicab stops with people on them. It also talks about the lights, that there are always working conditions. Reflective mirrors and actually also speaks about a couple of codes that we would like to possibly have added on to that are existing with regards to the actual operators. The subcontractors having valid North Carolina driver's license which are in most cases, in order to be insured, people that operate pedicabs have to be, have to have a driver's license in any case.

I can speak for myself as well as one of the other pedicab owners here, Noah Titleist, who operates Cycle Taxi USA.

Mayor Foxx said Sir I usually don't interrupt folks that are speaking on an agenda item; but the agenda item that is currently the subject of Item 40; has to do with the bus services for the convention. I understand why you signed up on this one; but I think what you're seeking is Council to make a referral on this issue.

Councilmember Cannon said as I understand it and listening to your presentation, it sounds like you are coming to us to ask to be regulated, which isn't a real norm; but is that what you're asking?

Mr. Richards said we are. We're asking that for me as well as the other pedicab owner and my partner. We're trying to come on board in Center City Charlotte and do the right things by having insurance for our bikes, making sure that all of our drives have the proper driver's license that they don't have anything on their driver's records that are going to have an impact on how they conduct themselves while they are on our bikes. So we'd like to I guess, clean up the streets a little bit with regards to our industry and make sure that the other pedicab operations that are out there, raise the bar with regards to issues of safety, insurance.

Mr. Cannon said alright, I got you. Mr. Mayor and Council, this action, well this request looks like it falls under the PVH Ordinance. But considering it is transportation in some mode or another, I am not opposed to this going to Transportation. Mr. Howard chairs that Committee.

Councilmember Howard said nor am I opposed to it going to Public Safety.

Motion was made by Councilmember Dulin, seconded by Councilmember Mayfield to refer this issue to the Community Safety Committee because Community Safety Committee has handled all other issues relating to PVH.

The vote was taken and recorded as follows:

YEAS: Councilmember Autry, Cannon, Cooksey, Dulin, Fallon, Howard, Kinsey, Mayfield, Mitchell & Pickering.

NAY: Councilmember Barnes

Mayor Foxx said it is now being referred to the Community Safety Committee and Mayor Pro Tem will be in close touch with you Mr. Richards. Thank you so much I appreciate it.

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey and carried unanimously, to authorize the City Manager to negotiate and execute an agreement with the Democratic National Convention Committee (DNCC) to provide chartered Transit Services for delegates during the Democratic National Convention (DNC).

Item No. 47-E: 3820 Rozzells Ferry Road & J. C. McLeod

Ordinance No. 4939-X authorizing the use of In Rem Remedy to demolish and remove the structure at 3820 Rozzells Ferry Road (Neighborhood Statistical Area 19 – Thomasboro/Hoskins Neighborhood).

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 801.

Motion made by Councilmember Barnes seconded by Dulin and carried unanimously, to approve Item No. 47-E.

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PUBLIC HEARINGS

ITEM NO. 10: PUBLIC HEARING ON RESOLUTION TO CLOSE A 10-FOOT ALLEYWAY BETWEEN CAMDEN ROAD AND SOUTH TRYON STREET

There being no speakers either for or against, a motion was made by Councilmember Cannon, seconded by Councilmember Howard and carried unanimously, to approve (A) Public hearing to close a 10-foot alleyway between Camden Road and S. Tryon Street, and (B) a Resolution to close.

The Resolution is recorded in full in Resolution Book 43, at Page(s) 765-769.

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ITEM NO. 11: CITY MANAGER'S REPORT

City Manager, Curt Walton said I wanted to update you on the roof collapse at South Park this weekend. Chief Hannan, Fire, had an integral role this weekend in helping them work through that so we wanted to give you an update on South Park.

Fire Chief, John Hannan said Good evening Mayor, Councilmembers, and City Manager. We want to put together a little something to brief you on what happened and Ken very graciously and on short notice got me a couple of pictures of Double T's to come up if we could just go to one or two of those. 4:51 Friday afternoon, we received the original dispatch, we were on the scene with the first company at 4:57 and we maintained companies on the scene working with the mall until 3:41 this afternoon. We got there; the center part of the mall was self-evacuating. We found out where the problem was, went to the stores and determined that there had been a collapse of concrete Double T's which are what the roof is made out of at South Park and that's a picture of the Double T that gives you some idea of what it is. They are three, the Banana Republic and either two or three in the Gap had failed, and then dropped to the floor. With the help of CMPD and mall security, evacuated the entire mall until we figured out what was going on. We did two searches of the area where the damage occurred to make sure we had no injuries in those areas. We found no one. We have no reports of anyone missing, all staff has been accounted for; but I can't give you a 100% clear until the crews lift the final pieces of concrete and we have it all clear.

This has never happened to the mall. They needed some help and we wanted to support them in any way we could. We had two six-inch fire mains in the mall there were opened and flowing a tremendous amount of water. There was a lot of water in the mall, we had to get those shut off and then we sat down with the mall to help figure out what we could get back opened. So we isolated the large anchors in the mall; we isolated sections of the mall and helped them to get the water back on and the fire system; make sure the fire alarm system was working; make sure they

had enough egress to stand alone and got everything we could get open; opened. There was a good bit open Saturday. Even sections of the mall that were serviceable. We helped the mall with our engineering and this is essentially a volunteer that has worked with our USAR Team for years. George Barrier, he's a Structural Engineer that's been trained by FEMA; works with our USAR Team; he came in looked at the damage, made some suggestions. They got their own Engineers and the steps to shore up from the parking deck to make it safe for the workers to work; how to regulate their workers in and out; all the details you have to do in a situation like this.

The Bureau wanted us to get everything we could open; now it moves over to building standards responsibilities; as they go through how they're going to repair it and get it permitted and get back in it; instead of the Fire Department or the City; it will now be county building standards. A couple of things I want to mention, CMPD had a huge presence there including three Majors; Majors Levines, Gallant and Estees were there through almost all of it. And I want to mention to with CMUD, their Crew Leader, Chris Fort, it was critical to get this water back on and they didn't know what was broken and what was not; so it involved turning some meters back on. If there was a problem it had to be shut down very quickly. Chris knows his role very well. He can tell by certain valves where a lot of water flowed and where it didn't and he, these folks were all there till midnight Friday night, helping the mall get everything squared away so they can get back in revenue service as quick as they can and that's where we are. It's going well, the City's still there if they need them, but essentially as I said building standards will work with them the rest of the way.

Mayor Foxx said let's give our staff a round of applause. I want to tell you I made a call or two over the weekend to some of the affected businesses and it was nice to say with full confidence that our team from the City would be there to do whatever needed to happen to get the mall opened as quickly as possible and I was able to say that with a lot of confidence given the work of the entire team. So thank you very much for that.

Councilmember Howard said I also wanted to thank Corporate Communications for the timely information. Thank you Kim McMillan for making sure we were aware because of course we got questions right away about what was going on and we knew the answers so thank you for the communications this time; as well as with the tornados before. I think that is exactly what is helpful to us as leaders. Thank you everyone that made sure that we moved swiftly on this one.

Councilmember Dulin said this is a good example. Over the years I've voted on as Council has voted on, seems like week after week after week more equipment for the PD. Pardon me, for the Fire Department and Chief Hannan and his guys, matter of fact, Jeff Dulin, who was just here has been in charge of categorizing and taking care of and putting away this equipment and making sure it's taking care of. I've questioned from time to time as to where is all of this stuff, who uses it and so forth. This is the kind of example though where this Council and the citizens of Charlotte pay very good money, tax dollars to buy this equipment, to train these men and women and then have them ready. These men and women in our Fire Department are sitting around their particular stations; their sirens go off all day long every day anyway, somewhere around 350 calls for action a day in this City alone. Three hundred and fifty times a day the Fire Department gets called out. They don't know whether they are going to a fender bender or to a major roof collapse. But I guarantee you every man and woman in that Fire Department whose ready to go in there and going to put their life on the line not knowing what was going to happen and Chief Hannan, you are doing a great job for our community and your guys and gals are really ready to go and it's this kind of response and this kind of service that your people provide that makes it easier for me to support that. So I just wanted to publicly support that. South Park Mall is in my district those are my neighbors but those are people from all over the country that were in that mall the other night. No telling where they are from and your folks were there for them so I appreciate that sir. Thank you very much.

Mayor Foxx said thank you for the great report.

ITEM NO. 12: ASSIGNMENT OF PURCHASE CONTRACTS FOR EASTLAND MALL

Motion made by Councilmember Autry, seconded by Councilmember Howard to go into closed session pursuant to NCGS 143-318.11(a)(5) to establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Mayor Foxx said what I would like to do is to park Item No. 12 and do that at the conclusion of the agenda. I don't think it will take us all that long and then do what you're suggesting and then come back out on Item. No. 12. So let's park Item No. 12 just for a second. I know lots of people have come tonight, just hang on we're going to try to move through the other items on the agenda.

ITEM NO. 13: GRANT CONTRACT AMENDMENT FOR COMPRESSED NATURAL GAS REFUSE VEHICLES.

Motion was made by Councilmember Howard, seconded by Councilmember Mitchell to (A) Approve a grant contract amendment with Carolina Blue Skies and Green Jobs Initiative for \$190,978 to supplement the purchase of four additional compressed natural gas fueled refuse trucks, and (B) Budget Ordinance No. 4930-X appropriating \$190,978 from Carolina Blue Skies and Green Jobs Initiative.

The vote was taken and was recorded as follows:

YEAS: Councilmembers Autry, Barnes, Cannon, Dulin, Fallon, Howard, Kinsey, Mayfield, Mitchell and Pickering.

NAYS: Councilmember Cooksey

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 792.

Mayor Foxx said here we are the conclusion of the Consent Agenda. We have several items that were pulled a few minutes ago. Item 24, who pulled that?

ITEM NO 24: GUNFIRE DETECTION SYSTEM

Councilmember Cannon said I did Mr. Mayor. The action here is to adopt a Budget Ordinance appropriating \$50,000 in asset forfeiture funds to be applied to a subscription for technology services with SST, Inc. for a one-year term of their Shotspotter Wide-Area acoustic gunfire detection program.

So again this is a gunfire detection system where the shotspotter is basically a wide-area acoustic gunfire detection system that conveys incidence relative to alerts when a gunshot is detected, using acoustic sensors mounted on top of buildings. The system detects and pinpoints the location of gunshots that are fired. I know we don't like talking about gunshots but the idea of knowing that we now have a system potentially that could be in place that we could have long term, to at least test for now, is something that I believe is really important to this Community. This system will help police officers to link people, places and events in real time and to immediately respond to criminal activity, right in the presence of their act involving gunfire. We have received a couple of proposals and evaluated based on certain criteria the system had to meet along with vendor experience; so at this point what I'd like to do Mr. Mayor is move for approval. I thought it was important for the Community to know what this was about.

Motion was made by Councilmember Cannon, seconded by Councilmember Kinsey and carried unanimously to approve Budget Ordinance No. 4932-X appropriating \$50,000 in Assets Forfeiture funds to be applied to a subscription for technology services with SST, Inc for a one-year term of their ShotSpotter wide-area acoustic gunfire detection system.

The ordinance is recorded in full in Ordinance Book 57, at Page(s) 794.

Mayor Foxx said Item 31, who pulled that?

Councilmember Mitchell said Mayor I actually pulled 31, 33 and 34.

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ITEM NO. 31: THOMASBORO/HOSKIS PHASE 4 NEIGHBORHOOD IMPROVEMENT PROJECT AND ALLENBROOKS/WESTRIDGE STORM DRAINAGE IMPROVEMENTS.

Councilmember Mitchell said just for information, 31 is the Thomasboro/Hoskins Neighborhood Improvement Project allowing Allenbrook and Storm Drainage. Carl Jarrett, thank you and your staff for really addressing this issue, I know the Citizens are looking forward to the Construction. I just want to remind the citizens that this project will be complete, 4th quarter of 2014. Move for approval.

Motion was made by Councilmember Mitchell, seconded by Councilmember Kinsey and carried unanimously to award the low bid contract of \$6,957,376.56 to Sealand Contractors Corporation for the Thomasboro/Hoskins Phase 4 Neighborhood Improvement Project and Allenbrook/Westridge Storm Drainage Improvements.

Summary of Bids

Sealand Contractors Corporation	\$6,957,376.56
United Construction, Inc.	\$6,987,769.44
Blythe Development Company	\$7,674,376.11
Ferebee Corporation	\$8,296,549.86

ITEM NO. 33: ORVIS STREET SIDEWALK PROJECT

Councilmember Mitchell said Leon (Howe) just one quick question please because the neighbors were excited but I had one neighbor that still has some outstanding issues. Just want to make sure they have been addressed.

Engineering & Property Management, Mr. Leon Howe said thank you. We did work with the Dixons and the Lindseys, several property owners out there, and everything was addressed. Thanks to our Real Estate personnel all the property was acquired through agreement.

Motion was made by Councilmember Mitchell, seconded by Councilmember Kinsey to award the low bid contract of \$153,329.50 to Carolina Cajun Concrete, Inc. for the Orvis Street Sidewalk project.

Councilmember Cannon said and the Dixons were satisfied I couldn't really determine?

Mr. Howe said yes sir.

Councilmember Cannon said so relative to the landscaping piece of it all, because we will have sidewalks, which is going to take X-amount of footage and then we're going to have, so they're o.k. with that because that seems to be abutting some people's; because of that it seems that they were taking the sidewalk close to where they would actually step out of their house almost into the street.

Mr. Howe said that's right and I worked with Mr. Dixon himself and he was satisfied with the plan. We actually narrowed their planting strip from 8' to 6' for the project and he was satisfied with that.

Councilmember Cannon said o.k. alright very good, thank you so much. Thanks Mayor.

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

Summary of Bids

Carolina Cajun Concrete, Inc.	\$153,329.50
W.M. Warr & Son, Inc.	\$154,600.25
Five Star Construction	\$158,585.00
Morlando Construction, LLC	\$159,177.25
ARMEN Construction	\$159,959.25

ITEM NO. 34: BEATTIES FORD ROAD BUSINESS CORRIDOR PROJECT

Councilmember Mitchell said the last one is Item 34, this is the Beatties Ford Road Business Corridor Project. Jim thank you for working with the community. This would be the pedscape from I-85 to LaSalle Street. A 4’ planting strip, lightning landscape, and more importantly two more historical west end monument markers will be installed and this project is scheduled to be complete the 2nd quarter of 2013. Move for approval.

Motion was made by Councilmember Mitchell, seconded by Councilmember Cannon and carried unanimously to award the low bid contract of \$1,248,111.15 to Sealand Contractors Corporation for the Beatties Ford Road Business Corridor Project.

Summary of Bids

Sealand Contractors Corporation	\$1,248,111.15
United Construction Inc.	\$1,254,901.42
Blythe Development Company	\$1,497,163.72
Triangle Grading & Paving	\$1,517,277.79
Carolina Cajun Concrete	\$1,569,457.04

Mayor Foxx said that concludes the Consent items.

ITEM NO. 15: APPOINTMENTS TO BOARDS AND COMMISSIONS

A. Citizens Review Board – The following nominees were considered for one appointment for a three-year term beginning August 1, 2012:

- James Barnes nominated by Councilmember Mitchell
- Theresa Halsey nominated by Councilmembers Autry, Barnes, Cannon, Fallon, Kinsey and Pickering
- Sonnie McRae nominated by Councilmembers Cooksey and Dulin

Results of the first ballot were recorded as follows:

James Barnes 0 votes
Theresa Halsey 8 votes Councilmembers Autry, Barnes, Cannon, Howard, Kinsey, Mayfield, Mitchell, and Pickering
Sonnie McRae 2 votes Councilmembers Cooksey and Dulin

Theresa Halsey was appointed.

B. Community Relations Committee – The following nominees were considered for three appointments for unexpired terms beginning immediately and ending June 30, 2013.

Sandra Donaghy nominated by Council Members Cooksey, Dulin and Mitchell
Brenda Hayden nominated by Council Members Cannon, Fallon and Pickering
Karen Henning nominated by Council Member Kinsey
Sabrina Jackson nominated by Council Member Howard
Veronica Jones nominated by Council Member Mayfield
Carmen Jones-Pickett nominated by Council Members Barnes and Mitchell
Vanessa Kenon-Hunt nominated by Council Member Pickering
Sue Korenstein nominated by Council Members Cannon, Fallon, Kinsey and Pickering
Melvin Lowery nominated by Council Member Howard
Cedric McCorkle nominated by Council Members Barnes and Cannon
Tenessa Moore nominated by Council Member Cooksey
April Morton nominated by Council Member Autry
Delores Reid-Smith nominated by Council Member Autry
Jacqlin Robinson nominated by Council Member Mitchell
Winston Sharpe, Jr. nominated by Council Member Fallon
Marilyn Sutterlin nominated by Council Members Dulin and Kinsey
Michael Van Zytchow nominated by Council Members Autry, Cannon, Dulin and Mayfield

Results of the first ballot were recorded as follows:

Sandra Donaghy 2 votes Councilmembers Cooksey and Mitchell
Brenda Hayden 3 votes Councilmembers Cannon, Howard, and Pickering
Karen Henning 2 votes Councilmembers Dulin and Kinsey
Sabrina Jackson 1 vote Councilmember Howard
Veronica Jones 1 vote Councilmember Mayfield
Carmen Jones-Pickett 1 vote Councilmember Barnes
Vanessa Kenon-Hunt 1 vote Councilmember Pickering
Sue Korenstein 4 votes Councilmembers Cannon, Fallon, Kinsey and Pickering
Melvin Lowery 3 votes Councilmembers Fallon, Howard and Mitchell
Cedric McCorkle 2 votes Councilmembers Barnes and Cannon
Tenessa Moore 1 vote Councilmember Cooksey
April Morton 2 votes Councilmembers Autry and Fallon
Delores Reid-Smith 2 votes Councilmembers Autry and Mayfield
Jacqlin Robinson 3 votes Councilmembers Barnes, Dulin and Mitchell
Winston Sharpe, Jr. 0 votes
Marilyn Sutterlin 2 votes Councilmembers Cooksey and Kinsey
Michael Van Zytchow 2 votes Councilmembers Autry and Mayfield

The results of the second were recorded as follows:

Brenda Hayden 5 votes Councilmembers Cannon, Dulin, Fallon, Mitchell and Pickering,
Sue Korenstein 4 votes Councilmembers Cannon, Cooksey, Fallon & Kinsey

Melvin Lowery 7 votes Councilmembers Autry, Dulin, Fallon, Howard, Kinsey, Mayfield & Mitchell

Jacqlin Robinson 7 votes Councilmembers Autry, Barnes, Cooksey, Dulin, Howard, Kinsey & Mitchell

The results of the third ballot were recorded as follows:

Brenda Hayden 7 votes Councilmembers Barnes, Dulin, Fallon, Howard, Kinsey, Mitchell and Pickering,
Sue Korenstein No vote taken

Melvin Lowery, Jacqlin Robinson and Brenda Hayden were appointed.

C. Domestic Violence Advisory Board - The following nominees were considered for one appointment for a three-year term beginning September 22, 2012.

Sandra Donaghy nominated by Councilmember Mayfield
Gregory Hunt nominated by Councilmembers Cooksey, Fallon and Pickering
Courtney Merchant nominated by Councilmembers Barnes, Cannon, and Kinsey
Eddie Sanders nominated by Councilmembers Mitchell
Brigit Taylor nominated by Councilmember Autry

The results of the first ballot were recorded as follows:

Sandra Donaghy 0 votes
Gregory Hunt 2 votes Councilmembers Cooksey and Pickering
Courtney Merchant 4 votes Councilmembers Barnes, Cannon, Kinsey and Mitchell
Eddie Sanders 0 votes
Brigit Taylor 4 votes Councilmembers Autry, Fallon, Howard and Mayfield

Councilmember Mitchell said Mayor and Council just for clarification, isn't Brigit Taylor on the Civil Service Board?

Deputy Clerk, Ashleigh Price said you may serve on two boards; each citizen may serve on two.

The results of the second ballot were recorded as follows:

Courtney Merchant 9 votes Councilmembers Barnes, Cannon, Cooksey Dulin, Fallon, Howard, Kinsey, Mitchell, and Pickering,
Brigit Taylor No vote taken

Courtney Merchant was appointed.

D. Keep Charlotte Beautiful - The following nominees were considered for two appointments for unexpired terms beginning immediately and ending June 30, 2013 and June 30, 2014.

Russ Ferguson nominated by Councilmembers Cooksey, Dulin, Fallon, Kinsey, Mitchell and Pickering
Vanessa Kenon-Hunt nominated by Councilmembers Autry, Barnes, Cannon, Cooksey, Dulin, Kinsey and Mayfield
Winston Sharpe, Jr. nominated by Councilmembers Autry, Fallon, Mayfield, Mitchell and Pickering

The results of the first ballot were recorded as follows:

Russ Ferguson 6 votes Councilmembers Cooksey, Dulin, Fallon, Kinsey, Mitchell, and Pickering votes

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Vanessa Kenon-Hung 6 votes Councilmembers Barnes, Cannon, Cooksey, Howard, Kinsey, and Mayfield

Winston Sharpe, Jr. 5 votes Councilmembers Autry, Barnes, Mayfield, Mitchell, and Pickering

Russ Ferguson and Vanessa Kenon-Hunt were appointed.

E-1. Passenger Vehicle for Hire Board - One appointment for a vehicle for hire company owner for a three-year term beginning immediately and ending July 1, 2015.

Gregory Hunt nominated by Councilmembers Dulin, Fallon, Mayfield, and Pickering

Robert Walker nominated by Councilmember Howard

The results of the first ballot were recorded as follows:

Gregory Hunt 1 vote Councilmember Pickering

Robert Walker 8 votes Councilmembers Autry, Cannon, Cooksey, Fallon, Howard, Kinsey, Mayfield, and Mitchell

None of the Above 1 Councilmember Dulin

Robert Walker was appointed.

E-2. Passenger Vehicle for Hire Board - One appointment for a person with a disability or a representative from an agency that works with persons with disabilities for a three-year term beginning immediately and ending July 1, 2015.

Twila Adams nominated Councilmembers Autry, Barnes, Mayfield and Mitchell

Hung Chau nominated by Councilmember Kinsey

Steven Eddy nominated by Council Members Cannon, Cooksey, Dulin, Fallon and Pickering

The results of the first ballot were recorded as follows:

Twila Adams 3 votes Councilmembers Barnes, Mayfield, and Mitchell

Hung Chau 2 votes Councilmembers Autry and Kinsey

Steven Eddy 6 votes Councilmembers Cannon, Cooksey, Dulin, Fallon, Howard, and Pickering

Steven Eddy was appointed.

Mayor Foxx said congratulations to all those who have been appointed and also thank you to those who applied and there will be opportunities going forward.

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Mayor Foxx said Mr. Autry, can you please resume your motion, actually you've already stated your motion and it's been seconded.

Motion made by Councilmember Autry, seconded by Councilmember Howard to go into closed session pursuant to NCGS 143-318.11(a)(5) to establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.
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Mayor Foxx said for those who are here, we are going to go into closed session I believe briefly, we will be back here to discuss Item No. 12. So please I know you all have been waiting a long time, if you could just wait a few more minutes we will get to you. Thank you very much.

The Council recessed into closed session at 8:21 p.m.

djw

The Council reconvened in open session at 8:50 p.m.

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ITEM NO. 12: ASSIGNMENT OF PURCHASE CONTRACTS FOR EASTLAND MALL

Mayor Foxx said we've had some discussions about this today and for several weeks, actually for several years. It's heartening to see the community out here expressing their views on it. We have several speakers, is there a staff presentation? Why don't we have Mr. Mumford come up and then we will run through our Speakers List.

Neighborhood & Business Services Director, Patrick Mumford said I'm Pat Mumford in Neighborhood & Business Services. And I'll run through this relatively quickly. As you mentioned Mr. Mayor, this is about the Eastland Mall and acquisition of that property. I will run through the historical background all the way through next steps. Back in 2003 there was an effort to make sure that the Eastland area promoted neighborhood and commercial revitalization and the Eastland Area Plan was adopted and you can see the bullets it was about economic viability, supporting the neighborhood, setting quality and safety. In 2006, the Eastland area became a priority corridor, as part of the Business Corridor Revitalization Strategic Plan, and then in 2007 and 2008 respectively, Belk and Dillard's both closed. Followed by Sears in 2009. If you will recall, both Dillard's and Belk's we had options on those properties and those options expired December 31 of 2009.

Then in 2009, the Council declined a \$22.24 million dollar mall acquisition strategy, very similar to the parcels I will be discussing tonight. In 2010, Boxer Properties purchased what we call the in-line stores, the main portion of the Mall from LNR. Those stores have since closed and the Firestone as well as an outparcel, closed.

In 2011, part of that acreage that Boxer had purchased included the CATS Transit Station, the Transit Center and that was purchased back from them for a cost of \$771,150. Now in 2012, Council had authorized the staff to proactively look at how to acquire these properties. We subsequently received a proposal from FMW Real Estate to purchase 80.452 acres of the Mall for \$13.154 million. The total acreage of that site is 88.26 acres, so it is the vast majority of the entire site.

The brokers secured the purchased contracts. We did not negotiate these; the broker did that with seven property owners. And the terms are relatively simple:

- The contracts may be assigned to a third party.
- Purchase the property in an "as is" condition.
- We must post the non-refundable deposit, earnest money of \$750,000 on or before the end of this month.
- The closings must take place on or before the end of August.

This is the entirety of the site. The lower right hand corner is the Hannaford site that has never really been in the mix, that's a separate parcel, but the rest of the area encompasses the entire site. What you see here is what was included back in the '09 Proposal. The difference you will see in this proposal is up in the far, the top left hand corner. The yellow spot in the middle is our Transit Cite that we now own and a little bit of the parcel is that corner by Central Avenue and Sharon Amity are now not included, but the vast majority is still the same from the previous deal in 2009.

These are some of the numbers from both of those so you can compare. We have both tax values and purchase prices. So you will see that the tax value has dropped dramatically and the cost has dropped as well. The acreage is a little bit lower because of those parcels near Sharon Amity. The main number to pay attention to there I believe is the price per acre. You can see that it's gone from basically \$266,000 per acre to \$163,500.

The source of funding; you do have a note that was given to you by our Finance Director, Greg Gaskins; it should be at your place. Talking about the various options we have for funding. All that is to suggest the general fund debt capacity is what would be used. We have talked about \$16 million quite often for the site. You'll see \$15,984,000 there. The difference is the 1/10th of a percent; the \$16,184,700 has gone into the pool for public art. The commission credit, that's the amount of money that is coming back to the City, is another \$200,700. Acquisitions as I had mentioned is \$13.154, 000. We save estimated fees and taxes until we really run through all of those, we don't know exactly the number, but this is the number today. That could vary 10% up or down and site security and insurance. So the bottom line is \$13,942,536 and after that the difference is \$2.242, 164 remaining.

So the rationale for this acquisition, it is not terribly different from 2009, the idea is not to own control and develop this. The City would not be the entity to do that. The main thrust of this is to assemble these properties to be able to control the outcome of what happens on that property as well as taking consideration of the public policy objectives that the Council has established. We feel removing this over 1 million square foot amount of vacant retail will send a bit of uncertainty into the market in that area. We believe the acquisition cost, as you've seen it's gone down dramatically from '09 is unlikely to go lower and we feel that without assembling these parcels, that the current owners may pursue a piecemeal disposition without any other alternative.

Immediate site opportunities include understanding better the expressed interest that we have had for multiple parties about developing a film sound stage ancillary use development on this site. Now the idea is not for the entire 80 acres to be that, but certainly this would be the anchored development that could support the beginning of a market based redevelopment on the site. Staff is proposing that we would issue a request for both qualifications and proposals that would include the film and television industry in that and again we don't believe that the entire acreage would be consumed by that use.

The next steps are to work from now until November to understand the film industry to understand the viability of that type of development. Work through those details so we can develop the RFQ/REP. We would issue that in December and then in the March to May timeframe we would receive proposals back, we would review those and make the recommendations to the Council.

If we do not yield an acceptable development proposal we would go back to other alternatives including an interim strategy that could be multi-year until the Real Estate market opportunities materialize. We've talked a little bit about that before. Our intent though, is to see a market driver developer to support redevelopment quickly on this site and not maintain ownership for a long period of time. I ran through that quickly, but that's the extent of the presentation.

Mayor Foxx said thank you Mr. Mumford. Let's save questions if you have them for Mr. Mumford until the speakers, because we have lots of people who have been waiting very patiently and we appreciate you for hanging in there with us.

Andrea Smith, 4715 Kipling Drive said Good Evening Mayor Foxx, Pro Tem Cannon and City Council Members. Thank you for the opportunity you have given me to speak this evening. My name is Andrea Smith and I am on the Board of Directors of the Coventry Woods Neighborhood Association. We represent 500 households in a beautiful and stable neighborhood in east Charlotte. We have achieved and sustained this despite being located several stoplights south of the real estate ghost town that was Eastland Mall.

I am here tonight to ask you to approve acquisition of the Eastland property. A temporary custodianship that can reap long-lasting benefits for east Charlotte and the rest of the City. In 2008, a City Neighborhood Improvement Bond approved \$16 million for Eastland. That money was never spent. The amount which the City already has in hand will cover the cost of the acquisition and parcel consolidation. The action is warranted. The City-Government can rapidly consolidate the parcels; then sell the acreage to someone who will redevelop it wisely. While decisive City involvement is necessary now, we hope it will be short-term. By approving plans

for Eastland Mall in the 1970's, the City set into motion a fragmented multi-party land ownership that made redevelopment impossible in recent years. By pursuing growth at any price policies for decades, the City's edges grew and prospered many (closer in) areas struggled. Hundreds of millions have been spent to revitalize uptown and other areas of the City. East Charlotte asked for little, and received any less. It's time now the Council to make a wise investment. Money follows money. If Charlotte wants to geographically expand its tax base and increase revenues, the repurposing of the Eastland track will clearly be an economic catalyst for the Eastern quarter of the City.

Buy the assembled Eastland parts, consolidate them and sell the land wisely. This is the right thing to do. Thank you.

Kathryn Taylor, 11824 Creek Turn Drive said Good evening Mayor Foxx, distinguished Councilmembers and fellow Charlotteans. My name is Kathryn Taylor and I'm one of the owners of Dalliance Films, a Charlotte based independent film company. I'm speaking here tonight, not only as a small businessowner, but also on behalf of the Charlotte Film Community. A non-profit organization that has united more than 900 local filmmakers with the primary goal of growing film in the Charlotte-Mecklenburg Area. Over 200 of these filmmakers are represented by petition and many of them are here tonight. We come here to ask you to vote in favor of purchasing the Eastland Mall property contracts and began the process of creating a mixed-used development that would include a film studio and sound stages. We've come to ask you to resurrect a blighted area of our City. And in doing so, allows Charlotte to compete at a higher level when attracting productions to the area.

We've come here to ask you to support our community, our industry and our livelihoods. We have come here to illustrate to all that you and potential developers will have the full support of a local film community throughout this process. In 2011, the North Carolina Film Office reported that film and television productions brought more than 31,000 job opportunities to North Carolinians. They also spent more than \$240 million in state. That's a 200% increase over the previous year. The numbers, they just keep getting better. Already this year we have spending in State and City estimates that are surpassing \$300 million. That's over 15,000 job opportunities. So far, Charlotte's been a popular filming destination. But the sad reality is that our City lacks sufficient infrastructure to support such mammoth growth in the long-term. But imagine what having a film studio and sound stations could do. A film studio with sound stages could attract more high spend productions to Charlotte. Those productions and their employees would spend their money on local goods and services, improving the economic outlook on many small businesses. The more appealing the infrastructure, the more productions it would attract. Increasing the number of productions increases the likelihood of robust and sustained energy growth. Now opponents might argue that the Eastland Mall purchase doesn't automatically create this opportunity and that's true. A developer must come forward to see such plan to fruition. Fortunately, several have recently expressed interest in building studios at the Eastland Mall site. And that's why we are here now to urge you to strike while the iron's hot. To buy now while filming in Charlotte is on the rise and interest in the property is high. As we speak, film and television productions are going on in and around the City. They bolster our local economy, bring job opportunities. Welcome them by taking the first step to building the infrastructure that would give them a home. Please vote in favor of purchasing the Eastland Mall property contracts. Thank you.

Jeanie Welch, 5736 Ebley Lane said thank you Mr. Mayor and members of the City Council. I'm Jeanie Welch and I serve on the boards of the Eastland Area Strategy's Team and Charlotte East Community Partners. I'm here to urge the City Council to vote for the purchase of the Consolidated Eastland Property. This will be an economic catalyst for the entire city. Not just the East side and will spark private investment. It will put a currently vacant property to productive use. It will bring greater diversity to our financial base and anchor an industrial platform for future growth. In short, I urge you to vote in favor of this purchase. Thank you so very much for this opportunity.

Mr. Darrell Bonapart, 5707 Justins Forest Dr. said good evening Mayor, City Council, it's good to see everyone. Again my name is Darrell Bonapart. I'm president of my neighborhood

association as well which is right at Wilora Lake which is right next to Eastland Mall. And I'm also a part of the Board of Directors for the Charlotte East Community Partners. I want to start with giving you a few, short, significant facts, historical facts about east Charlotte.

In 1955 the Charlotte Coliseum, now Bojangles Arena, opened on Independence Blvd. and was the largest dome in the world at that time. The Charlotte Museum of History on Shamrock Drive is the site of the oldest surviving house in Mecklenburg County belonging to Hezekiah Alexander who was one of the original signers of the Mecklenburg Declaration of Independence. Lastly, Eastland Mall opened in 1975. Five years after Southpark Mall opened. Eastland was the largest, most popular regional mall in the entire State of North Carolina until the 1990's. In spite of East Charlotte's significant contribution to the history of this City, our past mayor, Mayor McCrory so professionally labeled us as "Corridors of Crap". Then City Council continued to historically follow suit by one, not supporting the light rail on Independence Blvd, even though it was factually labeled as the busiest thoroughfare in the City and our bus transit ridership, the highest in the City. The City Council didn't support the Street Car for east Charlotte for concern that it might compete with the light rail going into the University City area.

The proposal for a major movie production sight is absolutely real and it will greatly change the economics of east Charlotte's region. Well I just want to ask one simple question. Are you going to show that you absolutely support the viability of east Charlotte or will you continue to follow the status quo and have us here all night for nothing?

Ed Garber, 1401 Tarrington Avenue said Hello Mr. Mayor and Council. First of all I want to thank John Autry for his unreal amount of dedication in making this deal happen. I just think it's an amazing thing that John was in the film industry. And we walked into a board room one day and suddenly a proposal for the film industry was dropped in our laps and he has worked very hard from that point forward to make this a reality. But I just want to say that we're talking about taxes here and if we want to spend taxpayers money on private land to private deals, my thing is we have this money set aside for buying Eastland Mall. And then we have to figure well when we sell the mall, we'll probably recoup that money anyway. So how much taxpayer's money are we spending? But when we talk about this mall being transformed into a potential movie studio. That is very real. I've met with the developer and the developer has, or at least one of the developer's who is local and he has confided in me and said that there are over 100 acres available to him in another County, Gaston County and that if the Eastland Mall deal falls through, then he has that as one of his options.

So now we're not just talking about redeveloping Eastland Mall and jobs for the Eastside, we're talking about losing a whole industry to another County. So we're talking about jobs, with unemployment around 10% and we're not turning away an industry, so I think that it's very important for Charlotte, not just East Charlotte to meet the demands for this industry which is currently not being met. I've lived in East Charlotte my whole life and I know that when these jobs come to fruition, the people that live there, the housing's affordable and the jobs are going to be there for the people that live there. So when people talk about Eastland Mall not being able to cut it because the people that live there, it's not worth it. I know that's not the case. There were about 50 of us out on Central Avenue the other day and we had a lot of spirit and we love East Charlotte and we had the horns honking and there were a lot of couches out there which seem to be out there every day and nobody seemed to care about it that day either. But uh you know I love East Charlotte and I think that everybody knows that this studio is really going to happen. There's a lot of momentum behind it, it's not just one developer. There are people from all over the world that want to be a part of it so I thank you for your time.

Carolyn Millen, 1121 Westchester Blvd. said good evening Mayor Foxx, Mayor Pro Tem Cannon and Council. I too, want to thank John Autry for all the extremely hard work and many many hours that most people don't realize you've done over the months for this. Many of you know me already. I'm Carolyn Millen. I'm President of Eastway Park/Shielfield Park Neighborhood Association. We consist of 587 homes, most that have been built in the mid-50's. Certain neighbors have been part to many many years of the positive development and growth to the negative aspects of recent years of downturn and deterioration problems of the East side. One of the largest, as you all know, is the Eastland Properties.

I am here to ask for your support by voting Yes tonight to purchase the bundled parcels of the Eastland Properties; then vote and support by giving City Staff the authority to begin the RFPQ Process. Since having heard of this opportunity for the City, I have spoken to our neighbors and the majority overwhelmingly have been voiced in a positive, excitement of the possibilities in the future. I believe this is a hear and now opportunity to acquire so many parcels at one time at the purchase price of \$13 million. I have heard the News stories of the real possibilities of TV and movie studios being interested in purchasing a large amount of the parcels. If the immediate sensors taking tonight and completed by the mandatory August 31st date, I think that is such a wonderful, exciting and out of the box opportunity that will provide more and positive growth in every area for the whole City and especially the East side.

I want to once again ask for your support by voting yes to purchase the bundled Eastland property; then we can all get together and I'll be supportive in everything we can do to bring all of the positive growth and Economic Development to the East side and to the whole city. Thank you very much and thank you again, John.

Manuel Ramirez, 4800 Central Avenue said Thank you and good evening, Mayor and Council Members. I bring a different view to this situation. I own a small restaurant on Central Avenue. I believe that by approving this purchase will bring a lot more business to small places like mine and there are several businesses, restaurants, stores, that will greatly improve their sales and the profits. Once again a small portion of taxes, we will probably increase businesses, we will be able to hire more people and we will create, in some manner we will help with jobs. I urge you please to approve the purchase of this land that will greatly help the Community. It will improve the life of people in the area. Thank you.

Katherine Alexander, 3404 Campbell Drive said Good evening Mayor Foxx, Pro Tem Cannon and my fellow City Council Members. I live in the Eastland area. This gentleman is one of my Amigos there. I'm the President of the Hispanic American Democrats of Mecklenburg County. I'm also honored to be a delegate to the State of North Carolina. I urge you to purchase this property. Eastland Mall has been an eye sore in that area for such a long period of time and this is such a great opportunity that we have the filming studios interested. We have a developer that has taken the parcels and have put them together. If we do not move forward to take this property on at this particular juncture, then the properties will then be broken up. You will not have and we will not have an opportunity to know how they are going to be used in different ways. This is an important piece, you've got 100% of that land. We have been out there in 2008 looking at the streetcar, so many different things with so many of you Councilmembers. We support you 100% in many of the things you do. We ask and we urge you that Eastland Mall, this is one of the greatest opportunities right now. In 2008 you tried to take it over, you try to move forward and now you have a real estate agent that has assembled all of these things. This is the moment of the time. So I urge all of you and our Board here to go ahead and approve and vote yes on the purchase of Eastland Mall.

Guatam Desai, 13908 Davenhunt Place said Good evening everyone. Until coming here I was focused on the \$2.5 million left and what are you going to do next after spending the \$13 million because I think that all of you have enough sense and the case for this proposition is so strong that I wonder why would you not have a majority to go ahead and do this. As I came here and heard about all the film industry people, I said wait a minute. I know two very loving people in my own family who have studied in the North Carolina Film School up in Winston Salem and they went up to L.A. One of them, he is in late 20's and he is dating my niece for last 8-10 years and they have made good fortune out there in L.A. He is in the sound studio and the girl has done production. They both are hankering back to come here. And I said yes these are the kind of people we need. We love all of our bankers, we love all of our utility people, but hey Charlotte needs a more creative, more stylists, and more film industry to change the atmosphere. And you know I live in South Charlotte.

I live in Ballantyne and Pineville area and I went out there 12 years back when there was nothing. Ballantyne has a history and I go out in Pineville too and I never did. And that little town has done such wonderful things to mix it up, but when I go to Central Avenue, I don't find that kind of life back in South. Because these folks are lively, they are creative, they are artsy.

And if you don't have this kind of industry in people in our City probably the future of City is not going to be just made by more banks and more utilities and more defense companies. Now coming to the point after the \$13 million, I hope that you set in motion the discussion and the budget plan in such a way that we all know that the \$2.5 million left over is not going to be enough to double up the project. But when you approve that \$16 million, 4 or 5 years back. You had envisioned only the departmental stores and refurbishing that Mall and so on. Everybody knows that it's not possible today. So we are looking up demolishing and redevelopment. And whether the film industry comes up or not, you know that places needs redevelopment, revitalizing and I think it will happen. It will happen because Charlotte has that vision and you are going to be committed to invest in redevelopment in other areas and not just the South Charlotte and University and I thank you for considering this vote and moving forward.

Tim Olcott, 9222 Pebble Creek Way said Good evening to you all. My name is Tim Olcott I'm an actor living in Charlotte and my comments aren't necessarily in line with the rest of the supporters here. And if it's because I'm misunderstanding the parameters of the situation please educate me. I am totally in favor of attracting a major studio to the Charlotte area similar to what the previous speaker said when I tried to explain to friends and relatives out of town what defines Charlotte? Banking. Not very exciting so we definitely could stand to add to the appeal of the City by encouraging the Arts that we have here and also for the film industry, specifically we are losing good projects to Wilmington and Atlanta. However I do question whether this is the best strategy. As far as the location itself it does lack the privacy of a Phillip Morris plant for example, which is an integral factor for more movie production. Yes I realize that that location is in another municipality. I would also view the roads and commute in and out of the area as less optimal and more clustered than what we already know to be a smooth transit into Concord when you also consider roads may be shut down for outdoor scenes. Finally would it not be more appropriate for our film commissions, with some Government backing, to solicit a private developer to back the uniting of the properties and flip them for sale to a studio. As an actor I would benefit from the job opportunities, but would every tax payer in the City necessarily benefit.

If the City purchased the property would tax payer dollars developed it and sold it to a studio, where would any profit from the completed transaction go and which studios, by name, have officially expressed interest in pursuing the Eastland property? Thank you and hopefully I won't be pelted with tomatoes by the rest of the crowd here.

Chris Bakis, 6510 Idlebrook Drive said Thank you Mayor. Several years ago a City Council member was quoted, I don't remember who it was, I don't remember when it was, I don't remember what the situation was; but it was about money being spent for the uptown crowd, as usual. And this City Council member said "anything that helps Uptown Charlotte helps the City as a whole." I'm here to say that is simply not true. As Uptown Charlotte has grown and grown and grown, east Charlotte has gotten worse and worse and worse. The quality of life in East Charlotte is much worse now than it ever has been. So I'm asking each Councilmember to please vote for the purchase of Eastland Mall with this deal. I'd like to specifically focus on the following seven members, Councilmembers Warren Cooksey; Patrick Cannon; David Howard; James Mitchell; Andy Dulin; LaWana Mayfield and John Autry. As the 7 members who voted to use public money for funding the Knights Baseball Arena. I would like to friendly, very; I would just like to suggest that anybody who would vote to use public money for the baseball arena can certainly certainly vote for this. More than likely the money will come back to the City anyway. A movie studio on the site of Eastland Mall will certainly be a far more significant, would be more significant in making Charlotte a world class city than would Uptown baseball by a long shot. Not to mention the fact that this would be a potential for thousands and thousands of jobs, I just ask that y'all invest in east Charlotte. Your money will be returned mega fold. Thank you very much, have a good night.

Jack Brosch, 3502 Marionwood said thank you very much Honorable Mayor, members of the City Council my name is Jack Brosch. And I'm here tonight to take the other side of the issue. To strongly urge you to vote no on acquiring the Eastland Mall property. It is my opinion that to do so could only be done under the most egregious and extended interpretation of the State of North Carolina's Constitution and the Constitution of the United States. To find this to be the

authority or the responsibility of this body is not in keeping with the founding fathers' intention of local, state or federal government. Pat Mumford presented a very good argument for this being a good time to acquire the Eastland property. That the property value will probably not go any lower. That in fact is true, this should be an ideal opportunity for a local developer to acquire the land. Develop the land. And make a profit as defined in the free enterprise system that we are supposed to be operating under.

This would be considered by most developers, many of which the Council knows, many of which I myself know. It should be considered to be low-hanging fruit, a divine opportunity to make money in the area. And those developers would very much likely include the film industry. People, the members of the City Council I would strongly urge you to learn the lessons of Bojangles Stadium where we are considering additional money because it needs to be fixed. NASCAR Hall of Fame where attendance is not matching the estimates of the developers. And the Whitewater Connection whose only path profitability was the forgiven of the loans that the bankers and the financial institutions here in town extended to them. And finally, with all due respect, Mayor Foxx, I find it insulting for you to stand at the diocese and say to this esteemed body that you're going to go into closed session to instruct staff as how to proceed prior to hearing comments from the audience. Your mind was already made up. Maybe I'm missing something here, but that's the way it appeared to me in the audience. That you said and I quote "instruct staff how to proceed" without hearing the audiences comments. I apologize if I misconstrued that. Thank you.

Mayor Foxx said just for clarification what I said was that there had been a request for information that was discussed in the closed session. It wasn't instructing staff on anything.

Mr. Brosch said I apologize for my misunderstanding.

Mayor Foxx said so let me start out here, I know there are a lot of folks that probably have something to say about this but let me start out by saying a couple of things. Our City is composed of a lot of different communities that are linked together, not just by road systems, and tax systems and all that stuff. But are actually linked by the community that we call Charlotte. And the narratives that we tell about our community in some cases are great and re-affirming and in some cases are wrong. And to be honest with you sometimes even condescending. For the entire time I've lived in this City, we have accepted that certain parts of our City can't be more than what they are. That blight has to exist. That deterioration has to exist. That people who live in those areas for whatever reason ought to feel more comfortable living in that stuff than someone else. In my opinion, the work that we have to do as a community is to read align our thinking about our City and there's some reasons for that.

One of the most important reasons is that over the last 25 years, our City has been able to grow by annexation. We've just been able to grow out as far as we want to grow. And the reality is that over the next 25 years, there is so much less growth to gain through annexation and there is so much more tax base that we could grow if we could make parts of our City that are currently thought of as "throw-away" areas or what one former Mayor called "Corridors of Crap", into something that people want to invest in and believe in again. And so in my opinion, that is the question for this City for the next 25 years. Do we want to take the trip, to grow this community in a way that says there's no neighborhood that has to be left to the side?

Second point, in some respects, this discussion is easy. It's a complicated deal, lot of hair on it, lots of concerns, but in some respects; just like a farmer who plants seeds in the right part of the season, and then comes back and sees those seeds sprout up. Part of why we're even in a position to talk about this tonight, is because of past City Council made the decision to make the investments and create the capacity for us to make this decision tonight and the minute we stop having the foresight to put the investment in our community, to make our community stronger and better is the minute Charlotte starts going backwards. And so, the capital capacity that we're even talking about tonight is actually something that a previous Council has given us to make a decision about. What does this Council intend to leave to future Councils to make as far as decisions are involved.

Third point. And this is in the way of level setting, because in the words of Alan Greenspan “Sometimes we can lend ourselves to irrational exuberance.” So I’m going to kind of explain my thinking about this particular transaction in the following way. I am hopeful, actually I’ll say this, I support the action that is on the agenda tonight. I am hopeful that our best expectations are achieved by taking this action. But I am also, because you pay us the big bucks to think about all of the scenarios. I’m also mindful that we have to think in terms of o.k. what is the worst case scenario. Because this is a serious matter. It’s a serious matter to choose to acquire a piece of property that is so huge. And to have a lot of contingencies out there in terms of what happens with it. So I want to say a couple of things to the community about this. I hope that in the next several months we get this figured out and we do exactly what our staff has suggested could happen. But I want the community to be prepared for the possibility that this thing could take longer to play out than what’s been discussed so far. By taking the action I think the Council is going to take tonight, you can’t always be sure but by taking this action tonight, I’m particularly reassured by you Mayor Pro Tem, but we have to have the understanding that this could be a longer scenario than what we’ve initially discussed and for that reason, I would really like for the Council to spend some focused time on drawing out our scenario in the event that things don’t work out as swimmingly as we hope that they do. Perhaps through one of the committee processes.

The final point and it sort of ties together everything that I’ve said. Is that no one signs up for any of these 12 jobs and I certainly didn’t sign up to run for this office, to preside over a City that is going backwards. I signed up for a City that is invested in itself and committed to itself and committed to being better tomorrow than it was yesterday. I fully believe that by acquiring the entire site, by putting this City in a position to try to put that property in private hands and have

Motion was made by Councilmember Autry, seconded by Councilmember Kinsey and carried unanimously to (A) Accept the assignment of the Offers to Purchase and Contract entered into by FMW Real Estate for the following properties (hereafter Eastland Mall);

— 5471 Central Avenue LLC (Boxer Properties)	\$5,264,000
— Belk Inc.	\$1,200,000
— Higbee LANCOMS, LP (Dillard’s site)	\$1,140,000
— Sears, Roebuck and Co.	\$2,500,000
— Eastland Fields LLC (JC Penney site)	\$1,200,000
— EJJ Charlotte LLC (Firestone site)	\$ 925,000
— H/V Central Avenue LLC (Hollywood Video site)	\$ 925,000

and, (B) Approve the offers to purchase and contract for Eastland Mall subject to each Seller agreeing to an Amendment to their Offers to Purchase and Contract that establishes as a buyer’s condition of closing that all seven Contracts close simultaneously.

more innovative things happen on that site than is currently happening; that we begin to take a piece of the future and push it into the East part of our City.

Mayor Foxx said Ms. Pickering would you like to speak to the motion?

Councilmember Pickering said yes. I mentioned when we first learned of this proposal in closed session that I was excited about it and I’m going to modify that slightly tonight and say that I’m super excited about it. Thank you for your caution about “irrational exuberance” I may have participated in that somewhat. But at any rate, I believe that this is the single best thing that has come before this Council since this new Council was sworn in in December. And I know for a fact that the four new members, Councilwoman Mayfield, Councilman Autry, Councilwoman Fallon and myself; all came here to do this. That’s what we talked about on the campaign trail. Get something going on the east side, the west side, and west side you’re next so stay tuned. We talked about getting something going in the areas; just like the Mayor said that have felt neglected and left out, but have been neglected and left out. I feel with every fiber of my being that this is going to work out. This is the first step to something big for the east side. I’m excited about it as I said. I want to, as someone said who spoke, I think we have to strike while the iron is hot. Now is the time. It’s absolutely the time right now so I would urge my fellow Councilmembers to support this. Take a giant step forward for the east side right here right now.

Councilmember Cooksey said not an easy vote in my opinion and I've been thinking about it long and hard and frankly nothing really I've heard tonight has changed my thinking one way or the other. What I've kind of finally landed on at this point is something that I was concerned about a great deal during our discussions about the budget in general and CIP in particular. Now it's the speed in which the City acts on things that voters approve. And for me the fact of the matter is that 3 ½ years ago, with respect to adjusting the Mayor's history a bit on this. Three and a half years ago, the people of Charlotte approved a bond referendum that included \$16 million dollars to do something for Eastland. As much as I'm often cautious of the old politician's fallacy something must be done, this is something; therefore we must do this, that doesn't quite flow. Three and a half years after that approval, I think we've got to do something. And having sat through quite a number of conversations about how difficult this piece of land is to deal with, I've got to reluctantly, can I go ahead and vote Aye on the proposal. I don't really share, don't applaud, because I'm approaching it pessimistically, I don't really see this happening, I think the amount of money, the parcel values and the contract values have been public for long enough now that you know if there were film studios interested they ought to be buying them directly and not waiting for us to purchase them. But we are going to, that's what folks voted for us to do something about it and 3½ years later is too long to carry that out. So thank you.

Councilmember Autry said for a long time we've been talking about what we might do with this property. The opportunities that I have been exposed to starting back in November are certainly things that are close to my heart cause I made a pretty good living in that industry for 28, 29 years. But what you said earlier about how this is, what we're making this decision on is by the work of a previous Council. And that means I have to take my hat off and tip it to Mrs. Nancy Carter, because she was obviously instrumental in getting that bond referendum onto the ballot and getting Council to approve that so I just want to thank Ms. Carter and uh yes the identified goal that we have before us and the reason that we're here is because there has been explicit interest in this property for the purpose of building sound stages. But it will be more than just sound stages; it will be more than just a bunch of boxes there where people are shooting film in.

I envisioned this as developed and built out as A City Within A City and I look forward to riding my bike over there and spending some time in the shops and restaurants that will come to support this industry. This is a green industry. This is an industry that supports people who like flexible lifestyles because they don't take permanent employment. This work on this project, they work on that project. They make their money, they take their time off, they spend their money, they pay their mortgage, they send their kids to school, and they pay their orthodontist bill. All of that is an economic engine that we want to see grow and prosper and get better for all the citizens of this City. And the prospect of turning this property into something that could be a

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

better contributor to the tax base for this City helps all the citizens of this City. So I would urge my fellow Councilmembers to vote for approval of the motion and let's get on with it.

Councilwoman Fallon said this thing is so; it just amazes me it's going to be magnificent because I have such a good feeling about it. It's going to have jobs and stores and restaurants and I'm working on something John, to bring in somebody else.

Councilmember Howard said because we've been accused of this before. I want to make sure that we still are clear, that whatever happens at this site because of the rich history and the neighborhoods around it; it will be successful, movie studio or not. Hopefully we can make that work out, but what I feel good about is that the potential is there. I just want to make sure that somebody said that in case we don't work out the film thing that it will still be a success one way or the other.

Mayor Foxx said I would suggest that Economic Development may take this on, specifically looking at default scenarios in the event that the lead scenario doesn't play out.

Mr. Howard said we would definitely do that.

Mayor Foxx said there is also the matter of the City Manager's evaluation which the City Council undertook today. I'm going to recognized Patsy Kinsey to share the outcome of that.

Motion was made by Councilmember Kinsey, seconded by Mitchell that the City Manager be awarded a base pay increase of \$13,635 effective July 7, 2012, in recognition of his excellent performance from July 1, 2011 through June 30, 2012.

The vote was taken and recorded as follows:

YEAS: Councilmembers Autry, Cannon, Fallon, Howard, Kinsey, Mayfield, Mitchell and Pickering.

NAYS: Councilmember Barnes, Cooksey and Dulin

MAYOR AND COUNCIL TOPICS

Councilmember Mayfield said thank you Mr. Mayor. So my countdown begins this Saturday, last reminder. I will be hosting my second Town Hall meeting. It will be at Steele Creek AME Zion which is located at 1500 Shopton Road. If you would like to RSVP, you can call our Staff Liaison, Kimberly Oliver at 704-336-2180 or if you have email access you can email her at koliver@charlotte.nc.gov. I look forward to seeing y'all it will be Saturday morning, 9 a.m.

Councilmember Autry said I need to bring up a topic about liter and how we seem to have lots of shortages of this or that or the other; but we have no shortage of liter in the City. And it's especially noticeable along Independence Blvd. especially right after NCDOT does their mowing. Because it just shreds the trash all over the place. Is there some way that we could possibly respectfully ask NCDOT if they're maintaining the road to please get the trash up and not leave it there for the mowers to come along and cut it up in shreds.

Mayor Foxx said we can do that through a phone call or through a letter but I actually think that issue may be resolved fairly soon. So let's get together on that one.

Councilmember Barnes said I wanted to take a moment to publicly congratulate Randy Harrington on being appointed by the Manager as our next Budget Director. Randy's an extremely professional, intelligent hard working Budget Director. He's been the Interim Director throughout this current budget process. He worked hard to answer questions from me and other Committee members, from the rest of the Council and the Mayor. I congratulate you for your appointment Randy and Curt congratulations on your decision. Thank you.

Councilmember Mitchell said this is information for our vendors out there. The applications are now on line to participate in the DNC. The deadline is July 31st. I'm looking at Carol Jennings'. I don't know the website; you can just go to DNC2012 and find the application. Please all of our SBE's and all of those who want to participate, this is a great opportunity and the deadline is July 31st. Thank you.

Councilmember Howard said I just wanted to point out that our Councilmember John Autry's wife is sitting in the front row and she's been hanging out. I got to know her on the campaign trail and she's been hanging out with us so I just wanted to give her a shout-out. She's the best to John!

Mayor Foxx said I want to recognize our Deputy Clerk, Ashleigh Price's birthday which is today, Happy Birthday. Also on a more serious note, we want to acknowledge the tragedy in Aurora, CO and the folks who were affected by that tragedy. It is an unfortunate time to have folks minding their own business and living their own lives and to have that interrupted needlessly and senselessly by an act of violence. I do hope that the families that have been

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affected by that will find peace and my prayers and our prayers as a community are lifted up for those folks.

Councilmember Mitchell said just a clarification Mayor I gave the wrong website address. It's Charlotte and 2012.com you can find the vendor application.

ADJOURNMENT

The meeting was adjourned at 9:50 p.m.

Ashleigh Price, Deputy City Clerk

Length of Meeting: 5 Hours, 20 Minutes
Minutes Completed: 9/11/2012