

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, October 8, 2012, at 4:04 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Councilmember Mayor Foxx presiding. Councilmembers present were John Autry, Michael Barnes, Patrick Cannon, Warren Cooksey, Andy Dulin, Claire Fallon; Patsy Kinsey; and Beth Pickering.

ABSENT UNTIL NOTED: Councilmembers David Howard, LaWana Mayfield and James Mitchell.

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ITEM 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Councilmember Barnes said I have a question regarding Item 27, Airport Aircraft Parking System and it may be indicated here someplace I didn't see it. I wanted to know why US Airways isn't paying for this system. It appears that they are requesting it. Just curious about why they're not paying for it. It's \$2.1 million.

Councilmember Dulin said Item No. 32, this is one of those we're paying to fix a private dam again and I just want to know why. But I will be voting no for that, thank you.

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ITEM NO. 2: BELOW-MARKET HOUSING NEEDS STUDY

City Manager, Curt Walton said in 2008 we did a study of needs of below market household because of the economy and the change in supply; the increase in supply, we wanted to update that study to see how the recession had impacted that. That has been completed and I will turn it over to Pam Wideman to introduce.

Neighborhood & Business Services, Pamela Wideman said tonight you will receive some preliminary findings on the below market housing need study. I would just let you know that you have a copy of the presentation at your table. Todd Noell is with Noell & Consultants he will introduce himself in just a minute. I also wanted to let you know that this is a collaborative effort between Neighborhood & Business Services and the Planning Department. This is the first phase in the study that you will receive. Tonight the other parts of the study include a multi-family market analysis and then short and long term demand for various types of housing throughout the City. So with that, I will introduce Todd Noell.

Noell Consulting Group, Todd Noell said I'm actually by the way a Charlotte native and worked with the City in another life, probably about 1988-1992. I have a consulting firm as Pamela referenced. I founded a consulting firm called Noell Consulting Group back in 2008 and I had actually been a part of a firm called Robert Shawl Lester & Company, RCL Co. for about 14 years before that. We do work with private sector developers, public sector entities. Kind of like to marry both and have a good understanding of what the private sector looks for and what public sector's goals are. Definitely have a good rounded perspective. I mentioned I am a Charlotte native, actually in the last four years or so since starting this firm we've done about a dozen engagements for the City, everything from looking up light rail stations, doing different small area plans and work for a number of different departments. We always take a market based approach to our analyses, looking at where the market is going, not just where it's been in the past. We think that's very important these days especially.

This is actually part of a larger study that we are doing for both the Planning Department and for Neighborhood & Business Services. We are doing three pieces and this is the first of the big three pieces. Focus in Charlotte area, we used actually the extra-territorial jurisdiction area for ease of use with the census. The City of Charlotte, of course accounts for the overwhelming majority of that, but we did have to use an extraterritorial jurisdiction level just for ease of analysis. Really with a goal of trying to understand what the potential demand is for housing supply for those earning; there are four different groups. Under 30% of area median income; those between 30 and 60% of area median income; those defined as elderly, which I don't like this definition of elderly somewhat because I'm 46 and I'm within 10 years of being considered

elderly or a senior. And then special needs population, the last group. Going to kind of group through, as Pamela mentioned, on a preliminary basis, keep it concise. I know you all probably have a number of questions and I just want to kind of move through this at a pretty good pace.

Methodology, real fast for you all, we are actually looking at about 2010-2035 a 25-year time frame. Really we are just looking at the short term so to speak, the next 10 years or 8 years from now actually 2010-2020. Used a number of different sources, census data from 2010; but we also went back and got 1990 census data as well as 2000; 1990 being hard to get hold of these days. I actually pulled that completely off the internet so it's a little bit tougher. Used some local planning projections and then we grew households; by type, by tenure, by age, by income to figure out kind of in layout what the future growth in that ETJ area was. And also grew our supply. We had good data from the census on 2010 supply, but had to make assumptions going forward about future supply what could and could not be built by the private sector and incorporated that into looking at net housing needs.

Real quick overview of preliminary findings and we will go through this in a little bit more detail in a second. The under 30% of the area median income; pretty strong under supply out there about 15,000 units today that is pretty much across the board and that is something consistent with I think what you had seen in previous studies done in past years. Thirty-sixty percent of area median income, our model shows a preliminary over supply; that is a little bit of a misstatement or misname in a way in that there are different groups that actually are living in those units and I'll explain how that works out, but it's not a significant of a number as it first appears; over 60% of the area median income; plenty of supply out there. The three numbers on the right are over or under supply. Anything in the parenthesis or a negative is an under supply. Anything without the parenthesis or negative is an oversupply. Elderly, we looked at and again that's 55 years old and above. And those are it says growth on the left, those are actually total numbers at 30% and 60% area median income and we'll go through those in just a couple of seconds as well.

Councilmember Mitchell arrived at 4:08 p.m.

Councilmembers Howard and Mayfield arrived at 4:09 p.m.

Councilmember Barnes said Mr. Noell, question for you. With regard to the elderly numbers, the 6,246 for example, is that contained within the 22,262 at the top?

Mr. Noell said there would be some overlap between those two groups, yes, that is correct. I should add one statement, we do not have a supply number for elderly because a large majority of elderly live in all types of units. So clearly if you go to 55 and above, you range anywhere from completely independent living at home till all the way up to skilled nursing care, congregate care those kinds of things.

Mr. Barnes said so to simplify my question even more; what percentage, in fact what whole number, of elderly would be represented in the 2010, 15 and 20 numbers on the green line at the top?

Mr. Noell said they would fold in there, the top number that one in green is a net of supply. So they are folded completely in. Anything on the line from 43 (points to lines on PowerPoint) is included in our demand and supply line up here and this is net demand after taking out supply.

Mr. Barnes said right and who makes up the for example, when you have 22,262 take away 6,246 who makes up the remaining 16,000?

Mr. Noell said that is people under the age of 55, different households and it is folks earning under 30% of median income.

Mr. Barnes said able bodied grown folks?

Mr. Noell said yes. I will actually show you some broken out numbers in a second. It's a little bit of apples and oranges on that page. The bottom being the gross number the top being the net number, so a little different there.

Alright this is breaking it down a little bit further, taking a look at 30% and under, 30-60 and 60 and above. The first hand column there is the 2010 estimated demand, you see about 21,000 or so is what the demand is, we calculate for housing affordable to those earning under 30%. There are only about 5,500 units out there. By the way we saw a loss of about 10,000 units in the last decade that were affordable to that group. So that's a pretty huge loss. Actually vacancy rates for that group are now under 3% which is functionally full. So that is certainly an area where the need is pretty significant.

Mr. Barnes said could you explain the loss of 10,000 units, what happened?

Mr. Noell said in different places it appears to be a gained momentum after 2005. We had some interim data of 2000, 2010, 2005. It is interim data. In some cases it may be gentrification and in some cases it may be demolition. Certainly picking up after 2005 would be an indicator which is when the market was very high on the "for sale" side and redevelopment was going on. There was probably some redevelopment; some rehabbing of units. And that does not say by the way that these units technically all disappeared; some of them may have changed rent and gone up into a higher rent range, but for those units that are priced affordable to those earning under 30%, that number dropped by about 10,000 during the decade.

Mr. Barnes said would it be fair to say with respect to some communities where people who were below 30% of area median income lived in fear of their communities being redeveloped for either market rate or mixed income developments?

Mr. Noell said I think it would be fair to say some of this has been certainly due to demolition, some of this has been due to, there has been huge rent growth in this market in the last decade, but some of this may be rehabbed units that have gone up to a higher level of affordability or even completely to market rate.

Mr. Barnes said so we created the problem?

Mr. Noell said in part possibly but there is certainly a number of sources out there and this is not a trend Charlotte alone is seeing, this is certainly an issue in a lot of cities that some of the most convenient in-town areas especially where you are seeing a lot of lower income housing and most affordable housing being either rehabbed or redeveloped into more market rate type housing.

Councilmember Dulin said I might be missing something Mayor. We've got 20,000 demand units and we have 5,400 units of supply on the market?

Mr. Noell said correct.

Mr. Dulin said why isn't supply zero then if we have that kind of demand? Why aren't we taking 5,400 out of the demand and sliding them over to supply and making that column zero?

Mr. Noell said a lot of the 15,000 here (points to power point) are being forced to rent housing in the 30-60% due to a lack of housing and it may be a number of factors. It could be housing in the location they need it; it could be housing that's not close to their job; could be housing that's not close to the bus or the train line; it could be school issues configurations. It could be a whole lot of stuff.

Mr. Dulin said but I'm talking about that top line, below 30% area median income. Why aren't those people in homes if we have 5,400 of them sitting out there?

Mr. Noell said they are in homes, well it's 5,400 total units of supply and I mentioned before the vacancy rate down there is under 3%, so it's functionally pretty much full. When you get above 95%; 95 is a nice break point that you want to have.

Mr. Dulin said well then supply wouldn't be 5,400 would it? It would be whatever 3% vacancy rate would be?

Mr. Noell said what they are doing is actually going up and renting a more expensive unit than they can afford. This assumes they're spending 30% of their income on housing. If you look and there's a slide that we will get to in a couple of minutes; a lot of these people 80 and 90% are spending well north of 30% of their income on housing. So they are actually renting homes that should be affordable to someone making 30-60% of income.

Mr. Dulin says is that by choice or because they are forced to do that. Are they going out and buying a better, renting a better apartment than they can afford?

Mr. Noell said I think in my cases it's not by choice, they are being forced too. And again it is hard to see, there is not a question on the census that says why are you doing this? But I don't think; from my perspective, most people don't choose to spend 35 or 40% of their income on housing. That's economically distressed in a pretty big way. So I think a lot of it is that, certainly I think you can make an argument especially in the 30-60% that some folks may be renting a unit that is more than they can afford; but it may be again, being a better school location, it may be to be closer to work; it may be to be closer to transit, there might be a number of factors in there. It's kind of hard to see and that's something that we'll still trying to figure out, I mentioned this is preliminary, and that's one of the big questions we're still figuring out right now.

Alright, 30-60% is the next group that we're talking about and again I mentioned that at the top of this, the estimated demand, about 25- 26,000, supply about 42,000. At first glance you say oh there's plenty of housing out there, there's not an issue at all; but a lot of these folks also are paying more than 30% of their incoming on housing. So there's a lot of economic distress in this group as well and as I just mentioned a second ago, those earning at the lowest end of the scale are at 30% or less of area median income are actually renting up into this range. You also have a lot of folks in this area (points to PowerPoint) above 60% who are not spending 30% of their income on housing. I think most everybody in this room probably is not spending 30% of their incoming on housing; it's a very uncomfortable thing to do. So they are, I don't want to say renting down, but they can afford technically by HUD's definition to actually pay a little bit higher rent and are in that same group. Which again is at the very top here, the 60% or above demand 79,000, supply 89,000, you know there are a lot of people out there who are paying \$800, \$900 for a unit; but by HUD's definition of what they could afford which is 30% of their income, they could afford more than that, but they don't have too. So that kind of squeezes that middle group from both directions.

Mayor Foxx said let me ask a question on this, we've been kind of talking around it through some of the other questions, but when we define demand, what's baked into that definition? In other words, these are not individual people who don't have units available, presumably there's some combination of families and presumably some of the families are going to the next tier up to get housing, so can you give me a sense of magnitude in terms of numbers of people, what percentage of that demand is baked into one of these other numbers, that kind of thing?

Mr. Noell said yeah a couple of things we did just stepping back real quick, to quantify demand, demand is households I mentioned we look at them by tenure so these people who are renters, look at it by age and common household signs. For HUD what they have as a standard measure is; is 30% of your income is spent on housing. I mentioned the folks at the very lowest end of the income ranges spend more than 30% in most cases. A lot of them do and folks who are at the higher end of the range; many of them spend 10%, 15% of their income on housing. But for HUD's purposes you need to assume 30%. We also assumed 1-2 people per bedroom so a two person household would fit into a one bedroom unit. Four person household would fit into a two bedroom unit, and there is a little bit of a difference between how people actually live and the way we have to calculate this. Certainly a lot of the two people households are roommates, that would not go into a one bedroom unit. And certainly as I mentioned a lot of people who are at their lowest income aren't spending and stopping at 30%; they are being forced to spend 35-40% of their income. So there's a little bit of a difference and disconnect there. A lot of the 15,000 people are indeed being forced to rent up to a unit that is more expensive which is where that 40% of income going into housing is coming from. So they are being forced to go up and again the exact reason is difficult. It may be the location of the unit, it might be the configuration or type of unit; it may be access to job, all those kinds of things roll out of this. Is that helpful sir?

Mayor Foxx said a little bit, but you know, looking at this gap of 15,000 and some odd in 2010; can you quantify that in terms of how many actual people are affected by this under-supply?

Mr. Noell said if you assume about three people per household that would say about 45,000 people are living in housing they essentially can't afford at that lowest income range and that's going to grow to about 66,000 people living in housing they can't afford. This does not get into homeless, this just purely gets into folks that who are renting in our household in the market.

Mayor Foxx said let's say theoretically we found a way to solve the problem of the under supply at the 30% and below, what is the other effect of these other levels? Presumably there would be more supply at the 60% and below and the 80% and below if we solve that problem, do we have a sense of what the magnitude there would be?

Mr. Noell said certainly if you took 15-20,000 units out of the 30-60, if you could accommodate these folks and get them into something that allowed them to only spend 30% of their income; that would open up the 30-60 a good bit. One of the big problems we have in that 30-60 is the large majority of people in that group are in the 30% to 40-45%; a large majority of the housing stock in that group is in the upper ends of that; the 45-60%; so they are being stretched a little bit as well to afford that so there's a little bit of a disconnect. Market rate housing right now, most of the growth generally starts around \$650 or \$700 and up, which gets you I believe in the 70%, I will have to look back about two slides from now and reconfirm that, but it is not hitting these folks.

Councilmember Cooksey said I appreciate the attempts to address this sort of thing but what I always struggle with when I see these kind of top level numbers is the reality of kind of categorizing so many people's various experiences to terms such as forced. And again not to want to generalize from a single person's experience too much, but when I moved to Charlotte, I was paying about 40% of my income in rent, and if you had surveyed me and asked, well no, it was a deliberate choice I made, frankly so I could walk to work. So the additional, you know I consciously chose to pay more in rent so I would pay less in transportation cost. And if you had offered me an apartment, if you had told me, I knew where the apartments were that were 30% of my income and I chose not to go there because then I'd have to spend time and money commuting. So particularly when I see any below the 30%-60% of AMI range or the under-supplies in one bedroom; when I think of a demographic and maybe either here or in a fuller report we get a better sense of the demographics we're talking about here. When I think about demographics, I think recent college graduate or someone in mid-20's, coming to Charlotte for their first job or even me on second job after that. In other words, like I was, when I came to Charlotte and I was fine. That was a conscious choice I made and you would not have been able to get me out of there. When I think about that versus when you say people are being forced to pay more than 30%, not necessarily. I don't know what level of demographics you have,

Mr. Noell said I will add to it, there are actually two groups and I'm glad you brought this up, two groups of single person households that are most dominant. The first one is the one you mentioned, younger folks and the people who are postponing theirs to later in life. But the other side is people are living longer and longer. So you get into a lot more widows, widowers and so there's a big group and a growing group. You saw that there's a lot more elderly in that initial slide and I will show you another slide in a second. So a growing group of those folks and I think for them, their income has been pared back, they've also been hit by a loss of pension funds for those who have transitioned from home ownership to rental; they may have lost a lot of equity in their homes so there's that second group. And we will have demographics in the big package I can't remember the numbers off the top of my head. I will just reinforce one thing; singles are actually the biggest growing group in Mecklenburg County. They were I think 26% and I will have to get the actual numbers on this, of all households in 2000 and they were only, I want to say 30%, of all the growth. So they were actually taking up a bigger share of the market, and again it's on both sides of it. It is the young folks who are coming out of college, those Gen Y's, but it's also the more mature folks who are living longer, outliving their spouses not just by a couple of years, but by 10 years, 12 years. So there's a lot more of both ends going on. But you're right, there's not, and I mentioned there's not a census question that says why you're paying more than you are; and so that's when we have to do a little bit more digging because

there are a lot of people who are doing it. We don't have it broken out by geography in the City that could be part of it. Job access is a big thing, access to transit is a big thing and in some cases probably safety perception, wanting to live in an area they may perceive as being safer than where a lot of the housing may be located they could afford.

Mr. Cooksey said I appreciate you particularly validating the transportation part because the more we have particularly with Gen Y's twenty-something, are showing demographically a greater comfort with transit rather than with a car. The federal mileage shows 30% of cost per housing presumably has a percentage for transportation if someone is making a choice to spend less on transportation and more on housing, I'm not going to go along with that. But without knowing how to segment and divide the need appropriately I'm not quite sure how to respond to each of these kinds of numbers.

Mr. Noell said it is an interesting flip flop between those two because there are more people choosing to reduce their transportation costs by living closer in; that is foreseeing those who can't afford to, in some cases, to live closer in to increase their transportation costs by moving further out so it's a push and pull and you're right there are a lot of numbers within these bigger numbers that we will be putting out pretty soon. There's a lot more data that goes all behind this, this is just a very tip top level and again its preliminary and we're still trying to figure out a few things out there and understand a few things.

Mr. Cooksey said thank you kindly, I appreciate it sir.

Mr. Noell said alright, you've led right into my next part of the conversation here. This is a real quick showing of what percent of renters are economically distressed, economically distressed being those that are paying more than 30% of their income on housing. As you can see at the lower ends of the spectrum, for those who are, well we have two different kinds of headers below; what percent of area median income they fall into and then what the rent range generally they fall into. I will just caveat that by saying, the way HUD works, there are seven different median incomes because they have a median income for a one person household, a two, a three, a four, a five, a six, a seven, plus this is kind of that mid-point, but as you can see those who are under 30% are paying, those between 20-30%, like 90% of them are paying over 30% of their income so they are distressed. When you get up to that 30-60 it drops to about 80-70, still very high numbers but you can see the distressed level dropping. I mentioned that 30-60 group most of those households were in that bottom half and a larger part was in the top half which is where the stress comes from and then as you get above 60% and 80% it drops back. We are again trying to get a better read on kind of what's behind these numbers, but again when you see an oversupply of 30-60 and then you see these numbers obviously there's some crowding and it may suggest that some of the housing choices may not be in the right place or there may be issues to be dealt with in terms of number of bedrooms, those kinds of things. That's what we're still trying to unpack right now.

Mr. Noell said alright just a real quick kind of overview, we've seen rent vacancy rates drop precipitously back in 2010 they were about 10 or 11%; overall now and this is for rental apartments; they've dropped about 5% and you can see Class A, the newer stuff, the shining stuff, they're building particularly in SouthEnd and some different areas, that's down to a vacancy rate of a little over 4% which is the lowest it has been probably in about 12 or 13 years if not longer. Class B and C stuff which is generally 10 years old or older, a big chunk of your housing stock out there rents for an average of close to \$700 a month. That is about 6% vacancy and again that has dropped big time in the last two or three years. Again those numbers were over 10% just a couple of years ago and are on their way down. So there is a lot of tightening of the market and again I mention for units below \$400 a month, that vacancy rate is under 3% and approaching 2% today. Elderly households, baby boomers, of course,

Councilmember Dulin said Mr. Noell, these are all Charlotte units?

Mr. Noell said these are Charlotte ETJ, a little bit beyond the City but ETJ of Charlotte, yes.

Councilmember Dulin said okay very good.

Mr. Noell said yeah we cut out the top part of Mecklenburg and outside areas that were not in the ETJ. And then Senior Households again 55+, this is a growth and again, boomers as you all know; huge growth they are. Fully moving into this 55+, many of them are now in the 60+ and approaching 65+ age ranges and we took a look at growth. As you can see these are actually growth numbers I mentioned we can't "net out" supply because of a number of factors trying to pin down supply for this group. But what we see is a change of about 8,000, a growth of 8,000 households over the next decade above the age of 55, and about 47%, close to half are in that, either under 30% of area median income or 30-60% percent of area median income, generally there's a rule of thumb when you get above about 75 or so you start thinking more about assisted living or independent living situations. Again these are more independent households we're looking at here.

Councilmember Mayfield said are these numbers including the zoning approvals for senior housing that we have done in the last 8, 9 months?

Mr. Noell said no. These are 2010, these left hand numbers are on the ground and again this is not including supply. These are older households that are defined by Charlotte's definition, 55+, as being elderly households. So yeah, supply is not in here, it is a tough thing to peg down due to the huge variety of units or situations that maybe, these folks may be in. Again from a nursing home to independent living all the way down to, certainly most people 55-60 own a house or rent an independent apartment.

Ms. Mayfield said because I have a concern that these numbers may be skewed a lot higher than the actual need on the ground with looking at recent zoning approvals that we have done that are working towards identifying not only that 30% and below area median income, but also identifying the senior housing that will be coming up and out of the ground and be ready by 2014 or 2013. And in order to try to get some more accurate numbers when we're looking at 2015 and 2020 how detailed would your study need to be in order for us to get some closer numbers that are more accurate to what the actual need are, so that we don't put ourselves in a position where we have an overabundance of housing and then we're trying to look at how do we identify those that are in need of that housing.

Mr. Noell said a couple of things, again the numbers here on the right hand side, this is growth of these folks. This is your net change on the demand side. We can look deeper into trying to figure out how to address the supply side of things. But that's something we can certainly in the next several weeks try to focus in on understanding. Certainly in the last decade you had assisted living for instance being badly overbuilt; that has gradually filled back up and become much more stable, hitting better occupancy levels. But certainly, yeah, these are your gross growth numbers on the right hand side; the 1913 and the 1876 at the 30 and 60%. To the extent that more housing is already been approved or being built to address and take those numbers down, that gives you a benchmark to work from but we can certainly try and look at supply and try to find a way to peg that.

Councilmember Kinsey said just an observation, it's interesting to me that you're saying now that senior households are 55+ when people are living longer and they're working longer, many to the age of 70 and social security doesn't kick in automatically at 65 anymore. Why are we, 55 to me at my age seems awfully young.

Mr. Noell said it seems young to me too. The 55+ is actually a local definition I think that your folks work from. I'm happy to cut that off at a much higher level and let's look at, to me, we've done a number of studies for independent and assisted living facilities, median age for folks going into assisted living is about 82 I think. For people going into independent living it's 78, 77 something like that. That's why when I mentioned there was a big array of products from someone whose 55 to someone whose 85 out there, so we can certainly try and look at it. We used the 55 because that was the definition of senior or elderly that was being used locally so we're trying to stay consistent with that. It's HUD standard.

Ms. Kinsey said well we just need to change the standard.

Mr. Noell said I like that and again one of the things we tried to do is to keep this consistent with what HUD looks for because certainly when people come in and look for approval, these different programs need to have a demonstrated "need" but HUD standard so we need to keep it kind of to their standards.

Mr. Noell said last couple of slides here, homelessness. We took a look at as well and we looked at homelessness over the last 5 or 6 years with the data we had available. There is about 13,000, which is a lot higher than some folks may originally think, people; these are people not households out there. That includes folks in emergency transitional situations, shelter, chronic homeless and a group called "couched" which is a group that you probably know what they are, but you don't think about it; couched homeless are those folks that are living with relatives, friends, can't afford to make it or live on their own so they've had to move in with different folks. It may be a mother and son who lost their home and moved in with her sister and their family, general estimates are about 1-2% of the populations in most metropolitan areas are "couched". There's almost no data on what their demographics are, where they would fit in, it would be my assumption that a lot of them would be in the under 30% or 30-60 given their situation, but again there's not a lot of data out there, it is a pretty sizeable group, so about 13,000 total. And again the largest group of that is the couched homeless.

Mayor Foxx said can you quantify the chronically homeless and tell us how you define it?

Mr. Noell said for the chronically homeless we did a couple of things, we used our data from the North Carolina Task Force to Reduce Homelessness, I think it is. They have some estimates that they've done of the different types of sheltered and unsheltered. They had the emergency shelter, those who find themselves in emergency situations; the transitional where you are transitioning someone from homelessness to some type of a renter situation. And the chronic being those who are truly what most people would consider your street folks, those people who are definitely in the street. Many of them have other issues, be it alcohol, drug, mental issues. These are kind of what are considered chronically homeless folk.

Mayor Foxx said and do we have a sense of how many of the 13,000 are chronically homeless.

Mr. Noell said we do, of those that are sheltered in these first two groups of emergency and transitional I want to say it's about 800 and some odd a piece that was up over 1000 back in 2010; and of those that are chronically and I believe your full time kind of homeless population if you will, was under 400; it's in the 300's, 350, 310 something like that. And again a big chunk of this group is the couched homeless, those who are forced to give up their homes and live with friends or relatives. I can pull those numbers for you though and it will be in the final report as well.

Mr. Noell said alright recap real quick. Again the greatest need we see is of the under 30% area median income. It's growing from an under-supply of about 15,000 units to more than 22,000 units in the next decade. Again these are all preliminary numbers that we will be kind of taking a deeper look at. Thirty-sixty appears at first to be an over-supply but as you saw before there's a lot of those folks that are paying over 30% of their income. They are getting squeezed as there is a little bit of a mix-matched it appears between what's actually supplied and what's actually affordable to these folks. Again what's affordable, these folks a lot of them are in their 30-45% area median income; a lot of supply is in the 45-60 so they are being stretched as well. And you have some of these under 30's folks that are reaching up and having to rent those units that would be more affordable to a 30-60% household group. Elderly, that's going to be a growing issue out there. I didn't talk about Alzheimer's but that is a rapidly growing need out there some of the numbers are rather alarming. But that is a group that is going to be growing I think by about 8300 people total. About 2,000 households of which, I shouldn't say 8300 households, about 2000 of which will be at that 30% or lower of their area median income and then close to 1800-1900 at that 30-60. I believe that is everything. I was going to ask for questions, but I think you guys have been asking a lot of questions already, so I will just ask for more.

Mayor Foxx said questions? I want to thank you very much for this information. I think the obvious question is having this information in hand, what do we do about that set of data and it strikes me that the numbers cascade, depending on what you do. If we were to take seriously this

issue at the 30% and below numbers and start to make a sizeable dent there, creates space in the other categories of housing for that additional population of the time to absorb. So from a bang for the buck standpoint, it looks like the 30% and below is where we get the bang for the buck. We continue to be challenged by a number of issues which are what target are we trying to hit in terms of how we direct our affordable housing resources and energy. Secondly the funding question continues to be one that's front and center for us. And the regulatory question about to what extent can we, should we, play a role in creating a more enabling environment for affordable housing and to some extent help the private market disburse that housing so that we don't have clusters of poverty in our City. And it's an enormously complicated set of questions, but this is a commercial for the Council; we have our next discussion about this on Wednesday, the 10th of October at noon. Maybe we can take some of this information and carry it over into that conversation, but frankly I think this is one of the most important problems we need to confront as a community and I don't think one strategy is going to get us across the finish line, but maybe several working together can.

Councilmember Dulin said you mentioned that you had a report coming, a voluminous report, is that the end of your contract with the City?

Mr. Noell said there are two other parts to it, we're looking at the issue of an inclusionary zoning and then we're looking at some of the issues of the need for different types of rental housing in different parts of the city. Not so much as an affordable issue, but as an overall need. So those are the other two parts that we are still, this part came first. It's a three part, with that I mentioned we were building the future, according to the County by age, income, tenure, household size, that all, is the first part. This is really the 2nd part and then those other two are the last two parts we're looking at.

Mr. Dulin said very good and how long does your contract run with us?

Mr. Noell said I can't remember the exact dates of it, but we allocated I think there are about 8 or 12 more weeks left.

Mr. Dulin said we're paying you by contracted amount not hourly is that correct?

Mr. Noell said contracted amount, yeah. Everything we do is contracted amount.

Ms. Kinsey said it strikes me that there is so much in this report, we do have to sift through it. I would caution us not to depend too much on it on Wednesday when we meet. Because that gives us an awful lot that there that we're going to have to figure out which way, how we can use it in the future but I think it will be very helpful.

Mayor Foxx said it's definitely helpful and puts a spin on what these different tiers need.

Councilmember Fallon said you said that there are 5,000 apartments and basically people don't want to live there because it's out of where their friends are or bus or something; why couldn't that be used for the elderly where they don't have to go to work?

Mr. Noell said in some cases it might be getting the right people in the right units. And one thing I was going to add to my comments earlier when I said there's a need for 15,000-22,000 that does not mean necessarily that you have to build 15-22,000. It might be finding ways to make the existing apartment stock more affordable to those folks. It doesn't mean that they have to move, it doesn't mean we have to build all those units, but it means you have to think creatively about what the strategy is to get them down to that 30% level to where they can live in a more comfortable place. Yeah, in some cases it may be getting the right people in the right locations.

Mr. Cooksey said it recurs to a theme and I don't know if it's actually done, but it's something that just, I struggle with on this constantly is; is there any way to measure how many people are spending more than the Federal Government thinks they should be, but aren't quite happy doing so?

Mr. Noell said what we can certainly do, and I will make sure Will takes this note here, but we can certainly do some research on if there has been, it would have to be best with Consumer Research, asking people why they are spending more. I don't know if there is research out there, that's an interesting question and when we're going through this and trying to understand it there's a multitude of reasons obviously; but it would be interesting to see if there is a way to find out. If we can't find it; the most obvious way to do it and it's not an easy way to do it, is to go out and do some kind of research directly with these folks and ask them why they're doing it? Is it the location, is it access to work, is it access to transit, is it the school situation; is it a perception of crime, you know where the housing is versus where they need to be? Or is it something that they are choosing to do and they are willing to make that sacrifice because they, you know like in your situation; they decided not to own a car,

Mr. Cooksey said I didn't say I didn't own a car, I just said I can still walk to work from where I was.

Mr. Noell said I do a lot of work in Washington, D.C. which is a very expensive market, which is very constrained and there's a lot of folks who voluntary go without a car and spend more than 30% and they're happy doing so. So there are a lot of reasons and we can try and look to see if we can find them. But yeah there are a lot of questions that the census doesn't ask about that.

Mr. Cooksey said because not everyone knows what the government thinks they should be spending their money on.

Mayor Foxx said thank you very much. You've been helpful.

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ITEM NO. 3: NCDOT RAILROAD PROJECTS UPDATE

City Manager, Curt Walton said we are at NCDOT Railroad Projects Update. Charlotte has three projects that are part of the high speed southeast corridor and so we've given you several updates before but this continues to move on relatively quickly and so we wanted to give you that update again. I will turn it over to Tim Gibbs to lead off.

Transportation Planner, Tim Gibbs said I'm Tim Gibbs I'm a transportation planner with the City of Charlotte Department of Transportation, it's my pleasure this afternoon to introduce you to Mr. Michael Schumsky who's the Senior Project Engineer for Special Projects with the North Carolina Department of Transportation's Rail Division. Mr. Schumsky is here today to provide you with an update on the estimated \$250 million dollars' worth of projects, of rail work that is, that is going to be taking place in Charlotte over the next 4-5 years. This work is going to help improve operational efficiency and safety for not only business and residents here in Charlotte but also for the Southeast and ultimately throughout the Nation. Three of the projects that Mr. Schumsky is going to be talking about this afternoon are part of a 20 project list we've shared with you previously called the Charlotte Railroad Improvement and Safety Program. Since we first told you about the award of these projects in early 2010 you've received occasional briefings on the status of them and this afternoon's presentation is a pre-cursor to request that will be made of Council in the coming months regarding funding and/or municipal agreements that will require approvals to be made by this board.

Senior Project Engineer for Special Projects with the North Carolina Department of Transportation's Rail Division, Michael Schumsky said in January of 2010 as you may recall, North Carolina was a recipient of \$545 million dollars' worth of the American Recovery and Reinvestment Act Funds. Three of the projects that I'm going to talk about tonight encompass \$247 million dollars of that money received. I'm here tonight as a resource to the Council on behalf of the Department to update you on these projects and to highlight the key components and again just talk a little bit about the next steps as we currently see them.

What you see here as Tim has indicated represents a map of the Charlotte Railroad Improvement Safety Program, CRISP, is the acronym, and it begins with projects as far as the new Norfolk Southern Intermodal Facility at the Charlotte International Airport to the south and proceeds up

near Orr Road where we have our double tracked projects. Three projects of the four that I will be talking about tonight; one is the NC DOT Locomotive and Railcar Maintenance Facility located south of the John Belk Freeway in the shadow of the stadium. The other project is where the middle of this program is the Main Line Break Separation project; the third one is the Sugar Creek Road Break Separation where we are taking the road over the rail corridor to the north; and the other is the Double Track projects which terminate approximately near Orr Road and proceed about 12 miles to the North.

I'll begin with the double track projects. You've seen some of this information before. It's a 12 mile segment of a main line track. This is a very heavily travelled corridor as you know and anticipated by 2037 to increase in 22 additional freight trains from what we currently see. That being about 34 or 35, involves track work and signal improvements and again is going to result in increased capacity, traffic flow and reliability from both passenger and freight service. The double track projects highlighted, we have a project at Grier Road that involves basically raising the elevation of Old Concord Road to some degree and providing the tracks underneath the road. Basically, we are in the process of right-of-way acquisition. There are 22 plans for this project resulting in 8 appraisals. We have construction estimated to begin in the summer of 2013 and anticipated to be completed by December of 2015. I do want to remind everyone that these monies need to be expended by September 30th of 2017 to comply with the federal mandate. We also have here a future Eastern Circumferential—to be determined and collectively these will eliminate three at-grade crossings.

The next project is the NCDOT Locomotive and Railcar Maintenance Facility. This was about a \$23 million dollar project funded and basically we believe that we have just enough money to acquire the needed right-of-way for said future project. We are in the process of beginning right-of-way acquisition after we receive our environmental documentation which is anticipated in January or February of this coming year and once we acquire the right-of-way and assuming additional money, we will then go back and do future construction. We are currently at the 25% plans schematic design. This project is we are working in conjunction with the state construction office, because the ultimate ownership of this property will be a state building asset.

Sugar Creek Road Grade Separation has been a project that's been a safety need since 1997. We have 25% plans completed. We are expecting the Finding of No Significant Impact in mid-February of this coming year with right-of-way to begin shortly thereafter. That should probably be June 2014, for the construction let. And the completion date is subject to coordination with CATS Blue Line Extension. One thing I want to talk about is the three C's. That's the coordination, communication and consistency. Specifically at this location that we're going to need because as you recall there is a Sugar Creek Road, the station stop, which is on the west side of the tracks; we had work by the City depressing 36th Street taken underneath the rail corridor, again this is for the BLE project. We also have the station stop at 36th Street, south of here, the BLE project and at Craighead Road which is located in-between; the BLE's crossing from one side of the tracks to the other. We also have the Eastway Drive project which will lengthen the bridge and we will need to coordinate crossing closures in the area.

The community public is not necessarily going to know whose project is what. So one of the things that I will talk about is the need for a communications plan for FY2013-2016. This project when we initially submitted it is outside the ARRA per se. We received \$22 million dollars for the project when we initially submitted the application; we anticipated a \$43 million dollar price tag. Based on taking basically the road over the rail corridor and eliminating some of the utility conflicts we're looking at about a \$5 million dollars in right-of-way and about \$17 million dollars in construction, so our costs are about half. Now having said that that doesn't mean that we haven't had the benefit of utility relocations and actual right-of-way acquisitions.

The Main Line Grade Separation this is the keystone project for the CRISP program. It is the single largest project that we've received money for. That being \$129 million dollars represents 22% of those funds that is what I spend about 75% of my time on. And again we're trying to improve the efficiency between the freight and the passenger trains. This is located near the Archer Daniel Midland or the NC Music Factory complex in uptown Charlotte. This is the point where the two railroads cross directly underneath the Brookshire and we have involvement from everyone except the FAA and the airport's not too far away so, very complicated project dealing

with Norfolk Southern, CSXT, Archer Daniel Midland, local area businesses. Again, we're looking at safety, reducing noise, increasing operational efficiency of railroads. We're looking for the EA approval this October with a finding of no significant impact in January of 2013.

What you see here is just a brief aerial showing the point where the two railroads cross directly underneath the Brookshire. We couldn't have built the road in a better place. This is the ADM mill facility, I've talked about this before, 1.3 million pounds of flour per day; 24-7, 365. They only shut down, three scheduled shut downs a year and that's for general fumigation. There are only five flour mills in the entire State. Every Krispy Kreme doughnut that you eat begins its life in this mill! So needless to say it's very important to keep it operating! We also have the NC Music Factory venue. We've been very successful in working through the City Manager's Office specifically with Ron Kimball and the County Manager's office with Bobby Shields. They see about 11,200 participants there during major events between the Amphitheater, the Film War and their other social activities. We also have again the main north south line for Norfolk Southern, the east west side for CSXT. Not to be undone, we have the vehicle maintenance facility for the Mecklenburg County right in the middle of the project and what you see here; you've seen this before, in July you had approved basically a term sheet between the State, the County and the City and again, thanks to the coordination and cooperation with the City Manager's office and the County Manager's office what we have collectively come up with is a game plan to allow for adequate access in advance of construction within the railroad right of way. Again, we've been coordinating the efforts pretty closely with that. We are keeping an eye on the Pinewood-Elmwood Cemetery. We recently met with the Charlotte Historic Landmarks Commission as part of the National Environment Policy Act document, we need a Certificate of Appropriateness and so forth, but again here is the main line grade separation. You can see basically where we're taking the existing rail line and temporarily shifting it to the north; which is going to necessitate relocating the NC Music Factory Blvd. And then what we're doing is we're basically digging a bathtub, digging a trough going through here to eliminate the at-grade crossing at this location right here. Very complicated project and again you have all sorts of vehicular access issues that you don't necessarily see at most DOT projects in the sense that these projects, these people are coming to these events off peak on the weekends, they have a fairly full schedule with Live Nation. So again the ability to maintain vehicular access in advance or work within the railroad right away is critical.

Challenges and Opportunities:

Again a lot of these construction projects I've talked about will be ongoing simultaneously over the next several years, specifically 13-16. We have significant coordination issues with the City, whether it's CATS, CMUD, CDOT, the County, local area businesses, Fortune 500 companies i.e. ADM and CSXT; and again keep in mind that the overall picture is these Charlotte rail improvements will have a positive impact on the well-being of the Charlotte region and its citizens, again this is Economic Development.

Next steps, again you are going to be seeing as we move forward a need to evaluate municipal funding agreements. We will have continuous project schedule updates and again the coordination, communication and consistency amongst our projects will be key to success. So development of a comprehensive communications plan during the three year period between 13 and 16 will be critical. Again there are a lot of players, there are a lot of entities. We've had a value engineering activity in early April that for the first time for the Main Line Grade Separation involved all the stakeholders. Each stakeholder obviously had a good understanding of what their individual concerns were. This was the first time that everyone was in the same room. And there's going to be a need to work both with all city staff, municipal staff, the railroads, CATS, CDOT, CMUD, the communities, and the Council and local elected officials in moving forward so again we're consistent with what we are saying to our citizens; we are able to talk about the benefits of the project and we're able to meet, most importantly, become on time and on budget for the expenditure of these funds. So with that, again this is just a reader's digest version of where we are and where we hope to be. Again I'm hoping I'm here as a resource so Mr. Mayor you and the Council if you have any questions.

Mayor Foxx said thank you very much. I would to also announce this is a first that we've actually allowed one presentation to go on without questions coming in the middle. But there are people who have been patiently holding.

Councilmember Barnes said sir I wanted to ask you a question going back to the Orr Road, double track piece. You referenced purchasing right-of-way and as you might image there are a lot of experts who live in that area who think they know everything about that rail line and the corridor, where are you buying the right-of-way?

Mr. Schumsky said to be quite honest with you the specifics about that project I'm not prepared to answer tonight; it's really outside of my purview. But typically we deal with a divisional right-of-way agents, Division 10 in this case and you know we have a standard set of procedures for addressing effected property owners.

Mr. Barnes said could you help me with this piece, Mr. Gibbs is aware of this. I've gotten a lot of feedback; I represent that part of Charlotte, a lot of feedback from people concerned about the cutoff of access from the Newell Hickory Grove Road side of the eastern side of Old Concord Road going over to the newly constructed Old Concord Road, the new bridge that will be put in. And apparently we will essentially cut off access to some neighborhoods. I think again Mr. Gibbs is aware of most of these issues and I've been telling folks that I would tell whomever I could tell at the state level about the problems and hope that you guys will take a look at it before you get too far down the road. I imagine you are obviously quite a ways down the road, but it would be helpful to get some feedback from you on that.

Mr. Gibbs said yes Mr. Barnes part of the agreement that we will be entering into with NCDOT says that they cannot close certain crossings until certain other things happen. One of the things that we would like to do is run a road parallel to the rail line from Eastway Drive all the way to Harris Boulevard to provide access to properties on that side of the track. The Orr Road crossing cannot be closed until such time as other improvements were made. One will be the extension or connection between Orr Road and Eastway Drive so we've said we don't want that to be closed and it can't be closed until such time we figure out a way to build a street in that area.

Mr. Barnes said and to that point, sorry for cutting you off Mr. Gibbs, will this project include the extension of University East Drive?

Mr. Gibbs said it will not, that was something that we had asked NCDOT to consider. At this point when that happens it would either have to be through a prioritization process for state funds or it will be through our capital improvement process here at the City. We felt fairly strongly that that should have been included as part of the project. But that was not one of the things that we were able to negotiate.

Mr. Walton said this ties to Mr. Barnes question. The projects that Mr. Schumsky outlined has some city components and the funding for those components were in the CIP. So we are going to have to enter into a municipal agreement fairly soon in order to keep the process moving. We don't have to have the funds in hand then; but we will have to know that we will be able to provide them. So in between now and then we will look at existing funded projects in the road bonds; in particularly those that are nearing completion to see if there is any savings that we can move out of those. But the Orr Road issue was one of the big ones that was in that CIP as well as pieces of the Eastern Circumferential were applied to this project as well.

Mr. Barnes said I appreciate it.

Mayor Foxx said what is the timing by which we have to enter into those agreements?

Mr. Schumsky said the funding for the Sugar Creek Road project does not have the same deadline as the other ARA funds. But we hope to have that completed just in advance of the BLE Project. Basically we are using other federal funds to progress the engineering. We're going to probably have to enter that in relatively soon. We don't have any specific dates but we already have a draft agreement that we've, several months ago I flushed through the city staff.

Mr. Walton said probably within a month or two I would say.

Mayor Foxx said it's been a month or two, which is kind of the same timing as our retreats.

Councilmember Kinsey said Mr. Schumsky you mentioned going to the Historic Landmarks Commission I still want to call it Properties Commission, what are the anticipated impacts on the Historic Elmwood Cemetery?

Mr. Schumsky said we've coordinated with Stewart Gray as a staff contact and we went in early January, 25th to the Design Review committee. We went there to the Design Review committee on September 26th. Part of the challenge with the Elmwood Cemetery is the property that's affected is part of pauper's graves. Therefore records if they do exist are very sporadic at best. We had gone in and done ground penetrating radar to determine the anomalies or the presence of graves. A majority of what you see right here was just graves for the poor. Again, if records existed they were a very nominal effect. The impacts were really relegated to placement of a chain link fence to the more historic wrought iron fence that you may see bordering Johnson Street and over by Gateway Village. Once that fence is removed and part of the GPR activities is that there's some old growth in there and GPR is basically you put a piece of equipment on a sled and you drag it. The GPR is not able to look underneath old growth trees or anything like that. We do not anticipate any disturbance of any of remains. But we are realistic enough to expect some unexpected finds possibly during construction. And if so again, part of what we went before the Historic Landmarks Commission was to talk about the way we would address that. But the impacts, to answer your question specifically, are very minimal. We don't anticipate disturbance of any remains. We do anticipate during the placement of the fence having to have our folks in there to make sure that there are no remains that are disturbed.

Ms. Kinsey said but you will replace them if, because my guess is you're going to find something, so you're going to just remove the remains, you will rebury them in that area?

Mr. Schumsky said yes, that's correct, that's our intent. And there's two general statutes to address that; whether it be here or elsewhere in the State. The Historic Landmarks Commission will be part of a memorandum of agreement to talk about mitigation for this project. And part of the COA (Certificate of Appropriateness) is dependent upon the execution of the MOA. The Historic Landmarks Commission really deferred to the State Historic Preservation Office and the Interior Department on their federal review of this project. But they will be part of the process from the environmental side moving forward.

Councilmember Fallon said on the Locomotive and Rail Car Maintenance facility. You said assuming something, what are we assuming?

Mr. Schumsky said well we had received \$22 million dollars' worth of funds. And we understand that to acquire the necessary right-of-way will likely take that entire \$22 million dollars' worth of funds. If I used the word assumption it's future money to physically build the building, the vertical construction and the track layout.

Ms. Fallon said when do you think you're going to get it?

Mr. Schumsky said I don't know there may be other funding opportunities. We've fared fairly well in the State and National on applying for monies based on our program. We've been working very closely as you may know with Wilmore Historic Neighborhood. We had them on the train; we had them out to our facility in Raleigh, here maybe in the past three or four months. So again we're going through the process and depending on the additional monies we will then take the 25% plans, take them to the next level which is 65.

Councilmember Autry said that last slide that we had there, that was a passenger train correct?

Mr. Schumsky said yes sir that's correct?

Mr. Autry said can you share anything with us about NCDOT plans for moving people around the state on rail?

Mr. Schumsky said well part of DOT, part of the rail division's purview is long term rail planning and we have some that we're looking at a strategic rail plan that's going to be updated, and we have plans for service to the west to Asheville, plans to Wilmington and further East. So part of the long term game plan for rail infrastructure in the state will lend itself to that strategic plan. NCDOT as you may know came out with a 2040 plan that looked at our state ports and looked at other infrastructure, intermodal facilities and with the widening of the Panama Canal, the improvements there we recognize that Morehead City, Port of Wilmington, Port of Charleston will likely see more freight container traffic. We're working with Ft. Bragg and other Department of Defense initiatives to increase the movement of the military goods within the state. That's very big especially with Camp Lejeune and Fort Bragg down in Greenville and Fayetteville. That's kind of the big picture as far as that goes.

Mr. Autry said o.k. but is there a plan for people transportation strictly.

Mr. Schumsky said well we're looking at, in June 5th of 2010, we increased our training frequency between Raleigh and Charlotte on June 5th. As part of these improvements we would have an additional frequency, a fourth frequency and then we're looking at five and possibly six frequencies. So we were running eight passenger trains daily, you have two trains from New Orleans, the Amtrak Crescent Service which comes through here at 1:00 at night. So yes we are looking at that extension of the southeast high speed rail corridor down to Atlanta, extension north connecting to the northeast corridor. Our program is the most viable one connecting to the Washington, D.C. Union Station as far as fare box returns or return on the investment, if you will.

Councilmember Dulin said this is sort of small but when you mentioned relocating the fence over there on Johnston Road on the back side of Elmwood, that's really my, and I understand that's going to be closed down while you're trenching it. That's really my area, I don't know if you guys know it but there's a very cool old stone entrance on the back side of Elmwood Cemetery. It's my favorite way to come and go out of the cemetery really. It's so quiet back there in that corner. It's really a pretty place back there. Your dig though isn't going to disrupt that, you're going to take the fencing down to that entrance, Patsy would know it, but you're not going to take that old stone entrance way out are you?

Mr. Schumsky said no sir the impacts are adjacent to the east/west. Well the area you're talking about is right here. Our impacts are relegated to adjacent to the future trough structure. There is a non-period chain link fence that is in disrepair.

Mr. Dulin said I would just like to, it doesn't have to be in writing, but this is your main project. It would be a tragedy if some guy with a backhoe who didn't know or didn't care just happen to go over there and knock that thing down one afternoon.

Mr. Schumsky said no, our intent is not to get into that part of the cemetery with the fence.

Mr. Dulin said and then secondly, as Mr. Autry and I've go into an interesting conversation on the phone Mr. Mayor that involved you yesterday morning. Yesterday morning I talked to a lady from Hickory because I was making calls to my Sunday School class and trying to get a head count and the mother-in-law of my buddy answered the phone which clearly meant right away that the Anderson's weren't going to be at Sunday School if the mother-in-law is answering. But she said oh Andy I'm so glad you called I ride the train to Charlotte from Hickory all the time, which I didn't know. She said and that, she goes on and on about how awful our train station is, you know. And I've ridden it a couple of times back and forth to Raleigh and will do more often as well. So she said I wrote the Mayor a letter and I called the Mayor's office, I said yes ma'am, I didn't want to tell her 1,000 people a day call the Mayor's office and so forth. But yes ma'am I know he's getting right on it. She said well I showed up the other day and it's been painted and it looks so nice and they replaced some tiles. And I said well Mr. Mayor must've gotten your letter. So we left it at that because I needed to get to Sunday School or she'd gone on for another hour, but the train station when I last rode in May, it really was that standing water in the tunnel, anyway so apparently the train's station has been picked up some Mr. Autry and it will be at least less awful to have to go somewhere through our train station.

Mr. Schumsky said on that note one thing I'd like to mention is we had a meeting to talk about the statement of qualifications for the four firms that submitted for the Charlotte Gateway Station this past Friday. There were two firms as you may have seen that were selected; S.A. Qualm, Verde Consortium, EQV & Hines on October 25th and 26th respectfully. The Technical Advisory committee and everything will get together to basically hear the presentations from the two firms that were selected.

Mr. Dulin said well I thought that was really good feedback from a grandmother who comes into town on the train to look after her grandchildren.

Mayor Foxx said thanks for the story, I think.

Mr. Dulin said yeah, usually I only send the complaints to your office.

Councilmember Howard said I missed what you said. We only had two people that applied.

Mr. Schumsky said there were four teams that submitted a Statement of Qualifications and at a meeting on this past Friday. The Technical Advisory Committee and the Selection Committee met and short listed two of the four firms. The two firms that were short-listed were S.A. Qualm, Verde Consortium, EQV & Hines. And on October 25 and 26th respectfully we will reconvene and hear presentations from those two respective firms.

Mr. Howard said do you mind saying who the other two were?

Mr. Schumsky said I'm sorry?

Mr. Howard said do you mind sharing who the other two firms were?

Mr. Schumsky said well I probably would rather not at this point because again I know there was an announcement made on Friday or so I was lead to believe and they announced who the two firms were that were selected. It is my understanding is all the firms were notified about the results of that meeting.

Mr. Howard and you said that the state, I've asked a couple of times to make sure that the city, not only city staff but City Council and the Center City Partners are a big part of that process. I've asked that of Paul a couple of times will you iterate that please.

Mr. Schumsky said yes. Yes we did have representatives there from the City and a very good showing.

Mayor Fox said o.k. we really appreciate your report. A couple of things I'd like to just end with, one, we definitely need more service between Charlotte and Raleigh. The times that I've gone by train, I had to leave in the 8:00 time frame and get in about 10 or something, 10:30, 11; and then you have to get back on the train by 4 something in order to get back. To the extent we can get into a business hour kind of traffic pattern where we could maybe get something in the 5:00-6:00 a.m. range to get there at 8; and then work a full day and come back. I mean I think there are a lot of people not only in Government, but in business who really look forward to the day when we can have a schedule set up that way. I know you don't unilaterally control it, but I'm just saying that to you and to the powers that be; that would be a great place for us to eventually get to.

The second thing is it's amazing how complicated rail can be, but the benefit is tremendous and who would have thought that all of these different parts had to be pulled together to make something like this happen. But at the end of the day one thing I didn't hear you say was what is the difference to the traveler going to be in terms of what this means; what kind of travel time difference; what kind of experience is going to be different with high speed rail.

Mr. Schumsky said well we're looking at basically improving the reliability of the service providing times that people do want to travel. All the competitive options between Raleigh and Charlotte as I-40 and I-85 continue to increase. We know that we're going to be 7th in the nation

for growth moving forward and the CRISP program is part of, underneath the bigger picture, we look at the 50 year planning window for the City of Charlotte. What's the Queen City's infrastructure needs going to be 50 years out. So we're trying to be very proactive in looking at the growth of the freight, the growth of the passenger, the growth of our State. You know there's about 9 million people that now inhabit or live in North Carolina so we're going to be 7th in the nation I think by 2030.

Mr. Mayor said and the Gateway station? Do we have a sense on what the timing on that is

Mr. Schumsky said as far as?

Mr. Schumsky said not really to be quite honest. Well let's put it this way I don't have a date that I could share with Mr. Mayor you and the Council at this point. Again we're going through the selection process for the private-public partnership which will be made at the end of October. Mr. Mayor said in addition to what's been said about that I would also urge you to include our regional partners as well from the Metropolitan Transit Commission and so forth, there's a lot of interest in that Gateway Station from a regional perspective and I think it would be helpful.

Mr. Howard said you used the term public-private a couple of times and I'm not sure what it means for the state, I know what it usually means for the city. I guess I'm asking the manager and you both does that mean city participation or is this just purely public-private with state and the developer?

Mr. Walton said you mean financially.

Mr. Howard said yes.

Mr. Walton said right now it's a state project.

Mr. Howard said wow. Do we have any indication from your proposals that they would be talking to the City or the County at all?

Mr. Schumsky said well you know as part of the Selection committee we had representatives there from CDOT and from CATS, really the state's participation is from the purchase of the 10 blocks that NCDOT currently owns and property that CATS currently owns as part of the future station down near 4th and Trade on the west side of the tracks. But again what we're doing is selecting a master developer to come in and provide ways that they can develop TOD (Trans Oriented Development) in and around the station area with people. Once a master developer is selected, then they would then be tasked with finding consultants, engineering firms or otherwise financial funding partners to pull together a game plan in moving forward in conjunction with all the stake holders. Both the city, the state, the county and so forth.

Mr. Howard said Curt that would concern me a lot because the state could pick somebody that we didn't have to do something with. I would hope if they intend to come to the local government at all, we'd have a bigger hand in who is picked. Anyway I think that's clear, so thank you.

Councilmember Mayfield said Tim actually I have a question/comment for you. Was it National Rail Day that we went up? So one, I wanted to take the opportunity to publicly thank you and your team for coordinating that turnaround trip for me and what did we have about 10 or 12 residents of Wilmore, that got up at 6 a.m.

Mr. Gibbs said there were about a dozen of us, yes ma'am.

Ms. Mayfield said headed up to view the station and then tour it and come back to Charlotte so we saw also the difference with the opportunity to talk about some things that we would possibly do to make our station look as good as some of the others one that we saw that day with all the people out. But I know for the residents it really meant a lot to make sure that their voices were heard as we move forward with this conversation. Because there were some concerns as far as what the impact was going to be on the local community. But I wanted to definitely while you

were publicly thank you and your entire team for all the work you did to make sure that their voices were heard and that we had the opportunity to go up and I also wanted to give an opportunity if you, before we closed out, if you had anything that you wanted to share.

Mr. Gibbs said one of the things that has been going on in the past three years; Michael and I have become fast friends, when we don't talk to each other for a couple of days we think something's wrong or somebody's been kidnapped or something like that but he has been great in keeping us in the loop and letting us know what's going on. Sharing information with the county and city staffs and he's just done a great job so I want to thank him at this time for his help in moving these projects forward. Thank you.

The meeting was recessed at 5:25 p.m. for dinner and reconvened at 5:44 p.m.

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ITEM NO. 4: CHARLOTTE INTERNATIONAL CABINET CONSULTANT REPORT

Mayor Foxx let me recognize our former colleague, Nancy Carter, who is with us tonight. Nancy has graciously agreed to sit in on the Charlotte International Cabinet and we have the leadership of the Charlotte International Cabinet with us today, Charles Lansden who is the Chair of The International Cabinet along with Cyndee Patterson of The Lee Institute. They have been doing a review of their organization and tonight have an update for us. I'd like to welcome you to the podium, Charles.

The Lee Institute, Charles Lansden said we much appreciate the opportunity to speak before the City Council tonight and again I'm Charles Lansden, I'm the current chair of the International Cabinet. Before I make the introduction for Cyndee I'd like to acknowledge the many members of the cabinet and supporters who are here to show their support for the institution and the assessment that we're undergoing, so I just want to recognize them if I may. Would you just stand up please all of the members.

The Charlotte International Cabinet is a North Carolina non-profit corporation. It's a successor to two former entities by merger in 2008, the Mayor's International Cabinet which was formed by Mayor Vinroot and the Charlotte Sister City which dates back to 1962 when Charlotte had its first sister city relationship which began with Arequipa Peru. The Lee Institute at the request of the actual cabinet has undertaken an evaluation and recommendation for the cabinet. Looking at its structure, it's membership composition, it has taken an assessment of important supporters in the community as to the future role of the International Cabinet and it was undertaken in May of this year and the catalyst for that were a number of things, one was the current executive director had left the cabinet in May of this year after a six month tenure, then the major impact of Mayor Foxx's trip to China in November of last year and saying how can a sister city be reinvigorated quickly in Economic Department and also how can the cabinet further engage it's cabinet members and volunteers because it is a volunteer based organization. So we looked to the Lee Institute to provide this assessment and if I could I would like to introduce Ms. Cyndee Patterson.

The Lee Institute, Cyndee Patterson said I want to introduce Jeanne Kutrow. Jeanne raise your hand, with the Lee Institute who worked with me on this project and I hope she will jump in if I leave anything out. We're going to try to keep this short so you can ask questions. But let me walk you through a little bit of the process that we've been engaged in over the last 3½ months or so. We did a series of interviews with city leaders and staff and key stakeholders for Charlotte International Cabinet about 20 people. The list is in the report and we also interviewed a number of people from the international community as part of that. What we discovered is that, when we asked people what they thought the strengths were of Charlotte International Cabinet, the Mayor's International Cabinet Awards, the MICA Awards which hopefully some of you have been too, we considered one of the real strengths they are the neutral convener for all of the folks on the international, what we call the international playing field in terms of the organizations in town that are working in the international arena. They are really good at relationship building and they do a lot of that through the Sister Cities committee and they have great volunteer leadership. Areas where it was felt that they needed improvement it was clear

from the folks we interviewed that their mission and vision wasn't clear and they have too many things under it, that the Sister City's program really needed some focus and energy and a little restructuring to make it much more successful. Funding continued to be an issue I think when the merger happened it was thought that that would be a real opportunity for more fundraising to occur but without a consistent executive director and somebody with some fundraising expertise that has not come to fruition.

The structure was identified as something that's a little cumbersome and not as engaging for all of the people that are involved and that the engagement of the board and cabinet is really, some members are very engaged and others members not so much. There were comments like I'm not sure exactly what I'm supposed to be doing here and things like that. So it's kind of a mixed bag on the engagement. The folks that were on the executive board were very engaged and people that were just on a general cabinet some were and some were not. So what should be the role of Charlotte International Cabinet was one of the questions we asked again and all the people we interviewed we asked exactly the same question so that we were able to seam the responses across people. Overwhelmingly support for economic development efforts was identified as something that they felt that the Internal Cabinet and Sister Cities needed to have as part of the component of what they do. To be a resource and convener for groups of the international arena of which they were already doing; to encourage more collaboration of partnerships around all of their programming in the International area as well as getting other folks on that same playing field to work more closely together. To be a resource for city leaders, folks like you all and the Office of Protocol should be under Charlotte International Cabinet. As you may know it's currently housed in the Mayor's office as a part time position which Kathryn Hansen does beautifully. But the feeling was that everything related inside the city to International Affairs ought to be all in one spot.

Mayor Foxx said can I interrupt for a second there, I had no idea as a councilmember how much international interfacing is done in this city. But as Mayor I have a whole different perspective on it. Kathryn is often bringing ambassadors and people from all over the world by the office and there's frankly a lot more of that to be done. Atlanta has created a niche market for a counsel of general offices which is a major economic opportunity for our City. We have 0 and that's an area where we need to really try to buffer things up so I'm just, I wanted you to be aware that is one of the invisible parts of this job that a lot of folks don't get a chance to see.

Ms. Patterson said right and I think as we go through this and we talk about our recommendations, we will really tell you that what the Mayor says is true. There's a lot of incoming international engagement and there's a lot of outgoing from Charlotte going out on the trade side. And I think that's one of the reasons that a lot of folks said all these pieces need to be in one place and we'll get to more of that in a minute. Sister Cities program on that topic, folks said the structure and organization programs needed to be reviewed and evaluated, including the cabinet involvement and oversight and how to really make that a more robust program. Then develop some criteria for establishing new relationships. For those of you who've been on council a while, you've seen Sister Cities come and there's always a group of people who think it's a good idea but we've never had any criteria in the city around *why* we should add a Sister City. And in talking to other Sister Cities across the country, particularly those that have really strong programs, they've actually developed some criteria for how you add Sister Cities as well as in Seattle, they actually have some criteria for what constitutes an active Sister City relationship. But one of the things that came out of this as we talked to, in the next set of research, cities that have Sister City programs, is that they are really beginning to insert an economic development component into those relationships, because in this global world, that is really an opportunity not to be missed.

The board structure of Charlotte International Cabinet, they felt that, it's currently up to a 30 member board, it's felt that by best practice along in non-profits that was a far bigger board than we would recommend and that most of the folks we interviewed felt the same way. That some of the appointments should be nominated and recommended by the Sister City's Board itself as recommendations to you for approval; rather than as it is currently structured where people apply to the City Clerk as they always do. And then you all just sort of look through a list and right now the Sister City's Cabinet is not giving you any input about what they need. So if they needed an international lawyer on their board, they're not, at this point communicating that to

you that they need certain kinds of roles filled, which again probably doesn't help the level of engagement they have. Some folks felt that this might be a city department reporting to the city manager or Mayor's office and that the protocol officer should be with Charlotte International Cabinet.

When we did the external research around international cabinets and international affairs, we worked with both the Mayor's office and Charles and some other folks from Charlotte International Cabinet and this was sort of a list to comparable cities they asked us to look at. And what we found as we interviewed these cities is there's not a city with a similar structure to Charlotte International Cabinet. There's a separate 501c3 organization that has both international affairs and Sister Cities under it. There are actually two cities that are not part of the City. Everyone else is basically inside the city as an international affairs department; two Jacksonville and I believe it's Dallas, have a free-standing organization outside the city. All others, it's very typical to have something called international affairs that's either housed in the city manager's office or the Mayor's office or in the case of Fort Worth, I believe that's right, it's an Economic Development department. But it is housed inside the city.

The primary function is to work with the City to promote and support economic development on the international basis again both incoming and outgoing. There's that immediate connection which is I think a lot of what the Mayor is discovering. In the United States you don't necessarily come if you're looking to create jobs in a new city. You don't necessarily come to the city you come to the Chamber of Commerce or etc. but a lot of foreign governments, it's very much, the first point of contact is government to government. It's sort of their kind of protocol and that connectivity is one of the things in talking to the cities we talked to, that they really use their international affairs office to do. Protocol is usually housed in that office as well, because it allows this collaborative approach to all your international interactions so that everything is getting the same sort of loans and focus.

We also researched Sister Cities and we talked to these Sister Cities. These all have fairly robust programming around Sister Cities and actually Chicago is considered the best in the class. The structure varies from city to city. The most common structure is a 501c3 structure overseen by a city office of international affairs or the Mayor's office. In Chicago it's deeply connected to the Mayor's office. The Mayor is actually the honorary chair of the Sister Cities Committee, they have 28 Sister Cities. The other thing that we found is that in every city how they're funded and their focus is very different, so everyone has what I would call the old paradigm of the cultural background for Sister City relationships, cultural, art, education. In the past few years, almost every city we talked to, except for one, had refocused and said economic development is also a critical component of these relationships, that's something that we want to focus on.

Most of the Sister Cities did receive some funding from the City. Now it ranged all over the map. In Seattle, every Sister City gets a \$2,000 dollar stipend from the City, plus are available for grant opportunities that the city has for Sister City programming and they raise the rest of the money through memberships and other methods. I think its Chicago, that \$550,000 is what the city contributes to the Sister City program. So as you can see there was a wide range, but almost every city provided some funding for the organization of Sister Cities. We did some additional research, we did a City Council and a Charlotte International Cabinet member's online survey and from that we got the following information. We should decrease the size of the cabinet to 18-24 members from the 30 and restructure it so that a majority of the policy decisions are made at the cabinet level. This is best practice board corporate and non-profit board structure, so we would highly recommend that. That Charlotte International Cabinet and cabinet members have some input to Council appointments to this board so that you have more of a real, what I would call a matrix of what you'd like on that board and you begin to fill slots based on what you need to really make that successful, and that the protocol office would be housed within Charlotte International Cabinet.

We asked them about priorities I think we had 15 items or folks that responded to rank, these are how they ranked them; the government to government gateway that we've already talked about. Support for Sister Cities programming is No. 2. Advocacy for Charlotte's role as an international city, that global Charlotte concept. Convener of the international organizations which CIC is currently doing and to maintain close relationships with the Chamber, Charlotte Regional

Partnership and the International Chamber of Commerce. When asked should Charlotte International Cabinet be part of the City's Economic Development office, the responses were, as you can see, 12 people said yes. There were several that were uncertain because they weren't sure whether economic development was the right department. So then we made recommendations and let me say this the loudest, that we made these recommendations to the Charlotte International Cabinet board which a number of which are here tonight. And they want to take a month to take a look at them so we will be coming back with them in the first week of November to actually, they will make recommendations off of what we have recommended and so what I bring you tonight doesn't have that final what the cabinet would suggest to you. These are the recommendations from all the research that we did that Lee made to the cabinet. So this is really sort of a starting point but we wanted to have a chance to update you for a number of reasons, the least of which is we couldn't get on another dinner agenda until the first of the year. So let me tell you a little bit about what we said. This was a proposed mission statement for Charlotte International Cabinet which would be to create or maintain working relationships with organization and governmental entities that support and foster economic development and trade opportunities for Charlotte Mecklenburg and maximizes its statute as a global city with a robust Sister City program. We recommended that the mission have five areas of focus. External international relations, these are the relationships and the convening and the collaboration with everybody else on the ground in Charlotte that's involved with international affairs. Economic development would become one of the focuses of the organizations. The Sister Cities would be a key focus and continue to be the protocol would be as well; and then promoting Charlotte Mecklenburg as a global city. So those were the key five areas that came out of all the research and all the interviews we did.

We walked away from that with two ways to do this. The first of which was to take the organization and maintain its 501c3 status with its current what I would call quasi-governmental affiliation with the city with the Sister City remaining part of it but with significant changes to structure and oversight. Option two is that you would move this into a department of an Office of International Affairs, housed wherever it made the most sense, the Sister City Program would retain the 501c3 status but would be a separate entity but continue to be overseen and managed by an Office of International Affairs. The reason for that is we will get into some more detail is that to raise money, which most Sister Cities around the country are pretty good at doing; you really need that 501c3 status to get people to give. So if you went down track 1, option 1, which is to maintain it the way it is but to restructure, we would suggest restructuring the Cabinet and the Executive Board to form one Board with 18-24 members and with the following standing committees; and then Ad hoc committees as needed going forward. So you would have your Sister City's Committee; a Finance Committee which is critical to any 501c3 that's somebody's looking at the finances. A MICA and Fundraising committee because the MICA awards really are a fundraiser although in the last number of years they've broken even and not actually raised net to bottom line. A Nominating Committee that would look at all of the people that apply to the City Clerk's office plus look at a matrix designed by the Nominating Committee of what they need on the board and then make some recommendations to you all. Which of course as you know I don't have to tell you, you all can either take or not, but at least you'd have some input from the board on that. A Programming Committee because they do have some robust programming and then again, Ad hoc committees as needed.

This is about what I just said, a little bit about how they would do nominating. The Sister City Committee of the Board would be a permanent committee of the board and would include a chairperson from each of the Sister City's Committees. Each Sister City currently has Sister City's Committee of the Board and probably the chair or a couple of people from that committee would sit on the larger board of directors. That's a structure we saw across Sister Cities organizations that we talked to. And you would go ahead and develop or the CIC would develop some guidelines for how you add Sister Cities based on best practices from around the country. We would suggest that you have a full time or part time person dedicated to Sister Cities. To have Sister Cities be the kind of program that we saw successfully used across the country, it would really be important to have somebody dedicated to that which you currently don't have. It's a shared job function you know we have two people in that department right now one, plus a contract part time admin. So there just really isn't the capacity currently. That would really need, you'd really need that to encourage this fundraising and program activities for Sister Cities.

Under Option 2 which you will remember was to become part of the city as an Office of International Affairs, under that option you would have an advisory board, similar to what you have in Option 1, perhaps a little smaller. We would suggest including a representative from the Chamber of Commerce in the Charlotte Regional Partnership again with the economic development component being added in and raised up as important, that level of connectivity would be valuable. That the Sister City Organization would be a separate board as required by 501c3 status. You really would have to have a separate nonprofit board for that. The chairs of each Sister City Committee representatives from the advisory board, 5 or 6 representatives from the city at large and the chairs of the Sister City Board would sit on the advisory board. So you would continue to try to keep close linkages between the two, back to which your overall goal is, is to have a consistent cohesive program around international affairs that helps grow the opportunities we can see from that at the city.

Again develop the criteria for Sister City relationships, develop guidelines and policies for programming and relationships based on best practice. We found a number of Sister Cities almost, I think almost everyone we interviewed, had a student or an adult exchange program but they were around education and the student exchange programs were pretty robust. There was somebody going every year and coming every year pretty much. In some cities, they picked a city and did 20-30 kids that year to that city and in other places they did 2-5 people per city as an exchange program. That's a great way for them to raise dollars, very well supported by the business community and it builds great back and forth relationships. But it really requires that you sort of laid out those policies and guidelines on the front end and that they really need to be in the fundraising business which means that whoever is the key staff person for the Sister City component of this whether it's outside the city or inside, really needs to have fundraising expertise.

Under either one, the staff structure we looked at is a full time economic development; a program and events director could be part or full time; a Sister City's director which we would really recommend is full time; but we know what resources look like so we're hedging our bets there a bit. A protocol officer which you cannot do without and I would say this, I don't know that many people know and understand what Katherine does and that it is a highly trained position. So even on whatever day it is that Katherine decides she doesn't want to be in that position, you will need to hire somebody who has protocol experience so that's a really important position to you and not something you could really be without, and some kind of administrative support. I would mentioned that they did a time study of how time was used in 2011 inside CIC and one of the amazing things to discover was that interns put in about 4,000 hours' worth of time. So they are invaluable resource and they've been used very effectively. Alexis does a great job of programming them and making sure that they stay busy and have things to do. And they work both on the Sister City side on supporting MICA and on the programmatic side. So that would get you a lot of free manpower that very helpful and it's good for them because they are in a position to want to be in international affairs so it's a great learning opportunity for them.

So that always leads to the big question since I know what goes on down here, so what we would say as the current funding levels are not substantial enough to really support the kind of Sister City's Program and an active role both in economic development and as that connector convener in the international arena. You may know, I think you put about \$190 plus thousand dollars to this every year and then they raise another substantial piece of money through their programming, but even with that it's really by measure of all your peer group cities, not enough. So under either option we would recommend that that gets looked at and thought about and hopefully increased. Staff salaries, are not enough to support the level of person you would want in the job if you're going to actually have it on the playing field of economic development as well as the other places that you have it currently. They currently don't have benefits so I think that's hard to hire a great person for that role without that. And then just really needing more support for Sister City's Program. But there needs to be a significant focus on fundraising activities to support the cabinet in Option 1, and Sister City's program in Option 2 and in Option 1; so fundraising has to become a more focused piece of what is happening at the staff's structure and the cabinet structure. I've done that in all the time I was supposed to use perfectly, so now I'll take questions because you have time left.

Councilmember Mayfield said with thinking about restructuring and reducing to a smaller board, I would be interested to hear what's discussed amongst the committee how it would be determined in order for us to maintain one of our primary goals of making sure that we have the diversity around that council, whether it's the advisory board, as well as, if we move forward with the new CIC board, either/or, to try to make sure that we are getting representation because I had a conversation, actually a number of conversations earlier this year when Charlotte hosted a conference duo in partnership with UNC and the uptown campus with representatives from Africa and the Africana Studies Department of UNC. I know that there's a Sister City but there's, in representation for those that were visiting from that Sister City, it doesn't seem like there's as strong a relationship, so trying to figure out how do we expand conversations and how we identify areas, but I will definitely say we are looking at both options being another opportunity to create high level positions. It will be interesting to try to see where that funding is going to come, if we are looking at, in my personal opinion, first that fundraiser, for that fundraiser cause if, the model that I'm hearing, is for this to become self-sustaining much like Charlotte Center City Partners, the funding that they raised pretty much helps to fund their program, but not yet another four or five line items for the city to now add to the budget. Especially when it's going to become more and more difficult with funding concerns when we are looking at local development and how we grow that. So it's going to be interesting to hear.

Ms. Patterson said I would say to you that fundraising is a key component. I would, we would say at Lee, and I have no idea what the board will say back to you, but that there wasn't a city we interviewed who did not spend money on international affairs whether they spent it internally in which case they had a fairly senior level person involved in it or whether they spent it externally supporting whatever the external organization was. We found that out of the six or seven cities that we interviewed for this, that really only two had external things that looked anything like this. Most cities are looking forward to this whole global world and the opportunities are really focused on having that part of their economic development platform and making sure that things like protocol in Sister Cities actually become assets to that whole platform if that makes sense. So I think there's a real opportunity on fundraising. We certainly see it and I do that as part of my day job so I know a lot about it, but it will take some ramp up time and a person who really, and a program that's strong enough to go south and get the engagement around and a person that's good at that. But Sister Cities across the country raise substantial dollars, most of them are not totally without some government support but as I said you know they range from \$2-3 thousand dollars per Sister City, so here that would be 9 x 3 to half a million dollars. So there is always government engaged in the Sister City Program but most of them raise a lot of what they need to really have the robust programming and specifically dollars that are easy to raise to support the programs themselves like the exchange programs and other things.

Mr. Lansden said I'd just like to add to this. I think part of the report was clearly very honest in terms of assessing certain challenges for the Charlotte International Cabinet. One is fundraising, and so part of the engagement we entered was to provide a foundation and basis from which if they can go out and raise funds with the private sector. So it would be things like Sister City economic development and other aspects to that, it clearly is a major challenge for the group.

Councilmember Cooksey said we appreciate all the work but in conjunction with the recommendation of ramping up do you have any recommendations on how we could measure the return on investment from either current spending or future expanded spending? What would we be getting that's measurable out of this?

Ms. Patterson said I think what you would have to do is look at those five key focus areas and put some metrics around them whether it stands outside or whether you bring it in; it says how are we doing and so you know it's pretty easy to measure how much is happening at protocol; it's pretty easy to measure what's going on in Sister Cities, but then you need to compare what's going on at Sister Cities to what's going on at Sister Cities in other cities so you have sort of how do you get the best practice. And I think you could design metrics for all five of those. I don't think that would be all that difficult to do and as part of wherever Charlotte International Cabinet recommends that and you all decide to go, that could be an important key thing. I think the way to think about this and maybe we didn't do as good a job as we should have in saying this; it's a very, as you know, I'm not telling you anything you don't know, it's a global world now. You have three or four pieces of infrastructure on how to touch that in a way that should be positive

for the city but it's disjointed, not well focused and in a narrow way so that you really can get maximum impact, cause they're doing a lot of things and that's not bad it's just causes you to be off focus, particularly when you have such a limited amount of staff time available to use on it. So if you look at this as an opportunity to really do a better job of reaching international communities in a way that could be dividends both in tourism, economic development, etc. for this community, then you've got to really think about how you use your resources and how you provide those metrics, because I think metrics matter a lot.

Mayor Foxx said very, very good information. I do want to thank all the members of the cabinet both who are here and those who are not here for the time that you invest in this important topic and we look forward to hearing back from the cabinet. I would as a matter of process ask the City Manager what is the process for, they are obviously going to make a recommendation on what to do but a lot of this involves consultation with you and the staff and so forth so how does that work?

City Manager, Curt Walton said we will take what they decide with their 30 day review and depending on if it's Option 1 or 2; or some combination. We'll look at that and see how it impacts the organization to see if we agree that it's a good fit or if we think it should be a different kind of fit and then we would both come back and then we'd probably want to refer the committee to some discussion. I think this has been a troubled area for a long, long time and in 2008 we glued two things together and there really wasn't much expectation that they were going to do much more than co-exist. So I think what's new is the economic development component that has never been there really strongly in the past. That's the variable that we would look at and get to Mr. Cooksey's points, what the expectations would be or what the deliverables could be, because we've never really had strong ones in this area.

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ITEM NO. 5: STREET LIGHTING PROGRAM UPDATE

City Manager, Curt Walton said yes sir we just wanted to bring you consistent updates on the street lighting issue and Phil Reiger is here to do that.

Assistant CDOT Director, Phil Reiger said recognizing that you're time constrained, I'll move through these slides relatively quickly. Feel free to ask questions as I go. Wanted to just quickly provide an update on and give you a little bit information about the background. It will be sort of a refresher course on what we talked about last February. Want to bring you up to date on a current maintenance effort, some of the things that we're seeing from our partner, Duke Energy. Want to talk to you a little bit about what North Carolina DOT is doing on the interstates as it relates to street lighting. Talk to you about some of the efforts that we're doing to educate our public about how to report street light outages but more importantly talk about some advancements that Duke is looking at to make that easier for our citizens and then give you a quick update on our LED Pilot project that you approved last April.

So just some quick facts regarding background. Just a reminder, Duke Energy is the owner/operator of the city street lights. NCDOT owns and operates the highway lighting, the lighting on the interstates primarily I-77; I-85; I-277; I-485 and parts of US74 the freeway parts. Just for context, the City has about 71,000 street lights in the city limits and that's increasing every year. Last fiscal year we added approximately 1300 street lights about 850 of those were the result of annexation and inheriting lights from developments that come in periodically. And then on average we pay approximately \$9.50 per light per month.

From a current maintenance perspective, we want to tell you that we as city staff remain vigilant we're monitoring the maintenance effort that Duke is providing us. From a data perspective since January 1st of this year, approximately 3500 street lights were reported through the City's 311 and website, that's just the lights that the city has pushed forward to Duke of course residents have the option to go straight to Duke to report their street light outages and Duke is reporting back to us that 98% of those outages reported are being repaired within five days and they do not have a current backlog. You might recall that fixing some street lights is not as simple as repairing the light bulb or just putting a new fixture up. Sometimes the electricity or

the method of providing electricity is interrupted. Many times those wires are underground and it takes Duke a little more time to fix those. Those have been a problem for us in the past. You may report one of those street lights not knowing what the problem is and you may not hear back from one month, two months, six months. Duke has made some adjustments to the management practices to be more vigilant about those. We're seeing that in the lights that we report, what they are doing specifically is their systems are giving the leadership reports back on lights that are not repaired for a specific periods of time. And they have instituted a new audit practice to make sure that their contractors are doing what they say they're doing. Finally Duke has asked their employees, very similar to us asking our employees, to be vigilant in reporting lights that they see out. Of course their employees are residence of communities just like ours, so their workforce is doing that for them as well.

NCDOT is responsible again for interstate lighting. About five years ago you will all recall lots of concerns about I-277 being dark. The State took a look at that and they recognized through some inspection that about 30% of those lights were on at the time. Over the past five years they've invested anywhere between ½ million and a million dollars a year in contracts to do lighting maintenance. This year, they performed lighting maintenance within the City of Charlotte in those three locations I-77 between Brookshire and John Belk; I-77 in the northern part between LaSalle interchange and Cindy Lane bridge and then on I-85 between the Graham Street interchange and Sugar Creek. Currently the state, within Region 10, it's a bigger region than just the City of Charlotte, they estimate that approximately 90% of their lights are working. They understand that there are pockets that are not and every three months they send out folks to do an inspection and the results of those inspections feed into their next annual contract. And if you ride the interstates frequently which most of us do, I think you will find that many, many, many more lights are on then used to be. But they certainly recognize that they still have work to do. Of course, when I contacted the State, certainly if you see things that are out and you need to report them you can call Region 10 directly or you can call the City and we'll make sure that we get that information to them.

In February, we talked about what citizens can do to report outages and Duke's business practices hasn't changed; they are still relying on our residents or their customers to tell them when street lights are out. Back in February, when I partnered with Tim Gause, we showed you a little video the City put together to help educate the citizens of Charlotte about how easy it is to report street lights outage. Since then, Duke has taken that idea and created their own video and of course that sounds a little duplicative for the citizens of Charlotte but they serve a much larger customer base. And the important part is that regardless of whether our citizen's go to the Charlotte resources or go to Duke resources, they have something there that tells them how they can report outages. More importantly, as a result of our efforts and it's really as a result of our efforts over the past year, Duke is now evaluating some really simple technologies that would help our residents report things easier. Really point and click technologies, smart phone apps supported by GIS databases and GIS websites where they can bring up their phone, point and click and the request goes off to Duke. They can do that both with smart phones or by going out to the Duke website and locating their current location on a map saying this is where the light was out. That helps Duke and that helps the residents. Of course we talk about smart group technologies, we talked about the devices that go on top of the street lights that tell Duke directly whether the street lights are on or off. That's an expensive technology to deploy it would be a bit cost prohibitive to deploy city-wide but it's a direction that we are really looking at closely to deploy down on thoroughfare streets which are streets that are harder for people to locate and pinpoint where the outages are and it would sure be nice for our residents not to have to worry about those and that Duke would just know when they're on or off

Councilmember Dulin said to me, I think that's a Duke Power expense Mr. Reiger.

Mr. Reiger said let's talk about that a little bit. Our LED Project which Council approved in April, we completed and installed about 229 LED fixtures in the uptown. Those fixtures, at Duke's cost, have the smart group technology installed. Duke is also installing that technology down some thoroughfares with existing lighting and that's very strategic. We want to make sure we get data about our LED project, but also data about existing lights are burning so that we can compare the two. Of course the uptown boundaries on this map, looks like it's in black, not red but the geography is boundary by Stonewall, College, 6th and Caldwell and everything in

between and if you are thinking about before and after, this is a pretty good representation of what the street lighting in that area looked like before and what it looks like today. Aesthetically very different some agree that the "after" is aesthetically more pleasing, but over and above the aesthetics, we're getting two to three times longer life which is what we expected to get out of LED's. We expect to get energy efficiency gains out of LED's and we'll evaluate that through this pilot project.

From a next steps perspective regarding LED's of course if you're getting longer life and you're getting better efficiency you would expect why aren't we doing this everywhere. First we've got to make sure that we're getting the results that we expect, getting the results that the sales folks sold us on. So we're going to use that smart group technology to help us determine that and we will be evaluating durability and longevity. We will be confirming those energy efficiency gains. All of that information is critical for Duke to develop a new standard rate for LED street lights. Those are two very critical factors in how they determine that rate. The big cost driver today is the price of the actual fixture. An LED fixture right now that we would use is anywhere that we would use between \$400 and \$1000 dollars apiece. The standard technology is still around \$50 a piece. Again, the standard technology won't last as long and it uses significantly more electricity. So right now from a return on investment perspective, the price isn't quite there yet, but it's really close that's why we chose to do the pilot project when we did simple calculations. We expect to get about 12 years of life out of an LED fixture. We think, through the savings that we're receiving through the monthly rate, we think it's going to take about 15 years to pay these lights off, these initial lights. So that gap is still there, we're not quite there yet but the price of this stuff is falling rapidly and we're keeping our eyes on it. So that's what I have for you today, certainly willing to entertain any questions you have. I know that you have more to get to and I'm pretty close.

Councilmember Autry said in developing a fee rate we're talking about the energy consumption or the unit or both or, how are we evaluating that difference?

Mr. Reiger said in the standard rate structures that Duke has for street lighting there are three things that make up that rate; the cost or the capital purchase of the unit, the installation; the electricity and the maintenance. These LED lights were purchased under a non-standard rate. Duke actually went back to the Utilities Commission and got permission to do something different. They allowed us to buy or basically pay for the capital purchase up front which then struck it out of the rate structure. So what you all approved in April; authorized me to pay for the capital expense up front which meant that they didn't have to amortize that through their rate into perpetuity and so rather than paying approximately \$10 a month per pole, per light, we pay about \$7.16. We expect to see that even go down further as we get more experience and Duke understands the longevity and the energy efficiency gains that we get for them. But you can see that the return on investment is not quite there yet to deploy this city-wide.

Mr. Autry said so how much less energy is being used by the LED over the incandescent?

Mr. Reiger said now you're outside my wheelhouse. We have 400 watt traditional lighting that we've replaced with approximately about 120 watt LED lights that provide the equivalent lumens or the same brightness that you would see otherwise. And we have our standard lights that you would see in the neighborhoods about 250 watts. Uptown or in and around some of our intersections, you'd see a 400 watt light to give a brighter illumination for safety purposes, significant, significant about 1/3 of the energy usage then traditional light.

Mr. Autry I would just want us to be able to account for that energy savings. As part of reducing our carbon footprint for the City, saving money to the taxpayers; providing that excellent illumination that it presents us with.

Mr. Reiger said our smart group technology is going to be able to tell us how much energy is saved and we'll be asking Duke for that data and we will be able then to convert that into carbon equivalence. So we'll be able to tell you how much we're reducing our carbon footprint as a result of the pilot project.

Mr. Austry said are we going to have to renegotiate our arrangement with Duke for maintenance of LED lights if we were to consider that conversion over time?

Mr. Reiger said yes likely. It will be a radical change and it will be a radical change for Duke.

Councilmember Pickering said happy to see that Duke is inspecting the lights every three months is that what I see here, is that all 71,000?

Mr. Reiger said NCDOT is doing that.

Ms. Pickering said NCDOT?

Mr. Reiger said right Duke Energy is not. Duke Energy is still relying on citizens and residents.

Ms. Pickering said you mentioned that the smart group technology which can monitor outages are cost prohibitive city-wide at this point, will the prices on that come down eventually or what's the thinking there?

Mr. Reiger said well if I can be frank we're hoping to push for free from Duke. I think there are some real arguments that Duke gets a lot of benefit from having that smart group technology because they can easily audit their contractors and reduce the cost of their maintenance effort, but it's still unknown. Right now if we wanted to buy that on the current rate structure it would cost us \$2.50 per month per pole. The ones that are installed are categorized as a test and Duke has donated them for those test purposes.

Ms. Pickering said I would agree that I would love to see Duke monitoring those outages themselves rather than citizens having to call in.

Mayor Foxx said I know we've got to get downstairs; there are two quick things that I wanted to bring up to you before we break up. The first is that since we last met, we have received the notification from our City Manager that he will be retiring and I did not want the moment to pass before we go downstairs while we're sort of more in an intimate space to say thank you to Curt Walton for his service to our City.

Mr. Cooksey said while we're in a more intimate space recognizing Mr. Walton's accomplishments, are we obligated to accept that resignation?

Mayor Foxx said we would love to refuse it, but Curt as I think back you've been part of helping the City move through very difficult economic times, many people don't know how much work you've put into helping with the Blue Line Extension along with other folks. You've been involved in some of the most terrific hires the city has made and you've worked really hard to diversify top management in the City which I think is a real testament to you. And your work and the preparations for the DNC were just absolutely stellar. Those among many other things that you've been a part of are just tremendous and again I'm not saying it here so I don't have to say it downstairs; I'm going to say the same thing downstairs, but I did want you to know that.

Secondly, there has been some conversation about the alcohol ad issue and CATS and so forth and I know there was a meeting on Friday, I was unable to be there but I think Ms. Mayfield and Ms. Fallon were part of that meeting. As I understand it there was a discussion about sort of a detente perhaps structured around eliminating any alcohol ads in the neighborhood circulators. I think if that is acceptable I'm throwing it out there.

Councilmember Fallon said if it's all possible and if it doesn't handle the rate structure, or cause a problem because it's 40 cents more if the rates have to be raised without the advertisement on those little buses.

Mayor Foxx said so I'm going to put that out there not necessarily for an answer right now, but it would be nice if we had one.

Councilmember Howard said I also had a chance to talk to uh Mayor Swain before you guys met. One of the things I mentioned to her was I would really like for Carolyn, for you guys to look at other ways to raise money next year. I know that that \$600,000 is a bit much to take off in the middle of a budget year but I know in our conversations Carolyn you mentioned the possibility of actually having advertising at the stations? If there are other ways to do this and still get to what you'd like to get to from a funding standpoint without having to do alcohol, it would really make me a happy Councilmember that's for sure.

CATS Director, Carolyn Flowers said the other options that we have for the future do entail Zoning and Planning. Those are broken down more and we have to go through a process to get there. And our financial plan was built already with those in there too, so but we would look at other options but we do need zoning exemptions to get there.

Councilmember Cannon said Mr. Mayor I'm to be at a meeting on Wednesday of this week where there may be a strong possibility for the dollars that are being sought to be yielded at a level of where the MTC would like to land and I would like to see if either Olaf or Carolyn or whomever Curt designates could be a part of that meeting on Wednesday. But I had a meeting, and by the way this will, will hopefully make Mr. Howard happy, it will be without the use of alcohol ads. So we'll see how that goes and where it plays out but if it makes sense, I would ask for that to be considered and I will share that with you after this evening. Let me just say this I just don't know that they won't the information out there right now about, you know how, of course, important information is, and certainly I don't want to be speculative about anything.

Councilmember Barnes said the body would like to know. Let me say this, I've never seen the advertisement on the circulators. I understand they would have been a part of the package. What I would like to do is see us in that contract when legally feasible, not ever do the alcohol again and do what you guys just suggested. I wish we could avoid putting it on the trains because the idea of seeing the silver bullet zooming down Tryon Street, so if there's any flexibility in that regard I think that would be nice. I understand why we can't just kill it now. I get the lack of funding and 40% increase in fares, I understand that. So I think this is a good resolution. But if we could avoid putting it on the trains, that would be nice.

Mayor Foxx said keep in mind that at least the Blue Line Extension won't be in service until 2017.

Mr. Barnes said no I mean the existing Blue Line.

Mayor Foxx said I understand. But you said N. Tryon Street so I'm just saying.

Mr. Barnes said no Tryon Street going south, the existing train.

Mr. Howard said no he means the train, silver bullet.

Mayor Foxx said alright so is there, do we need to vote, agreement on this.

Mr. Howard said it doesn't mean anything.

Mayor Foxx said I think staff's going to work this up so, why don't we just let the staff work it up and we can vote on it later.

Ms. Fallon said and the thing was they were going to try to see if we could get like clothing and shoe ads instead, something that would be more acceptable than alcohol.

Mayor Foxx said without objection we'll let the staff do that, thank you.

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ITEM NO. 6: Discussion was delayed until later in the meeting.

The dinner briefing was recessed at 6:44 p.m. to move to the Council Meeting Chamber for the regular business meeting.

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BUSINESS MEETING

The City reconvened at 6:53 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Foxx presiding. Councilmembers present were John Autry, Michael Barnes, Patrick Cannon, Warren Cooksey, Andy Dulin, Claire Fallon, David Howard, Patsy Kinsey, LaWana Mayfield, James Mitchell & Beth Pickering.

INVOCATION AND PLEDGE

Mayor Foxx gave the Invocation, followed by the Pledge of Allegiance.

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CITIZENS' FORUM

Support Our Afterschool Resources

Carmen Blackmon, 4836 Park Road, 28209 said in front of each of you have a packet from us labeled SOAR and you also have a "lights on" button. My name is Carmen Blackmon and I'm Executive Director of Above and Beyond Students. We are currently serving students in two communities; Southside Home Communities and Seigle Point Community. I'm here to speak on behalf of a coalition of afterschool programs that are located in Charlotte. With me I have Patsy Burkins from First Baptist Church West and Anita Williams representing Charlotte-Mecklenburg Schools afterschool. On Saturday, October 20th, afterschool programs in Charlotte, North Carolina are uniting to host a 5K walkathon in support of youth in our City. The purpose of this walkathon is to raise awareness to the following four key issues surrounding afterschool. One, there is a great and growing need for quality afterschool programs in our communities. Secondly, afterschool programs provide safe venues for youth during the critical hours of 3-7 p.m.; three, during afterschool many disadvantaged youths are exposed to enrichment activities that they may otherwise not be able to attend. And fourthly, academic enrichment provided in afterschool helps to close the achieving gaps in our lower performing schools.

This walkathon is a combination of the national event called lights on for afterschool. All around the nation cities and communities will host events to show their support for afterschool. This walkathon is one of the many ways that we will show our support here in Charlotte. Inside of your packet you will see an excerpt from the North Carolina Camp Program which works with afterschool programs highlighting North Carolina and saying they want North Carolina to really have a great showing for afterschool programs. To show our support for our politically process, Mayor Foxx and his team made our city shine by hosting a major covenant event, the DNC. We want to put the spotlight on Charlotte again by hosting a second annual walkathon that is in support of children. What a shame it would be if we did less to show our support for youth than we did for the DNC. As you know our youth can be our next city councilman, our next governor, senators and Presidents.

This past weekend thousands came out to walk and to find a cure for breast cancer, a leading disease among women and men. I propose to you that under educating youth is also a disease. It leads to poverty, incarceration, teen pregnancy, drug use, gang violence and lack of employment and many other ills of society. This walkathon would help to ensure that many of our youth have possible quality afterschool programs. Councilmember James Mitchell has already pledged his support and will be walking with us on Saturday October 20th and we are asking that each of you support us by getting 10 members out of your district to walk and that will bring \$200 from each one of you to support after school programs. One hundred percent of this funding will go to support local afterschool programs to help us meet the gaps that we have in our budgets. Mayor Foxx said thank you very much. I've never heard it put that way, under-educating young people as a disease. But that's a very very strong and powerful point, so thank you very much for coming.

Councilmember Cannon said just a point of clarity. You said 10 people from each district right?

Ms. Blackmon said yes we are asking that each city councilmember get a minimum of 10 people to walk on a team under their district.

Mr. Cannon said o.k. so those of us who are serving at large, we need to have 70 people each is that right.

Ms. Blackmon said well that just goes to show my lack of understanding of how you operate. Yes sir, 70 would be phenomenal.

Mr. Cannon said we'll work very hard on that for you o.k.! In addition I will not be able to walk that weekend, I'd love to but it's my anniversary weekend, but I will do my part to try and recruit some people for you.

Councilmember Mitchell said Carmen thank you very much for your passion. You were here about a meeting ago trying to build up some enthusiasm and I noticed the nice t-shirts you have on, so I'm a little jealous because CROP walk gave us nice t-shirts and so will you provide those after we walk on October 20th?

Ms. Blackmon said you will get them when you walk and we will also make sure that whether you are there to walk or not, you will get a t-shirt. These are actually last year's t-shirts. So we want to make sure that we give you brand new t-shirts.

50th Anniversary of Charlotte Sister City Arequipa Peru

Alexis Gordon (Sister Cities), 600 E. 4th Street, 28202 said we have with us a delegation of three visitors from our Sister City of Arequipa. So that everyone will know, it is our 50th anniversary with our first sister city this year, 1962 is when we partnered with Arequipa Peru. The Mayor of Arequipa put together this delegation headed by Miriam Karmago, (unidentified name) and (unidentified name). They are here to present with you something and I'm going to let them have the rest of my time.

Unidentified Speaker said thank you. Good evening. I'm here as a representative for the Mayor of Peru and the Committee of Sister Cities from Arequipa to bring greetings to the City of Charlotte and the City Council. We bring a metal to commensurate the 50th Anniversary of celebration with your affiliation between your Sister City, Arequipa and Charlotte.

Mayor Foxx said we were just talking about this very topic of how global the world is becoming it's really ironic please come on forward.

Ms. Gordon said and many of the citizens all of our committees are run by volunteers here in Charlotte and with us are also many of our committee members on the Arequipa committee if they will just stand. And without their hard work and dedication we can't run these committees so I do want to have a big thanks for our volunteers. And if you're ever interested, charlotteinternational.org.

Mayor Foxx said thank you very much, great job and we appreciate it all. Again welcome to our visitors from Peru.

Gold Medals Silver Fox Cheerleaders

Blanche Penn, 2207 Century Oaks Lane, Charlotte, N.C. 28262 said we are the Silver Fox senior cheerleaders and we practice at the Wallace Pruitt Recreation Center and we brought you home the first place gold medal. Our ages range from 55-77 some of the ladies will tell you their age. You can always reach us at (704) 432-6775. One of the things I can say about these cheerleaders is they are very healthy. They enjoy life, they are very thankful for what they do so we are really excited about the cheerleaders being a part. We have about 12 members and we will do one little step for you before we leave. But one of the things, we do need donations, because you know why because one of the girls said to me, oh I love your costume. No, we are real cheerleaders, so they need to know that, so we need some new costumes, in other words uniforms. Because we do a lot of travelling around and do birthday parties, senior citizen's 5K runs and birthday parties for unions and so on. I'm going to let them say something and then we just have one little closing cheer. But we did bring home the first place gold medal.

My name is Dorothy Joshua and I'm 68 years old. And my name is Mary Davis and I'm 77 years old. My name is Adrian Alexander and I'm 55 years old.

Occupy Charlotte's Birthday

Scottie Wingfield, 2004 Atherton Heights lane, Charlotte, N.C. 28203 said I know Council knows that I'm part of Occupy Charlotte. We are celebrating our one year birthday. One year ago last week was when we first met, but today we held our largest march to date. A march of 600-700 people where we marched to Bank of America to protest corporate greed and we participated in our consensus base direct democracy and our general assembly and overnight occupiers begin occupying what we now call the people's lawn of old City Hall. So I'd like to take a few minutes just to talk about some of the successes and challenges that we've had over the past year and I haven't timed it so, we'll just see how it goes.

We held several large marches protesting corporate greed last fall. We held a large healthcare march to draw attention to the fact that millions of Americans don't have healthcare. We partnered with Green Peace to protest Duke Energy's rate hikes and their environmental destruction. We fought against Amendment 1 which as you know unfortunately passed and has denied rights to thousands of unmarried couples both same sex and opposite sex and we fought against the American Legislature Exchange Committee (ALEC) who as you may know they own our politicians, particularly not at the local level but the state and national level by writing model legislation which they are basically behind every evil law that's out there including Amendment 1. We are part of a coalition which brought over 1,000 people to protest Bank of America's corporate greed and environmental destruction at their shareholder's meeting. We were of course part of the really large Coalition to March on Wall Street South. Over 90 organizations which brought 2500 marchers to the streets of Charlotte, just by what you read in the paper. There were definitely 2500 of us look at the photo you can tell. We demanded good jobs for people, economic, social environmental justice. These types of relationships that we've been building in these coalitions and with other organizations in my opinion has been our greatest strength and we've been continuing to build those relationships for example in supporting the Charlotte city workers. We have been participating in their pickets and we fully support and hope that you all will support them and the community will continue to support them as they work towards worker bill of rights and for meet and confer with city management and for the payroll dues/deductions for all city workers.

Hoping we also continue to maybe forge new alliances like I was just talking to the NoDa residents and their support of non-profit development of historical buildings I think sounds wonderful. The challenges we've had of course mostly came from you.

Councilmember Howard said Scottie, if you had one more minute what would you say?

Ms. Wingfield said you all have heard me talk a lot about the DNC Ordinances right. So you don't need to hear me talk about that, but why that was a challenge is it didn't hurt only us, I feel like it hurt the city. It hurt us because you took away our home base. I wrote you all each a letter about this but none of you responded. We had many people who were homeless and indigent when you took away that space it made it very difficult for us to stay together you created a diaspora of activities that can rarely get together as often as we could because these people often, the only money they have comes from donating plasma, from selling their body parts. So I did write you all about that. But also I think it was a lost opportunity for the City. We could have been during the DNC, a model city. A city that celebrates and raises up free speech. We could have forged better alliances with Council. For example I really support the Capital Improvement Plan and the Property Tax Increase. We could have been out there fighting for that for you all. But you kind of lost that opportunity. So I think, we have to think about not just expediency and what seems to be best in the short term and what is the going to make the cleanest most sanitary DNC for whatever but also how it affects the City in the long term so, in the future I hope that you all think about those types of things when you make your decisions because there's many things that we agree on. I don't' speak for every one of them.

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AWARDS AND RECOGNITIONS

ITEM NO. 7: BARRY MOOSE'S RETIREMENT FROM NCDOT

Mayor Foxx said tonight we have several awards and recognitions and we begin with a special, they are all special, but we want to recognize tonight, Barry Moose. Barry is a Division Engineer for the North Carolina Department of Transportation. Some folks may not know Barry by name but he has worked all over the place with our state roads. He's the Division Area Specialist for our area and has done a remarkable job in that role. He is leaving that role we wanted to do a couple of things. First I'd like to read a resolution in support of the work you've done Barry and then we have several gifts that we want to give you as parting gifts. And we hope you remember Charlotte for future reference so thank you very much for everything you've done.

Mayor Foxx read the Proclamation proclaiming October 8, 2012 as Barry Moose Day in Charlotte. He also presented Mr. Moose with a City of Charlotte paper weight and a street sign his name on it as well as the Proclamation.

NC DOT, Barry Moose said you certainly made me feel uncomfortable I don't get recognized like this quite often but thank you Mayor Foxx and Council. It's been my pleasure. It's been a fun ride and your staff, the City, has made my job easy. Because I always knew when I would come this way even if we had a difference of opinion by the end of the day we would always come to some collaborative understanding and arrangement and move forward. You all made what I had to do, my task, as far as the State of North Carolina, easy, when it comes to Charlotte. I will always take that in fondness with me wherever I go. Thank you for everything tonight; it's hard to follow the Silver Foxes. I'm not going to do a cheer, but I do sincerely thank you and everything that you all have done for me and the Department.

Councilmember Howard said I have had the honor of serving you guys as the representative of MUMPO and have had the opportunity to work with Barry. Barry is being humble. A couple of months ago he actually had a gymnasium full of people about 200 people. A few of us went down Ron Kimble and Ruffin Hall to represent the City and I can tell you this man is well loved. What he's actually been a part of is probably the majority of I-485 and more recently the completion that we will see up in the north and the south as well as I-85 improvements and did you get Yadkin River too, was that yours? So there are a lot of great things that came out of your tenure so I just want to let you guys know that we're not the only City's he's touched, there are a lot of other people that showed up that said the same thing. Thank you Barry.

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ITEM NO. 8: DOLLARWISE MONTH

Mayor Foxx said we'd like to invite Yvette Mills, Lynn Davison, Chin and Peter Miller down for recognition of Dollarwise Month.

Councilmember Pickering said read the Proclamation proclaiming October as Dollarwise Month.

Yvette Mills said thank you Councilmember Pickering. Thank you Mayor Foxx and other members for this recognition. We're here from the Charlotte Financial Planning Association which has hundreds of financial planners. Many of them certified financial planners who as part of the pro bono group, they share of their time and expertise in working with individuals within our community to share what we know about financial planning, what we know about finances. So we're very excited about the new partnership just established with the Mayor's Youth Employment program where we're looking at financial literacy early. In concepts like paying yourself first, concepts like save early, save often, concepts like lets tell your money where to go and not say where's my money been? And most importantly, about passive income and letting your money work for you. So we are very excited about bringing that message to the youth of Charlotte and thank you so much for that recognition and partnership.

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ITEM NO. 9: CHARLOTTE CROP HUNGER WALK

Mayor Foxx said our third recognition is for the CROP Hunger Walk. And tonight we have Jennifer Hall, Rick Herberg and Barbara Thomas with us as well as one of our former colleagues, Nancy Carter is in the house so we welcome you Nancy. And I think Mr. Autry has the proclamation to read so we'll let him do that and then we will hear from the group.

Councilmember Autry read the Proclamation proclaiming October 14, 2012 as CROP Hunger Walk Day in Charlotte.

CROP Walk Speaker said thank you Mayor Foxx for recognizing October 14th as CROP Hunger Walk Day. As the largest CROP Walk in the country not only do we have the most of the largest number of walkers and the greatest number of donations, but we also have the greatest impact of any CROP walk in the world. It is an honor and a tremendous responsibility to serve as the director of the Charlotte CROP Hunger Walk. There are over 1 billion people in our world who suffer from hunger and every five seconds a child dies from hunger related causes, every five seconds. And in Charlotte there are 150,000 thousand people who are living in poverty roughly 5,000 of them are homeless children. So we are called to respond to this need and fight hunger one step at a time. It is thanks to the commitment of all of our CROP walkers that we are able to raise over \$7 million dollars in our 34 year history with \$1.6 billion staying right here in the community to help our own neighbors. We are doubling our fundraising goal from 2011 and this year have an ambitious goal of \$500,000. And we just recognized that there is a tremendous need that we are called to fulfill.

So Mayor we hope that you and all the members on City Council will participate in this year's CROP Hunger Walk on Sunday October 14th at 2:30 over on Elizabeth Avenue. And now I wanted to introduce someone that you already know, Nancy Carter, who is a former City Councilmember and a long time CROP supporter.

Nancy Carter said I'm delighted to be here visibly to invite you all to participate in the CROP Walk. For 22 years I put my feet where my heart is, on the streets of Charlotte walking to raise money to feed the hungry. Money stays here, it goes nationally and internationally and it makes a difference in people's lives because they learn how to feed their families and they run the programs in their own countries. That's an important point for me now since the Mayor has given me the privilege of serving on the International Cabinet. One of the first ways Charlotte excelled on an international level was by being No. 1 in CROP Walk in the entire world. We are recognized by what we do to feed the hungry. That's something that we need to know and spread worldwide. Please come and participate with us, it's so much fun being with your family and joining with other families, Barbara Thomas from Church World Service.

Barbara Thomas said were you wondering where Blister was? Well we'll have Blister's back next year. Mayor we might be calling on you for that. Just briefly we want to thank the City Council and also the City of Charlotte for their support in the CROP Hunger Walk. This Sunday when we go out on the streets, we will be saying yes, to feeding hungry children here in Mecklenburg County and around the world where the need is the greatest. You have in your packets or on your desk, a card like this that illustrates how great the need is and I just want to speak to that briefly. You see two circles, and the circle on the left represents the mid-upper arm circumference of a healthy five year old. If you have a five year old in your life you can picture that. Sadly the smaller circle represents the mid-upper arm circumference of a five year old in a different part of the world, where there is famine and drought and this child will not likely thrive or survive. Our vision, here in Charlotte, for the CROP Hunger Walk, is that this kind of inequity no longer exists in our society and so that's why we're heading to the streets on Sunday to say yes to feeding children here in Mecklenburg County and around the world. We thank you for your support.

Mayor Foxx said thank you and thank all of the folks that have been part of putting these CROP walk marches together because it's just been such an incredible way to galvanize the Charlotte Community. So why don't you come up and accept the proclamation and we will look forward to the, when is the date again and how do people sign up.

Ms. Thomas said this Sunday, registration starts at 1:00; go to Charlotte CROP Walk.org and you will get all the information.

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ITEM NO. 10: MINORITY ENTERPRISE DEVELOPMENT WEEK

Mayor Foxx said we have tonight with us Chiquita Lloyd from the Minority Women Small Business Enterprise Administrator of the Charlotte Mecklenburg Schools; Rochelle Lattimer, who is the program director for North Carolina Department of Transportation; Nancy Rosado who is the SPO program manager for the City of Charlotte, Sabaro Ellis, Section 3 Coordinator for the Charlotte Housing Authority; Robin Slade who is Minority Women Owned Small Business Enterprise Compliance Project Coordinator for the Charlotte Mecklenburg Schools and Terrance Watson who is a compliance officer for the Charlotte Area Transit System. We want to welcome you and Mr. Mitchell has the proclamation.

Councilmember Mitchell read the Proclamation proclaiming October 8, 2012 as Minority Enterprise Development Week.

Nancy Rosado said thank you. It is our pleasure to really have worked for a couple of months now to plan a weeklong of events and activities to honor and recognize our minority enterprise community as well as all of our organizations that work really hard and tirelessly to help provide the support that our minority enterprises need in order to continue to make them a vibrant and thriving part of our economy. So we just want to invite everyone to enjoy all of the activities that we've planned this week. There's actually a session happening right now from 6:30-8:30 for our minority enterprise community; tomorrow we're actually hosting a vendor's fair here at the government center so that our minority enterprises can come and get to meet and network with our local government employees as well as nonprofit organizations so that they can learn about the resources that are available to them. There's another session happening on Wednesday and then we'll culminate with a recognition lunch on Thursday. So we invite everyone to come and join us. It's our pleasure to do this type of work. There's a passion that we all have that we stand up here before you really to make sure that our minority enterprise continues to grow and flourish so that you.

Mayor Foxx said thank you very much. Please come down and accept your proclamation. We appreciate your help.

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ITEM NO. 11: CONSENT AGENDA

Motion was made by Councilmember Howard seconded by Councilmember Kinsey and carried unanimously, to approve the Consent Agenda as presented with the exception of Item Nos: 24, 29 and 32 which was pulled by Council and Items Nos: 39T and 39U are settled.
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The following items were approved:

Item No. 22: FY2013 Youth Job Connection Contract

Approve a contract with Goodwill Industries of the Southern Piedmont for the Mayor's Youth Employment Program job readiness training for FY2013 in the amount of \$133,000.

Item No. 23: Blue Line Extension Utility Relocation Agreement

Authorize the City Manager to negotiate and execute a transmission line utility relocation agreement with Duke Energy, up to \$5,000,000 for the LYNX Blue Line Extension Project.

Item No. 25: Airport Concourses B & C Elevators

(A) Approve a contract with DAS Architecture, Inc. in the amount of \$137,750 to provide design services of three elevators to provide additional access to B & C Concourses, and (B) Budget Ordinance No. 4975-X appropriating \$137,750 from the Airport Discretionary Fund.

The Ordinance is recorded in Full in Ordinance Book 57, at Page 870.

Item No. 26: Airport Concourses B & C Elevators

Approve a contract with LS3P Associates LTD in the amount of \$275,000 to provide preliminary design services of the Terminal Lobby Expansion.

Item No. 27: Airport Aircraft Parking System

(A) Approve the purchase of Safedock docking units as authorized by the sole source exception of G.S. 143-129(e) (6), and (B) Approve a sole source unit price contract with Safegate Group, Inc. for the purchase of aircraft docking units for Airport-owned gates.

Item No. 28: Airport West Terminal Change Order

Approve Change Order #1 with Archer Western Construction, LLC in the amount of \$1,271,584.26 for the relocation of jet fuel lines adjacent to the West Terminal Expansion.

Item No. 30: Sanitary Sewer Rehabilitation Contract

(A) Award the low bid unit price contract of \$2,992,589.25 to Atlantic Coast Contractors, Inc. for the FY2013 Sewer Rehabilitation Contract, and (B) Authorize the City Manager to renew the contract for up to three additional terms with possible price adjustments as stipulated in the contract.

Summary of Bids:

Bid Amount:

Atlantic Coast Contractors, Inc.
State Utility Contractors

\$2,992,589.25
\$4,377,292.50

Item No. 31: Utilities Chemical Tree Root Control

(A) Approve a contract with Duke's Root Control, Inc. in the amount of \$1,421,978.25 for chemical root control treatment of sanitary sewer lines, and (B) Authorize the City Manager to renew the contract for one additional term with possible unit price adjustments as stipulated in the contract.

Item No. 33: Robinhood-Dooley Storm Water Project

Award the low bid contract of \$3,862,112.25 to Ferebee Corporation for the Robinhood-Dooley Storm Water project.

Summary of Bids:

Bid Amount:

Ferebee Corporation
Blythe Development Company
Triangle Grading and Paving
United Construction Inc.
R.H. Price, Inc.
Showalter Construction Company Inc.
L-J, Inc.
Sealand Contractors Corp.
Blythe Construction, Inc.

\$3,862,112.25
\$3,999,762.50
\$4,083,134.56
\$4,366,350.00
\$4,465,290.63
\$4,530,228.38
\$4,851,845.00
\$5,279,558.13
\$5,484,109.38

Item No. 34: Supplemental Municipal Agreement for Relocation of Utility Lines

A resolution authorizing the City Manager to execute a supplemental municipal agreement with the NC Department of Transportation for additional construction services, in the amount of \$260,502.31.

The Resolution is recorded in full in Resolution Book 43 at Page 910.

Item No. 35: Water Meter Copper Tubing

Award the low bid unit price contract with Murray Supply Company for the purchase of copper tubing for a term of two years with possible price adjustments as stipulated in the contract.

Summary of Bids:

Bid Amount:

Murray Supply
Ferguson Waterworks

\$259,361.60
\$260,028.00

Item No. 36: Combination Sewer Cleaning Trucks

(A) Approve the purchase of sewer cleaning equipment as authorized by the sole source exception of G.S. 143-129(e) (6), and (B) Approve the purchase of two sewer combination cleaning trucks from Rodders & Jets Supply Company in the total amount of \$611,360.

Item No. 37: Refund of Business Privilege License Taxes

A resolution authorizing the refund of business privilege license payments made in the amount of \$2,075.30.

The Resolution is recorded in full in Resolution Book 43 at Page 911-912.

Item No. 38-A: 1033 Andrill Terrace

Ordinance 4976-X authorizing the use of In Rem Remedy to demolish and remove the structure at 1033 Andrill Terrace (Neighborhood Statistical Area 28 – Oaklawn Neighborhood).

The Ordinance is recorded in full in Ordinance Book 57, at Page 871.

Item No. 38-B: 634 I & J Billingsley Road

Ordinance No. 4977-X authorizing the use of In Rem Remedy to demolish and remove the structure at 634 I & J Billingsley Road (Neighborhood Statistical Area 60 – Wendover/Sedgewood Neighborhood).

The Ordinance is recorded in full in Ordinance Book 57, at Page 872.

Item No. 38-C: 634 K & L Billingsley Road

Ordinance No. 4978-X authorizing the use of In Rem Remedy to demolish and remove the structure at 634 I & J Billingsley Road (Neighborhood Statistical Area 60 – Wendover/Sedgewood Neighborhood).

The Ordinance is recorded in full in Ordinance Book 57, at Page 873.

Item No. 39-A: Mount Holly Road

Acquisition of 113,692 sq. ft. (2.610 ac.) in Fee Simple (Total Take) at Mount Holly Road from North Carolina Department of Transportation for \$22,750 for 2011 Annexation: Rhyne Pump Station, Parcel # 1.

Item No. 39-B: 7921 Camellia Lane

Acquisition of 10,247 sq. ft. (.235 ac.) in Existing Right-of-Way, plus 525 sq. ft. (.012 ac.) in Storm Drainage Easement, plus 39 sq. ft. (.001 ac.) in Sidewalk and Utility Easement, plus 2,148 sq. ft. (.049 ac.) in Utility Easement, plus 1,310 sq. ft. (.030 ac.) in Temporary Construction Easement at 7921 Camellia Lane from Camden Summit Partnership, LP for \$13,450 for Ballantyne Commons Parkway/ Elm Lane Intersection Improvements, Parcel # 15.

Item No. 39-C: 215 East 6th Street

Acquisition of 1,235 sq. ft. (.028 ac.) in Temporary Construction Easement at 215 East 6th Street from E.C. Griffith Company for \$25,200 for Blue Line Extension, Parcel # 1100.

Item No. 39-D: 225 East 6th Street

Acquisition of 942 sq. ft. (.022 ac.) in Temporary Construction Easement at 225 East 6th Street from Bank of America, National Association for \$19,225 for Blue Line Extension, Parcel # 1102.

Item No. 39-E: 2438 Barringer Drive

Acquisition of 14,788 sq. ft. (.339 ac.) in Fee Simple (Total Take) at 2438 Barringer Drive from Alonzo Adams, Jr. and Wife, Ruby R. Adams for \$58,500 for Brentwood Place Storm Drainage Improvement Project, Parcel # 156.

Item No. 39-F: 208 Middleton Drive

Acquisition of 1,458 sq. ft. (.033 ac.) in Storm Drainage Easement, plus 112 sq. ft. (.003 ac.) in Temporary Construction Easement at 208 Middleton Drive from Anne S. Gravely k/n/a Anne Bryant and Frank L. Bryant for \$68,000 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel # 40.

Item No. 39-G: 204 Middleton Drive

Acquisition of 1,284 sq. ft. (.029 ac.) in Storm Drainage Easement, plus 719 sq. ft. (.017 ac.) in Temporary Construction Easement at 204 Middleton Drive from Frederick P. Parker, IV and Wife, Nicole L. Parker for \$108,400 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel # 41.

Item No. 39-H: 7714 Gwynne Hill Road

Resolution of condemnation of 664.477 sq. ft. (.015 ac.) in Sanitary Sewer Easement, plus 1,380.227 sq. ft. (.032 ac.) in Temporary Construction Easement at 7714 Gwynne Hill Road from Elizabeth Booker Grier and Any Other Parties of Interest for \$200 for 2011 Annexation: 8" S/S 7600 Gwynne Hill/ 7500-7700 Boswell, Parcel # 4.

The Resolution is recorded in full in Resolution Book 43 at Page 913.

Item No. 39-I: Great Laurel Road

Resolution of condemnation of 8,007.19 sq. ft. (.184 ac.) in Sanitary Sewer Easement, plus 13,861.69 sq. ft. (.318 ac.) in Temporary Construction Easement at Great Laurel Road from Centex Homes and Any Other Parties of Interest for \$250 for 2011 Annexation: 8" S/S Alamance Drive/ Cedarfield Road, Parcel # 13.

The Resolution is recorded in full in Resolution Book 43 at Page 914.

Item No. 39-J: 10823 Parkton Road

Resolution of condemnation of 27,668 sq. ft. (.635 ac.) in Sanitary Sewer Easement, plus 45,934 sq. ft. (1.054 ac.) in Temporary Construction Easement at 10823 Parkton Road from Centex Homes and Any Other Parties of Interest for \$7,625 for 2011 Annexation: 8" S/S Alamance Drive/ Cedarfield Road, Parcel # 14.

The Resolution is recorded in full in Resolution Book 43 at Page 915.

Item No. 39-K: 7424 Alamance Drive

Resolution of condemnation of 3,688.69 sq. ft. (.085 ac.) in Sanitary Sewer Easement, plus 4,473.99 sq. ft. (.103 ac.) in Temporary Construction Easement at 7424 Alamance Drive from John L. Carpenter, Jr. And Any Other Parties Of Interest for \$5,700 for 2011 Annexation: 8" S/S Alamance Drive/ Cedarfield Road, Parcel # 20.

The Resolution is recorded in full in Resolution Book 43 at Page 916.

Item No. 39-L: 10918 East Lake Road

Resolution of condemnation of 128.04 sq. ft. (.003 ac.) in Temporary Construction Easement at 10918 East Lake Road from Palladian Homes, Inc. And Any Other Parties Of Interest for \$0 for 2011 Annexation: 8" S/S Alamance Drive/ Cedarfield Road, Parcel # 25.

The Resolution is recorded in full in Resolution Book 43 at Page 917.

Item No. 39-M: 8108 Starnes Randall Road

Resolution of condemnation of 10,968 sq. ft. (.252 ac.) in Sanitary Sewer Easement, plus 4,361 sq. ft. (.100 ac.) in Temporary Construction Easement at 8108 Starnes Randall Road from Geosam Capital US, LLC and Any Other Parties of Interest for \$1,150 for 2011 Annexation: Junction Court Trunk Sewer, Parcel # 1.

The Resolution is recorded in full in Resolution Book 43 at Page 918.

Item No. 39-N: 8210 Starnes Randall Road

Resolution of condemnation of 2,573 sq. ft. (.059 ac.) in Sanitary Sewer Easement, plus 1,054 sq. ft. (.024 ac.) in Temporary Construction Easement at 8210 Starnes Randall Road from Javier Perez and Jose Angel Morales and Wife, M. Guadalupe Perez and Any Other Parties of Interest for \$500 for 2011 Annexation: Junction Trunk Sewer, Parcel # 10.

The Resolution is recorded in full in Resolution Book 43 at Page 919.

Item No. 39-O: 8602 First Run Court

Resolution of condemnation of 5,204 sq. ft. (.119 ac.) in Sanitary Sewer Easement, plus 3,355 sq. ft. (.077 ac.) in Temporary Construction Easement at 8602 First Run Court from Robert Lee Honeycutt and Wife, Cynthia P. Honeycutt and Any Other Parties of Interest for \$6,800 for 2011 Annexation: Junction Trunk Sewer, Parcel # 27.

The Resolution is recorded in full in Resolution Book 43 at Page 920.

Item No. 39-P: Albemarle Road

Resolution of condemnation of 50,619 sq. ft. (1.162 ac.) in Sanitary Sewer Easement, plus 96,957 sq. ft. (2.226 ac.) in Temporary Construction Easement at Albemarle Road from JS Helms Family Properties, LLC and Any Other Parties of Interest for \$42,050 for 2011 Annexation: Trunk East/ Horse Farm, Parcel # 1.

The Resolution is recorded in full in Resolution Book 43 at Page 921.

Item No. 39-Q: 1124 Marble Street

Resolution of condemnation of 22,368 sq. ft. (.513 ac.) in Storm Drainage Easement, plus 4,790 sq. ft. (.110 ac.) in Temporary Construction Easement at 1124 Marble Street from East Coast Properties, LLC and Any Other Parties of Interest for \$48,700 for Allenbrook/Westridge Storm Drainage Project, Parcel # 88.

The Resolution is recorded in full in Resolution Book 43 at Page 922.

Item No. 39-R: 11400 Elm Lane and 8610/8624 Camfield Street

Resolution of condemnation of 1,745 sq. ft. (.040 ac.) in Sidewalk and Utility Easement, plus 512 sq. ft. (.012 ac.) in Utility Easement, plus 636 sq. ft. (.015 ac.) in Monolithic Island Easement, plus 8,360 sq. ft. (.192 ac.) in Temporary Construction Easement at 11400 Elm Lane and 8610/8624 Camfield Street from DDR Southeast Camfield, LLC and Any Other Parties of Interest for \$43,400 for Ballantyne Commons Parkway/ Elm Lane Intersection Improvements, Parcel # 12 and # 13.

The Resolution is recorded in full in Resolution Book 43 at Page 923.

Item No. 39-S: Rea Road

Resolution of condemnation of 846 sq. ft. (.019 ac.) in Storm Drainage Easement, plus 609 sq. ft. (.014 ac.) in Sidewalk and Utility Easement, plus 891 sq. ft. (.020 ac.) in Temporary Construction Easement at Rea Road from Village at Robinson Farm, LLC and Any Other Parties of Interest for \$9,900 for Ballantyne Commons Parkway/Elm Lane Intersection Improvements, Parcel #14.

The Resolution is recorded in full in Resolution Book 43 at Page 924.

Item No. 39-V: 1010 Little Rock Road

Resolution of condemnation of 2,576 sq. ft. (.059 ac.) in Temporary Construction Easement at 1010 Little Rock Road from Janice L. Costner and Janice C. Costner and Any Other Parties of Interest for \$1,100 for Little Rock Road Realignment, Parcel # 517.

The Resolution is recorded in full in Resolution Book 43 at Page 925.

Item No. 39-W: 6507 Glenmoor Drive

Resolution of condemnation of 1,298 sq. ft. (.030 ac.) in Fee Simple, plus 2,600 sq. ft. (.060 ac.) in Temporary Construction Easement at 6507 Glenmoor Drive from J. Jesus Sosa-Cabrera and Isela Jovita Guzman-Castro and Any Other Parties of Interest for \$4,876 for Little Rock Road Realignment, Parcel # 521.

The Resolution is recorded in full in Resolution Book 43 at Page 926.

Item No. 39-X: 1124 Marble Street

Resolution of condemnation of 4,354 sq. ft. (.100 ac.) in Easement Outside of Right of Way at 1124 Marble Street from East Coast Properties, LLC and Any Other Parties of Interest for \$16,500 for Thomasboro/ Hoskins Neighborhood Improvement Project Phase 4, Parcel # 63.

The Resolution is recorded in full in Resolution Book 43 at Page 927.

Item No. 40: Meeting Minutes

Approve the titles, motions and votes reflected in the Clerk's record as the minutes of July 23, 2012 Business Meeting.

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ITEM NO. 12: CITY MANAGER'S REPORT

City Manager, Curt Walton said there was no city manager's report.

Mayor Foxx said I guess I will do this here. We had a brief conversation upstairs about this but since we've last met, our City Manager has made the decision to retire effective December 21st and I wanted to say a couple of words so that the general public gets the sense of how much of a contribution he's made to our City just in the last five years as City Manager and he's also served as an Assistant City Manager, as Budget Director and in the Budget Office before that totaling more than 30 years of service to the City of Charlotte. Since 2007, Curt Walton has helped this City Council move through a recession crisis. The deepest recession this country has felt since the great depression and enabled us to move through it without a tax increase through some very very very deft budgeting. He's also played an extremely important role in the work of getting the Blue Line Extension in a position to receive a full funding grant agreement. He's made some very key hires in the City and worked to diversify our top level executives and a lot of those hires were directly on point during the recent Democratic National Convention and our City really stepped up and showed very well and that is all to your credit Mr. Manager. On behalf of the Council and the citizens of Charlotte I want to thank you for your years of service. We tried as a Council to move to refuse the retirement, but he's insisting so. But thank you very much.

Mr. Walton said thank you mayor.

Mayor Foxx said as someone said it just happens to be true.

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ITEM NO. 13: MECKLENBURG MILLS FUNDING REQUEST

Mayor Foxx said we have several speakers who signed up to speak on this item. This is Mecklenburg Mills Funding Request. It has changed since the original agenda item came forward. You all have it in your packets. We do have 13 speakers who signed up on this item. I'm going to yield to Councilmember Patsy Kinsey who is the chair of Housing & Neighborhood Development Committee in the event that you want to say anything to introduce this topic.

Councilmember Kinsey said I will just say a few things yes. Two weeks ago as you recall we did have this before us with a request of \$2.3 million dollars to the Community Builders, Inc. for the redevelopment of The Mecklenburg Mill, which would allow not only for the preservation of a historic mill but also it would allow affordable housing to be put into that Mill which happens to be at the 36th Street Transit stop. I think probably over the past two weeks we've witnessed

the fact that the neighborhood really does support this and would like to see this moved ahead. We did not vote on it and so it's back in front of us tonight, just as the Mayor has indicated with a reduced request of \$1.25 million. They were able to do this through a combination of value engineering and more aggressive equity pricing on the Federal Historic and North Carolina Mill credits and putting some money in on their own. I don't think it's any secret that I support this and I hope we can move on with this and Mr. Mayor I suspect you want to hear from people before I make a motion, but I'd like to make a motion.

Mayor Foxx said o.k. we will come back to you on that.

Jay Privette, 11106 Knight Castle Drive 28277 said in preparing my comments it was difficult to find material that was more compelling than the Council discussion of a couple of weeks ago. Councilmember Andy Dulin quickly calculated during that meeting that these low costs apartments will end up costing tax payers approximately \$340,000 each. That's more than twice the median price of a three bedroom Charlotte house sold in August of this year. Councilmember Claire Fallon perceptively pointed out that the Community Builders had no skin of their own in the game and we all know it's much easier to be wasteful of other people's money than it is of our own. And I believe it was Councilmember James Mitchell that commented he knew of much better usages for this money on other more valuable projects. I also advised the Council to look into recent charges of years of mismanagement by the Cincinnati and Louisville Housing Authorities against the Community Builders. Among their complaints were cost overruns. I also asked the Council to review the failed attempts of Charlotte to successfully convert what our abandoned Mills with structural deficiencies into suitable residential housing despite years of efforts and millions of tax payers' dollars. It sometimes takes more than just persistent and a larger hammer to make a square peg fit into a round hole. Each of you should ask if you would spend \$340,000 of your own money to put members of your family into what would likely amount to something that is not much more than a warehouse for people or would you rather spend half that amount and put them into a real house? I applaud your good intentions, but please do not waste more public funds in this bottomless money pit in an effort to convert these Mills into a use of which they were never intended. Thank you very much.

Joe Khulmann, 3227 N. Davidson Street 28205 said my name is Joe Khulmann, Owner/Operator and Founder of The Evening News. For the past 11 years, my location at the intersection of 36th and N. Davidson Street has given me a front row seat to the drama that we've come to know as the NoDa Mills. It's our intention to help convince you to vote in favor of releasing the block grant funds to TCB. Let's start with the bid process. The amount of time given for inspection was two hours. Members of Council seem to think that TCB was naive in not asking for more time. But they did and they were also told no by City Staff that they could not receive more time to allow for an additional inspection. Second, the 2006 structural engineering evaluation document that was given to all bidders was incomplete, it described evidence of somewhere around 9-11% structural damage. In actuality it was not until TCB had funded their own internal demolition to find that it was closer to 75-80% of non-useable structure. This leads me to believe that code enforcement as well as building inspectors at the time did not do their jobs and allowed previous developers to get away with criminal construction practices. TCB is a well-respected and proven non-profit affordable work-force housing developer that for 45 years have produced results nationwide and delivered the exact type of plan that we need in NoDa. We should feel grateful that they have chosen our city to work with. NoDa was targeted by TCB for having a creative culture in both business and residents. NoDa's resilience towards the economic downtown has come purely from our locally owned and operated shops and very well organized neighborhood association.

The grant money we're asking for is set up for this exact purpose. On the HUD website it states the CDBG Program works to ensure decent affordable housing to provide services to the most vulnerable in our communities and create jobs through the expansion and retention of businesses. TCB is uniquely positioned to accomplish all of this. A vote to release these funds will do the following:

- Vastly improve the tax base in north Charlotte
- Improve density
- Create affordable housing workforce with direct access to the transit line

Improve lending confidence for other developers looking at NoDa

It also fosters a better relationship with a nationally recognized developer working towards building a better, stronger community.

It will also honor the countless sleepless nights for the folks in NoDa that have been working hard both at their businesses and residences.

It's time for us to move forward with this grant release so that the historic mills can once again serve as a cornerstone and a springboard for economic growth in NoDa instead of the blight that they have become.

Bart Mitchell, (CEO Community Builders), 95 Berkley St., Boston, MA said I'm Bart Mitchell, CEO of the Community Builders which is America's largest non-profit developer and owner of urban mixed income housing. We have extensive experience in the adaptive re-use of mills and other historic structures and we are believers in NoDa and the future of this site. Two weeks ago we were here requesting \$2,353,783 in CDBG assistance. The Mayor and Council asked us to try hard to reduce this request, we have done so. We are now requesting \$1,250,000 or \$26,000 per affordable apartment. I would like to make three comments in response to questions asked two weeks ago. First, we believe redevelopment of these historic mills is the right thing to do, even with the structural premiums we were not able to discover when we had been on the property. Why? Preserving the history is an asset. The buildings will make great housing. It's very green to reuse mill buildings and we're creating good density at a transit node.

Second, workforce housing is the right use for this first mill redevelopment at the Mecklenburg Mill. Some of the resources for workforce housing available now will not be available for the Mecklenburg Mill even one year from now. So there would be an even bigger gap later, making it harder to create workforce housing. Also full market housing and commercial uses are possible at the Johnston Mill and the balance of their site. Those sites have better frontage on N. Davidson and 36th Street, but only after the Mecklenburg Mill is in active use, not an unanswered question. These sites will have resources available to them that are not available to Mecklenburg Mill. And we have succeeded at this phased approach, increasing market rate and commercial components in following phases.

Third and maybe most importantly, we know public resources are precious. We ask you to support our reduced request of \$1,250,000 of CDBG funds. Because its needed, the structural premiums are real. Because alternative sources have been sought and we do have considerable "skin in the game". Because we are offering more than twice the amount of workforce housing that is required. Because at \$26,000 a unit of CDBG funds per affordable unit, this is consistent to our understanding of what you have supported for workforce housing previously. TCB understands that this award is the maximum city contribution that will be made to the redevelopment of the mill properties. We are committed to the long term success of NoDa Mills and we'd like to thank you for your consideration of this revised request.

Hollis Nixon, 3409 Ritch Avenue 28206 said thank you for your time in hearing our concerns today. My name is Hollis Nixon and I'm the President of the NoDa Neighborhood Association. I have volunteered my time as President of the Organization for 10 years and have been there every step of the way during the 7 year history of Johnston-Mecklenburg Mills. NoDa is asking that the City release the reduced ask of \$1.2 million to TCB. The City currently has access to over \$4 million dollars in federal CDBG funds that do not affect the local taxpayer. These funds are intended for projects such as these. Affordable, workforce housing for projects that are shovel ready. These funds are not earmarked for any other projects in Charlotte, nor has any other project in Charlotte asked for these funds as a shovel ready development. Also this project is poised to bring an additional \$12 million dollars in outside money into Charlotte. I would like to go on record that I agree with Mr. Dulin on two points. He believes that NoDa's yearly scavenger hunt is pretty awesome, as do I; and he stated that \$300,000 per unit did not sound affordable. I could not agree more, \$300,000 per unit to the end user is not affordable. However \$300,000 per unit for historic rehabilitation of this magnitude is expected. The bottom line is that historic preservation is expensive. Ask anyone who's ever owned an older home.

More importantly the end result with the monies leverage outside of Charlotte will result in affordable housing for the end consumer. Sixty percent AMI from Mecklenburg Mills and 70%

AMI for Johnston Mills. NoDa strongly believes in wanting not only this preservation rehab but the affordable workforce housing component integral of a light rail transit station stop. We want our police officers, teachers, fireman, artists that work here to be able to live here again. After a decade of coming to City Council meetings, I have consistently heard “not in my backyard”. NoDa is saying yes, we want it, we want it in our backyard. How many neighborhoods stand in front of Council and ask for affordable workforce housing. The time is now and this decision paramount the future of our neighborhood at the most key site in all of NoDa. In a sense, this is our Eastland Mall. We also believe that this will be one of the most important historical landmarks in Charlotte. We ask you today to please consider your neighbors and small business centers right down the road from this very building. Please vote yes to releasing the CDBG funds so that NoDa can honor its past, while dedicating itself to look toward the future in a true and unique destination spot for the City of Charlotte.

Kevin Halpin, 2915 N. Myers Street 28205 said I’m the owner of Boudreaux's Louisiana Kitchen of up on the corner of 36th Street and N. Davidson Street. I think that the stuff I wrote down for this is a little statistic heavy because everybody is already going to mention those but I’m just going to skip those and keep it under, well under three minutes. The people who are most active in terms of community development asked me to come and talk about how I thought this project would impact me and my business and of course I think it would be positive and I’d like it to happen as soon as possible. Adding 120 or so apartments adds a couple of hundred fresh faces that are a two minute walk from my front door, which is of course going to be very good for my business. I feed about 170 people a day and I think if I had that many more people living here I’d have another 10-15 people a day. Sales wise that means \$70 or \$100,000 thousand dollars in sales a year. So of course that’s positive for me. Since 2010, sales tax generation in my place alone, \$300,000 locally and I spend a ¼ of a million dollars on local services. I spend \$400,000 on local products and I have 37 employees now who last year collectively earned over ½ million dollars. So I’ve got a million and change that I’m putting back in the community and I’m very proud of that. I spend a bunch of money, I pay a lot of people and I make a decent living that’s all pretty terrific. If the math can be this simple, in 1999 I opened for business with a staff of 14. I did about \$400,000 in sales a year. Since then all these people up here and me too we helped our neighborhood grow and now as I said, 37 employees. I do sales of about \$1.5 million dollars every year and you know if I boil it down number for number every time my sales go up about \$35,000, I have another job for somebody. I get 200 people living close to me and I can raise my sales \$100,000 then I got three jobs for some people who live in the neighborhood and I’m paying more people who live in the County and businesses who operate in Mecklenburg County and Charlotte. And I think the biggest contribution I can make to the cause over here is I’m one of about 50 businesses on the street so if I can add two or three jobs, and spend another million dollars a year or whatever, there are 50 more people just like me in NoDa. That’s what I’m talking about.

Stacy Remy, 9025 Scottsboro Drive, Huntersville 28078 said thank you all for your time and in advance for your thoughtful consideration. When a civilization is in crisis to preserve is to create. Jacqueline Bouvier Kennedy who said this was an active participant in many relevant efforts to preserve the past and advance the future through preservation and renovation including that of grand central station in New York City. When a civilization is in crises, to preserve is to create. The Mecklenburg Mills project is worth consideration because of what it could mean in the immediate as well as long term interest of the community and thus the Queen City as a whole. When I arrived in Charlotte in 1994 uptown was often quiet and seemingly uneventful on weekends in contrast to the myriad of enriching activities and events it offers today. Look at all that has happened, that has been accomplished in a very short period of time through the support, dedication, commitment, participation and hard work of a lot of people. Take the example of Paris, France, the area of Monmouth today is one of the most desired locales in the City in many ways. Monmouth is an active vibrant diverse and endlessly interesting place for residents and tourists alike. Prior to the turn of the 20th century however it was considered to be a best a bohemian haven or at the least overlooked as potentially vital to the growth of the city. As we now know, the creative and social activity that took place there through a large portion of the 20th century ultimately gave us many artists who have vastly influenced cultural worldwide.

In looking at Mecklenburg Mills, we must also carefully consider our future as well as our past in the decision making process. It is essential for us now as well as for generations to follow.

The mill culture in the Charlotte area helped give us our start as a City and we in the great state of North Carolina owe much of who and what we are and have the opportunity to become to the sacrifices of those from the past. Beyond aesthetics and/or social interests by supporting this renovation, we will be rendering homage to the past as well as investing in our collecting future. As Mrs. Kennedy so eloquently said in her efforts for the preservation of Grand Central, is it not cruel to let our city die by degrees, stripped of all of her proud monuments until there will be nothing left of all of her history and beauty to inspire our children? If they are not inspired by the past of our City where will they find the strength to fight for her future? Those of us who hold positions of leadership or who lead within our immediate spears of family, friends and community, recognize that leadership in any capacity requires an ability and a responsibility indeed an obligation, to look and to think long term about what is in the best interest of the immediate community and of all its residents as well as to thoughtfully consider a long term perspective on each issue.

Part of the wisdom necessary for growth is the ability to discern what we need to change and to recognize what we should preserve. We must also remember and honor our yesterdays in the quest for our tomorrows. I'd like to express my sincere gratitude to you all again for your time and consideration of my humble opinion. To whom much is given, much is expected and I don't envy the difficult decision you must make.

William Puckett, 3020 Yadkin Avenue 28205 said thanks for giving me a few moments of your time. My name is William Puckett and I'm an artist living in the NoDa neighborhood. Some of you I know are familiar with my most recent work, the Madison Avenue Bridge mural. That particular project was paid for in part by City of Charlotte Neighborhood Matching Grant. Because of the nature of that grant, the amount given by the City was matched with income, product donations and voluntary hours. My neighbors literally came out on their days off to donate their time to take back this forgotten area of our community. We believe in our neighborhood's potential and are willing to not only invest in property but are investing in voluntary efforts that have cleaned up a once "avoided" part of town. We not only have come today to ask for money but are showing up ready to work.

The point I'm hoping to get across today is that these mill projects have come to represent the possibilities of what our neighborhood could be. A memorialization of an important area in Charlotte's past while simultaneously looking forward to our ever-changing future. Thus inviting our spirit and attitude. So for us these buildings and subsequent renovations have come to symbolize the City's commitment to our community. What we are asking today is, do you believe in us? Do you believe in the potential we can see all around us? We want to grow and we believe we can cultivate a truly unique village lifestyle here within our greater city. We just need a little help. I'm neither a financial advisor nor do I have any structural engineering expertise, but I do know the people of my community and we are terrified that if we lose this opportunity some new developer will come in and bulldoze our historic buildings, throwing up cheap condos or worse, the buildings will be left to rot. Please consider not only the financial aspects of what is being asked of you today, but consider too the cultural and historical relevance that these buildings hold not only to the neighborhood of NoDa but to the City of Charlotte as well. Please grant us this chance to become as great as we believe we can be. Thank you.

Michelle Lemere, 811 East 36th Street 28205 said thank you for allowing me to speak tonight. I'm a NoDa resident, a member of our "back in the day" history committee. I just want to briefly tell you about the history of Johnston and Mecklenburg Mills and why they are such an integral part of our neighborhood today. As you are probably aware, the Charlotte Mecklenburg Historic Landmarks Commission, Historic Charlotte and the Levine Museum are in support of preserving these mills. There are key contributing structures to our historic district, which appears on the National Historic Register and their preservation is critical to Charlotte's Historic Heritage. But their stories run deeper in our neighborhood's fabric than simple bricks and mortar.

Our neighborhood was once rolling farm and swampland that changed in 1903. That year the first of four major textile mills was built in what was then called North Charlotte Mills district, now affectionately known as NoDa. The Mecklenburg Mill was the second mill built in North Charlotte. Three businessmen invested in our neighborhood and sought to advance as an economic prosperity. Robert L. Tate; S. B. Alexander, Jr. and B. Lawrence Duke, a relative of

the Duke Power founder, all believed in our future. Together they opened the Mecklenburg Mill in 1905 during the height of Charlotte's textile boom. The structure you see today remains largely unchanged from its original design as few updates were made to the building's exterior. Historian Tom Hanchett noted only the Hoskins Mill, across town off Rozzells Ferry rivals the Mecklenburg Mill as a well preserved early textile mill intact.

The Johnston Mill was built just a few years later around 1916. Like the Mecklenburg Mill, it's exterior has been sufficiently left intact and has maintained its historic integrity. When it closed in 1975, more than a building closed. This mill was the last operating textile mill in Mecklenburg County. It's closing marked the end of an important era in Charlotte's illustrious history. Our history group hosts several tours throughout the year. We take people from our downtown area and walk them past our mills and into our neighborhoods where our friends and family live. In fact our next tour is our Ghost & Legends Tour on October 27th, just before Halloween. Our first stop is in front of the Mecklenburg Mill. As we tell our hundreds of tourists, these buildings are symbols of a close knit mill community and remind us daily of the hard working neighbors who came before us. For example, we relate the story of a 14 year old boy named Early Ellis, who worked in the mill and lived in the village with his family before his tragic death almost a century ago. Unfortunately I don't have time to tell you the story of Early tonight, but I do invite you all on the tour so I can tell you his story along with the rest of our neighborhood's mill history. In a region that's chided for demolishing its history in the name of progress, these gems present rare opportunities for Charlotte to celebrate its past while redefining its future.

Chad Maupin, 1109 East 35th St. 28205 said I'm Vice President of the NoDa Neighborhood Association and I previously served on the Johnston and Mecklenburg Mills RFP Committee from 2005-2007. This committee created selection criteria and process for selling the mills to potential developers back in 2007. My request from last Council meeting remains, if you are considering voting no tonight and will not release the federal funds, please let us know how this problem will be solved. The NoDa Neighborhood Association still feels strongly that Community Builders are obviously the best chance for this site being rehabbed quickly; the only hope for saving the Mecklenburg Mill and best possible partner for this complicated project. With our support the City has placed deed restrictions on these buildings requiring preservation and affordable housing. Unwinding these encumbrances if it could be done, would take many many years. NoDa cannot afford any more delay. It is not just that the mill should stay, we see no other alternative. If you have one and know it to be viable, please state what it is before you vote no tonight.

Please explain how we will not cost the City more money, local tax money to buy the mills back. Explain how the mills then will be redeveloped and how the City will manage this assets for the 4th time. Explain how some other developer could solve all these same problems years from now, and when they will own it. Explain how the light rail stop will work without a partnership from this developer and instead empty onto derelict properties that have been a crime hot spot. Explain the time line and how the neighborhood can flourish in the blight of property in the center in the meantime. Explain how NoDa will retain or at least replace its identity if the mills in this mill town should fall to the bulldozer. We do not want another development group. TCB has the most experience. They seek community involvement, they are planning the most affordable housing integral to the City at a transit station and they worked with CATS to improve the station design. They will save the mills. Releasing the CDBG funds to TCB today solves this problem of Johnston and Mecklenburg Mills once and for all and with no local money. Rejecting the allegations with no alternative in place is kicking the can down the road for you and NoDa suffers more.

The suffering extends well beyond this site. Over the past few years we have worked with various private developers in the City to plan hundreds of millions of dollars in new construction here in NoDa through rezoning's and other land acquisitions. Most of these projects now set on hold due to financing road blocks. Some lenders are specifically mentioning concerns about dilapidated property in the middle of NoDa. That would be Johnston and Mecklenburg Mills. Due to the time I have left I will just highlight a few of these projects. North Davidson Partners has a Phase III of nine single family homes. Gateway's Homes Brevard Street has 340 residential units. NoDa 28 Phase II, 40 units; Merryfield Partners of 35th Street, 25 residential

units. Steele Gardens Phase III, 40 additional residential units. Galleries at NoDa, 50 residential units and 12,000 ft. of commercial space. This is a third of the list that I have in front of me right here. In addition to these rezoning's major developers are sitting on vacant under-utilized land in downtown NoDa waiting for the spark. I appreciate your time.

Ed Toney, 13712 Kensal Green Dr. 28278 said Mr. Mayor, Councilmembers, two weeks ago you as City Council made the correct decision to rethink the investment of \$2.4 million dollars of support for the Mecklenburg Mills project. As Councilmember Dulin pointed out, the cost for this project does not lend itself to the definition of affordable housing. Councilmember Barnes was of the persuasion that the City had sold the mills and was done with the issue. Ms. Fallon asked the contractor to his face if he had any skin in the game and found out he did not. Ms. Mayfield was setback when we all found out the \$2.4 million was only for one mill with 48 proposed units. Just by asking a few common sense questions, the balance of your decision was hopefully changed to deny any more assistance to the Community Builders.

Last week again I drove up to the NoDa neighborhood to see exactly what the conditions of the buildings were. Wow I was surprised to see the degree of the deterioration on the exterior along is significant. We hear all the time on local radio that if your home was built before 1995 or whatever year seems popular at the time; that your home may contain lead paint. Being that the last time these buildings were probably even partially restored, it is not out of the realm to assume that lead-based paints were used and the cost of clean-up is staggering. This is only one of many issues I bring to your attention as we do not know all of the skeletons these grounds may hide. My own father passed away four years ago but it's not significant to the mills. No he was stationed at Camp Lejeune from 1977 to 1982 teaching financial management and accounting to the Marine Core. And now we see exactly the issues the industrial sites can hide for many years.

I myself witnessed the early construction of the Westin Hotel in uptown Charlotte a few years ago. But at around 20 ft. or so below College Street, we hit green dirt. It was so contaminated it had to be weighed out per truck load and hazardous manifest waste had to accompany each load to the landfill behind Charlotte Motor Speedway. It seems that area was a fuel depot for the railway many years ago. We know Charlotte has many abandoned gold mines in the uptown area. So many that the water wells are contaminated to the point that water has to be pumped in from Mountain Island Lake. My point is this, if the project goes through, those individuals involved need to be responsible for the general public because there are always hidden circumstances when dealing with the Turn of the Century industrial sites, especially in the clean-up to make them habitable. If you continue to work towards affordable housing, remember that those folks already have issues and don't need to have possible health issues thrown at them to further complicate their lives. These are our neighbors and family and as you move on to another City to renovate another neighborhood, please don't leave Charlotte holding the bag.

Sam Wazan, 804 E. 35th St. 28205 said I will be speaking on behalf of Bruce Snyder and Anthony Sparrow of Galleries of NoDa, LLC. The purpose of my talk is to ask you to release CDBG funds. In 2008, our development was rezoned to include 40 units and 20,000 sq. ft. in commercial space. We have been pursuing financing from several lenders over the years. Three in particular visited NoDa. They directly questioned the derelict buildings referring to the mills in the center of the neighborhood. As a result, the lenders opted not to pursue financing for our project due to the proximity to the mills. Currently on just the land, we pay \$8,000 per year in property tax. Once construction is complete and according to the Mecklenburg County Tax Office, our tax bill will be north of \$90,000 per year. We also have lease agreements from out-of-town businesses that will be expanding to Charlotte for the very first time. They too, will be paying businesses taxes. The redevelopment of the mills is integral to the private development of the community. We're not the only developers with rezoned projects that are currently seeking financing in the district. We know there are over \$200 million dollars in planned construction costs on hold. Each of these projects has its own deadline. Many could fail if the mills sat as a vacant eye sore for a very long time. It is our understanding that the true intention of the CDBG funds is to catalyze prosperity and make a positive impact in NoDa and for the County as well. We kindly ask that you release the CDBG funds and help us inject capital and hundreds of millions of dollars in private development projects.

Kevin Gavagan, 2921 Whiting Avenue 28205 said I've been a Charlotte resident for 14 years and have lived all over the City from the Eastland Mall area to the Village Lake area and University City. I currently live in NoDa. I've never quite felt at home until I lived in NoDa. When my wife and I decided to move six years ago our options were either leaving the City altogether or moving to the NoDa neighborhood. We decided to give Charlotte one last chance and have never looked back. Now I'm a business owner, I've become engaged in the City with a way I never would have imagined. I've been named the NoDa Association member of the year and volunteer of the year by Historic Charlotte. At the same time I have become involved with countless other organizations. I mentioned this because NoDa is filled with people just like me. People who have found a sense of place in the City who may have moved on had they not. We not only support our neighborhood but the City as a whole. We are givers and we came to our neighborhood because it was already imbued with that spirit. A sense of community that was created with the laying of the first brick in Mecklenburg Mill over 100 years ago. When they were built Johnston and Mecklenburg Mills were quite literally why people lived in NoDa and possibly Charlotte at all. They were the nucleus around which all of our houses and businesses were built and with your help tonight, we can make them the economic engine for renewal that will not just complete this project but others that lie in wait to create jobs and bring more creative class citizens to Charlotte leveraging federal grant money into local tax revenue.

Mayor Foxx said thank you all to the speakers, that concludes the speaker portion of this item. Let me just tell you that this topic has taken a lot of time and energy from this Council over the last couple of weeks. I know that several members want to speak on this but let me say a couple of things before we get into it. This project has required millions and millions and millions of dollars already. And any iota of hesitation I've had about it has been looking back at the historical spend rate on this facility. Then I had an interesting experience a couple of weeks ago, I was driving down in the Center City, right near where we just broke ground on the baseball stadium and I saw the old mill being torn down. And it struck me seeing that building partially torn down how much of our history we've allowed to just be disseminated. For a city that is progressive in so many ways, we aren't progressive in that way. I believe that there are several factors weighing in on this one for me. One is we've got a neighborhood that actually wants affordable housing in its backyard. We have an historic site that we have the capability of helping to preserve. Frankly on more favorable terms than we had even two weeks ago. And third, another feature of the neighborhood being supportive of this is the fact that in so many communities we go across these districts that folks represent around this table. There are eye sores in those districts that can be rehabilitated and be amenities to the district. I think right here what we have is a situation where the neighborhood has recognized that maybe even ahead of the Council. So with all that said, I want the Council to support this because I think it will be a transformative investment at a time when we are also talking about getting this Blue Line Extension built and what today may be an eye sore, could tomorrow be a point of pride for our transit system as people go by and they say hey what is that over there, well that's something we preserved and the last point I will make is that we as a Council had Mayor Riley from Charleston, South Carolina come to us several months ago and he pointed out 30 or 40 different sites within Charleston that were about to get torn down and he fought to keep them in place and they all add to the charm of the City. So for those of you who live in areas that are relatively new, this is not one of those challenges that you may not be as well versed in this particular type of challenge but it's coming to us, 30 or 40 or 50 years from now in some of the newer parts of the City which will become older as time goes on. But this is part of the challenge of a City that has reached almost it's limits in terms of its ability to annex it's need to reuse and revitalize the parts of the City that already exists and I think there are some larger things at work that make me feel like the right thing to do here is to support this so I hope the Council will support this.

<p>Motion was made by Councilmember Kinsey, seconded by Councilmember Mitchell to (A) Approve a revised recommendation to grant up to \$1,250,000 of Community Development Block Grant funds to The Community Builders, Inc. (TCB) for the redevelopment of the Mecklenburg Mill property, and (B) Grant a waiver to the existing Assisted Multi-Family Housing at Transit Station Areas Policy.</p>
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Councilmember Fallon said I'm going to tell you why I'm going to vote for this. Charlotte has no history. It tears it down if it gets to be 50 years old. It tore the historic paper down two weeks ago. Charlotte was a mill town and lived off the mills before the banks. That's our

history, why are we going to tear this down too? It does something that no one else wants in their community, workforce housing. It is a transit stop, it does not use property tax it uses a federal fund that has to be spent in this type of neighborhood for this type of development. The only thing is, this is not going to be a precedent set. No one can come back after they've bought something after this. There were faults in the way it was sold because evidently people did not have enough time to really investigate it. I think that we have to maintain something of our culture because this is our culture. This is a part of town that will develop even more than it has. It's become the Greenwich Village of Charlotte. I appreciate it, it has a lot of boutiques and restaurants and people flock to it with the art stores and the crawl. We need a place like this so I'm going to vote for it. I appreciate that they brought down the amount of money that they need from us. They do have skin in the game now. The apartments are not as expensive as we thought they were going to be since they worked to make them less. I ask the rest of this Council to understand this is part of our history.

Councilmember Cannon said is the CEO, Mr. Rob Fossi here still? Would you please come down because I have a question for you? I'd like to ask you with regard to the market, if you'd be so kind as to give us a comparison as to what the price points are or the market rate might be in the NoDa area compared to your price points from your studios on the lower scale which will probably be a one bedroom, up to I guess it might be a two or three bedroom. Would you please give me a snap shot of what that looks like please for the market?

Mr. Fossi said yes, the biggest differential is probably in the two bedrooms where the market rent can range anywhere from \$950 to \$1580 a month and our Mecklenburg rents will be \$760ish a month and the one bedrooms, market rents come in at \$850 to \$950 to \$1000 and the one bed rents at Mecklenburg Mills would be \$640. The studio rents in the area; market rent is around \$765 and the Mecklenburg rent is \$612.

Mr. Cannon said okay I'll tell you why I asked that question. I asked that question largely in part so we can get a better understanding. So the general public can actually get it because when we start hearing numbers about \$300,000 here and so forth and so on, heaven knows what's going to be out there and so being able to get a better analysis of what the market actually is in the Community versus what your rent will be also in that marketplace. I think it's very important for us to know and/or to understand. Initially in Committee, which I am not on the committee, but the Chair was so kind to allow me to be able to sit in and I certainly appreciate that, Councilmember Kinsey. And I asked a few questions, I had some concern relatively to the amount that was coming from the CDBG. Largely in part because there are other parts of our community that also could use those funds and we need to be very conscious about making sure that we spread out the amount of funding as best we can throughout the community, especially in our most challenged areas and so being able to know and to understand that the number had been reduced down to where it is today, was pleasing. The second thing is and I concur with this, you know I questioned the Committee about the due diligence period. Why didn't you take as much time as you needed? I couldn't really put that on you largely in part because staff had issues with regard to liability issues and rightfully so, the last thing we needed was someone coming back trying to sue the taxpayers for something that might happen inside of that facility. So don't put that on you, I get it, I understand it and then as we talk about the CDBG, Community Development Block Grant money per se, we hopefully, God willing, will continue to have some kind of annual appropriation of those dollars. That's all TBD in Washington and then what that means is instead of having a lesser amount, we will have still in the kitty, about \$3 million dollars. That's a good thing in my opinion. Inasmuch, as I have a lot of concern about it, I will tell you that by way of an affirmative vote, we are not just converting a mill, we are converting a community. That's what we should be trying to do going forward in this case and in other cases all throughout this community where we know there must be a level of support given in areas that need it most, particularly in our eastern, western and northern tiers of our City. That said I will vote yes, Mr. Mayor.

Councilmember Pickering said I expressed my support for this two weeks ago and the Mayor touched on it a few minutes ago something that touched me and made me even more stronger in my commitment to this and that was the demolition of the Virginia Paper Company building last week. Councilwoman Kinsey is correct when she says that this City has torn down too many of its historic structures and I see it as part of our job here on Council to protect and preserve the

history of this City. We just last summer had the liberty walk open as you may recall. Again, celebration of the history of this City so I see that as part of our mission here as Councilmembers and I would suggest that we make that building, the Virginia Paper Company building, make a vow that that is the last historic building we allow to be torn down if at all humanly possible. And in this particular case it is humanly possible to prevent the demolition of these mills. The mills and the mill history is the character of this neighborhood. This is what distinguishes this neighborhood. This is what makes it special among all our special neighborhoods, but this is what defines this neighborhood. We have the funding. It's not property tax money, it's funding that intended to be used for this kind of purpose.

Let's keep our eyes on the prize, imagine how great it would be, I mentioned this two weeks ago; these mills are renovated, we have artists and others living in them affordably, practicing their art nurtured and encouraged by the rest of the community. We have a light rail station in there up and running. We have folks from other areas of Charlotte coming into NoDa to shop, to dine, to purchase local art work and NoDa is thriving the way we know it should be. Let's keep our eyes on the prize, this is the best builder, I'm convinced of it, this is the time and do we really think there will be another time when we have neighbors sitting in this audience with signs that say YIMBY, yes in my back yard? I don't think so. So I'm so encouraged to hear some of my fellow councilmembers express support for this. Pleasantly surprised, I welcome it. I think we're going to look back once this goes through when everything is up and running like I just said, we're going to look back, we're going to be proud and we're going to feel good and know that we did the right thing this night if we approve this request.

Councilmember Mitchell said first of all, thank you residents of NoDa for being here and showing your support in welcoming affordable housing. Secondly, to the district rep., I know this is a very stressful time for you this weekend, but Patsy, thank you for your passion and in doing the right thing. But I think this is a true test for our model for the transit stop and I think we can learn a lot from this and there needs to be a first step. I will support Patsy Kinsey and her hard work, but more importantly NoDa, I support you because you believe in your community and we need to show you support tonight.

Councilmember Autry said I lived on Yadkin Avenue when I was in the third grade and walked to Villa Heights to go to school every day. And we didn't call it NoDa, it was North Charlotte and it was a working class community. I relish the memories that I had of that time there, I love visiting NoDa today; I love participating in what you have going on up there; hopefully a little bit of that is going to rub off on the East side when the time comes but I'm also a supporter of affordable housing. And when we have a community that can come forward and speak so well in their support for working class housing and provide that workforce with a convenient location with all the commercial amenities within walking distance and very soon, transit access to light rail, I have to applaud you for that and I would encourage the rest of my colleagues to vote yes on this.

Councilmember Cooksey said I've got some questions for Pam Wideman if I could. Some of this will be repetitive and I apologize for that but we're starting over so I wanted to make sure it was part of this conversation too. Could you remind me please about how much, I know it varies, but roughly how much in CDBG grant money does the City of Charlotte receive from Washington annually?

Ms. Wideman said about \$4 million dollars.

Mr. Cooksey said and how much is on the shelf from previous years' that we are proposing to draw this \$1.2 from?

Ms. Wideman said we have a carry-over balance of \$4 million.

Mr. Cooksey said carry-over of \$4 million, so once that, if this passes, we have \$2.75 million left in that carry-over getting about \$4 million a year?

Ms. Wideman said yes sir.

Mr. Cooksey said and this has been a repetitive theme, let me once again ask it. What else could this money be used for other than subsidizing housing development. Because I have read, for example that on the HUD website that infrastructure is an acceptable usage for it. Does that mean that we could go out and use it for just sidewalks?

Ms. Wideman said CDBG eligible activities includes affordable housing and removal of slum and blight. To answer your question directly, you could use it for infrastructure if it is associated with a low to moderate income development.

Mr. Cooksey said so there has to be housing being created to use it for any other infrastructure?

Ms. Wideman said yes sir.

Mr. Cooksey said I want to try something let me offer if I may a substitute motion Mr. Mayor, see if I get a second for it.

A substitute Motion was made by Councilmember Cooksey, seconded by Councilmember Dulin, the same A and B read by Councilmember Kinsey but add an Item C; to return previous years' un-programmed CDBG grant money to Washington.

Mayor Foxx said there's a Motion that's been put on the floor, is there a second?

Councilmember Dulin said can you explain that a motion?

Mr. Cooksey said I think I need a second to get into it.

Councilmember Dulin seconds the motion.

Mr. Cooksey said my point in making this is that we've got this money sitting on the shelf that we can use only for limited purposes and there have been no proposals brought forward for how to use it. We have lobbied as a Council in Washington for the continuation of the CDBG program nationwide as part of our annual civic duties. So to find out that we've got \$4 million sitting on the shelf unused that is specifically designed as a Washington program to help redevelop cities, suggests to me that if \$1.25 million of this previous allocation is all that we have a use for then in conjunction with using part of that allocation for \$1.25 million for the Mecklenburg Mill, why not, as a gesture, send the remaining \$2.75 million on the shelf back to Washington so they can find a city that might actually be able to use it.

Mayor Foxx let me say this, I do not support the substitute motion, primarily because I think there are several uses to which the money could be put. And in fact, since we're going to have our affordable housing workshop on Wednesday, let me suggest one that I was going to suggest on Wednesday anyway. We've had an awful lot of conversation on the City Council about the need to address affordable housing and the need to address clustering of poverty. Which in some ways can be considered harmonious things to deal with and in some cases may not be harmonious. They may run against each other. There is the possibility now that we could use some of that money, and again I haven't even talked to the staff about this which can be a little dangerous; but there is a possibility that we could use some of that money to do a rental subsidiary program that would help us both house more people and do it immediately, not with new construction, but also to help us deal with some of the concentrations of poverty that we have in the City. There is also a conversation that is being held at the Housing Authority about supporting a rental subsidiary program. And I believe there is interest in the philanthropic community for leveraging the efforts of both of those bodies. That's something that I was going to talk to you about Wednesday but because of that I cannot support your motion because I do believe there is an active conversation that we should and can have about how to use the remainder of those funds. So that is why I cannot support you.

Mr. Cooksey said I call the question.

Mayor Foxx said lets go ahead and vote on the substitute.

A vote was taken on the Substitute Motion and was recorded as following:

YEAS: Councilmember Cooksey

NAYS: Councilmembers Autry; Barnes; Cannon; Dulin; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Mayor Foxx said back to the base motion. Mr. Cannon you had a question.

Councilmember Cannon said I do have a question Mr. Mayor just quickly for staff because I didn't notice it in our write-up and before I make any assumptions; Ms. Wideman or Mr. Manager, do we know if in the agreement that this states that there will be no level of additional monies from the City to be asked for? Can you address that?

Ms. Wideman said yes sir Mr. Cannon we plan to write that in the Agreement that will be executed with TCB that there will be no room to come back for any further "ask" from the City.

Mr. Cannon said you plan to write it?

Ms. Wideman said we will write it in the Agreement sir.

Mr. Cannon said o.k. so are we fine then approving the motion as is with the assumption that you're going to write that in and it will not come back to us for an additional ask?

Mayor Foxx said I think it's stipulated by the staff.

Mr. Cannon said if it's stipulated by the staff, then I am fine with that. I just wanted to make sure that's the case.

Councilmember Howard said if you will remember from a couple of weeks ago this one was a tough one for me and it continues to be a tough one for me to be honest with you and I have three things that I had problems with. That was fairness, fairness to the other bidders; the per unit cost and then the lack of what I thought at that time was looking for other funds. So let's take those one at a time. Fairness for me was because I have a real respect for the other developers that actually bid on this project. They are good people and they've done a lot of good things in this community. The fairness is from the standpoint that I felt like a lot of the pressure that we were getting and the emails we were getting really kind of put the pressure on us to figure it out when I think we did exactly what we said we would do some months ago by putting it out for bid and then letting somebody win the bid and they got it. I kind of felt like it was not fair to us because the pressure should be on the development team not us. The per unit cost because I thought the unit cost was pretty high. And I still feel like the cost is a bit high on Johnston; I'm still trying to figure out how you can do that building for \$22 million and this one took \$15 when Johnston is almost double the size but I am encouraged by the fact that with this new proposal the costs seemed to have come down to about \$26-\$25,000 which puts it right in that range that the City would normally invest in a project like this.

The final one is looking for funds. I just felt like after one year, that didn't seem to be enough time to really look for funds that would support a project like this. There seems to be foundations across the country if not the world, that would enjoy investing in buildings like this. But I would like to commend my own colleague, Councilmember Mitchell, and then the city staff who in just a couple of weeks' time went out and they found philanthropic donors as well as our corporate community to come together to what could be about \$1,000,000 in support. I do wish the developers had put their effort into doing that, but I thank Mr. Mitchell and the staff for doing that. You guys should be commended. So when you take into consideration the transit implications; the fundraising that's happened; and the fact that I do feel like I think one of the gentlemen that came to the dais said, we can be finished with this once and for all; when you add in the pledge, I think I can vote for it tonight but I do want you to know that I don't want to hear about it again. So I take that pledge very seriously and I hope that they do exactly what they told us this time. Because there are a lot of good reasons to do it, so anyway I'm going to vote yes tonight Mr. Mayor.

Councilmember Mayfield said I'm not supporting the additional funds from the City and there's a couple of different reasons why. One I personally feel with all the information that has been

provided, that this is in essence the City buying back the initial investment that was made. I still have concerns regarding saying well I didn't know that it would be the extensive damage that was discovered when at the last meeting, it was as simple as me sitting here and pulling it up on line and putting it Mecklenburg Mills and the fact that there had to be an evacuation because of all the termite damage. I also have a concern regarding whether or not they are really going to be able to not only complete this development, but also the second part since it wasn't until I asked a question as far as what happens to Johnston Mill that it was even a consideration. And as someone who has lived in Charlotte for over 20 years and have seen the difference of N. Davidson and 36th Street long before it became NoDa under the wonderful name of gentrification; there is a concern when we say we're trying to preserve this building when in essence maybe a few bricks will be restorable to stay there. And if we're talking about this type of investment which is more than \$7 million dollars over the long haul and at the end of the day for 48 units, this is not a 200, we're not talking about 200 units, we're not even talking about 150 units, I have a clear concern of us continuing to put funding into this project. But I also definitely hear the need to want to preserve and I hear from some of my colleagues that they want to move forward but I did need to share why I do not support this proposal.

Councilmember Dulin said Ms. Mayfield said that pretty well. It's still, it is not affordable housing, with the new numbers, the smaller "ask" from the City now we've got it down look, our new write-up you guys has the money now down to \$14,464,785 for 48 units. And that's got the number now down to \$301,000 a unit. You know my guess there are a lot of houses in NoDa, a lot of homeowners who would say sure I'd take \$301,000 for my house. We're talking about a one or two bedroom apartment. The numbers don't work out and by the way, I don't have any doubts that this development group, this man's come down here from Boston today, I don't have any doubt that he does not have the expertise to go build this project. What I have a doubt on is that he can pull it off for the numbers that he's saying. And I'm not going to support throwing another \$1,250,000 after the \$6,000,000 we've already lost in this building tonight. And so I suspect I'm going to be with a couple of us in the minority and the project will go through but I'm going to be a "no" vote so we're not going to throw more good money out for bad and good luck on the project.

Councilmember Barnes said Mr. Mayor I may as well put in a minute or two. Everybody has spoken except me tonight on this issue. Just a couple of observations; one I've been sitting here reading the materials and I see, Ms. Kinsey the "B" piece where we are giving the waiver and I also see that they've taken a third percent of AMI out of the deal and it's all 50 or 60% of AMI. Two, I see that by essentially refunding the full purchase price, we're back to \$6.7 million which is what we had in this thing to start with. Thirdly, I see that if everybody had known a year ago that we would give them the property for an RFP, we probably would have gotten some fairly creative proposals. Fourthly, I absolutely appreciate where you are coming from and wanting to save the property. The Virginia Paper Company building coming down, I'm not surprised it happened because of the location, but I certainly understand the sensitivity to continuing to essentially tear down our history. So just a few observations, but thank you for your leadership.

Councilmember Kinsey said I just want to reiterate when we are figuring unit costs, we're figuring it on the money we're putting into it. We can't figure it exactly on some of the other money and so really it's a \$26,000 unit cost just as Mr. Howard said. So it really depends on which numbers you're using. And I also think we made the decision way before the Community Builders were involved to spend on this project, even before we were on Council. So I don't think we can really blame them or hold them accountable for what we've already spent. We did it we decided or another Council decided, rightfully or wrongly? But I think right now we just need to move ahead and I'd like to call the question Mr. Mayor.

Mr. Cooksey said I've lost a number of votes on the topic of these properties. I was ready to settle without any conditions the last time we went through, but lost that one because a majority of Council wanted to put the preservations and subsidized housing provisions in there and interestingly enough I have noted that the TCB came back with more lower income units than we'd actually asked for, which I thought was interesting. I've tried to get un-programmed CDBG money returned to places where it might be of some use since we didn't have a use planned, it has always been sat un-programmed until this operation instead of capital proposal came up and I lost that. And I'm the one that's got to sleep at night and look in the mirror with

the votes so I'm going to wind up voting yes for this on this simple point. This money is going to be spent for subsidized housing. And if you oppose spending this money for subsidized housing in their backyard, I can only presume you want it spent in your backyard and I'm going to take the folks that are asking for it now rather than folks who are asking for it later.

Mayor Foxx said all that said, it's very good conversation, very good debate let's go ahead and have a vote.

The vote was taken on the Motion and was recorded as follows:
YEAS: Councilmembers Autry; Barnes; Cannon; Cooksey; Fallon; Howard; Kinsey; Mitchell and Pickering.
NAYS: Councilmembers Dulin and Mayfield.

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ITEM NO. 14: FEDERAL LEGISLATIVE SERVICES AGREEMENT

Councilmember Dulin said Mayor and Council before you this evening we have an item to approve renewing the City's federal legislative services agreement with Holland and Knight, Washington, D.C. The Governmental Affairs committee consisting of Vice Chairman Fallon, Councilmembers Cannon, Mitchell and Ms. Pickering have met and considered this issue on October 1st, meeting and unanimously voting to recommend that council renew the contract. The term of this renewal is for three years with the option of renewing for an additional one year term as directed by the City Manager. There is an increase in this agreement for the first time in six years from \$198,000 to \$210,000 which the committee believes is very well deserved. Over the last couple of years the Government Affairs Committee has worked closely with our committee staff Ron Kimble and Dana Fenton to get more value out of our relationship with Holland and Knight. Just the past year Holland and Knight has worked with our delegation and congressional leadership and the administration. They have also worked closely with the Mayor and Council and the City Manager's office and CATS. The control tower and the federal courthouse are two of the projects that they are working on for us at this particular time. Also Holland and Knight works closely with our council members as we attend National League of Cities conference in Washington, D.C. every year. The briefing of federal issues they provide us every year at this conference are very informative and provide the needed context for our visits to the our congressional delegations and federal officials.

Motion was made by Councilmember Dulin, seconded by Councilmember Cannon to approve the Government Affairs Committee recommendation to approve a three-year agreement with Holland and Knight LLC for federal legislative services at an annual fee up to \$210,000, and authorize the City Manager to execute up to two, one-year renewals.

Councilmember Barnes said just a quick question for the Chair; Mr. Dulin, first was the \$12,000 increase a part of the committee's thinking and why, why a thousand? And secondly is the \$210 billed hourly?

Mr. Dulin said no that is by contract and will be paid to them more than likely, I would have to ask the manager, monthly and will not rise or fall depending on if we use them more or less. The other question was the \$12,000 and the committee; they haven't had an increase in that relationship now I believe in six years, maybe five years, yeah in two years. But the Committee voted unanimously to give them an increase in their contract.

Mr. Barnes said is it two or six?

Dana Fenton, City Manager's Office said Mr. Barnes I think you asked how much the increase was?

Mr. Barnes said no, was their last increase six years ago or two years ago?

Mr. Fenton said two years ago.

Mr. Barnes said and what was that increase from?

Mr. Fenton said from \$180,000 to \$198,000 annually. Their previous increase up to \$180,000 that had been five years.

Mr. Barnes said and so we send them \$17, \$18,000 a month?

Mr. Fenton said currently we pay \$16,500 per month. It would rise to \$17,500 per month.

Mr. Barnes said and we send that, Mr. Fenton regardless of whether they are active for us in any given month?

Mr. Fenton said it depends on how you define the term active. They are always working in some fashion, perhaps here we don't see it as much as some times of the year, but they are always working for us on our behalf.

Mr. Barnes said thank you.

Mr. Dulin said Mr. Barnes for instance just in this past year, they were instrumental in the \$50 million dollar federal grant for the DNC; they've been our lead on the Blue Line Extension.

Mr. Barnes said I'm just asking question.

Mr. Dulin said I cut that part out to try and be brief.

Mr. Barnes said wondering if there was a better way to have the service provided, like an hourly billing.

Mr. Dulin said they are all lawyers I would prefer to have them on contract.

Mr. Fenton said it would be a lot more expensive. We deal with them weekly.
Mr. Dulin said I call the question Mr. Mayor.

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

Mayor Foxx said thank you for your leadership and thank the committee.

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ITEM NO. 15: FEDERAL FULL FUNDING GRANT AGREEMENT FOR LYNX BLUE LINE EXTENSION PROJECT

Mayor Foxx said Item 15, I want to, first of all get a motion on the table on this.

Motion was made by Councilmember Barnes seconded by Councilmember Howard to Adopt a resolution authorizing the City Manager to negotiate and execute a Full Funding Grant Agreement and grant contract with the United States Department of Transportation, Federal Transit Administration (FTA) for a 50% financial share of the cost of the LYNX Blue Line Extension (BLE) Northeast Corridor Light Rail Project, with a maximum federal New Starts share of \$580,042,248.

Mayor Foxx said now I'd like to talk about it for a second, for those who are watching on television and don't see this on your piece of paper; this is a federal full funding grant agreement for the Lynx Blue Line extension project. This is an action to give the manager the authority to negotiate and execute such an agreement. To translate that into English; this is the culmination of work that has been going on since 2008, 2009 to really get this next extension of our light rail project done which is a 10.6 mile extension that would go from the current line up to the

University City area into the UNC Charlotte campus. There are lots of people to thank along the way for getting us to the point; not the least of which is Carolyn Flowers who really stepped in at a time when our sales tax revenue was really hitting the tank and has had to navigate through lots of different challenges and has been a real champ all the way through. Curt Walton, Dana Fenton, a host of other folks on the city staff and I'd also like to include the Mecklenburg Delegation to Raleigh and the North Carolina Delegation to Washington for supporting this project.

For citizens this will be the single biggest public works project in the City's history. It is greater than a billion dollars and half of the resources will come from the federal government which is what this full funding grant agreement is all about. Contextually and I'm going to just talk about, every time transit comes up I will talk about it because there's a lot to the story and part of the story is that in 1998 Citizens passed a referendum creating the half cent sales tax. At the time looking at the plan which I've done recently; it's interesting when you look at it because there's actually bus rapid transit design for the University City area. I didn't know that but I saw it. There was a question about where it should go out in the Independence corridor, still questions there, but the plan has become our blueprint for not only building transit, but building a managed growth strategy for the City. And that has become even more important now than it was then because we've run out of property we can annex. So we can't grow out as quickly and as easily as we could before and yet we are still seeing population growth coming in.

The question becomes how do you integrate that population growth into our city? Well the way transit does it is that just like the south corridor line has a series of multi-family mixed use developments that go down that south corridor line, you can pack dense population along those transit corridors, those folks will use it. That's one of the ways we're going to manage growth in our City long term. So in many ways transit can be transformative we've seen more than \$1.4 billion dollars of investment in the south corridor line. This project promises to equal or exceed that in terms of investment which will be tremendous. We've seen transit oriented development which I just talked about emerge along these corridors and frankly transit is the secret ingredient to our growth strategy as a city as I've alluded too.

A couple of notes though, tonight we approve this agreement and I hope that in the next coming weeks we actually get an agreement signed which will be a great day for the City but as soon as that agreement is signed; I can almost guarantee you that we will never see another agreement like it in the future. The funding environment at the federal, state and even at the local level have all changed for different reasons. One of the reasons we continue to have a conversation about our own transit system, what we can do with the north line, going up to the north parts of the county, the street car; the reason we're having that conversation is because at the local level the sales tax is tapped out. At the state level there continues to be question about the relatively level of support for transit for projects beyond this one and at the federal level there are questions about whether the funding will be in place as the federal government addresses deficit reduction in a real way. And so for us we may find ourselves having a great blueprint on paper for how we manage growth in the future and relatively few ways to actually pay for it.

Now I happen to think that the worst thing we can do as a community is give up on that transit plan and so I will celebrate the signing of this agreement because I think it is absolutely probably the only project like it that will get funded this year. And we are very very fortunate to have great people working on this project to get us there including the district representatives both Ms. Kinsey and Mr. Barnes. But we are also challenged because going forward this City needs a growth strategy and the growth strategy is heavily tied to transit. So I don't have to remind you the subtext of what I'm saying. But we have to figure this out one way or the other and I look forward to us doing that. With that I'd like to just go ahead and have a vote on this.

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

The resolution is recorded in full in Resolution Book 43, at Page 908-909.

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ITEM NO. 16: MCALPINE CREEK WASTEWATER TREATMENT PLAN EFFLUENT FILTER EXPANSION GUARANTEED MAXIMUM PRICE CONSTRUCTION CONTRACT.

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey, and carried unanimously, to approve a Guaranteed Maximum Price construction contract with the Design-Build Team of Crowder Construction and HDR Engineering in the amount of \$25,500,000 for construction of the McAlpine Creek Wastewater Treatment Plant Effluent Filter Expansion Project.

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ITEM NO. 17: INCENTIVE GRANTS FOR BEARDOW ADAMS INC.

Motion was made by Councilmember Howard seconded by Councilmember Fallon and carried unanimously to (A) Approve the City's share of a Business Investment Grant to Beardow Adams Inc. for a total estimated amount of \$28,082 over three years (Total City/County grant estimated at \$78,988), and (B) Approve contracts with the NC Department of Commerce (NCDOC) and Beardow Adams Inc. for \$37,600 for a North Carolina Grant from the State to Beardow Adams Inc.

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ITEM NO. 18: RECRUITMENT AND SELECTION PROCESS OF CITY MANAGER

Mayor Foxx said very quickly I want to thank Cheryl Brown and Carol Jennings and Curt Walton when the news came of the City Manager's retirement the staff quickly worked on a time table for us as well as reached out to search firms to help us with this process. Just having looked at it and thought about it some I wanted to just add a couple of points. This process is the most important decision we will probably make because it determines long after you and I are up here who's leading the City and steering the ship. When I look at this schedule, this schedule is very tight. I mean very, very tight and I do have some concerns about whether it is doable but willing to try it if that's what the will of the Council is. It is presented to you as a starting point for discussions so now is our opportunity to discuss it. So I'm going to start the discussion there and see what comments folks have.

Councilmember Mayfield said Cheryl I have a question for you I'm just trying to get an idea of the difference in the proposals and the cost of the proposals that we've received when one company has limited public sector experience compared to the other two proposals. So I'm just trying to get an idea of that cost differential.

Human Resources Director, Cheryl Brown said there are firms that will price their work based on a particular percentage of a starting salary and that is the practice of the first firm that you see there with the larger costs.

Ms. Mayfield said so it's a percentage of the salary?

Ms. Brown said yes and the others are a fix based price with the expenses piece included in there.

Ms. Mayfield said so those are the actual total prices?

Councilmember Barnes said I wanted to one, propose to the Council that we select a particular consultant but I also talk about the timeline a bit. I would like to extend the timeline in each phase by two weeks beginning with Item E. And I say that because today is October 8th and we are suggesting that the application period be closed by the 2nd of November? And I'd like for us to have a bit more time to get applications. Again only extending by two weeks from Item E on out, I don't think we should draw it out too long. Also I did some research on the top three consulting firms that were listed and it struck me that Waters was a diverse firm, that it has done

work in similar size cities. The only suggestion I would make there is that the pricing be \$23,500 plus expenses up to \$5,000 or some other number but up to as opposed to anticipated at less than, but it could be 50 or some other number. If I could make a motion,

A motion was made by Councilmember Barnes seconded by Councilmember Mayfield to select Waters with the expenses being allowed up to \$5,000 and that we extend the time frame by two weeks beginning with Item E.

Councilmember Mitchell said I'd like to actually submit a substitute motion. First of all staff thank you for providing this information for us, but I do think there are two main areas that I think we ought to refer this to Council Manager Relations. One is the job description. I think if you look at the job description we have in front of us we have something that was developed in 2007. Our City has really changed now and I think I would like for at least the Committee to look at and make sure we're comfortable with the job description; we're going to make some more changes. And also Councilmember Barnes you touched on it. It is the timeline so I know it's 5 minutes after 9:00; and we could be talking around here for another two hours. So Council if you all could accept the substitute motion, Council Manager meets on Monday, October 15th, so this is something we can put on our docket very quickly.

A substitute motion was made by Councilmember Mitchell to refer Item 18 Recruitment and Selection Process of City Manager to the Council Manager Relations committee to discuss the process only.

Councilmember Cannon said Councilmember Mitchell I think your request is right on point I'll support that. One of the things I'm concerned about is as you pointed out and Councilmember Barnes the timeline, I feel like we're into a hurry up offense type of position and we're trying to score with maybe two seconds on the clock and I just, I wonder if the Committee would discuss issues around if we are, do we have to be in such a rush versus making a very well informed decision about who would help us to manage the City going forward, it's really important and it may be there's some level of discussion around an interim individual whomever that might be. How do we go through that process what it looks like, etc. I just offer that up in terms of one, concern that I feel rushed, I feel we're being rushed and wonder if we could just sort of take our time through getting the right person for the job.

Mr. Barnes said in response to that I won't support the substitute for a couple of key reasons. One, it's my impression and our H.R. Director can speak to it that Waters is not in a position where they won't be able to perform over the next six weeks. I think they could provide candidates and if the candidates aren't acceptable to us I think we'd have the right to say, keep working. Secondly, if baseball was a committee of the whole decision, this should be too. There is no reason this should go to a committee. If we as a group of eight could decide.

Mr. Mitchell said the baseball did go to Economic Development Committee.

Mr. Barnes said it became a committee of the whole type deal when we were working on those meetings upstairs and such. This is such a big deal that it should be something that we all work on together, in other words I don't want to send it through a committee.

Mr. Howard said we would bring back recommendations.

Mr. Barnes said no I think we should all work on, this is too big a deal to have something come out of a committee 4-1 or 3-2 or even 5-0 with all the things that go on in our committees. I'm very comfortable having us talk about this as a group of 12 and again I like the idea the consultant beginning work. If they come back with something we don't like, we'd say look, keep working, in my opinion.

Councilmember Kinsey said I don't know any of these and I, like you, have not had too much time. I realize we are supposed to trust our expert here but did the firm that worked for us before are they on here, the firm that we used when we hired Curt?

Ms. Brown said no ma'am they're not.

Ms. Kinsey said did we send out an,

Ms. Brown said no ma'am I did not.

Ms. Kinsey said why not, I think they did a good job. I don't know I'm okay with it going to committee, if it doesn't go to committee I'm not ready to decide tonight who to hire. That's my problem.

Mayor Foxx said look we've got lots of ways we can slice this onion. It can go to committee, we can have further conversation with the Council if folks want to do that. There's a substitute on the table to send it into committee and I do sense some un-readiness on the Council's part to pick firms tonight; it seems that Mr. Barnes is ready but I do sense un-readiness from others.

Mr. Dulin said I need to ask a question to the maker of the motion, the substitute motion.

Mr. Mitchell said yes sir?

Mr. Dulin said what your motion is, is to send this to committee to discuss the process only?

Mr. Mitchell said correct.

Mr. Dulin said and then you will come back to us?

Mr. Mitchell said correct.

Mr. Dulin said and so the dais won't be excluded from candidate discussions?

Mr. Mitchell said correct, just a process.

Mr. Dulin said I'm glad I asked that question, I can support this then.

Mr. Barnes said let me ask you another question, what was the urgency of the email you sent when you set this up for tonight?

Mayor Foxx said well the urgency was to give us some options to make a decision before we had no one in place, and that's what the staff has put together. I did not put this time line together. I've not played a role in going through these various firms. In fact you probably know more about them than I do at this point. But the point of it was is that the Council needed have starting point to talk about how we might move through this conversation and that's what the same urgency was. If we had waited another meeting or two we wouldn't be able to have this conversation tonight.

Ms. Fallon said can I ask you, Ms. Brown, why we didn't ask the company that worked before which seemed to work very well, both for the police chief and for the city manager, why you didn't ask them?

Ms. Brown said well the company that did the police chief search is included, Waters is the company that conducted the search for the police chief.

Ms. Fallon said right and the city manager?

Ms. Brown said the city manager's search in 2007, there were some concerns that we had with the firm and with the process and I'd rather just leave it at that.

<p>A vote was taken on the substitute motion and was recorded as follows: YEAS: Councilmembers Autry; Cannon; Cooksey; Dulin; Howard; Kinsey; Mayfield; Mitchell and Pickering. NAYS: Councilmember Barnes and Fallon.</p>
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CONCLUSION OF CONSENT AGENDA

Item No. 24: Traffic Signal Installation at Brookshire Boulevard and Hovis and Oakdale Roads.

Councilmember Mitchell said I pulled this item it's just information update. The citizens of Oakdale and Brookshire's traffic signal light will be installed.

Motion was made by Councilmember Mitchell seconded by Councilmember Kinsey and carried unanimously to award the low bid of \$249,999.49 to Bryant Electric Co. for traffic signal installation at the intersection of Brookshire Boulevard and Hovis and Oakdale roads.

Summary of Bids

Item No. 29: Enderly Park Neighborhood Improvement Project

Councilmember Mayfield said that one is mine Mr. Mayor and it's just for clarification, for the Enderly Park Neighborhood Improvement Project, just wanted to say thank you for all of you that supported the Bond Measure in 2008.

Motion was made by Councilmember Mayfield seconded by Councilmember Barnes and carried unanimously to award the low bid contract of \$2,991,971.70 to United Construction Inc. for the Enderly Park Neighborhood Improvement Project.

Summary of Bids:

United Construction Inc.	\$2,991,971.70
Sealand Contractors Corp.	\$3,053,628.87
Blythe Development Company	\$3,064,155.00
Bullseye Construction, Inc.	\$3,127,528.62
Triangle Grading and Paving	\$3,397,100.61
Showalter Construction Company, Inc.	\$3,459,142.95
Blythe Construction, Inc.	\$3,763,097.58

Item No. 32. Bongaard Pond Water Quality Enhancement Project

Councilmember Dulin said I pulled that Mayor, I'm going to vote no on this motion because we're fixing a private dam and lake with no assistance from the private dam and lake owner. As oppose to the other way to say that phrase. So I'm going to vote no, I'll let someone else make the motion.

Motion was made by Councilmember Howard seconded by Councilmember Kinsey to award the low bid contract of \$412,112.50 to OnSite Development, LLC for the Bongaard Pond Water Quality Enhancement Project.

The vote was taken on the Motion and was recorded as follows:
YEAS: Councilmembers Autry; Barnes; Cannon; Cooksey; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.
NAYS: Councilmember Dulin

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ITEM NO. 20: APPOINTMENTS TO BOARDS AND COMMISSIONS

A. Airport Advisory Committee:

The following nominations were made for two appointments for two-year terms for applicants residing outside Mecklenburg County as recommended by the Executive Board of the Charlotte Regional Partnership beginning November 2, 2012.

Peter Acker was nominated by Councilmembers Autry, Cannon, Cooksey, Dulin, Fallon, Howard, Kinsey and Pickering.
Stephen Gedney was nominated by Councilmembers Autry, Cannon, Cooksey, Howard, Kinsey and Pickering.

Motion was made by Councilmember Cooksey, seconded by Councilmember Mitchell, and carried unanimously, to appoint Peter Acker and Stephen Gedney by acclamation.

B. Bicycle Advisory Committee:

The following nominations were made for two appointments for three year terms beginning January 1, 2013.

Haley Beaupre was nominated by Councilmembers Autry; Barnes; Cannon; Cooksey, Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.
Andrew Pike was nominated by Councilmembers Barnes, Cooksey, Dulin, Fallon, Kinsey, Mayfield and Pickering.
Keith Sorensen was nominated by Councilmembers Autry, Cannon, Howard and Mitchell.

Motion was made by Councilmember Barnes, seconded by Councilmember Mitchell, and carried unanimously, to appoint Haley Beaupre and Andrew Pike by acclamation.

C1. Charlotte Housing Authority:

The following nominations were made for two appointments for three year terms for at-large members beginning December 18, 2012.

Pamela Gordon was nominated by Councilmembers Autry, Barnes, Cannon, Cooksey, Howard, Kinsey, Mayfield, Mitchell and Pickering.
Richard Payne was nominated by Councilmembers Cooksey and Fallon.
William Scurry was nominated by Councilmembers Barnes, Cannon, Fallon, Mayfield and Pickering.
Frank Spencer was nominated by Councilmember Dulin.
Stephanie Tyson was nominated by Councilmembers Autry and Mitchell.
Beverly Reynolds was nominated by Councilmembers Howard and Kinsey.

Motion was made by Councilmember Barnes seconded by Councilmember Cannon and carried unanimously to appoint Pamela Gordon by acclamation and leave the other nominations until next time.

2. Charlotte Housing Authority:

The following nominations were made for one appointment for a three year term for a resident of low incoming housing beginning December 18, 2012.

Marcia Simpson was nominated by Councilmembers Autry; Barnes; Cannon; Cooksey; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Motion was made by Councilmember Barnes, seconded by Councilmember Kinsey, and carried unanimously, to appoint Marcia Simpson by acclamation.

D. Charlotte International Cabinet:

The following nominations were made for one appointment for an unexpired term for a representative of a non-profit corporation beginning immediately and ending June 30, 2013.

Mable Hemphill was nominated by Councilmembers Barnes and Mayfield.
Candace Murray was nominated by Councilmembers Autry, Cannon, Cooksey, Dulin, Kinsey, Mitchell and Pickering.
Stephen Rosenburg was nominated by Councilmember Fallon.

E1. Charlotte Mecklenburg Development Corporation:

The following nominations were made for one appointment for an at-large representative for a three year term beginning November 1, 2012.

Andrew Gerber was nominated by Councilmember Dulin.

Thad Walton was nominated by Councilmembers Barnes; Cannon; Cooksey; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Motion was made by Councilmember Howard, seconded by Councilmember Barnes, and carried unanimously, to appoint Thad Walton by acclamation.

E2. Charlotte Mecklenburg Development Corporation:

The following nominations were made for a representative of a non-profit organization for a three year term beginning November 1, 2012.

Charle'on Macon was nominated by Councilmembers Autry; Barnes; Cannon; Cooksey; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Motion was made by Councilmember Barnes, seconded by Councilmember Mitchell, and carried unanimously, to appoint Charle'on Macon by acclamation.

F. CMUD Advisory Committee:

The following nominations were made for one appointment for a water/sewer contractor for an unexpired term beginning immediately and ending June 30, 2014.

Michael Van Zytow was nominated by Councilmember Autry.

Pride Patton was nominated by Councilmember Mitchell.

Motion was made by Councilmember Mitchell seconded by Councilmember Cooksey and carried unanimously to leave nominations open until the November 12, 2012 Business Meeting.

G. Housing Appeals Board:

The following nominations were made for one appointment for a City within a City tenant for a three year term beginning January 1, 2013.

James Guntrum was nominated by Councilmembers Autry; Barnes; Cannon; Cooksey; Dulin; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Motion was made by Councilmember Barnes, seconded by Councilmember Howard, and carried unanimously, to appoint James Guntrum by acclamation.

H. Keep Charlotte Beautiful:

The following nominations were made for one appointment for an unexpired term beginning immediately and ending June 30, 2015.

Hung Chau was nominated by Councilmember Kinsey.

Larissa DiMaria was nominated by Councilmember Howard.

Kelley Hyland was nominated by Councilmember Dulin.

Charles Jewett was nominated by Councilmember Pickering.

Robert Rapp was nominated by Councilmember Cooksey.

Winston Sharpe was nominated by Councilmembers Autry, Barnes, Cannon, Fallon, Mayfield and Mitchell.

Motion was made by Councilmember Barnes, seconded by Councilmember Kinsey to consider nominees for Keep Charlotte Beautiful for appointment at the November 12, 2012 Business Meeting.

The vote was recorded as follows:

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

NAYS: Councilmember Mayfield

Councilmember Cooksey said in this case, leave open I presume means we will vote on it next time, not that people can still make nominations.

Mayor Foxx said that is correct.

I. Privatization/Competition Advisory Committee:

The following nominations were made for one appointment for an unexpired term beginning immediately and ending March 1, 2014.

Jaye Alexander, II was nominated by Councilmembers Autry, Barnes, Cannon and Mayfield.

Sonya Barnes was nominated by Councilmember Mitchell.

Natalie Brown was nominated by Councilmember Howard.

Robert Diamond was nominated by Councilmembers Cooksey, Dulin, Fallon and Kinsey.

Alexander Vuchnich was nominated by Pickering.

J. Tree Advisory Commission:

The following nominations were made for two appointments for three year terms beginning December 14, 2012

Ann Macon-Ellis was nominated by Councilmembers Autry; Barnes; Cannon; Cooksey; Dulin; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Susan Tompkins was nominated by Councilmembers Autry; Barnes; Cannon; Cooksey; Dulin; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Motion was made by Councilmember Barnes, seconded by Councilmember Howard, and carried unanimously, to appoint Ann Macon-Ellis and Susan Tompkins by acclamation.

K. Waste Management Advisory Board:

The following nominations were made for one recommendation for reappointment by the Board of County Commissioners for a three year term beginning November 5, 2012.

Christopher Capellini was nominated by Councilmembers Autry; Barnes; Cannon; Cooksey; Dulin; Fallon; Howard; Kinsey; Mayfield; Mitchell and Pickering.

Motion was made by Councilmember Cannon seconded by Councilmember Kinsey and carried unanimously to appoint Ann Macon-Ellis and Susan Tompkins by acclamation.

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MAYOR AND COUNCIL TOPICS

Councilmember Barnes said I wanted to talk to you all briefly, now the lawyer in me is about to come out so this could take a few hours but I'm going to make it brief. I attended a meeting in the community of one of the Silver Fox's, Ms. Penn, last week. City Blvd. extension will be going past her neighborhood. The meeting that they held was with myself and some folks from Engineering & Property Management and they are concerned about access to their neighborhood from the new area where the road will be coming through and wanted to talk to us about installing a fence and whether we could partner with them in paying for the fence or whether we could pay for the fence and I wanted to ask the manager if he would provide us with a report and help us figure out how to help the community if we can. Tim Greene from Engineering & Property Management who is here by the way, is well aware of the situation and I think could

help elaborate on some of the concerns and I'd be happy to as well, but if there is no objection to that I'd like to ask the manager to provide us with some potential solutions for that neighborhood. It's called Great Oaks by the way.

Mayor Foxx said no objections, I don't see any objection to that.

Councilmember Cannon said Manager Walton, can we get an update on information at the airport concerning larcenies? There was an ABC New Report that came out recently and it peaked my interest in terms of what was happening at our own airport regarding larceny.

City Manager, Curt Walton said on property or off property?

Mr. Cannon said on property sir. If we could get between, I'd say baggage claim area down to the ground level piece as well and get some level of report back with regard to what may be happening there, I'd appreciate it. Thank you. Oh and also how we're utilizing our police right now out there I think the Council approved what may be about 18 officers or so I think out there at some point. I'd like to get an update on that too.

Councilmember Mitchell said Council I would like if we can refer the Electronic Gaming Operations formerly known as Internet Sweepstakes and Internet Cafes based on the tremendous interests and concerns expressed at the last month's zoning hearing concerning the text amendment to regulate and the uses. I request that we send this subject matter to Economic Development committee for further review and discussion.

Mr. Barnes said well what's the status of staff's work on it? Because Debra Campbell and her group are working on it now, what's the status?

Motion was made by Councilmember Mitchell and seconded by Councilmember Cannon to refer the text amendment for electronic gaming operations to the Economic Development committee for further review and discussion.

Mr. Mitchell said and I think Councilmember Barnes due to the public hearing, the text amendment, there are still a lot of questions. Ms. Campbell is okay with referring to Economic Development Committee to review it, I won't put words in her mouth.

Mr. Barnes said well I'd just like to know what the status is.

Planning Director, Debra Campbell said good evening the status is that the text amendment has gone to public hearing but based upon a lot of discussion that was expressed at that public hearing we would like to refer it to a committee to have more of a detailed dialogue about the subject matter.

Councilmember Cooksey said the procedural question is simply this, we left that hearing open, what does this motion do to that hearing which was open till next week?

City Attorney, Bob Hagemann said Ms. Campbell and I have had some conversation about that it was continued, so it will be on your agenda at the next zoning meeting. My recommendation would be, assuming that the committee is not finished with its work, to continue it again till the next month. Keep it open.

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

Councilmember Dulin said we all received this, Understanding Your City Water Services in our packet. This is great. I really enjoyed reading it and I'm in the game. I'm sitting here on the front row but I enjoyed this. It's simple, well done, you know I'd like to get this to every customer that we have, which is our citizens. This was really good stuff about how our water system works and I appreciate it. I'd love to figure out a way we could let our folks, our bosses see this.

Mr. Barnes said Mr. Dulin actually that relates to the vote that we just took on the dams.

Mr. Dulin said I'm more than willing to stop talking about that Mr. Barnes.

Mr. Barnes said in all seriousness, that's very much related to controlling downstream flooding, to controlling water quality throughout the City and I understand your reservations about it, but there's a good reason, and I've been voting for those projects for a while. There's a good reason for it. And what I'm saying to you is, you like that brochure, the reason you like that brochure is because of the work we're doing in part, in restoring dams.

Mr. Dulin said not really.

Councilmember Mayfield said I want to thank Falcon Meadows because they had an ice cream social last Friday where we had an opportunity to support our United Service Organizations and to support a local manufacturing company that's in District 3. I also wanted to look at making a motion for us to look at the NCAA Championship expansion under our amateur sports to be referred to the Economic Development Committee because I know now that we've had a successful DNC, we're probably looking at bigger and better things; possibly the super bowl, possibly the Olympics. Well I had an opportunity this past Saturday to speak to young ladies at KIP Academy and before leaving I had one of the parents/volunteers say why don't we look at expanding CIAA, NCAA before looking at some of these other larger opportunities. So I would want to make a motion for us to refer that to the Economic Development Committee under our amateur sports that we're looking into.

Motion was made by Councilmember Mayfield seconded by Councilmember Mitchell and carried unanimously to refer NCAA Championship expansion under our amateur sports and to be referred to the Economic Development Committee

Ms. Mayfield said I also want to say I had an amazing opportunity to participate in the east sides' Taste of the World. Unfortunately previous years I've always had a conflict, so thanks to Councilmember Autry, Jolisa and I had an amazing opportunity to actually participate along with Nancy Carter and so many other neighbors in the community and built some really good relationships. I wish that was something that we could do throughout the City but I definitely see why they east side was chosen because of all the diverse restaurants. And the last piece is we've had a conversation about ... land for a while regarding the old coliseum area. I would like to try to get an update on that and also look at if we need to refer that also to our Economic Development Committee so that we can get an update and find out where are we with ... land and for the residents that may be watching right now, that's the old coliseum area off of W. Tyvola.

Mr. Walton said it has been referred I believe. Yes, all of those TIF agreements that are stalled have been referred to the Economic Development Committee. That's one of them.

Ms. Mayfield said wonderful thank you, so I just need to do a follow-up to make sure.

Councilmember Autry said last month we had discussion about allowing our city employees to check off for their union dues and we had a report from the city manager's office and I think everyone's had an opportunity to review that. I would like to refer that to the Governmental Affairs Committee and see if we can get some motion on that.

Mayor Foxx said I think the issue is that we had said we were going to discuss it with the manager as part of his evaluation and since our last meeting; we may not be evaluating our manager. So I think the request is probably just to go ahead straight to the committee in lieu of that.

Motion was made by Councilmember Autry seconded by Councilmember Mayfield to refer allowing our city employees to check off for their union dues to the Governmental Affairs committee.

Mr. Cannon said Mr. Mayor I think what happened was we made that motion at the last meeting. Your suggestion was to go ahead and park it until we got that report from the manager and then it would be there. So I think I'd seconded it and either Ms. Mayfield or Mr. Autry seconded the

motion. Either way I guess it doesn't matter, when is the next meeting scheduled for? Government Affairs is Mr. Dulin's committee, November 5th?

Mayor Foxx said just to be clear, the triggering event would have been after the evaluation of the manager and would have automatically just referred to committee, but since we won't be doing that with Curt, it is parked there, but we just go straight to committee on November 5th, without objection we'll do that.

Mr. Cooksey said actually I do. I'll be the one voting no on that one.

Mayor Foxx said there's been a motion and second, Mr. Howard then Mr. Barnes.

Councilmember Howard said normally I have no problem sending things to committee. I think we should talk about a lot of things. In this situation I know how I'm going to vote when it comes back from committee because I agree with the manager's write-up on it. I think once we start down that route I don't know where we would stop. So I think I'm going to just vote the way I know I'm going to vote even when it comes back and we discussed this so this is not a surprise.

Mr. Barnes said I read the manager's memo and quite candidly I think that what we're looking at is an unnecessarily expansion of government and I don't support referring it and I also don't support doing it, because just as I direct my bank to pay my mortgage and my cable bill out of my bank account, any of our employees can do the same thing. And if ultimately we have to get out of the business of directing dues out of people's paychecks; then I'd do that. Because as you will recall, there was significant costs associated with the action. So I don't have any interest in continuing to drive up the cost of what we do.

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

AYES: Councilmembers Autry; Cannon; Fallon; Mayfield; Mitchell and Pickering.
NAYS: Councilmembers Barnes, Cooksey, Dulin, Howard and Kinsey

Councilmember Pickering said I just want to say what a wonderful event that many of us attended last Thursday morning which was the ribbon cutting at Mosaic Village. The student apartment housing near Johnson C. Smith University. Congratulations to Dr. Carter; State Senator Malcolm Graham; Councilmember Mitchell; the Griffin family unbelievable. I just want to say, I'm sure it's been said before but Charlotte is lucky to have a President of a University like Dr. Carter. This is a man who not only cares about his university but cares about the community at large. In my book he goes above and beyond the call of duty and we're lucky to have him. One thing that was said and I believe it was by you Mr. Mayor, which was that this is a down payment and I thought that was exactly the right word that morning. It is a down payment and we are committed to Beatties Ford road and this is the beginning of revitalization of it and it was a fantastic day so congratulations Johnson C. Smith University.

Mr. Cooksey said I just want to congratulate the Ballantyne Breakfast Club, the Ballantyne Chamber Chapter for a very successful second annual Ballantyne Festival. Appreciate the Mayor Pro Tem, Councilmembers Fallon, Pickering and Dulin for coming on down to it. The festivals and other similar events are great community builders, let's see did I miss somebody? You know at one point there was a second annual Mallard Creek Barbecue and look what it is today, at one point there was a second annual Hickory Grove Independence Day Parade and look at it now and you can find examples all over the City. I'm very happy to have been part of the second annual Ballantyne Festival and look forward to many, many, more to come.

Mayor Foxx said thank you Mr. Cooksey. One last announcement, there is a meeting with North Carolina Secretary of Transportation, Eugene A. Conti, Jr., this Wednesday October 10th from 4:30-5:30 in room 280. Basically City Council, MUMPO, MTC, CATS, C-DOT, Planning and City Manager and the topic is Looking at Transportation Challenges in the Future of the State so I just wanted to make sure that you all knew about that in case you are interested in being a part of it. Currently we are scheduled to have a budget retreat on October 30th, Tuesday from

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12:00 p.m.-2:00 p.m. at the Belmont Services Center and Thursday, November 15th from 2:00 p.m. – 4:00 p.m. we've had a request or invitation from Mr. Mitchell?


Councilmember Mitchell said Dr. Carter and Johnson C. Smith invited us to have the November 15th Meeting at Mosaic Village.

Mayor Foxx said in the spirit of taking it out into the community it might be a good thing to do. So with that thank you very much, have a good evening.

ADJOURNMENT

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

Length of Meeting: 5 Hours, 47 Minutes
Minutes Completed: March 1, 2013


Ashleigh Price, Deputy City Clerk