

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, November 26, 2012, at 4:43 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Cannon presiding. Councilmembers present were John Autry; Michael Barnes; Warren Cooksey; Andy Dulin; Claire Fallon; Patsy Kinsey; LaWana Mayfield, and Beth Pickering.

ABSENT UNTIL NOTED: Mayor Foxx, Councilmembers Howard and Mitchell.

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ITEM 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Pro Tem Cannon said Mayor Foxx is tied up on other business right now and will join us momentarily. I want to just go ahead and get us started relative to our workshop here or the briefing that we're going to have here. We have a couple of items; let me first ask if Council has any consent items that it wishes to pull? I know Councilmember Dulin has turned in his sheet he has no pulls.

Councilmember Fallon said I just have one, why are we changing the League of Cities from the 2016 to 2017?

City Manager, Curt Walton said I think because they had when we applied a year or so ago, they had other people in the queue and so I forget which city, I think maybe Chicago that is in 2016 so they just asked us to move one year back.

Councilmember Mayfield said I had four items there were pulled; 30-C; 30-D; 30-O and 30-P; and I'm waiting to get the response back on the question.

Mayor Pro Tem Cannon said so you've already put your request in? It's for C, D, O and P on Property Transactions?

Ms. Mayfield said yes the condemnations.

Councilmember Dulin said let's go back one, the National League of Municipalities meeting here and we moved our request from 2016 to 2017; The item in front of us is \$1.3 million total and we've already voted for that for the 2016 pursuit, does it just roll over? Not an additional?

Mr. Walton said yes sir the only thing that is different is the date.

Mayor Pro Tem said and that's not actually on consent.

Mr. Dulin said and our Council approved that before but because of a date change, it needed to be on this consent agenda?

Mr. Walton said yes sir.

Councilmember Kinsey said I want to just call everybody's attention to a letter at their place. It's concerning the rezoning that's on the agenda tonight; 2012-071 Lincoln-Harris Petition, the residents are really anxious to get this thing over with and would like for us to go ahead and vote tonight and I would be interested in going ahead and doing that if everyone would agree with that.

Mayor Pro Tem Cannon said that would be in context with a letter that you all did receive from a petitioner with regard to and asked to refer. But it appears that there may be some level of an impasse there I'm not quite certain, but I think that's where we are and so you've heard the pleasure of the District Representative I guess do we need to be able to take an official vote on something like that just to move it forward? I don't think we have too.

Mr. Walton said downstairs it's actually on your agenda, so you can decide then whether to vote or defer.

Mayor Pro Tem Cannon said so Council you've heard the pleasure of the District Representative and I would concur with that.

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ITEM NO. 2: PROPOSED 2013 STATE AND FEDERAL LEGISLATIVE AGENDAS

City Manager, Curt Walton said thank you Mayor Pro Tem, I'm going to defer to Mr. Dulin if he has some comments leading into the presentation.

Mayor Pro Tem Cannon said Councilmember Dulin acts as chair, Mr. Chair.

Councilmember Dulin said I'm going to make it very swift. The committee met with Vice Chair, Claire Fallon; Mayor Pro Tem Patrick Cannon and Councilmembers Mitchell and Pickering. And we came across a consensus that the items that Mr. Fenton will discuss with us or push toward, I should have read the agenda, Mr. Fenton thank you very much, the floor is yours.

Intergovernmental Relations Manager, Dana Fenton said for the last couple of months the Government Affairs committee has been looking at the state and federal legislative environment and we are coming to you tonight with proposed federal and state and legislative agendas. What you see before you tonight was approved on a 3-0 vote last month and tonight we're just here for information only. We will come back here in two weeks hopefully to get a vote of Council to adopt these as council policy for the coming year.

In addition to the Council, the Metropolitan Transit Commission is scheduled to meet in two nights from now in this very room on November 28th. They will also be adopting State and Federal Legislative agendas and the items in this presentation that are also part of the MTC agendas are marked by the label MTC agenda item. What we are trying to do there is to bring some commonality to both the MTC and the City Council Legislative agendas when it addresses transportation.

Looking ahead to 2013, the United States Congress will be convening early in 2013 and both the House and the Senate will be tackling a lot of the same issues that they were supposed to be tackling this year; long-term deficit and debt reduction and tax reform. They also have to do two different appropriation bills for FY13 and FY14. They are offering a continuing resolution right now that goes through the end of March for the current fiscal year, FY13. The North Carolina general assembly will be starting its long session at the end of January. The Republicans did gain veto proof majorities in the House added that on to what they gained two years ago in the Senate and they will have to deal with the bi-annual budget and also potentially looking at tax and transportation reform. They also have some other issues on their plate as well that are not listed here.

Moving to the 2013 Federal Agenda, the committee has recommended four issues to be in the agenda for this coming year. The first is to continue working with the Federal Aviation Administration to advance construction of the new airport control tower. As you all may recall, the commission of that tower is supposed to take place in Federal FY2019. We'd like to see that moved up a few years.

Mr. Dulin said I think this is information we all know, but this Charlotte tower has moved up from in the 60's and 70's down in the top 10. We are still behind the tower in Greensboro, North Carolina obviously the home area of Senator Burr; but our tower with our approach and our positive input to them has really worked well and did appear as we move into the agenda and as we go to Washington in March, it will really will be helpful for us to be there in numbers to help push this through.

Mr. Fenton said the second issue is the Blue Line Extension. Pursuant to the Federal Full Funded Grant Agreement that was signed just a few months ago. We would like to try to secure the funding for FY14 for construction. The Congestion, Mitigation and Air Quality program; is a program that you may have remembered that was referred to as CMAQ, its acronym. This is a program that provides funding for State and Local governments to put towards transportation projects that tend to lead to cleaner air in conjunction with the Clean Air Act. There was a prohibition or proviso put into this program when the Federal Transportation Program was reauthorized a few months ago that prohibits the use of these funds for operational type items. What that means now is that you can only use them for capital type items. However there are a lot of operational type items that we can

spend the money on and that there are plans to use that money for in the future; including helping to defray the expense of some express bus service that's planned to the outlying areas in our region and also to help with the Blue Line Extension operating dollars. The Blue Line Extension and CMAQ issues are both MTC agenda items. And finally the federal courthouse, there is a need for a new United States Courthouse here in Charlotte. We have been in the queue for several years and hopefully, right now we're in the queue or FY2014; we'd like to see it remain that way. That is, we would like to see the money be appropriated in FY14 for a new courthouse here so that the federal government can get going with construction of it.

Moving on to the next slide, this begins the State Agenda portion of the presentation. There are six items that the committee has recommended for inclusion in the State Legislative Agenda for 2013. The first has to do with the film production credits. The State of North Carolina enacted a comprehensive set of credits a few years ago and they put sunset dates on those credits so that you have to come back to the general assembly to continue those credits. The current sunset date is January 1, 2015 and that incentive is 25% of the qualifying expenses for a production. In order to keep the film industry coming to North Carolina, it's really necessary to get the sunset date eliminated or get it extended at the very least.

Next issue is the Long-Term Investment program. This comes to us from the Department of Finance. What the finance is seeking is authorization for the City to utilize what's called the "Prudent Person" standard for long term investments. The City has some long term funds such as employee benefit funds held in trust and risk and capital reserves; that could be invested in what are called moderate risk investments. Currently government funds for the most part are held and invested in the safest securities possible. This authority is similar to that held by the Charlotte Firefighters' Retirement System and it's also a best practice of the Government Finance Association. This would be a charter amendment that the general assembly would undertake to change the City charter.

The next issue is public transportation vehicles. In this item, CATS is requesting an increase in the maximum allowable length of public transportation vehicles. The current maximum is 45 ft. and they're asking for this to be raised to 60 ft. There are some higher capacity vehicles on the market that could be utilized.

Mr. Dulin said go back one slide please to the long term investment program. Are you able to talk Council through that a little bit in more detail about charter amendment and what that means to Council here and the folks watching?

Mr. Fenton said if you are referring to the City's charter, the City has a charter that's been approved by the North Carolina General Assembly and added to over time. Currently investments are addressed in the city charter, and therefore this will more than likely be a bill to amend the charter.

Mr. Dulin said is that, by the way, I'm asking a question that we don't know the answer to Dana. Is that common to do or uncommon and if you want to look over to Curt, that will be fine with me.

Mr. Fenton said I believe for issues like this and others the charter addresses quite a few different issues so it would be there's nothing out of the ordinary about this.

Mr. Dulin said the charter is somewhat fluid?

Mr. Walton said right it seldom changes but it does happen. We do that from time to time.

Mr. Dulin said this is not an uncommon request. Other municipalities are making the same requests.

Mr. Walton said well to amend their charter probably. On the long term investment it's only the largest cities and counties in North Carolina that have it.

Mr. Dulin said so my point here with councilmembers is as we talk to our legislative members and as we have breakfast here with them before their session starts in early January, we haven't set that date yet. It's not unusual for us to make this request. We're not asking them to stick their necks out

on something like this. It's something that we can do with a smile on our face and you know and a nice handshake.

Councilmember Fallon said alright when we do that and it loses money does the City make it up to the employees or is it just a loss like stocks would be?

Mr. Walton said no there's not a loss to employees, oh Greg popped up. Perfect, I'll see if he gets it right.

Director Finance Department Greg Gaskins said what we're asking here is not actually, you know we had already authorized this type of investment, the sole reason for this change in the charter and Bob was shaking his head over here if you didn't see him; it's common to make this kind of change in the charter. The sole reason for doing this is actually we already have done it. In fact this was authorized almost three years ago and we have experience already with investing these funds. It's a very small portion of the total amount of funds the City has. \$1.6 billion of funds invested in some form, we're talking about \$40 million dollars. O.k. so it's a real small amount. But that \$40 million dollars has earned this past year, 4.3% whereas the rest of the money has earned less than 1%. Now so you are taking a little bit of risk for these funds, but the reason why you're able to do that is because these are long term assets against long term liabilities. In other words if you had a loss in one year, you would still have 25 years to make that up. And the way it works is that, for example in this particular fund in the first six months, there were some losses on paper, but by the end of 18 months, you had 4.3% earning. That money is just still sitting there to be earned against those liabilities, it's such a small portion the reason for asking this change is, there has been a change in the marketplace and the new way that they are recommending the Governmental Accounting Standards Board (GASB) Board and the various people that do this, the Uniform Investment Act has changed to allow this type of authority. Our firefighters fund already has it; it is by the way, one of the higher percentage funds of its size in terms of meeting its investment goals in the United States and we want the same authority that they have. You have essentially the exact same risk you had when you approved it three years ago, but you're actually going to earn more money once you do this on that same amount of risk. We're not changing the risk, we're changing the earnings profile.

Mayor Foxx arrived at 4:58 p.m.

Councilmember Howard arrived at 5:01 p.m.

Mayor Foxx is presiding.

Ms. Fallon said so it's balanced over like 10 years, so it makes up for it?

Mr. Gaskins said exactly.

Mr. Dulin said Greg, thank you and I think that, I've heard that explanation before, I think for councilmembers, and we're talking about a large sum of money, I think it was helpful. Thank you very much I'm glad we backed up.

Mr. Gaskins said and by the way I will mention we are going to, sometime next year, we will be giving you the composite results. We have talked about this in Council when I did the CAFR but we haven't actually presented them. We are going to present the Council the full composite results of the funding what's been going on. So that will be something that will be done next year.

Mr. Fenton said moving on to public transportation vehicles, again what we are requesting here is an increase in the maximum allowable length of public transportation vehicles from 45 to 60 feet. The longest CATS bus length right now is 40 feet. And some of them have bike racks on the front that extend them out another 3 or 4 feet. And vehicles that are greater than 45 feet would be very useful for high ridership routes and potential BRT service in the future. This is also again as I said before, this is an MTC agenda item and will be considered by the MTC on Wednesday evening.

Councilmember Mayfield said this is looking at future purchases and is this also looking at us retiring the current as we are purchasing new buses, are we trying to get to the point where we are eliminating the 40 feet or are we just adding up to 60 feet along with the 40 feet?

Mr. Fenton said I think there are a couple of questions there, one is, this would only be used for the higher ridership routes, where you can obviously operate the buses safely; such as for example maybe interstate highways or for the bigger routes in the system. In terms of whether this will become, a greater than 45 foot bus would become a standard for CATS, I really can't answer, but Ms. Flowers is here in the event she might want to answer this.

Mayor Foxx said by the way for those of you who weren't able to make it this morning, we did celebrate the 5th year anniversary of the South Corridor Line. But that was a great event and Carolyn thanks again. I think Mr. Howard would like to congratulate you.

Councilmember Howard said you shared some really good information this morning about the safety and some other things about that line, at some point Mayor I would hope that we all get to hear that information. It's the safest light rail system in the country; we have a lot of good things. The "on-time" rate was like I don't know 100% or 90 or something. This is the kind of information I think Council would do go to know about.

CATS Director, Carolyn Flowers said will do and in response to Councilmember Mayfield's question, the 60 foot buses would only be added to the fleet to replace 40 foot buses on lines that we could use higher productivity and so as we retire some of the 40 foot buses, we could replace them on those lines and if we added service in the future for BRT's (Bus Rapid Transit) like potentially in the corridor, the Independence corridor or potentially somewhere else we would have the ability to use those; but only if we had a choice that has been decided upon in the future along those corridors. We would look at BRT type service in high productivity corridors in the future.

Councilmember Autry said would the 60 foot be an articulated chassis?

Ms. Flowers said yes it would be.

Mr. Howard said what does that mean, bending?

Mr. Fenton said moving on to the next item, Infrastructure Improvements. This item would be asking for an extension of the sunset date of which is called the Special Assessment for Critical Infrastructure Needs Act. Right now it expires on July 1 of 2013 we will be asking for the sunset to be extended to July 1 of 2018 or a five year extension. This act authorizes special assessments for a wide range of purposes including public transportation. You all may recall that this was the vehicle that was put forth by the consultants retained by the State of North Carolina as a potential funding mechanism for the Red Line regional rail project. The purpose here is to keep this funding mechanism on the table while the Red Line regional rail is further evaluated. We are not at a point yet where the special assessments districts can be set up and we want to make sure that the authority doesn't go away while that analysis is taking place. This is part of the MTC's agenda to be adopted on Wednesday evening.

The next one under Transportation Project Financing this item would ask for authority for local governments to utilize which is called special obligation bond financing for public transportation projects. This form of finance is already allowed for other types of projects but it's being considered right now by financing CATS, as a financing method for the Blue Line Extension. Again this is an MTC agenda item that would be decided on Wednesday evening.

Finally the Civil Service Board, currently the Civil Service Board has several members. This would increase the membership of the board from 7 to 9 members, so there would be 3 mayoral appointments and 6 council appointees. Apparently we work those Civil Service Board members pretty hard. They attend one meeting a month generally for the entire day but in addition to that one day meeting, there's also a need to hear appeals and for some of the members to serve on termination hearing boards and sometimes they have trouble getting enough members to constitute a quorum at those hearings and therefore these hearings have to be delayed. And by increasing the membership from 7 to 9, you have a larger pool to pull from. The City Clerk has worked with the Civil Service Board on this issue and they approved bringing it to the governmental affairs committee. This too would be a charter amendment, just like the previous item we talked about with the investment program. The Civil Service Board is addressed in the City charter and therefore the General Assembly would have to approve this change.

Councilmember Barnes said thank you Mayor. Mr. Fenton I understand that the Zoning Board of Adjustment is having a similar issue with regard to meeting the quorums at their meetings would expanding their board number also require the charter change and a trip to Raleigh?

Mr. Fenton said Mr. Barnes I'm not absolutely sure what that would require. It would probably require a legislative change of some sort whether its charter or general state-wide I'm not sure.

Mr. Barnes said is Ms. Campbell here or anyone from Planning.

Councilmember Cannon someone says actually the City Attorney is here.

Mr. Barnes said do you know anything about it Bob?

City Attorney, Bob Hagemann said it would require legislation.

Mr. Barnes said no I'm saying do you know anything about the specific concerns, has anyone else heard about it, you've heard about it too,

Councilmember Kinsey said I've met with the chair.

Mr. Barnes said I did too.

Ms. Kinsey said and yes they do have a probably getting a quorum.

Mr. Barnes said right now I'm trying to figure out how to address it; can I refer this to the committee?

Mr. Dulin said yes sir if you'd like to add it to this same agenda.

Mayor Foxx said what committee?

Mr. Barnes said it concerns the ZBA and I'm suggesting that if the Government Affairs Committee is working on this issue for the CSB then we add the ZBA to it if the committee sees fit.

Mr. Dulin said along those lines I'd like to work on these boards, drilling down to them that they've asked us to be on these boards and we expect them to show up. We'd made to them and they've asked us to be a leader and we expect them to show up. We show up.

Mr. Barnes said right but I understand sometimes people have work conflicts and the citizens are showing up for the hearings and waiting half a day and one member doesn't show and they can't vote and that kind of thing. We are asking sometimes professional folks to serve on these boards and they have work conflicts, but I understand your point.

Mr. Howard said just having served on one Andy that's easier said than done. I mean actually part of signing up for the Planning Commission I had no idea that if we can't find Terrie or somebody, but they have these hearings where people appeal things and you have to sit there for two whole days, nobody tells you about that kind of stuff ahead of time because that's the rare occasion. In this situation because it's somewhat legal, I mean you know it's actually an awful lot to ask the citizens and if they ask for us to help them with things then we should do that. If they don't meet the attendance requirement then they get kicked off. But if they are telling us this work load is too much, then we should listen to that and these are the people giving us feedback.

Mr. Dulin said this isn't about workload this is just trying to add more people to get the workload spread out.

Mr. Howard said it's because the workload is so much.

Mr. Dulin said then we need to study the workload sir but, that's fine I don't mind it coming back to the committee.

Mr. Howard said that's all I was trying to do sir. It's just those blanket statements that just, I mean it's a lot sometimes.

Mr. Dulin said I was on the Zoning Board of Adjustment when I was 27 years old and I understand. It got me started in my public life.

Mr. Howard said the population of Charlotte was 200,000 back then.

Mr. Dulin said well that was 1904 and State had 18 graduates that year.

Mr. Howard said Carolina was only 50 years old, thank you for lightening the moment.

Ms. Fallon said, attorney, would it be easier if you're going to go up with one thing to change to just package it and do two in case?

Mr. Hagemann said I don't know if it makes a difference. Once you make your policy choice, if what you want to change it, we have to take it to Raleigh.

Councilmember Cooksey said thank you Mayor, just quick guidance for the committee and the attorney. Double check on this but I don't think it has to be referred to Raleigh. The Statute 168-388, says "The City Council may provide for the appointment and compensation of a board of adjustment consisting of five or more members". So it sounds like it's in our hands.

Mayor Foxx said can we get a look at it and then we will decide later? Mr. Fenton.

Mr. Fenton said just a few more pages Mayor. We also have a legislative watch list of issues that could come up. I would caution you though this is not an all-inclusive list as we learned two years ago there were many many issues brought up that impacted the local governments that we did not foresee being raised. So potentially on all of these, this would call for the defense of local authority to regulate in these areas. As far as next steps, next week the Government Affairs Committee has another meeting, and then of course on December 10th coming back to Council. On January 14th we do have definitely scheduled now, our Joint Council delegation meeting. It will be held in this room, it will be the breakfast meeting. We will go over the State Legislative agenda with our State Delegation. And of course in March, the Council has the trip up to Washington, D.C. to visit with the federal delegation. Mayor that's all I have I'll be glad to answer any questions.

Mayor Foxx said I have a couple of questions and they revolve around whether we should anticipate some of the fiscal cliff issues raining down on us and at least for purposes of lobbying our delegation, anticipate where some of those issues are. I will give you a couple of examples. CDBG is perpetually a category that is almost always first to get cut out of the federal budget and I think we're going to ask for conversation later today about one of the areas that impact us in terms of our ability to do afterschool programs. But it strikes me that there might need to be someplace where we ask our own delegation to defend CDBG funds. Secondly I was talking with someone recently who is the president of the state and local Government Bond Council Organization and they were saying that there is some risk that the tax exempt bonds that we use for the city may go out the window with these fiscal cliff discussions and so it strikes me that we need to kind of look at what's in our house, so to speak, and to make some statement as to our own delegation that; a) what the impact would be to us as a City and; b) to enlist their support in trying to hold the line on those things.

Mr. Fenton said we will be glad to take a look at those.

Mayor Foxx said good work by the Committee by the way; Mr. Fenton, Mr. Dulin, and to the entire committee.

Mr. Dulin said Mr. Fenton is doing the City a good work Mr. Mayor.

The meeting was recessed for dinner at 5:15 and reconvened at 5:38

Mr. Mitchell arrived at 5:35 p.m.

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ITEM NO. 3: OUT OF SCHOOL TIME PARTNERS FUNDING RECOMMENDATION

City Manager, Curt Walton said as an introduction this is an item you referred out of your budget process last June to two places; to the Budget Committee and to the Economic Development Committee and so those recommendations have come back from each committee and are on your agendas tonight. So Randy and Tom Warshauer are going to give you an overview of the whole package.

Budget Director, Randy Harrington said it's a pleasure to share with you the recommendations that have come out of the Budget Committee and the Economic Development Committee as it relates to Out of School Time Partners Funding. There is a lot to cover tonight and I will provide a brief overview of Out of School Time Partners, and then I will touch on the recommendations from the Budget committee. I'm going to hand it over at that point to Tom and he's going to talk about the recommendations from the Economic Development committee. One of the things that I will note is that there are five recommendations that we will be highlighting. All five received unanimous votes from the committee in terms of moving forward. Then finally, Tom will touch on next steps in this process.

So as you will recall, about a year and a half ago Council approved the development of an RFP Process to approve the allocation of resources for the Out of School Time Partners program. Staff presented these updates and on the RFP process during last year's budget development process and those were included in the manager's recommended budget presentation. And then as you will recall at the May 16th budget adjustment's meeting, Council referred two items related to Out of School Time Partners to committees; to the Budget committee, review of the Out of School Time funding level caps and funding sources and then to the Economic Development committee, review of the OST/RFP process. This line just provides a three year overview of the funding allocations that have gone to the seven various agencies that are funded as part of the Out of School Time program. Again here you see the various amounts as well as the percentage that is comprised of the agencies program budget that is comprised of City funding.

The first recommendation from the Budget committee well the first finding and then recommendation; the first finding was that the City's total allocation for out of school time has remained at \$1.24 million over the past 12 years, despite annual decreases in the Federal CDBG funding allocations. To offset that decrease on the City side, was offset by increases in the City's Innovating Housing account which is funded in the Pay-As-You-Go capital program. Just to highlight that a little bit further, if you look on this particular graph, if you look on the left side, FY02 the funding level or the funding distribution between CDBG and the City Component was 75% funded from the federal government and 25% City in FY02. So you can see those two points are coming together there towards FY13 and the current distribution is 53% funded from the federal government and 47% funded from the City resources. So if you will go back again to Recommendation 1; the budget committee recommended to cap the City's Innovative Housing funding at the current FY13 level, which is \$590,000 and that is the City's highest historical level for funding for out of school time programs.

The second finding related to the portion of the OST agency program budget that is comprised of City funding varying from 2% to 100% with 4 of the 7 City funded programs receiving over 50% of their program budget from the City. I won't speak for the budget committee members but I think there's a general feeling after reviewing national studies and benchmarks that the percentage of program budgeted derived from the City was higher than national benchmarks. And again some additional feeling generalizing here by the committee that a greater revenue diversity would lead to greater long term sustainability with revenue diversification for those OST partners. The recommendations there were three components; one capping the percentage of an OST agency program budget that can be funded from the city; two having a transition of existing city legacy OST partners to no greater than 66% in the first year, then to no greater than 33% in the second year and thereafter; and three any new after school program request would be capped at no greater than 33% from the start of that funding.

The third finding and recommendation from the Budget Committee included that OST partners that receive city funding were not allowed to charge a nominal fee for participants for the FY2013 RFP

process, but there were permitted to in prior years. I think some of the original feeling behind the original not allowing the fee was to help to level the playing field among all the various partners. I think after a year, the staff, after reviewing that felt like it should be opened back up and the committee felt as well that opening back up that option, not that they would have to, but giving the agencies an option gives them an opportunity to diversify their revenues as part of their particular programs. So the recommendation on this one was just to allow City funded OST programs and the flexibility to charge a nominal fee if they so choose. With that I'm going to pause and turn it over to Tom Warshauer who's going to take us through the rest of the presentation.

Mayor Foxx said can we go back to the first recommendation? How many of us want to reduce the amount of after school funding? I see that the \$590,000 was that after the additional funds were put in for greater enrichment?

Mr. Harrington said this is excluding that piece.

Mayor Foxx said that's excluding that piece? Okay, so the net result is if there is a reduction of the federal component of the after school money that we send over, and we've capped it, there will be a reduction in after school funding?

Mr. Harrington said correct.

Councilmember Cooksey said and if I'm understanding correctly if we avoid a reduction of after school funding, we reduce innovative housing funding. Is that how it's going? If a cap of the city's innovative housing funding has the effect of reducing out of school funding; then avoiding that reduction, means we will be reducing innovative housing funding. Is that the way those two are working together?

Mr. Harrington said no, it's just of the pot of money that's available for innovative housing in this particular component that funds this element would be capped. So it doesn't affect the rest of the innovative housing funding.

Mr. Cooksey said that's not the question I was asking. The Mayor, correctly I think, set out a proposition that, if I understood you correctly, if Recommendation one is followed; that's "if" No. 1, and if there continue to be federal CDBG decreases, then there will be less money available for out of school programs?

Mr. Harrington said correct. I'm sorry for the total yes, for out of school programs, yes.

Mr. Cooksey said and the question was how many people want to do that, and I'm the only one that raised my hand. Am I understanding that balance correctly then that the choice is unless we broaden our funding base; either, if there is less CDBG money either we reduce out of school funding or we reduce innovative housing funding; but one of the two under our funding structure here would be reduced if CDBG funding goes down?

Mr. Walton said yes this is a fixed sum game and if we allocate the pieces one goes up and one goes down.

Mr. Cooksey said and would it not thus be an equally valid question how many folks want to reduce innovative housing funding? Because that strikes me as to what the choice is.

Mayor Foxx said it would be but we're not asking that question.

Councilmember Kinsey said well I'll ask that question. Do we really want to really want to reduce innovative housing funding? I don't.

Mr. Harrington said well we're talking about a hypothetical aren't we?

Mayor Foxx said I think this is an issue of the compression that I think we're going to be faced with as this fiscal cliff issue works out. There are going to be reductions at the federal level, some of them are going to hit in this, yes

Ms. Kinsey said I just see Pat Mumford over there, I just wonder if maybe he could address that issue more clearly so we'll,

Neighborhood & Business Services Director, Pat Mumford said just to be clear you don't mean the fiscal cliff issue? So it really is a balancing act. We have some amount of money in innovative housing, some of that is used for housing programs, some goes to out of school time. So if we want to keep the level of funding of out of school time the same, CDBG goes down, we would have to re-appropriate funds from some housing programs into out of school time to keep that level the same. The idea was to keep the 590k which has been the traditional amount of innovative housing at that level constant. And just so you know the amount of CDBG funds that can go toward this type of activity is capped at 15% of the total CDBG allotment for out of school. So if CDBG monies go down, so too would the total because we have only a percentage of that that can go to this activity.

Mayor Foxx said I just think we'd be punting on first down by doing this.

Councilmember Mitchell said I don't know if this is for Randy or Pat or Tom or all three, but take me back because I was talking to Councilmember Autry. Once before we had afterschool at Eastway, we had after school at Quail Hollow as well as some of the programs we have now, so is \$590k really the highest level that we've always committed because I mean those two programs along, we've had about 200 something kids at Quail Hollow and about 100 and something at Eastway. So just help me historically.

Mr. Warhsauer said there was a chart that we showed you and previously 10 years ago the portion that was CDBG funded from was 75% of the budget for out of school CDBG funded. Now it's about 53% of the budget and increasingly over the last 10 years in order to keep the funding at \$1.24 million dollars you've had to go further and further and increase the amount of funding that comes from your innovative housing and that's what we've done traditionally in holding it open to \$1.24 million is to increase the funding that comes from the innovative housing and to reduce the amount of money that's been available for innovative housing.

Mr. Mitchell said so I guess let me just follow up, so what you're saying is even though we had those two other sites, Eastway and Quail Hollow we never have surpassed \$590,000 for funding after school?

Mr. Harrington said I think just for more clarification for that. Yes it has been higher. The distinction though is that the \$590,000 here is from the City's innovative housing program and then the post is from the general fund and then the one time piece from capital reserves. Those are excluded from this pot.

Mr. Mitchell said so Randy overall the \$1.24 million could have been higher but innovative funds \$590,000 have been the highest.

Mr. Harrington said and just for clarification that \$1.24 if you exclude the line that went to post and then the one time piece to the Greater Enrichment program; that equates that \$1.24 for the past 12 years. It's been that same level if you exclude those other two pieces.

Mr. Barnes said before we punt on first down or fumble into the end zone, I wanted to provide a little bit of background on what the committee was hoping to do. We were operating with some ancient historical concepts such as the \$1.24 million over the last 12 years or so and we were also trying to figure out how to provide as much participation as possible in the program by as many entities as possible that were qualified based upon the work that the Economic Development Committee was doing. So that we, in many respects, shared the wealth and allowed as many kids as possible to be served by our high quality programs so one of the frustrations that I think I heard from some of the committee members was the lower amount of money; because it's not really a lot of money, the \$1.24 million is not a lot of money; but we were trying to figure out how to make it available to as many qualified partners as possible. So I understand your concerns but I think we were trying to keep in mind some historical pieces, some consistency issues and such.

Mayor Foxx said thank you for the comments and background. That takes me to the second recommendation which is, we say to our partners 66% the first year, 33% the second year and

thereafter. My sense is that for the big boys and girls, they are going to be able to manage that transition a lot better than the mom and pop smaller type of operations and so what do we really expect you know that we will really be able to have the breadth given that structure?

Councilmember Mayfield said when I made this suggestion; it is because looking along with what was mentioned earlier, looking at the model across the nation as far as the percentage. When we on the committee looked through the applications, there were anywhere from 1%, 2% to 87% of funding from the City going to certain organizations. That's not a viable funding source for an organization to have more than what we discuss in the committee, more than 50% of their funding coming from one source especially looking at what's happening nationally and looking at our CDBG funds being reduced consistently and the City trying to figure out a way to offset those costs so to try to level that playing field where we don't have one organization doing amazing work that's receiving less than 2% of their funding, but another organization that may be doing amazing work receiving more than 87%, at some point, our community partners also have to realize that if their board is a working board, part of that board's responsibility is fundraising. And what staff has put into place has been a process through a dialogue to help facilitate some of those conversations and to help some of those smaller organizations that may not know how to identify other funding sources to help them through that process because they do need to learn that to be self-sustaining at some point because what you don't want and I don't think any of us would want, is an organization where 15 years of their span, the majority of their funding is coming from the City of Charlotte. And there is a possibility where some organizations may close their doors. That's a reality, but the other possibility, the other side of that is that the stronger organizations will be able to grow and we will have better results in the community where we don't have generation after generation going through the same program and that we're actually starting to see the change that we want to see.

I started the conversation as far as us looking at reducing what that would look like from just an open 2% to 87% to let's identify what's going to be beneficial for a broader audience and what came back from the conversations that Tom and others members of the staff had with the community is going from whatever amount we needed to a third in one year was going to be extremely difficult so they are in the process of a step down of going to 66% and then to 33%. But any new organizations that come to the table would know from the beginning you should not exceed more than 33% of your total funding budget from the City.

Mayor Foxx said and do we have any information from not just the providers that we have traditionally funded but just from the general sector of after school out of town programs how that would impact them, do we know?

Neighborhood & Business Services, Tom Warshauer said we took a look at some of the potential applicants that might apply and sort of list some of what their budgets were and what they might apply for and it's all over the place. But this recommendation is really based on a study that was done by the Wallace Foundation. And it was showing that most cities fund about 33% of an agency's budget. The stronger programs do develop partnerships and part of the developing of that partnership is also developing financial partners. They have a strong program, they are able to develop these kinds of partnerships and they are able to go out and find additional funds. We know that the need for out of school is real in our community and we need our out of school partners is part of what they were saying in this report, part of their jobs is to look for the funds to make sure that that happens. We will never be able to just on our own, to fund all of the out of school that's needed in our communities so our partners need to be active in searching for funds, as active as we are and make no hard decisions around after school versus housing. They need to also be looking deep inside their program broadly. And that was what really came out of the other reports as best practices throughout the country.

Mayor Foxx said so you think based on national studies that that's sustainable in Charlotte?

Mr. Warshauer said yes. It may be painful for some to get there, but we think that that's really what's needed if we are going to attract the top programs and they're going to be able to attract top funding.

The Economic Development committee also took a look at the RFP Process and what they did was really helped us reaffirm the RFP process. We worked with the Counsel for Children's Rights and with our out of school time providers to listen to them and to hear what they had to say about the

RFP Process. We made some tweaks to that, a more transparent scoring, simplified submission, doing site visits as part of our evaluation criteria, expanding our committee that reviews it and moving to a September to August contract cycle, so that people are better able to prepare for their award or their funding. There were two areas that the Council voted on their findings. One was to expand, to reduce the number of years that an organization needed to be present in Charlotte before they could apply for City funds. This was of the realization that there are some great programs throughout the country; we wanted those programs to be able to look to Charlotte to establish their home and to look to us for partial funding. That kind of competition would be good and there are a number of providers that are looking at Charlotte and that was a recommendation that the Economic Development Committee made as well.

Finding number two that they had was to cap the allocation for agency at \$400,000. We knew that we had limited funds; we wanted to make sure that we were awarding a variety of different agencies the opportunity to have funding and to be a part of our out of school time programs that we are funding from the City. Using the housing trust fund model, which was affirmed by the committee to use that model there was a risk that one or two funders might acquire all the funds and some of the out of school time providers also wanted to see that cap so that they would know that they would be able to play in the field, that there would be the opportunity for more award allocations.

Ms. Kinsey said I think I've asked this question before you may have answered it and I don't remember, but how does that work with the 33% funding?

Mr. Warshauer said well you would have 33% up to a maximum of \$400,000.

Ms. Kinsey said thank you.

Mayor Foxx said was there any discussion about City departments competing for these funds? Did yall have any conversation on that?

Councilmember Mitchell said we did from an Economic Development standpoint. What we were told because the one that came up was Police Activity League and the feedback we received was that police activity league really don't receive any city funding for their ongoing projects right now. That they need a separate 5013c so it was educational for me because I thought because Police Activity League they were a part of Chief Monroe's budget and we were told they were not, that did come up by discussion and we had a lot of discussion which Mayor Pro Tem led it, on the cap. We were not comfortable capping because what we wanted was to have a discussion about the quantity of the program to make sure all kids could be served. What staff shared with us though that talking to all of the OST providers, there was one thing they agreed on even though they didn't like it so that information was helpful to us as we had our deliberation, in the ED committee meeting.

Councilmember Cannon said I only need to add that the Chairman of the Committee is right. The idea was to be able to serve a greater number of youth than what we would have normally been accustomed to at a level that probably would have been so high that we probably would have been catering more to one than to another. So it made some sense to try and serve as many kids as we possibly could and so that's why we ended up trying to come up with something that would help spread it out. Now mind you we were trying to be careful not to overstep our boundaries understanding that the Budget Committee had been doing its work. So that was one thing for us to try not to do their job. We thought inserting this to try to serve the greatest number of kids would help. Even though I'm sure it's frowned upon a little bit by some, in the market, the smiley face on it is that you serve a greater number of kids hopefully.

Mr. Warshauer said for my final slide and then I will wrap up, tonight if you consider it and then we get to do the hard work after you do the hard work tonight. We get to take a look at the hard work of working with the applicants and they get to draft their proposals based on the decisions that you make today. So we will be going out if things go well tonight and you all allow us to, we will be issuing an RFP holding meetings in December to familiarize all the potential respondents with what happens, the application will be due back at the end of January and we would look at making an OST recommendation to you as a part of the budget process later on in the Spring.

Mayor Foxx said talk to me about the sequencing of all of this from a budgetary standpoint. Do we with innovative housing and whatever the inputs are into after school for this round, do we know

how much money we have to work with this year and will changes to the funding at the federal level take effect before the budget cycle next year or,

Mr. Warshauer said we don't really know our CDBG allocation at this time.

Mr. Harrington said the CDBG component, I'm not aware of an updated number on that at this time.

Mayor Foxx said so the current discussions in Washington could affect this current year?

City Manager, Curt Walton said and the federal fiscal year is different too. So it could go three months into our fiscal year before they make a decision or longer.

Mayor Foxx said so we sort of float this program and get paid back?

Mr. Walton said with CDBG funds, yes.

Mayor Foxx said regarding the innovative housing if we cap that, we had a drastic cut in CDBG and we still wanted to keep the funding at the same level are we good with that? Are there any other pockets to pull from other than the obvious?

Mr. Walton said other than reserves in various places it would be either program income from CDBG or carry over funds from prior years which there are not a ton of anymore. But you do control the resource level at the innovative housing fund level.

Mr. Cannon said one of the things that Tom or somebody from staff might want to speak to is in the first cycle of funding, there has been asked that a few months during the summer would be taken on by the provider I believe rather than be funded through the City per se through the whole year and thereafter it's picked up and used the following or something like that. Tom, could you speak to this for clarity?

Mr. Warshauer said we are moving to a September through August funding cycle. By doing an RFP and making a decision in July you are making a decision really retroactively for the summer programs which are really impossible for their responders to make plans and for parents to make plans. They really have no idea where they might sign up their children. So the RFP cycle really needs to be a September through August cycle. This year the funding cycle mirrored the other funding cycles and so it was fiscal year funding cycle. So that leaves the summer program coming up in 2013 unfunded. So what we have asked is for to work with our out of school time providers to adjust the numbers of kids served to help them with acquiring additional funds but we have not been able to identify and make a recommendation to you on other funding sources to meet that gap.

Mr. Cannon said so Mayor I raise that only as a foot note for the body to understand that there may be an ask potentially of a one-time support of something, trying to figure what those numbers might be to sort of get them through those summer months for our year. Now whether the capital there is another thing, but I'm just sort of waving that flag as a footnote to say there may be an ask coming from a few members of this body to figure out how we can make that work.

Councilmember Mayfield said what is that total amount that's been identified for that two month gap?

Mr. Warshauer said its \$108,000, \$106,000.

Ms. Mayfield said \$106,000 or \$108,000? I thought it was \$106,000.

Mr. Cannon said give or take a dollar.

Ms. Mayfield said give or take two dollars, \$106,00, \$108,000 Randy can I ask you a question, so what do we have in our general council funds?

Mr. Harrington said you mean the council discretionary?

Ms. Mayfield said in our council discretionary funds?

Mr. Harrington said \$200,000.

Ms. Mayfield said \$200,000 currently. So Mayor would it be a motion at this table, because I was going to bring this up later once we got into the discussion down at the dais to, put a motion forward for council to vote on identifying that \$106,000 or 8, give or take a couple of dollars, to come out of our discretionary fund for a one time that covers that two month gap and covers all of our current, since we have changed our funding year. But also knowing that that would be only a two, less than 60 day gap before our discretionary fund is re-upped since we normally keep \$200,000 in there that's identified in July?

Motion was made by Councilmember Mayfield and seconded by Councilmember Howard to use the Council Discretionary Fund to address the two month gap in funding for out of school time programs as a one-time supplement of \$106,808.

Councilmember Fallon said Councilmember Mitchell was this the money that you had suggested originally to supplement, the one-time supplement?

Mr. Mitchell said no, that's different, this is the committee had a long discussion about this Claire. But because of our schedule we impacted; I think out of the six programs Tom how many had summer school four of them?

Mr. Warshauer said I believe all six of them.

Mr. Mitchell said so all six had summer school programs and because of our schedule,

Ms. Fallon said what is the one that you had suggested and how much was that for?

Mr. Mitchell said that was \$349,000 and Randy found that last year, that was in, Randy do you remember where we,

Mr. Harrington said it was \$394,000 from a one-time use of capital reserves.

Mr. Mitchell said that was capital reserves.

Ms. Fallon said alright that's the one that we supplemented with, alright. Thank you.

Councilmember Barnes said regarding the you may have answered this question and if you did please repeat it for me. Regarding the ability of the partners to address that two month gap, any indication as to their efforts to prepare for it?

Mr. Warshauer said it's quite challenging I mean they have those issues to address for the summer and they also have the potential to take a look at general operating so for some of them not so mention an issue, some of them are very large, for others significant. Two other programs because of the lateness of the contract last year, were not able to offer their summer program last year or offered a scaled back version of their summer program last year. So for those, they are prepared to roll forward this year. The number that we have is \$106,808 is what the gap amount that we need.

Mr. Barnes said if I might Mr. Manager, how much of our discretionary account have we spent over the last three years?

Mr. Walton said well that answer is a little bit misleading because I think you've used it seldomly during the year but you've used it in the budget process for the things that you couldn't find otherwise. I don't know of any, I can't remember say in the last five years things you might have taken out of this time of year, but you used it in May and June.

Councilmember Kinsey said just a quick question; would it necessarily have to come out right now, could it not come out later in the year? Not that it matters, I'm just curious.

Mr. Walton said I think it would come out when we were ready to pay them and so it would be in our account until late into the fiscal year.

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

Mayor Foxx said I still have some questions on the innovative housing cap but we will try to deal with that between now and downstairs.

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ITEM NO. 4: DIALOGUE SERIES WORKING GROUP REPORT

Mayor Foxx said Brandon Lofton is here. Let me try and set this up a little bit and explain a little bit of what this is. I think many of you came to some of the dialogues that lead up to the convention and part of what the host committee did was to gather a group of community leaders to sort of help organize those dialogues and to record the dialogues and to kind of record some of the outcomes of those discussions and what we're going to hear tonight is sort of a report from the group that was led by Brandon Lofton. Are there other members of the group that are here tonight? Thank you all for being part of that, we really appreciate your efforts that.

Dialogue Series Working Group, Brandon Lofton said I'm here on behalf of the Access to America Dialogue Series Working Group. I want to thank our Mayor for his leadership in appointing the working group and also for laying out the framework for the dialogue series. As you mentioned Mr. Mayor there are several members of the committee here. I want to thank each of them and all of them for their work on this effort in getting us to this point. And I also want to acknowledge I think we have some members of DVAs here. The donors, volunteers and ambassadors who helped support the dialogue series. And also of course we want to thank Dr. Murray and Vi Lyles and Tori Jessup and the rest of the leadership of the host committee and especially those who are here tonight for their help and their leadership.

Three things I want to discuss quickly. One, I just want to explain why the dialogue series were convened and also why the working group was asked to come up with some findings. Two, how the working group went about adopting its findings and three, just discuss the findings themselves. Alright so first and I have to give my general disclaimer that I give every time I give a power point presentation which is to tell you that I have no skills on power point so this clearly the high water mark of the rest of the presentation here. First question of course is why convene a dialogue series and adopt findings? And the short answer I know there are all kinds of procedural answers, but the short answer is that Charlotte's quality of life and overall competitiveness are facing certain challenges and addressing these challenges are going to acquire some action. In order to do more than just have a convention and bring spotlight to Charlotte, we want to take advantage of the brain power and the experts that would be coming to the City, talk through some of these issues, take advantage of the brain power we have here in the City and talk about ways that we can hopefully move forward in addressing these challenges. So back in September, I was just joking outside that it seemed a little nostalgic now to talk about the DNC, but back in September we had obviously a unique opportunity to showcase some of Charlotte's greatest strengths to the rest of the nation, and actually the world. We had 35,000 visitors; 15,000 of which were reporters. We had thousands more of course watched on TV; many of whom were introduced to Charlotte and got to see what Charlotte has to offer. In fact even before the convention, we were able to get the message out about what Charlotte has to offer and send a message about our quality of life and that came from Mrs. Michelle Obama, our First Lady. When Charlotte was selected I'm sure many of you saw this quote, she said "Charlotte is a city marked by its southern charm, warm hospitality, it's 'up from the bootstraps' mentality that has propelled the city forward as one of the fastest growing in the South. Vibrant, diverse, and full of opportunity, the Queen City is home to innovative, hardworking folks with big hearts and open minds. And of course, great barbecue."

So put aside the controversy surrounding the barbecue statement and I think you will agree that the rest of the statement pretty eloquently states what we all know from our experience in Charlotte which is that one of Charlotte's key strengths is the quality of life we have here and the opportunities that are available to people who live in Charlotte. We're not a closed off City where

you need to particular come from you know, have long roots in the city. If you can contribute something then it's easy to get involved. Those are things that I think gives Charlotte a competitive advantage over a number of other cities. Now as further evidenced, days after the convention if we needed further evidence of our forward looking and "up from the bootstraps mentality", and we were already speculating, newspaper articles were already being printed speculating what's the next big event that Charlotte would host. Would we host the RNC; will we host the superbowl, or even the Olympics? And of course any one of those would obviously be great to showcase what Charlotte has to offer. But there are a number of trends developing that would call into question exactly what that showcase would reveal about our city in the years to come. These trends of course post challenges to our quality of life and the level of opportunity available in our city. And these trends of course are well known and these next few slides I will unabashedly admit, you've seen these before they come from other presentations for two reasons, one efficiency and two, to emphasize that these are things that are known, these are well known trends they are not things I'm just going to throw out at you. One is obviously the city is growing at a fast rate. We improved our area growth 6% between 2000 and 2010. This is higher than any other metro area with a population of greater than a million. You will see here, this came from an Observer article that cited a Stamford University Study. They looked at what they call Economic Segregation among cities. The degree to which different neighborhoods saw an increase in the number of rent low income neighborhoods and affluent neighborhoods and the loss of middle class neighborhoods and you see that pattern replicated here in Charlotte or represented here in Charlotte and of course Charlotte is not alone in this. This study from Stamford University looked at 117 different communities and found that some 90% of them experienced a similar development. However the average increase in the number of low income neighborhoods in national news is about 100% increase. And with Charlotte, the Charlotte area saw was 140% increase. So we are well above that national average there.

Just for context, some of the cities cited in the study as the largest, having the largest increase in the number of low income neighborhoods and the largest increase is disparity; Philadelphia, Detroit, Dallas, Bridgeport, CT; Newark and the White Plains area of New York. By contrast Raleigh and Atlanta, each saw a decrease in their number of low income neighborhoods and their income segregation. This infra-study noted of course what we all know which is that in trends like this, it impacts access to public goods most notably schools. So here you have a map of elementary schools and of course again we've seen this slide before. The red dots represent the schools with the lowest percentage of children performing proficiently on the EOG's. The greens of course represented those with the highest percentage over 80% performance of proficiency on their EOG's and if you look at this course, if you are a child in this community and you want to attend a high performance school, where over 80% of your classmates are performing at or above grade level, then you should probably hope that you happen to live in an area more like what we saw in the previous slide described as the more affluent area of Charlotte. As a matter of fact of course you see from there this is only 22% of the elementary schools that we have whereas well over half of our elementary schools are in the lowest category.

Councilmember Howard said in going back where you said there were only two cities that had actually seen their low income neighborhoods decrease, anything contributed to that?

Mr. Lofton said I don't know I didn't read their cases, I just saw that fact that they saw a decrease and they weren't the only two but they were the two that stuck out to me.

Mr. Howard said can you send me a link to that?

Mr. Lofton said sure.

Mr. Mayor said Mr. Lofton is going to send a link to Mr. Howard and Mr. Howard is going to send the link to Mr. Cannon. Everybody's working together.

Councilmember Barnes said I was going to not ask this question because of the time but I can't resist, back to one of the first slides Mr. Lofton you mentioned that the Charlotte area population had grown by 6% between 2000 and 2010, do you what percent of that is attributable to annexation?

Mr. Lofton said no I don't.

Mr. Walton said Mr. Barnes those are the numbers that's countywide so it would, annexation would be pretty irrelevant, because it's 64.6% of the county population.

Mr. Barnes said right so what I'm wondering Mr. Manager is because that says the Charlotte area population is that speaking specifically to the city or the county as the projections seem to relate to?

Mr. Walton said I think the county. I think 966 is the county population.

Mr. Barnes said and so that first bullet point applies to the county, not to Charlotte?

Mr. Walton said yes or at least the underlying area to figure in 80% of the county. It is figured in.

Councilmember Dulin said I've got one question on this, where do those numbers come from? It goes up 9,000 between 12 and 13 and then all of a sudden the numbers go to 20 or 30,000 a year increase.

Mayor Foxx said the projections I think.

Mr. Dulin said the projected increase. And by the way I am fully aware of how many folks are moving out of Detroit and coming south and so forth, but it's been going along, it's interesting because our numbers when you watch the CMS numbers jump it was 4,500 kids a year and then it went down to 2,000 and then 1,200 kids coming into the system and now we're back up to 4,000. Those are interesting numbers how we can track that, but it just jumps hugely from 13-14 and then that trend continues, so that says something nice about our population and our community here but if that's the case we've got to be ready for them and as much as us, our school system has got to be ready for them and we don't do schools here Mr. Autry. So wipe that grin off your face.

Mr. Lofton said o.k. so if you consider these trends in connection with some additional facts about our area, right now as of September of this year; Mecklenburg County was at a 9.1% unemployment rate, and local employers during the economic conclusion forum, expressed a difficulty finding skilled workers. We do have 2500 homeless on any given night here in Charlotte, 4922 children without permanent housing at some point during the school year and we had a pre-recession projected need of 17,000 units of affordable housing for persons earning less than 30%, up to 30% of their area median income. So these trends and these current needs, if you look at these numbers plus the trends and projections in terms of the greater economic segregation and the impact on schools; then that raises to me questions and challenges about the quality of life and availability of opportunity here in Charlotte. Ten years from now, 20 years from now or 30 years from now will Charlotte still be known for its quality of life as described as a vibrant, diverse community full of opportunity? Or will we find ourselves grouped to cities with higher disparities such as Detroit, Bridgeport or Newark? When the dialogue series was convened and the working group was tasked with adopting findings out of recognition of these trends; they pose these challenges to a quality of life and trying to figure out again things that can be done to address it. So that's the long answer of the why.

Councilmember Cannon said Brandon what was your source for that where did that come from, was that from CMS that last slide?

Mr. Lofton said which one?

Mr. Cannon said the last slide, where did that come from?

Mr. Lofton said this comes from several different slides.

Mr. Walton said in our CIP Presentation drawn for CMS.

Mr. Cannon said o.k. so it was through CMS, that's where I'm going?

Mr. Walton said yes.

Mr. Cannon said o.k. very good thank you.

Mr. Lofton said okay dialogue series, just an overview of the series themselves we have three leading up to the convention; one during the convention. The three leading up to the convention were issue specific. So the first one as you see here concerned economic inclusion; and featured Mark Moreal from the National Urban League and the way each panel was structured we typically had a national expert and then we had local experts as well and the moderator for each of the panels was Professor Charles J. Ogletree of Harvard, University of Law School and the audience members were able to ask questions and interact with the panelist. I think a total of about 2000 people attended all the series. So we had good turnout and good participation. The second series contained housing and neighborhoods and featured HUD Secretary Donovan. He talked about education with Governor Hunt at that time, new superintendent Heath Morrison, Erica-Allis Stewart of Board of Education and Dr. Robert Balfanz of John Hopkins and then during the convention we had a panel featuring mayors, our own Mayor Foxx; Mayor Nutter of Philadelphia; Mayor Parker of Houston and Mayor Renzi of Florence, Italy discussing Investing in the 21st Century and I tell you it was kind of funny watching that panel and watching at some point, several points it kind of devolved into the mayor's trading barbs over whose city was more globally competitive and watching our mayor debate with Mayor Parker and Mayor Nutter over whose city was better was kind of interesting.

Mayor Foxx said one thing that was interesting was watching us argue over who declared independence first.

Mr. Lofton said so working through, just going back to the process, a working group attended all the forums we took notes on all the recommendations and findings put forth by the experts during the panels and then we also went back and reviewed various studies that had been prepared already in Charlotte and pulled out the relevant recommendations and findings for those studies. And then we combined that information and adopted two sets of findings. The first set is called Existing Efforts or Existing Initiatives. These are things that were recommended or brought up during the discussion series, the dialogue series or in the various reports and are currently either in existence in our community or under development in our community and just to kind of walk through those fairly quickly; we have to have increased workforce development programs such as those found at CPCC, Goodwill, Urban League; invest in small business incubators such as those found at UNC Charlotte and Packard Place. And during the economic conclusion forum itself that came up a lot and it was decided we have to establish more support, they called it a more infrastructure eco system for success of small businesses and that was seen as a helpful part of that. Adding NWBE goals to the small business and opportunity program is something that came up during the economic inclusion forum. Increasing affordable mixed income housing both through new construction and through a rehabilitation of existing units was something that was mentioned in some of the reports. Offering supportive services on site as some of the housing units was something again that was found in the reports and then exploring the Incentive Based Inclusionary Zoning as well as supporting community and school partnerships. And I just mentioned an educational panel; a good chunk of time was spent discussing factors and influence; and student performances that obviously take place outside of the classroom and outside of the school walls and the ways that certain initiatives are trying to address that. And Project Lift was one that was mentioned prominently during that session.

Alright so four additional efforts, these are the things that were mentioned during the panels or in the reports and these are things that don't currently exist that either were recommended during the panels or in the reports and that includes for that local funding for rental assistance; explore the creation of a land bank which was actually bought up by Secretary Donovan during the housing panel and then providing targeted neighborhood infrastructure improvements through our neighborhood's capital improvement program and transit infrastructure including rail to all parts of Charlotte and those are the additional efforts that were mentioned and I'll just say that the rental assistance, we found that mentioned in several previous reports. The Housing Charlotte 2007 report, the Comprehensive Affordable Housing Study 2010, Affordable Housing Strategy in 2000 and the Mortgage Shelter Report in 2007; again Secretary Donovan mentioned that during the session and in terms of support for the transit the United Way Community Needs Assessment made a finding that the lack of what we already know, which is the lack of extensive public transportation provides a major barrier for those without personal transportation and increases the concentration of poverty. I just sat through obviously listening to you guys talk about how you're going to pay for stuff and I'm obviously aware, more so now than I was a few minutes ago, about the realities of funding things and talking about additional initiatives. So recognizing that, I just want to also put

on the scale that previous studies have found several costs attributed to doing nothing. If you don't address these trends as found in the comprehensive affordable market study report. You can cause this city \$50 million annually with considering public education, criminal justice, health care and transportation costs and also it will cost the community more to manage homelessness through shelters than to provide affordable permanent housing targeted at support services.

In addition to these costs that can be measureable, there's also of course immeasurable costs for our city if we lose or are no longer maintaining a higher quality of life or if we lose our distinctiveness in terms of opportunity available in our city. These are qualities that make Charlotte competitive. These are the very qualities that helped Charlotte land the DNC and cause the First Lady of the United States to take note and make special mention of our vibrant, diverse and full of opportunity and the fact that our city is full of opportunity and it could help us to land larger events in the future. These are the qualities that are worth protecting and enhancing for future generations and I'll just leave it with a quote from our moderator who asked on the education panel, basically what we wanted to be. Does Charlotte just want to be known or are we satisfied with our current moniker ourselves in the South City or are we looking forward to becoming the new American city and I thank you for your consideration.

Mayor Foxx said thank you Mr. Lofton and since we've got Dr. Murray and Vi Lyles I want to say thank you again publicly guys for taking on such a huge, tremendous project for the City and doing such a great job with it. Robin Hamilton is over there who we will hear from I'm sure very soon on how the Minority Women on Business Participation went, so we are excited to get a report back on that and to the committee that really took on trying to capsulize what these discussions lead to, thank you very much and Brandon it would be great if you could share a copy of that slide presentation as well as your remarks with us if you could, that would be great. With that we've got some folks waiting for us downstairs thank you very much we appreciate it.

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BUSINESS MEETING

The City reconvened in open session at 6:49 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Foxx presiding. Councilmembers present were John Autry, Warren Cooksey, Andy Dulin, Claire Fallon, David Howard, Patsy Kinsey, LaWana Mayfield, James Mitchell & Beth Pickering.

ABSENT UNTIL NOTED: Councilmember Barnes

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INVOCATION AND PLEDGE

Councilmember Kinsey gave a brief description of Abraham Lincoln's ordination of Thanksgiving Day 149 years ago and read a portion of his Thanksgiving Day charter; followed by the Invocation.

The West Charlotte High School swim team led the pledge of Allegiance.

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CITIZENS' FORUM

Discrimination by Presbyterian

Dr. Virmani, 4626 Charlestown Manor Drive, 28211 said it's quite a privilege to be here speaking with you. I'm a Board Certified OB/GYN physician. I have lived in Mecklenburg County for the last 22 years. Ladies and gentlemen, you might ask what am I doing here instead of delivering babies at a hospital. We'll let me tell you a little story. I came to this great country from India 36 years ago. I went to New Jersey Medical School and did my residency at Temple University Hospital in Philadelphia and I became a Board Certified OB/GYN physician. I came to Charlotte in 1990 and started delivering babies at Presbyterian Hospital. In 1995 Presbyterian Hospital did a discriminatory peer review of my charts and labeled 24 of them problematic. And they stopped my career in its tracks. Ever since that time, I have not been able to practice OB/GYN profession. This review was done by hospital's own doctors, North Carolina Medical Board also

reviewed these charts and found them to be absolutely within the standard of care. At one point the hospital hired two independent reviewers to review my charts but then suppressed their findings. Ladies and gentlemen I have suffered for 17 long years while the hospital has dragged me from court to court and I have not been getting the most fundamental justice and fairness in this community. There is a very simple proposal to the hospital, either accept the review done by the North Carolina Medical Board which is the highest authority of medical nature in this state and re-instate me in the hospital so I can continue with my OB/GYN profession. Or give me an impartial review by an outside agency. I have a petition over here signed by 247 citizens of Mecklenburg County and it's addressed to the hospital, Mayor and to the City Council members and that petition is with the Clerk. I request the City Council members to give me guidance in this regard to help me out and as Mayor Foxx has already suggested many times, this City respects diversity and I would really very much like to have some guidance from all of you to put my life back together. Thank you very much.

Councilmember Dulin said doctor, this is not an issue for the City Council and I've heard you give this speech a couple of times when we got this and I wish you well. But this is not something that this body can act on or will act on. This is a private matter; this is when the private sector, this Council and others, we're trying to stay out of your business. It's not something we should be working on.

Dr. Virmani said I submit sir whenever a citizen of this county suffers fundamental injustice I hope that the City or somebody will take it up and somebody will guide me.

Mr. Dulin said you've been fighting this for 17 years? Thank you very much Mr. Mayor, I appreciate it, it's not a matter for this board.

Mayor Foxx said I do believe we've asked our city attorney in the past to take a look at this situation and provide some advice to Dr. Virmani. That hasn't been done, but ask that we go back and look and make sure that it has been and if it hasn't been let's make sure we do that, thank you sir.

Councilmember Barnes Arrived at 6:51 p.m.

Communicate Safety & Transportation

Mindy Tyner, 4411 Charlestowne Manor Dr., 28211 said I am here today along with several of my neighbors to speak to you about a danger in our community. The intersection of Sharon Amity and Castleton has long been a concern for residents living in our area. However this year particularly it was made abundantly clear that something needs to be done and soon before more people are hurt. It is a dangerous intersection. There have been numerous accidents but recently three of them stand out. On September 2011, Elliott McKinney who is here; suffered a torn aorta when his station wagon was hit; Thomas Crane, who's also here, was in an accident February 23, that left him in a coma on a ventilator with spleen and kidney damage; and as recently as October 17th this year. Jim, JoAnn and Lisa Cultrator were in an accident in which all three were also taken to the hospital. The injury from these accidents while not fatal, have made serious impact upon the lives of those involved and their loved ones. All are still coping with their injuries today and undoubtedly will in their future. Now it's easy for some people to dismiss these accidents and say well drivers just need to be more careful. I am here today to stress that driver error is not solely to blame. Many of my neighbors who've gotten into accidents are careful drivers.

I consider myself a careful driver I've never gotten a speeding ticket. I'm cautious to the point of annoying my other passengers in the car but despite my over-abundance of caution I've had several close calls as well at this intersection. It's poorly designed with a bend that limits visibility and also there are many drivers who speed on Sharon Amity particularly around that bend. Many of the neighbors have made contact with DOT, the Department of Transportation and have requested to make it safe to install a traffic light but the DOT has taken no action. The reason given is that the numbers don't support a traffic signal there. So now we are appealing to you, our elected officials, it seems ridiculous to wait for enough severe accidents to occur before taking action. Something needs to be done to prevent these accidents which is why we have organized this petition which I hope to give you and 622 people have signed it. The majority of them, Charlotte residents who are concerned with their safety. Today, I give you the collected signatures but many have written heartfelt reasons about why this is important to them. I will email you individually the petition

itself so that you can read what each person says. In closing, this is a safety concern not just for the residents living in our area but for anybody travelling along Sharon Amity. Please be proactive and make it a safer intersection.

Mayor Foxx said thank you ma'am and we really appreciate you and your neighbors coming down tonight. If you will give the petition to the clerk there, we'll make sure to have a response sent out to you from our staff. Thank you Mr. Manager.

Councilmember Cannon said I would just like to request also Mr. Manager if we can get a report on the numbers that have already gone into play in terms of the count and what that threshold has to be in order for it to be considered to have the proper signalization or what have you there, in order to prevent some of these accidents from occurring that hopefully won't result in anything worse than that. So if that can be sent to us that would be great.

City Manager, Curt Walton said I think it's part of the report that Councilmember Pickering asked for at the last meeting and we will have it to you soon.

Mr. Cannon said o.k. so it's on its way, very good.

Mayor Foxx said I think it's important to try and get something done, thank you very much and thank you all for coming.

Councilmember Autry said I certainly feel the frustration there because when I travel this street which I am apt to do many times during the course of a week, it is a rather interesting experience especially on a bicycle. So you are really taking your life in your own hands on that mode, but even in a car if you are going between 35 and 40 miles an hour through there, there are people still whizzing by you and riding your bumper pushing you down the street. It is a dangerous situation, a situation that should be addressed but I'm not sure when that's going to happen.

Mr. Cannon said to his point, the numbers don't always tell the story so hopefully regardless of what comes back, let's look beyond the numbers and see if indeed we need to do something beyond that.

Mayor Foxx said that was exactly my point. We need to try to get something done if we can. Thank you all very much.

Cut-Through Street for Neighborhood

Baxter McCrory, 408 Clark Blvd., 28262 said I appreciate your time first. The reason I came by, I was a lifetime citizen of Charlotte other than I did move to South Carolina three years ago. I still own property on Clark Blvd. which all my neighbors at the time came and had it rezoned for business. At that time they told us that they would be putting an access through our neighborhood, matter of fact they didn't do that. The whole area has built up around that particular street and there's been nothing done to Clark Blvd. So my reason for coming here, I would like to see if you could get approved, a small street that cuts right through there that was planned a long time ago. And they also, at that time, had said there would be sidewalks, they're not there either. And I would just like your help on that.

Mayor Foxx said okay can we get some research done on that one as well?

City Manager, Curt Walton said yes sir we will get you a report. I believe it was part of the Crescent master plan associated with IKEA and so it was in their plans but we will get you the status of that.

Mayor Foxx said thank you very much and we will try to get an answer for you sir.

Mr. McCrory said okay thank you very much.

Councilmember Dulin said I'm sorry we are talking about the IKEA area here; I don't have any reference as to where we are.

Mr. Walton said yes sir it is in that Crescent master plan; I don't remember how many acres, but a lot up near IKEA.

Mr. Dulin said is this the, one of the low areas, cause that area is like this?

Mr. McCrory said IKEA road is building through to McCullough right now and while they're doing that, they can just cut that through there without too much of a problem and like I said it was meant to be there a long time ago.

Mr. Dulin said thank you sir I've gotten a better reference now. Thank you Mr. Mayor.

Mr. Mayor said we will have the staff reach out and get back to you on it. Your request is noted. Thank you.

Former Double Oaks Pre-Kindergarten and Family Resource Center

Dondhi Burrell, 1830F McAllister Drive, 28216 said it's a pleasure to be here tonight. I'm not going to be able to stay although I'm enjoying the process. I just dropped by tonight just simply to introduce myself as - Dondhi Burrell, Worshipful Master of Zachary Alexander Senior Lodge #833. Worshipful Master meaning elected official for the entire year. In March of 2011 we were one of the groups who petitioned the Charlotte Mecklenburg School System to use one of the buildings being vacated by them. In January 2012, we were finally accepted and approved and we moved in in February of 2012. We are a self-funded organization; we are responsible for the entire property which is formerly the Double Oaks Pre-Kindergarten and Family Resource Center, thus we kept the name Double Oaks Masonic Outreach and Family Resource Center. We are responsible financially for the six buildings and the entire property. Our organization receives no funds from any City Council, State or Federal Funds; not that we don't want to, we just don't qualify because we are a 501(c)(8) which is both a non-profit charity and benevolent organization.

We are maintaining the facility with the funds generated through subleases, day rentals and general fund raising. This allows us to continue to develop the plan that we submitted which was to operate the facility as a community center. And that's what we are doing by organizing and making provisions for such youth organizations, the Knights of Pythagoras; The Gleaners and we are working to develop tap dancing for seniors as well as martial arts and movie nights for adolescents. On December 10th, we will have our annual Adopt a Family night. This year we will be adopting three families that will receive Christmas gifts, funds and dinner. The Council is certainly welcome to attend and I also brought by some cards I'd like to leave for the Council if anybody should have any questions or if you want to stop by and see what we are trying to do. We are in the Brightwalk community and we're just trying to be good neighbors, thank you.

Mayor Foxx said much we appreciate your presentation and thank you for the invitation.

Thank you

Rena Blake, 4109 Broadview Drive, 28217

Councilmember Mitchell said Ms. Blake is not here but she's a church member of mine. She wanted to drop by and say Curt thank you to the city staff for dealing with her sewage drainage problem in her back yard. She is so glad that after probably three months that it was repaired, so she was going to drop by to say thank you.

Presentation

Hubert Goings, 5912 Daria Court, 28269 said I'm the head swim coach of West Charlotte High School and on behalf of West Charlotte High School in particular, the West Charlotte High School swim team. We have set out to let the people of Charlotte know that swimming is alive and well at West Charlotte High School. We will be making appearances around Charlotte to let people know that three out of every five children that drown during the summer are of African American descent. We would like that all children learn how to swim. We also want to let the people know that our swim team will not only be graduating with a diploma, but also a job and a career as swim instructors, lifeguards and can go on to be so much more in aquatics. With that we could not think of a better place to start our tour of Charlotte, but here to recognize the three West Charlotte alumni, Councilmember James Mitchell, the first alumni; Councilmember David Howard, the second alumni; and the youngest alumni of the group; but the leader, we would like to present you with a little something from the swim team, Councilmembers Mitchell, Howard and the Mayor.

Mayor Foxx said I always love it when our young people come down here, whether it's a Boy Scout troop or a school organization and I think I can speak for James and David; we were there in the pre-swim team era of West Charlotte, there was no pool, except the kind you use a stick and a ball with. You all are some of the finest young people we have in our City. We are so proud of you and we're so hopeful that you will continue working hard and deliver the future that we hope for and expect in this community, so thank you very much for being here.

Councilmember Dulin said listen West Charlotte Swim Team, I've had the pleasure of being around the Jr. ROTC Army Recruits from West Charlotte, any of yall, got your hands up, well I love you, not that I don't love the swim team, but if you were there last year and you will be there this Spring, I will be at Bojangles Coliseum with you during your graduation ceremony. And what you guys do at West Charlotte and folks out there, the Jr. ROTC program not only at West Charlotte, but around the CMS program, these kids are the leaders that you see tonight and they're the best we've got in our community. So for yall to be ROTC and swimming and other activities, I'm glad to have you down here in front of this body for us to see you. God bless you and keep being a leader in the classroom and in your communities. This is wonderful.

Mayor Foxx said are there parents here as well, just stand up and wave. We love you too, thank you so much.

Communicate Safety & Transportation

Lucy Crain, 1028 Worcaster Place, 28211 said thank you for having us so much tonight, this is my son Thomas and I couldn't appreciate more what you said about it not being about the numbers, cause that's why we're here. We're going to tell you a story okay. There is so much we could tell you about that intersection at our neighborhood. We could talk to you about that blind curve, we could talk about the fact that cars go way to fast, that they can't see our little street because there's a blinking light and an intersection sign at Craig, that takes their eyes past us to the next intersection so they just go right through there because they are in a straight shot from Monroe Road and if that cop's not right there at the Gospel Hall they know they've got it made until they get to the corner, and we could talk about that. But what we'd really like to talk about is the story. Last September my son Thomas called me and asked me to come quick to the intersection as he had witnessed an accident and our neighbor had been terribly hurt. I was there in time to see the rescue workers cut an unconscious Elliott McKinney out of his car and carry him away in the ambulance. Six months later another call came from a neighbor about a wreck at the intersection only this time it was my son. That same scene was repeated and I sat on that same hill as they cut my child out of that car and took his unconscious form to the hospital. We have come to remind you tonight that we are not statistics. We are not just the 47% of the accidents at that intersection involving injury. We are people and I want to know the percentage point on a life. So I'm going to let Thomas talk to you about his story.

Thomas Crain, 1028 Worcaster Place, 28211 said thank you for letting me speak tonight. I wish I could tell you about my accident but I cannot remember that morning or anything that happened for the next six weeks that followed. I spent 77 nights in the hospital following my accident. Part of the time in Neurological ICU in a coma and the rest in rehab; I had to relearn everything, how to walk and talk and tie my shoes, I'm still learning today. I go to outpatient therapy every day for people with traumatic brain injuries. The therapist there teach me coping skills to live with my deficits and memory processing speed and other cognitive functions. At the time of the accident, I was a senior in the Ivy League program at Myers Park High School. I was still waiting to hear from my dream school, the University of North Carolina at Chapel Hill. My acceptance letter came when I was still in my coma. This fall, all of my classmates went off to college, most of them, to UNC and I stayed behind. I am working hard to be able to go to college, but I may never be able to go to Chapel Hill.

Ms. Crain continues for son Thomas, I was also very active, swimming and playing basketball and soccer. Now I'm not allowed to dive or to play team sports. I can't climb a ladder, ride a bicycle, or roller coaster and perhaps the most difficult for an 18 year old boy, I cannot drive a car.

Mr. Crain said don't get me wrong, I don't usually think about what I'm not allowed to do and much less talk about it. I'm very grateful just to be alive. I have also had an incredible amount of

support from the community, friends and neighbors who have been pulling for me all along. I've been very blessed less than 10% of the people with my type of injury do not wake up from a coma much less recover to the point that I have. On Thanksgiving I went back to visit some of my friends working in the ICU and one of the nurses told me that I'm a legend there. No one expected me to walk out of the hospital, but I did. However if things do not change at that intersection, the next person may not be so lucky. As the Mayor (inaudible) are still alive and able to bring this issue to your attention. The next time an accident occurs there, and one will, things may not go so well. My friends and family are driving through that intersection many times a day and I do not want one of them or anyone to go through what I have been through or worse. They should be allowed to exit their neighborhood or worse, they should be allowed to exit their neighborhood and go into the world safely each day. Please think about it if your son or daughter or spouse or parent were turning left on Sharon Amity every day. Please help us slow traffic down and make a difference. Let's make the intersection of Sharon Amity Road and Castleton Road safer for everyone. Thank you very much.

Mayor Foxx said thank you for sharing your story.

Councilmember Pickering said I just want to thank you so much for coming out and sharing that story with us and I can guarantee you that you have the commitment of the full Council here. We'll look at that closely. This has been an issue and a topic for us, safety on our streets so we're on it, but we can't thank you enough for the bravery that you've shown and having the courage to come down here and share your story with us so thank you so much.

Mayor Foxx said thank you so much, very very moving story.

Councilmember Fallon said Manager is there any way that can be expedited, that light there, that we don't have to wait to go through all the steps and just get it done?

City Manager, Curt Walton said I need some advice on that from Transportation.

Charlotte Department of Transportation, Danny Pleasant said as you do we grieve every accident every fatality, every injury that happens on our street system in the City of Charlotte and endeavor as much as we can to make the streets as safe as possible. Of course part of that responsibility resides with the drivers and the users of the street. This particular location we've looked at it quite a number of times, most recently I believe I reported to Councilmember Autry and reported on some questions that we had about a particular intersection. This is one of many that have accidents from time to time; we have about one or two injury accidents a year at this location which unfortunately is not an unusual amount or an extraordinary amount of accidents at that location. We've looked at the signal warrants and of course it doesn't meet signal warrants; in that particular case it's two lanes in each direction without turn lanes, without a median; so in order to make it a safe intersection we would need to widen it and put in turn lanes that would require a right-of-way acquisition and that sort of thing. So it's not a simple fix just to drop in a traffic signal at that location. We have put in signs and warnings and that sort of thing in the area to try to caution drivers as they approach. The one thing we will do is we will continue to look at it and monitor it and we will work with the police department to try to get some control over speeding in the area. We do recognize that there is some of that activity taking place. And I will commit to you that we will do whatever we can to make it as safe as possible to warn drivers in the location that there is a curve and hills in the area.

Mayor Foxx said I'm reminded of some other pedestrian fatalities and serious accidents that have happened, not just this intersection but at other intersections; is it a funding issue, is it a process issue? What do we have to do to kind of move these things along?

Mr. Pleasant said well certainly funding is always a question and we use the resources that you give us to the best extent that we can. In this particular case it simply is the numbers and the guidance that we use in order to put traffic signals in and qualify those signals. And in this particular case, the accidents that occur there have really no discernible pattern or even time of day in those intersections. Typically if we see a continued pattern of crashes at an intersection, we kind of know what to do with it so in a case like this where there is no discernible pattern, just putting in a traffic signal doesn't always solve the problem. In fact if you do it the wrong way, it can exacerbate problems and create the patterns that you don't want to see there. So we're always very careful and

thoughtful about what we do. Like I say we feel bad for every tragedy that happens on our street system and do everything we can across the City to make it better.

Councilmember Cooksey said Danny I see at Craig Avenue on N. Sharon Amity, there is a caution blinker on the Sharon Amity run and a stop, kind of a red blinker onto Craig Avenue instead of a stop light it's kind of a caution light-stop light. Would that kind of lighting, you think make a difference in this next intersection.

Mr. Pleasant said we can look at that if you want do certainly the red blinking indicator has the same regulatory requirement as a stop sign but maybe it's more noticeable to folk.

Mr. Cooksey said it's actually not the red blinking indicator that's the problem. From what I understand it's not the stop sign that has a problem but the Sharon Amity traffic that is, what I'm hearing, is that folks travelling Sharon Amity quickly understand Craig but they don't realize that Castleton is next and something that indicates, again I appreciate your request for a stop light, but we all have our experiences where we understand the wants versus, we know it's a lot that has to be balanced, but when I see this kind of tool available at one intersection that's not a full stop light; but at least it's an indicator; if I hearing that people think that folks on Sharon Amity don't see that there's another intersection that might be a way to get them to see it. Just as a thought as you are evaluating options I will be looking to see if you evaluate that one.

Mr. Pleasant said we will do it. That's a good idea we will look at it.

Mayor Foxx said I think the idea is to fix this problem and see if we can, there are other ones I know that Ms. Mayfield has a couple of places in her district where there have been fatalities in places and we need to fix these problems. And I know folks have come here and I just want you to know that we will do what we can to try to get the ball moving forward on fixing this problem. Thank you for coming, thank you Danny.

Brightwalk

Elizabeth Barnhardt, 1242 Chandler Place, 28211 said I'm with Charlotte Regional Realtor Association, I'm joined by Terri Marshall the Executive Director of the Housing Opportunity Foundation and we're here to brag to you about an event that we did on October 25 that we call the Neighborhood Experience of Brightwalk and as Mr. Burrell talked about earlier, it is a thriving unique neighborhood that we really wanted to highlight to the realtors and to the public what an interesting experience and what a great opportunity it was for us to partner with the City and the County with private businesses and a non-profit community. It was a busy week for you guys. A lot of you were in New York, the League of Municipalities were in town but I want to thank Councilmember Mitchell for making some time to come over and speak on behalf of the City and really highlight all of the different things going on. I want to thank the Mayor he had a lot of kind words to say before the event and we really thank you for your kind words that were used to help promote the event and then I can't say thank you enough to David Howard because as he said before, this is his baby. The plan started really in 2001 with that area plan, we saw that plan come to fruition. The day was a series of vendors throughout seven model homes that really promoted safe homeownership. And all of the organizations there to educate, not only the realtor but members of the public on homeownership. But the specific county and city agencies that we want to thank tonight are the Charlotte Planning Department; the Mecklenburg County Parks and Recreation Department; Charlotte Fire Department, they probably had about 20 firemen out there. As you know that's going to be their new home and their new headquarters there at Statesville Avenue and they were happy to come bring a red fire truck out; a fire extinguisher, simulator and really show off their new home to their new neighbors. Also Community Relations Committee, Let's Save Charlotte and the Housing Partnership. And I'm going to turn it over to my colleague Terri Marshall to talk a little bit more about our non-profit partners.

Terri Marshall, 1201 Greenwood Cliff, 28204 said I want to talk to you a little bit about some of the successes that we've had that day. We had far over 150 attendees that joined us and came out to see that neighborhood. Many who had never visited before. We also had the support of five key sponsors and I want to point out that we did get significant support from the National Association of Realtors; they came on board to support the project to match and leverage the local dollars that we had received. So we are very grateful not only for that financial support but also for that

recognition. We had 24 community partners as Elizabeth alluded too. These included private lenders; housing non-profits such as HUD; Homes for N.C.; North Carolina Housing Finance Agency and Belmont Community Development Corporation. You know it's always dangerous to start naming people because you're either going to run out of time or you're going to forget someone. But I did want to mention just a couple of those. We also had extremely positive press and media coverage. We think that they really understood that something very exciting was happening in this area and came out and joined us that day. We were also joined by the Arts & Science Council who came out to showcase their public arts project and plan for that area, and as Elizabeth said much involvement from our partners within the City of Charlotte. Perhaps the most important thing that I want to share with you is that as a result of the funding that we received from the National Association of Realtors, we also received an invitation to showcase and talk about this project at the National Association of Realtors Convention on November 10th in Orlando, FL. There were thousands and thousands of realtors across the nation who attended this session and we were so excited to be able to once again bring Charlotte to the national spot light.

I wanted to share with you that at the end of the presentation, people were once again amazed at what Charlotte is accomplishing in our City and one of the questions that they ask is tell us how Charlotte does this and our answer was pretty simple.

Councilmember Howard said if you had another minute or so what else would you add?

Ms. Marshall said I would just tell you that our answer to them was we have leadership who believes that everyone should have a safe and affordable place to live. Thank you for letting us share.

Incarceration and Manufacture Jobs

Deborah Lee, 11520 Laurel View Drive, 28273 said thank you Council for allowing me the opportunity to return and speak again and I would like to give honor and respect to my Cherokee Indian heritage because of Thanksgiving, I hope that sits well. But I would like to thank all of you. Like I said the last time Mayor Foxx has been real nice to me and I don't want to wear out my welcome; Charlotte presented a whole different set of challenges for me and I have found some things down here in the community that really really concern me. Some of it you all will not be able to handle on this level because I'm learning about the different levels of power and how much power someone can have as oppose to politics in Virginia. I would like to thank those companies that have looked at Charlotte to bring jobs here because you have a great great need for those jobs. I would like to thank Lance for donating a check to Food Harvest you know those type of things. I must admit Charlotte has some resources here that I have never seen in the other cities. They really do take care of their hungry. You will never go hungry. They do try to give them clothes and that's something I don't see in every city. So I wanted to give you all your kudos as well, okay. But I want to know who is the representative of District 1?

Mayor Foxx said Ms. Patsy Kinsey.

Ms. Lee said you Ms. Kinsey, we're going to talk. And representative Watts, I have tried to get in contact with him. I have heard nothing. I do not sit well with politicians that go out and solicit your vote; I don't care if I'm not in your district or not if I call and write you at least be respectful to return to return my call and Mayor Foxx was that kind of guy. I liked that. Congratulations to Governor McCrory, I was not surprised at your win I am a republican, but I don't always agree. So I wish you the best you all will be seeing a lot more of me; I wish you would bring the superbowl here as well because I think that will be revenue for the City. I do not agree with Walgreens going into that community. I do not agree that yall should spend no more money for this little trolley thing that's up here. Get some revenue up in here, God bless you all.

Mayor Foxx said sounds like we might be hearing more from you on the campaign trail how about that. Thank you very much.

Various Topics regarding County Government

Fred Mauney, 131 Newton Moore Road, Peachland, NC 28133 said I'm here again about what seems to be more than a serious situation which involves lawsuits and involves the City. And in so

doing, there's been a lot of misconduct and thought upon the court which I brought to your attention before, that I went to see Professor William Van Einstein one of the most top prominent constitution law professors in the country to get his consultation on what the law was, or not of what was going on. And the Federal Court side of it, I put a memorandum of law with this professor that anybody could get in contact with him. And this was also given to yall city attorneys and he's the one defending yall side of it. With that we end up because Barack Obama was served with it in the State case and this fall upon the court involving his attorneys that we asked for a bench warrant when he came here. Not thinking that we were going to get, but it was part of it. And then later we followed it up with other stuff. Now during this whole time and since this incident happened which is a criminal conspiracy that went on about my civil rights on May the 2nd of 2008; at the Bojangles center that I've been in consultation; I mean not consultation but communication with the Secret Service. And once that yall were getting this DNC coming here; that communication upped the grade. In fact right before it was here, I spent over an hour with the Secret Service and we went over this stuff of what I was doing to file and all and going to the professor and things like that and so what I got there and a copy for yall to have is an order that came back from the Federal Judge which on page 3 he states Plaintiff makes several serious disturbing statements and threats in his motion. Plaintiff states that the named defendants are public servants. We're talking about yall and the President of the United States. The court takes threatening language extremely serious particularly when it was directed at public officials.

Well this is just and out and out deliberate mischaracterization. Now it was a week before I got this because I wasn't at home and then a few days later I went to see the Secret Service. They were shocked to the point of being stunned that this was just like it was a threat on the President's life, why aren't they being notified. Also if it's a threat on yall's life or something why aren't yall's attorney notifying authorities because it's State statutes. Well the reason is it's a complete lie and fabrication. We got more criminal activity going on here and now it's getting up more to the federal judge and here's a statute, threats against presidents, successors and presidency. But yall need to look at this because if yall got a city attorney it's a misconduct not reporting the other misconduct; the misconduct of judges; he's violating the professional code of ethics for the bar. You know and he's not notifying any if he was helped when this stuff was thrown on him if he thought it was a threat why didn't he notify yall and the authorities, like the FBI and this, that and the other. I went out to the FBI office about this, they didn't want to see me. They said they had already seen enough and heard of it. I said well that man talked to you cause something serious is going on here and they said not by the chimney chin chin.

Mayor Foxx said thank you for coming and we've got your comments here. That concludes our speakers for the evening and we want to thank everyone who came out to share their views and share their concerns with us tonight.

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BUSINESS MEETING

ITEM NO. 6: CONSENT AGENDA

A motion was made by Councilmember Barnes, seconded by Councilmember Mayfield and carried unanimously to approve the Consent Agenda as presented with the exception of Item No. 30P which was pulled by staff, and Item Nos. 30S and 30U have been settled.

The following items were approved:

Item No. 16: Private Developer Funds for Traffic Signal Improvements

Budget Ordinance No. 5005-X appropriating \$246,000 in Private Developer Funds for Traffic Signal Improvements.

The Ordinance is recorded in full in Ordinance Book 57, at Page(s) 913.

Item No. 17: Storm Water Rain and Stream Gauges Maintenance Agreement

Approve the five-year agreement with the United States Geological Survey (USGS) for an amount up to \$1,919,350 for maintenance of storm water rain and stream gauges.

Item No. 18: Poindexter Drive Light Rail Vehicle Crossing

Contract to the lowest bidder, Atlas Railroad Construction, LLC in the amount of \$1,010,504 for construction of the Poindexter Drive Light Rail Vehicle Crossing project.

Summary of Bids

Atlas Railroad Construction, LLC	\$1,010,504.00
Blythe Development Company	\$1,164,086.00
Showalter Construction	\$1,493,235.70

Item No. 19: Storm Water Media Buying and Creative Services

(A) Approve a contract with The Agency Marketing Group in the amount of \$196,000 for media buying and creative services, and (B) Authorize the City Manager to approve up to two renewals, each up to the original contract amount.

Item No. 20: Airport Recycled Concrete

Approve the purchase of recycled concrete as authorized by the sole source exception of G.S. 143-129 (e)(6)(ii), and (B) Approve a unit price contract with Martin Marietta Aggregates for the purchase of recycled concrete.

Item No. 21: Airport Recycled Concrete

(A) Contract to the lowest bidder, Schindler Elevator Corporation, in the amount of \$279,298 for the purchase of moving walkway parts, and (B) Contract to the lowest bidder, Otis Elevator, in the amount of \$82,946 for the labor to install the moving walkway parts.

Summary of Bids - A

Moving walk pallets	
Otis Elevator	\$352,200.00
Schindler Elevator	\$279,298.00

Summary of Bids - B

Labor	
Otis Elevator	\$ 82,946.00
Schindler Elevator	\$133,317.00

Item No. 22: Airport Painting Contract

Three-year, low bid unit price contract to CertaPro Painters for interior and exterior painting services on Airport property.

Summary of Bids

CertaPro Painters (non SBE)	\$20.00 per hour
Southend Painting Contracts (SBE)	\$24.50 per hour

Item No. 23: Utility Revenue Manual and City Code Amendments

(A) Ordinance No. 5006 approving the Charlotte-Mecklenburg Utility Department Revenue Manual and to make associated changes in Chapter 23 of the City Code to implement its provisions, and (B) Ordinance No. 5007 adopting an ordinance making miscellaneous amendments to Chapter 23 of the City Code to meet state requirements.

The Ordinance No. 5006 is recorded in full in Ordinance Book 57, at Page(s) 914-918.

The Ordinance No. 5007 is recorded in full in Ordinance Book 57, at Page(s) 919-920.

Item No. 24: FY2013 Street Main Extensions Contracts #3 and #4

Contract to the lowest bidders, R.H. Price, Inc. for contract #3 in the amount of \$1,371,617.79 and Sanders Utility Construction Co. for contract #4 in the amount of \$1,345,998.05, for construction of water and sanitary sewer mains along existing roadways and in easements in Mecklenburg County.

Summary of Bids

<u>Contract 3</u>		<u>Contract #4</u>	
RH Price	\$1,371,617.70	Sanders Utility	\$1,345,998.05
Sanders Utility	\$1,374,240.55	Bullseye Construction	\$1,367,264.80
Bullseye Construction	\$1,394,906.80	RH Price	\$1,371,617.70
Davis Grading	\$1,448,052.70	Davis Grading	\$1,448,052.70
Dellinger	\$1,514,888.05	Dellinger	\$1,514,888.05
State Utility	\$1,587,006.30	State Utility	\$1,587,006.30

Item No. 25: Utility Lawn Restoration Services

Award contracts to Diamond Athletic Landscaping and Carolina Commercial Landscaping LLC to provide lawn restoration services throughout Mecklenburg County for a term of two-years.

Item No. 26: Rhyne Annexation Area Lift Station and Force Main

Contract to the lowest bidder, James E. Harris Construction Company, in the amount of \$565,178 for the construction of the lift station and force main to serve the Rhyne Annexation Area.

Summary of Bids

James E. Harris Construction	\$565,178
Buckeye Construction	\$596,600.20
Sanders Utility Construction	\$605,710
State Utility Contractors	\$606,810
R.F. Shinn Contractors	\$692,158
Gilbert Engineering	\$730,700

Item No. 27: Raw Waterline Improvements

Contract to the lowest bidder, Sanders Utility Construction Co., in the amount of \$1,299,966 for construction of the Raw Waterline Improvements.

Summary of Bids

Sanders Utility Construction	\$1,299,966
State Utility	\$1,451,717
Dellinger	\$1,533,785
Propst Construction	\$2,396,591

Item No. 28: CharMeck.org SharePoint Upgrade

Amendment to the existing contract with RMSource, Inc. for CharMeck.org Hosting Services to support an upgrade to SharePoint 2010 in the additional amount of \$150,000.

Item No. 29: Refund of Property and Business Privilege License Taxes

(A) A resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$729,224.05, and (B) A resolution authorizing the refund of business privilege license payments made in the amount of \$6,227.59.

The Resolution A is recorded in full in Resolution Book 44 at Page (s) 70-79.

The Resolution B is recorded in full in Resolution Book 44 at Page (s) 80-81.

Item No. 30-A: 11230 Elm Lane

Acquisition of 207 sq. ft. (.005 ac.) in Sidewalk and Utility Easement, plus 4,520 sq. ft. (.104 ac.) in Temporary Construction Easement, plus 1,916 sq. ft. (.044 ac.) in Utility Easement at 11230 Elm Lane from Wells Fargo, National Association for \$57,100 for Ballantyne Commons Parkway/ Elm Lane Intersection Improvements, Parcel # 3

Item No. 30-B: 11630 Elm Lane

Acquisition of 11,346 sq. ft. (.26 ac.) in Fee Simple within Existing Right-of-Way, plus 2,328 sq. ft. (.053 ac.) in Sidewalk and Utility Easement, plus 4,336 sq. ft. (.1 ac.) in Temporary Construction Easement at 11630 Elm Lane from Hope of Israel Congregation, Inc. for \$10,975 for Ballantyne Commons Parkway/ Elm Lane Intersection Improvements, Parcel # 16.

Item No. 30-C: 4145 Blenheim Road

Acquisition of 10,176 sq. ft. (.234 ac.) in Fee Simple (TOTAL TAKE) at 4145 Blenheim Road from Weston Properties, Ltd. for \$66,000 for Blenheim Storm Drainage Improvement Project, Parcel # 13.

Item No. 30-D: 4149 Blenheim Road

Acquisition of 9,741 sq. ft. (.224 ac.) in Fee Simple (TOTAL TAKE) at 4149 Blenheim Road from Weston Properties, Ltd. for \$65,000 for Blenheim Storm Drainage Improvement Project, Parcel # 14.

Item No. 30-E: 4108 Blenheim Road

Acquisition of 9,780 sq. ft. (.225 ac.) in Fee Simple (TOTAL TAKE) at 4108 Blenheim Road from Robert S. Hatley for \$50,000 for Blenheim Storm Drainage Improvement Project, Parcel # 16.

Item No. 30-F: 1623 Scotland Avenue

Acquisition of 1,351 sq. ft. (.031 ac.) in Storm Drainage Easement, plus 338 sq. ft. (.008 ac.) in Temporary Construction Easement at 1623 Scotland Avenue from J. Alexander Law, Jr. and Wife, Gaye H. Law for \$11,625 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel # 4.

Item No. 30-G: 1613 Scotland Avenue

Acquisition of 3,595 sq. ft. (.083 ac.) in Storm Drainage Easement, plus 697 sq. ft. (.016 ac.) in Temporary Construction Easement, plus 1,018,293 sq. ft. (23.377 ac.) in Permanent Easement at 1613 Scotland Avenue from George A. Pressly and Wife, Rebecca D. Pressly for \$33,100 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel # 5.

Item No. 30-H: 1509 Scotland Avenue

Acquisition of 2,407 sq. ft. (.055 ac.) in Storm Drainage Easement at 1509 Scotland Avenue from Raymond A. Jolly, Jr. and Wife, Kimm H. Jolly for \$46,500 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel # 12.

Item No. 30-I: 1501 Scotland Avenue

Acquisition of 3,538 sq. ft. (.081 ac.) in Storm Drainage Easement, plus 17 sq. ft. (.000 ac.) in Temporary Construction Easement at 1501 Scotland Avenue from Daniel L. Johnson, Jr. and Wife, Suzanne H. Johnson for \$60,000 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel # 13.

Item No. 30-J: 1437 Scotland Avenue

Acquisition of 2,284 sq. ft. (.052 ac.) in Storm Drainage Easement, plus 1,000 sq. ft. (.023 ac.) in Temporary Construction Easement at 1437 Scotland Avenue from Joseph D. Dulaney and Wife, Raleigh H. Dulaney for \$60,325 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel # 14.

Item No. 30-K: 515 Little Rock Road

Acquisition of 2,759 sq. ft. (.063 ac.) in Fee Simple, plus 1,407 sq. ft. (.032 ac.) in Storm Drainage Easement, plus 1,237 sq. ft. (.028 ac.) in Temporary Construction Easement at 515 Little Rock Road from U.S. National Association for \$14,900 for Little Rock Road Realignment, Parcel #507.

Item No. 30-L: 10908 Mallard Creek Road

Acquisition of 5,966 sq. ft. (.137 ac.) in Fee Simple, plus 10,136 sq. ft. (.233 ac.) in Fee Simple within Existing Right-of-Way, plus 5,985 sq. ft. (.137 ac.) in Water Main Easement, plus 3,557 sq. ft. (.082 ac.) in Temporary Construction Easement at 10908 Mallard Creek Road from Calvin Cooper and Wife, Jewel B. Cooper for \$13,975 for Mallard Creek Sidewalk Improvements, Parcel #6.

Item No. 30-M: 4016 Rockwood Road

Acquisition of .57 acres at 4016 Rockwood Road from Charles and Shelia Hartley Heirs for \$138,000 for Airport Master Plan Land Acquisition.

Item No. 30-N: 2300 Keller Avenue

Resolution of Condemnation of 344 sq. ft. (.008 ac.) in Sidewalk and Utility Easement, plus 4,280 sq. ft. (.098 ac.) in Temporary Construction Easement at 2300 Keller Avenue from Gwendolyn H. McCarroll, Trustee of the Trust Created By Will of Arthur Tyrone McCarroll and Any Other Parties of Interest for \$13,750 for Beatties Ford Road Business Corridor Improvements, Parcel # 14.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 82.

Item No. 30-O: East 20th Street

Resolution of Condemnation of 439 sq. ft. (.01 ac.) in Fee Simple at East 20th Street from PressLee, LLC and Any Other Parties of Interest for \$2,425 for Blue Line Extension, Parcel # 1152.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 83.

Item No. 30-Q: 321 Prince Charles Street

Resolution of Condemnation of 136 sq. ft. (.003 ac.) in Slope Easement, plus 1,109 sq. ft. (.025 ac.) in Waterline Easement, plus 1,061 sq. ft. (.024 ac.) in Temporary Construction Easement, plus 851 sq. ft. (.02 ac.) in Combined Slope Easement and Waterline Easement at 321 Prince Charles Street

from Jose Fabio Ramos and Wife, Maria Angel Cabrera Ramos and Any Other Parties of Interest for \$7,100 for Blue Line Extension, Parcel # 1337.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 84.

Item No. 30-R: 6507 North Tryon Street

Resolution of Condemnation of 21,709 sq. ft. (.498 ac.) in Fee Simple (TOTAL TAKE) at 6507 North Tryon Street from Dimitrios S. Kotrotsis and Soula A. Kotrotsios and Any Other Parties of Interest for \$510,000 for Blue Line Extension, Parcel # 2201.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 85.

Item No. 30-T: 6312 Rumble Road

Resolution of Condemnation of 2,466 sq. ft. (.057 ac.) in Fee Simple, plus 44 sq. ft. (.001 ac.) in Water Main Easement, plus 2,234 sq. ft. (.051 ac.) in Temporary Construction Easement at 6312 Rumble Road from Cheryl Lukevics Long and John Karlis Lukevics and Any Other Parties of Interest for \$26,250 for City Boulevard Extension- Phase III, Parcel # 30.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 86.

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ITEM NO. 7: ZONING PETITION 2012-071

Councilmember Kinsey said let me make sure everyone knows what this is. It is to render a decision on proposed rezoning 2012-71 by Lincoln Harris, LLC from O-2 PED, office, pedestrian overlay district to MUDD-O, mixed use development district, optional. This does have a protest petition so it would take 4 votes in favor to approve it.

Mayor Foxx said it takes 9 to approve it.

Ms. Kinsey said 9 to approve, I'm sorry, 4 to deny it. I do however wish that I'm not in favor of it and I'm prepared to make a motion to deny it if that's the way that you would like for me to handle it Mr. Mayor. Sometimes it's a little difficult with a protest petition on how to handle it. But I am prepared to make that motion right now for me.

Mayor Foxx said you may make the motion, but I'd like to hear from the petitioner just to what the basics of the deferral is if that's o.k.

Ms. Kinsey said the deferral has been removed.

Mayor Foxx said the deferral has been removed?

Ms. Kinsey said yes the deferral has been removed, yes.

Mayor Foxx said okay so you can go ahead and make the motion.

Motion was made by Councilmember Kinsey seconded by Councilmember Mayfield that the proposed rezoning Petition No. 2012-071 is inconsistent with the Midtown-Morehead-Cherry plan and as such the amendment is not reasonable and is not in the public interest, therefore I move to deny Petition No. 2012-071.
--

Councilmember Howard said I was just asking the city attorney in the case of a protest petition, how does a denial work?

City Attorney, Bob Hagemann said you can do it one of two ways; it takes 9 votes to approve the petition. Any vote that falls short of 9 means the petition is denied. Ms. Kinsey has framed it as a motion to deny, which is proper, technically the motion would pass with 4 votes meaning that there aren't 9, to approve the rezoning. So you can either handle it that way or do it straight up and down and see if it gets 9 votes to pass.

Councilmember Barnes said thank you Ms. Kinsey. I wanted to make a brief comment about the petition. I, like everyone else have received a large number of emails from the neighbors which I appreciate, both for and against, mainly against. And one of the discussions I think we all may have had with the petitioner and some of the neighbors is what could happen if this petition is denied and that would be for the petitioner to build an office development there. And as I understand it, the neighbors, most of them are fine with that. Which is somewhat instructive and I understand that the petitioner is willing to build it if the petitioner does not get the entitlements to build the drugstore. So I appreciated that information from the neighborhood and I appreciate your leadership Ms. Kinsey.

Mayor Foxx said so to clarify a vote, Aye, on this; would be to deny.

Ms. Kinsey said to deny and we would need,

Mayor Foxx said 4 to deny. So do I get to vote on this one?

Ms. Kinsey said yes you do.

Mr. Howard said just before we do, just so we're clear because I too Mr. Barnes got all those emails and had quite a few conversations with people I think a lot of. But I need to let the neighborhood know kind of why I would vote to support this tonight and it's mainly because having been a Chair of the Planning Commission, actually having staff and the Planning Commission support it for reasons that I should support it as well. And kind of understanding that it could be a lot more is a concern for me. So I'm not sure that's going to mean a lot tonight but I just wanted to make sure the public knew why I was going to support it.

Councilmember Pickering said I am a little troubled by there seems to be a communication problem or some kind of issue between neighbors and the Planning Staff. Some have even gone so far as to say that they've felt betrayed by Planning. So I'm just concerned about what is going on between Planning, Zoning and the neighbors. I'm hoping we can work that out and get to the root of that because what we don't want is to have neighbors not trust the process that's what I'm concerned about. So I just wanted to say that.

Mayor Foxx said alright, vote Aye is to deny, vote Nay is to support the petition. Four votes are required to deny.

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

Mayor Foxx said the petition is denied.

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ITEM NO. 8: CITY MANAGER'S REPORT

City Manager, Curt Walton said there is no City Manager's report.

ITEM NO. 9: OUT OF SCHOOL TIME PARTNER FUNDING PROCESS

Mayor Foxx said we had a bit of discussion about that upstairs.

Motion was made by Councilmember Howard seconded by Councilmember Barnes to approve (A) Approve the Budget Committee recommendation to cap the City's Innovative Housing contribution at \$590,000, (B) Approve the Budget Committee recommendation that an Out of School Time (OST) Agency's program budget cannot be comprised of more than 33% City funds (with a one year transition for existing agencies), (C) Approve the Budget Committee recommendation to allow OST programs the flexibility to charge a nominal fee to participants, (D) Approve the Economic Development Committee recommendation to maintain current agency eligibility requirements, with the exception of changing the experience an agency must have in Charlotte from three years to one year (must have three years of experience overall), and (E) Approve the Economic Development Committee recommendation to cap the per agency allocation at \$400,000.

Councilmember Mitchell said Mayor and Council if we could because Item B, there was some discussion that the Economic Development committee had on the funding, so if we could vote by each item I think it would be helpful and I could speak to Item B as to what the Economic Development committee would like to recommend.

Mayor Foxx said he wants to divide B out, so vote on A, C, D and E.

Councilmember Barnes said why we don't just vote on each one of them individually.

Mayor Foxx said there's a request to divide everything.

Motion was made by Councilmember Howard seconded by Councilmember Kinsey to approve (A) the Budget Committee recommendation to cap the City's Innovative Housing contribution at \$590,000.

Mayor Foxx said someone explain to me if we actually see the decreases in funding that we think are going to happen but we don't know about quite yet; what the intention would be in terms of our funding level for affordable housing, I mean for after school.

City Manager, Curt Walton said I think Mayor that would ultimately be a policy decision by the Council unless Innovative Housing increased which is a policy decision that you control or you reallocated Innovative Housing to the former CDBG dollars then Innovative Housing would go down. And so all things being equal, one is going to go down; either Out of School Time Funding or Innovative Housing unless you bring local dollars to the equation.

Mayor Foxx said would it be okay with the maker of the motion if we approve this item that we also join with it; a request to staff to give us options to backfill the difference between the cap and keeping the funding level the same during our budget process? Bring us options, I'm not saying backfill it.

Mr. Howard said for reasons that I probably shouldn't go into why don't I just withdraw that motion and let someone else make a motion.

Councilmember Barnes said I will make that motion and I will speak to the Mayors' issue. Mayor I think that I understand, I think what your concern is; but as I was indicating earlier tonight what we were trying to do is deal with the historical actions that have taken place with respect to the out of school funding and also respect the history of funding sources and we looked at national modeling with respect to the issues that Mr. Mitchell I believe, is raising with respect to Item B and that we talked about regarding Item E and so this may sound strange, but Items A- E are fairly integrated issues and if we start, if you pull one you kind of, you know you pull the thread and the whole thing starts unraveling. They all go together in a certain way if that makes any sense. There was a very and I think Deputy Manager Kimble could speak to this and so could Budget Director Harrington speak to the delicate dance that took place between the Budget committee and the Economic Development committee to reach a, what we thought was a happy medium. I would discourage doing too much tweaking to it because once you start doing that then you open up the door for all kinds of other funding issues to rise that I think both committees were trying to address which was to deal with the \$1.24 million. The cap on funding sources to each entity, the Economic

Development committees worked on the RFP process itself and then the Budget committees work on the numbers and so I don't know what the sources may be other than capital reserves or general fund revenue, but I'm concerned about beginning that process.

Councilmember Kinsey said did we have a second for his motion? If not I will second it but I also want to mention that I totally agree, I think that if we, as my colleague said pull strings it will start unraveling. Staff has done a great deal of work on this issue, and I think what they are really trying to do is provide the highest quality after school time for our children that we can. And I think all of this sort of works into that and I feel certain that, well like the manager says, it is a policy issue and I feel certain if things are really bad and we do need to find some money somewhere that we will be able to do that. I just would prefer that we continue on, both committees worked very hard on this. I actually sat in on some of the Economic Development committees too. I'd like to see us just push forward of this and challenge staff to provide the highest quality of services that we can for our children, to the greatest number of children.

Mayor Foxx said I'm fully in support of that what I'm worried about is we could find ourselves this summer instead of \$1.24 million, we could find ourselves with \$1 million or less. Less money to go around and we've given staff direction to cap one of the sources. It may not be a source that we would want to use anyway and the request is to, in the event of some short fall, that we just ask the staff to give us some options for funding. Whether we take them or not is a whole different ball of wax, but otherwise we will have an automatic reduction in after school programs.

Ms. Kinsey said that's not what I thought. I mean I think if we start seeing a down turn, we need money, and then I think we address it at that point.

Mayor Foxx said Curt what would be the staff's posture if all of this passed and we saw the reductions that I expect we will see?

Mr. Walton said I think your assumptions are right Mayor I think what we don't know is the Federal timing unless they are very different then they have been in the past, we won't know before you adopt the budget and so we would have to make an assumption of either CDBG being whole or 10% reduced or 10% increased, whatever. So I think you're right. I do agree with Councilmember Kinsey in that we have never done a great job on the result side. And so whatever the dollar amount is whether it's more or less, I think our results should probably increase as a result of this. And so it's kind of a balance of the whole thing. I think the points that you and Mr. Barnes and Ms. Kinsey make all are totally valid, we just don't know. And I think if it went down, that would be something that we would talk to you through the budget retreats in March, April and May. And so I would prefer you do that than to direct because if the revenues are fixed, that means something else is going to have to go down in order to do that and/or we look at the expense side of Innovative Housing and so all of those things are so interconnected; it's hard to do an isolation.

Mayor Foxx said right and I'm only asking this because I care about not only the delivery of the result, but you know I was one of the folks that championed some idea of trying to create competition for these dollars and trying to get the maximum impact so I'm totally on board with that policy initiative. But I do think we're at a point where the most vulnerable people in our community can end up being squeezed because of what happens at the federal and state levels on programs like this. So at a time when they most need help, I don't think it's appropriate for us to then cap where we are without any recourse to backfill those losses. So all I'm asking for, just to fill a little bit more comfortable with what we're doing is to ask the staff to give us funding options in the event of a short fall. Again I'm not asking the staff to fill it I'm just saying as part of what you normally do, just give us options in the event that we find ourselves with a shortfall, that's all I'm asking. Is that acceptable?

Mr. Barnes said I think that's reasonable.

Mr. Walton said I think we would do that if we focused on CDBG over the last two years it was because of the volatility and so far the severity hasn't been as bad as we've expected. But we would do that, we would be happy too.

Mayor Foxx said there has been a motion and a second, all in favor with the friendly amendment and everything on A please say Aye, Opposed?

The vote was taken on the motion to approve Item A and recorded as unanimous.

Motion was made by Councilmember Barnes seconded by Councilmember Kinsey to approve (B) the Budget Committee recommendation that an Out of School Time (OST) Agency's program budget cannot be comprised of more than 33% City funds (with a one year transition for existing agencies)

Councilmember Mitchell said the Economic Development committee looked at reducing the 33% of city funds for one year as potentially being a hardship so our discussion, what we would like to recommend is a 66% the first year; 50% the second year and 33% by the third year, just to give all of our providers an opportunity to increase their funding so it won't be a tremendous hardship going to where we're at now, down to 33% so that was the discussion among Mayor Pro Tem Cannon; Councilmembers Mayfield; Howard, Cooksey and the Economic Development committee. I'd like to enter that as a substitute; 66, 50 then 33%.

A substitute motion was made by Councilmember Mitchell seconded by Councilmember Mayfield to approve Item B given that city funds are reduced each year as follows; 66% the first year; 50% the second year; and 33% by the third year, to give providers an opportunity to increase their funding to avoid hardships.

Mr. Barnes said what I want to say about it is, the Budget committee was asked to do something with regards to funding levels and it did its job and up until tonight I did not know about the numbers that Mr. Mitchell gave. I had been trying to avoid a conflict between the two committees and their work and here tonight, we hear this substitute motion to Item B after having discussed this at the dinner meeting and talked about the fact that the 33% was essentially based upon a survey of national best practices in terms of how many other cities deal with funding these types of programs. We put in certain contingencies regarding the time for transitioning the organizations. We did not include that and it would have been helpful to know because, again what we were doing was kind of based upon, I don't know what your numbers are based upon, but what we were doing was based upon our review of national information and what we thought would be in the best interest of our city in trying to fund as many qualified partners as possible and serving as many children as possible. So I think Mr. Harrington explained some of that background as well during the dinner meeting. I'm not going to support the substitute because of the work that the Budget committee put into arriving at Item B and I don't think it was fair.

Mr. Mitchell said Councilmember Barnes I guess so you all won't feel too uncomfortable it wasn't Economic Development against the Budget Committee. I think we saw it from a different perspective of what impact would it have on our providers and would we reduce the number of kids that would be served. We just felt like looking at the current funding level if you go from 100% to 33% it could have a big impact, especially during a tough year that providers are having doing their own private contribution fundraising activities. So we felt like a more gradual process would be 66%, then 50% and then ending up at 33% almost on a two year basis, as oppose to next year they go to 33%. So we were afraid that the impact could be tremendous on some of the after school providers and this would give them also a little time to make sure their fundraising activities could be in place so they could raise more on their side as oppose to asking for city funding. So not so much against the Budget, but we looked at it strictly from the provider point of view and what they could do in a short period of time.

Councilmember Mayfield said my comment was really regarding the discussion that we had earlier during the dinner meeting just to make sure that the community knows that there was a budget shortfall that was going to be created for a two month period I believe June and July of the summertime for a lot of these, for basically all of the partners with this new funding model so we did propose and Council supported us identifying money from our general discretionary funds to cover that gap as a one-time fee to make sure that there was no lapse in coverage during that summer period and that none of the programs or the children and their parents would be affected. And that falls into Item B of our discussion when we're looking at moving forward with stepping down at 66% and then a 33%, since we are changing the calendar year of when our funding would

be available. It was approved just to close that one time gap to make sure that none of our youth will fall through the cracks.

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

Motion was made by Councilmember Barnes seconded by Councilmember Kinsey to approve (C), the Budget Committee recommendation to allow OST programs the flexibility to charge a nominal fee to participants

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

Motion was made by Councilmember Mitchell seconded by Councilmember Mayfield and carried unanimously to approve (D) the Economic Development Committee recommendation to maintain current agency eligibility requirements, with the exception of changing the experience an agency must have in Charlotte from three years to one year (must have three years of experience overall).

Motion was made by Councilmember Mitchell seconded by Councilmember Mayfield and carried unanimously to approve (E), the Economic Development Committee recommendation to cap the per agency allocation at \$400,000.

ITEM NO. 10: CAROLINA THEATRE SITE SALE AND REDEVELOPMENT

Councilmember Mitchell said Mayor and Council thank you and I have to thank staff as well for all the hard work on the this particular item and I think in our last Economic Development meeting Mayor Pro Tem asked me if I invited the whole City Council because we had everyone there except for you Mayor, and Councilmember Fallon. But we're glad everyone could be in attendance, it was a very good meeting and I will continue to encourage non-committee members to be there because it is very important not to go by what you read in the newspaper and the media but to get first-hand information. So I see my colleague, Councilmember Kinsey, shaking her head and she was very helpful as we talked about one of our own Councilmembers that is very knowledgeable about the historic Carolina Theatre. This is about the Carolina Theatre Sale and Redevelopment and for the sake of time I'm going to try and hit the highpoints. Item A is to approve the Economic Development Committee recommendation to limit the evaluation of proposals for the sale and redevelopment of the Carolina Theatre site to the following three entities that have formally submitted proposals: CMP Carolina Theatre, LLC (CMP), Foundation For The Carolinas (FFTC), The ARK Group. I must say, and I will open the floor to my committee members who'd like to make some discussion, we just felt like if we did not put a time schedule now; we will continue to get proposals, this year and next year and Councilmember Kinsey even shared with us, it's time for us to stop, make a decision and move forward. Item B is to Approve the Economic Development Committee recommendation to adopt a timeline for the Committee to review final proposals and make a recommendation to Council for the sale and redevelopment of the site, which uses the Certification of Appropriateness preservation guidelines as defined by the Charlotte-Mecklenburg Historic Landmarks Commission as a minimum baseline for a historic renovation of the theater. The following is the proposed timeline for bringing forward a recommendation to Council: November 30, 2012 by 12:00 PM: Final proposals due to the City; not to the E.D. committee members, not to the Mayor but to the City. On December 3, 2012 the E.D. committee will hears final proposals from CMP, FFTC and the ARK groups to make a recommendation to this Council. Then on December 17, 2012, we would like the Council to consider the E.D.'s committee recommendation at its zoning meeting and I can't tell you enough how challenging it's been to make sure we get the chance to hear from everyone. But also make sure we have a timeline that we can move forward. Once again I'd like to thank Councilmember Kinsey because we had an issue about outsourcing and finding an expert to tell us how much we want to restore our Carolina Theatre. Councilmember

Kinsey showed us the book which had some old pictures and she really talked about as well as committee, to let us set the criteria that we would like to redevelop this theatre and not go out and spend \$20,000-\$25,000 for a consultant. Brad, Ron, Pat, thank you and Mayor I open it up because it was a great discussion among the committee members if they'd like to add anything.

Councilmember Kinsey said in the motion it does say Certificate of Appropriateness preservation guidelines as defined by the Charlotte-Mecklenburg Historic Landmarks Commission. They actually follow the guidelines of the Secretary of the Interior Standards for Rehab and Guidelines so this would be a national guideline, at a minimum.

Councilmember Dulin said one question on the timeline, final proposal is due November 30, 2012 by 12:00 p.m. Alright where are they due too? To the Economic Development committee, offices?

Mr. Mitchell said to Brad Richardson.

Mr. Dulin said in the old City Hall?

Councilmember Howard said Neighborhood & Business Services.

Mr. Dulin said okay I just wanted to make that point clear.

Mr. Mitchell said and Councilmember Dulin just to follow up, we had all the organizations there represented in the last E.D. meeting and they did agree to the timeline.

Mr. Dulin said, very well, I was there but I just wanted to make that clarification.

Motion was made by Councilmember Mitchell seconded by Councilmember Kinsey and carried unanimously to; (A) Approve the Economic Development Committee recommendation to limit the evaluation of proposals for the sale and redevelopment of the Carolina Theatre site to the following three entities that have formally submitted proposals: MP Carolina Theatre, LLC (CMP), Foundation For The Carolinas (FFT,C) The ARK Group (ARK) and, (B) Approve the Economic Development Committee recommendation to adopt a timeline for the Committee to review final proposals and make a recommendation to Council for the sale and redevelopment of the site, which uses the Certificate of Appropriateness preservation guidelines as defined by the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) as the minimum baseline for a historic renovation of the theater. The following is the proposed timeline for bringing forward a recommendation to Council:

- November 30, 2012 by 12:00 PM: Final proposals due to the City
- December 3, 2012: Committee hears final proposals from CMP, FFTC and ARK and makes a recommendation to Council for consideration
- December 17, 2012: Council considers the Committee recommendation at its zoning meeting

ITEM NO. 11: NATIONAL LEAGUE OF CITIES 2017 CONGRESS OF CITIES IN CHARLOTTE

Councilmember Mitchell said Mayor thank you for adjusting your schedule to come, Council I hope you will approve this item we hope to generate about \$8.3 million dollars. Those who were here in 2005, I think Barnes and Mayor that was your first year on Council and you all attended and Dulin. Thank you all for your support. Some of us are leaving tomorrow to go there, so I think Tom Murray, so I move for approval.

Motion was made by Councilmember Mitchell seconded by Councilmember Cannon and carried unanimous to adopt a resolution in support of the 2017 Congress of Cities in Charlotte, which was previously approved by City Council for 2016.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 68-69.

ITEM NO. 12: CONCLUSION OF CONSENT AGENDA

All consent agenda items were handled under Item No. 6, Consent Agenda.

ITEM NO. 13: APPOINTMENTS TO BOARDS AND COMMISIONS

A. CMUD ADVISORY COMMITTEE:

The following nominees were considered for one appointment for an unexpired term beginning immediately and ending June 30, 2014 for a representative of one of the following categories: water/sewer contractor, real estate developer, civil engineer specializing in water/sewer construction, financial expert, and neighborhood leader.

Natalie Beard, nominated by Councilmember Cooksey
Donald Garbrick, nominated by Councilmember Kinsey
Pride Patton, Jr., nominated by Councilmembers Barnes, Cannon, Fallon and Mitchell
Michael van Zytchow nominated by Councilmembers Autry, Dulin, Mayfield and Pickering
Kevin Vogel nominated by, Councilmember Howard

The results of the first ballot were recorded as follows:

Natalie Beard, 1 vote, Councilmember Cooksey
Donald Garbrick, 2 votes, Councilmembers Dulin and Kinsey
Pride Patton, Jr., 4 votes, Councilmembers Barnes, Cannon, Fallon and Mitchell
Michael van Zytchow, 1 vote, Councilmember Pickering
Kevin Vogel, 3 votes, Councilmembers Autry, Howard and Mayfield

The results of the second ballot were recorded as follows:

Pride Patton, Jr., 8 votes, Councilmembers, Barnes, Cannon, Cooksey, Dulin, Fallon, Kinsey, Mayfield, Mitchell and Pickering
Kevin Vogel, 2 votes, Councilmembers Autry and Howard

Mr. Patton was appointed.

ITEM NO. 14: MAYOR AND COUNCIL TOPICS

Councilmember Mayfield said as everyone knows this past Saturday was our Small Business Saturday and thankfully Councilmember Mitchell had a conflict which gave me the opportunity to read the proclamation on behalf of Mayor Foxx. At South End Atherton Mills, we had our Small Business Saturday kickoff. We actually had our first tree lighting event also that evening and just in case there's anyone out there that does not know, there was lots of media attention around Small Business Saturday more than 19 outlets highlighted things that were going on in the area. So I just wanted to publicly thank you Mr. Mayor and previous council for the leadership of us taking on and being a part of Small Business Saturday even though it is growing across the nation. It makes a big difference for us to identify and support our local small business and to keep them going since they are the backbone to recovery.

Councilmember Pickering said in the spirit of Thanksgiving as you mentioned, I just wanted to thank Mecklenburg Ministries for once again having a fantastic Interfaith Thanksgiving service, the 37th Annual, I'm not sure how many other cities in this country have had 37 annual Interfaith Thanksgiving Services. They rotate locations, this year it was at Friendship Missionary Baptist Church on Beatties Ford so thanks to Friendship for hosting this year. Again this is about all folks coming together all kinds of religions coming together; Christians, Jewish; Hindu, Unitarian; Universalist, etc. it's a wonderful tradition and I encourage everyone if you haven't attended one of these before, it's always the Tuesday before Thanksgiving, next year will be St. Matthews on Rea Road in south Charlotte.

Councilmember Mitchell said I passed out a free drug prescription card at your desk and let me just say Kim McMillan and Eric Campbell thank you. We just started a new campaign and last year we saved the citizens of Charlotte \$102,440 for using this prescription drug card program. They will be located in the lobby citizens, if you'd like to get one. But it's a great way of our partnership with National League of Cities (NLC) to save money on an important issue such as health. On the Charlotte Regional Visitors Authority (CRVA) we have about eight positions on the CRVA board and we do not have one for the rental car industry. I do think if we will all remember, we use our rental car taxes to fund the culture facility.

Motion was made by Councilmember Mitchell seconded by Councilmember Cannon that one of the open at-large spots on the Charlotte Regional Visitors Authority (CRVA) board will be designated for a representative of the rental car industry.

Councilmember Barnes said just a question would that be to add a seat or to change one of the classification of one of the at-large seats?

Mr. Mitchell said change one of the classifications to rental car.

Councilmember Cooksey said Mr. Attorney does a charter amendment have to be done by the general assembly or can we just informally decide that one of those seats would be slotted that way?

City Attorney, Bob Hagemann said my understanding of the intent is the latter, that you're going to take one of the at-large seats and by local preference designate it as rep.

Mr. Cooksey said just wanted to be clear on that because the two have different weights.

Mayor Foxx said is there any objection to having a vote on this?

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

Councilmember Howard said how do we get reminded that one of those seats needs to be for the rental car industry, if it can't be designated? It can be designated, alright.

Councilmember Dulin said in our write-up this week Mr. Manager about the rental space at the arena for the B-cycle, there's not anything about how much they are paying us if it's market rates or if we are giving it to them.

City Manager, Curt Walton said it is market I think it's \$20,000? Market rate.

Mr. Dulin said well it turns out market rate in this building is \$1.00 a floor, so what's market rate at the arena, is it 19, 23?

Mr. Walton said you mean per square foot? We will have to get you that number.

Mr. Dulin said I don't mind us renting space to the B-cycle folks but I don't want to give it to them either, they got to be a, their business model has to be such that they can pay us for our space.

Mr. Walton said we agree.

Mr. Dulin said okay very good. And secondly on a more serious matter, an article in the paper and gosh knows I'm only going by what I read in the paper last weekend about the Charlotte Housing Authority and their audits, but that lands on the shoulders of the City Council and the Mayor's offices. So I'm very concerned that these guys were running a muck for years and years and now all of these senior guys have left; Charles Woodyard was the President, but now he's got a big job in Chicago. While he was running our place, I don't know how he was running our place, apparently not very well. So I would like to look into that and I would certainly like to know from our attorney, that if there is opportunity for us to legally respond to them for not running things well at the best and not running things at the worst or running things illegally and fraudulently if they were lying about their reports to get better money supplies from the Feds, I'd like to be able to go back and find out what kind of recourse we have to those men and some women. I don't know who the group is, about protecting the citizens of Charlotte and our money and their clients. That's a huge deal. It's bigger than just this conversation.

Councilmember Fallon said of course I'm concerned with the money but more so I'm concerned with the fact, are these spaces that were taken that shouldn't be taken and that we didn't need as much affordable housing as we had thought we did because people are staying there for many years that are supposed to be moving on and letting someone else have that space. And that impacts us I believe because we don't really have an idea then of how much affordable space we need.

Mayor Foxx said let me say that the new Housing Authority Director called me the day this article came out. It was around Thanksgiving I don't know if it was the day before or the day after, but I think it might have been Friday and they are actually asking for further study of the same issues that were a part of that first study. My sense is that they are getting their arms around what the old guard was doing over there and trying to get their arms around it, and I think they will be prepared to either send a letter to us or to present sort of an update on that particular issue at the Council's request. I would suggest that we get a letter from the new CEO and then make a decision as to whether we want to follow up further.

Mr. Dulin said I agree with that calm approach to moving forward and with all respect to our new folks that we have no reason to be concerned about leadership there at this point, the folks that were here and left us to go to bigger and brighter pastures while they were doing things that we don't know if they were doing them right or wrong at this point, I really want to hold folks accountable whether they are in this town or they've moved on to other towns, and I don't know if we can. If we can't, this reminds me of somebody cheating in the NCAA and then going off to the pros and getting away with it because they are already gone. But this is different,

Ms. Fallon said are you going to put a letter in his file?

Mr. Dulin says yes we're going to put a letter in his file. Anyway I just think it's very serious. I don't want folks to think that they can come to the City of Charlotte and cheat on reports and move on to something better without us asking about it.

Mayor Foxx said well look we've had previous issues at organizations like the CRVA, we've had issues in other agencies and when we see these types of issues come up we ask questions, we try to get the answers and we try to make sure that these organizations reflect the best of our community and that's no different in this case. We will continue working on that.

Ms. Mayfield said on November 14, PNC Bank issued a two-year \$537,000 grant to the Bethlehem Center as well as Discovery Place and Community School of the Arts in partnership of teaching arts and science at a young age, and Saturday before last, November 17th, I along with 200 PNC and community volunteers, we created the Bethlehem Center's Kaboom Park and I wanted to congratulate the Bethlehem Center and to all of the young people because today they had the first opportunity to play in their new playground and I can tell you it is an amazing experience if anyone wants to sign up you can go to kaboom.com to find out where you can help a local park. You build a park in a day, but be prepared because I was sore for four days afterwards from shoveling mulch, but we also got to carry it and it's an amazing opportunity to do something when you get immediate gratification. So congratulations Bethlehem Center and thank you PNC for being one of the new kids on the block but already making a major impact in serving and supporting the local community.

Mayor Foxx said I think we need to go into our closed session. I want to say one quick thing, to my good friend Andy Dulin, was gracious enough to come by last week, he brought a turkey to the staff which was wonderful and I appreciated that we had some very good opportunity to exchange words, but I just want to say and this is really not just to you Andy it's to everyone; we have a tough enough job without talking through the media to each other. And I'd just like to ask you if you have a question or a concern just talk to me. And that's really true of everyone, that's the respect I try to give to you guys. It's the respect I would ask back. So thank you.

Mr. Dulin said can you elaborate on that a little bit Mayor?

Mayor Foxx said no, we will talk about it.

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

The Council meeting was recessed to go into closed session at 8:21 p.m.

November 26, 2012
Business Meeting
Minute Book 134, Page 244

ADJOURNMENT

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

Stephanie C. Kelly, City Clerk

Length of Meeting: 5 Hours, 7 Minutes
Minutes Completed: March 7, 2013