

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, May 28, 2013 at 5:20 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, David Howard, Patsy Kinsey, LaWana Mayfield, James Mitchell and Beth Pickering.

ABSENT UNTIL NOTED: Mayor Anthony Foxx

ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Pro Tem Cannon said are there any Content Items that Council wishes to pull?

Councilmember Barnes said I have a question regarding Item No. 17, the 7-Eleven lease at Time Warner Cable Arena. I want to understand how the per square foot rate was determined. Is that market for uptown or for that type of space uptown?

Councilmember Dulin said Item No. 20 – Pond and Dam mediation, it has been my custom to vote against these because, not that it is not needed, but we've never requested private dollars to assist our public dollars while we are fixing private dams and private ponds. I will be a no vote on 20 and I needed to pull it to get it out in public.

Councilmember Howard said Item No. 26 just to get more information on it.

ITEM NO. 2: 2030 TRANSIT PLAN UPDATE WITH THE TRANSIT FUNDING WORKING GROUP RECOMMENDATION

Mayor Pro Tem Cannon said we have several resources in the way of Mayor Jill Swain and Councilmember Howard, as well as our Transit czar, Carolyn Flowers. Council will recall that the 2030 Transit Plan was last updated in 2006 by the MTC and of course since adoption of the Transit Plan the recession caused about a 22% drop in the local sales tax revenue and reduced funding from constrained state and federal budgets and of course there has been also slower growth rate in future sales tax receipts than previously projected. You will recall in the winter of 2013 the MTC established the Transit Funding Working Group to do several things, some of which are laid out in your material and not to take too much away from what is going to be presented, that you will probably hear again so that I don't have to be redundant I will yield the right of way to Carolyn Flowers to go ahead with her presentation.

Carolyn Flowers, CEO of CATS said after the Plan was updated in 2002 it was then updated four years later in 2006. It was a multi-model corridor plan – there were five corridors. We've completed the South Corridor and we've continued along on the plan, but as you had indicated we have encountered funding constraints and as prescribed in the Plan in 2002 we were going to conduct a re-valuation of the South East Corridor which is the Silver Line and come to a technology decision and we have some information on that as we go over each of the corridors. The Plan was developed on a traditional funding plan, the assumption was that the projects would be funded with 50% federal grants and 25% grant contributions from the state, matched another 25% with our local sales taxes.

The first project that was completed was the Blue Line – South Corridor and we are now in the process of extending the Blue Line up to the North East ending at UNC-Charlotte's campus. We have advanced the plan as funding has been available. In 2010 we did a Workshop with the MTC that talked about our funding constraints and the result of the Workshop was that we only have funding capacity to complete the Blue Line Extension. We shortened the alignment by two stations. The current project is 9.4 miles going up and ending on UNC-Charlotte's campus with a projection of an additional 25,000 riders per day. We have received our Full Funding Grant Agreement from the feds last year in October and we received a grant agreement with the state that allows us to have \$25 million a year over the next 10 years. That is a change in our original

funding assumptions and lengthens the cash flow on the project. As we give you an update on the debt profile it did cause us to change our financing plan.

The Red Line Commuter Rail is from uptown Charlotte up to Mooresville. The original concept was to build this commuter rail line. It is not eligible for federal funding so we've been looking at ways we could fund it through innovative financing and project delivery methodologies and we are proposing out of the 2010 Workshop to look at a public/private partnership and that it could be a candidate for design build design, build operate, maintain or other innovative funding and other project delivery technology and methodologies.

The State had come in with a different concept for this corridor. They had recommended a dual benefit corridor where you could either run heavy rail and freight rail in the same corridor. They had economic benefits of looking at a TIF and special assessment district that ran the length of the alignment and looking at the unified benefits of value captured creation from that alignment to basically fund the projects in the future and to look at a way of operating it under a joint powers authority. This concept was advanced by the state, however, the issue that we have encountered from this point on is trying to develop a partnership with Norfolk-Southern for the right-of-way for the alignment.

The Gateway Station is a multi-modal station in uptown Charlotte. The project is being led by the State. It is in coordination with CATS and the City, but the State owns all of the land around this area. They have gone out for an RFP and procured a master developer. The issue that now is being encountered is that they are looking at authority for an expansion of the P-3 legislation that would allow them to continue the concept of the master developer and come into the uptown area with the project. This is probably not going to move forward before the fall of this year, depending on the legislation.

The Gold Line is the Streetcar technology and this is the full 10-mile alignment going from the Rosa Parks Place to Eastland. In July 2010 the City was awarded \$24.99 million as part of an urban circulator grant from the FTA. The estimated cost of the first 2.5 miles is \$37 million. It was matched by \$12 million from the City of Charlotte general fund and an estimated operating cost is \$1.5 million. Construction has already begun and the revenue service is anticipated to start in 2015.

Councilmember Dulin said Ms. Flowers, this is the first map I've seen that seems to cut off the Hawthorne Loop. That is confusing me a little bit.

Ms. Flowers said I think there are two options there. You see there is a green dotted line going across.

Mr. Dulin said that is the Hawthorne Loop that has been there from day one.

Ms. Flowers said this is the engineering concept and I think I need Jeb Blackwell to explain this. I think there is an obstacle right here.

City Engineer, Jeb Blackwell said at that location there are two issues, one is that there is a rail road that we have to cross and you have to go under it to make that loop and that is very difficult because you are below the 100-year flood elevation which to the FTA at that point that was something you could discuss. Now they've considered that forbidden so that would be problematic for that direction, but it is still something that we could look at trying to figure a way to get over. The other factor is we were looking at a joint venture with that property and that has gone away, however that could certainly show up again. There was one other operating issue and that was when you add that loop in, actually it made the Streetcar a little bit slower than the bus service would because of that extra time there so there is an operating issue and there is a construction issue and there may be a permitting issue. We have not taken that off the map but we are looking at both options and we will need to make a decision on that.

Mr. Dulin said am I wrong that this is the first time that change has ever – we've been talking about this for 5 or 6 years and that loop has been on there for 5 or 6 years. Is this the first time we've ever seen a map that has that cut out?

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Mr. Blackwell said I don't know the answer to that.

Mr. Dulin said yes would probably be about right. The other thing is why are we spending so much money out there engineering this thing when we are not going in that direction?

Mr. Blackwell said we did preliminary engineering and we've got the engineering done to learn that very sort of thing, what the most economical way to construct it would be and then to make assessments on what kind of economic development that could drive and what kind of service we could deliver. That is the purpose of the preliminary engineering.

Mr. Dulin said I'm sorry Jeb; I have to keep pressing a little bit on this thing. It was 4 or 5 years ago when we were fighting over the first engineering looks, about the underground etc. Has that been done all the way out to Eastland Mall and all the way to Rosa Parks?

Mr. Blackwell said we've got the 30% and the environmental documentation complete for the entire 10-miles.

Mr. Dulin said are we now spending additional monies post that money being spent to study issues like this?

Mr. Blackwell said no we are not.

Mr. Dulin said how much staff time out of engineering is being spent studying an issue like whether we should cut the loop out or not?

Mr. Blackwell said we are not doing any studying on that at this point.

Mr. Dulin said who is working on it?

Mr. Blackwell said no-one is at this point. That is one of the issues that remains unresolved at this point and it is not under study right now.

Mr. Dulin said so you all have figured out there might be a problem. Of course there is a problem going underneath that railroad over there – twice, not once, but twice out and back. But you have decided that now that is going to be the dotted line and you are going to change the route on us.

Mr. Blackwell said we have not decided that. That is why both options are shown. There is that challenge at that location, but if you take the route that runs straight there is a very large bridge required to get over at that location.

Mr. Dulin said there is another railroad crossing there – right there at the Bridal Shop.

Mr. Blackwell said that is one reason we felt that was a good place to stop this current project because that is a major decision point as to which route we take there. That is why I don't know if we've shown it on the map or not, but I do know that when I've talked to Council about it that we said one reason to stop there is that there is a major decision point there that we have not made.

Mr. Dulin said my last point, we've just spent 20 minutes talking about the Streetcar when we could have been talking about the Blue Line Extension.

Councilmember Kinsey said I apologize but I do want to talk too because Andy you are partly right. When I saw it and my recollection is and I think it is pretty accurate, there was a question about how were we going to get to the Central Avenue because we knew that we had that at grade railroad track and so they were looking at something along Independence. That just didn't seem feasible so that is when they went down Hawthorne and I will tell you, I'm talking to people right now and I'm talking about it going down Hawthorne and switching back to Clement and then running down Central. This is the first time I've heard that there might be a problem going down Hawthorne. I'm a little bit concerned that I'm looking at this and this is not what I
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expected. It doesn't make any sense to go down Independence Boulevard to tell you the truth, but it does make some sense to pick up some projects that are coming on line on Hawthorne and then on down Central.

Mayor Pro Tem Cannon said did this go through MTC?

Ms. Flowers said no this alignment has not been approved by MTC yet. As Jeb said this is an option or alternative, but the final alignment has not been approved.

Mayor Pro Tem Cannon said process wise, did I hear some process questions? I just want to make sure that somewhere along the way that the Council is kept in the loop about what is happening, especially on this project, pretty much every step of the way largely in part because if not we will get some concern like we are getting right now about what is going on and we've got to find a better way to communicate and to bring people inside the loop so they know what is happening where so there won't be any surprises. We got a surprise last week I think and now you've got to make a decision tonight on some stuff. That is not helping.

Councilmember Howard said one thing I wanted to point out I know for sure on the Blue Line for instance when you plan it and then you have to engineer it things change. I know for sure that the Arrowood Station was on one side of Arrowood and wound up changing it to another side because of engineering. That happens. It is not until you get into doing the final engineering work on these lines that you kind of figure out where things land perfectly because you get into a whole bunch of different issues. In this situation, this is a plan and when they go all the way to doing engineering you still may run into things and things move around, but you wouldn't know that until you engineered the whole thing and somebody actually go out there and spend the money to do that kind of work.

Ms. Flowers said I want to piggyback on what Mr. Howard said. Jeb indicated that this is at 30% engineering and as you go through the project you have milestones, 30%, 65%, 90% and you generally do have changes in the project design and alignment during that period.

Mayor Pro Tem Cannon said I don't disagree with that at all. Sometimes if you may see some of these things that may be coming I'm just suggesting that it might be good to talk with the District Reps or somebody.

Ms. Flowers said it is important also that we go back to the public as these plans are being developed.

Ms. Kinsey said I totally understand about the engineering, but this is the first time I've seen the solid green and then the dots, and there for a long time it was the other way around. I just don't like surprises, as most of you know.

Ms. Flowers said I think it may be better when we are presenting the map is that both sides are dotted until there is a decision.

Mr. Dulin said I think it is interesting too that the City Engineer just said that by eliminating the Hawthorne Loop which made the Streetcar slower than the current bus system, by eliminating that and going to this new route it gets it up to the same speed as the buses that are already servicing those corridors. We've got good service there now for public transportation and the Streetcar will not be faster, and maybe slower.

Ms. Kinsey said Independence Boulevard, you are not going to have any stops, but if you go Hawthorne Lane you pick up some stops because there are residences there. You are going to pick up more stops so obviously, it will slow it down or make it longer.

Councilmember Mitchell said I was just going back to Mr. Dulin's comment, he was thinking that was the only reason and I had to make sure he realized it was not the only reason.

Ms. Flowers said continued her presentation – CityLYNX Gold Line, Phase I, the Urban Circulator Project going from Presbyterian Hospital over to the Charlotte Transportation Center
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and this is the project that has been funded by the Urban Circulator Grant and this is the alignment. It has not changed. The 2030 Plan and the 2012 Plan included a segment of the Streetcar mode going to the Airport so we have run a precursor service out there, the sprinter service, which has been successful and future plans are to extend the light rail out to the Airport, but not to have the Airport pay for it as some people have been putting into the media, but to take the system out to the Airport, it would be eligible for federal aviation funds in the future if we take it onto the Airport property, but only that segment that is on the Airport property would be eligible for that funding.

Councilmember Pickering said so we decided to use Streetcar to the Airport because light rail is not FTA cost effective? Is that what I'm seeing there? What was the reason for the Streetcar to the Airport?

Ms. Flowers said in the original plan, technologies were designated for each of the corridors and this segment was designated as Streetcar technology. It was going to be running in Wilkinson Boulevard, it was considered to be more cost effective to run the Streetcar in that alignment and light rail was not considered cost effective by the Federal Transit Administration by the criteria that you would have the eligibility requirements for that project at that time was probably not cost effective for Streetcar.

Ms. Pickering said did FTA say that Streetcar is preferred? To me light rail makes more sense to the Airport because it is fast and folks want to get to and from the Airport quickly.

Ms. Flowers said light rail would be more expensive. Based on the projections for ridership and economic development along that corridor it was not deemed to be as cost effective.

Ms. Pickering said yes, it absolutely is more expensive and there is no question about it but part of me wonders well don't we want to go for what we really want and what be the best use of transit. Just raising the question.

Ms. Flowers said the technology can be revisited in the future however, it still has to be something that is competitive. We know that this corridor would be eligible for federal funding but is the technology that is going to be the most competitive in the federal funding scenario.

Ms. Flowers continued her presentation with the Silver Line. This is the ULI Rose Panel Concept. We are looking at this in this upcoming fiscal year to look at a major investment study of the technology for the Silver Line. The ULI Rose Proposal actually looked at bus rapid corridor, down Independence Boulevard and recommended Streetcar technology on the parallel corridors. MTC adopted bus rapid transit as the technology option for the Independence Boulevard corridor, but we are actually going to engage in a study next year to come up with technology options for this corridor. These are conceptual drawings of either looking at an exclusive bus way or looking at managed lanes concept for congestion relief and additional capacity. The congestion relief would be a hot lane or an HOV sharing of the lane or we could have a dedicated bus way so those options are being explored with NC-DOT.

That is the update of all the corridor at this point and I will turn the podium over to David Howard and Mayor Jill Swain and they will talk about the Transit Finance Working Group because the options are looking at the way we can fund the continuation of the system in the future. They were the co-chairs of our Working Group.

Councilmember Howard said I'm actually not going to do the first part of the presentation. I want to hand it off and introduce you to someone you already know, Mayor Swain from Huntersville.

Jill Swain, Mayor of Huntersville said he wouldn't let me sing the introduction and I have to say based on the earlier conversation, I feel so at home here. I need to get familiar with this, how do I advance it? We don't have technology in Huntersville, we just know what to do right.

When the Transit Vision that you just saw was created in 1998 and then subsequently updated as you all know the economic situation or environment at that time was way different. Funding for
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the Plan at that time came from three main sources, the local tax, the federal grants, state grants and then there were some additional sources like the fares, the interest income local property tax that was generated through the effort with the state law. That did work for us for the first decade and we had incredible results with the Blue Line but now we have a new economic reality and we have to be flexible and we have to be innovative and you will see more of that. I'm not going to reiterate what you all probably have heard many times, but you will see that the new economic reality created this gap. It caused a reduction in the projected sales tax receipts for the next 22 years that comes to an estimate of about \$2.3 billion dollars in revenue. That means for us, I get to tell you the good news, that the estimated sales tax capacity in that time period is required to build out the LYNX Blue Line and operate and maintain the existing bus and rail service to keep it in a good state of repair for the future and that is it. So you see the projected for the remaining corridors through 2045 to complete everything, the total transit plan, we have a \$5 billion gap. Now some of the things you were talking about earlier, you were asking specifics for example on the Streetcar. Remember that this is one of the things that the MTC has been discussing and our Working Group also discussed, that we wanted to finish out the entire transit plan and as it has been in the past we've had priorities, which comes first. We've done the Blue Line and now we are doing the Blue Line Extension, then the MTC had prioritized the remaining lines. The discussion with this Working Group was not to prioritize, but to say that we need to complete the entire transit system. That is everything there. That is the remaining corridors and that gap, just so you know, is inclusive of any of the estimated federal and state funding that our financial consultants believe would and could meet eligibility.

We have a Transit Funding Working Group, your Mayor, which I have called in the Charlotte Chamber event, Our Mayor, forgetting that I was one, with the approval of the MTC led an effort to recruit what I believe are some of the best and brightest minds we have in the Charlotte region. Actually I would like some of the Working Group Members if they would stand because it means a lot to them to be here tonight. What I would say because I know that you guys have the reputation of having very short meetings, if you take a break or at the end of your meeting and they are still here please seek them out and ask their opinion and their input on the Working Group process. We recruited these incredible brains and we created the Transit Funding Working Group which was specifically focused to identify and build the awareness of these funding challenges that I just outlined because we knew that we wanted to see if we could complete the 2030 Plan by 2030. We asked this group to recommend a set of funding and financing tools along with strategies. You will see there that we have a great cross section, a very diverse group coming from the development background, finance, small business industries, we have current and past elected and government officials. We have three former mayors, one County Manager and former head of our Transit System. What is essential for me to note because I'm very passionate about this is in asking this diverse group to be part of the visionary process we really have a bi-partisan group that has offered a lot of innovative solutions and when we asked them to come and participate we did not ask them coming in how do you feel about transit. Inevitably to a person everyone agreed that a complete transit plan was essential to the economic success of the Charlotte region and they worked toward that end. The committee met five times over a 65-day period and the majority of that group is committed to continue working toward that vision.

Mr. Howard said with that said, let me tell you a little bit about what we actually did. The process we went through was to actually hear from folks that we would say are doing this in a more aggressive way so we actually had national experts as well as experts from other areas come and talk to us about what they are doing. We had companies that are actually working in this, like for our cities to come talk to us, we had folks come from Chicago and this gives you a little bit of what they were doing and what we learned. One of the more advanced projects that we heard about is actually in Denver. Denver by far is seen as the national model when it comes to advancing a mass transit system. They actually have a system called FasTracks and have about 120 miles of commuter rail already operational, 18 miles of bus rapid transit, and light rail already in place. In order to handle multiple corridors simultaneously they needed to be more flexible and find ways to reduce risks and the way they did that was by creating 3-P relationships where it was appropriate and they did that by corridor. If a corridor called for one thing they went after a 3-P in that and if called for something else, the point is that they were flexible in how they approached it. Very quickly you start to see what the difference is between our models. If you remember the very first chart we had four sources, we had federal, state and local

and we had fares. This shows you how many different sources they put into each project. They have a variety of sources as you can see. They have also used creative ways to deliver these projects and in North Carolina we've just gotten familiar with design/build where they have gone beyond design/build and they are doing design/build/finance/operate and maintain. A lot of this will require legislative changes that we'd have to go get. Each corridor advancing in Denver does not have the exact funding or financing strategy, but they use elements from a tool box and the tool box is something that you are going to hear us talk a lot more about.

Councilmember Barnes said talk to us about the Private Activity Bonds.

Dee Pereira, CATS said essentially those are bonds floated by the private sector. Private Activity Bonds are primarily associated with P-3s and they are floated by the private sector who utilize those to fund their projects.

Mr. Barnes has that concept ever applied in North Carolina?

Ms. Pereira said I don't believe we have seen it in North Carolina, but we've heard about it a lot in the country in general and most private investors are utilizing that form of payment.

Mr. Barnes said would we need enabling legislation to do it?

Ms. Pereira said I think we are going to need legislation to enter into any P-3 contracts in North Carolina.

Mr. Howard said I'm going to get to kind of a legislative package because there are a number of things we will need to do. Chicago was interesting and actually through a relationship that the Mayor has with the Clayton Global Initiative we actually had the CFO of Chicago come down and tell us about this infrastructure trust that they set up. The way she put it to us is a lot of times you think a non-profits is only for social issues and that is mainly because there is no way for them to make investments into things like infrastructure, but Chicago decided to actually set up a non-profit and here is how it is structured at the bottom, but this is a way for non-profit foundations companies that want to get involved with something that is really important to a community like infrastructure to get a write-off, but to be involved as well. What they did and you have to be very specific and in their situation it was a cross agency attempt to how do we take advantage of retrofitting buildings whether it be city agencies or schools or otherwise to actually go out to the philanthropy world to see if we can get them to invest in it, and they've had some success.

Back to what I was telling you earlier, if you kind of looked at what we do right now compared to getting a little more aggressive this is what it could look like and it requires us to continue to have what we are calling the tool box. One of the things that we did early on was we decided that we needed to get some energy around each corridor and how we would approach them. One day they came in and we had round tables all over the room and as opposed to them sitting in their comfort zones, whoever they would normally come with, we had developers who have property on the Red Line, there were people who had interest on the Gold Line and we assigned people to tables where they didn't have that comfort. I think the end result was that we got a lot of great ideas, but more importantly I think what we got out of it, we actually got a room full of people that understood that the system was all connected. That you had to do the whole system because if you wanted to go from Mooresville out to UNCC without getting in a car you needed to actually get on the Red Line, take the Streetcar down to the Blue Line to go up to UNCC. If you wanted to get around you need the full system and by the time we got finished with that exercise we had a team that was committed to doing the whole system. We also took the time to analyze what it took in other cities and what we came out of that with is that we needed to be flexible in our funding models and have the right tool box. We actually feel like this has a lot of potential in moving the whole system forward. For instance, one of the things we've been talking about on the Red Line is actually a real 3-P relationship with Norfolk-Southern. Something that we have talked about, but not spent a lot of time on.

This starts to outline what we think we need to do and when you break it down into local revenues that we think we should explore, everything from looking at things interesting like
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carbon footprint credits to advertising. We heard from Chicago and they actually sold advertising and put a digital billboard at their stations and sold those rights to somebody and that produced a set amount of money. Everything from putting TIFs around the whole district, that is something that Denver did ahead of time. We don't have legislation to do that right now, but the things that we've already talked about here, extended the SAD legislation as well as really trying to figure out how we get the approval to do some interesting innovative financing. The thing that I think I'm probably more excited and Jill mentioned this a little while ago, it came out of this Working Group is that we realized that we needed to re-educate the community on what the benefits of the whole system would be. I think that has gotten lost in this whole conversation about what comes next and we forget that we need it all to make the whole thing successful. We have a group of professionals in the market and advertising arena outside of this group that have already come together to start talking about what re-education of this community would look like. There is also the education that comes with anything that would be needed to go to Raleigh, anything we need to go out to the voters for, what is that re-introduction of this system to the public look like.

Next Steps – develop specific framework for each of the corridors to advance. I think what you will hear over and over again is that we have to cobble this together in advance as much as we can and when we can, develop framework to advance the system wide tools, that is that tool box we talked about, and strategies that says each corridor advance and then to begin actions locally and with the state to modify. We have already had staff look at how our TIF legislation in North Carolina compares to the legislation in Colorado and then once we have all that approved, develop detailed ways that we can educate the public.

Ms. Swain said as a result of the report that came out and the first draft that came out, we have already, David and I and CAT'S staff have already had a number of people across the country inquiring about our efforts and I would stress to all of you and I don't want it to sound like a Mom lecture, but I would stress to all of you that that interest should be an indicator that saying that the vision, the total system, means something to people across the country. I would ask as our Committee stressed as well that we do our best to put out that word to the media, put out that word to the public as part of the education process, that it isn't the Red Line; it isn't the Streetcar, it is everything. I would also as a personal example, I have the opportunity in Huntersville as you all do as well, to have international corporations come and express interest in relocating in this area. Most of the foreign potential investors ask why we do not have a complete system. If we are going to compete globally that is something our Committee is very well aware of and I'm sure you are as well.

Mr. Howard said that a lot of times over the last couple of years, you've heard me be passionate about the fact that we need to move every piece of this forward as soon as we can. This is why. We are getting behind on our position when it comes to a global player and we are getting behind on growing our community. What we got from this Committee is that we need to do everything and anything we can to move this system forward, every piece of it.

Councilmember Cooksey said going back to that initial chart that we have all seen about the sales tax revenue gap, when I talk about transit in this community, one of the things I mention very strenuously is the significance of the 1998 vote to create the ½ cent transit tax and then the subsequent creation of the Metropolitan Transit Commission to address the transit needs of this community regionally, starting with the County as a region always with the hopes that other counties will join us at some point in the future. In retrospect we can see the gap kind of starts in FY- 2008. I know by FY-2009 and 2010 we were getting the reports as a Council as the MTC was, why did they wait until 2013 for the MTC to put a Working Group together to address the gap?

Ms. Swain said we've been working on this with the MTC since I've been part of it, but I don't think we realized how dire the situation was. We went several years hoping that we were going to have an upturn again, but I would also tell you that the situation overall with regard to transit has also changed considerably during that time. There a lot more options available for financing than we had in the past and you can see that from the Denver model so it may seem that we were sitting on our hands, but that is not actually fact. We are trying to figure out do we need to make

cuts, how are these lines going to proceed, which lines are going to proceed and this is a whole new mentality talking about the whole thing.

Ms. Flowers said in the fall of 2010 we conducted a workshop with the MTC, it was a public workshop, talking about the issues that we were facing and at that time we hired Jeff Parker and Associates to look at our funding plan and he did an analysis and he projected the financial projections into the future and at that time he said you don't have enough money to do the plan. You do not even have enough money to do the Blue Line and the plan that we had at the time to go out to I-485. We ended up reducing the cost of the Blue Line, cutting out the final two stations to make the financial projections that we had in the future and then we started an effort with the Red Line, trying to look at ways that we could continue pursuing alternative funding options for the Red Line. That effort went on another year with the State and so during this period we were trying to advance the priorities of the MTC and then the reality is that we did this analysis through the Working Group that said let's look at the entire system and let's look at what we can fund first and how we can proceed. This is the effort and the transition that went on during this period.

Mr. Howard said Warren you pointed out something real interesting. What we heard from the folks from Denver is that when they passed their ½ cent sales tax they did it in an 8 county region which the way he put it is that you have to think about the importance that region sees in investing in mass transit because most of the people that voted on that won't see it in their lifetime, but they understand that it is important to invest in it anyway. That is the kind of conversation, and you are right, that beyond Mecklenburg County we have to start having as a region.

Mr. Cooksey said do you think the MTC structure as it is in place now is nimble enough or the correct structure to provide the right kind of policy guidance the region needs for transit?

Mr. Howard said we were told to look at financing so we have no opinion.

Mr. Cooksey said since the issuance of governance and structure seems to be floating around all over the place, is the MTC nimble enough?

Ms. Swain said a significant number of people who are with this Funding Group want to continue and we discussed and voted at the MTC level to have them continue as a sub-committee. I think we realized with this Working Group that it was essential to continue to have these professionals, these brains not only look at the vision, but also be advocates for a total system. That is a little switch in the structure, but yeah, I don't think the structure is the issue. The economy is the issue.

Mr. Cooksey said I understand it is scope ... , but I am forced to wonder if a policy making group made up of part-time mayors who have their own cities to look after as well can truly provide the guidance that a region wide system needs.

Ms. Swain said the success of my city also depends on transit. I consider my job actually full-time and most of it is transit and I would venture to tell you that every single mayor would say the same thing.

Ms. Flowers said also just another comment regarding the change in the funding environment that we have encountered over this period of time. In the last two years we've seen the State eliminate their New Starts Construction Program, which was a funding source for us in the past. On the federal side we've seen sequestration and that wasn't in our initial financial projections so we've seen the FTA take a hit because their New Starts Program is in the general fund so there is not out of highway, which is that transportation fund that has been funded in the past with gas tax, is also taking a severe hit because cars have become more efficient, people are driving less and that pot of money has also dwindled over the last few years.

Mr. Howard said another good point is that we didn't tell you the assumptions that we worked from. That gap that you saw was with the assumption that we got no outside money for the Red Line. Yet, this Working Group didn't flinch one time about the fact that we still needed to be

committed to it. That \$400 million, we still took that into that gap and said we have to figure it out because it is important to the full region and I can tell you after some of the ideas we floated, and I may be speaking prematurely, but if we could figure out how to make a 3-P work with Norfolk-Southern we actually could advance it way faster than we thought we could. With friends in Washington we could possibly make that happen. We've got some really good things happening even with just the Red Line even though there is no outside money that could potentially come for it.

Ms. Pickering said you mentioned something that triggered a thought, you mentioned transit systems being attractive to international business and I saw something in the paper the other day and I wondered if anyone wants to comment on it. This Strategic Planning Consultant, Michael Gallis, we've seen several times here on Council and as I understand it he is considered to be a transit expert. He was in Charlotte the other day at the Globalization event and commented that he called for the City to build one unified light rail system rather than the patchwork of light rail, Streetcars, and heavy rail local leaders have proposed. He said such public infrastructure helps make cities more marketable to companies, which is to your point. What do you make of that comment? I was a little surprised to read that. We haven't heard that before.

Ms. Swain said that wasn't anything that the Committee discussed. I would say and you had this discussion about engineering on the Streetcar, as we all get to the total vision of the plan there may be indeed tweaks. We may find out as you were saying that maybe the general consensus of the elected bodies or the public is that a light rail might work better in one place over another. But I think it all comes down to an overall visioning process and this is just me talking. The first hurdle I believe is convincing the outside potential investors and our own citizens that we are committed to the total system.

Mr. Howard said that was another interesting thing. Most of the systems developing across the country, including Denver developing as fast as it is, are multiple modes, it is not one. The idea of doing a subway system like Atlanta and some other folks have is gone, in fact Atlanta has been here looking at what we are trying to do with Streetcar and otherwise, and light rail. The idea of having one mode is kind of gone. One of the things that we talked about as a committee is actually approaching this like you would Andy when you are brokering a piece of property; actually going out to the development community and talking about these potentials around these stations in a more aggressive way to invite public/private partnerships to the table, not wait for them to come to us. If you went to the thing that Center City Partners did where they put out that big map of development opportunities, developing something like that and maybe enlisting with a real estate broker to actually go out and find some national people to come to the table early, not wait for them to come to us. In Denver they actually put the TIF districts around the stations they didn't wait for each developer to come in and ask for a TIF. They put incentives out ahead of time to induce people to come. Being more aggressive and intentional is something that we talked about as well.

Ms. Swain said Carolyn just reminded me and this is a significant part of the discussions, where transit lines go also depends on land use and economic development potential. Sometimes that dictates what we should put there so we have to be cognizant of that.

Mr. Dulin said you guys were studying the financing of how to build it and you've used the term the "whole system" and you've also used the term the "total system". Have you done any modeling as to how much it will cost to run the "total system" and to run the "whole system"?

Mr. Howard said that is actually part of the number you saw earlier.

Ms. Flowers said that is part of the \$5 billion.

Mr. Dulin said how much of that \$5 billion is a year? That \$5 billion, I took that number as to what it would cost to build the system. Once you build it you've got to run it.

Mr. Howard said whatever source you would come off with would keep throwing off the money that it needed to do that.

Ms. Flowers said it is \$1.7 billion to operate the full system over 30 years.

Mr. Dulin said what is \$1.7 billion divided by 30? That is bigger than any commission I ever got.

Mr. Cooksey said about \$60 million.

Mr. Dulin said about \$60 million per year to operate it.

Ms. Swain said a complete total system.

Mr. Dulin said which will take us past my lifetime before that is built even if it was a go, but \$60 million per year, I just need to get this Council to get their brains wrapped around how big that number is per year to operate the system.

Mr. Howard said what we are talking about is investment in infrastructure that now we don't necessarily have to do road, now we can move people around and we are not the ones just in this room, it is the people who are going to move here that we have to accommodate getting around. In 30 years are supposed to have another million and this is about accommodating them as well. This is what big cities do.

Mr. Dulin said at the same time we've got to remember that we are \$2 billion to \$4 billion behind on our road building as well.

Mr. Howard said that was actually part of this conversation as well, the fact that maybe what we are going to the State with is not just a transit ask, but we are going with a transportation ask because the roads – they need each other. It is not one or the other.

Ms. Swain said you can't throw out a number and say this is what is going to cost without looking at what we are going to gain in return. That is something this Committee looked at, value added is important, the ability to recruit international businesses is important and what you get when you continue to diversify your tax base, the fact that the land along these lines also brings in extra value to your community and the off load of your roads.

Mr. Dulin said I understand that and I appreciate your work. I read the stuff and we just need to sometimes live in Realville too that a total system is a \$60 million yearly investment from the community.

Ms. Flowers said in 2045. Those are escalated dollars

Mr. Dulin said yes, luckily, I won't have to worry about that.

Mr. Howard said our budget every year is \$1.8 now so you are talking about growing the tax base and we know from the South Rail Line what that has meant to this community already.

Mr. Dulin said I know, I'm just saying sir.

Mr. Howard said when you throw out big numbers it is kind of to scare and I want to make sure everybody understands that there is a huge upside to it.

Mr. Dulin said I'm scared at \$5 billion, so you are right it does scare me.

Olaf Kinard, CATS said there is \$60 million in our operating cost right now and around \$105 million for our existing transit system. So we are already covering over \$100 million per year in operating costs.

Mr. Dulin said and this will be in addition to that?

Mr. Kinard said correct.

Councilmember Barnes said in terms of long-term, long-range planning and the fact that most of the efforts that you all mentioned regarding going to Raleigh, did you all talk about beginning those conversations and if you did what sort of response did you get? As we know our current legislature has a stronger version to spending and I don't think that will change anytime soon. Were you able to gage their interest in supporting this type of effort?

Mr. Howard said actually several different ways. The Committee had Charlie Geer and Malcolm as members and in addition to that we actually had Ned Currin who is the Chair of State DOT and he has actually said that he doesn't think we should move that fast away from expecting the state to be involved. We also know from the Governor's new program that the Red Line benefits from the way his new funding formula is structured. It benefits right now so actually in one of the trips to Raleigh, Speaker Tillis actually challenged me to find ways that they could give us ability to do it locally so the state wouldn't have to do it in the future. Governor McCrory said somewhat the same thing when we spoke to him if he would be interested in talking to us about ways to be creative with doing this.

Ms. Swain said the very fact that we had this Committee working is exactly what the legislature has indicated they expect urban areas to do. We thought about and we created a tool box which they are asking us to do that.

Mr. Barnes said so what would be the next steps with regards to taking it to Raleigh?

Mr. Howard said the MTC had to get it first. The MTC supported it last week and the next steps is that we are going to figure out how to use this incredible talent we have to maybe divide into follow-up committees to maybe take on different pieces of that follow-up. The biggest piece is education. Education almost has to start before we do anything else and that is education of the public and all of entities you just talked about. Then we need to go to the next steps of figuring out exactly what we need legislation to change. We started with a TIF already, and this body has already ask SAD to extend that out so we just need to kind of delve into that, but nobody wanted to spend the time or resources until we had that support and we just got that last week.

Ms. Swain said your continued questions will help us tweak what those messages are.

Mayor Pro Tem Cannon said thank you, it is good to see some familiar faces and some new faces. Thank you for participating in this, it is a very worthwhile project task to participate in and it seems like you have a lot more work to do, but we certainly appreciate it.

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ITEM NO. 3: ANSWERS TO CONSENT QUESTIONS

Assistant City Manager, Eric Campbell said we had two questions pending. One was on Item 17, Time Warner Cable Arena Retail Space. Mr. Barnes asked a question regarding how the rate was calculated. We actually realized that that item was requested to be pulled by staff because of a technical aspect. However, the rate is actually market.

Councilmember Barnes said is \$18.70 and \$17 market?

Mr. Campbell said yes.

Mr. Campbell said the other question was on the LYNX Blue Line Extension Project to advance public utility relocation. That was asked by Councilmember Howard and it is to award a low bid contract of \$10 million to Blythe Construction to advance public utility relocation associated with the Blue Line. The contract provides for the public utility relocation for the construction of extended the Blue Line. It includes grading, retaining walls, storm drainage, water and sewer installation. The work will be coordinated with private utility relocation as well. The schedule for the work including private utility relocation will run from June 2013 to April 2014. The contract also includes a betterment to upsize the water line from a 16 inch to a 24 inch with the Department of Utilities.

Mayor Pro Tem Cannon said I would ask you to have a side bar with Mr. Howard since he has stepped away for a moment, have a side bar with him before we get to the meeting and see if has anything further with regard to that. Mr. Dulin are you good to go?

Councilmember Dulin said my number 20 will be pulled downstairs for the vote and I will vote no.

The Dinner Briefing was recessed at 6:24 p.m. to move to the Council Chamber for their regularly scheduled Business meeting.

* * * * *

The Council reconvened in the Meeting Chamber at 6:37 p.m. for the Citizens' Forum and Business Meeting with Mayor Pro Tem Cannon presiding. Councilmembers present were John Autry, Michael Barnes, Warren Cooksey, Andy Dulin, Claire Fallon, David Howard, Patsy Kinsey, LaWana Mayfield and James Mitchell.

Mayor Pro Tem Cannon called the meeting to order at 6:27 p.m. and thanked everyone for being there.

INVOCATION AND PLEDGE

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

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CITIZENS' FORUM

Additional Funding for the Mecklenburg County School System

Bernard Shultz, 2121 Trace Creek Drive, said I would like to propose to add additional funding of \$1 million to our School System. This additional funding would be used to perform a test trail in a portion of our school district, testing the effectiveness of interactive computer learning software. I would ask that this trial period occur for a guaranteed trial period of two years. During this period and throughout the period we could test and analyze the efficiency and effectiveness of interactive learning software. I believe this learning method is the best learning method that we have today. With everything given these learning methods, although in its infancy has been shown to give more proficient learning, more ability to grasp what is being said due to the interactive way that these interactive programs grasp the audience. I would ask that we start this trial period with Rosetta Stone. I believe that this is the best interactive software that we have today. I have been talking with Rosetta Stone Associates and I believe that we could initiate this trial period with a 2-year buy-back guarantee, that meaning that after the two-year trial period I believe that all of our expenses will be covered from our savings.

Mayor Pro Tem Cannon said Mr. Shultz, one of the things that I would recommend you consider doing is going before the Board of County Commissioners who typically are the funders of such an area and making your pitch toward them.

Youth Leadership Academy Sponsorship

Marlaina Williford, 504 Graham Meadow Drive said I am the Director of Little Angels Learning Academy, a 5 star childcare center that has been featured on local media for our famous Kindergarten Boot Camp. Over the past few years we have branched out with our Youth Leadership Academy, a summer program with an intense focus on learning and development at a very low cost. Even still we have some parents whose children could really use the extra help during the summer but cannot afford it. We already have 30 students enrolled and typically we sponsor 5 to 7 students during the summer for free. We are asking for your help to sponsor these kids this year because our budget may not allow us to do it. The cost is \$75 per week for 10 weeks. We have several leadership programs that we offer and our Spanish class is one of the

classes that benefit our young leaders. Now we will hear from our student, and Junior Instructor Jazzelyn, who will talk about the impact of the program that it had on her.

Jazzelyn said I help the younger kids to learn basic Spanish. This summer I would really like for all the students to continue to learn Spanish.

Ms. Williford said I am a small business owner and this is my first time asking the Council for help. I would love for you to consider to help us continue to sponsor these children this summer. We do not want to let them down.

Second Amendment

Steven Nararro 412 North Laurel Avenue, said I'm here to speak about the Second Amendment. As I and millions of Americans are concerned the Federal Government will pass laws against gun ownership as our economy continues to deteriorate. Colorado and Connecticut are having this debate and it will come here. I'm also here to thank Mayor Foxx for his service. His greatest decision in office was in November 2011 to not participate in the Federal Governments of violent response to the peaceful protest of the occupied movement. A storm is coming. A full blown monetary collapse is at our doorstep and the only thing economist cannot predict is the wind. This will be a very dangerous time in our history. Hyperinflation will destroy the division of labor; food will not get into cities; to maintain social order government is going to have to assert unprecedented new powers of the economy, particularly in agriculture and transportation, just to make sure we don't get food riots. Obama silently signed this executive order in 2012 and they might never give up these powers like the temporary patriot act written well before that September thing. Mayor Foxx has a very different job ahead of him than what he thinks. I wish I had more than three minutes to qualify these claims and would love to converse with, educate and debate with any of you. If not look up Ron Paul's State of the Republic Speech on YouTube. Before I go on let me qualify that I'm a victim of gun violence. I was 7 and in the room as my mother was murdered. I never once blamed guns for my mother's death though. We don't have a second amendment for tradition and we don't have it for hunting. We don't even have it for personal defense, we have it to overthrow a tyrannical government. The US Constitution which all of us here are sworn to uphold is the most sublime document ever devised by human intelligence. Why we would be so quick to throw away the wisdom of ages? I spoke here before the NBAA, the Governments response and occupied movement, afraid they might spirit people away in the night. Imagine the response and civil unrest if currency gets out of hand. I'm afraid that they will just outright kill people. In Europe they have an easy water candidacy against the population. Contrast that with the DHS purchase of 1 billion hollow point rounds. They are preparing for revolution regardless of what they say. Mayor Foxx is being tapped for Transportation Secretary is a political maneuver to promote him out of the way. See his refusal to use violence against peaceful protestors made him the most dangerous mayor in the country because when it hits the fan one might follow his example. All you Councilmembers remain, every county is going to have to decide after these events occur that this is a take and ... county or bend over and take county. Anthony, I beg of you to stay here in Charlotte. We need you here. Why would you take a job with those blood thirsty killers? I wish in my heart that something would derail your nomination such as an intrepid journalist tell the Republicans in the Senate of the ... of the promise of your design line, how proprietary technologies are worthless and batteries sometimes explode over charging. I will leave all of you with the words of Steven Cobeara, I'm American so can you. Thank you for entertaining that. I know it sounds crazy, but there are a lot of people that think this happens. I hate them on championing with Glenn ... believe but there is a civil arrest that is going to come and every city's sheriff will hopefully not let federal agents do these things.

Security in Charlotte, North Carolina

Fred Mauney, 61 Newton Moore Road, Peachland, NC said the last time I was here I got cheated out of about 30 seconds of my time. You knocked me off at about 2 and a half. But to bring you up to speed from the meetings I've had here is I just got back from Washington, DC. I had to meet with the Capital Police for a little over an hour about what is going on down here and how it affects DC because this Adam ... has announced about having the armed people to come into DC on July 4th and I'm very well a poster child and why they might just decide to arm
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themselves and come to Charlotte, North Carolina to do freedom of speech and why the first amendment was first made by the founding fathers and why they put the second amendment in to protect the first amendment. I also took this stuff over to the House of Judiciary, House Oversight Committee, also sent it to the Judiciary in the Senate Oversight Committee. I can tell you all their staffers was shocked when they were first looking at it because these are the people the Republicans are looking at, the Tea Party Crowd or whatever, and they can't understand why nothing was ever said about a suit going on down here and the DNC and all that. Furthermore they are even now looking at how I could be standing there and I'm accused of treating everybody. I don't know how far this is going because I left them with the documentation to get it started and that is that point. You know how things work behind the scenes so I think you all have a problem. This is going to be an issue for every one of you running in your districts this election. I've got enough people to help me with it to make sure that it is an issue. The other thing is that people have asked me to do something about Bruton Smith and what is going on about the NASCAR Museum and stuff. They asked me to look into it and what could I do so I have started working on it and the things that you really start looking at it, it is really astounding that there is not so much about Jerry Richardson, but give him some money and then things happen with the Coliseum built and torn down for the Hornets, then it is what is going on with the Time Warner Thing and the Bobcats. We are just saying the first thing there is going to be a demand that you need to start looking at putting a 100-foot statue of Bruton Smith down there in from of the NASCAR Museum. I'm already laying it out and they are already looking at it and saying you are doing a hell of a job, and if you want to contact me to see how it is coming together you need to start paying attention to what is going on with Bruton Smith and this NASCAR Museum.

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CONSENT AGENDA

City Clerk, Stephanie Kelly advised the Council that Item No. 17 has been pulled from the agenda by staff. Item Nos. 19, 20, 26 and 30-F have been pulled by Council or have speakers.

Motion was made by Councilmember Dulin, seconded by Councilmember Mayfield, and carried unanimously, to approve the Consent Agenda as presented with the exception of the above items.

The following items were approved:

Item No. 13: Police Patrol Boat

A. Approve a low bid unit price contract with Silver Ships, Inc. for the purchase of patrol boats for a three-year term, and B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract.

Summary of Bids

Silver Ships, Inc.	\$203,623.08
Metal Shark Aluminum Boats	\$226,175.81

Item No. 14: Firefighting Foam Contract

A. Approve the purchase of Thunderstorm foam, as authorized by the sole source exemption of G.S. 143-129 (e) (6), and B. Approve a unit price contract with Williams Fire & Hazard Control, Inc. for the purchase of F603B Thunderstorm foam for a five-year term.

Item No. 15: Fire Station 20 Expansion Project

Award the low bid contract of \$339,320 to W. C. Construction Company, LLC for Fire Station 20 Expansion Project.

Summary of Bids

W. C. Construction Company, LLC	\$339,320.00
Marand Builders, Inc.	\$345,815.40
Synergyoneinc	\$364,173.30

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D. E. Brown Construction, Inc.	\$372,542.65
G. W. Liles Construction, Inc.	\$375,775.00
D. E. Walker Construction	\$416,257.00

Item No. 16: Police Westover Division Lease Renewal

- A. Approve a lease renewal with Richard H. Marbut Properties, LLC, for office space for the Charlotte-Mecklenburg Police Department Westover Division at 1540 West Boulevard, and
- B. Authorize the City manager to execute any lease related documents.

Item No. 18: Eastway-Sheffield Neighborhood Improvement Project

Award the low bid contract of \$1,417,355.50 to Sealand Contractors Corporation for the Eastway Sheffield Neighborhood Improvement Project.

Summary of Bids

Sealand Contractors Corporation	\$1,417,355.50
Carolina Cajun Concrete, Inc.	\$1,603,101.50
Blythe Development Company	\$1,792,100.84

Item No. 21: Bridge Repair Design Services

Approve a contract for \$360,000 with WSP USA Corporation for the design of bridge repairs.

Item No. 22: Airport Use Agreement with Southwest Airlines

- A. Approve a lease with Southwest Airlines for space at Charlotte Douglas International Airport,
- B. Approve a lease agreement with all signatory airlines to recognize existing conditions, and
- C. Authorize the Aviation Director to execute any lease-related documents.

Item No. 23: Airport Corporate Terminal Parking Canopy

A. Approve the low bid contract of \$359,900 with Randolph & Son Builders, Inc. for the installation of a canopy, and B. Budget Ordinance No. 5124-X appropriating \$359,900 from the Aviation Excluded Fund Balance to the Aviation Capital Investment Plan.

Summary of Bids

Randolph & Son Builders, Inc.	\$359,900.00
Edison Foard Construction Services	\$364,475.00

The ordinance is recorded in full in Ordinance Book 58, at Page 201.

Item No. 24: Airport Passenger Boarding Bridge Replacement

A. Approve a contract in the amount of \$814,614 to Ameribridges, LLC of Indianapolis, Indiana for the purchase and installation of a refurbished passenger boarding bridge, and B. Budget Ordinance No. 5125-X appropriating \$184,614 from the Airport Discretionary Fund Balance to the Aviation Capital Investment Plan.

The ordinance is recorded in full in Ordinance Book 58, at Page 202.

Item No. 25: Airport Runway & Taxiway Rehabilitation Design Services

A. Approve a contract in the amount of \$196,000 for professional design services of W. K. Dickson & Co., Inc. and B. Budget Ordinance No. 5126-X appropriating \$196,000 from the Airport Discretionary Fund to the Aviation Capital Investment Plan.

The ordinance is recorded in full in Ordinance Book 58, at Page 203.

Item No. 27: Transit Emergency Preparedness Drills and Exercises

A. Approve a two-year agreement with K & J Safety and Security Consulting Services, Inc. for implementation of emergency preparedness drills and exercises in an amount up to \$110,000 per year, and B. Authorize the City Manager to execute three, one-year contract renewals.

Item No. 28: Medical Bill Review and Reduction Services

A. Approve a contract with CareLogic for Medical Bill Review and Reduction Services for an initial three-year term, and B. Authorize the City manager to approve up to two, one-year renewal options as authorized by the contract, and contingent upon the company's satisfactory performance.

Item No. 29: Refund Property Taxes

Resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$155,785.32.

The resolution is recorded in full in Resolution Book 44, at Page 385-390.

Item No. 30: Property Transactions

Item No. 30-A: 5100 Beatties Ford Road

Acquisition of 8,242 square feet in Fee Simple, plus 10,066 square feet in Temporary Construction Easement, plus 91 square feet in Utility Easement at 5100 Beatties Ford Road from 5100 Beatties Ford Road, LLC for \$154,260 for Beatties Ford Road Widening Phase 4, Parcel #57.

Item No. 30-B: 202 Sunset Drive

Acquisition of 69,231 square feet in Sanitary Sewer Easement, plus 872 square feet in Temporary Construction Easement at 202 Sunset Drive from John Stephen Miller, Sr. and wife, Anne S. Miller, John Stephen Miller, Jr. and wife Mary Carter G. Miller and Rebecca Miller Mahon and spouse, Bernard Mahon for \$20,700 for Steele Creek Pump Station Replacement Final, Parcel #16.

Item No. 30-C: Pineville-Matthews Road

Resolution of condemnation of 3,380 square feet in Sanitary Sewer Easement, plus 6,846 square feet in Temporary Construction Easement at Pineville-Matthews Road from Acts Retirement-Life Communities, Inc. and any other parties of interest for \$18,325 for 8" Sanitary Sewer to serve 720 Marion Drive, Parcel #1.

The resolution is recorded in full in Resolution Book 44 at Page 391.

Item No. 30-D: 737 Plantation Estates Drive

Resolution of condemnation of 2,939 square feet in Sanitary Sewer Easement, plus 6,427 square feet in Temporary Construction Easement at 737 Plantation Estates Drive from Acts Retirement-Life Communities, Inc. and any other parties of interest for \$10,350 for 8" Sanitary Sewer to serve 720 Marion Drive, Parcel #2.

The resolution is recorded in full in Resolution Book 44, at Page 392.

Item No. 30-E: 217 Bubbling Well Road

Resolution of Condemnation of 781 square feet in Sanitary Sewer Easement, plus 1,107 square feet in Temporary Construction Easement at 217 Bubbling Well Road from Valentin Moldovan and wife, Florentina Moldovan and any other parties of interest for \$1,350 for 8" Sanitary Sewer to serve 720 Marion Drive, Parcel #5.

The resolution is recorded in full in Resolution Book 44, at Page 393.

Item No. 30-H: 5542 North Tryon Street

Resolution of condemnation of 37,157 square feet in Fee Simple, plus 100 square feet in Sidewalk and Utility Easement, plus 6,874 square feet in Temporary Construction Easement at 5542 North Tryon Street from John N. Dross, and wife, Frances M. Dross and any other parties of interest for \$318,050. For Blue Line Extension, Parcel #1357.

The resolution is recorded in full in Resolution Book 44, at Page 394.

Item No. 30-I: 4201 Stepping Stone Drive

Resolution of condemnation of 147 square feet in Right-of-Way and Utility Easement, plus 2,411 square feet in Temporary Construction Easement at 4201 Stepping Stone Drive from BAC Home Loans and any other parties of interest for \$1,025 for Hope Valley/Oak Forest Neighborhood Improvement Project, Parcel #80.

The resolution is recorded in full in Resolution Book 44, at Page 395.

ITEM NO. 19: UNIVERSITY CITY BOULEVARD PATHWAY

Ray Atkinson, 5460 Crofton Avenue, Kannapolis, NC said I am the past President of the UNC-Charlotte Cyclist Club. I served two years at UNC-Charlotte and I did a variety of other leadership positions at UNC-Charlotte. I am here to speak about the University City Boulevard Pathway. It is very much needed because right now there is pretty much a track path along the north side of University City Boulevard and as a cyclist and pedestrian I don't feel safe traveling along that stretch of road from the main campus to the Harris Teeter Plaza and Toby Creek Greenway area and also to go up to the restaurants further up Highway 49. I feel that Pathway is needed for future growth of pedestrian and bicycle usage on campus because we are an automobile centric campus and to encourage other modes we need a safe route as the pathway would provide. Hopefully someday the pathway will be extended to the Toby Creek Greenway which I believe is another phase of the project.

Motion was made by Councilmember Barnes, seconded by Councilmember Kinsey, to award the low bid contract of \$887,463.50 to Bullseye Construction, Inc. for the University City Boulevard Pathway.

Councilmember Dulin said Mr. Atkinson we were getting ready to okay this, but Mr. Manager is this section connected at all to the portion that is in our CIP? This is a 10-foot wide brick paver and asphalt bike path in the UNCC area, \$887,000 that we were going to okay.

Danny Pleasants, Charlotte Department of Transportation said no, this is not the same path as a project that we've been working on through the sidewalk project in collaboration with UNC-Charlotte for quite some time. It is really more of a side path to the highway there in front of the campus itself and will run from the main entrance of the campus out to Mallard Creek Church Road.

Mr. Dulin said does UNCC have some skin in this game or is it just us?

Mr. Pleasant said they've been putting quite a bit of time in work with us to get the alignment just right and interface with their property just right, but it is all us.

Mr. Dulin said have we thought through the Blue Line Extension and how it will connect to that. We don't have a map in our materials.

Mr. Pleasant said the Blue Line is on North Tryon Street and this will be on University City Boulevard.

Mr. Dulin said the whole other side of the campus?

Mr. Pleasant said yes.

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

Summary of Bids

Bullseye Construction, Inc.	\$ 887,463.50
Zoladz Construction Co., Inc.	\$ 936,029.05
D. E. Walker Construction Co., Inc.	\$ 964,601.00
Blythe Development Company	\$ 978,395.00

Pedulla Trucking, Excavating and Paving, Inc.	\$1,098,647.00
Carolina Cajun Concrete, Inc.	\$1,142,548.00

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ITEM NO. 30-F: 5420 NORTH TRYON STREET

James Sharples, 635 Swedesford Road, Malvern, PA said I am one of the owners of the 8,000 square foot North Point Plaza on North Tryon Street. We acquired that center in 2007 and have put \$10,000 into renovating it, increasing the security with off-duty CMPD Officers, all in an effort to try to revitalize the center. The light rail extension is going to take about a third ... from us in Fee Simple, they also want to take a quarter of an acre in Temporary Construction Easement. We received an offer on March 22nd ... comments inaudible. Both the permanent taking and the temporary taking will have a significant impact on traffic around the shopping center which means the deliveries to our 15 tenants, as well as picking up dumpsters and trash behind the entire shopping center will be cut off during that time period. We conveyed to the City's Acquisition Engineer on April 17th that we were reviewing the offer and talking with our lender and would get back to him soon. After consulting with our own engineer, I contacted the agent on May 9th and said that we would like to set up a meeting with the City's Engineer to try to talk about what the impacts were going to be. The City's agent said he would try to set something up, however on May 17th we received a letter which said that it was going to be here tonight for condemnation proceedings really before we had a chance to talk to anybody. That letter also said that regrettably, our negotiations with you thus far have been unsuccessful. There were no negotiations. Really, we had fewer than 60 days from the time we received the initial offer until it arrived here in front of you. We did not have a chance to have a meeting with the City until earlier this afternoon where we did go out with some of the City Engineers and got to talk to them, but again that is with the damocles hanging over our head with the condemnation proceedings. Our lenders appraisal will not be done yet as it takes 30 days for that. We are hopeful that we will be able to reach some kind of a good solution for everybody, however at this point only time will tell. We are hopeful that the light rail project will have a positive impact on the neighborhood, however the time restrictions that have been put on owners is a bit short and a bit onerous quite frankly.

Mayor Pro Tem Cannon said can we get a report from staff on this in terms of where things are and how they are going, etc.?

Laura Rushing, Engineering and Property Management, Real Estate Division said we did meet with Mr. Sharples and his people today to go over the acquisition on site. We met on the property and I think it gave both of us a better idea and a better picture of what is going on. Our scheduled is accelerated and we have done everything within the federal guidelines and followed all the guidelines and requirements and we've given them a little bit longer than the guidelines require for the time to make a decision. We also discussed today that although tonight's action if it were approved for condemnation, does not mean that we are going to file. We will continue to work with them and we are very hopeful that we can work out an agreement before condemnation would actually have to be filed.

Mayor Pro Tem Cannon said you are very certainly of that?

Ms. Rushing said I'm hopeful.

Councilmember Fallon said can we put a timeline on that for you, that you give him 30 days?

Ms. Rushing said yes, we made the offer and certified mailed it out on March 21st, and he received it on March 22nd as he just said. The guidelines say at least 30 days for them to make a decision. As of today it is almost two months or a little over two months and we hope to have this done within the next month, maybe a little bit longer.

Motion was made by Councilmember Fallon, seconded by Councilmember Mitchell to defer this item for 30 days.

Mayor Pro Tem Cannon said what does a deferral do? It has been suggested for 30 days.

Ms. Rushing said the schedule honestly wouldn't allow it.

Mayor Pro Tem Cannon said the question is why. Anyone from staff can help on that piece of it?

Danny Rogers, Blue Line Extension Project Director said the reason we need to go through the approval for condemnation today is to get the process going through the steps that are required to get the filing of the condemnation. If we don't do it today and then we continue to wait for another 30 days, if we don't get through an agreement then we have to start that process again and that is going to put us 30 days into our schedule, so it would be a delay to the project.

Mayor Pro Tem Cannon said I think what folks are trying to find here is where the balance, where is that fine line where you can meet at the crossroads to help with the constituent request in terms of what you've said and in terms of what you feel can be met, but I think there are still some other questions.

Councilmember Barnes said I think what is worth noting is that in doing these condemnations if we approve the item there is still the opportunity for mediation and in my experience as an attorney, mediation tends to resolve a lot of issues like this unless there is a dramatic gap between where we are and where they are. I don't know where the owner would be in terms of value, but I think it would make some sense to allow the matter to go through the mediation process and then through the court system if necessary and that would essentially keep things on schedule and allow Mr. Sharples to have his grievances addressed and also maintain the interest of trying to get the project moving.

Councilmember Mayfield said we are saying that this discussion started in December 2012. Is there is a reason why the face to face meeting didn't happen until today, of which we are having this on our condemnation tonight?

Ms. Rushing said we started in December trying to contact them and it took us a little bit to actually speak to him on the phone. He is actually located in Pennsylvania so he is not local. That is when we began to try to get in contact with him, December 2012.

Ms. Mayfield said from what I heard this is a partnership, there were no local representatives that you were able to get in touch with between December 2012 and May 2013?

Ms. Rushing said no, we have to contact the property owners and we did find his contact information, it was just being able to speak with him took a while.

Ms. Fallon said how long will it take Mr. Sharples to get an appraisal?

Mr. Sharples said the point about December, we received the offer which actually said what they are taking at the end of March, so we are in a two month period right now. It takes 30 days to get the appraisal. It goes through a bank and the bank has a very rigorous process in which they can appraise ... We should have the appraisal back by the beginning of June and then the bank will have to review it and our bank will let us know probably the second week in June.

City Attorney, Bob Hagemann said as Mr. Barnes indicated this is not unusual that we come to you with a request to approve condemnation when we have not reached an agreement on price with the property owner. But in every case where you authorize us to go forward with condemnation we continue to negotiate informally and then as Mr. Barnes indicated, through the judicial process we are required to engage in court ordered mediation and we would do that in this case as well. As part of that process I am highly confident that we will take a look at any appraisal that is procured by the property owner and take that into consideration in negotiating.

The vast majority of cases that you approve for condemnation do not go to trial and we do come to terms with the property owner after you have authorized us moving forward. I would think that is likely the case here as well.

Councilmember Autry said staff I understand that a deferral for 30 days on this question would impact the schedule. Can you give us some insight as to what we are talking about here? Are we talking about moving utilities?

Ms. Rushing said there are advance utilities that are going to be done on this property that need to be starting late summer. That is one reason it can't be deferred or else it would have an impact.

Mr. Autry said so you are ready to start cracking the ground open in the next couple of weeks?

Ms. Rushing said no at the end of August, but we cannot do that until we own the property.

Ms. Fallon said I'm not happy. It is moving too fast. It is a shopping mall; it is not a piece of property that you can look at and see a house that is falling apart. It is going to take time for a bank, an appraisal, there are different parts of it. I can't see why you can't give him 30 days.

Ms. Rushing said we will continue to negotiate.

Ms. Fallon said I know you will continue to negotiate, but unless it is written down I don't trust it.

Councilmember Cooksey said you've referenced following the schedule according to federal requirements. Is Council action on a condemnation part of that calendar? When it is necessary to take it to Council action stage?

Ms. Rushing said it is taken into consideration in our schedule.

Mr. Cooksey said clarify what you meant by having to start over again if the delay goes too far. I thought I heard Danny mention that if things go too far then it has to start over again.

Mr. Rogers said once the Council takes action to approve going forward with the condemnation there is a series of steps that must take place after that. If we delay that Council action and go through another 30 days to try to negotiate a settlement, if we are unable to negotiate a settlement at that point then we have to come back to you for the Council action and we've delayed the start of that process by 30 days.

Mr. Barnes said I think what we are hearing is that during any 30-day delay staff will be working with them to try to resolve the issue, which is why we should move ahead tonight. The protection for him is in the court system. Does that make sense?

<p>A substitute motion was made by Councilmember Barnes, seconded by Councilmember Kinsey to adopt a resolution of condemnation of 14,864 square feet in Fee Simple, plus 30,012 square feet in Fee Simple within Existing Right-of-Way, plus 3,068 square feet in Storm Drainage Easement, plus 10,831 square feet in Temporary Construction Easement, plus 3,866 square feet in Utility Easement at 5420 North Tryon Street from NRG-Hampshire Hills, LLC and any other parties of interest for \$139,600 for Blue Line Extension, Parcel #1349.</p>

The vote was recorded as follows:

YEAS: Councilmembers Barnes, Cooksey and Kinsey.

NAYS: Councilmembers Autry, Cannon, Dulin, Fallon, Howard, Mayfield, Mitchell and Pickering.

The substitute motion failed so a vote was taken on the main motion to defer for 30 days and was recorded as follows:

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

NAYS: Councilmembers Barnes, Cooksey and Kinsey

Mr. Barnes said what happens after 30 days – He will be right back down here from Pennsylvania saying the same thing he said tonight and they will be saying exactly the same thing they said tonight and nothing will have changed. It is built in to do that.

Mayor Pro Tem Cannon said the motion passed and we will hope for the best for both sides.

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ITEM NO. 5: CITY MANAGER’S REPORT

City Manager, Ron Carlee said he no report.

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ITEM NO. 6: FY2014 & FY2015 TRANSIT OPERATING BUDGET AND FY2014-2018 TRANSIT CAPITAL INVESTMENT PLAN

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey and carried unanimously, to A. approve the FY2014 & FY2015 Transit Operating Budget, approved by the Metropolitan Transit commission on April 24, 2013, B. Approved the FY2014-2018 Transit Capital Investment Plan, approved by the Metropolitan Transit Commission on April 224, 2013, and C. Approve the FY2014-2018 Transit Debt Program, approved by the Metropolitan Transit Commission on April 24, 2013.

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ITEM NO. 7: CITY LYNX GOLD LINE PHASE 2

Motion was made by Councilmember Howard, seconded by Councilmember Mitchell and carried unanimously, to recuse Mayor Foxx from participating in this item.

Councilmember Mitchell said I would ask Assistant City Manager, Ruffin Hall to give the presentation that was presented to the Economic Development Committee. I would like to thank my committee members, Vice Chair Mayor Pro Tem Cannon, Councilmembers Howard, Cooksey and Mayfield.

Assistant City Manager, Ruffin Hall said I would like to go over a presentation which is pretty much the same that all of you have seen before with a couple of small adjustments, but we thought it would be helpful for us to go over this information in a public format and allow everyone to see the proposal that we have put together. I would like to say a sincere thank you to a lot of different staff folks who have worked hard over the last month or so on this particular proposal. It really was a team approach. CATS, Engineering and Property Management, Neighborhoods and Business Services, Finance, Budget and Evaluation, Corporate Communication and the City Manager’s Office and I would also like to recognize Ron Carlee, the City Manager coming on board and putting forward a tremendous amount of effort and time examining this project as well.

I will begin with the introduction of what brought us here. April 2013 the Mayor and Council authorized the City Manager to review and analyze the Streetcar project. The goal was to really look at this project with a fresh perspective given some of the conversations that had occurred the previous year, which you are all familiar with. The Manager’s review included a variety of things to examine, scope, alignment, the policy rational, connection to transit policies, communications and marketing and funding options and really looked comprehensively at all of those components in a staff team together with a fresh set of eyes. We concluded to recommend moving forward with the project, but with several changes on how we were going to approach it.

The name was one of the elements which you have now seen as a part of the public dialogue to refer to the alignment as the City LYNX Gold Line. The name was developed with CAT'S marketing staff in conjunction with the rest of the way that the transit system is identified and named. For example, we are familiar with the Red Line, Blue Line, Silver Line and this is the Gold Line and the brand of City LYNX, the LYNX name is a brand that is very important and very prominent in the CAT'S marketing framework and is very familiar to the riders. The Gold Line name is in deference to history, not only the alignment with the Gold Rush but the 49ers, the Mint Museum, that particular perspective and a lot of other alignments in other cities use the name of Gold Line. That was part of the thinking for the Gold Line brand.

Another particular component that we wanted to discuss was the vehicles that were associated with this particular project. Although we know that the first part of the project, which we will talk about in just a minute, the Phase I, which is the existing project, will be using the replica trolleys for a period of time. Ultimately this is intended to be a modern Streetcar project and these are examples of some of the vehicles that we are talking about. The bottom right hand corner is actually our current vehicles, the Siemens vehicles and there are other examples in the photographs. While the specific vehicle has not been selected yet, obviously that would be something in the future, ultimately what we are talking about is modern streetcar vehicles which look, feel and operate in the same way that a light rail vehicle does today only instead of a dedicated right-of-way, it is in the street, but the vehicle looks and feels the same.

This is another illustration of what we are talking about in terms of the look and feel of the project. This is a rendering of what it could look like along Beatties Ford Road and as you can see from the artist rendering there is a transit stop at that particular location which goes out into the modern streetcar level. The stops, the look and feel will be similar to many of our existing light rail stops.

Those were some of the illustrations I wanted to give you to have an opportunity to see what this particular project could look like and now I would like to do some clarifications of the definitions. What are we talking about in terms of the different alignments and the naming convention so that we are using the same types of language to describe different parts of the project? In the past there has been some confusion associated with Starter Project versus Extension, things like that so this is an attempt to clarify those labels.

The first, Phase I is the existing project, the project that is funded and currently under construction and if you've gone out toward Trade Street in front of the Arena at this particular point you know that it is under construction. There is quite a bit of work going on there right now. Phase I is the 1.5 mile route from the Charlotte Transportation Center on Trade Street down to Presbyterian Hospital, now Novant Healthcare, using .5 of a mile of the existing track on Elizabeth Avenue. There are six stops and includes a connection to the LYNX Blue Line. The cost is estimated at \$37 million. This is a project where we were awarded \$24.99 million Federal/Urban Circulator Grant to construct the project, matched with a \$12 million contribution of the City share.

This is another illustration of what this might look like. This is on Elizabeth Avenue looking towards town. The tracks are in the street, the rendering of the stop and the way that the platforms would look and operation is what we would look at going forward. That is Phase I, the existing project, which is funded and under construction. When you refer to Phase I, that is the segment of that particular area.

Now we move on to Phase 2 which has been the bulk of the conversation over the last year and a half – how to move forward with another piece of the project. This particular alignment proposed last year was to extend the City LYNX Gold Line by 2.5 miles so in terms of mileage, we have an existing segment in Phase I of 1.5 miles, then we are proposing an extension of 2.5 miles which gets to a total of a 4-mile segment. When we say 4-mile piece, that is Phase I and II. This would be 11 stops and includes upgrades to the maintenance facility to accommodate the new more modern vehicles instead of using the replica trolley cars. The cost estimated at this point is \$126 million, assuming next year beginning work and it would take about 5 years from the beginning point of design to operational service, so these things do have a long run in terms of the design, planning and construction period. We do want to emphasize that this cost number

can shift or escalate depending on when federal dollars may be received. In other words, we are going to talk about the funding piece in a little bit, but those dollars are in FY14 dollars and may be escalated if the project is delayed. This is another illustration of what the Phase II project may look out Beatties Ford Road.

One of the questions that was asked as a part of this process is why move forward, why the Gold Line, what is it that makes it a project that we are willing to recommend? We really are putting forward two rationales, the first is connection and integration to the 2030 Transit Plan. That is something you have talked about and heard a lot about in the last several weeks, so for the Council purposes I don't have to go through all of that again, but for the purpose of the audience and the citizens at home I would like to take a moment to remind us where we are. The 2030 Transit System Plan is on the screen and this was adopted by the Metropolitan Transit Commission (MTC) in November of 2006. There are various plans before that, this is just the latest version that has been adopted and there is detail on the screen that is hard to read from here, but there is additional information on the website where you can read all about when I get to the end in just a second. What I wanted to illustrate is that for us it is important to look at this as an entire transit system plan. This is the Red Line going from Center City up to Huntersville, Cornelius and Davidson. You have the existing Blue Line which goes out from 7th Street down to I-485 and then you have the Blue Line Extension which you just talked about a few minutes ago that is getting ready to start construction, and then we have the Gold Line going from Rosa Parks to Eastland Mall and then a spur out Morehead and Wilkinson to the Airport. Also the Silver Line going out Independence Boulevard. These are all of the alignments that are a part of your current 2030 Plan and we believe it is important from a connections and integrations standpoint to look at the entire system. What do some of those connections really mean? The City LYNX Gold Line is a critical project that crosses and touches all of the other segments, the Red Line, Blue Line, Silver Line as well as bus service and I will show you a map in a second that demonstrates that connection. Of particular importance is that it connects the Red Line coming into Center City at Gateway Station, which will be the future site off of Trade Street adjacent to the Gray Hound Bus Station, to the Blue Line which comes in at the Transit Center right across from the Arena. Right now that connection would be made by bus, but under a fully built out rail rapid transit system that connection would be very important and would be made by the Gold Line project. As I mentioned the Gold Line Project was included in the MTC's plan since 2002 and then reaffirmed in 2006. It does represent the backbone of the rapid rail transit system. It connects the rapid transit lines together; it connects to the intercity rail/bus to city and the region at the Gateway Station; it also connects transit lines to the Airport and connects neighborhood and Center City Transit Centers as well as major activity centers which I will illustrate in a moment. Again, what we are talking about here is not only connections to our transit system, but also connections to services and amenities that are a part of our center city.

What are some of those connections beyond just connecting our transit systems? There is a list here and we've talked about when we looked at this particular project; employment opportunities, small businesses, education, healthcare, cultural venues, sporting, other transportation choices – all of those are important links. I would like to use this map to illustrate some of the connections that we've been talking about up to this particular point. If I could orient you – this is center city, this is the proposed Red Line, the red dotted line. It is currently not funded but it is in the plan coming into Gateway Station. This is the existing LYNX Blue Line coming in from about 7th Street out to I-485 and then the proposed Blue Line Extension under construction here. This is the spur that would go out Morehead Street and Wilkinson Boulevard to the Airport at some point and this is the proposed Silver Line. This segment right here is Phases I so this Presbyterian Hospital (Novant Health) this is the Charlotte Transit Center and this segment is what is currently under construction. Using this particular example what this is showing is that when you go out the additional segment of Phase II, this goes out to French Street and to Sunnyside Avenue. The black dots represent our calculation on the number of small businesses that are within ¼ mile of the segment. There is a lot of small businesses in this particular area that could create a connection to this particular area and the segment from here to French Street and out to Sunnyside represents Phase II of the Gold Line project. If you go all the way to the full project, meaning the additional segment from French Street all the way out to Rosa Parks and Sunnyside out to Eastland Mall, the total for the total 10-mile segment is over 2,000 small businesses within ¼ mile. There is certainly an existing amount of small businesses with the potential for more. There are other connections related to it as well. Education, cultural

and sports – the dots represented by color coded are those types of amenities that are within a reasonable walking distance of the Gold Line proposal. I will give you a couple illustrations of these – most of these particular examples, anybody who is part of uptown is familiar with and its location; Discovery Place; ImaginOn; Gantt Center for African American Art; Mint Museum; Bechtler Museum and there are others . Sporting venues, Time Warner Arena is actually on the alignment with BB&T Ballpark, Bank of American Stadium and NASCAR Hall of Fame. Connections to transportation I've already mentioned the Charlotte Transit Center as well as the future Inner-city bus and Inner-city rail, that is the Gateway Station that will bring in regional rail and regional bus into that particular location. Finally connecting to education. Students are one of the most active users and riders of our transit system and there are a lot of educational institutions either adjacent to or close by to this particular alignment and that are actually several that are not even on the screen due to space whether it be the Charlotte School of Law or Queens University or Kings College, different educational institutions are within a close proximity to this particular use.

What I've talked about is the first rationale which really has to do with connections and integrating with our overall transit system plan. The second rationale that we've really examined carefully is economic development. The Gold Line as a catalyst for economic development. We really do believe that it is a tool to help promote growth and development along the area and as we've talked to you about your overall growth and development plan, it is not just about the transit plan, it is also about land use, corridors, wedges, centers and all of those kinds of land use plans that we've talked about. With the changes in annexation law we are not going to be able to broaden our boundaries in order to continue to grow out; we have to grow from within. That future is really tied to strategic redevelopment, the transit oriented mixed use and in some cases greater densities. It is not just about generating additional square feet, it is also about creating links to the traditional neighborhoods and single family neighborhoods that also want to benefit from this so we have to put those plans in place. We believe it supports the sustainability of those institutions and businesses. We also, as you well know through the Economic Development Committee, went through a revision to your BAE Study from last year. The study indicated that they did expect to broaden the tax base over at least the next 25 years and it revised the calculation just for the 4-mile segment instead of the entire 10-mile alignment in order to reflect the question that was before the Council on this particular policy item. So the study indicated an additional 1.1 million or more square feet in of new development and that was a relatively conservative estimate. I won't read through the numbers, but you can see the residential, retail, office space. At the end of the day the projection was an additional incremental property tax revenue could range from \$4.7 million to \$7 million per year by 2035 depending on the rate or accelerated growth.

There was some discussion in the Committee associated with where might this development might occur. I will ask Debra Campbell our Charlotte Mecklenburg Planning Director to come and talk a little bit about what we talked about with the Committee in terms of where that development may occur.

Debra Campbell, Planning Director, said I'm going to take a couple minutes to go through a couple of slides to talk about development opportunities and to talk about the proposed Gold Line in relationship to adopted area plans. As you can see on the map there are lots of names of areas where plans have been adopted. We think that these plans generally are reflective of and need to support the Gold Line in terms of future economic development. For the most part a lot of the plans that have been adopted, particularly those that front along the proposed Gold Line route, recommend a pedestrian friendly mixed use, transit oriented development pattern so in essence the plans have already been adopted, the zoning is generally in place. We have come to you with a number of PEDSCAPE Plans to accommodate this type of development and this type of development is for a little higher density development pattern again for those properties that would front along the proposed Gold Line, but the plans also allow for a more sensitive transition as you get closer to some of the single family development and neighborhoods that abut the Gold Line. This next slide is really trying to demonstrate the numerous development opportunities and a lot of those opportunities are reflected and are recommendations actually in those adopted plans that I mentioned in the previous slide. Just for clarification, Mr. Hall talked about the phases of the Gold Line. The red area represents Phase I and the blue area represents Phase 2 on this map. The yellow circles represent development opportunities and again these are

conceptual areas; they are overlaid over the proposed adopted plans for those geographies and you can see colors underneath the areas that are highlighted in yellow. Those are actually land use recommendations from the adopted plans and in most cases we are calling for a mixture of different type uses, retail, office, industrial, residential and we hope that those would occur in a way that they will be vertically integrated and mixed. Again the yellow area represent not all the development opportunities but are given to demonstrate just an example of the numerous opportunities that may present itself with the introduction of the Gold Line. I would conclude by saying that the Gold Line advances its part of the implementation strategy that is needed for a number of these plans that have been adopted.

Mayor Pro Tem Cannon said there is a circle, I believe it is sixth, is that West Trade Street? What is that right there?

Ms. Campbell said this is right below Johnson C. Smith University Campus and coming down West Trade is the circle where we've already seen Mosaic and a number of other development opportunities may exist. The former A & P Grocery Store and a number of other parcels that are available.

Mayor Pro Tem Cannon said when you get to Five Points where it is Rozzells Ferry, Fifth Street, etc. and to Beatties Ford Road you going .03 miles and that is it. I would imagine at the very end that is French Street and we know what is in that area right now if we are familiar with it, and any proposed type development that you are able to share with us in terms of what could be.

Ms. Campbell said this map is proposing a mixture of different type of uses, commercial, retail if I'm understanding your question. Are you talking about a specific development proposal?

Mayor Pro Tem Cannon said no not specific development proposal because I don't think developers have come to the forefront yet to even talk about that.

Ms. Campbell said the plan would accommodate a variety of different types of uses as I said, residential, higher density residential which we've seen in the Mosaic and actually Mosaic is mixed use. I think there is some retail proposed on the bottom floor. That is the character that we would see; office, institutional and again we hope that these uses are vertically integrated versus being freestanding. In terms of plan recommendations it would accommodate single uses as well.

Mayor Pro Tem Cannon said that is good and from Five Points to Rosa Parks is 2.2 miles and anything that you all have been able to identify in terms of opportunities from French Street to Rosa Parks?

Ms. Campbell said there have been a number of sites that we have identified and as part of the West End Area Plan we are extremely sensitive in terms of the plan recommendations to the single family neighborhoods that abut Beatties Ford Road within that geography that you just described. You will see probably less density as you go further out than you will coming in closer to town, but yes, we have identified some areas for intensification.

Mayor Pro Tem Cannon said you know I am very, very interested in being able to see that information because we have to begin talking about what is beyond French Street to incorporate some level of inability to turn those areas around.

Ms. Campbell said because we were restricted to a conversation about Phase I and Phase II we did not bring that information.

Mayor Pro Tem Cannon said I didn't restrict you, but if somebody else wanted to that is on them, but I didn't restrict you. It is still going to be important to me to have that conversation because I think people expect that even though I know the confines that we are operating within.

Ms. Campbell said as part of the BAE Report and I believe you heard Mr. Hall talk about that, there was an analysis of the entire Streetcar Line and yes we do have those parcels that have been identified further north along Beatties Ford Road.

Councilmember Mitchell said Debra you are right, I think most of our focus is on the 2.5 mile proposal that is before us today and I don't want us to get too far ahead and make sure we concentrate on those circles you said that would spur growth and I will tell you this, Johnson C. Smith has been a tremendous player in the corridor. They have some more development opportunities as well as the Griffin Brothers who have already joined hands with Mosaic Village. I just want Council to be clear, we focus on the 2.5 proposal right now and that is why she was articulating those opportunities we see.

Ms. Campbell said I guess we could also say the same thing going out east as well that we didn't identify those opportunities as well like at Morningside and some other geographies.

Mayor Pro Tem Cannon said since you brought them up I certainly don't want to leave them out. We want to make sure even still, understanding we are operating in the confines, especially on Central Avenue, that area engineering wise we are going to be challenged in some areas there so I want to make sure that we are beginning to have that conversation sooner rather than later. Some of it is going on, but not a lot of it and I'm concerned about time wise and us not being able to get to some of those places out to Rosa Parks and out to Eastland Mall. That is an issue for me and I know we will at some point in someone's lifetime, but we need to deal with that.

Mr. Howard said with the Finance Working Group's work we will get there in your lifetime. One thing I pointed out in the Committee meeting as well Ms. Campbell, those yellow circles are not the only development potential because projects that could directly benefit from the Gold Line investment, but because it goes through the Center City it doesn't take into account the synergy that will happen around the Gateway Station because of the Red Line and that Streetcar coming together in one place. By virtue of putting in this infrastructure, you actually expand the potential development now because you have this infrastructure that runs with that complete section. Everything inside that bubble will benefit because of those investments and even more so around the Gateway Station so it could be just a big yellow circle around the whole thing. The point is she is talking about just the ones that will come from the Gold Line. There are many, many more that would come because you put all the synergy and the complete system in.

Ms. Campbell said if there is one message from me, the message is that we have been planning to respond to the introduction of the Gold Line that our plans reflect again strategic locations to intensify, redevelop, have infill development, but also to protect the residential area and plans like the West Morehead, Plaza/Central PED Scape, the West End area PED Scape, our Center City Plan, all are done to respond to implementing and supporting our Gold Line.

Mr. Hall said we are almost finished. The last significant piece before we get to the process and discussion is on the funding framework and this was obviously a large part of the discussion last year during the budget process. I want to take a moment and talk about how we want to approach this. We really tried to look at this from a fresh perspective, from a more creative and innovative kind of approach and pulling things together and came up with a recommendation of a 50/50 split on funding the Phase II for the \$126 million capital estimate. So 50% from federal grants such as New Starts or Small Starts Grants from the FTA as well as Transportation Investments Generating Economic Recovery (TIGER) grants matched with a 50% contribution from the City using available debt capacity and existing Pay-As-You-Go (PAYGO) project balances, in other words looking at all our different projects and seeing how we could pull a variety of funding sources together. One additional element we looked at was a Transportation Infrastructure Finance and Innovation Act (TIFIA) type of loan structure. That is a federal program and that is not grant funding, it is a financing method that we could use to potentially lower the cost of a typical debt financing but more importantly push out when the debt has to be paid till two years after the beginning of operation. This is a different approach, a more mixed approach in terms of how we would look at the funding strategy. Of course this would be from non-property tax revenue sources, using alternative revenue structures within PAYGO and your debt fund and not property taxes.

Here are the two elements, I'm not going to walk through these in detail, suffice to say this is using existing capital resources as well as debt and PAYGO. Many of these categories of funding we talked to you as early as last February when you were at your February Retreat in terms of identifying what funding might be available in the upcoming capital investment plan.

Operating funding – it is obviously very important to consider the long-term operating impacts and come up with a methodology of paying for that as well. Because it is about a 5 to 7-year look before you start the actually operating service, there is time to figure out the specific details. One of the things this shows you is the framework and we also gave you some additional write-up in your packet under your tab, in the back there are some Q and A's and question #4 is a longer write-up on operating costs in your agenda book if you wanted to read more about this. We estimate \$3.3 million annually for vehicle operations, basic equipment maintenance, safety and security. There is also a heavy maintenance piece that you have to start putting some money aside for to do heavy maintenance on the vehicles at about every 5 to 15-year marks. There is a variety of funding options that are available to pull together multiple sources to pay for the operating; ridership fares; advertising; naming rights and then property-based value capture are options whether it be tax increment financing, special assessment districts or municipal service districts. Those operating funds would be needed no earlier than fiscal year 2019 if we were able to generate some federal grant dollars that would allow us to move forward. This is really a framework for paying for the operating cost going forward.

Mayor Pro Tem Cannon said that would be tasteful advertising. Correct?

Mr. Hall said yes sir. That is something we did talk about in one of the earlier briefings as well as well as CATS can discuss that in greater length if you desire, but as I recall, yes that was part of what we talked about. The last few pieces in terms of process to date, again the Council is familiar with this, but I wanted to remind the public that on May 13th we presented the new proposal to the Mayor and Council. On May 16th the Economic Development Committee reviewed the details of the BAE Study. The BAE Study and information is also in your packet in terms of a summary of the study as well as the presentation and the ED Committee voted to move forward. Then on May 22nd the MTC reviewed the proposal and unanimously endorsed the recommendations with two provisions and they also reviewed the Transit Funding Working Group proposal presentation which you just received at your Dinner Briefing earlier this evening.

This is a lot of words on the PowerPoint slide but for the sake of our audience I wanted to reiterate what Mayor Pro Tem Cannon talked about at the beginning of the item, what is the action proposed for this evening. It is three pieces; to approve the Economic Development Committee's recommendation to move forward with the Gold Line Phase 2I proposal; the second is to authorize the City Manager to apply for federal grants and loan funding for the 50% funding model and third is to adopt a budget ordinance to reallocate the \$63 million in existing funding to provide for the City's 50% local match. A lot of this information is on www.CharlotteFuture.com; the presentations, the reports, the materials so citizens can go there and get copies of that if they like, including the revised presentation this evening. Also at the back of your PowerPoint there are some additional slides that we provided from Holland & Knight based on some questions we received in terms of some material that they had submitted before and I can bring them up on the screen if anybody has any questions or would like to talk about that, but I wanted to offer that if so desired by Council.

Mr. Mitchell said can you bring up the slide with cities with committed Streetcars throughout the country? I think it is helpful for our citizens when they talk about the Gold Line and the question I get sometimes are what other cities are proposing to do the Streetcar and I think this is a great illustration. This is a great method for transit and economic development. I just want the viewers to be able to see that.

Mr. Hall said this particular slide was presented to you at your February Retreat by representatives from Holland & Knight so it is the same slide.

Mayor Pro Tem Cannon said thank you Mr. Mitchell. That is good information and it shows you where the competition is potentially for this. At this juncture we would like to ask our speakers to come down.

Tom Polito, 400 Frazier Avenue said what we are asking tonight is for a city investment in our community. If you look behind me everyone behind me has made a private contribution and investment in our community by purchasing homes and businesses and so what we are asking you to do is basically help us in our investment. I'm here tonight speaking in support of the

Streetcar project. One of the things I need to clarify, there are a lot of negative letters in the paper, there are little one liners in the back of the paper about the Streetcar and so called experts claim that the bus already runs out Trade Street to Beatties Ford Road. If my memory is right, buses also run down South Boulevard parallel to the Blue Line. The preferred mode of mass transit is rail and we all know that. The first leg of the Streetcar is already in place and was constructed under Former Mayor McCrory and he was also a proponent of the project. The Streetcar is vital for the economic development of the east and west side of the City. There are many good things happening in West Charlotte, unfortunately the media chooses only to report the negatives. We are working hard to change that image. I'm also associated with Biddleville/Smallwood Homeowners Board and we worked with Mechanic and Farmers Bank, Johnson C. Smith University, CMPD and the City to clean up the loitering problem at Five Points. I remember when the Blue Line was being constructed down South Boulevard and there were a lot of critics saying it was a waste of money. Worthy now – the SouthEnd is enjoying an economic boom as will the corridor up to the University Area once that line is completed. I'm here tonight to ask Council to come together and vote yes on the Gold Line to insure that all of Charlotte has the same opportunity to enjoy what we have seen firsthand happening in SouthEnd. The Streetcar will let both east and west Charlotte grow and prosper. Just imagine being able to take the Streetcar down Trade Street, take a short walk to the new BB&T Ballpark.

Dr. Ron Carter, 100 Beatties Ford Road said I can be very brief given the very cogent and coherent proposals submitted by Dr. Carlee. We indeed have had fresh eyes to look at this and what we have now are two things, one we have a unity of activity potential that impacts on economic development; it includes the branding; it represents the connections and you've heard that so we need not go back over it, but we finally have a unity of activity of activity potential that is very cogent. Even more we have coherence for a common ground where all of the corridors that make this great City viable can begin to develop sustainable assets and this is what we are asking for; that all corridors have this opportunity and the Gold Line makes that possible. We talk about the investments and developments, I'm very pleased that with the partnership we have with the Lon Homes and Schools for Children will bring new opportunities for developments along the Beatties Ford Road Corridor and also Johnson C. Smith University will announce a major initiative that will move health and wellness in the Northwest Corridor, a new project that will also bring developments that we have not even thought about. I'm encouraging the Council to finally vote for this so we can move forward. It is a growing edge that will continue to grow to all of the corridors and make possible for a vibrant economic system and also building sustainable assets in all corridors.

Mattie Marshall 2304 Booker Avenue said "A Dream Deferred" by Langston Hughes. What happens to a dream deferred? Does it dry up like a raisin in the sun or fester like a sore and then run? Does it stink like rotten meat, or crust and sugar over like a syrupy sweet? Maybe it just sags like a heavy load or does it explode? What happens to a dream deferred? I am here to encourage each of you to please do your part to make a statement for the people. We need bold leadership with a vision and passion for the people. I want to remind you, remember in 2007; yes we turned out in record numbers to keep the ½ cent sales tax. We don't want you to forget that. I want to say to each of you my thanks and appreciation to the City Manager and his staff for coming up with this creative approach that we can move forward. It addresses those economic issues. It addresses those connectivity issues that we have been over and over again. We constantly seem to come up with the big E, but do remember excuses are for losers. We don't have time to sit around listening to excuses. The documents are there; staff has given you all the details; have researched it so what else do you need. We know what we need to do and the words of our Mayor Anthony Fox at the February 4th State of the City, it is an opportunity to put this city on a path of living together with more opportunity, more economic vibrancy, more quality neighborhoods, more infill development, better school, more people who want to live here and more businesses who choose to locate here. And he stated, my fellow citizens, our future is on the line. We would rather not have to make the choices in front of us but indecision will not move us forward. Our city is strong and getting stronger, but we remain in danger of being crushed under the weight of our own decision.

Susan Lindsey, 6205 Rosecroft Drive, said I'm almost at a loss for words on how this debate has proceeded over the past year. What is before you is a major compromise, a compromise that makes a commitment. If you vote for this you are making a commitment for business for your citizens to see. Even if the money is not there this year. Will we have made the commitment
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and be ready when the financing is available. We have an obligation to bring all parts of the City into the 21st century. We cannot let huge portions of the City languish with 20th century technology. It is not good for our growth and it is not worthy of the words Queen City. This is not a matter of money or cost, it is a matter of investment and in investment you need to have the will. During the 1930's at one of the lowest points in this country the greatest public infrastructures of our country were built because there was a will to keep us moving forward, to put people to work and to construct things that we can be proud of. We need to take the bull by the horns and do it right here in our city. We need to lead by example. Just by making the commitment before you invest in the first dime you will see people clamoring and looking to make investment. You will be preserving wonderful neighborhoods in the east and the west and you will be moving us forward. As people move here some people want quarter acre lots, some people want density along the transit corridor – all the transit corridors, not just the Blue Line. It is impossible to have a great city without bringing everyone on board. Do you have the will to lead us into the 21st century? Do you have the will to lead the city and the region and lead as a city in this country in moving forward with this proposal?

Diane Langevin, 3825 Winterfield Place said I am President of the Winterfield Neighborhood Association and I also serve on the Streetcar Advisory Committee, which is now the City LYNX Gold Line. I am here this evening to encourage those of you who don't approve of the expenditure of the 10-mile Gold Line that will connect the east and west Charlotte because you feel that because we have a bus line that we are being redundant. There is a belief that the bus service is good enough for Charlotte east residents and that nothing new is needed. Many residents, neighborhood leaders and other community activist in east Charlotte feel like we are being treated as secondary citizens therefore any improvements in our economic, social, tax basis, environmental and residential status is adequate as it is now. We in east Charlotte are not the red-headed step child of the city. We are first class citizens of the city and we want the same attention that the more affluent parts of Charlotte receive. We are well established, beautiful strong neighborhoods down the corridors of Albemarle Road, Sharon Amity and Central Avenue, but very little attention is paid to these strong neighborhoods because the media spends all its time on the corridors which many times are heavy with crime. These corridors are areas that are inundated with abundance of subsidy housing, un-kept apartments and absentee landlords. We have an overflow of the resettled citizens when the uptown was being revitalized. Now a bus system will get you from point A to point B, the Gold Line Streetcar will connect the individuals from the various neighborhoods to the businesses, to the recreational amenities and to all the educational institutions over the 10-mile track. The Gold Line will have permanence, therefore businesses will be more willing to find a home in east and west Charlotte, thus increasing the economic status of our neighborhoods. Central Avenue is known for its variety of ethnic restaurants, unique shops, condos, apartments, educational institutions that range from pre-school day school, CMS all the way from elementary to high school, the community colleges, the universities, the culinary institutions, the medical facilities, the small business and we have so many amenities of the outdoors. I'm talking about the Eastland area; we have the Evergreen Nature Preserve; we have many neighborhood parks; we have Veterans Park; we have the Winterfield Neighborhood Community Garden. All the amenities are available so we hope as a Queen City that all parts of the City will get the same financial treatment.

Aaron McKeithan, Jr. 1332 Plumstead Road said I'm President of Garden Park, Northwood Hills and Northwood Park Neighborhood Association also Chair Person of the History West End Neighborhood Association which is 16 plus neighborhoods in the Beatties Ford Corridor. Rebranding the historic West End, we ask your support for the LYNX Gold Line Streetcar. There is a question for those who oppose that I don't have an answer for. Is it location or population or it is a combination of both? It is a question that maybe you as a body and the City itself has an answer. I don't have an answer. I ask myself that every day. Going forward with a vision for the future of the great City the question that I pose to you has a holistic vision for the City of Charlotte. Again we ask for your support for the LYNX Gold Line and a vote tonight to approve it.

Betty Marlin, 508 Beatties Ford Road said I'm a small business owner of Primary Health Care for 25 years at the corner of French Street and Beatties Ford Road. I'm here to ask you to promote the approval of the Gold Line Phase II so we can connect up, clean up and up-grade. We need to connect the industries, we need to connect the healthcare, secondary church day care

from Presbyterian and Novant, ride along the line to the Primary Care in my office. We need to connect banking industries from Bank of America right up to Mechanics and Farmers Bank. We need to connect technology AT & T; Johnson C. Smith and Johnson and Wales. We need to connect education too, Central Piedmont, Johnson C. Smith; Johnson and Wales. Why reinvent the wheel when we can be a team. We need to clean up. I found out when I moved to Beatties Ford Road that the sewer pipes are 4 inches instead of 6 and 8 inches so there is going to be a lot of things to be cleaned up. We have a hazardous waste site along that route. We also have opportunities to up-grade the .. We can connect the gold mines under the City of Charlotte to the gold mine behind Apache Five Fire Station. It is the oldest operating fire station in Mecklenburg County. Why not connect the healthcare and have rehab for our prostitutes, drug addicts? We have got rehab opportunities from Presbyterian Hospital, CPCC, Johnson and Wales, Johnson C. Smith, Biddle Point and Primary Health Care. Let's become a team; let's put up or shut up; let's make the Historic West End a pearl because we have paid a great price. Some of us have sold our house on the Couth House steps; others have given up family. We need your vote for the City Manager's ABC approval to go for the gold and to connect the overall transit system.

Rev. Aaron Orr, 2132 Dawnshire Avenue said thank you for allowing me to serve on your Community Relations Board. I'm enjoying that challenging and I'm also the President of the Northwood Estate Community Organization. I stand on behalf of this Streetcar thing because the Gold Rush will take me to my house when I get too old to drive my car. If you all decline me right now I'll be like a lot of people riding down Beatties Ford Road with my "Power Chair" so I don't want to be riding down Beatties Ford Road in my power chair when I can ride the Gold Rush. Vote for the Gold Rush, we need it and together we can do it.

Billy Maddalon, 2301 Belvedere Avenue said I'm a business owner on the eastside; I've lived in the Plaza/Midwood Community for virtually my entire life. I also have the privilege of co-chairing the Eastland Area Strategies Team so all that is a lot of words to say I'm heavily invested in issues that affect the business climate, economic development and quality of life on the east side of our City. I'm here tonight to encourage you to support the east/west Gold Line along with other vital strategic investments included in the overall CIP. The economic impacts to be gained along these vital corridors alone make the project worthy of your support. By now each of you fundamentally understand the issues involved here so I won't repeat them. There is little doubt that the project will ultimately pay for itself in growth from property and/or sales taxes along these corridors as well as connect the east and west sides to our rail system. You also understand I'm sure what is happening right now on the east and west sides is unacceptable. Both the previous and current City Managers and staff have emphatically said that unless we invest appropriate in the east and west sides of our City and in other areas that are stagnant or in decline, the imbalance in the property tax burdens being paid by the haves and have nots will only get worse. We already have areas north and south expressing significant and I believe appropriate frustration about the disproportion of the tax burden that they pay based on their property values. Since I assume that there are very few people in here including members of this Council that don't believe in magic, I will point out that this isn't going to magically change. That is not how change works. Property values increase when people want to live in certain areas. That dynamic will only change east and west with additional strategic investments by our City. People on the east and west sides have been paying taxes to support the LYNX System for many years now. We understood that they were beneficial to our City and thus we gladly supported those investments. But you also know that we always understood that our east/west line would eventually happen and that our sides of the City would benefit as well. That time has come and it is time for our City's leadership to make this happen. The taxpayers on the east and west sides of our City are tired of being told to wait and we are tired of watching Council squabble about something that we thought everyone fundamentally understood as guiding development principles already attached to the existing and emerging light rail system as a whole. The good news for everyone is that the young educated and highly desirable people we are competing to attract to our city want to live in center cities, they like older sides of town; they like funky artistic areas and communities that are vibrant and diverse and affordable. They like to bike and they like walk and they like to play near where they work. I've been disappointed to hear it said more than a few times that this proposed project is a Streetcar to nowhere.

Thelma Byers-Bailey, 1816 Beatties Ford Road said I am President of the Lincoln Heights Neighborhood Association and candidate for CMS School Board District 2. I am here this

evening to add my voice to those in support of the City LYNX Gold Line Phase 2. Last year you made an insightful decision in hiring our new City Manager, Mr. Carlee with a charge to take our beloved Queen City to the next level. In recent years we have successfully competed for several major events. This has secured our position on a world stage, doing no small part to our modern transit system, the Blue Line. We certainly want to continue to be considered a World Class City. I believe the failure to follow the plan to take our transit system to the next level will definitely be a step backwards. Geographically Charlotte and our surrounding communities more nearly resemble a circle as demonstrated by the I-485 beltway which surrounds us. For us to continue to support only a linear north/south solution to rapid transit seems to me to be short sighted. The proposed east/west Gold Line addition will not only provide future connectivity, but also more closely serves all of us, not some of us. Historically major cities use subways for rapid transit; today light rail seems to be the answer. No other world class city would propose to rely so heavily on bus transportation as a solution. Our City Manager has taken a great concept with a flawed implementation plan and reworked it. It seems to me that failing to follow his expert lead in this manner would show a clear lack of confidence in his demonstrated skill. I employ you to vote to move Charlotte forward; vote yes on the LYNX Gold Line; go for the Gold. We urge you just do it.

Becky Johnson, 808 Green Leaf Avenue said I'm a Master of Environmental Management candidate at Duke University and I'm current an intern with Sustain Charlotte. I'm here to present a statement of support for the City LYNX Gold Line. Last winter when you all were debating to include funding for this phase of the Streetcar in the CIP Sustain Charlotte hosted a statement of support on line. That statement was presented to you also in December and had about 900 signatures at the time. Since then it has grown to 2,586 with nearly a quarter of these from Charlotte. These signatures represent people from all over the world from Albania to Venezuela. That shows the universal appeal that this project has and suggest that the Streetcar will help Charlotte grow into a truly competitive and attractive City for a diversable audience. In other words people from all over the world are paying attention to what we are doing here in Charlotte with the City LYNX Gold Line. Please consider all these people from your local constituents to the thousands of potential citizens, visitors and tourist of Charlotte when deciding to approve the Gold Line. I have a list of the signatures which I would like to present.

Mayor Pro Tem Cannon said that is fine, just leave it with the Clerk and she will get it to us.

Reuben Flax, 2001 A Avenue said I am President of the Wilson Heights Neighborhood Association; I'm a lifelong Charlottean and grew up about two blocks from here. The area that I live in now, I've been there since 1963 and I've seen a lot of changes in Charlotte. I've seen a lot of things change for the better and I've seen a lot of things change for the worse. I'm in favor of this Blue Line and I urge you and I ask you to support this, let's get it done. We don't want this to be a situation of mind over matter whereas you all don't mine, we don't matter.

Motion was made by Councilmember Mitchell, seconded by Councilmember Kinsey, to (A) Approve the Economic Development Committee recommendation regarding the City Manager's City LYNX Gold Line Phase 2 Proposal, (B) Authorize the City Manager to apply for federal grant and loan funding for 50% of the City LYNX Gold Line Phase 2, and (C) Adopt Budget Ordinance No. 5122-X to allocate \$63 million in existing General Capital Investment Pay-As-You-Go and Municipal Debt Service Funds to provide a 50% City local match for the City LYNX Gold Line Phase 2.

Councilmember Autry said I would like to thank all the folks for coming down tonight. It is important that we hear from citizens on important issues such as this, but I also want to jump back to some things that Mr. Hall presented about the BAE Study, that with the approval of Phase 2 added to Phase 1 of the Gold Line the anticipation by 2020 would be development of 731 additional residential units, 21,800 square feet of additional retail, 276,800 square feet of additional office space and 101 additional hotel rooms. This is development that would be brought about by the demand for property along these corridors and that if we were to use new State Legislation to apply a TIF to these corridors along with the possible additional of transit added to the existing MSD or establishing new MSD the BAE Study says that by 2050 this

transit could be generating over \$7 million per year combined in new fiscal revenue. I think what we are talking about is a long-range investment in our City and I would ask that my colleagues support this motion.

Councilmember Cooksey said as the District 7 Representative from South Charlotte I always reflect upon this that I'm elected from one of the districts that is not in a transit corridor and according to all plans never will be. No residents of District 7 or roughly the 8,000 people who live there who are fellow residents of Charlotte do not have a transit corridor in their district and have precious little bus service. In fact when you look at the map of the CATS' service area a good chunk of District 7 isn't on the map because there is no point in being there because there are no buses going there. On June 3rd I plan to celebrate the addition of one bus line in South Charlotte, a crosstown route from Matthews to Pineville on Pineville/Matthews Road, Route 51 I think is a great way to call it and actually I've very, very happy to get a bus. It is one of the first things I asked Carolyn Flowers, our CATS' Director for when I got elected, can we move on this bus, see the bus service going across Pineville/Matthews Road in South Charlotte. I say that noting also that in 2007 every precinct but one beyond the Airport and I think one in the eastern part of the County, but every other precinct including all the precincts in South Charlotte voted for the transit tax, voted to keep that transit tax here because we all understood the regional vision for transit. That is what we supported and that is what I continue to support, the regional vision for transit. Regional planning and regional execution. For years now I have opposed this Council moving forward with a Streetcar because it is a step backwards from that vision. Is Charlotte again getting back into the transit business which we told voters in 1998, re-enforced in 2007, Charlotte is not making transit policy, the MTC a regional body is doing that. This area will succeed if we have regional appreciation, regional growth, regional transit, not a step backwards to Charlotte going Charlotte's own way to do it just for Charlotte. That is why I think it is fascinating to observe the common thread of Streetcar supporters that there is no regional basis for it. The MTC has said sure go ahead Charlotte, if you want to pay for this go ahead, but otherwise the Streetcar supporters come from the Streetcar proposed corridor. Transit supporters come from all over this City. There is a disconnect there. There is an absolute and total disconnect there that demonstrates to me in my view of it how having the City of Charlotte build the Streetcar is a step backwards for this region and for this community. It is not something that gains citywide support, which is what the transit system as a whole did.

What we are stuck with, the Mayor has phased this way and I've been talking with people about this is that there are two concurrent promises that go back to 1998 but also re-enforced in 2007, a promise about a timeline for construction and a promise about the revenue source. The revenue source is not living up to its promise and so the question is do we search for additional revenue streams or do we adjust the timeline. Frankly the government solution typically is adjust the timeline. If we didn't adjust the timelines and if it weren't for adjusted timelines I-485 would have been completed by now. The Red Line would be operating by now. The Red Line was supposed to have operation by 2012 in one of the plans, but as revenue did not meet expectations the timelines gets pushed out. That is what happens. That is the system as I understand it and I think as my constituents understand too, that is what we have to address. The MTC has taken up the topic of how to go forward with funding for the entire system. The MTC is developing proposals for how to go forward as a system and I fully support the MTC doing that. What I do not support, have not for years and will not tonight is going backwards to have the City construct an element of that plan that should be a part of what this region approaches for transit.

Councilmember Howard said the only thing I will add to that is that we've heard a presentation tonight that said that MTC is in fact supporting this. We also heard a presentation earlier tonight that said that there is not enough funding to do anything so I guess we can just sit around and wait for that. I also want to point out that in Mr. Hall's presentation he pointed out that this is the only mode that actually connects all of the other line. There is no other way for them to connect. The last thing is that I would venture to say that on any given week-end if we went out to I-485 to the Park and Ride we would find a whole lot of citizens from District 6 and 7 riding in on the Blue Line downtown.

Councilmember Barnes said I'm actually going to make some comments regarding this Item No. 7 that are related to Item No. 10 and the information we have here in the overview references Item No. 10. Item No. 10 is to seek the federal grant for \$43 million for the Streetcar and \$24
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million for the platforms along the South Corridor in District 3 and also to have the City indicate its support for the State seeking funding for toll roads along I-77. I want to make a couple points and I don't want to keep anybody here all night and I know that could be the case if we all gave a 30-minute speech. First of all it is clear I think to everybody that we've done a lot of damage to ourselves and to the City over the last year and some change regarding transit and particularly the Streetcar. I support the 2030 Transit Plan and all the projects within that plan. What has happened over the course of the last year is some of us have disagreed about methodology about process and it has played out in some fairly unfortunate ways I think from the perspective of the public. The Blue Line for example is about a 20-mile line, about 4-miles of it are in my District and about 4-miles is in Ms. Kinsey's District and about 10-miles are in Ms. Mayfield's District. The concern that I have related again to Item No. 10 which is directly related to this item is that under the TIGER V grant funding process we would be seeking funding for the platforms for the Blue Line in Ms. Mayfield's District, also the \$43 million which would be a part of the match for the Streetcar and as I mentioned the toll road support for the state. Over the week-end we had several e-mails with the City Manager and others about the process and the methodology and one of the things referenced in response to some of the questions that were asked that under the TIGER III scenario that the City submitted projects regarding retrofits along the South Corridor, the Intermodal Yard and the Airport and a regional bicycle path network. Those are all three different projects I thought. In this case we are putting out there the Gold Line, the Streetcar Line, the Blue Line, light rail line and again the toll roads and my perspective is that those two projects are directly competing with each other. We are obviously competing with other cities across the country but we are clearly putting out two projects that will be competing for the same dollars and I've been trying to find out what would happen if one or the other or neither got any funding and I'm still not very clear on the answers to the questions.

As I understand it we want to do the three car platforms along the Blue Line because based upon ridership and other projections it would be necessary to make the line efficient and successful. There are some three-car lines that were built along the South Corridor and we are trying to make them all three-cars. The Blue Line Extension will have three-car platforms and we are trying to make them all three-car platforms based upon the success of the line and gain putting the two projects in the same pool for grant funding is problematic in my opinion. Earlier tonight, as Mr. Howard referenced, we had a presentation regarding transit needs etc. for Charlotte and right now the Red Line, the Silver Line, the Gold Line will cost about 5 billion in construction and operating costs so it is clearly a lack of funding and we are struggling as a Council and as a region. The MTC is a part of this too, as a region, to figure out how to close those gaps. I thought there were some fairly compelling opportunities mentioned in the presentation earlier tonight. You guys didn't hear it, but there were some conversations about synthetic TIFS and Special Assessment Districts and perhaps even an increase in the ½ cent sales tax to help fund the plan. There are a lot of opportunities I think to get the work done, but it is going to take some time, probably not a lot of time, but some time. Ultimately the concern that I have is that we are jeopardizing the South Corridor and the Blue Line and I think the proposal, again this related to both Items 7 and 10 as half-baked and as a result I'm not going to support No. 7.

Councilmember Mayfield said I appreciate my colleagues comments but I'm looking at two things; one No. 7 is an issue all to itself, not a combination of 7 and 10, but if we are going to discuss 10 prior to going through 8 and 9 for the sake of the constituency, it was mentioned by Mr. Barnes that previous Council had looked at adding an additional lane for the current Blue Line Extension. For me the current proposal of extending City LYNX Gold Line is not going to impact District 3 for a number of years and that is looking at the current sprinter line that runs from uptown to the Airport. When you visit any major city, of which we want to be considered a major city and not a big town, you have multiple forms of transportation. When we travel to DC to New York to Miami you have multiple forms of transportation to and from the Airport outside of getting on the bus or you may get on the bus for a very short period of time before transferring to the rail. I think part of the conversation regarding Streetcar when we first started this conversation was for me the disconnect that we say as a community, we are willing to make any investment that we can to extend the current Blue Line, whatever that takes, whatever concession we need to make. We were able to receive full funding agreement but as we know within the last few weeks, that full funding agreement is not covering all the cost of this extension. There are other costs that we are still paying like the fact that for UNCC that we are going to have to put some additional funding to help with that transfer because there are some things that need to

happen at UNCC that weren't included in that full funding agreement for the Blue Line. That is find, that is the cost of development, that is the cost of growth, but the concern that I have is when we say that we have an opportunity to connect our City, north, south, east and west we are saying now is not the time to connect the east and west side when what was heard, and I'm not going to speak for any of my colleagues, but what I heard last year was there a concern around the tax increase. Our new City Manager, we said what other options do we have, we asked the MTC, what options do we have, what was brought back to us were other options of funding to look at a comprehensive transportation plan that did not include a tax increase of the citizens. We had that in front of us so for me of course I'm going to support us moving forward with this transportation plan. I supported it when it was originally proposed because we have to look at the big picture and stop being afraid or the possibility of at this point now that we are in election season making a decision based on how that is going to affect the outcome as opposed to making a decision that is going to best move the entire city forward. I'm saying any one person has done that, not saying that anyone person hasn't done that, but for me I supported it from the beginning, I still support it as the representative for however long I'm going to the representative of District 3. I have no problem with us moving forward if we are going to jump to Item No. 10 with the TIGER grant because at any time you don't necessarily want to put all your eggs in one basket and just put one proposal in and cross our fingers and hope that one comes through. If we have a couple proposals, if we are looking at the TIGER V has a total of \$473.8 million nationally. That can fund projects from \$10 million up to a maximum award for any one state of \$118.75 million, I don't see how this is a conflict for us to submit the proposal. That just means for the City of Charlotte we are letting the Federal Government know that we have a lot of wonderful opportunities going on in this City, and we are not giving you just one option, we're giving you multiple options in order to fund us. The best case scenario, all of our projects gets funded, but I'm not in a position where I'm going to say or support one project is more important than the other project, especially when the same conversations we're having now as a citizen prior to getting around this dais were some of the same conversations that were had about the Blue Line. What we know today in 2013 is you have seen massive growth along SouthEnd because of the Blue Line investment so whether it is the City Gold Line investment that is going to look for the future, I don't have children, but one day there is a great possibility that those that have children and grand-children around this table they are going to have access to use this. I may or may not, but I recognize the importance of making the investment moving forward today, so for me I am going to continue supporting us moving forward with the City LYNX Gold Line.

Councilmember Dulin said Mr. Manager you have in your recommendation a 50% split between the Feds and the citizens of Charlotte. How did you come up with 50%, why not ask the Feds for 75%, why not ask them for 80%?

City Manager, Ron Carlee said these were staff's best estimates of what realistically we could achieve based on our understanding of the grant opportunities that we will have.

Mr. Dulin said is there an opportunity for those that ask to shift as the Council moves forward, as you move forward with the request?

Mr. Carlee said if there are opportunities to seek federal funding in excess of 50% we would certainly do that.

Mr. Dulin said is Friday the cut-off for that ask?

Mr. Carlee said June 3rd is the cut-off for this round of TIGER grants. We never saw TIGER as the one and only opportunity and in fact we may not actually receive the TIGER grant given the competitive nature of it. What we do know in talking with staff who have been through these, by submitting multiple projects you get the federal review and feedback and it enables you to begin setting up your project and refining it for future federal rounds so even if we did not get the TIGER grant we would still be able to get FTA feedback and be in a better position to compete in future funding rounds for transit projects.

Mr. Dulin said so the idea is \$63 million from the Feds and \$63 million from taxpayers of Charlotte?

Mr. Carlee said that is correct.

Mr. Dulin said to get to our \$63 million we are pretty much emptying the piggy bank in lots of different areas, one of those areas is the Corridor Investment Fund which has \$13.2 million in it. So, \$13.2 million of our \$63 million will be from the Corridors that we typically use all over the City. When and if this Council votes tonight to move forward does that freeze that \$13.2 million from the corridors?

Mr. Carless said the current \$13.3 million that has not been spent from previous appropriations would be frozen along with the balance of the \$63 million that would be reallocated. Those would go into a contingency fund for the Gold Line in order to match federal funds as we may apply for them, we can identify our match up front and then have it available for any awards that we would receive. We will of course have other Corridor Funds coming available as a part of your subsequent CIP.

Mr. Dulin said possibly yes, so when will those new subsequent funds become available? For instance I already know there are some rumblings around on Council about projects they want to go do that would come out of that money.

Mr. Carlee said your new CIP would come into effect July of this year.

Mr. Dulin said I'm sorry, but at least I've been consistent with this. I just literally am not willing to drain every piggy bank we've got to come up with a 50% match and we still haven't talked about operating costs, not even on the Streetcar Phase 1 that is tearing up Trade Street now. I'm not going to be able to support this but I do appreciate people coming down and know many of you personally.

Councilmember Pickering said this has been a long hard journey for all of us I think. I have things that I like about this proposal and things I don't like about this proposal. What I do like of course is that we are no longer considering raising property taxes to pay for this line. That was my real big sticking point and I wasn't willing to do that. What I am a little uncomfortable with and Mr. Dulin touched on it a moment ago, is the notion of finding \$63 million because I think that can create distrust in our citizens. If we can find \$63 million for this some might say in the future well, why can't you find money for a sidewalk or a number of other things that we always talk about? That makes me a bit uncomfortable. I'm not crazy about the idea of tapping our capital reserve funds. That is access funds of our capital reserve. I'm concerned about severe weather. I'm concerned about things happening so that makes me uncomfortable. However, all things considered my number one priority is to revitalize the east and west sides and I've said it time and time again. The neighbors have waited a long, long time so I'm going to support this.

Mayor Foxx arrived at 8:46 p.m.

Mr. Howard said I just wanted to point out that we also have in front of us a letter of support from the Chamber of Commerce.

Councilmember Fallon said I want to thank the Manager for cobbling together the patchwork of this money. The problem for me it is a patchwork. It is taking from other things. There were \$13 million for the Business Corridors, that should have been spent on Beatties Ford Road to improve the store fronts so people would want to shop there, it wasn't. It was design money that should have been used for sidewalks, it wasn't. Cobbling together and stripping us of the last penny does nothing to help this City. If you go and look at Tampa and Portland you will find out what is happening there with their Streetcar because of overruns and this City has a history of underestimating costs and the overruns are very large. I would love to support it but I can't because I don't think it is a responsible thing as this point to do. If the money was found, if we had operating money I would not have a problem with it. I have a problem with it because of the fact that there is no money and we are taking our last penny and if we don't get it subsidized what do we do then Manager? What do we do to match the \$63 million?

Mr. Carlee said the proposal is premised on the federal funds and in fact we will not be able to go forward without the federal funding. We will pursue round after round until we completely
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exhaust that process which we hope that we do not have to do and we believe we actually have a very strong proposal that will compete very favorably.

Ms. Fallon said why didn't we know about the TIGER funds until Friday so we could talk about it and understand it?

Mr. Carlee said the TIGER funds had a short window around the development of the projects and the actually grant deadline, in retrospect we should have given you a heads up that the deadline date was June 3rd and frankly just didn't connect it in terms of explicitly with a date, although when I did present to you the Gold Line proposal initially we identified the TIGER funds as one of the possible funding opportunities. That was literally right after the TIGER notice came out and staff has been working over the last weeks to really assess what projects will compete well and to put them together. They were also taken to MTC for MTC's review and support and they did support the two rail submissions that we are recommending to you.

Mr. Howard said the only thing I would like to add to that Ms. Fallon is that some of this money is actually found because we saved money on projects. City staff is good at this and they know what they are doing so I look forward to you saving some more money.

Mr. Carlee said I do want to say that while the funds are being reallocated could be spent on a variety of different things we have not recommended the reallocation from any specifically pre-approved projects of the City Council.

Mayor Pro Tem Cannon said obviously there has been a time when I've had the opportunity to be a part of seeing a lot of things come into fruition here in the City. I remember back in the early 90's around the time I got elected that I met a good man by the name of Tony Pressley. I would call him the God Father of SouthEnd. He for the most part had the vision and the ability to be able to work with people across the board, be it in the faith based community, the private sector, public sector or what have you. This was a time when we went through a lot of different things about what was happening and what would happen in areas like Wilmore, what would happen with Dilworth. What all of this really meant and there was a lot of angst and concern about where we were going, the issue of gentrification, the issue really wanting to turn an area around and what would happen relative to the ability to create some very good opportunity. We today can see what has happened along the SouthEnd area, extended all the way out to the end of South Boulevard near I-485. It is a good thing, but it was a process in which a lot of different players were at the table to come together to try to make a difference for the common good of moving the City of Charlotte forward. Today we find ourselves in a place where the issue of the Streetcar has been one that has been out there for a very long time, prior to this Council and several Councils beforehand. There was some level of commitment or at least perceived commitment where people felt they would be okay with it, and then of course when the revenue source came about in the way of the ½ cent sales tax and then sort of dissipated we find ourselves where we are today. You heard a few concerns around the dais relative to what may happen with this project and how it competes with other cities. You heard me earlier make a reference to what you saw displayed on the board behind me for other cities that may be competing against us. I want to ask a few questions about that Mr. Manager if I might. The Feds will ask potentially about what is our priority. I heard it stated around this table that they may not get into that but I heard that the Feds, if we don't say what our priority may be, that they could do that. Is that the case?

Mr. Carlee said yes, the Federal Government will match our grant applications against their priorities and weigh them relative to the other proposals that they may have. At the same time it is a little bit unpredictable process, there is back and forth and they could ask us for a prioritization of our projects or they could approve both or neither of our projects.

Mr. Cannon said what if they approve, because one of the other scenarios I believe, could be that they would say we see that you have a couple of projects out there. They could fund as you said, one or both or neither or even a portion of. So let's talk about the portion of. If they did a portion of the Gold Line where does that put us?

Mr. Carlee said first we would take the feedback from the Federal Government. It wouldn't be just a simple yes or no. There would be discussion involved and we would be looking at how we might could re-scope part of that project to fit within whatever funds they indicate that they would be willing to approve. The same thing would be on the Blue Line as well. You would look at how do you re-scope the project if you are getting less funding from the Federal Government and look at different component parts. Obviously, this is probably not known to the people in the audience and watching, the recommendation to go after the Federal funds that are later in your agenda, the so called TIGER grants would not fund all of Phase 2 of the Gold Line. It is an opportunity for us to get an initial part of federal funding just as the term was used cobble together local funds to come up with a local match. We may be cobbling together federal funds to come with a federal match of it. Transportation funding is extraordinarily complex. When I first got into it several years ago I was completely bewildered by all the different funding streams that come into transportation projects and so we rely on our staff who are expert in the field to look at the different opportunities available for us and to target our submissions in a way that best advantage us against those funding streams.

Mr. Howard said if you will remember up stairs when we looked at the way Denver had done their projects, TIGER was one of the sources, but they went after a lot of sources to do their projects, so this is one that could be part of something, not the complete answer, but it is still part of that cobbling together scenario that was presented upstairs.

Mr. Cannon said I just wanted to be sure about if we came up short by way of the Feds how are we then in turn picking up the pieces and where?

Mr. Carlee said right and so what we have to do as we structure multiple grant applications is to do them in a way that they become self-contained projects. If we were only to get the TIGER grant that we are proposing that we go after, what we would achieve are the modern rail cars and the modifications necessary to use the modern rail cars on the current Phase 1 and we would get one additional stop on Phase 1. That becomes a big piece of Phase 2 because we now have our modern cars available and as we go after subsequent federal projects to extend further out we have the vehicles that we would actually need to be running on that track.

Mr. Cannon said Mr. Attorney, I have a question for you. The way the interlocal agreement reads of 1998, something you heard Mr. Cooksey reference earlier, it talks about the idea that yes the City of Charlotte is out of the transit business per se, that it should go through the MTC and that in terms of forms of any revenue sources to be used for transit that if it is a grant or anything else, it has to go through the MTC. The question is did the TIGER grant, is it just one like the 3, if it goes through the MTC once, does that mean that any other grant is okayed whether it is TIGER V or will each and every grant that one goes after have to go through the MTC?

City Attorney, Bob Hagemann said the answer is not entirely simple. The Interlocal Agreement is a contract between the City of Charlotte, the six other municipalities and the County and as you know it created the governance structure which is the Municipal Transit Commission. The Interlocal contemplates that all transit expenditures, unless otherwise agreed to, will be made by the City of Charlotte. The MTC is not a separate legal entity, it does not have its own budget or its own staff. All of the administration of the transit program to date has been through the City of Charlotte. There are provisions in the Interlocal Agreement that require all transit revenues received by any members party to the agreement, to transfer those funds to the City of Charlotte. That includes fares, sales tax receipts as well as grants. An example, if the Town of Huntersville obtained a federal grant per the Interlocal they would have to transfer those grant funds to the City of Charlotte. It is a little bit different for us because we can, and don't really need to transfer the funds to ourselves. This is similar to a question that was asked of me earlier this year that I answered in writing to the Mayor and Council and that is, is there any legal issue with the City going directly and applying for grants without that being run through the MTC and I believe the contract is a little bit ambiguous, but there is precedent, in fact the precedent is the starter project, Phase 1 of the project that we are discussing where the City committed outside of the MTC structure the local match to that federal grant that was applied for and awarded. All of that leads me to the conclusion that while there is general agreement in this community that the MTC is the managing board for the regional transit system, we are not

legally precluded from directly seeking federal funds by the City of Charlotte. We've done that before and the rest of the members to the agreement have acquiesce to that.

Mr. Carlee said with regard to this project however, that is not staff's recommendation. Staff's recommendation when I presented to you originally was to seek your authorization to go to MTC as the first step and MTC actually authorized CATS on its behalf, subject to our approval of the matching funds, to seek the federal funding. It would be our intent to do subsequent federal grants through the MTC process. The comments made by Mr. Cooksey earlier with regard to the overall system and whatever we do being part of that system is something that we believe is important going forward. Consequently, before bringing this back to you tonight we took it to the MTC to affirm that what we were doing was consistent with the policy, consistent with the 2030 Plan to explicitly seek their support for it and the authorization of the TIGER grants and the MTC did that and the Chair of the MTC has signed letters of support for both of the TIGER grants that we are proposing to you. We would expect to follow that same process for subsequent grant applications.

Mr. Cannon said I just want to make sure that we are operating on good legal footing for the sake of the taxpayers because I am not looking to have the taxpayers be put in the situation where they are sued and so I wanted to ask those questions for clarity to be certain that there be no issues there on the legal side.

Mr. Hagemann said just to come full circle with the comments that the Manager offered, I was speaking hypothetically that you could do this without the MTC, clearly having gone through the process the Manager just described, in my mind it removes any question that might remain.

Mr. Cannon said one of the things I asked for was that we not utilize any property taxes. Your property tax dollars at 100% in terms of where we go with the Gold Line and the Manager moved forward in a way to hear that and we are not going down that road. The taxpayers came back and said to me, look, would you rest assured that anything relative to previous bonds that we have voted on in years past would not be applied as well. Well, legally that can't be done anyway as I understand it so you don't have to worry about money from bonds that you have approved in years in past to be applied to this. Then of course I had the ask at a Mini Retreat where we run this through the MTC because I felt like that was the appropriate place that we ought to be honoring what would be before us. It went the Metropolitan Transit Commission by way of our new City Manager. They in turn came back as we all know now and voted for approval to allow Charlotte to use the proceeds that they are utilizing, which I wouldn't think they would do anything otherwise and it is Charlotte's money for the most part I guess so they would be okay with that. The last piece I have Mr. Manager, everybody always wants to know, including me, how do you pay for it? How do you operate this going forward? We want to know that, we want to understand it and be very clear about it, so I'm asking that question this evening because when this goes to the Feds they are going to ask us what is going to be your revenue source to deal with the operations of it. I think it is incumbent upon us to be able to tell the citizens of the community what that is now or what they may be prior to that occurring. I'd like to hear that.

Mr. Carlee said I'm happy to do so. In the report we have identified several different strategies for funding operational. It essentially comes down to this. The reason we had a third party economic consultant do an analysis of this project is so we could understand what kind of return we would get on that investment. Would the investment in the Streetcar actually generate higher property taxes, higher sales taxes growth in our City and would that growth be available to pay for the operations of the transit. We now know that is true and the question is how do we actually capture that value. We've identified in the proposal a number of different way that we could capture the value through tax increment financing, special districts. There are a number of different tools that you could implement or as an alternative you could simply let the increased values that are generated from the investment go into your general fund and simply allocate a similar amount to cover the operations from you non-property tax resources. As with the capital funding, I understand very keenly now the sensitivity around applying property tax to transit projects. Just as I asked staff previously to analyze our available capital funds to be able to demonstrate that the \$63 million is not coming from property taxes, I asked staff to also look at our operating accounts and to what extent we would expect to have non-property tax growth

between now and 2019 which is the earliest at which the project would come into operations. There is without question sufficient growth even under our current projections that if this is a priority for us, working the \$3 plus million into our operating budget is something that we can certainly do. Our non-property tax increases based on normal projections from the Budget Office in five years will be about \$28 million higher than our revenues today. Our non-property tax revenues are estimated to grow by about \$5 million per year so we can phase this into our budget over the 5 years if we don't want to do something more esoteric in terms of value capture knowing that the economic benefits from this project will generate additional taxes that will offset its operational.

Mr. Cannon said and without a property tax rate change?

Mr. Carlee said this is without any rate changes to any of our taxes, including property tax.

Mr. Cannon said non-property tax growth dollars with no property tax rate changes?

Mr. Carlee said yes sir, and no other rate change either.

Mr. Cannon said there is a big difference between \$126 million and \$63 million. We realized that with what we did along Elizabeth Avenue and for taking a gamble on a lesser amount for the taxpayers on the idea of not using any new property taxes; on the idea of no violation on previous bonds approved by voters being utilized for obviously legal reasons and for this also running through the MTC as well as on the operating side that again we will not be utilizing anything relative to property taxes, I'm going to be a vote yes. As a longtime member of this body I can only remember one item where I've had some real angst or concern about something and that was along West Boulevard and I said that it would never come into fruition had we approved it. This Council did approve it and it didn't come into fruition. This is something that has been out there for a very long time. Everyone has heard tonight about what we are trying to do to provide a system that hopefully one day, and beyond my years, will be a system that will be fully recognized by future generations to be something to be reckoned with and that they can be proud of. I just want to be a part of that opportunity.

Mr. Cooksey said based on what you said I did want to clarify something for the record of this conversation. Mr. Manager, on the \$63 million you presented Council \$9.67 million under existing debt capacity is from transportation capital project savings. Could you remind us of the origin of that line item and what kind of transportation capital projects we were saving money from?

Mr. Carlee said I would have to have staff come tell you the exact projects they were from.

Mr. Hall said the source of the \$9.7 in the transportation projects are primarily general obligation bonds.

Mr. Cooksey said voter approved general obligation bonds for transportation projects?

Mr. Hall said yes sir.

Mr. Cooksey said so this component of the \$63 million, voters voted on transportation bonds that didn't list a Streetcar, but because we've saved money we can allocate those voter approved bonds for something that wasn't on the ballot?

Mr. Carlee said you are not reallocating actual bonds. The actual voter approved debt for a general obligation bond can only be spent on what the referendum said.

Mr. Cooksey said I understand that and they were for transportation and it was a transportation project, and if I misheard Mr. Cannon I will retract and understand that I misheard, but I want to be clear that a portion of this fund exist because voter approved general obligation debt for transportation projects, we spent less money than we told voters we thought we would have to spend and as a result there is this \$9.7 million left that voters approved in capacity.

Mr. Carlee said the capacity is available based on our revenue that is available in the debt service fund. It is not based on bonds that were sold pursuant to our referendum for transportation. I don't want to make too fine a point to it, but it is not a reallocation of voter approved bonds.

Mr. Cooksey said you say bonds, I say debt, so voters authorized us to issue \$100 million in debt for projects that we identified. We wound up spending \$90 million so that is \$10 million in capacity that we now have that can be used for a transportation project because voters authorized us to issue \$100 million, we issued only \$90.3 million for projects and now there is \$9.7 million in capacity that we have available to us.

Mr. Carlee said it is the same capacity that is generated by all the other items that were identified as well.

Mr. Howard said the capacity comes from the tax rate we set and the growth that came, if we saved money we saved money that capacity from the tax rate and the growth is what drove that, not anything we promised the voters.

Councilmember Fallon said that \$63 million is now going to be frozen, right? So it can't be put back in the CIP? How long does it stay frozen?

Mr. Carlee said that ultimately is a matter of Council discretion. The only time at which you would no longer prudently be able to do anything with those funds would be once they were actually committed to a federal grant project.

Ms. Fallon said in other words if we don't get that money from the feds, that money is released for the CIP?

Mr. Carlee said it becomes a contingency fund that the City Council controls.

Councilmember Kinsey said I was going to sit here and not say anything but I figured everybody else has said something and since the build out of this line will go right through District 1 I feel like I need to say something. I think all of you here tonight know that I have supported this from the very beginning. It is something I think we can be proud of in the future. I intend to ride it. Thank you for coming and supporting us on this. I recall something that I read some time ago. It said when we step into the unknown we have to have faith that there will be something solid to stand on or we are taught to fly. Maybe we are stepping a little bit into the unknown, but that is what we did with the Blue Line and if we don't start now it will never get done.

Councilmember Mitchell said thanks to the citizens from both the east and west side for your demonstration of showing there is unity in our community. Thanks to the students that gave us a nice presentation in the Economic Development Committee and they even have a sign that says "Students for the Gold Line". My vote is clear. I've always believe in your corridors; I've always believe in your passion but more importantly I believe in your dreams because I truly think that a vote for the Streetcar will once again send a signal that we believe in all of Charlotte developing and increasing your quality of life. You shouldn't just say because I live on the east side or the west side nothing comes to you. Tonight I hope this Council will send you a message that your passion has been heard loud and clear and when you leave this evening say the east and west side have been heard in this City of Charlotte. Thank you for being here and I will be voting yes for your dream.

Mayor Pro Tem Cannon said Mr. Manager I need to ensure that there are no delays or negative impacts on the construction of the Blue Line Extension because clearly that is a top priority for us. I want to highlight that and the last thing I want to highlight is that before we apply another federal grant I would ask you to provide a more detailed and comprehensive operating funding plan for future segments. That is going to be critical, very important.

Mr. Carlee said I'll be happy to do so.

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

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

Mayor Pro Tem Cannon welcomed back to the dais Mayor Anthony Foxx to continue to move us through the meeting.

Mayor Foxx said let me say on this last item, since the vote has already occurred, and out of an abundance of caution I elected to not inject myself into the discussions, but just like trees have rings cities have different features to them and I suspect that at some point in time someone will ask the question what was the big deal. Why did we struggle over this for more than a year and I thought that if I had a chance tonight to say why I would try to frame it in three points.

The first one is and this is imperceptible to most people who live in Charlotte. We want people in this City to go about their business, to get their children ready for school and to put some food on the table and to be able to live the lives that you live. That is what all of us want up here, but while you are doing that we are sitting here watching what is happening to this City. What is happening to the City is the way that we've grown over the last 30 or 40 years is not the way we are going to grow in the next 30 or 40 years. What is going to have to happen in this city is that we are going to have to be able to simultaneously create more places for our growing population to live, more ways for them to get around and at the same time where we are struggling like every other part of the country is struggling, to try to figure out how to pay for the things that we need. It is in that context that the MTC has formed a Working Group that is looking at how to fund the overall system in that context that we've been having this conversation. In public service it is hard to explain to somebody something they don't see yet, but I can also tell you it is very difficult once the table gets set to undo mistakes that we made either by commission or omission. For one central part of this is about a growth strategy that we committed to a long time ago that we currently don't have the ability to completely fund.

The second reason is because as proud as I am of this City and as wonderful a place that I think it is, I can't be proud of the fact that we have neighborhoods that have been stuck for 40 years. Tonight you've given those areas a chance to regenerate and revitalize and to become their best. I've said this before, I didn't run for this office to preside over a steady decline of this great City. I ran for this office to see every citizen, every family, every business reach their potential and tomorrow I suspect we are going to be talking about a capital budget that 8 years looking forward. The good thing about that is that it insulates this City from the shock waves of exigencies that could happen from other levels of government etc. The bad thing is that we lock in 8 years of projects and had we not figured out a way to do something to help catalyze east and west Charlotte those places would have been left out.

The third reason and this is really the thing I've been wondering myself. My wife has been asking me why I care about this issue so much. Let me tell you the last reason. It is about community fabric. If you don't walk into a school house and see a young person who may have come from the wrong side of the tracks, no pun intended, but look at that young person and say that young person can be somebody. If you don't have that feeling of connection it makes it very difficult to understand this conversation. But when you look at areas of our City, we cannot afford to condescend to them anymore. We've got to raise the bar and by raising the bar we look at our friends and our neighbors and we say, you matter to the future of this city. That is a tough thing for folks to understand but I promise you that if this project happens it is on the ground and even half of the economic things that have been talked about happen, you are going to see people walking with a different step in these parts of our City. You are going to see a different level of pride in our community and you are going to see a community that just starts to scratch the surface of its potential. If we can't do that as a City I don't know what we are up here for. Not to draw comparisons, but it took the 13th amendment two times to get passed and sometimes it is tough to get things done.

I want to applaud this Council regardless of where folks were coming from tonight this was a great dialogue about an important issue facing this community. I want to say to the City Manager, Ron Carlee who walked into a buzz saw on this and on many other fronts I want to say a word of appreciation to you for trying to figure out where the settling points were and doing a good job of that.

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Mr. Cooksey said I appreciate the victory lap, well-earned but I absolutely would have voted for the 13th amendment on the first pass.

Mayor Foxx said I wasn't accusing you of not voting for it. I think a lot of people up here would have voted for it. That wasn't really the point, the point is that sometime you have an issue and you have to stay at it. That was the point – it was not about you and whether you think the 13th amendment should pass.

Mr. Cooksey said it took the Airport two tries to for those bonds to pass. There's the analogy Mr. Mayor.

Mr. Mitchell said I think some of the people out there in the audience and watching TV and on the dais really don't know how all of this got started back when a young man got elected to City Council at large. He came on to Council and started talking about transportation is the key way of moving our City. I would be the first one to tell the young man I thought it was about public safety and economic development. He kept trying and the first opportunity there was funding to do an economic analysis of \$75,000 for the Streetcar. We sit around this dais and we were arguing why would we spend \$75,000 on economic analysis for a Streetcar when we didn't have the vision for it, but this young man did. Constantly throughout this whole process for 2 or 3 years we have been talking about transit and how to move people and how we come up with another mode, he has been firmly committed to this process. We all know he had to leave us for about two months and we got a little worried about what direction this Council would go, but this all started because Anthony R. Foxx back when he got elected to City Council at Large said this was the right thing to do for the City of Charlotte. Mayor, in front of the entire City of Charlotte we owe you a gratitude for having the vision when you first got elected to Charlotte City Council.

Mayor Foxx said since we are having a love fest let me say one other thing. I was just talking to Mr. Cooksey and he reminded me that there has been an undercurrent of conversation about this issue dredging up racial politics. Let me just say this I know this guy pretty well and I think that his position on this, and those of everybody up here have been based on genuine philosophical disagreements. I don't think it has been grounded in anything racial so I want to say that to you, but I also want to say that I do think that with very extensive community input along with this with the land use planning etc. there is an opportunity to bury some old hatchets in this community and I think that needs to happen, which is another reason why I think this project is an important one. I want to say that to you publicly Mr. Cooksey and why don't we move on to our next business.

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ITEM NO. 8: EASTLAND MALL DEMOLITION

Councilmember Mitchell said this came to the Economic Development Committee for the Eastland Mall demolition and I would like to have District Representative John Autry actually make this motion because Eastland Mall is in his District.

Councilmember Autry said this is to use a contractor to salvage most of what remains of the Eastland Mall and I asked last year about the prospects of demolishing the structures and the figures that were tossed about was 8 figures, a lot of money. What we have before us is that thus far between September 1st through April 19th of this year we have spent \$351,607 on maintaining that property. The motion before us would take \$872,000 from the existing source of the general capital investment approved by voters in 2009 to dismantle the mall and salvage as much material as possible. That is why the cost is so reasonable I think and a good business decision.

Motion was made by Councilmember Autry, seconded by Councilmember Mitchell to (A) Approve the Economic Development Committee recommendation for the demolition of Eastland Mall, (B) Award the low bid contract of \$871,520 to Environment Holdings Group, LLC for the Eastland Mall demolition, and (C). Authorize the City Manager to execute the contract at discretion pursuant to receipt and evaluation of Eastland Mall proposals.

Martique Lorrain, 3912 Woodgreen Terrace said I'm with the Eastland Area Strategy Team otherwise known as EAST. We are a voluntary board comprised of business owners, non-profits and neighborhood representatives working to improve the future and quality of life of East Charlotte. First we say thank you for continuing to move the Eastland Mall process forward in order to make way for a new project that has the potential to reinvigorate the area. Secondly, we ask for the City's help and support to preserve the signs bearing Eastland Mall's distinct emblem the "Blowing Sun". For over 30 years the Eastland Mall was a unique landmark and hub of activity for all of Charlotte with its ice skating rink and community celebrations it brought people together in a way that most malls do not. Because of this presence many of our residents still hold a strong emotional tie to the Eastland Mall. I've heard numerous citizens recall their personal memories of vibrant times during the Mall's golden years. For these reasons EAST is spearheading the effort to preserve Eastland Mall's Blowing Sun signage in remembrance of the Mall's past greatness.

There are four of the signs, three at 13 feet in diameter and one at 6 feet in diameter. Once obtained by EAST we plan to repurpose these signs as public art and place them on the east side. The City of Charlotte's Neighborhood and Business Services Department supports our vision. The Arts and Science council has agreed to guide us in the creation of future public art and storage space has already been donated to EAST. We've made progress but the clock is ticking and at this point funds are non-existent. Demolition of the Mall may occur within several months and we must move quickly in order to pull all of the elements of this project together. Our cause now is to arrange for the removal of the signs from the Mall's structure and for transport to our storage location. EAST asks for the Council's help, guidance and support so that we may bring attention to this issue and preserve the Eastland Mall's Blowing Sun signs which are now the City's property. EAST is very excited to lead this effort to affect the landscape, the character and the sense of place in east Charlotte and the greater Charlotte community. Perhaps one day we will see the Blowing Sun as illuminated gateway to the east side or perhaps they can be used as design elements along the new Gold Line transportation route. But no matter how the Blowing Sun signs are used the importance is preserving something that many of our citizens identify with and care about. We hope we can count on each of you on the Council to help save the Eastland Mall signs and bring a meaningful story from our past into our future.

Councilmember Barnes said I have a question regarding the post demolition maintenance. It says that the maintenance cost is estimated at \$95,000 per year for landscape maintenance and sight lighting. I would like for someone to explain how you incur landscape maintenance costs and lighting costs on a vacant patch of asphalt if it will be such.

William Haas, Engineering and Property Management said that is really a rough estimate. What you need to understand is that it is not going to just be complete asphalt when it is done. Some areas have basements and when the basements are removed we will fill it with dirt and plant grass on it so there will be patches of grass. Some of it will be landscaping; we will have the sight lighting so we will have to pay the electrical costs to maintain the lighting out there and we estimated that there will be some trash that we will have to pick up.

Mr. Barnes said will the site be secured such that vehicles won't be able to drive onto it.

Mr. Haas said we don't have any plans to do that.

Mr. Barnes said why not. Councilmember Autry and I had a conversation about some of the things that may or may not be happening now behind it and I was wondering why there is still vehicular access to that site.

Peter Zeiler, Economic Development said we have looked a couple times at maintaining access to the site. There are pros and cons to both of those, most of which is it becomes significantly expensive to limit access to the site and you wind up having to spend a lot more money on fencing the site than you do on the occasional debris clean-up.

Mr. Barnes said I'm suggesting that where you've got driveways and roadway access that you put concrete barriers up to stop people from driving onto the Mall property.

Mr. Zeiler said we haven't explored that and we could take a look at that.

Mr. Barnes said if it will save us some money to avoid people driving on there and doing some of the stuff John and I talked about it seems to me it would make some sense. I'm thinking about \$8,000 per month to cut the grass and keep the lights on that is kind of high. I understood you say that it was an estimate and I think if you can limit people's access from a vehicle perspective it is a smart thing to do.

Councilmember Autry said Mr. Barnes remember there is the Eastland Area Transit Center there and we'd basically be talking about a considerable barrier to allow people to have access there, but once they were at the Transit Center to not be able to gain access to the Mall parking area, that barrier would be about a quarter of a mile in just that one area there.

Mr. Barnes said are you saying that people who use the Transit Center park across the entire parking field?

Mr. Autry said no sir I'm not. What I'm saying is that to permit to people to still get access to the Transit Center and isolate them from being able to enter to the Mall property would take a considerable length of concrete barriers to extend around the perimeter of the Transit Center prohibiting access to the Mall parking area.

Councilmember Cooksey said does the motion including preserving those Sun signs? Is that a done deal they are going to be preserved or do we need to take additional steps on that?

Mr. Haas said we are aware of Ms. Lorrain's request and since we were made aware of it we reached out to Environmental Holdings Group. They are now aware of the request and they are agreeable to try and save the signs. What we would recommend is that once the contract is in place have Ms. Lorrain and Environmental Holdings Group have that discussion and make those arrangements.

Mr. Cooksey said I am of course supporting this and I supported the acquisition of Eastland and this has been one of those additional thorny issues that has occupied much attention of this and previous Councils and this is the Council that is making progress on it and I am happy to be a part of that. Because the sign is a sun and because my degree is in history, there is an obligatory line from American History that should be offered at this point and it is in reference to when Benjamin Franklin was observing the wrap up of the Constitutional Convention and noted that much like Eastland Mall has the Sun, the presiding officer of the Constitutional Convention also had a sun carved on it and Franklin said, "I am often in the course of this session looked at that sun without being able to tell whether it was rising or setting", and I think this is appropriate for our vote today, "but now at length he said I have the happiness to know that it is a rising and not a setting sun".

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.

Summary of Bids

Environmental Holdings Group, LLC	\$ 871,520.00
Ritter & Patatore Contracting, Inc.	\$ 967,000.00
Greenway Waste Solutions LLC	\$1,047,000.00

Omega Demolition Corp.	\$1,200,000.00
D. H. Griffin Wrecking Co., Inc.	\$1,244,000.00
NCM Demolition and Remediation, LP	\$1,340,000.00
Empire Dismantlement Corp.	\$1,345,104.00
Flynn Wrecking, Inc.	\$1,379,000.00
NEO Corporation	\$1,534,000.00
Blythe Development Co.	\$2,688,149.00
Homrich, Inc.	\$2,888,000.00
Dore & Associates Contracting, Inc.	\$3,366,400.00

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ITEM NO. 9: CHARLOTTE-MECKLENBURG YOUTH COUNCIL

Mayor Foxx said out of abundance of caution I am going to recuse myself out of the next item.

Councilmember Mitchell said we call this the Cannon/Howard Amendment, however my colleague Patsy Kinsey requested a presentation so I will yield to the request of Ms. Kinsey.

Councilmember Kinsey said we have not discussed this as a body and haven't had a presentation, also to me it looks like it is a new program so why was it not part of the budget? I'm not real excited about it just because I don't know much about it and I really think it should have been a part of the budget. Whatever we are putting into it this year is just small, but it is going to go up.

Mr. Mitchell said the \$34,000 will stay the same; it will not increase and it is a partnership between CMS and Live Nation. It used to be called Kids Voting but if you like Aisha Alexander is here to make a presentation.

Ms. Kinsey said I'm not sure I'm voting for it.

Mr. Mitchell said so you don't want the presentation?

Ms. Kinsey said no, I think we need the presentation.

Aisha Alexander, Neighborhood and Business Services said I will try to be brief, but give you a thorough overview. In 2013 Councilmember Howard brought the attention to staff to work on a Youth Council concept. We did lots of research; spend several months looking at different cities, the history of Youth Council's in Charlotte; found some common practices among those best practices there was usually at least one full-time staff resource. There was usually funding allocated through a City budget; there was a focus on training and education; they hosted annual Youth Conferences and participated in lobbying at the national and state level as well as on the local level. Working with the ED Committee we established the following goals for the Charlotte Youth Council and the Charlotte Mecklenburg Youth Council. We want to increase opportunities for meaningful youth involvement in city policy and decision making, increase student knowledge and interest about local government, civic issues problem solving leadership. We want to highlight civic issues important to children and youth, offer youth as a resource to you all to talk about how these issues affect them. Also want to partner with other entities to leverage our resources in programing and you will see that in a future slide. We also want them to participate on a local, national and state level representing our City well. In that partnership development we found that it would be quite expensive to staff this ourselves and we also didn't have that level of expertise and GenerationNation which is formerly Kids Voting, I know most of you are familiar with. They have a platform to engage youth in civic issues and have been exploring doing a Youth Council and the best way forward was to really partner with them. They already have a youth civic leadership model and we would be increasing this model with our support. They are non-partisan, non-issue based programming focusing on civic education, civic engagement and leadership. They have strong partnerships with CMS schools working directly in the schools with non-CMS schools as well as youth organizations in Mecklenburg County.

This is a true partnership. Generation Nation will administer the program; also provide the staffing and \$25,500. The City of Charlotte ask is for a smaller bit of staff support to help with coordination and \$34,000. Mecklenburg County will provide staff support, in kind donations and they committed to \$12,000. CMS will have heavy staff involvement, assistance with the education and curriculum, communications and recruiting and also provide meeting space.

Looking at the budget, we have it broken down and I won't it for you, but it is a total of \$71,500 and I believe everyone has a hand-out, to look at how that budget breaks down in terms of all of our support. Our next steps, if approved, this will kick off in the 2013-2014 school year. We will provide regular updates about the activities through the Economic Development Committee.

Ms. Kinsey said how many students do you anticipate this serving?

Ms. Alexander said conservative estimate – about 100 will participate.

Ms. Kinsey said I notice you say training conferences and summits. Does that mean that the League of Cities meeting?

Ms. Alexander said yes.

Ms. Kinsey said I don't want anywhere near those kids and I know there are other people who will take them. I'm not going to have any part because I have my other stuff to do, but at one point I made a comment that maybe I should take my grandson and somebody said don't, it is not worth it. I don't know, I'm skeptical about this.

Mr. Mitchell said Patsy part of the Economic Development recommendation was the chaperones would be Councilmembers Cannon and Howard, so they will assume the responsibility of chaperoning.

Ms. Kinsey said I don't even see them when we go to the meetings.

Motion was made by Councilmember Mitchell seconded by Councilmember Hoard to (A) Approve the Economic Development Committee recommendation to fund the Charlotte Mecklenburg Youth Council, (B) Authorize the City Manager to execute a contract with GenerationNation in the amount of \$34,000 to administer a Charlotte Mecklenburg Youth Council, and (C) Adopt Budget Ordinance No. 5123-X appropriating \$34,000 from the FY2013 City Council Discretionary Fund to administer a Charlotte Mecklenburg Youth Council.

The vote was recorded as follows:

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

NAYS: Councilmember Kinsey.

The ordinance is recorded in full in Ordinance Book 58, at Page 200.

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ITEM NO. 10: 2013 U. S. DEPARTMENT OF TRANSPORTATION NATIONAL INFRASTRUCTURE INVESTMENTS GRANT

Mayor Pro Tem Cannon said there has been a request to break these out and take each one separately.

Motion was made by Councilmember Howard, seconded by Councilmember Mitchell and carried unanimously, to authorize the City Manager to apply for a Transportation Investments Generating Economic Recovery (TIGER) grant and adopt a resolution of support for the Blue Line Capacity Expansion Project Phase 2.

The resolution is recorded in full in Resolution Book 44, at Page 380-381.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield to authorize the City Manager to apply for a TIGER grant and adopt a resolution of support for the CityLYNX Gold Line Phase 2.

The vote was recorded as follows:

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

NAYS: Councilmembers Barnes, Cooksey and Dulin.

The resolution is recorded in full in Resolution Book 44, at Page 382-383.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously, to adopt a resolution of support for the North Carolina Department of Transportation sponsored project for I-77.

The resolution is recorded in full in Resolution Book 44, at Page 384.

ITEM NO. 11: CONCLUSION OF THE CONSENT AGENDA

ITEM NO. 26: LYNX BLUE LINE EXTENSION PROJECT 0 ADVANCED PUBLIC UTILITY RELOCATIONS

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously, to award the low bid contract of \$10,137,600 to Blythe Development Company for advanced public utility relocations associated with the LYNX Blue Line Extension Project.

Summary of Bids

Blythe Development Company	\$10,137,600.00
Blythe Construction, Inc.	\$10,161,298.24
Sealand Contractors Corp.	\$10,360,000.20
Thalle Construction Co., Inc.	\$11,304,434.90

ITEM NO. 20: POND AND DAM WATER QUALITY ENHANCEMENT PROJECTS

Councilmember Dulin said this is another opportunity to us to spend taxpayer money fixing private ponds and dams and I don't disagree with the water quality aspects of this work, but what I have disagreed with now for 7 1/2 years is the City picking up the entire expense on it with zero skin in the game from the private pond or dam owner. I will again vote no on Item No. 20 as a protest against the City not asking people to help with their own ponds and dams.

Motion was made by Councilmember Barnes, seconded by Councilmember Cooksey, to approve a contract with Kimley-Horn and Associates, Inc. for water quality enhancement project in the amount of \$500,000.

The vote was recorded as follows:

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

NAYS: Councilmembers Dulin and Mayfield.

ITEM NO. 12: MAYOR AND COUNCIL TOPICS

Councilmember Mitchell said the CRVA went up to the CIAA and did a presentation and we were not able to get their presentation at the ED meeting so I would like for their presentation to be made June 6th because we got an e-mail from someone saying there were some outstanding items that we needed to address. It will be good if we could get that information presented to the ED Committee that we did not get a chance to get in May.

Mayor Pro Tem Cannon said you want to get a report back on what happened at the meeting.

Mr. Mitchell said what happened at the meeting and the economic impact because we did not see that prior to them going to the Board meeting. It would be helpful to see that on June 6th.

Mayor Pro Tem Cannon said just as an update I know that Mr. Murray was here earlier and he has left, but I will tell you that there has been a request for the CIAA to produce some additional information first and foremost. They are continuing to massage some additional information so that they can give a full caption of what the study may have produced, the economic impact piece and I believe CRVA is sort of working in tandem as well on a few things that they are having to take a look at before presenting that information. It could be that they may be ready by June 6th but I just wanted to say for public information that both entities are sort of working on some of the same stuff to produce that for you.

Mr. Mitchell said those outstanding issues they are working on, and I know one was ticket sales, can that be spelled out and communicated to Council so we are very clear on what issues are still remaining? That tournament is too important to this City.

Mayor Pro Tem Cannon said I think something can still be produced, I just don't want to get your hopes up too high because I know they may want to produce all of the information at the same time and I happen to be on that trip as well so there will be some things that we can talk about further with regards to it. I think something can be turned around Mr. Manager. We just can't talk about exactly what can be understanding both sides are still working.

Councilmember Howard said why don't we just refer that item to the Economic Development Committee – Period, so when there are updates it goes to the Economic Development Committee. Somebody needs to monitor progress on that one. To me that is not one that we need to come back every time and until we get this one nailed down can we just refer that to the Economic Development Committee. Staff can give presentations when appropriate and when it is appropriate it will come back to the full Council, but somebody should watch that and we meet twice a month.

Mayor Pro Tem Cannon said I don't disagree. I think you could refer it to the Committee, but it may be even more helpful to get some sort of write-up to the Committee members without it actually having to come to the Committee and if you see something that is eye catching maybe at that point you make a referral to get more information about it. If you just have them to come just to come and there is no information to report it is enough pressure for you to make the phone call. However you want to do it. I just want to make sure we have something lined up that is in order.

Councilmember Barnes said because we are talking about a \$50 million item I actually wanted to get either the information to everybody or have a dinner presentation. You guys are on the Committee, I'm not. I'm still trying to figure out how successful the tournament was this year. I think it would be helpful for all of us, committee as a whole, get it at a dinner meeting, get whatever memo it is to all of us because I would like to know what is working well, what do we need to tweak.

Mr. Mitchell said unfortunate for us at our May 16th meeting we did not have that information before the ED Committee and they made the presentation and it would be helpful to your point, report back what are still outstanding issues they are still working on and at the end of the day help us ballpark figure what economic impact did exist and what are some of the things that the

ask from the CIAA Board of Directors. I think, as Mr. Howard said, that is too important and we need to stay focused and make sure we get that tournament right.

Mr. Howard said do we need a motion on that?

Mayor Pro Tem Cannon said if there is no opposition we will just consider it done.

Mr. Barnes said which version? Just clarify what we are doing without opposition.

City Manager, Ron Carlee said the guidance which I heard was to have a presentation for the full Council as well as using the Economic Development Committee for any special research or work or reviews that needed to be made.

Councilmember Dulin said do you have an update that you can give us publicly on the Closed Session lawsuit?

City Attorney, Bob Hagemann said as Council is aware there was an attempt a couple months ago to revive a law suit that is over 40 years old. It dates back to 1971 shortly after what I understand was the very first iteration of North Carolina's Open Meeting Law and law suits were brought against the City, Mecklenburg County and the School Board for not complying with those new laws. My understanding from reading the history is it was pretty clear that the Council was not complying and the result of that litigation was a court order directing the Council going forward to comply with what at that time was Article 33-B of Chapter 143. Judge Frank Snapp was the local Judge who issued that ruling and his order explicitly directed the City Council to comply with Article 33-B. In 1979 the Legislature completely rewrote the Open Meetings Law, repealed Article 33-B and replaced it with Article 33-C and that is the framework of the law that is still in effect today. It has been amended numerous times.

As you are aware, I believe it was in early April there was an attempt by the lawyer who actually handled the case back in the 1970's on behalf of some local retired journalist to revive that lawsuit by bringing a motion in the cause and specifically what they were seeking is a deformation that the current City Council was in concept of Judge Snapp's order because of the Closed Sessions related to the Carolina Panthers. My office filed a motion to dismiss that proceeding and that motion was heard last Thursday and this morning we received word from the Judge who heard the motion that he was granting the City's motion. Essentially our argument was technical but appropriate that it was inappropriate to try to hold the Council to compliance to a law that was repealed if that is what they were seeking, 33-B did not exist and on the other hand it was inappropriate to use a law that did not exist at the time Judge Snapp heard the case back in the early 1970's and hold the City Council somehow accountable on contempt on an order that didn't reference or contemplate future changes in the law. The Judge agreed with our argument and dismissed the proceeding.

I will be very candid, this was not a ruling on the merits but I have said and I will continue to say I am highly confident that you were well within your legal rights to hold the Closed Session you did related to the Carolina Panthers. The current law explicitly authorizes closed sessions to consider matters related to the location or expansion of businesses or industries within the City. The closed sessions related to the City's attempt to retain the Carolina Panthers, i.e. the location of the Panthers in the City of Charlotte and all of the other aspects that were considered by the Council, and by the way we have released the full transcripts, so everything that was discussed, every word that was spoken is publically available and all the other aspects that various individuals may have criticized I believe are very fairly within the scope of matters related to your efforts to retain the Carolina Panthers. We were successful in defending this particular legal action, but I remain confident that even though the Judge didn't reach merits that you were well within your rights in holding the closed sessions that you did and conducting yourselves in the manner that you did.

Mayor Pro Tem Cannon said I want to get some information back on what options we might have on incidents that occur where constituents go to a commercial strip center, park there and when they park someone is behind bushes waiting for them to maybe go into another retail outlet of some sort and when they come out they find that their cars are booted. We have the predatory

towing piece going but I'm really concerned and almost embarrassed that we have visitors that are coming and then people who reside here have to actually go through that process. I want to see what we can do medicate that.

Mr. Howard said are you okay if we refer it to your Committee?

Mayor Pro Tem Cannon said I was going to ask that we refer it to Community Safety Committee but if I could just get some information back with regard to it and if we have any options. If we have some options then at the appropriate time we then in turn refer it to Committee. I want to know if we have some options first and foremost before making a referral.

Councilmember Pickering said I just want to thank our C-DOT employees for the Pedestrian Safety Report that we got in our packet. I appreciate them getting that information to us. It was concerning as we expected it would be with fatalities being up. We will be meeting with Chief Monroe and he is on board with looking at some traffic enforcement. I'm concerned about drivers in particular. That will be happening and I just wanted to let everyone know that.

ADJOURNMENT

Motion was made by Councilmember Cooksey, seconded by Councilmember Mayfield and carried unanimously to adjourn the meeting at 10:05 p.m.



Stephanie C. Kelly, City Clerk

Length of Meeting: 4 Hours, 45 Minutes
Minutes Completed: August 29, 2013