

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, July 22, 2013 at 5:15 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Patsy Kinsey presiding. Councilmembers present were John Autry, Michael Barnes, Patrick Cannon, Warren Cooksey, Andy Dulin, Claire Fallon, LaWana Mayfield and Beth Pickering.

Absent Until Noted: Councilmembers David Howard and James Mitchell

DINNER BRIEFING

ITEM NO. 1: MAYOR AND COUNCIL CONSENT QUESTION

Mayor Kinsey called the meeting to order at 5:15 p.m.

Councilmember Barnes said I had pulled an item, actually asked a question on Item 23 this Surplus Sweeper Truck Donation Issue, I think the donation is fine. Staff sent to you guys the response that was sent to me about how we go about determining the useful life of equipment and how to dispose of it. I found it fairly instructional and educational from the perspective of us maximizing public dollars. So please, please look for that.

Mayor Kinsey: But you're not asking to pull it?

Mr. Barnes: No ma'am

There were no Consent items pulled by Council.

ITEM NO. 2: CHARLOTTE B-CYCLE SYSTEM UPDATE

Phil Reiger, Assistant Director for the Charlotte Department of Transportation said I have the pleasure of introducing Dianna Ward today. Dianna is the Executive Director for Charlotte B-cycle. Charlotte B-cycle has been a great partner with the city. The bike share program has been a very important component of Charlotte realizing its vision to be a premier bicycling community. Without further ado, let me turn the microphone over to Diane, she is going to give you an update of the B-cycle's first year of operation.

Diana Ward, Executive Director for the Charlotte B-cycle System, said I am so pleased to bring you an update as we are approaching our one year anniversary. Many of you were with us this time last year when we launched the program July 31st. And we are excited to share with you where we are today in our journey. Before I give you too much information about how we performed, I'd like to give you an overview of where we've been.

The 2020 vision plan, as Phil stated, was adopted in September 2011 and it called for Charlotte to become a City of bikes. One component of being a city of bikes was to add a bike share system. What a great vision that was. Through great sponsorship and partnerships we were able to implement North Carolina's first bike share system August 2012, just in time for the DNC. In December we were excited to move our customer service center from our temporary location to Trade Street at the base of the Time Warner Cable Arena right across the street from the Transit Center.

The B-cycle system in Charlotte is privately funded by Blue Cross Blue Shield of North Carolina. Subsequently, we welcomed other sponsors such as Carolina's Health Care System and Verizon Wireless. In addition, we had significant support from partners such as, Center City Partners and of course, the City of Charlotte. At the time that we launched the bike share system, it is important to note that we were the first privately, completely privately funded system in the country and that is something to really celebrate. We are fully funded through July of 2017. Of course a great partnership with the City has enabled us to control capital costs and ongoing operations costs. During the launch, city employees helped us with updating city ordinances, provided engineering expertise, assisted with station identification and location and finally with securing the B-cycle van and the Customer Service Center at Time Warner.

I know that this may not be news to some of you but for some of you this may be news. We have 20 stations located in the uptown area made up of 200 bikes in these stations. The stations are located to enable customers to reach a destination station in under 30 minutes. They are located near major destinations, office buildings, residences, university campuses and by shopping centers and parks. The bikes are an extension of the transportation system. They turn a walk zone into a ride zone. We've had plenty of feedback from some our riders and one such rider takes an express bus, hops off of the bus at the Transit Center and then proceeds to take a bus [sic] to his office and docks the bike there.

Pricing, this is where we get a lot of questions so we think that everywhere we go we'll just talk about the different membership types. We have two membership types. There is a twenty-four hour daily membership and we have an annual membership that costs \$65. Twenty-four hour members pay \$8 and are able to check out the bike anytime within that twenty-four hour period. Of course, if they keep the bike out longer 30 minutes, they start incurring usage fees; \$4 per usage. So its \$8, first 30 minutes is free, \$4 every subsequent 30 minutes. So we encourage all people, both guests and Charlotteans to make sure that they dock the bikes every 30 minutes to avoid those charges. The annual membership fee is \$65 and it has the same usage fees associated with them. Because one of the things that is important, is that we are trying to promote bike sharing

Councilmember Cannon said have we had any issues surrounding the additional \$4, people being able to pay or not, in turn trying to collect that – any issues with that? Someone that takes one of the bicycles and for whatever reason fails to comply, are they paying what they owe?

Ms. Ward said when you go to check out a bike for a twenty-four hour membership you utilize your credit card and so we have your credit card information and you are automatically charged for that.

Mr. Cannon said no problem collecting it sounds like.

Ms. Ward said we don't have any problems collecting.

Councilmember David Howard arrived at 5:25pm.

Ms. Ward said so how did we do this year? This is my favorite slide. We are approaching 500 annual members; as of this week we were at 486. This is more than 40% of what we projected before we launched this system. We are at 11,000 plus daily memberships. Riders have taken more than 32,000 trips, burned than 5 million calories and offset more than 122,000 tons of carbon.

We promote this system very heavily through outreach and through social media. In June, we were excited to launch the partnership with CATS selling our memberships on CATS online. CATS' customers can purchase an annual membership for \$52.50 and a student membership for \$15. In addition, to the online presence, CATS very graciously added us to their panels inside the buses and the LYNX Blue Line further solidifying the B-cycle system as an extension of the transportation system.

One of the more popular questions that people ask us is what are the most popular stations? This graph shows our top ten stations and as you notice the top ten account for about 74% of the actual trips that are taken. Nine of the ten stations are along the Light Rail Line and Tryon corridor indicating use by destination cyclists and commuters. With respect to when people are utilizing the system, 61% of users are utilizing them Monday through Friday. The system is primarily utilized between the hours of 11am and 8pm. While it doesn't show on this graph, we love to promote this fact; while annual members make up 4% of the members, they make up 41% of the trips. So a disproportionate number of usage by our annual members, that is something to celebrate.

We also want to celebrate this; this is just a sampling of some of the other B-cycle systems. What you see is several cities here, Charlotte, Nashville, Kansas City, Broward, Boulder, Madison, San Antonio, and Denver. The last time we were here one of the members of City Council asked how are we doing relative to other cities; this graph answers that question. These are the first year stats from several cities and as you can see, Charlotte is doing extremely well. We love to celebrate this fact. I know everybody is going to look at Denver, so I will just go

ahead and address that. Denver had 102,000 trips their first year, they also had 50 stations and 500 bikes their first year. We believe that accounts for a significant portion.

On horizon we are continuing to do outreach, support our key messages of “Be Safe, Be Fit and B-cycle”. We will be expanding our system at the end of July and each of you will receive an invitation to the unveiling of our 21st station. This won't be the last this year. We are looking forward to expanding the system by 3 or 4 more stations in fiscal year 14. And we look forward to see seeing you to celebrate our anniversary July 31st.

Mr. Reiger said if I could, I'd like to just make a quick connection for City Council. Tonight on your agenda under the Consent Agenda, Number 18, Council is being asked to consider the lease for the arena space that B-cycle uses for their service hub and the van lease. Both of those are set to expire, they were initially one year leases and they are on your agenda tonight for your consideration.

Councilmember Autry said here is my annual membership card and I use it as often as I can, especially if I have to run up to the Chamber from Government Center or something. Or after the Mayor's, the former Mayor's, reception at the Foundation I used the B-cycle to get back to the Government Center to get around, so it's really great to have that resource available to us, to hop around the City and make those little short stops that saves him from having to find a parking space, no offense Mayor Pro-Tem, but also reduce the vehicle miles traveled that we are using. If anybody can look at me as a profile, you can see I need to be exercising as much as possible.

Councilmember Howard said I too, want to, I walked in late on the presentation, but you know that I am a huge fan of what you guys are doing and wanted to thank you for your hard work. I think it's one of those things that we have to do as a community, which is to give our citizens transportation options. Just as fast we are doing that on the ground with actual bike lanes, it's nice to know our citizens have options like yours if they want to participate in that now. I look forward to the time when we have them all over town and we take Denver out Thank you for what you do and I look forward to seeing more from you.

Councilmember Pickering said just to add to what Councilman Howard just said, I have been pleasantly surprised by how successful this has been; it seems just from day one. Every bike stand I would ever go by, I would say where are all the bikes? Congratulations to you, it really is a wonderful service for our citizens and we look to expand this service.

Councilmember Dulin said that brings up an interesting thing, so we are going to celebrate opening up another station, are you making, do you have the mechanism in place, to close stations that are underperforming? For instance, you showed us your top ten, that means out of twenty-one, another eleven of them are left off.

Ms. Ward said we believe that each one of the stations are a cog in the wheel and that the ones that are there, there are reasons why some of them aren't being utilized, so what we are doing is we're evaluating each one of the bottom ten performing stations and identifying is it something that will be corrected as we expand or is this something that won't have a solution at all. What we found is that we have some great solutions in place and that the stations will be competing very competitively all along, all twenty of them.

Mr. Dulin said for instance, if you get on the bike and take an hour long bike ride, so you buy a day pass, you go for an hour ride on the greenway; it's going to cost you sixteen dollars because you pay eight dollars to get the bike and two four dollar, thirty minute sessions. I think, is my math wrong?

Mr. Autry said twelve dollars. Eight dollars gets you the first half hour and if you keep it longer than that half hour, it is four dollars per half hour. If I may, if you are riding down the greenway and before you turn around, you can dock the bike at the station. So that's cost you four dollars to ride that first hour and you're going to take an hour come back and you could check out a different bike or use the same bike again.

Mr. Dulin said so as long as it docks it clears it. I saw the bikes up at JC Smith the other day and I would just sort of think that it would be cost prohibitive for a college student. That's just either cost prohibitive or scary to have to start sliding cards and so forth.

Ms. Ward said I'm glad you brought up the student membership. We have a \$15 student membership that we've introduced and we have student events that we will be kicking off during the month of August to announce these student memberships. JCSU is going to our first university that we kick off; we have a kick-off party. The memberships are \$15 and not only are the \$15 for the five month membership, you get one hour of ride time because our goal is to get people to utilize the system and to not charge students. They are eating Raman noodles, they are not going to try to pay \$4, that \$4 is a meal. So, our goal is to get students to utilize the system because one of the things we know is that students will ride bikes to get to where they need to go.

Mayor Kinsey said is there anything else? Diana, thank you, we love our bikes.

Councilmember James Mitchell arrived at 5:45pm.

ITEM NO 3: CHARLOTTE HOUSING AUTHORITY UPDATE

Mayor Kinsey said the next agenda item is an update on the Charlotte Housing Authority. We have Fulton Meacham here.

Councilmember Howard said this is his first dinner.

Mayor Kinsey said is it? That's right. Fulton is the Chief Executive Officer of the Charlotte Housing Authority and I had the pleasure of meeting with him very early on and working with him on a number of developments in District 1. He is a wonderful addition to the Housing Authority and we welcome you and thank you for being here tonight.

Fulton Meacham, Chief Executive Officer of the Charlotte Housing Authority said thank you so much for the opportunity to present on behalf of the Charlotte Housing Authority this evening. Tonight we want to talk a little bit about an overview of the themes of my forethought tour, the Charlotte Housing Authority new leadership team and core functions, the paradigm shift in affordable Housing, who do we serve and what do we do.

Over the first six months, I wanted to take the opportunity to do what I call, a forethought tour. What that was is basically reaching out into the community and talking to individuals about exactly what their feelings were about the Housing Authority. We looked internally at things we could do better. We talked to a very broad group of individuals, some of those were residents of public housing, neighborhood associations, I think that was what Mayor Kinsey was speaking of, we spoke to teachers, police officers and even you, to try to make sure that we were developing the right themes for the Housing Authority. These themes are, one, we have a region that is expected to double in size in 2050. That means we are going to have 2 million more individuals living in this particular region. How do we house those individuals, provide them transportation, education, is one of those things. We have this demand for housing at or below \$489 a month. We have about 15,000 families right now that meet that criterion. We have about 4,900 homeless children. We have veterans that are coming back from wars that are looking for housing within this area. I found out very early that this is a very mission driven and collaboration community. We really believe in public private partnerships. I guess one of the greatest examples of that is the local rental subsidy program. I want to thank this Council for approving the dollars for that particular program and allowing individuals to move out of homelessness as quickly as possible. We also are talking about de-concentration of affordable housing across the city and through this presentation we are going to be talking about how the Housing Authority and this mixed income development strategy actually compliments that goal. Then finally, customer service orientated agency, we want to be in this community known as a customer service orientated agency. We want to make sure that we are responsive to individuals in a very, very professional manner. Not just simply the residents of public housing, but also the community at large.

I think most people know that I am about 9 months old, I'm a large 9 month old, you know I think the first thing the board wanted to do was develop the leadership structure at the Housing Authority so they hired me and I had the unique responsibility of hiring a new team to take us on this journey. I wanted to be able to introduce those individuals to you today. They are in the room. We have Heather Franklin who is our Chief Financial Officer, if she could stand. We

have Eric Johnson who is our Chief Development Officer. You may have seen him before. We have Larry Padilla who is our Chief Operating Officer and we have Shaunte' Evans, which of course, most of you know. She's not here, actually she got a vacation, I don't know how I did that, but she had a vacation. So this is the new leadership team. Let me tell you a little bit about these individuals. One, there is no question; they are experts in their field, that's the first thing. Most importantly, I think, they are definitely compassionate, enthusiastic individuals that we look for and I'm very, very happy to have them on the team to move the Charlotte Housing Authority forward. They have a responsibility for the core functions of the Housing Authority.

One of the themes that we heard, or questions we heard is what does that Housing Authority do? So let me just walk through this real quickly. This diagram kind of depicts how the Charlotte core functions work together. So you see that we are a property management and development company. We also provide client services. And where they overlap we are really trying to develop these outcomes. These outcomes are self-sufficiency between our management and our client services and that self-sufficiency really deals with our residents whom we are going to talk about more in this presentation. Increasing housing opportunities for our families, that's the correlation between client services and real estate development. Then, housing preservation, basically, how do we maintain and keep the assets that we have for a long period of time. Those are core functions and over the past ten years there has been a real paradigm shift in the housing industry.

What you see here is the old 20th century housing. Everybody remembers Earl Village? What do we know about Earl Village? One, this was a concentration of housing for the poor. There was really no outcome based programs there. There was maybe a feel good program, but, they weren't really based in outcomes. The Housing Authority operated in a way of granting funds but, really no real priority and return on investment for those funds. There were pretty much adequate funding levels at that particular time for affordable housing from the Housing and Urban Development. This was no question housing of last resort. I think that you can see the difference in now what we have here in First Ward. We have a mixed income community. These are mixed income strategies now where we have individuals from all walks of life living together. We have outcome driven programs that really emphasize moving individuals, and especially able bodied individuals, towards work. We're now more of an investor in deals than simply just a granter in deals. Now through sequestration most of us have heard that across the country housing authorities have lost a great deal of funding from the federal government. The Housing Authority here has lost \$2.5 million which has resulted in layoffs and furloughs. But we truly believe that even in this environment we can't go back to the old housing of last resort. We really have to be now about the housing of choice. We have to be about housing of choice for the individuals in which we serve, the Charlotteans that we serve, in this community.

Who are those individuals that we serve? Here they are. These individuals are just a small portion of the people in which the Housing Authority is just so pleased to serve. What we have here is some individuals that are working as patient care coordinators, airline service technicians, cosmetologists; we even have some individuals that are retired. If you look over our total portfolio, we have individuals that might be army privates, medical technicians, some may be unemployed, we have teachers; we have nurse practitioners. And let me tell you more about those individuals. Let's talk about the incomes. We serve a wide range of incomes. Some individuals may make zero. Some individuals might make \$64,000 a year. They have the ability to pay rents anywhere between \$75 and \$1,600 a month. So we have a very diverse portfolio of housing options to make it affordable for a great deal of citizens here in Charlotte. And here's the Housing Authority by the numbers. 22,498 people we serve, you can see the majority of those are children. We have a waiting list of 4,130.

Councilmember Barnes said I had a question about the previous slide. I want to understand the information. You mention that rents can be anywhere from \$0 to \$1,600.

Mr. Meacham said they can be anywhere from \$75 and \$1,600, actually \$1,602.

Mr. Barnes said if the rent is \$1,600, is there some private contribution to the renter? Or is that private Housing Authority would pay in total?

Mr. Meacham said in that particular model, because I am trying to show you the total portfolio, we have some market rate housing. So that is a market rate housing rent number. We don't only have just public housing. We have mixed income communities that also have market rate inside

of it. So that might be a 100% market rate. In other situations, it might be the Housing Authority picking up a portion of that person's rent, maybe 70% of their rent and the resident pays 30% of their rent.

Mr. Barnes said so the \$1,600 could be just a private citizen renting an apartment from the CHS?

Mr. Meacham said correct, in a market rate situation, yes. So what this is, and we've probably talked about it many times, is mixed income communities that have individuals that are on a [indiscernible] subsidy living right beside individuals paying market rate. There is no difference within the housing stock at all. I've even heard the question one time, 'well Fulton if you do mixed income housing the outside of the building will look the same, but inside will look different.' That is absolutely not correct. The inside and the outside of the building will be market rate; it just has an affordability metric built inside of it.

In serving these particular individuals, so there are no questions about the number of individuals on the waiting list, but, let me just talk about that. That just shows demand. And further in the slide you'll understand that. You'll see that in our property management area we are at 99% occupancy. That shows you the type of demand that is needed for this type of housing. In serving these customers, we think it's important for us to increase the opportunities for higher quality mixed income communities with modern amenities. We do this by our Real Estate Development Division.

Here's a picture of the Lofts at Seigle Point. Again, we'll continue to talk about the beautiful, quality housing that we are building for citizens here in Charlotte because we are really, really proud of it. But we worked with this development community here in Charlotte to leverage our resources to develop high quality mixed income housing. There's been a significant amount of positive economic impact, as a result, over the last fifteen years of development of the Charlotte Housing Authority. Some of those are that the Housing Authority itself has a direct investment of \$30 million. The redevelopment economic impact has been we've had \$505 million worth of development activity come to through this city. Now, what that is as far as leveraging, that is, for every dollar the Housing Authority has spent, that we have leveraged another twelve dollars. Which I think has been phenomenal and I would like to thank this Council for allowing us that leverage. Some of that leverage is Housing Trust Fund dollars that you give us to make these developments work and I want to say thank you for that. The employment impact is 5,000 jobs have been created and the number of housing units created has been 5,200. We also, beyond just simply working on our own developments, we also collaborate with outside agencies and really work the City on trying to achieve some of its goals.

One of those goals would be the goal of ending homelessness over the next ten years. What we've done is we've collaborated with Creech Place, Moore Place, the YMCA, Everett House and Charlotte Family Housing to reduce another 242 units for homeless families. We have an annual investment into these programs of \$713,000 a year, rounded. We feel like it's important for us not to solely work with the Housing Authority and its residents; but when the community is talking about needs, when the community says here's an issue that we need to be looking at, we step in that way as well.

Councilmember Mayfield said Mr. Meacham, when we are looking at these numbers and looking at the impact of the dollars that have been supported through the Housing Authority. I tried to flip through and didn't see it, are you also going to have an opportunity to talk about what the potential impact is going be with the reduction in funding that is anticipated from federal funds and how it could impact us?

Mr. Meacham said I've talked about it a little bit as far as the layoffs are concerned; we're talking about it from the standpoint of the furloughs. What we did as an agency and not every agency did this, we kind of looked more internally, to basically streamline the agency and make it more efficient and have as least bit of impact on the residents as possible. There is one item in which, because when the federal government cut funds at the Housing Authority, one of the items that they cut was the Housing Assistance Payment. The Housing Assistance Payment are the direct dollars that go to Section 8 landlords for them to work with the Housing Authority. There was a 5% decrease there. Some Housing authorities cut their payments to those owners by 5%. The Charlotte Housing Authority did not do that at all. We just left them the same as they were in 2012 and we ate the rest of that cost. As a function of, I mean, what are we, the

impact on residents, would probably make it as little as possible, but in any situation I think residents may be impacted when we are talking about losing those kind of funds.

Mayor Kinsey said may I ask a question? Is most of this collaboration support in the form of project based Section 8 vouchers? Or Section 9?

Mr. Meacham said they are rental subsidies. Yes, the \$713,000 is the annual rental subsidy we put into these different ventures. I didn't even put in here the capital investments that we made to make those developments as well, work with them to make those developments come out.

Mayor Kinsey said so they're vouchers?

Mr. Meacham said yes.

Councilmember Fallon said is there a ceiling on how much you can make to be in any of the housing? You said they go up to 64 – is there a ceiling?

Mr. Meacham said right, so you can't make more than 80% of varied medium income, so a family of 4 is somewhere like \$50,000 in that area. There is an eligibility criterion to move in to public Housing and/or Section 8.

Ms. Fallon said and what about your market rate people?

Mr. Meacham said we would love families to make \$400,000 or \$200,000 a year to live in our community, so there is no, zero limit on that. If you know any please send them our way, we would like to have more of them living with us.

Speaking of that, [here are] some of the updates on our developments. We have the Renaissance which is now, which was the former Boulevard Homes; I think most of us know that. What would come here will be 334 onsite mixed income apartments. The best feature about this though is that it's going to have an educational component. It's going to have a K through 8 school; as well as, an early childhood development center that goes there. What is pictured here is the first phase, this is the senior phase. It's 110 units for seniors and this is expected to actually be completed by the summer of this year. We should have a grand opening hopefully later in the fall and everybody will be invited. As well as the other two phases of family developments which are all mixed income, they will come out in two different phases. One of those phases should be completed and on line by the winter of 2014 and the second phase of that will be the spring of 2015.

Back to the Lofts at Seigle Point. I like save this one because I'm from Greensboro, North Carolina, so I know a little bit about Piedmont Court before this redevelopment. I think a lot of people in the room remember Piedmont Court before this. So what we are doing now is that we're building 190 units and they're going to be pretty much close to market rate. These are going to 80% of area median income. You are going to have families in there, again \$46,000 a year living in this particular area. Now if we can think back to what Piedmont Court was, before then, this is only roughly about eight years ago. Did you ever think at that particular time that we would be in a position to say that now we can almost, we can have close to market rate families living there, not just rentals, but we also have home ownership in this community as well? It kind of shows what we can do when we really invest in a community. When we develop a mixed income strategy that can work and the community at large understands what we are doing, the business community at large understands what we are doing; we're able to make this type of impact.

Some future projects that we are working on is going to be Tarlton Hills. Now this is a Choice Neighborhood Planning Grant that we are working with here. We are working with the City on this grant, and we want to thank the City for its contribution for this. The Choice Neighborhood is different than the old Hope VI Grant. The Old Hope VI Grant no longer exists. The Hope VI Grant really just dealt with the public housing community. What the Choice Neighborhood now deals with is the community at large. We deal with the fact of the educational component in a community, so we work with the schools. We work with the safety component on this; so we deal with the police officers, right? We talk about the economics of this community. We also build in metrics, so we talk about the employment opportunities there. We have a planning grant application to send for Tarlton Hills which is a part of the Biddleville community. We've been working with that community. We have partners such as John C Smith University, City of

Charlotte, Charlotte Center City Partners, as well as the Bank of America and all the residents of this community working with us on this planning grant that we hope to get selected for that in September of this year.

We talked about all the things we are talking about tearing down and building them back. We also understand that there are some valuable assets in this community that deserve to be preserved; historical buildings, like here with Hall House. We have a tax credit application in for Hall House. Again, this is going to be 171 units, it's going to be a mixed use building. What that means is we are going to have apartments on top, but the ground level is going to be commercial retail. It is going to be for seniors. It's going to be 171 units, we are extremely happy about it. It gives our residents the opportunity to really live, work and play uptown and all the amenities of uptown. We think it's going to be a very beautiful development. As well as, we have Edwin Towers, which again, another uptown development is being rehabbed. It's going to have 175 units for seniors as well. This is supposed to be completed by the mid part of 2014.

Councilmember Cannon said with regard to the rehab, can you describe a little bit about what that's going to entail for Edwin and also about the exterior as you talk about the interior.

Mr. Meacham said as for the interior we are going to be modernizing kitchens, cabinets, plumbing infrastructure, the whole nine inside the building. On the exterior of the building we are going to be doing some minor modifications to it; it's not going to have a complete face lift like, let's say, Strawn. We are going to spend a great deal of funds on making sure the landscaping outside the building really fits the texture of what we are talking about having in uptown. The exterior of the building, the landscaping etc. is going to be improved as a part of Edwin Towers.

Mr. Cannon said what is your timetable on this?

Mr. Meacham said that would be completed by the mid of 2014.

Mr. Cannon said and it's going to start?

Mr. Meacham said it's going to start, roughly, we are moving residents right now to Hall House as a staging area probably, I think, it's going to be a nine to ten month development schedule, then those residents from Edwin will move back to Edwin Towers from Hull House and then we'll start the development of Hall House, so roughly about a nine to ten month turnaround for this, starting today.

Mr. Cannon said I remember going there as a little boy, my uncle Hazel lived there; he played the piano quite often there.

Mr. Meacham said it's a beautiful building and some fantastic people that live in there.

Mr. Cannon said it really is, so I'm looking forward to the finished product, thank you.

Mr. Meacham said now we talked a little bit about the Housing Authority from the standpoint of bricks and sticks, but we are much more than bricks and sticks at the Housing Authority. We also have a Client Services Department as well. The primary responsibility of this department is to take our residents from dependency to independency. I'm just going to boil it down for you. We think it's extremely important for our residents, especially our able bodied residents to be about the business of going to work. This department works with them on a day to day basis.

One of our flagship programs is called our FSS program. It stands for the Family Self Sufficiency program. You can read the numbers but let's just talk about what we do here. Case managers go out and we engage our residents and we find out with them what do they want to do and be in the next five years. Our residents then sign a contract with the Housing Authority saying that these are the metrics that we'll live by for these five years and we will see ourselves working with the Housing Authority. We will see ourselves moving towards independency; ultimately, the goal is to go to work. That's what this is at the end of the day. We think it's extremely important for this to be here. Again, if we are able bodied we have to be about the business of going to work; but, that just cannot be in a vacuum there are some services needed to be wrapped around that in order to help our families move towards that.

As a part of this as well, we have engaged, now, we have a Center for Employment Services. What I'm most happy about this is the partnership between the Housing Authority and the private sector and how we plan on making that grow. What we are doing now is a more direct approach about job training. Instead of just doing job training kind of just out here in space, we are really now talking to corporations and saying 'hey what do you actually need'. They give us that information and we design a program specifically for that for our residents. Then those residents are put in a situation of being able to interview with those companies and get these jobs. Over the last couple months, we've hosted a recruitment day and just to give you some numbers on that. We had 33 individuals to attend the job fair, 23 were offered a full time job with benefits, and out of that group - and another thing about the Center for Employment Services, again, we are broader than simply just public housing, this is a community asset for the West Corridor - is that we're also had 23 of those to gain employment, 13 of those were public Housing residents, the other 10 were from the general community.

Councilmember Mayfield said Mr. Meacham as we are going through this, is there also a relationship with Charlotte Works?

Mr. Meacham said yes, they are actually housed in our facility. This is at the Arbor Glen community. Continuing on, I think the reason I got into the business was the kids. I grew up again middle class family but a lot of my friends lived in public housing. When I went off to college, some of them didn't. It wasn't because they weren't as intelligent as me, probably in a lot of cases they were probably more. But they did not have the support system that I had. They didn't know about scholarships and some of them didn't know about financial aid and etc. I'm so pleased that this Housing Authority has a scholarship fund that was started by one of our employees 30 years ago. I'm sure everyone knows John Crawford that started this really believes in the fact that if we provide an opportunity for our children to get an education, a higher education, they take advantage of it. This Sunday, we are having a program and 104 of our children that live in public housing and/or Section 8 will get a scholarship. I would love for you guys to come out. It's going to be at Ebenezer Baptist Church on July 28th. I would love to see you there because always when we talk about kids and when you close your eyes and think about public housing and Section 8 kids, you don't see this. But this is what we produce and I need more of that information out in the public than the negative because that will help with some of the nimbyism and other the other isms that go along with this Housing Authority and the people who we serve.

Mr. Cannon said they're coming out as architects, they're coming out as lawyers, some even doctors, so I mean you'd be really, really pleased and impressed with this whole notion that sometimes people would suggest that you'll never go anywhere or do anything because you grew up in public housing. Nothing could be further from the truth. These kids are just as able bodied as anybody else and grow up in some very good homes and being pushed accordingly and they come out very successful. I just wanted to highlight that.

Mr. Meacham said just trying to go through this as quickly as possible. I was put on a time limit earlier so I'm trying to rush as fast as I can to get some questions. Property management, I think everyone one knows we do property management. We provide and our policy is really to maintain all our communities in a manner that portrays a positive image and seamlessly merges into the property of the surrounding communities. That's our real purpose. What we are doing here, we have 53 different properties throughout the City that we manage and operate on a day to day basis. But what we are doing a little different is, I want to talk to you about some of the preferences that we are instituting because of some of the needs we've heard in the community. One of them is families that live in homeless shelters; we've made that our number one priority. Now what that means is that on the waiting list, say we have 100 people; that means if someone from a homeless shelter, with a family, signs an application with the Housing Authority they move to the top of the list. That is designed to really work on this issue to moving families out of shelters as quick as we possibly can. [The] second preference we have are veterans. We have individuals coming back to the Charlotte area, coming back from different wars and etc. We want to make sure that they have an opportunity to live, work and play as quick as they possibly can get back on their feet because they've given in a lot of cases, I hate to say it, the ultimate sacrifice, in other cases limbs, in other cases just simply not having the finances at this time to live in a more market rate unit, so we want to make sure we provide that opportunity to our veterans, as well as the working preference. Now the working preference is this, if you are working or that you're actively looking for employment, you'll move up on the waiting list too.

And the reason that is because we want residents, even before they come to the Housing Authority, to understand the importance of work and start and move in that direction, before they even get on the list. We try to incentivize those individuals that are working and moving them up on the list as quick as we possibly can.

The other program that we have as most people understand is the Housing Choice Voucher program and what this diagram is showing is the relationship between the Housing Authority, the landlord and the family. I'm going to go through this a little bit because I felt like we needed to break it apart just a little bit because most people think the Housing Authority chooses where Section 8 is. That's not true. The Housing Authority does not choose that. That is a relationship between the family and the landlord. If there's a unit, if there's an apartment, if there's a house anywhere in the city, the resident and the landlord choose if they want to be in a relationship or not, the Housing Authority does not. What the Housing Authority does is we provide a voucher, which is the payment and we provide a contract between us and the landlord, that's what we do. And then, through that process, we also want to make sure that we provide a service to the community from the stand point if there are issues that are associated with what someone would think is Housing Choice Voucher, or better known as Section 8, we want to be the resource for you to be able to call us and say, 'hey this is an issue', so we can respond back to you. What we're working on here is a hotline. We are trying to develop so that individuals in the community can call us and report 'here's what the issue is', 'we think this is a problem blah, blah, blah' what the Housing Authority, they get in contact with the landlord, getting in contact with that resident and letting them know what the issue is and holding them accountable for being the landlord and the renter in that situation.

We're also entering into a new phase; we're trying to broaden our work requirement and trying to make this work requirement a part of the section 8 Housing Choice Voucher program as well. We're still working through the process on that one because we understand, again, individuals. We want them to go to work but there are some support services that are needed so we are working through those things, but that's what the Housing Authority plans on being in the future. We are also, because again, we want to be good stewards to the public., we want to make sure we have relationships, so we are going to start a neighborhood association advisory council so that neighborhoods themselves can come and talk with us about issues that are happening in that community that they think may be Housing Choice Voucher related and deal with those issues as proactively as we can.

Here is our programming by the numbers, a little bit, I want to just show this for a second, so out of the 300, this is the Charlotte total housing stock versus the Charlotte Housing Authority's total housing stock, Housing Choice Vouchers, public housing. We are 2.54% of the total population, that's what we are, and I think in some cases, some individuals think we might be a lot larger number than that, but that's what our population is, and this is distributed by the actual Council districts. So I want to make sure that you see here what it looks like in your district. This is the total number of units in your districts. This is the number of Housing Choice Vouchers or public housing in your particular area and this how it spells that out. We get a lot of complaints and I've heard some from you and most of those complaints we understand that out of ten, maybe two of them might be Housing Choice Voucher related or Section 8, it doesn't really matter to us, because we want to be able to serve you. But I wanted to make sure that the community knows that these are the real numbers of what it looks like. And so, going forward, in the future, we should understand that and make sure that if there's a need for affordable housing, we definitely do need it within this City, how it's done, there are many ways probably of getting it done, but we have to move forward with providing quality housing for families.

At this point, I didn't know if there were any questions or concerns, it sounds like there might be two.

Councilmember Dulin said go back to that last one [slide]. Now am I reading that right, in District 6, of the total housing stock, the tall column, the CHA assisted units are 1.4% of those?

Mr. Meacham said that is correct.

Mr. Dulin said so there's a higher percentage per housing in District 6 than in District 5.

Mr. Meacham said you are reading that correctly. District 6 has 49,914 total units there.

Mr. Cannon said Mr. Meacham, thank you for your presentation. I've had an opportunity to go through three different directors of the Authority, Mr. Shannon and then of course, Mr. Woodyard, now you, all have been very good about the business for Charlotte Housing Authority and thank you so much for your leadership. I want to ask you a question with regard to the recreation component and how much we or you all when you're working to develop and/ or redevelop communities, would that be something that's concentrated on. I heard you say earlier live, work and play, I like to say live, work and recreate, but either way, I'm just wondering how much of that is on your radar and if you're having any discussions with the county – with parks and recs, of course, falls under their umbrella.

Mr. Meacham said one, in any family development that we do, the recreational piece is an important component of it and we look at that in all the ones that we do. I haven't reached out to the county I guess as a developing a strategy on playgrounds that are king of around that area that are publicly owned because the ones that we have are privately owned, in most situations, those particular playgrounds and etc. but that's something that we are definitely open to.

Mr. Cannon said years ago, they were actually involved right in those communities with the Housing Authority. Park and Rec. and then of course, they left; they used to be, say, in communities like Pine Valley and then when they went away, obviously, kids had nothing else to get into but mischief, rather than recreational opportunities as a past time and as a result it just wasn't a good thing. So, I just wonder if it might be something you all were considering in terms of reengaging with them in way of a discussion about what kind of partnership can be created or reestablished potentially for some outlets to take place. That also could lessen some of the out of pocket expense, potentially, that you all might have to accrue. So just think about that.

Mayor Kinsey: I had two quick questions. We really need to go into closed session if we can before we go downstairs; we need to be downstairs at 6:30.

Mr. Autry said Mr. Meacham, 4,130 on your wait list. How long does someone usually sit on the wait list and of the 22,498 served, what sort of percentage can you see annually of people who would transition out of the need for your service?

Mr. Meacham said on the first one, it's probably roughly 18 months, that's why the waiting list is closed on the Section 8 side. I'd say we probably have 1,200 on that waiting list alone. The others are on the Public Housing waiting list. So, it's about 18 months. We'll open it up once it gets down closer to a year or under a year, we'll open the waiting list again. We expect when we open it up it will get up to probably 4,000 or 5,000 somewhere around in there with the needs in the community. On your question of how quickly do people move through the continuum, I don't have a great number and I want to be able to come back and give that to you. Through our resident self-sufficiency programs, it's averaging about 3 years.

Councilmember Mayfield said when thinking about the conversation we heard earlier and the update from Charlotte B-cycle, have there been any conversations with, following up with the questions Mayor Pro-Tem had, around the holistic approach that Housing Authority is really looking at. Have you started any conversations with Charlotte B-cycle yet to look at possibly some of the newer developments being identified as a location and possibly looking at negotiating a reasonable rating structure to help with that?

Mr. Meacham said to be honest with you, I can say, I haven't. I definitely know Charlotte City Partners very, very well, maybe we have some opportunity at the Lofts at Seigel because that's right downtown. That could be a very good location, so I will look into that.

Councilmember Mitchell said last one, Mr. Meacham, thank you so much, great report. [I'm] very proud of your leadership. Will you share with everyone with what historical college you graduated from, so everybody will know.

Mr. Meacham said I went to North Carolina Central University.

Mr. Mitchell said thank you, thank you sir, I just want that for the record.

Mr. Meacham said my dad went to A& T.

Mayor Kinsey said Mr. Meacham, thank you very much, appreciate it. Mr. Manager, do you think we have time for a quick closed session, or no?

Motion was made by Councilmember Barnes, seconded by Councilmember Cannon, and carried unanimously to go into closed session pursuant to NCGS 143-318.11(a)(3) to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling of a claim.

The meeting was recessed at 6:17pm for a closed session. The closed session ended at 6:39pm. The meeting was moved to the Council Chambers for the regularly scheduled Citizens' Forum and Business Meeting.

BUSINESS MEETING

The Council reconvened at 6:45 p.m. in the Council Chamber of the Charlotte Mecklenburg Government Center with Mayor Patsy Kinsey presiding. Councilmembers present were John Autry, Michael Barnes, Patrick Cannon, Warren Cooksey, Andy Dulin, Clare Fallon, David Howard, Patsy Kinsey, LaWana Mayfield, James Mitchell and Beth Pickering.

INVOCATION AND PLEDGE

Councilmember Barnes gave the Invocation and led the Council in the Pledge of Allegiance.

CITIZENS' FORUM

Miracle House of Hope and Police Relations

Richard Benedict, 1744 Wilmore Drive, 28212, said I decided to approach the City Council about something we have here. I'm a minister in our organization. We are called the Miracle House of Hope Ministries. We are a ministry where we help take people off the street, those that are fighting drug abuse, those are homeless, those that are addicted to alcohol, those that have gone through mental, physical and spiritual abuse, people that have no place to go. This is a free program. We are recognized by state of North Carolina and South Carolina as a charitable organization. But we seem to be victimized sometimes by certain officers on the streets where we are recognized by the state.

We have a state license that says we have the right to charitable solicitation throughout the state. We've talked to others. We've had officers telling us that say we cannot solicitate because there is no such thing. I've advised the officer to his face, 'when the Jehovah Witnesses walk down the street and hand you a pamphlet and they ask you for the donation, I've never seen you take one off the street. You never stop them, arrest them or harass them.' When they had this gentleman standing out here during food week, they had him sitting right here, telling me, the same officer that was allowed to put people in handcuffs on my ministry, allowed this guy to stand here with no permit, no banner, or anything, just waiving a red, white and blue flag just collecting money all day long, and he was standing right next to him..

If you cannot keep an equal and fair balance, then what purpose are we learning from here, what are we trying to teach people? We don't charge anybody in this ministry for anything; they get free housing, they get free food, they get free clothing. We get them reacquainted with the Lord. We take people that rebound that Salvation has put up. We take our people from DDS that calls us, the hospital calls us, the jail calls us, probation officers call us, 'I have no place, can you take this person?' Yet they leave us stranded when we are trying to go out there and do the right thing and help these people.

We go out and try to raise money to help keep the ministry. We don't get no money from you, we don't take no money from the state, we get no money from the federal government. Yet, in four years, we've gone from one apartment to eight houses. We have that many needs of people that on my way in here today, I had to go to Matthews to pick up somebody seeking our help that we prayed on yesterday, and he's here. But at the same time, only in Mecklenburg County do we get harassed by the police. We cannot understand it. Like I said, the Jehovah Witness never

get harassed when they are asking for their donations. Salvation Army never gets harassed when they are seeking their donations. Little boys in Boy Scouts, football teams, the softball teams, Pop Warner, all this on the corners, no permits, but they are out there. And they don't get citations, they don't get tickets. But the Miracle House of Hope is being singled out. We've actually documented this and watched this. We have paperwork; we have video of the same officers. We've brought it to the officers' attention, we went and spoke to IA all of a sudden every member that sits in the city right now is under attack.

Joan Gullatte, 1826 Merriman Avenue, 28284, said I am one that they took off the street. In fact, Mr. Benedict is the one we talk to in the beginning. I'm a recovering alcoholic, because of our city, our state I'm also addicted to gambling too. Since I've been there, I have found God again. I found a positive attitude on what to go on for and no, I don't drink and no I don't gamble. But I do spread the word.

We try to help as many people as we can and Mr. Benedict is correct. We do get harassed every single day. When I'm out there, if I have one officer tell me to leave the median, I mean, I can understand that, but when you have 4 officers, 4 cruisers pull up, okay, that's a little bit of overkill for one person. And then its 35 minutes of them harassing you, not even telling you to leave, not arresting you, not ticketing, just interrogation. Now personally, myself, I'm getting a little bit tired of it but in the same sense I understand that the officers and will respect them at all times. But I'd like that same consideration.

As Mr. Benedict said, if we're from another place, I mean, even Boy Scouts, Girl Scouts, I mean if they're out there fundraising or holding a carwash sign up, nobody does anything. And we've watched this in a repeated effort, is a lost cause. We have to have something that we can just spread the word. When Mr. Benedict says that we bring in so many people, I'd like to ask the State of North Carolina, what are you going to do with these people? There are no openings anywhere. Miracle House of Hope does a good job at this. Pastor Little is great at rehabilitating and getting us to understanding our ways of what we were doing. I am a better citizen today because of this and I will continue to be one.

Bruce Little, 1744 Wilmore Drive, 28212, said we're here today, not to cause strife, just to bring attention to what we feel is going on in the streets of Charlotte that some of you guys might not be aware of. I understand that you guys cannot possibly all be at the same place at the same time, so you're not aware.

First of all, I have Exhibit A, if I can first pass it. This is a ticket that we got two years ago. I'm sure Mr. Dulin remembers it, I'm pretty sure my good man, Mr. Cooksey, he might remember. Anyway, one of the officers, two years ago, stopped one of our guys that was in the field spreading the word, discipling [sic] and he gave him a citation. Well, it was cool to get a citation, but it just proves my point. He wrote on the ticket, 'Miracle House Hope scam'. And this is a guy that works for CMPD. So what we did, we so carefully shopped it around. We took it to every captain I could think of and nobody seems to know what came of this. Here we are two years later, totally different new group of people and we are experiencing the same thing. So it's not just a myth from the pastor that has a troubled past. The reason why I understand these folks, because I was one of those.

Then I did a little more research. I looked up the Police mission statement. And the mission statement says, yeah, we're here to enforce the law, we're not here to slander, we're not here to belittle, we're not here to figure out anything but to do our jobs. Its so many officers that we've been IA about and telling the press about, that it seems we can get nothing done. I mean we've got officers out there that's telling the clients to look, Mr. Little, he's going to jail, this, that and a third. And it doesn't take that.

You've got guys that are coming from under the bridge, just wanting a chance at life, just wanting a second chance at starting over. And they are using God, the ultimate, remake, the ultimate creator. We've got guys that sworn to uphold the law and protect and serve and treat everybody fairly and I'm not coming to you with partiality, but with love, understanding and I'm doing my job and they're tearing them down and running them back out.

I do believe it has nothing to do with those guys, but everything to do with me. If they think my program is a scam, then they are going to act accordingly. But I've got 30 people here that says we are housing people, we're feeding people, we're transporting people, we're buying

medication, we're doing whatever we can. What I do, I try to breathe life on them. Sometimes you see them walking up and down Trade, Tryon Street, up and down [indiscernible], they're walking like they're dead, they're walking like there's no tomorrow, they're walking like they threw in the towel. But the Miracle House of Hope is a place where... [timer].

Mayor Patsy Kinsey said Mr. City Manager, I think we've addressed this before but perhaps it would be a good idea for someone from the Police Department to contact them and address it again for us, if you don't mind.

City Manager, Ron Carlee, said yes ma'am, I'd be happy to do that.

Chris Herwith, 1744 Wilmore Drive, 28212, said I am a client of Miracle House of Hope. I have been sober for one year and eleven months now. Whichever Councilmember is the Councilmember for Huntersville, I would like to thank you. You've allowed us to work in your area. You have allowed us permission to be able to do this. To go out and bring other people in just like us. No but all of us, every person at Miracle House has a story, everyone one of us has a testimony. There's a reason why we are here, mine was homelessness. I got put on the streets. I'm the youngest member of the Miracle House of Hope; I'm twenty-two years old. I got put out of my house; I lost everything, everything I owed over a small technicality. I came to the Miracle House, they caught me under a bridge; they said look we have a place for you to stay, help you get back on your feet. The program's nine months. I chose to stay on. I choose to go out and pick people up that nobody wants. These people come in from the worst, from the drugs, from everything, from the absolutely worst of the worst and we will take them in and give them love and compassion.

We understand that the police are doing their job, we understand that. However, if I've been given permission to work an area, and all of a sudden, I have three more cops come by, with helicopters, telling me they've videotaped me and they will take me to court if I ever come back after I have received permission to work there from the lieutenant. I'm sorry, that is harassment. Now, I spend too much time trying to get people in to have to worry about the cops. Again I understand they are doing their job, but we are trying to continue to bring people in that need the help. If it wasn't for places like Miracle House, Salvation Army, those places are awesome, but if something happens to Salvation Army and their funds get cut, they're done. We get cut, we don't have no funds, we just keep ourselves open. We work so that we continue bringing in others exactly like us. We, some of us, some of the longer standing members of the ministry here, love what we do; we want to continue to be able to do that. But to do that, we need to be able to pass out our flyers and let people know what we are doing. Look, we're out here to help those that are abused, drug addicts, homeless, anybody who needs a place, they can't get no help. Come to us, we will give you God's love and we bring you in. Thank you for your time.

Kevin Renegar, 1744 Wilmore Drive, 28212, said I'm here today to say a few things about Miracle House of Hope. I used to be a thief, drug addict, liar, cheat etc. But today's Kevin, I came to the Miracle House because I needed to change how I was living. I tried other ways in the past, but I eventually failed. This Christian based ministry has changed my life for the best. It's taught me about God and his word and I know Jesus Christ is my savior today. This work keeps my striving for righteousness each and every day.

We go out as teams and we distribute these flyers with information in hopes that it reaches people who are in the same position as I've been so we can try to save their life whether they are battered or homeless or struggling with addiction. So that they have a chance to save their life, as mine has been saved. While we're doing this, sometimes officers ask us to leave an area. Some feel what we're doing is great things, and some just like they said before some just kind of harass us about the situation. In recent events, we've been asked to leave. Me and my brother Benjamin right here and a couple of others were asked to leave, and we left the area, we left Mecklenburg, Co and went to Union County, thought nothing more of it. The next day we were in Guilford County. A cop got our information and we had warrants in Mecklenburg County because the officers had went, after asking us to leave, and went behind our backs down to the magistrate's office and placed warrants on us for solicitation, so all four of us went to jail in High Point that day.

To me, that's kind of unjust and unconstitutional and we felt like it was kind of spiteful the way they did it because they asked us to leave and then the next day we had the warrants on us and things like that. So basically, I'm just here to ask that something to be done about things like

that, because I can understand when they ask us to leave, we leave the area, you know. But we are trying to get the information out there and try save other people like I've been saved. Thank you for your time.

Benjamin Rooney, 1744 Wilmore Drive, 28212, said I'm standing in for Mr. O'Grady. Good evening Council. As my brothers and sisters of the ministry have illustrated already, there have been several time in which we've dealt with some police officers who were kind enough to say we know you're doing a good thing, we don't mind if you are in the area. Also there are other officers, for instance, the one was just speaking about where in given a warning to leave the area or if we got seen again possibly there might end up being a warrant out for your arrest if we are out there again. We had also talked to another officer in which actually had to compellingly go and file a complaint on. Just for the sake of writing down his name and badge number in case there was anything that came up with the issue, given the fact that I'm on probation, as I was writing down his name, he pretty much flipped the card out at me and yelled at me and was like, hey, if you're going to be a smart A, here's my card, I'm officer of the month. His name was Officer Earlson. I spoke with his Captain about it and like we said, also the next day they'd gotten all arrest warrants after we've just been told to leave and we did as we were asked to do.

There's other instances where officers have talked to people in our crew, and said 'well you know your pastor, we just got done talking to the captain of the police and he thinks that you guys are just out for the money. You guys are all going to get arrested, we are going to do what we can to arrest you and make sure that you have high bonds'.

I've been in this place for only a little bit over a month. I was on my way towards, could have possibly ended up dying, I had an abscess to the point where it was already seized up my neck. I was in the emergency room where I got the flyer from the counselor there. I was homeless at the time and these people take me in and gotten me back to health and I'm also giving back for the gracious blessings I've received to be with them. I also feel that, you know, they have done absolutely nothing wrong towards any other administration. We come out and show kindness to everybody, everywhere we go. All we are doing is letting people know that if they want to help they still can and I don't see where there's a problem with that and that's all I got to say.

Councilmember Cannon said Mr. Manager, I know that it was, there's been a suggestion to have the police to talk to them, but I want to make probably another suggestion. Granted that's where one want to go, that's fine, but it seems as if there's a problem that they feel they are having with police, then we probably need to send this to the Community Relations Department and engage Mr. Willie Ratchford and see what can be done to help to mediate what they are experiencing. Obviously, if there's an opportunity or a way to get somebody back on the right track the last thing we ought to be doing is standing in the way of that. Pick the pieces up and see where we can sort of meet in the middle. Let's see what that will bear for us.

Mr. Carlee said happy to do that, I think that's the right approach.

Mr. Cannon said thank you so much.

Taxicab Ordinance

Frank Hinson, 1445 Downs Avenue, 28205, said I'm Operations Director of the former Charlotte Checker Cab Company and Checker Transportation. We fought to remain open after losing our airport contract but lost enough drivers to be eventually be decertified as a taxi cab company serving the City of Charlotte. There is a similar fate pending for the remaining taxi companies in Charlotte. Taxi service in Charlotte has gotten worse as companies have seen rising expenses due to high fuel, vehicle and insurance prices and fewer trips due to the fierce competition from the tax payer subsidized mass transit.

We were all assured by City Council that we would have an opportunity in the not distant future to bid for service at the airport, but that opportunity has not materialized. CLT has proposed adding 150 additional airport spaces and if they're awarded to the companies that are currently serving there the further drain on drivers will certainly close more taxi companies that don't have a contract with the airport. In choosing the companies that would serve at Charlotte Douglas Airport, performance was not even examined. I have data that the continuously best performing companies were Speedy, Diamond and Checker who were denied an airport contract and the worse were Yellow and Crown, who have a contract with City Cab Company as being unproven.

What does that tell you? That perhaps the system was geared towards a pay to play rather than a merit based choice. The tax service at CLT currently is abysmal. There is no good reason to continue to deny other companies the opportunity to serve there. There seems to exist a systematic effort to close taxi companies in Charlotte. Work in the taxi inspector's office, that used to be handled in the past by two inspectors, cannot be handled by today by three times that many inspectors. It takes months to get a driver's permit. That's what happened to my company, I couldn't keep my numbers up due to not being able to get permits. The regulations governing the taxi industry continue to change with no apparent public safety issues driving the more stringent rules. Charlotte's leaders really should stop picking the winners and losers in small business. The public is poorly served by these efforts and I believe this sort of nepotism is at least part of the reason why the State wants to remove CLT from the City's control.

Muhamed Aloui, 4818 Whistle Oak Court, 28269, said I'm the new owner of Charlotte Tax Cab here in Charlotte, North Carolina. I'm here to support Mr. Frank. We see that the City of Charlotte already has been putting a lot of pressures, on not only on cab company owners, but also cab drivers and everybody and we would like you guys please to go ahead and give us consideration of how to put our business back into track because literally we cannot get any drivers. It can take us so many times, so long time to get any appointments for PVH, we're calling, calling and calling and there's always a problem. Not only me, there seven other companies that could be getting out of business because there are rumors that are going around right now that the airport has issued another 150 spots at the airport for doing business at the airport for the existing companies, the only three existing companies at the airport right now; which a RFP has not been issued to let all the other companies existing in Charlotte to know about the increase of the numbers or the demand of the taxis at the airport. If you take a look at the regulations of putting an RFP, there's always a demand for that has to be put sixty days before the termination of the contract. None of the existing cab companies have received any notice, anything in such a matter, there wasn't a publication at the main work site for the City or the airport, or none of that. So they just skipped the RFP for two years in a row.

For the first year, we thought it was because of the DNC and nobody said anything about it. For this year, I tried to call the airport so many times, I emailed Mr. Orr so many times, I have emailed the City Attorney and I have emailed the Airport attorney. Also I spoke with Mr. Kirk at the PVH about it. And everybody keeps sending me from one door to another door to another door to another door; nobody seems to have an answer to us. And if this happens, if this 150 spots happen at the airport, all the other cab companies will shut down because there's only about 650 cab drives in Charlotte, North Carolina. Currently, there are 350 drivers that serve the airport. As soon as that happens, all the other remaining drivers will take off from the existing companies that don't serve the City, will go to the airport which leaves the other companies without any drivers.

Councilmember Mayfield said Mr. Manager, will you please refer this to Mr. Cagle so that we can get an update because I want to make sure we have - the community and Council has accurate information if there's any conversation regarding any additional requests and if there's an RFP process that hasn't been started I would appreciate that information being reported back to Council.

Mr. Carlee said yes ma'am.

Councilmember Barnes said, Mr. Manager, Council, Mayor, as I recall when we approved the airport taxi arrangement last year, there were three companies approved there were some standards put in place that were a part of the RFP process and Mr. Manager I want to ask you a question about whether the 150 spaces that have been referenced are a part of the new parking decks that we are building and if the answer to that is no...

Mr. Carlee said I'm not sure, I'll have research these issues for you.

Mr. Barnes said here's what I was going to ask. If there are going to be 150 new spaces created, then it seems to me that we should allow for new companies to participate in the RFP for those spaces or to at least reengineer the RFP to accommodate new companies. Because based on what he just said, we will be down to very few taxi cabs that don't operate out of the airport if it all plays out as its been described. I'd appreciate some feedback, a memo from you regarding the nature of the RFP that we approved last year and the capacity of the RFP process to accommodate new companies.

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Councilmember Fallon said would Mr. Cagle know why no RFP was put out this year?

Thomas Powers, Assistant City Attorney, said members of Council, in regards to the RFP that was placed out last year and part of the contracts that was granted to the three companies allowed for renewals. In regards to the statement about the 150 new spaces, I talked to my counterpart Leila Lahbabi who is at the airport and she indicated to me it is not actually 150 new permits that are going out, it's actually referring to the renewal of the current contract to the three companies that are already serving the airport. Staff was made aware of this alleged rumor at the airport and PVH as well as the airport have talked about this and are unable to substantiate any of the alleged rumors that are going thru the taxi cab community. But in essence again, the 150 permits that are currently at the airport are just being renewed again, which is why there's not been an RFP that has been placed before any taxi cab company to bid on at this time.

Councilmember Fallon said we're really not in the business to put other people out of business. And if there is room for someone else I would suggest that we would start looking into it.

Councilmember Cooksey said my recollection of history was the original recommendation from the previous Aviation Director was that this Council allow only one cab company to operate at the airport and in response to the concerns about the impact on cab companies, the response of the Council was to say 'no', we'll open it to, we'll keep it at three. So that is a perpetual issue that we will continue to deal with so long as we deal with the issue of restricting what cab companies can operate at the airport.

Pedicab Revisions

Thomas Richards, 12604 Cumberland Cove, 28273, said if I may, can I just bring this up to the front? I'm not going to take up a lot of your time. Earlier this year I had an opportunity to be part of the safety committee or at least sit in with the safety committee and observe how City ordinances were put together, for suggestion and brought to the floor for vote. The proposed Pedicab Codes that we're working in safety committee earlier this year, from what I understand, I've been, I guess essentially put on the back burner.

My hope is today to ask that the Councilmembers would consider putting that proposal or the proposed amendment for the Pedicab Codes back on the safety committee agenda, or the next agenda and revisit along with some of the suggested amendments that I've proposed along with Noah Tagles, the other Pedicab company owner here in Charlotte. That's really all I have ma'am.

Mr. Cannon said this item remains in the Community Safety Committee. It is not a dead issue, it remains alive. We just need to, at some point, when the calendars will allow, to be able to come back and address the issue, look further into it, but it is still in committee. It hadn't dissipated; it hadn't gone away, so it's still alive. We just need of course get at the business of looking at it more in depth and allowing the questions to be answered, because the Council, actually, sent it back to committee. So it's going to be there for us to look at and what we want to do with it as a committee.

Charlotte Motor Speedway Affects Charlotte Economy

Mr. Mauney, 61 Newton Moore Road, Peachland, NC 28133, said congratulations Mayor Kinsey in your position. City Council I'm back to finish part two, but what that radio announcer used to say, stay tuned for the rest of the story. I left off with that we consider Bruton Smith a superman but after he took over the racetrack and took NASCAR into the 21st century, bringing all the teams here and helping with the TV coverage and all this other stuff, you see just the Charlotte Observer, go back and watch, how much sections in the paper kept covering, the free press from the paper for the NASCAR races and all the other things that go on out there. We started calling him Captain America. We had two names for him, Superman and Captain America. Not only did he do that, he ended up going and getting other racetracks and started building them back up too. But this is where the heart of it was. Again, we're going back to how much taxes that thing's generated since it was built and nobody has really argued that maybe it's been as much as 3 trillion dollars over the fifty years. This is trickle down, keeps going out, these people buying homes, workers making money, contractors making money, car lots selling cars, salesmen, mechanics, everything and every one of them get paid through the money they spend and they spend and then their taxes.

So, if Bruton Smith was supposed to be such a greedy person, then he should have made 10%, but the bankers, Goldman Sachs, the banker down here, the Bank of America, they fine everybody, so they can keep their jobs and everything. But if he made 10% he'd be worth a \$100 billion, if he just made 1% it'd be \$10 billion. Yet here it is, they happy to think he's just work \$1 billion, a little over and he owns a lot of racetracks and a bunch of car lots and stuff and realty. So he hasn't been a greedy man, he's done a good businessman; he's spread a lot out and around. But, that part of it is, he can close this thing because it's really gotten his craw back, I'm talking to people from 40, 50, 60 years and they are saying at first they don't think he'll close the because it's such an investment, but they said yea, you make him pissed off enough and he's really got a burr in his saddle about this, it's really irritating him and goes on and on, why isn't anyone coming to the plate?.

This thing over here at Cabarrus County, they got a right to try to make some money because this is like I said where the cow is, where the goose lays the golden egg and everybody else is getting the cream off the top without doing no work for it. I found out from over at Cabarrus County since they've done the lied to him on that \$60 million highway they're calling him brown eyed blue because they beat him over his desk and got him a little brown eyed. Then they get up here around Mooresville and Statesville, you know, they call him a honey ho, because he's just brought so much money there. People figure saying what's going on down here is y'all call him sugar daddy so much money has come from here. Well I'm trying to give you some advice, just like y'all put it together for him and I talked with John Autry here a while back on it that he closed that track just like Milliken closed that mill down in Darlington back in '56. Milliken made \$100 million when he closed that mill. People don't understand that, what went on behind the scenes. The only thing that kept Darlington alive was the Darlington racetrack. You can read about it all in papers out west.

AWARDS AND RECOGNITIONS

“Do the Right Thing” Student Recognition

Mayor Kinsey said we are very pleased to do this. It is “Do the Right Thing” student recognition. I want to recognize Jonathan Traverso from Ardrey Kell High School and Alia Morris from Harding University High School who in the face of overwhelming odds exhibited character and integrity. Here to present the awards are Fire Chief Jon Hannan and Police Chief Rodney Moore, well, okay, Rodney got really good looking here, Vicky Foster.

Jon Hannan, Fire Chief, Charlotte Fire Department, said thanks for having us here tonight. We are in the 14th year of “Do the Right Thing” here in Charlotte. It's Charlotte Mecklenburg Police Department, Charlotte Fire Department and Charlotte Mecklenburg School System. Do we have Chief Haggler with us, right there. We wanted to recognize two students tonight. The first one is Jonathan Traverso of Ardrey Kell High School. Jonathan was home in his condominium and realized there was a major fire outside the back door. He closed the door, grabbed his sister, went out the front door and called 911. This resulted into a three alarm fire, if we hadn't been notified when we were it would have been worse and we wanted to acknowledge him tonight for that.

Vickie Foster, Deputy Chief, Charlotte Mecklenburg Police Department, said and we have one more student that we would like to acknowledge. Ms. Alia Morris from Harding High School and we'd like to thank her. While Alia was at school, she became aware of a student who had a gun on campus and she alerted the school resource officer before anything tragic could happen and they were able to secure the weapon and we are very grateful to her for that because we know all the gun violence that we have. So we are very grateful that she found this to be important enough to alert the school resource officer right away and they were able to take care of the situation. We'd like to thank her and congratulate her for that.

CONSENT AGENDA

Mayor Kinsey said we didn't have any items pulled for consent?

Stephanie Kelly, City Clerk, said yes ma'am, actually there are some items, you have speakers. Items No. 45, 69-C, 69-E and Item 70-M has been pulled, it has been settled.

Motion was made by Councilmember Howard, seconded by Councilmember Barnes and carried unanimously, to approve the Consent Agenda as presented with the exception of Item Nos. 45, 69-C and 69-E which were pulled for discussion and Item 70-M that was pulled by staff.

The following items were approved:

Item No. 18: Charlotte B-Cycle Lease Agreements

Approve one-year contract extension of the lease agreements with Charlotte Center City Partners Community Trust for space at Time Warner Cable Arena and decommissioned City van for Charlotte B-cycle.

Item No. 19: Juvenile Offender Diversion Program Grant

(A) Accept a grant from the Mecklenburg County Juvenile Crime Prevention Council, in the amount of \$76,053, to fund the Juvenile Offender Diversion Program and (B) Budget Ordinance No. 5168-X to appropriate funds received from the Mecklenburg County Juvenile Crime Prevention Council in the amount of \$76,053.

The ordinance is recorded in full in Ordinance Book 58, at Page 368.

Item No. 20: Assets Forfeiture Appropriation

Budget Ordinance No. 5169-X to appropriate \$25,000 in assets forfeiture funds for training for the District Attorney's Office.

The ordinance is recorded in full in Ordinance Book 58, at Page 369.

Item No. 21: Hazard Mitigation Plan Revision

(A) Accept a grant in the amount of \$52,500 from the North Carolina Department of Public Safety, Division of Emergency Management, on behalf of the U.S. Department of Homeland Security, for the updating of the Charlotte-Mecklenburg Multi-Hazard Mitigation Plan, and (B) Budget Ordinance No. 5170-X to appropriate funds received from the North Carolina Department of Public Safety, Division of Emergency Management, on behalf of the U.S. Department of Homeland Security in the amount of \$52,000.

The ordinance is recorded in full in Ordinance Book 58, at Page 370.

Item No. 22: Fire Department Equipment Donation

Resolution approving the donation of the Safe Kids' trailer to the Matthews Police Department.

The resolution is recorded in full in Resolution Book 44, at Page 569.

Item No. 23: Surplus Sweeper Truck Donation

Resolution authorizing the donation of one surplus sweeper truck to Charlotte-Mecklenburg Schools for the purpose of parking lot trash and debris removal at school bus maintenance.

The resolution is recorded in full in Resolution Book 44, at Pages 570-571.

Item No. 24: Traffic Signal Mast Arms

Approve a contract with Duke Energy in an amount up to \$238,900 for the purchase and installation of traffic signal mast arms at the new airport entrance road and Wilkinson Boulevard intersection.

Item No. 25: Traffic Data Reporting Software

(A) Contract with Midwestern Software Solutions for Traffic Data Reporting Software for an initial term of five years and (B) Authorize the City Manager to approve two, one-year renewal options with possible price adjustments as authorized by contract.

Item No. 26: Prosperity Church Road Northwest Arc Funding Agreements

(A) Resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation for \$2.1 million for the right-of-way and construction costs of the Prosperity Church Road Northwest Arc project (Part A); (B) Resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation for \$2.7 million for the right-of-way and construction costs of the Prosperity Church Road Northwest Arc project (Part B); (C) Budget Ordinance 5171-X appropriating \$5.2 million from the Municipal Debt Service Fund to the Prosperity Church Road Northwest Arc project and (D) Budget Ordinance 5172-X appropriating \$4.8 million from the North Carolina Department of Transportation for the Municipal Agreements in Actions A and B.

The resolutions are recorded in full in Resolution Book 44, at Pages 572-575.

The ordinances are recorded in full in Ordinance Book 58, at Pages 370-372.

Item No. 27: Traffic Signals at the I-485 Ramps and Johnston Road Municipal Agreement

Resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation for installing a traffic signal at both intersections of I-485 and Johnston Road.

The resolution is recorded in full the Resolution Book 44, at Page 576.

Item No. 28: Traffic Signals at the I-485 Ramps and Steele Creek Road Municipal Agreement

Resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation for installing a traffic signal at both ramp intersections of I-485 and Steele Creek Road.

The resolution is recorded in full in the Resolution Book 44, at Page 577.

Item No. 29: Metrolina Regional Model Development and Maintenance Municipal Agreements

Resolution authorizing the City Manager to negotiate and approve separate Municipal Agreements to reimburse the City for development and maintenance of the Metrolina Regional Travel Demand Model with the North Carolina Department of Transportation, South Carolina Department of Transportation, City of Rock Hill, City of Gastonia, City of Concord; Budget Ordinance 5173-X to appropriate \$443,240.94 in state and municipal funding.

The ordinance is recorded in full in Ordinance Book 58, at Page 373.

The resolution is recorded in Resolution Book 44 at Pages 578-579.

Item No. 30: Blue Heron Drive Sidewalk Improvements

Contract to lowest bidder, DOT Construction, Inc. in the amount of \$282,829.25 for Blue Heron Drive Sidewalk Improvements.

Summary of Bids

DOT Construction, Inc.	\$282,829.25
W.M. Warr & Son Inc.	\$295,108.00
Carolina Cajun Concrete, Inc.	\$313,197.50
Bullseye Construction, Inc.	\$325,722.10
Red Clay Industries, Inc.	\$373,125.50
Blythe Development Company	\$440,375.93

Item No. 31: Brentwood Place Storm Drainage Improvement Project

Contract to lowest bidder, Ferebee Corporation, in the amount of \$1,941,837.46 for the Brent Wood Place Storm Drainage Improvement Project-Phase I.

Summary of Bids

Ferebee Corporation	\$1,941,837.46
Zoladz Construction Co., Inc.	\$1,959,054.90

Sealand Contractors Corp.	\$1,983,589.58
Bullseye Construction, Inc.	\$1,994,722.95
Blythe Construction, Inc.	\$2,028,435.79
Monroe Roadways Contractors, Inc.	\$2,063,047.49
Blythe Development Co.	\$2,095,266.80

Item No. 32: City View Stream Restoration Project

Contract to lowest bidder, Onsite Development, LLC for the City View Restoration project in the amount of \$1,493,770.80.

Summary of Bids

Onsite Development, LLC	\$1,493,770.80
Blythe Development Co.	\$1,559,892.00
Eagle Wood, Inc.	\$1,936,794.18
Sealand Contractors Corp.	\$2,047,898.40
Blythe Construction, Inc.	\$2,537,505.48

Item No. 33: Park Road Pedestrian Crossing

Contract to lowest bidder, W.M. Warr & Son, Inc. in the amount of \$107,140 for the Park Road Pedestrian Crossing Project.

Summary of Bids

W.M. Warr & Son, Inc.	\$107,140.00
Armen Construction, LLC	\$119,363.20
Red Clay Industries, Inc.	\$129,203.80
Carolina Cajun Concrete, Inc.	\$138,033.50

Item No. 34: Tree Removal and Pruning Arborist Services

(A) Contracts for tree removal in the total amount up to \$1,724,000 over a two-year term to Heartwood Tree Service, Inc., \$334,000, E. Schneider Enterprises, \$334,000, The Davey Tree Expert Company, \$334,000, Cadieu Tree Experts, Inc., \$388,000 and Frady Tree Care, \$334,000 and (B) Contracts for tree pruning arborist in the total amount up to \$600,000 over a two-year terms to Heartwood Tree Service Inc., \$100,000, E. Schneider Enterprises, \$150,000, The Davey Tree Expert Company, \$150,000 and Arborguard Inc., \$200,000.

Item No. 35: Airport Shuttle Buses

Unit price contract to Hendrick Motors of Charlotte for providing Airport Executive Shuttle Buses for a one-year term.

Item No. 36: Airport Advertising Agreement

Agreement with Titan Outdoor, LLC for management of the Airport's on-property advertising program.

Item No. 37: Airport Concourses B and C Elevators

(A) Contract to lowest bidder, Edison Foard Construction Services, Inc. d/b/a Edison Foard, in the amount of \$1,065,000 for the construction of three elevators; Budget Ordinance 5174-X appropriating \$710,000 from the Airport Discretionary Fund to the Airport Capital Investment Fund and (C) Budget Ordinance 5174-X appropriating \$355,000 from a contribution from US Airways to the Aviation Capital Investment Plan Fund.

Summary of Bids

Edison Foard Construction Services, Inc. d/b/a Edison Foard	\$1,065,000
YTM Construction, LLC	\$1,949,500

The Ordinance is recorded in full in Ordinance Book 58, at Page 374.

Item No. 38: Airport Parking Design Services

Contract for \$399,235 for professional design services to Talbert, Bright & Ellington, Inc. for an expansion of long-term public parking at the Airport.

Item No. 39: Airport Grant Re-Appropriation

Budget Ordinance 5175-X appropriating \$30,009 of grant proceeds from the Aviation Capital Investment Plan to claim the full amount of a grant from the Federal Aviation Administration.

The ordinance is recorded in full in Ordinance Book 58, at Page 375.

Item No. 40: Airport Telecommunications Contract

Annual pricing of the Master Services Agreement with AT&T in the amount of \$137,935.88 for maintenance of the Airport's telecommunications system.

Item No. 41: Airport Deicing Trucks

(A) Approve a contract in the amount of \$2,992,536 with Global Ground Support, LLC for eight deicing trucks and (B) Budget ordinance 5176-X appropriating \$2,992,536 from the Airport Discretionary Fund to the Airport Capital Investment Plan.

The ordinance is recorded in full in Ordinance Book 58, at Page 376.

Item No. 42: LYNX Blue Line Extension - Utility Relocation Agreement with AT&T

Authorize the City Manager to negotiate and execute multiple amendments to the Utility Relocation Agreement with AT&T for the LYNX Blue Line Extension project for a total amount up to \$1.5 million.

Item No. 43: LYNX Blue Line Extension - Light Rail Vehicle Parts

(A) Approve contract amendment #1 with Siemens Industries to include an option to purchase spare parts, and (B) Authorize the City Manager to exercise the option to purchase Light Rail Vehicle Initial Inventory Parts through the City's contract with Siemens Industries in an amount up to \$2.4 million.

Item No. 44: Ticket Vending Machine System Upgrades

Contract with Affiliated Computer Services, Inc. for upgrades to the Ticket Vending Machine system software in the amount of \$117,609.

Item No. 46: Emergency Generators Emission Upgrades

(A) Approve the purchase of equipment and modifications as authorized by the sole source purchasing exemption G.S. 143-129 (e) (6); (B) Approve a contract with Carolina Tractor and Equipment Company for the purchase of equipment and modification of existing Utilities Caterpillar generators in the amount of \$897,128.24, and (C) Approve a contract with Cummins Atlantic, LLC for the purchase of equipment and modification of existing Utilities Cummins generators in the amount of \$716,211.

Item No. 47: Wastewater and Water Treatment Chemicals

(A) Award a low-bid, unit price contract for wastewater and water treatment chemicals, for a one-year term, to the following companies, Brenntag Mid-South, Inc., Lhoist North America of Virginia, Inc., Polytec, Inc., Premier Magnesia, LLC, Standard Purification and Water Guard; (B) Authorize the City Manager to renew the contracts for two additional, one-year terms, with possible price adjustments.

Item No. 48: Water and Sewer Connections

Contract to lowest bidder BRS, Inc. in the amount of \$144,098 for construction and installation of multiple commercial water and sanitary sewer service installations to serve the Circle Alexander Village apartment complex.

Summary of Bids

BRS, Inc.	\$144,098
R.H. Price	\$165,600
State Utility	\$168,590.00
Harco Development	\$213,290.50

Item No. 49: Crooked Creek Wastewater Pump Station, Force Main, and Gravity Sewer Pipe

Contract to lowest bidder R.H. Price in the amount of \$1,185,433.54 for construction of Crooked Creek Pump Station, Force Main, and Gravity Sewer Pipe and the abandonment of the existing Heathers Lift Station and an existing aerial sewer line.

Summary of Bids

R.H. Price	\$1,185,433.54
Buckeye Construction	\$1,277,692.94
State Utility Contractors	\$1,479,927.43

Item No. 50: HVAC Preventative Maintenance and Repair Services

Approve contracts, for a three-year term, to the following companies to provide HVAC services to various treatment plant facilities: Bowers Heating & Air, Inc., Brady Trane Services, Inc., Environmental Services of Charlotte, Honeywell and Redblue.

Item No. 51: Irwin Creek Wastewater Treatment Plant Boiler Replacement

Contract to lowest bidder to Quate Industrial Service, Inc. in the amount of \$908,509 for installation of two boilers at Irwin Creek Wastewater Treatment Plant.

Summary of Bids

Quate Industrial Service, Inc.	\$908,509
Crowder Construction Co.	\$947,700

Item No. 52: Analytical Laboratory Services

Approve a two-year contract for analytical laboratory services with Pace Analytical Services, Inc.

Item No. 53: Long Creek Storage Tank Project

Contract to lowest bidder State Utility Contractors in the amount of \$2,797,000 for construction of a new concrete tank at the Long Creek Lift Station.

Summary of Bids

State Utility	\$2,797,000
MB Kahn	\$3,125,541
Wharton Smith	\$3,132,000
Crowder Construction	\$3,195,758
Turner Murphy	\$3,272,778.22
Hickory Construction	\$3,324,500
Dellinger	\$3,383,947
Gilbert Engineering	\$3,463,320

Item No. 54: Mallard Creek Wastewater Treatment Plant Professional Design Services

Approve a contract with Brown and Caldwell, Inc. in the amount of \$209,525 for design and construction administration for the Mallard Creek Wastewater Treatment Plant Aeration Basin and Centrifuge Improvements project.

Item No. 55: North Cedar Street Sanitary Sewer Replacement

Contract to lowest bidder State Utility Contractors, Inc. in the amount of \$331,420.91 for construction of the North Cedar Street Sanitary Sewer Replacement Project.

Summary of Bids

State Utility Contractors	\$331,420.95
Monroe Roadways	\$386,389.26
RH Price	\$389,783.10
Dellinger	\$409,088.40
Sanders Utility	\$931,358.74

Item No. 56: Sugar Creek Wastewater Treatment Plant Tank Cleanup Project, Professional Services Contract

Approve the professional services contract with Hart and Hickman, PC in the amount of \$127,100 for design and bidding services for the Sugar Creek Tank Cleanup Project.

Item No. 57: Address Master Data Management Technology Solution

(A) Authorize the City Manager to approve a one-year contract with Information Builders, Inc. for the Address Master Data Management technology solution; (B) Authorize the City Manager to approve up to two renewal options for continuing software maintenance and support, with possible price adjustments as authorized by the contract, and contingent upon the company's satisfactory performance, and (C) Authorize the City Manager to approve additional purchases as authorized by the contract.

Item No. 58: Work and Asset Management Implementation Services

(A) Approve a contract with GHD, Inc. for work and asset management program implementation services in the not to exceed amount of \$710,000 to expand the usage of Azteca Cityworks for the Charlotte-Mecklenburg Utility Department; (B) Approve a contract with GHD, Inc. for work and asset management program implementation services in the not to exceed amount of \$550,000 to implement Azteca Cityworks for Solid Waste Services Department, and (C) Approve a contract with GHD, Inc. for work and asset management program implementation services in the not to exceed amount of \$500,000 to implement Azteca Cityworks for Transit Facilities Management.

Item No. 59: Fire Uniforms, Related Equipment and Services

(A) Approve a unit price contract extension with Best Uniforms for the term of one year for the purchase of fire uniforms, related equipment, and services, (B) Authorize the City Manager to extend the contract for one additional, one-year term with possible price adjustments; (C) Award a low-bid, unit price contract with Showfety's, Inc. for the provision of fire uniforms, related equipment, and services for a term of three years, and (D) Authorize the City Manager to extend the Showfety's, Inc. contract for two additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract.

Summary of Bids

Category I and III (Class A, regular uniform and clothing and shoes)

Showfety's, Inc.	\$2,235,882.91
Best Uniforms (CFD Only)	\$3,836,215.54
Best Uniforms (CCPA Pricing Only)	\$4,266,542.98

Category II (Job / Polo Shirts)

Municipal Emergency Services	\$2,627,929.90
Best Uniforms (CFD Only)	\$3,326,318.39
Best Uniforms (CCPA Pricing Only)	\$3,535,520.80

Item No. 60: Miscellaneous Fire Equipment

(A) Award low-bid, unit price contracts for providing miscellaneous fire equipment for a term of two years to the following: Municipal Emergency Services (for boots and hoses) and Newton's Fire and Safety (for helmets), and (B) Authorize the City Manager to extend the contracts for up to three additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract.

Summary of Bids

Category I: Helmets

Newton's Fire and Safety	\$55,949.20
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Category II: Hoses

Municipal Emergency Services (CFD Only)	\$571,288.50
Municipal Emergency Services (CCPA Only)	\$584,336.00
Newton's Fire and Safety	\$590,471.70
Dana's Safety and Supeopley	\$691,625.00

Category III: Firefighting Turnout Gear Boots

Haix North America (did not meet specifications)	\$19,900.00
Municipal Emergency Services (CFD Only)	\$28,396.00
Municipal Emergency Services (CCPA Only)	\$29,000.00

Item No. 61: New and Retread Tires, Related Products and Services

(A) Award the low-bid unit price contracts for providing various new tires and related products and services for a term of three years to The Goodyear Tire & Rubber Company, McCarthy Tire, Parrish Tire Company, Snider Fleet Solutions; Award the low-bid unit price contract for providing various retread tires and related products and services for a term of three years to Parrish Tire Company, and (B) Authorize the City Manager to extend the contracts for two additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract.

Item No. 62: General Obligation Refunding Bonds and Housing Bonds Issuance

(A) Adopt a Bond Order, a Resolution of findings and a Resolution of issuance to provide for the issuance of General Obligation Refunding Bonds in an amount not to exceed \$115 million to refund outstanding 2003 bonds, and (B) Adopt a Resolution of issuance to provide for the issuance of \$34,370,000 of Housing Bonds.

The resolutions are recorded in the Resolution Book 44 at Pages 580-597.

Item No. 63: Refund of Property and Business Privilege License Taxes

(A) Resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$7,060.17, and (B) Resolution authorizing the refund of business privilege license payments made in the amount of \$1,100.49.

The resolutions are recorded in the Resolution Book 44 at Pages 598-601.

Item No. 64: Legal Settlement

Approve a settlement in the condemnation case of City of Charlotte v. Robert C. Spivey, Jr., et al (12-CVS-4043) in the amount of \$193,347.38 in addition to the \$606,550 previously approved by the City Council.

Item No. 65: Resolution of Intent to Abandon Alan Street

(A) Resolution of intent to abandon Alan Street, and (B) Set a Public Hearing for August 26, 2013.

The resolution is recorded in the Resolution Book 44 at Pages 602-604.

Item No. 66: Resolution of Intent to Abandon a Residual Portion of Steelescrot Parkway

(A) Resolution of intent to abandon a residual portion of Steelescrot Parkway, and (B) Set a Public Hearing for August 26, 2013.

The resolution is recorded in the Resolution Book 44 at Pages 605-607.

Item No. 67: Resolution of Intent to Abandon a Residual Portion of Bermuda Road

(A) Resolution of intent to abandon a residual portion of Bermuda Road, and (B) Set a Public Hearing for August 26, 2013.

The resolution is recorded in the Resolution Book 44 at Pages 608-613.

Item No. 68: Sale of Land at Brookshire Boulevard and John McCarroll Avenue

Resolution approving the contract, in the amount of \$20,000, with Liganore Realty Holdings, LLC, for the sale of a .31 acre parcel at the corner of Brookshire Boulevard and John McCarroll Avenue (Tax Parcel I.D. Number 039-036-01).

The resolution is recorded in the Resolution Book 44 at Pages 614-615.

Item No. 69: In Rem Remedy

Item No. 69-A: 3922 A&B Pine Street aka Davis Lane

Ordinance No. 5177-X authorizing the use of In Rem Remedy to demolish and remove the structure at 3922 A&B Pine Street aka Davis Lane (Neighborhood Profile Area 237).

The ordinance is recorded in full in Ordinance Book 58, at Page 377.

Item No. 69-B: 1135 Jensen Street

Ordinance No. 5178-X authorizing the use of In Rem Remedy to demolish and remove the structure at 1135 Jensen Street (Neighborhood Profile Area 10).

The ordinance is recorded in full in Ordinance Book 58, at Page 378.

Item No. 69-D: 2028 Saint Mark Street

Ordinance No. 5180-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2028 Saint Mark Street (Neighborhood Profile Area 374).

The ordinance is recorded in full in Ordinance Book 58, at Page 380.

Item No. 70: Property Transactions

Item No. 70-A: Pineville-Matthews Road

Acquisition 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., for \$19,497 for 8" Sanitary Sewer to serve 720 Marion Drive, Parcel #1.

Item No. 70-B: 737 Plantation Estates Drive

Acquisition of 2,939 square feet in sanitary sewer easement, plus 6,247 square feet in temporary construction easement at 737 Plantation Estates Drive from Acts Retirement-Life Communities, Inc., for \$12,559 for 8" Sanitary Sewer to Serve 720 Marion Drive, Parcel #2.

Item No. 70-C: 5748 North Tryon Street

Acquisition of 610 square feet in fee simple, plus 7,185 square feet in easement within existing right-of-way by maintenance, plus 2,234 square feet in temporary construction easement, plus 3,247 square feet in utility easement at 5748 North Tryon Street from Storage Trust Properties, L.P. for \$13,420 for Blue Line Extension, Parcel #2119.

Item No. 70-D: 5900 North Tryon Street

Acquisition of 2,081 square feet in fee simple, plus 176 square feet in sidewalk and utility easement, plus 9,889 square feet in temporary construction easement, plus 39 square feet in utility easement at 5900 North Tryon Street from iStar Bowling Centers II LP for \$40,050 for Blue Line Extension, Parcel #2127.

Item No. 70-E: 6538 North Tryon Street

Acquisition of 3,124 square feet in temporary construction easement at 6538 North Tryon Street from Kevin Parris Carter and David E. Carter for \$10,275 for Blue Line Extension, Parcel #2207.

Item No. 70-F: 6643 North Tryon Street

Acquisition of 7,691 square feet in fee simple, plus 2,578 square feet in temporary construction easement, plus 774 square feet in utility easement at 6643 North Tryon Street from Maria Bania Balatsias, Trustee under Family Trust of Dionysios Balatsias dated February 19, 1996 for \$158,525 for Blue Line Extension, Parcel #2211.

Item No. 70-G: 6801 North Tryon Street

Acquisition of 1,898 square feet in fee simple plus 3,720 square feet in temporary construction easement, plus 1,018 square feet in utility easement at 6801 North Tryon Street from Marsha C. Cole, Trustee of the Patricia B. Davis Irrevocable Trust Agreement dated April 10, 2006 for \$16,425 for Blue Line Extension, Parcel #2227.

Item No. 70-H: 6820 North Tryon Street

Acquisition of 1,266 square feet in fee simple, plus 2,554 square feet in temporary construction easement, plus 5,473 square feet in utility easement at 6820 North Tryon Street from XGC LLC for \$360,000 for Blue Line Extension, Parcel #2235.

Item No. 70-I: 1243 West Boulevard

Acquisition of 13,378 square feet in storm drainage easement, plus 2 square feet in sanitary sewer easement, plus 28,858 square feet in temporary construction easement, plus 2,798 square feet in utility easement at 1243 West Boulevard from Trustees of Greater Mt. Sinai Baptist Church for \$30,000 for Brentwood Place, Parcel #148.

Item No. 70-J: 1111 Bolling Road

Acquisition of 2,533 square feet in storm drainage easement, plus 57 square feet in sanitary sewer easement, plus 964 square feet in temporary construction easement, plus 44 square feet in sanitary sewer easement and storm drainage easement at 1111 Bolling Road from Larry L. Martin, Jr. and wife, Jill Best Martin for \$154,890 for Cherokee/Scotland Storm Drainage Improvement Project, Parcel #29.

Item No. 70-K: 1438 Landis Avenue

Acquisition of 15,950 square feet in fee simple (total take) at 1438 Landis Avenue from Michael H. Lemmond and wife, Brenda P. Lemmond for \$325,000 for Lyon Court Storm Drainage, Parcel #5.

Item No. 70-L: 3214 Cullman Avenue

Resolution of condemnation of 5,203 square feet in railroad easement at 3214 Cullman Avenue from Carolina Foods, Inc. and any other parties of interest for \$1,950 for Blue Line Extension, Parcel #249.

The resolution is recorded in Resolution Book 44 at Page 616.

Item No. 70-N: 5926 North Tryon Street

Resolution of condemnation of 2,098 square feet in temporary construction easement, plus 20 square feet in utility easement at 5926 Tryon Street from Moore Beatty Investments, LLC and any other parties of interest for \$3,200 for Blue Line Extension, Parcel #2139.

The resolution is recorded in Resolution Book 44 at Page 617.

Item No. 70-O: 6624 North Tryon Street

Resolution of condemnation of 3,742 square feet in temporary construction easement at 6624 North Tryon Street from 6624 North Tryon, LLC and any other parties of interest for \$6,050 for Blue Line Extension, Parcel #2213.

The resolution is recorded in Resolution Book 44 at Page 618.

Item No. 70-P: 6701 and 6523 North Tryon Street

Resolution of condemnation of 12,061 square feet in fee simple, plus 322 square feet in sanitary sewer easement, plus 9,675 square feet in temporary construction easement, plus 1,284 square feet in utility easement, plus 289 square feet in combined sanitary sewer and utility easement at 6701 and 6523 North Tryon Street from Devita Investments, Inc. and any other parties of interest for \$99,682 for Blue Line Extension, Parcel #2217 and #2221.

The resolution is recorded in Resolution Book 44 at Page 619.

Item No. 70-Q: 6736 North Tryon Street

Resolution of condemnation 3,488 square feet in fee simple, plus 866 square feet in storm drainage easement, plus 16,540 square feet in temporary construction easement at 6736 North Tryon Street from JSK Investments Company, LLC and any other parties of interest for \$31,600 for Blue Line Extension, Parcel #2223.

The resolution is recorded in Resolution Book 44 at Page 620.

Item No. 70-R: 7140 North Tryon Street

Resolution of condemnation of 1,076 square feet in fee simple, plus 11,055 square feet in temporary construction easement, plus 52 square feet in utility easement at 7140 North Tryon Street from Berkley Company, et al and any other parties of interest for \$15,025 for Blue Line Extension, Parcel #2237 and #2238.

The resolution is recorded in Resolution Book 44 at Page 621.

Item No. 70-S: 103 Stetson Drive

Resolution on condemnation of 1,875 square feet in fee simple, plus 3,409 square feet in temporary construction easement, plus 4,356 square feet in utility easement at 103 Stetson Drive from James Huston Davis, Jr. and any other parties of interest for \$70,425 for Blue Line Extension, Parcel #2241.

The resolution is recorded in Resolution Book 44 at Page 622.

Item No. 70-T: 7305 North Tryon Street

Resolution of condemnation of 1,159 square feet in fee simple, plus 4,791 square feet in Street from Alfred Mark Green and Mary Ann S. Green and any other parties of interest for \$28,800 for Blue Line Extension, Parcel #2242.

The resolution is recorded in Resolution Book 44 at Page 623.

Item No. 70-U: 127 Stetson Drive

Resolution of condemnation of 605 square feet in utility easement at 127 Stetson Drive from Pappsons, LLC and any other parties of interest for \$675 for Blue Line Extension, Parcel #2243.

The resolution is recorded in Resolution Book 44 at Page 624.

Item No. 70-V. 4926: Gaynor Road

Resolution of condemnation of 3,891 square feet in storm drainage easement, plus 4,565 square feet in temporary construction easement at 4926 Gaynor Road from David B. Catron and any other parties of interest for \$37,775 for Gaynor Storm Drainage Improvement Project, Parcel #38.

The resolution is recorded in Resolution Book 44 at Page 625.

Item No. 70-W: 3813 Colebrook Road

Resolution of condemnation of 973 square feet in temporary construction easement at 3813 Colebrook Road from Minnie L. Withers and any other parties of interest for \$575 for Hope Valley/ Oak Forest Neighborhood Improvement Project, Parcel #2.

The resolution is recorded in Resolution Book 44 at Page 626.

Item No. 70-X: 6309 Idlebrook Drive

Resolution of condemnation of 938 square feet in sanitary sewer easement, plus 1,501 square feet in temporary construction easement at 6309 Idlebrook Drive from Charity M. Brimley and Tyler Ezell Eaddy and any other parties of interest for \$1,750 for Idlebrook Sanitary Sewer Replacement, Parcel #9.

The resolution is recorded in Resolution Book 44 at Page 627

Item No. 70-Y: Franklin Street

Resolution of condemnation of 78,894 square feet in sanitary sewer easement at Franklin Street, from John Stephen Miller, Jr. and Mary Carter G. Miller; Rebecca Miller Mahon and Bernard Mahon; Kenneth R. Downs, Jr.; Robert Lanier and any other parties of interest for \$15,500 for Steele Creek Pump Station Replacement Final, Parcel #20 and #29.

The resolution is recorded in full in Resolution Book 44, at Page 628.

Item No. 71: Meeting Minutes

Titles, motions and votes reflected in the Clerk's record as the Minutes of the March 4, 2014, Workshop; March 25, 2013, Business Meeting; April 1, 2013, Workshop; April 8, 2013, Business Meeting; April 15, 2013 Zoning Meeting; May 6, 2013, Workshop; May 29, 2013, Budget Straw Votes.

ITEM NO 14: CONCLUSION OF THE CONSENT AGENDA

ITEM NO. 45: UTILITY DRY STORAGE FACILITY

Ronald McLaughlin, 617 Westbury Road, 28211, President of Huskey Construction Corporation said good evening Council, thank you for your time and attention. I prepared, estimated our bid, I prepared our bid knowing the project had a SBE goal of 8% and estimated the bid thinking that we would meet the goal by us self-performing the demo and footings and perform as the general contract for the project.

I was not aware at the time of the bid that a MWSBE Company bidding is a prime did not qualify as meeting the goal. I prepared our bid in the way to be most competitive and lowest cost to perform the duties we do for ourselves. I received one steel quote, no roofing quote and priced all the other items by using our sparse skills and equipment. Post bid, I was informed that a MWSBE prime contractor cannot count their participation on a goal. Also, the City requested Form 2, Form 4 and Form 5. I returned Forms 2 and 5 filled out with the information about the solicitation, which were basically none because I thought we would meet the goal ahead of us. I also turned in Form 4, as requested, for roofing, which I did not have at the time of the bid with a MWSBE. It was three hours before the time I purely estimated the roofing through the means catalog and some working knowledge of labor and materials for performing the work. This is how I built the job on paper.

I feel confident that I have disadvantaged the second bidder on this project. I feel that both bids were built using the most competitive way to build the project and still meet participation. I feel that when a bidder exceeds the goal by as much as three times the required that they're meeting the goal did not disadvantage them to making their lowest bid. The differences in our bids, basically, Huskey and D.E. Brown's bid, is that we intended to self-perform more work and maybe they intended to subcontract more work. I believe that in the spirit of this program that it's useful to get participation and get useful participation, not just subcontracts.

Chris Layton, 2701 Colsgate Road, 28211, representing Huskey Construction, said I represent Huskey Construction in this matter and we've been through a number of appeal sessions with the City. We're requesting the granting of a minor non-compliance waiver within the City's SBO policy under section 6.3. So I wanted to try to cover the elements of a minor non-compliance waiver and try to shed a little light on this for you all as well. The first is that non-compliance must be minor in nature. As Mr. McLaughlin indicated, he listed himself as self-performing based on a reasonable interpretation of the policy language in Section 2.3. I believe that policy language is clear that a prime bidder who is self-performing still must meet the SBE requirement if one exists for a project. It's unclear as to whether if that prime bidder is also a SBE, would their self-performance count towards meeting that SBE requirement and that was his reasonable belief.

Additionally, the bidding process is a two part process, the submission of Form 3 followed by the submission of Form 4 and/or form 5 and Form 3 at some point merely becomes an indication of the intention to use particular SBEs, but Form 4 is really where the rubber meets the road. The second element is that the non-compliance must not put other bidders at a competitive disadvantage and Huskey just spoke to that a moment ago.

The way the policy is written currently is that it allows a bidder to overpromise SBE participation on Form 3, yet when they submit their Form 4s, they can actually come down on that SBE participation, so long as they, in this case, meet the 8% requirement. What it does not allow as written is for a contractor like Huskey to under promise SBE participation, whether by

mistake or otherwise, and then during, after the opening of the bids and prior to submission of Form 4, climb up that ladder toward the goal. Third, bidders are tied with their same bid amount from the second part of the process; both are them are engaging in the same process, which is trying to secure Form 4. Lastly, the non-compliance must not be lack of diligence on the bidder's part. This section actually gives an example that violation of a program provision on two or more bids by the same bidder might constitute a lack of diligence, we definitely have a program violation here, according to our discussions with the City. Again, our belief is this was based on a reasonable reading of Section 2.3. And I think equally, importantly, it was based on the belief that an SBE which Huskey is, whose participation would count at the sub-contracting level, would also count if that same SBE happened to be the bidder, which Huskey happened to be in this instance. So, we are once again asking for the granting of a minor non-compliance waiver we think we'll be in the line with the spirit of the program for participation.

Brad Richardson, Economic Development Manager said I was part of the appeal process for this. My department helps oversees the Small Business Opportunity program and the Charlotte Business [indiscernible]. We don't dispute that the bidder, Mr. McLaughlin acted without knowledge; we think he made a mistake and I think we admit it wasn't in dispute. We were asking in the appeal process to understand whether it was minor in nature, whether it put the other bidder, the second lowest bidder, at a competitive disadvantage. We found through the appeal process that, in fact, the policy has been in existence for 10 years, it has not changed. Mr. McLaughlin has been a bidder with the City for 14 years or so. We feel it was not minor in nature due to the fact that he did not meet the SBE goal, nor did he fulfill good faith effort requirements. At the time that the bids were open, the bid numbers became public. We feel that put the second low bidder in a position of competitive disadvantage which is a criterion for granting it, a minor non-compliance.

Councilmember Mitchell said just a follow up, did I hear you correctly that Huskey did not meet good faith efforts nor the goal?

Mr. Richardson said they did not meet the goal nor good faith efforts. I think as Mr. McLaughlin said, they did not seek good faith efforts because they thought they would be able to qualify for the goal themselves.

Mr. Mitchell said and he's been bidding on the City work for 14 years?

Mr. Richardson said I believe my records show 14 years or so.

Councilmember Barnes said just for clarity sake, I would want to point out that this item was actually reviewed by the SBO Manager, the Economic Development Manager and the Deputy City Manager, so there were three levels of review, three levels of appeal, I suppose you'd say to arrive at this recommendation.

Motion was made by Councilmember Barnes, seconded by Councilmember Mitchell and carried unanimously to (A) reject the low-bid contract of \$225,500 from Husky Construction Corporation for failure to comply with the Small Business Opportunity Program requirements, and (B) award a contract to the second lowest, responsive bidder D.E. Brown Construction, Inc. in the amount of \$247,672.70 for the Charlotte-Mecklenburg Utility Department Dry Storage Facility.

ITEM NO. 69-C: 9209 RAINTREE LANE

Hermes Goudes, 4100 Woodfox Drive, 28277, President of Raintree Homeowners Association, said 9209 Raintree Lane is part of Raintree Home Owners Association and I'm the President of that association. However it effects well over 2000 residents in about eleven HOAs. The condition of this home is quite dilapidated. I can only speak for my home owners association saying that we have exhausted pretty much every effort with prior owners as well as the bank owner, actually it's a stalled foreclosure which occurred I believe starting in 2007, 2009. I just want to thank the Council and Code Enforcement staff for giving this particular issue a lot of attention because it is affecting so many people and encourage you to support the action and regarding staff recommendations.

Bruce Hensley, 9324 Percy Court, 28277, President of the Holly Hill Farm Home Owners Association, said I'm going to get more specific. We are here tonight for a simple reason, we are woefully stuck and we need your help please. We've endured this disgraceful abandoned house at 9209 Raintree Lane, a main Charlotte thoroughfare that directly connects and effects eleven different home owners association for over four years. It has been boarded up for over two years, despite the city's Boarded Home Ordinance. Raintree Lane is traveled by thousands of people every day. Drivers use it to enter Raintree, seven Raintree and four other neighborhoods. This road is also used by thousands of cars to access Charlotte Latin School, Mecklenburg Aquatic Center, Raintree Country Club and it's a cut through between Highway 51, Providence Road and Ballantyne Commons Parkway. Short term rentals have sprung up around this house; maintenance conditions on the adjacent homes have deteriorated. And a homeowner who lives across the street from the boarded house, who always maintained her home beautifully, tried to sell her house for years and walked away 2 months ago. Before leaving she said, it's hopeless.

Before we came to you, we made numerous efforts to contact the home owner and the bank that holds the deed of trust on this property to bring the house up to standards of City Code. The home owner has never responded. The bank communicated with us for months telling us they regretted the situation and were going to help see this through to satisfactory conclusion. They later broke off communications, no longer responding to our calls or emails. We've written to everyone from the bank chairman to the Mayor, your predecessor. We delivered over 250 signed petitions to the Code Enforcement office requesting the demolition of this house. We've been engaged with the various complaint processes of Neighborhood and Business Services for years and have filed scores of complaints.

It isn't just the appearance of this house that is staining our neighborhoods, there a history of forced entries at this house; police have been summoned there at least half a dozen times. There have been two arrests adjacent to the property in the last two years. Nothing like this went on in this area before this house was abandoned. There's a partially covered in-ground pool in the rear yard of this house. It is infested with mosquitos and the pool has intermittently smelled of rotting animals. If someone falls in, it will be difficult to get out. A termite infestation in this house has been noted by a home inspector. The condition of the house is such that it is beyond repair. Nobody wants it, nobody is claiming it, yet it continues to negatively impact our neighborhoods in so many ways. Finally, due to the efforts of the staff of Neighborhood and Business Services Code Enforcement, we are before Council and we humbly ask you to take proper action and help us in this matter and demolish this house. Thank you.

John Galles, 9221 Holly Hill Farm Road, 28277, said I'm also a resident of the Holly Hill Farm Association. We are awfully proud of the comments presenting by the president of our association and I will simply echo that and urge your support for demolition of the house at 9209 Raintree Lane.

Councilmember Cooksey said this indeed has been a long time coming; many thanks to Code Enforcement staff for going through all and also to the residents of the area for going through more than anyone should have to go through.

Motion was made by Councilmember Cooksey and seconded by Councilmember Barnes to approve Ordinance No. 5179-X authorizing the use of In Rem Remedy to demolish and remove the structure at 9209 Raintree Lane (Neighborhood Profile Area 29).

Councilmember Howard said just a real quick question to staff. What happens with, do we actually demo the pool as well? Do you dig that out and do you fill it in? What happens when we demo a residence with a pool?

Ben Krise, Code Enforcement Manager, said we will engage in grading and demolition of that pool to make sure that there is no standing water , that's one of the standards that's part of the demolition process. We'll address that as well.

Mr. Howard said just be clear, you are going to take all the concrete out and put dirt back in it and level it out.

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Mr. Krise said some of it might be used as fill if permissible. The demolition contractor will go through that process. It depends on what the composition of that pool is. Some of them are fiberglass, some of the older ones are made of plywood walls. But, we want to use the proper materials for any type of fill purposes. We will grade the entire lot.

Mr. Howard said once last question. What happens to the lot? So, the bank is not taking care of the lot and house obviously, so who takes care of mowing the yard and all that stuff. Do we attempt to get the bank that owns it to do that?

Mr. Krise said we will continue to work with the management company. We have been engaged with them partially by keeping the property secure but they never would step in and make any of the repairs or demolish the structure itself. But we'll continue through that process and eventually that would escalate. Hopefully, in this instance, we will have increased the value of the property and will potentially have this marketed and there will be an investor that will come into the area.

Mr. Howard said and the reason why I ask Mayor and Council is because I don't want these good folks to have to come back because now we level it, but now it's an overgrown yard because it's vacant, which we know become prime spots for people to dump. So, I just want to make sure that we are seeing this one all the way through and not just...

Mr. Krise said we will continue to monitor the area proactively.

Mr. Howard said alright, thank you.

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

The ordinance is recorded in full in Ordinance Book 58, at Page 379.

ITEM NO. 69-E: 4318 TANTILLA CIRCLE

Motion was made by Councilmember Howard, seconded by Councilmember Barnes and carried unanimously to approve Ordinance No. 5181-X authorizing the use of In Rem Remedy to demolish and remove the structure at 4318 Tantilla Circle (Neighborhood Profile Area 374).
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The ordinance is recorded in full in Ordinance Book 58, at Page 381.

ZONING

ITEM NO. 8: PETITION 2013-047

ORDINANCE No. 5167-Z AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 26.68 ACRES LOCATED ON THE WEST SIDE OF INTERSTATE 77 NORTH OF THE INTERSECTION OF REAMES ROAD AND LAKEVIEW ROAD FROM MX-1 (MIXED USE) TO UR-2 (URBAN RESIDENTIAL, CONDITIONAL).

Mayor Kinsey said this was deferred from last week. The action is to render a decision on a proposed rezoning 2013-047 by Brookline Residential LLC MX-1 (Mixed Use) to UR-2 (Urban Residential, Conditional).

Councilmember Mitchell said last week you all allowed me the opportunity to defer this item. The whole goal was for me to continue to work with the developer for the residents just to make sure that there could be some type of compromise to continue to make the residents happy in the development. I tell you this has been a difficult decision for me because most of you have received emails from the Brookline residents who are very passionate about their neighborhood

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and if you've had the opportunity to go there you can see it's a nice single family neighborhood on Reames Road and Lakeview. I want to tell you that the residents also believe they purchased their dream. They could have lived in any parts of Charlotte but they wanted to live there because they believed they would stay in a single family neighborhood. Some of the residents are here today; if you are a resident of Brookline community please stand up so you can be recognized. There was an article in the paper that called this a zombie division and I think it was an embarrassment to the residents for none of us who live in a community we don't consider our community to be a zombie division. I've tried to work with the developer to the best of my ability to address three key issues. Please allow me to walk through these issues.

Number one, the citizens clearly did not want this development to take place. They bought into a single family community with 60 family homes. Number two, they have issues with safety and the cut through traffic this would have on a single family home. Number three, they have a gated community right now and the gate is not operating to standards. And number four, they challenged me to say this is inconsistent with the Northlake Area Plan, why would staff approve this particular development. So on a couple of those issues, I have reached out to the developer and tried to get some answers. At this time, if you all allow me to have Anthony Fox to come up to the podium. There are some modifications that are a committed part of the site plan, and then after that I would like to have Shad Spencer to address some of the inconsistency with the Northlake Area Plan.

Anthony Fox, Parker, Poe Adams & Bernstein, LLP, said this developer is committed to rescue of this neighborhood that has been a troubled neighborhood. The issues that were raised and that this developer has addressed really are three issues that have been raised.

One, was I think, Mr. Cannon, you raised an issue about the pool and access to the pool. And there was a commitment by the developer to allow access to the current residents in Brookline to have access to the pool at a \$600 annual fee. The developer has revisited that issue and decided that in light of the issues to allow the residents to have complete access with the pool without any fee component. The other issue was related to the gate in the community. Many of you may know that there is one existing gate that allows access to that neighborhood off of Lakeview. That gate currently is inoperable; it's been inoperable for some time. This developer has sought bids and will move forward as quickly possible, within the week, to engage a contractor to work towards getting that gate fully operational and functioning. The one thing and the commitment will be to do that within hopefully a couple weeks but no more than thirty days with the only caveat being whether or not that custom gate will require a specific order of parts and we don't know that until the contractor will get in there. But we are certainly committing to do that. Then last issue that we heard was the issue of connectivity to the apartment community and the single family community. After the meeting that we had last week, I approached the property owner about reaching out trying to figure out if there is some way to work through and get consensus and the main issue that I heard was the connectivity of the apartment community to the single family community. I then approached Mr. Shad Spencer, with regards to is there, does your ordinance, does your land use ordinance allow for the non-connectivity of the new development. And he said no, and that was my recollection as well which I communicated to the property owner; and the property owner indicated to me that that's not a workable solution then he could not support the rezoning. But we have nonetheless committed to work to ameliorate some of the conditions with regard to connectivity. What we are proposing is to install speed humps in the single family community. The speed humps would be, I think, Cushing Drive, another, Aspinwall Drive and Kennard Drive and we would commit to install speed humps on those streets prior to the issuance of the first certificate of occupancy for the apartment building community.

Shad Spencer, Planning Coordinator, Charlotte-Mecklenburg Planning Department said I'm here to speak about the Northlake Area Plan and the recommendation of that plan. It was adopted in 2008 and at the time the recommended residential uses up to base density of five dwelling units per acre and this density is consistent with the rezoning that was done back in 2006. So, it just reflects that zoning of that previous rezoning in 2006. The density that's proposed by this rezoning is about 12 dwelling units per acre which is consistent with multi-family developments that abut this site to the north. So the way the layout of this site plan is, it transitions from three story buildings along the north, which shares a property line with the multi-family, and then transitions as it goes south to open space and tree saves and two story

buildings that are designed with the residential design characteristics that would be closer to the where the partially developed single family neighborhood is.

Mr. Mitchell said just as a follow up, Shad, because the residents clearly were passionate about no connectivity from the single family to the apartment complex. Can you share what you shared with me about this subdivision ordinance that connectivity is kind of a requirements, because, you know I think there's a lot that we need to share with our citizens, so they would know some of our policies that we currently have in place; can you talk about the connectivity?

Mr. Spencer said the subdivision ordinance has provisions in there that require certain connectivity between adjacent parcels and its more arithmetic. You take the dimension of the side property line divided by the preferred block spacing and that tells you how many blocks you are required to have. And with this one, they would be required to have one, one connection. The plan right now, the way the previous rezoning was approved, it already has a street network of three streets connecting and they just used that layout.

Councilmember Barnes said we've all gotten, I believe, a slew of emails from the community as well. It seems to me that out of sense of fairness we should let them respond. I have a specific question regarding a statement in one of the emails about them having not really accomplished anything since last Monday. And I would like someone, Mr. Lison, someone from the neighborhood to speak to what has or has not changed from their perspective. During the public hearing, I had said that my sympathies were with the neighborhood because if I had bought a custom or semi-custom home in a neighborhood and found out a couple years later that there would be some 324 apartments that would concern me greatly. So I would like to hear from the neighborhood.

Jeff Lison, 5238 Irving Drive in Brookline said very little has changed. Last Monday, the game plan and the whole idea behind the deferral happening, was so we could get together with the builders and discuss and come to an agreement based on everything that was kind of taken into account and that meeting never took place. So the discussions that had trans-pended there were discussions that were strictly between the Councilmembers and the investors and their attorney. Those did not have anything to do with us. The concerns that we had had nothing to do with slowing the traffic going through the community, it was about eliminating the traffic altogether. This proposal is going double the density of homes on the eastside of the property. So the whole idea is that we didn't want that density doubled. A car traveling fifteen miles an hour can kill someone, so can a car going thirty miles per hour, slowing the traffic isn't the issue, eliminating it is.

Mr. Barnes said let me ask you this, one of the things we heard from the petitioner from the beginning was that neighborhood has failed essentially from the single family perspective and this is a way to restore the neighborhood. I think you all understood that, but what I'd like you to speak to briefly is how you would imagine moving Brookline forward without the apartments.

Mr. Lison said Brookline was intended to be 200 and so odd single family homes. The builders have not explored that as an option to go single family their approach from the get go has been to move into, transitioning this neighborhood into partially single family, which is the portion which is partially I guess undeveloped if you will, but cleared out, and there paired with apartment complex on the side. Their game plan was never to go and put single family in there.

I've looked at the homes that just sold there; the homes went, they were foreclosed homes, those homes went up for sale and within about a two times month time span, all five of them sold. The last house to sell was the least expensive house in that community. So that tells me that the community is poised for good quality homes at the \$200,000-\$225,000, that range. There is really no need to step in and put an apartment complex in there. That's why we were being reasonable when we said if you feel that the apartment complex is the only way for you to satisfy your plans we were willing to compromise with them. But at this point what we want is complete separation or no apartment complex whatsoever. But we don't want connectivity.

Councilmember Pickering said question sir, and thank the neighbors for coming. This is difficult, I find, an extremely difficult case. But let me ask you this one question, if this petition is not approved tonight, it's conceivable that vacant land there near your homes could remain vacant for quite a while, no guarantees, are you concerned about that? Would vacant land near your homes be, could possibly impact your property values?

Mr. Lison said no, we are not at all concerned about it. We feel like we would rather have the vacant lot rather than sharing the area. The land is not repulsive by any means. I know there was that comment about the zombie community or things like that, but anybody that took a drive through there, would know that, I mean, that was an area we all sought out as a nice area to live. It's the beginning of something special; it's not something that failed.

Councilmember Cannon said had an opportunity to meet with the petitioner and his representative and I too, was under the impression that what would happen, based on a deferral, would be a situation where the community would have an opportunity to be able to engage with the petitioner. In my meeting with the petitioner and their representative was the things that I had called into question, which the pool wasn't one, it was really about the buffer. There were some other items that was a concern to me, design. In looking at it, it was much better, it was much improved; as I said to the developer, and the person representing him, I said that I thought it was a good move. The design I though was really on point. What I did not expect was that the community would not have been engaged in knowing what I had found out. So it puts me in a bad situation, to some extent, because I can appreciate the changes and the concerns that I had raised and how they were addressed. But to not have the community to be able to sort of sign off on those, they're in the blind right now. I think it works for our community, our City, for people to work together, rather than apart. Rather than see this Madam Mayor and members of Council be forced to a vote up or down, I'd prefer, I'll need some response back from the petitioner though, but I'd prefer that we defer the item to at least give the community time to engage with the petitioner or vice versa, to have that level of conversation. If that cannot work I'd like to know from the petitioner at this stage and/or his representative to make us aware of that because I do understand that sometimes there can be constraints that will not allow for items to be deferred for numerous amounts of reasons. So if I can get Mr. Fox or the developer to come and to make us aware if they'd be open to that.

Mayor Kinsey said that would be fine. I would remind us that our next meeting is towards the end of August, I cannot remember the exact date but that would be our next meeting.

Mr. Cannon said and to your point that is why I want to know from them how much does giving, I mean allotting some more time for them to be able to have that conversation with the community then not. Mr. Fox?

Mr. Fox said thank you for the opportunity to address the issue. My client has heeded to requests for changes and deferrals from staff. We heeded to a request for deferral from the last meeting. After your last meeting, I stood right here and approached Mr. Lison about trying to find common ground. I asked what the issues were. He mentioned the connectivity. He said it here tonight; he does not want it connected. Your ordinance requires connectivity. To meet, with regard to that issue, cannot accomplish anything because he stated what his opposition was and I mentioned to him, 'well if that's your issue, what would you like'? He said, 'well, if it's got to be connected, I don't want the rezoning'.

Mr. Cannon said okay, well, pardon me, but my question is, with regard to something else, I hear that and where he may have been but with the changes that you've already made, those were good, but the community hadn't been privy to it, so my question, should they still not be privy to that information? Just to have a better understanding of what's to come to the community so they can say in good conscience, you know what, this is a good request, we can support this petition, rather than to have you split at this juncture.

Mr. Fox said your process requires a Zoning Committee meeting. At the Zoning Committee meeting, the community was there. The presentation that we presented to you was presented at the Zoning Committee meeting which is a public meeting. That committee meeting generally does not allow for public input. They allowed Mr. Lison and other members of the community to be there. At that meeting the elevations were disclosed about the carriage houses. The issue of the increased buffer was disclosed. The issue of the pool was disclosed. The community was fully aware of the changes that were presented as part of this rezoning request.

Mr. Cannon said you and I would both agree that often, and not very often, but sometimes one meeting doesn't always get it done, sometimes it takes another meeting. All I'm asking, is if that is inappropriate to make an ask, just for an ability to come together to talk once again about it, then say so to me and I can better make a judgment call on this.

Mr. Fox said I understand Mayor Pro-tem and you are like me. I like to find common ground and that was why I questioned Mr. Lison. I like to find common ground. I like to sit across the table and work with people. This unfortunately, unfortunately, is not that situation.

Mr. Cannon said okay, thank you, I appreciate it.

Councilmember Fallon said I have a question for you. From my understanding, that land will not stay empty. There will be housing put there, much less housing than what your houses cost. Are you willing for that, to have vinyl village there?

Mr. Lison said yes, we would prefer single family homes over the apartment complex concept.

Ms. Fallon said even though they are much, much less cost than yours are?

Mr. Lison said yes, they would still bring in, the community will still have a better feel if we had single family home ownership; we have people that taking pride in ownership of the community. We would much prefer, now there are restrictions in place that protect our portion of it already, so there will be some standards already in place as far the homes that will go up there anyways. And really it comes down to the other portion of it that those rules may be able to get bent anyways; we're perfectly okay with that.

Ms. Fallon said the rules can't get bent. Planning is planning.

Mr. Lison said as far as, I know Brookline has a CCR document that covers that particular area. But supposedly since only that one portion has been completed and the other portion still remains unfinished, that there may be some flexibility on the other portion. The partially developed portion, from our understanding, based on the conversations we've had, is going to be bound to those.

Ms. Fallon said I've been there and you are surrounded by multi-family apartments. Are you aware that there are now 400 more multi-family housing going up there?

Mr. Lison said I'm sorry, can you repeat this?

Ms. Fallon said are you aware there are 400 more units of housing, multi-family housing, going in that neighborhood?

Mr. Lison said I think that that strengthens our argument against this, because there already is plenty of apartment homes in that are at this point, what it's lacking is single family.

Mayor Kinsey said what is the pleasure of the Council?

Mr. Mitchell said everyone around this table, I think, has a little problem with this, because we feel like if we vote for this is our way of saying 'no' to the residents and that makes us feel all uncomfortable because Councilman Barnes said you made an investment when you purchased your home, you're purchasing a family. I think we have to make this issue, a vote, based on land use and what's the best land use for this particular zoning. So I hate to do it, I'm the current district rep, you might run a petition against me, but I'm going to make a motion to move forward and approve rezoning 2013-047 and I got look at the citizen in Brookline and say I'm sorry I let you down but I believe this is the best land use for this particular area.

Motion made by Councilman Mitchell and seconded by Councilmember Howard to approve the Statement of Consistency and Petition No. 2013-047, as modified, and as recommended by the Zoning Committee.

Substitute motion made by Councilman Cannon and seconded by Councilmember Pickering to defer Item No. 8, to approve the Statement of Consistency and Petition No. 2013-047, as modified, and as recommended by the Zoning Committee to the August 26, 2013 City Council Business Meeting.

Mr. Cannon said largely in part, again, to find a way for the, I'll call it an olive branch, find a way for there to be some level of common ground potentially met between including the

residents and the developer because I've seen the product, I like the product, I think the community should see the product as well as be privy to that, I don't know that anything is wrong with it. I understand the land use argument, I get that Councilman Mitchell, but I think there's something to be said about community engagement.

Councilmember Mayfield said just for clarification sake on the substitution, I'm trying to understand how this additional time would be any different with the fact that today we're voting because we postponed it for the conversations to be had, so I would also like to find out, what if anything, would the potential impact be, since we are going into a season for Council, where we are not going to be having as many meetings, would this cause any concern with the development if it is approved to postpone this an additional month. So would that be asking Mr. Fox come back down, or your representative, to find out, if this is moved back an additional month, what that impact would be and also Mayor Pro-tem, to find out, I don't really see how it would be any different a month from now from us having a decision tonight, Mr. Fox?

Mr. Fox said thank you Councilmember. As I reiterated I do believe the information, with all due respect, that was shared, has been shared to the residents that are there and one thing that's getting lost in this discussion is that you have got four of the property owners, there were nine homes that were built, four of the property owners here are opposed to it. We have two of the original three property owners, only three survived foreclosure, that are supportive of this, and they are currently living in an environment that is currently not secure. They are in a gated community with a gate that doesn't function because their homeowners association cannot afford the funding. What the delay would do is it will keep that uncertainty out there for them. We have committed to try to address that issue with this vote, as early as this week, with the engagement of someone to come out there and help and repair that gate and provide security to the residents there whose voice unfortunately is not being heard tonight.

Mr. Howard said Mayor Pro-Tem I hear you and I'm always the one to try to find consensus on issues. Essentially, I think, normally when I like to defer stuff it's not so that people can be informed again of what they already saw, it'd be to actually have an opportunity to change something or to settle some dispute. If I understand your deferral, you're really saying for them to see what they've seen already again. If nothing has really changed, I don't want to waste the neighborhood's time, I don't want to waste the petitioners time, or our time on this again. If we are sending this back because we see that there's something we can do about the issues that are outstanding, all day long, but what I heard is there's nothing we can do about connectivity, that's our own policy, I've heard that when it comes to the transitional uses, and by the way, I'm a fan of mixed use communities because that's essentially what this would be.

Finding the right way to mix it together is transitional uses which I think what they just talked about going from a three story unit to a two story unit to a two story house. So we've done that. What you want to do is you make sure that the open space and the buffers and all those things work accordingly and that's what my questions were all about. Then I had a question about fairness; I was the one that asked the question about the pool. If you want to have a real mixed use community you want to have a mixture of uses as much as you can. So if I thought there was something that we could change between now and then, I'd be open to it, but essentially I heard you say you like the product. So if that's the case and if that same presentation was made and they all heard it, I'm not sure what else. By the way, I also wanted to give the District rep credit, because from what I understand he did have a meeting, so something did change, he met with them. Since you had two sides that disagreed, the District rep who they elected got in the middle of it; he went to both sides and came back with what he could support because essentially it's our decision. So, it's not like nothing moved because he did get involved and he made his comments, and for that reason I cannot support that substitute.

Mr. Cannon said thank you very much madam Chair, and thank you Councilman Howard, and thank you Councilwoman Mayfield. Maybe I have it completely wrong. So community that's represented here this day, this night, have you seen what has changed relative to the plan? Have you seen it? I need for someone to come down for the record in the way of the buffers, in the way of the open space that was made mention of by Councilman Howard and in the way of the design. Have you seen any of that in the way of a change? And again, if I have that incorrect, then fine but because it's been put out there to suggest that maybe, I just need to know.

Mr. Lison said that information has not been shared with us.

Mr. Cannon said so, then, I gotta ask him another question. I got you. So Councilman Howard, Councilwoman Mayfield, his answer, representing the community would be and/or the people would be my response in terms of the answers. Is what his answer is. They haven't seen anything in terms of seeing anything new and/or in addition to regarding the buffer, regarding the open space, regarding the design itself. It was seem to me that it's not asking a whole lot for them to be privy to that kind of information. You as a district rep would certainly want your folks to know what's happening in the way of any change, I would image, and we as at-large representatives. would want the same thing. I'm just asking for the deferral based upon what he just said, for them to take another look at it. But Councilman Mitchell, I want ask a question of because to Councilman Howard's point, he did have a meeting with them. Was it to be a situation where you were to represent their interests and take it back to the petitioner?

Mr. Mitchell said exactly, I was going to do that.

Mr. Cannon said and see that could be a horse of a different color. But I need to understand.

Mr. Mitchell said good point, Mayor Pro-tem. So on Friday, July 12th, we met at Jeffery's home. I think we had four of the property owners there. I heard loud and clear how the neighborhood felt and most of the issues, and Council this is a discussion for us, as they mentioned early, they don't want the rezoning. They want to be committed, when they purchased their home, they wanted single family homes, so if we defer it to August 26th or we defer it later, at the end of the day, Brookline wants a single family development. So regardless of what we do, I think they've made it clear, it's not acceptable in their eyesight, that don't make them wrong, but they clearly told me 'we purchased a dream, a dream for us to live in a sixty additional twenty single family, 200 single family homes and unfortunately, due to the economic condition, due to multiple family development on Reames Road, I don't think that will occur. I think for us, I'm just trying to make the best land use decision we can tonight. And I'm not going to be the most popular guy when I leave here, because they are going to be upset with me, but I can't make a personal decision, even though I feel their pain, because their investment, they feel, will not get a return on their investment.

Mr. Howard said just questions for the developer. The other land around, you still have lots that will be open for single family houses.

Mr. Fox said yes.

Mr. Howard said how many lots would that be? This is really a mixed use community with multi-family, high density, low density and single family because you will have, in addition to the eight houses that are there, you'll have how many additional lots will sell?

Mr. Fox said approximately sixty.

Mr. Howard said so it's not like it will not be, it just will never reach that number that everybody dreamed it could be. I hope they sell really fast. I'll leave it at that.

The vote was taken on the motion to defer until August 26, 2013 and recorded as follows:

YEAS: Councilmembers Cannon and Pickering.

NAYS: Councilmembers Autry, Barnes, Cooksey, Dulin, Fallon, Howard, Mayfield and Mitchell.

Mayor Kinsey said we'll move to the primary motion and that motion will include the statement that 'the petition is found to be inconsistent with the Northlake Area Plan; however, to be reasonable and in the public interest by a 4-1 vote of the Zoning Committee. The committee voted for one to recommend approval for this petition with the following modifications', all they go all the way down the page.

Mr. Howard said make sure that motion is as modified.

Mayor Kinsey said yes, as modified, thank you

Mr. Spencer said Mayor, I'm sorry, there were some modifications made to the petition since the Zoning Committee's recommendation; so if we can just vote, just to state that it doesn't need to go back, they are minor changes and they don't need to go back to the Zoning Committee.

Motion made by Councilman Howard and seconded by Councilmember Mitchell, passed unanimously to amend the main motion to include, “not to send back to the Zoning Committee”.

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

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

NAYS: Councilmembers Cannon, Dulin and Pickering.

The modifications are:

1. Modified Note 4.C. to reference driveway permits to be approved by CDOT and NCDOT.
2. Modified the last sentence of Note 4.D. to read: “...is valid for a period of ten (10) years from the date of the first certificate of occupancy being issued on the site ~~original approval of the Brookline site plan~~”.
3. Eliminated Note 4.E.
4. Eliminated Note 4.G.
5. Modified the second sentence of Note 4.H. to read: “Petitioner may ~~shall~~ be allowed to construct control access gates at the project entrance, generally as depicted on the schematic site plan and subject to CDOT and Planning approval”.
6. Provided an additional “Transportation” note indicating the petitioner will construct a concrete passenger waiting pad for bus service along the eastern side of Reames Road and that the location will be coordinated with CATS.
7. Provided an additional “Transportation” note that reads: “During the subdivision development review process, it will be determined if a vehicular/pedestrian connection(s) will be required to the abutting property north of the site. If such connection(s) is required and the development of this site occurs prior to the redevelopment of the abutting site to the north, the portion of the connection(s) on the site will be designed and constructed at the property line within two feet above or below the existing grade of the northern abutting parcel to facilitate the connection. Once such connection(s) is made it shall remain open to the public and any gate if installed to date must be removed.”
8. Modified Note 5.D. to read: “...masonry materials including (brick, stone, brick veneer, and/or simulated stone ~~architectural look and other masonry materials~~”.
9. Eliminated Note 6.A.
10. Eliminated the last sentence of Note 6.B.
11. Eliminated Note 6.D.
12. Eliminated Note 6.E.
13. Eliminated Note 6.F.
14. Provided a conditional note regarding the open space areas, including tree save and storm water areas that indicate what amenities will be provided
15. Removed the note on Sheet RZ -2 that states: “Due to existing conditions/perennial stream along this property line, roadway connection per USDG shall not be required”.
16. On Sheet RZ-2, extended the internal sidewalk along the private street between buildings 4 and 5 out to the internal sidewalk along Boylston Drive.
17. On Sheet RZ-2, extended the internal sidewalk along the private street between buildings 7 and 11 out to the internal sidewalk along Boylston Drive.
18. The building elevation on Sheet RZ-3 indicates “accent vents and cupola on featured buildings”. Provided additional notes that clearly define the featured buildings that will be constructed with the additional architectural elements.
19. Addressed Transportation comments.
20. The buffer width along Interstate 77 has been increased from a 50-foot Class “C” buffer to a 75-foot buffer along a majority of the road frontage. A portion of the buffer adjacent to the storm water management pond has been increased to 65 feet.
21. The minimum requirement for masonry materials on the exterior building walls has been increased from 25 percent to 30 percent. The percentage requirement for the carriage unit facades facing Boylston Street and the single family homes has been increased to 75 percent and their elevations have been modified to incorporate covered porches.
22. Provided a note to allow the eight current homeowners within Brookline to use the pool facility at the proposed apartment community for an annual fee of \$600.

23. Provided a note indicating the petitioner will fund the repair of the existing gate at the Lakeview Road entrance and commit to having the apartment community pay for the long term maintenance of the gates.
24. Provided a note indicating the apartment community will share in the cost of maintaining the private roads in Brookline and in keeping up the landscaping along Reames Road.

The ordinance is recorded in full in Ordinance Book 58, at Pages 366-367.

ITEM NO. 9: CITY MANAGER'S REPORT

Mayor Kinsey said Mr. Manager, do you have a report for us this evening?

City Manager Carlee said no ma'am I do not have a report.

Ms. Kinsey said those are the best kind of reports you can give.

ITEM NO. 10: DISTRICT 1 COUNCIL MEMBER VACANY

Mayor Kinsey said I am going to ask our City Attorney, Mr. Hagermann to briefly walk us through the process, make sure we know what we are doing here and Mr. Hagemann and you could also brief us on how we are going to vote, that would be helpful too.

City Attorney Bob Hagemann, said on July 1st, the Council approved the process that has been undertaken since then, that included receiving applications by July 15th, those were reviewed by the Clerk's Office to make the applicants were in fact eligible for appointment. The eligibility requirements were that they be least twenty-one years old, be a resident of District 1 and registered to vote as a Democrat since the person who they are replacing was elected as a Democrat. Your plan is to vote today to elect somebody to fill the remainder of the unexpired term. I understand that arrangements will be made to swear that person in tomorrow with the possibility of a ceremonial swearing next Monday in here in the Council Chamber.

There are a number of procedural ways in which you can choose who to select. My recommendation, given the number of candidates, is that you open it up to nominations and let individual Councilmembers make a nomination; you can then hold a vote going in order on the people nominated, sort of similar to how you go with your appointments to boards and commissions. If nobody receives 6 votes, you can decide to move to a second round of voting perhaps by taking the two highest vote-getters or dropping off the lowest and repeating until somebody has votes. It does take 6 votes by Council to appoint someone.

Councilmember Howard said you're not recommending that now; you are saying after we hear all the speakers.

Mr. Hagemann said my recommendation would be to hear from the speakers first and then it's back to your court to process the election.

Arturo Cardenas. 835 Scaleybark Rd. Apt K, 28209 said I am an applicant for the job as City Councilmember District Number 1. It is an honor and pleasure to speak here tonight. Mrs. Kinsey, City Manager, I congratulate you for being, for having your new job positions, Mayor Pro-tem Patrick Cannon, members of City Council and citizens of Charlotte. I come from humble origins. I have Latino and Hispanic background; I am bilingual. I've been living in this wonderful City of Charlotte since 1998. I choose to be a member of the Democratic Party since 2007 when I became a U.S. citizen. I am thankful for the opportunity to live in this wonderful country.

I have a privileged life as a hard working American. For twenty-four years I have worked as an information systems specialist. I am used to working with very diverse themes that include people from different nationalities and different backgrounds. For the last fifteen years I have worked in companies in Charlotte, Bank of America for five years and now Carolinas Health Care Systems for 10 years. I have also been a home owner twice. I have experienced the unpleasant obligation of paying property taxes. I believe it is to fair taxes for the privilege to live

in this city; however, I believe legislators have the equal obligation to enhance the quality of life for all its citizens. As a concerned citizen I would like to make our community better. I believe I can contribute to the City Council with my analytical mind, attention to detail and dedication. I offer you a fresh perspective. The next thing I like to do is to pass a one page resume to members of City Council so you can see my qualifications.

I'm also a team player. I understand there will be several projects that will require a team effort to passing through City Council. I am willing to listen to all City Council members the reason why support or oppose those particular projects. I have to bring to your attention that I am the only applicant from the eleven today who is also running as a candidate for this same City Council district in the elections coming up later this year. This shows my dedication and commitment to City Council. Thank you for allowing me the opportunity to speak.

Jenifer Daniels, 3705 Oakwood Ave, 28205, said thank you guys for having us. You know everybody is going to come tonight and they're going to talk about their qualifications and that's awesome because we all are here for a reason, obviously we all want to represent the community. So what I want to walk to you about is who I am here representing. Two of them had to leave tonight because they are under the age of seven and they would have never sat in the room the entire time. I represent Jordan and Ross. Those are my children and I also represent my husband. But beyond that, I represent the Neighborhood Matching Grants Committee which I am the Chair of. I also represent Johnson and Wales University, which I graduated from. I represent the Public Relations Society and my peers and I represent groups in this community like Empowerment Incorporated, the Hip Hop Caucus and Sustain Charlotte.

But most of all, I represent someone who has found Charlotte to be their new home. I'm not a native as you can tell. Sometimes I pick an accent up here and there. I represent someone who's come to this City because they want to call this place their home. They may have left, you know for a myriad of reasons. We represent the future of what's going to come and the leaders who are going to come. As we all know, to say that you are a native now is a big deal. I am just representing people that look like me, that function the way that I do. As a young family, we have a young family; we utilize just about all of the city services that we have to offer. I'm just appreciative of this opportunity to speak with you tonight and hopefully I'll be able to join you pretty soon. Thank you again and thank you for opening this up to everyone.

Larken Egleston, 1517 Landis Ave, 28205, said good evening Mayor Patsy Kinsey, Mayor Pro-tem Patrick Cannon and distinguished Councilmembers. My name is Larken Egleston and I'm here asking you for your consideration for the vacant seat representing District 1 on City Council. There are many deserving candidates here tonight but I'm uniquely qualified to step in the position to succeed from day one.

My success will be built on the experience gained through civic engagements that have included participation in groups, events and causes throughout the entire city of Charlotte. So while my focus is on District 1 and its residents' needs, I understand the city as a whole and will use my broad perspective and understanding to benefit all. My involvement as a board member on the Plaza Midwood Neighborhood Association and Neighborhood Watch gives me a direct line to the voices of the residents in one of the districts most vibrant and diverse neighborhoods. As vice-president of the Johnson and Wales Alumni Board, I'm in tune to Charlotte's next generation of civically involved citizens and small business owners. My recent participation and graduation from the Charlotte-Mecklenburg Police Departments Citizens' Academy gave me insight and contact inside the group of brave men and women that protect our wonderful city every day. As Vice-Chair of the Charlotte International Cabinet I have learned about the needs of both flourishing international community and the foreign owned businesses that bring jobs to Charlotte. My qualifications lie, not in a single accomplishment, but the breath of my involvement and my varied experience.

As a person in my thirties, I will bring a distinct perspective to the Council and will engage a younger generation of citizens in our community to become more involved in the issues we face as a city. My intent is not to rock the boat but to work as an amicable team mate to help the current Council Members to continue their efforts to making Charlotte and even greater city. I excel at disagreeing agreeably. Even when my perspective is not that of the majority, I will contribute to the overall discussion, make sure my constituents' voices are heard and work

towards a mutually agreeable solution. I have had the benefit and pleasure of getting to you a few of you on a personal level and feel that this familiarity will bring a sense of continuity to this dais. While I may not be the traditional choice for this seat, I promise I will work my tail off for the next four and a half months to make sure that I was the right choice for this seat. Thank you for your time and consideration.

Alex Heroy, 2108 Belvedere Ave, 28205, said good evening Mayor, Councilmen, Council women. My name is Alex Heroy applicant for the District 1 vacancy. First off, I'd like to thank you all for your service, especially to Mayor Kinsey, thank you very much; I think the number of applicants for the vacancy versus the number of applicants for the primary is a testament to the great job that you do, so thank you. I'd also like to thank the other applicants and wish them luck. I think there is a very talented pool of individual here tonight. I'll try to be brief in my comments but I understand this is a very important decision you make tonight for the city.

I'm from Greensboro, North Carolina, son of a public school teacher and a photographer. I moved to Charlotte after completing law school at the University of Chapel Hill. My wife, however, is almost a native of Charlotte, having lived here since the fourth grade. She is now an accountant at Ernest and Young and so far supports me in my desire to serve on the City Council; although it might change if I actually get it and am here all the time with you all. Throughout law school and since moving to Charlotte I've work at the law firm James, McElroy and Diehl. Some of you may know that firm. I focus my practice on civil litigation or as I like to call it entrepreneurial disputes because that's by and large who we represent, entrepreneurs in Charlotte and on white collar defense.

I also live in Plaza Midwood and have served on the Plaza Midwood Neighborhood Association and currently serve as its Treasurer. I'm active in my church, St. Peters Catholic Church, where I am a confirmation teacher to eighth graders. I've been active in the Myers Park Trinity Little League serving as a Little League coach. I'm proud to say, although the Terminators did not win the championship, we had one of the longest and most memorable games in probably Little League history.

Now I'd like to address why I'm the best candidate and why I'd like to do that. First is civic duty. I believe in faithfully serving others to make our community the best it can be, the best place to live, the best place to work and the best place to raise families. On the side of our courthouse down the street its written "All Must Serve and Be Served;" that's a quote from Cicero that I drive past everyday on my way home from work. But it's a quote that means a lot to me and that I take seriously. Second, as I mentioned, I live in Plaza Midwood and I love District 1. It's where I live, it's where I work, it's where I eat, it's where I shop, it's where I relax, it's home. After some very difficult discussions, it appears the streetcar is going to be coming to District 1. I think that's something the citizens of District 1 are very excited about; however, I think there's also some anxiety about the construction, about how that's going to be funded.

James Hildreth, 4608 Somerdale Lane, 28205, said I would like to start off by thanking Patsy Kinsey for her dedication that she has done for District 1 because for as long as I've been able to pay attention to local politics actually, Pasty Kinsey has been the representative for my district. I think you can all see that I'm a very young person that has applied for this position. But I hope that if you look at your own Pro-tem currently, that you see someone who was elected to office at a very young age, you see what that person has the potential to become and what they can offer and also, at the same time, the main reason why I want to fill this temporary position is because Charlotte is my home. Like many, I'm not from here. But I came to school here because my family has deep Charlotte connections. My mother was born here; my grandmother was born here and so on. I have the connection to the community that I've always had. I've always come to Charlotte for holidays and things like that. Charlotte is a city that allows you to be who you are and who you want to be because, quite frankly, if I wanted to file or run in an election from where I 'm from, I would be an unelectable candidate because of the views and opinions that I have and the community that I'm a part of. So therefore, in coming to this city, just shows if I were to be elected, this city would show that it is open to all and all can come to Charlotte. Because everyone, they may disagree, does Charlotte have all the entertainment options that you want, is there enough nightlife, are there enough parties, is there enough

shopping? Everyone would give you a different opinion, but if you ask every single person “is this a great place to call home?” they will say that and that is why I want to serve.

Terry Lansdell, 1508 E. Worthington Ave, 28203, said thanks for having me tonight. Most of you know who I am already. I presently serve on the Transit Services Advisory Committee as the co-chair responsible for the day to day operation of the CATS system, light rail, buses, STS and the entire system. I also serve the County on the Air Quality Commission. I previously have served on the Citizens’ Transit Advisory Group at its inception upon the approval of the half cent sales tax and served on that for five years.

I know many of you through our activities. I appreciate City Manager Carlee’s rebranding of our street car. It was an exciting change to really change perspective of how we view that transit system. Many of you, as we go across the dais, have worked together in various forms, working for various programs and supporting transit-oriented development and improving our economic development and quality of life in our community. We share, not necessarily the podiums, but our events many times throughout the city over the past few years. I don’t want to take all my time tonight, I know you are busy and you have an exciting meeting thus far but I did want to share my intent to serve you and stand on the shoulders of giants like Patsy Kinsey in our neighborhood. I’ve lived here in District 1 since 1990, have enjoyed the life and the changes that have surrounded this and want to continue to serve this community in your district and my district the best way possible. Thanks very much for your consideration.

Billy Maddalon, 2301 Belvedere Ave, 28205, said I have put my name in the hat to become the successor to Patsy Kinsey for a four month sprint. I will tell you just a little bit about myself, you have my information in front of you. I am a native Charlottean. It would also appear at the age of 46 that I’m the old dude of the group that’s trying for this seat, I’m not sure how I feel about it, but it is what it is. I have served the community and the State at a variety of different levels and continue to do so today. Brooks and I have been the proud therapeutic foster parents to sixteen children, two of who we’ve adopted over the years. And we continue to do that today. I am a trustee at Meredith College in Raleigh and also serve as co-chair of Charlotte East, the Eastland areas strategies team. We work on a variety of issues on the east side and I also work on a variety of different issues in and around the Plaza Midwood community and on other initiatives at North Carolina State University.

I would very much hope that you would consider the fact that I’ve served on a variety of different for-profit and not-for-profit boards and hopefully if chosen, I’ll have the opportunity to be ready to lead on day one. To be sure, there is much to be learned by any of us that are chosen. Having served at the strategic level in a number of different capacities, after I learn some of the tactical issues, I believe that strategically, I’ll have the opportunity to work seamlessly with you as we address many important issues between now and what I’m sure will come very quickly, December the 2nd. So thank you in advance and thank you most of all for what you do.

Hollis Nixon, 3409 Ritch Ave, 28206, said Mayor Kinsey and Council thank you for the opportunity to speak tonight. I also want to thank everyone behind me wearing red from District 1 to support me. We chose that color because it was the first logo color of the Arts District and because I’m ready to serve District 1.

I’ve had the privilege of serving the NODA Neighborhood and Business Association as president for over a decade. It has been one of the hardest and most rewarding tasks of my life. I’ve also sat on many boards in and around Charlotte to try to extend my reach to serve the greater Charlotte area, in particular District 1. I’ve had to handle over one hundred rezonings in my ten years of service. The internal process for rezonings can be anywhere from one week to one year of working with developers and stakeholders before the rezoning goes in front of Council. As a result, we have had over 95% support rate for each rezoning presented to Council.

I’m passionate about positive growth and urban redevelopment, especially in the wake of the BLE ground breaking this past week that I was fortunate enough to attend. In many neighborhoods in District 1 have been, are and will continue to be effected by the BLE extension and the TOG rezoning designation; in particular, Belmont, Villa Heights, Optimist Park and NODA. Through my experience handling these rezonings, working with CATS and over a decade working for engineering firms, I believe I can handle what lies ahead.

As many of you on Council know, I'm also passionate about affordable housing options in urban areas and certainly located around mass transit. As discussed at the White House Round Table last week, it is and will be a challenge to ensure that people are not priced out of their neighborhoods as the light rail is constructed. I'm also passionate about small businesses here in Charlotte. I live in a neighborhood where 100% of the businesses are owned and operated by local small business owners who rely on District 1 and City support to stay alive and make payrolls. I'm also proud to say I'm one of those small businesses.

On a political note, I was raised by a diehard Democrat and right-wing Republican father, so I have a lifetime of experience mediating and negotiating. I am a native North Carolinian, a graduate of Concord Middle School, St. Mary's High School, Wake Forest University and the Leadership North Carolina Program. Leadership NC selects 50 classmates each year throughout the State, I graduated in 2009 and at the time was one of the youngest members to have ever been through the program.

Basically, I love Charlotte and I love District 1. I'm looking at the next six months to serve and to help in any way I can. Mayor Kinsey and I have worked well for many years. I understand Mayor Kinsey does not want to run for mayor and would instead like to run again for the District 1 seat. I would support her in that endeavor and whatever she would ask for me to do for her; after a decade of service, I more than understand about wanting to finish your service if and when you want to finish. I have the time and energy and I want to help my district while I have an opportunity. I thank each of you again and I sincerely appreciate any consideration.

Nathan Taylor, 2328 Greenway Ave, 28204, said I am here to ask to be selected to be Mayor Kinsey's interim replacement for the next four and a half months. I'm an attorney here in town with an established firm. I first moved here in 1999 to clerk in federal court. I did a brief stint in Raleigh after that and moved back to Charlotte in 2009.

Generally, I'm a very content, happy go lucky resident of the Elizabeth community and neighbor to Mayor Kinsey; but on one subject, I'm extremely discontented. That is, that we have 82,000 unemployed people in this city. Now that is an alarming stat and people don't want to talk about it. I'm not sure it gets the publicity it deserves and I'm also afraid that we can become inured to that state of affairs. The reason that we can grow accustomed to that is because the burden of unemployment isn't shared equally. There's a very small minority of people in this city who are suffering greatly and who are seeing very little relief, even though there is some slow improvement in the employment data. But, I feel very strongly that this is an issue that we can continue to work on and continue to see improvement through public investment and through simply energizing the process, turning over every stone, looking for every job, looking for every way in which to partner with companies that want to come here and provide economic opportunities for the citizens of Charlotte.

Now, obviously, that's not the only issue. This meeting was eye opener to me. The agenda is large. You have to know a lot, you have to be a quick study; I think I am a quick study. I've already picked up that you should eat dinner before you come here. We have a legislature that I think is exacerbating the conditions for the unemployed in this state and seizing our airport and these are all things that this Council has to pay attention to. And that's what I want to do for the next four and a half months. I want to work and be a voice on behalf of the people who are not employed, who are just trying to do the best they can.

James Walker II, 2500 Kingsbury Rd., 28205, said hello Council, thank you for receiving me. I'll probably run out of time, I like being fed. My first time in Charlotte was the summer of '98 visiting my sister and working at Eastland Mall at Kirkland's, wearing an apron. I returned in 2000 to help with raising my three year old nephew, living in a small apartment at the end of Dundeen, off of Beatties Ford Road. My first work experience, steadily, was Labor Ready making almost \$20 an hour a day, showing up at 5:00, 6:00am. My first steady job was at Barnhardt Cotton Manufactory. After that, I worked for a titles and mortgage corporation, Atlantic Insurance that was bought out by Transunion and was part of a twenty or so something person layoff after working there for seven years.

My profession is a performer. I am the lead singer of the local band Crackers and Snackmeat. We make up members of the curt sketch comedy troupe House Stand. Our first gig was back at Cabo Fish Taco many years ago. Most of my band are mentors and instructors at Sam Ash School of Rock. We were staples of Salvador Deli and The Milestone. Since 2001, I have worked at every single community and local theater in this town and received MPA nominations from most of them.

I discussed the changing ownership of the Goblin and the Steeple and now Peculiar Rabbit with people lamenting on the business practices of the Common Market, where I am most every single day, in Plaza Midwood. I lamented with the owner of SK Net Café as the trolley extended down toward Elizabeth, extolling its virtue, because I think it's a great idea, but also performed there through becoming Grand Central. I'm on the board of Stage One Theater, a theater enrichment company and I'm on the planning committee for the Queen City Fringe Festival, taking place in October.

Now, I bring up all this stuff that's antidotal and about me because you don't know who I am but I believe through fiscal year 2015 communication, direct communication, with people on the fringes of information about this body will be of immense benefit. Posts on Facebook, blogs, written opinions about local initiatives from one person's press to about thirty people and becomes mass opinion that directly effects the motivation of business, businesses, business support, developmental decisions made by business owners, small to medium sized businesses, businesses that are the bread and butter of your districts and my district. The direct morning conversation, the bar conversation, community organizational meetings, the relationship of so many District 1 citizens who make less than \$20,000 a year is part of my vocation. These are sous chefs, bartenders, construction workers, painters, deejays, starving artists, off and on again homeless, general homeless, these are people with which I spend most, if now all, of my time. And I think communication between them and I and I and you would behoove the Council.

Councilmember Dulin said I just didn't know when you were going to start the queue for nominations.

Mayor Kinsey said well I was getting ready to start, so you are number one.

Mr. Dulin said first of all, I'm excited that so many folks have gotten involved in this process. It's a short process and it's pretty neat to see this involvement. That said, I'd like to make a nomination to vote in Larken Egleston tonight. Larken, I've known him for the last four or five years. He's a nice young man and I like the fact that Larken, who is young enough to go enjoy the nightlife in Charlotte, has spent his time working as a volunteer for Charlotte on the International Cabinet and other places. The fact that he took the time to go through the Citizen's Police Academy, I thought that was pretty neat. I mean I've always wanted to do that but never taken the time to do it, so I was pleased that he did that. Larken is finding ways to make this community better and this is an opportunity for him to spend the next four months in intense learning and intense community involvement and community service. I'd appreciate your consideration to vote for my friend Larken Egleston.

Mr. Howard said I'd like to put a name in nomination as well. I'd like to nominate Jenifer Daniels. We obviously have a really hard decision tonight. We heard from some really good people and several of them being our friends. Just a little bit about Jennifer, when she got here to Charlotte she jumped right in to this community and got involved. Getting involved with Arts and Science Council, Cultural Leadership Program and actually going on to serve on the Information Technology Committee, the Community Relations Committee, the Historic Charlotte Committee, as well as, now serving on the board of Sustain Charlotte. And the thing that I think that uniquely qualifies her is her understanding of the Matching Grants Program and we all know that to be the committee that kind of puts the rubber to the ground when it comes to what neighborhoods are looking for. So that perspective from meeting somebody who will hit the ground running and that she understands neighborhoods is something I would offer up as a reason to support Jenifer for this position.

Mr. Barnes said thank you Mayor. I don't know any of the folks who stepped up to serve. I thank all of them for being willing to do so. I would like to nominate Hollis Nixon. I don't know Ms. Nixon very well. Since I've been on the Council she has frequently come down and

lobbied us on various issues pertaining to NODA and other issues in the city and I appreciate her passion for her area of the city and for her district, so I nominate Ms. Nixon.

Councilmember Cooksey said I could have been a little better prepared for this, but anyway, I'd like to put in a nomination, the name of Billy Maddalon. I served with Billy on the Charlotte Convention and Visitors Bureau board years ago. In his limited amount of time before us, in my opinion, he also overlooked something that I think makes him superbly qualified, and that is that he is a small business owner. He has the experience of a small business operator here in Charlotte, particularly in the field of historic renovation, his actions with the Van Landingham Estate and the. Morehead Inn. I think that's another way I know him, is from his work with those two properties. That covers, I think, in action the breadth a lot of what this Council does. Some of which I obviously disagree with, but that's not going to stand in my way of acknowledging that the guy who has been through that sort of process also brings a good deal of expertise for four and a half months to help this Council. That's the gist of it.

Councilmember Autry said thank you Mayor. Mr. Cooksey has done my work for me.

Mr. Cooksey said let that be the only time John.

Mr. Howard said we knew we'd get you to come around.

Mr. Autry said I too was going to nominate Mr. Maddalon. The experience that I've had with him, working with him and East over the last couple of years has been very rewarding and it's been great to get to know him and I just have a real appreciation for his commitment to the City of Charlotte. I mean a guy who continues to live at the house he was born in, I mean, that's says a lot for us, so I would support Mr. Maddalon's nomination.

Councilmember Fallon said Mr. Heroy because he said something that is a spot for me, and that was the streetcar and the financing. I'd like to nominate him.

Mayor Kinsey said are there any other nominations?

Councilmember Cannon said madam Mayor, no nomination, but I would like to add to Mr. Heroy in that he actually obviously comes to us with a level of an ability to, in my opinion, work with little or no guidance from what I've been able to know about him, act as a team player and of course, I believe he'll hit the ground running. Obviously with this level of involvement with the Plaza Midwood neighborhood, on the board of the association, he continues to do an extraordinary job there, acting as treasurer and I think he could provide a good level of leadership around the dais. Matter of fact, a lot of those that came down here that we heard from tonight can do simply the same thing. In fact, many of them made the short list. If this nominee doesn't make it, then I'm sure we'll still going to be in some good shape, looks like we have some very good candidates. So, thank you.

Mayor Kinsey said are there any others?

Motion made by Councilmember Autry and seconded by Councilmember Mayfield and carried unanimously, to close nominations for the appointment of a District 1 candidate to City Council.
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Mr. Howard said I just want the Clerk to read, to reread everybody that was nominated.

Mayor Kinsey said okay, we'll do that. I want to make a comment because almost everyone who has applied I've known and worked with and I will be honest with you, I'm so glad I don't have to vote tonight.

Mr. Cannon said unless it's a tie

Mayor Kinsey said I could never do it. I appreciate all of you being willing to do this and hope, I wish all of you, I wish you could just take turns, but wait until I'm ready to leave. But thank you for coming down. We have 5 nominees: Larken Egleston, Jenifer Daniels, Hollis Nixon, Billy Maddalon and Alex Heroy.

What I'm going to try to do is I'm just going to take them in the order they were nominated in, if that's okay with everybody. And what we'll do is just please raise your hands, we will tally the votes and just keep going until someone has six votes.

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Mr. Autry said each member only votes one time?

Mayor Kinsey said yes, one vote, Madam Clerk or Mr. Manager help me count the hands:

Results of the first vote were recorded as follows:

Larken Egleston, 1 vote – Councilmember Dulin
Jenifer Daniels, 1 vote – Councilmember Howard
Hollis Nixon, 1 vote – Councilmember Barnes
Billy Maddalon, 5 votes, Councilmembers Autry, Cooksey, Mayfield, Mitchell and Pickering.
Alex Heroy, 2 votes – Councilmembers Cannon and Fallon

Mayor Kinsey said we need to vote again between Billy Maddalon and Alex Heroy, ready to vote?

Mr. Dulin said point of clarification, does that mean we have eliminated everybody else, except those two?

Mayor Kinsey said I'm taking the two, yes, the two top.

Mr. Dulin said so the vote clock has reset, we can vote again?

Mayor Kinsey said yes, each one of you has one vote. I'm going to reverse the order now.

Results of the second vote were recorded as follows:

Alex Heroy, 3 votes – Councilmembers Barnes, Cannon and Fallon
Billy Maddalon, 7 votes – Councilmembers Autry, Cooksey, Dulin, Howard, Mayfield, Mitchell and Pickering.

Mr. Maddalon was appointed to the office of Councilmember representing District 1.

Mayor Kinsey said welcome Billy. Let me make this announcement before I forget it. Following the vote, I will ask Mr. Maddalon to come down over here and meet with Carol Jennings and Keith Richardson to coordinate schedules for the oath of office. For the public, I will contact an official public swearing in next Monday, in the Chamber but the first swearing in will be planned by Ms. Jennings and Mr. Richardson.

Mr. Dulin said Mayor, we do not meet next Monday, correct? We don't have a meeting next week, correct?

Mayor Kinsey said we do not meet, right.

Mr. Howard said I just wanted to say everybody that put their name in, that thank you for doing so. I would hope that this community would continue to have people that want to serve. I mean we won't sit down here always. Thank you everybody that put their name in. I was really impressed with the presentations and information. Thank you.

ITEM NO. 11: WETLAND DETERMINATION LETTERS AMENDMENT

<p>Motion was made by Councilmember Barnes, seconded by Councilmember Cannon and carried unanimously, to approve the Environment Committee recommendation to revise the current policy governing the submittal of wetland determination letters to be required only when requested by the City as part of the rezoning process.</p>

Councilmember Barnes said this is good work by the way.

Councilmember Autry said I just want to thank everybody for being willing to step on this. This will save developers a little change and help hopefully the redevelopment that we seek on the east side. Thank you very much and appreciate everyone supporting this.

ITEM NO 12: BROOKLYN VILLAGE INTERLOCAL AGREEMENT AMENDMENT

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield to adopt a resolution approving the third amendment to the 2007 Brooklyn Village / Knights Baseball Stadium Interlocal Agreement with Mecklenburg County to allow the City, the County, the Board of Education and the Charlotte Housing Authority the time necessary to develop a phased sale approach for the Second Ward property and to preserve the City's leverage for the development of affordable housing on the site.

Councilmember Barnes said the question I have is in light of all the various extensions and continuations that have taken place for this particular deal, and by the way, for the benefit of the public, this is a resolution to approve a "third amendment to the 2007 Brooklyn Village / Knights Baseball Stadium Interlocal Agreement with Mecklenburg County to allow the City, the County, the Board of Education and the Charlotte Housing Authority the time necessary to develop a phased sale approach for the Second Ward property and to preserve the City's leverage for the development of affordable housing on the site." And the question I have is that the request here is to extend the date by which the City can ask the County to reconvey Marshall Park to us from June 3rd, 2013 June 1st 2013 to October of 2013, October 1st of 2013 and the question, Mr. Manager is what do we expect to happen between now and October in light of the fact that this is the third amendment since 2007.

Anna Schleunes, Assistant City Attorney, said I'm Anna Schleunes from the City's Attorney's Office; I've been working with Pamela Wideman on this. This is really just so that the parties that have to agree on what's going to happen on the Second Ward parcel can get together and talk. The October 1st deadline is the deadline by which we would have some sort of plan for redevelopment in place. And then we would probably enter into another interlocal with the parties. If that were not to happen, we could extend again or the City would have sixty days from the October 1st deadline to ask for the reconveyance of Marshall Park.

Mr. Barnes said so let me ask you this Ms. Schleunes, do you believe, based on what you know, that there is a greater likelihood than not, of an agreement being reached for the redevelopment of the park?

Ms. Schleunes said I am going to ask Pam Wideman to come down and answer that question. I will say the parties have already talked and part of the delay was the summer. So it's entirely possible that we wouldn't have had to come to you if it were not for summer schedules.

Pamela Wideman, Neighborhood and Business Services Supervisor, said thank you mayor and council. Mr. Barnes there is not currently a development plan in place. The original hope was that this would be one development talking with the folks of the County today, Mark Hahn, their Chief Real Estate Officer. He's going to convene the group that being the City, the County, the Housing Authority and CMS and what we think will happen is that it will be a phase development rather than one click complete development

Mr. Barnes said but no idea when anything would start

Ms. Wideman said not at this point.

Mr. Barnes said okay, thank you

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

The resolution is recorded in Resolution Book 44 at Pages 567-568.

ITEM NO. 13: CITY COUNCIL MEETING SCHEDULE AMENDMENT

Motion made by Councilmember Howard, seconded by Councilmember Barnes to approve the amendment to the City Council calendar to add quarterly meetings of the Mayor / Council and City Manager as part of the Manger's evaluation process for the following dates: August 26, 2013 and November 25, 2013.

Mayor Kinsey said has everybody read it, so you know what we are amending?

Councilmember Cooksey said the new one, right?

Councilmember Barnes said now you know how Anthony felt. The question I had, the city manager and I had a very colorful and engaging conversation about this past Friday about this item and what I asked him was whether any consideration had been given to making these meetings later in the day, and by the way folks it concerns quarterly meetings with the City Manager to discuss his performance and how things are functioning in the City. I noticed originally the meetings were set for August and November at the noon hour and they've been reset according to the amendment to September and December at the noon hour. Any consideration, Mr. Manager, to moving them closer to our normal meeting times on those dates?

City Manager Ron Carlee said we had previously gone towards 10:30am on the 26th one...

Mr. Barnes said which is even worse

Mr. Carlee said exactly. On the 16th we have an Environmental Committee meeting at 3:00pm. December probably would not be a conflict to do it later, if that was the pleasure of the Council.

Mr. Barnes asked when does the new Council take over?

Mr. Carlee said so this will be with the new Council.

Mr. Barnes said well, I may not be here, so I'm fine.

Mayor Kinsey there is a motion on the floor. And before we vote let me also make a recommendation to Council, this is not a part of the motion, recommendation to Council that we should cancel the September 3rd Council Workshop because it's the day after Labor Day. Currently, there are no speakers signed up and no presentations scheduled.

Motion made by Councilmember Barnes, seconded by Councilmember Mayfield, carried unanimously to cancel the September 3, 2013 Council Workshop.

Mayor Kinsey said just make that part of the motion then.

Motion carried unanimously to approve the amendment to the City Council calendar to add quarterly meetings of the Mayor / Council and City Manager as part of the Manger's evaluation process for the following dates: August 26, 2013 and November 25, 2013 and to cancel the September 3rd, 2013 Council Workshop.

ITEM NO. 15: NOMINATIONS TO BOARDS AND COMMISSIONS

15-A: Airport Advisory Committee: The following nominations were made for one appointment for one at-large representative for a three-year term beginning August 1, 2013 and ending July 31, 2016:

Stephanie Kelly, City Clerk said I don't have any nominations.

Motion was made by Councilmember Howard and seconded by Councilmember Barnes, passed unanimously to defer the nominations for the Airport Advisory Committee.

15-B: Storm Water Advisory Committee: The following nominations were made for one appointment for a three-year term beginning July 1, 2013 and ending June 30, 2016:

Ms. Kelly said no nominees.

Mayor Kinsey said no nominations?

Councilmember Howard said I nominated somebody and I don't remember who it was. I think it was David Zimmer now that I think about it.

Mayor Kinsey: also check for Waste Management.

Mr. Howard: I didn't nominate anyone for Waste Management.

Ms. Kelly: I did not get a nomination sheet from you.

Mr. Howard said for Storm Water, I nominate David Zimmer and we'll give her the information for him. These are nominations right? I mean, the only reason why I'm pushing is because I think these were empty last month as well so we need to fill these positions.

Mayor Kinsey said we really do, we need to do some outreach to get people interested. David Howard has nominated David Zimmer. We don't have anyone else nominated. Does anyone want to move?

Councilmember Barnes said move by acclamation

Mr. Howard said I have to ask him. Nobody put their name in; we need to get some people in.

Motion made by Councilmember Barnes, seconded by Councilmember Mayfield, carried unanimously to keep nominations open until the August 26th, 2013 Business Meeting.

15-C: Waste Management Advisory Board: The following nominations were made for one appointment by the Board of County Commissioners for a three-year term beginning July 14, 2013 and ending July 13, 2016; and for one appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending February 1, 2014:

Mayor Kinsey said Waste Management obviously can stay open too.

ITEM NO. 16: APPOINTMENTS TO BOARDS AND COMMISSIONS

16-A: Charlotte Housing Authority: The following nominees were considered for one appointment for an unexpired term beginning immediately and ending December 17, 2013:

Arthur Griffin, Jr. nominated by Councilmembers Autry, Barnes, Cannon, Fallon, Howard, Mayfield, Mitchell and Pickering.

Faheem Rathore by nominated by Councilmember Kinsey.

Frank Spencer nominated by Councilmember Dulin.

Alex Vuchnich nominated by Councilmember Cooksey.

Results of the first ballot were recorded as follows:

Arthur Griffin, Jr., 8 votes – Councilmembers Autry, Barnes, Cannon, Fallon, Howard, Mayfield, Mitchell and Pickering.

Frank Spencer, 1 vote – Councilmember Dulin.

Alex Vuchnich, 1 vote – Councilmember Cooksey.

Mr. Griffin, Jr. was appointed.

Teresa Hughes nominated by Councilmember Kinsey.
Linda Morant nominated by Councilmember Mitchell.
James Rogers nominated by Councilmember Cooksey.
Tawanna Wilson nominated by Councilmembers Barnes and Mayfield.
Toi Parks nominated by Councilmembers Howard and Pickering.

Results of the first ballot were recorded as follows:

Lucy Brown, 5 votes by Councilmembers Autry, Cannon, Howard, Mitchell and Pickering.
James Rogers, 2 votes by Councilmembers Cooksey and Fallon.
Tawanna Wilson, 2 votes by Councilmembers Barnes and Mayfield

Since none of the nominees received the required minimum 6 votes, a second ballot was taken between Lucy Brown, James Rogers and Tawanna Wilson and was recorded as follows:

Lucy Brown, 7 votes by Councilmembers Autry, Barnes, Cannon, Fallon, Howard, Mitchell and Pickering.

Ms. Brown was appointed.

16-B: Charlotte Regional Visitors Authority: The following nominees were considered for one appointment for a representative of a hotel/ convention for an unexpired term beginning immediately and ending June 30, 2014:

Jaclyn Blair nominated by Councilmembers Autry, Mayfield, and Pickering.
William DeLoache nominated by Councilmembers Barnes, Cannon, Howard, and Kinsey.
Adam Zembruski nominated by Councilmember Cooksey.
John Collett nominated by Councilmember Dulin.
Nina Lipton nominated by Councilmember Fallon.
Jacqueline Yelverton nominated by Councilmember Mitchell.

Councilmember Dulin said this Visitors' Authority vote is a big vote. So, here in the last year or two, three, four, a couple of years ago we decided that we would start hunkering down and appointing people to boards if it was appropriate for that person to be on that board. Really, this is as big a decision as any of the boards and commissions we do. There are a couple of them that are of this level. My vote tonight will be for somebody that I know it's appropriate for that person to sit on this board. If you all think through that, I appreciate it.

Results of the first ballot were recorded as follows:

Jaclyn Blair, 3 votes by Councilmembers Autry, Mayfield and Pickering.
William DeLoache, 4 votes by Councilmembers Barnes, Cannon, Cooksey and Howard.
John Collett, 1 vote by Councilmember Dulin.
Nina Lipton, 1 vote by Councilmember Fallon.
Jacqueline Yelverton, 1 vote by Councilmember Mitchell.

Councilmember Cooksey said in light of the fact that it's a runoff and to piggy back on Councilmember Dulin's concern about the significance of this particular appointment I would just like to say, take a risk and say a few words on behalf of Bill DeLoache with whom I also served on the Convention Visitors Bureau four years ago back when there was a CVB board. He's been very active in the travel and tourism community here for quite some time. As the General Manager of the Double Tree Hotel, he fits the category of a hotel convention representative very well. As I said, I think particularly if you have concerns about how the CRVA goes forward, someone with such deep roots in the community and experience running a full hotel is the kind of guy that we'd be looking for this particular spot. Thank you.

Since none of the nominees received the required minimum six (6) votes, a second ballot was taken between Jaclyn Blair and William DeLoache and was recorded as follows:

Jaclyn Blair, 1 vote by Councilmember Mayfield

William DeLoache, 9 votes by Councilmembers Autry, Barnes, Cannon, Cooksey, Dulin, Fallon, Howard, Mitchell and Pickering.

Mr. DeLoache was appointed.

16-C: Keep Charlotte Beautiful: The following nominees were considered for three appointments for unexpired terms; two beginning immediately and ending June 30, 2015, and the other beginning immediately and ending June 30, 2014; and one appointment for a three-year term beginning July 1, 2013 and ending June 30, 2016:

Russel Adams nominated by Councilmembers Barnes, Fallon, Kinsey, and Pickering.
Joshua Arnold nominated by Councilmember Dulin.
Jaclyn Blair nominated by Councilmember Barnes.
Hung Chau nominated by Councilmembers Autry, Cannon, Mayfield, and Pickering.
Camille Cunningham nominated by Councilmembers Autry, Barnes, Cannon, and Mayfield.
Jacob Eddy nominated by Councilmembers Cooksey and Dulin.
Joseph Franco nominated by Councilmember Kinsey.
Charles Jewett nominated by Councilmembers Dulin, Fallon, and Pickering.
Deborah Lee nominated by Councilmembers Cannon and Kinsey.
Stephen Marcus nominated by Councilmember Fallon.
Samantha Pendergrass nominated by Councilmembers Cannon, Cooksey, Fallon, and Kinsey.
James Rhodes nominated by Councilmembers Cooksey and Dulin.
Chandler Woods nominated by Councilmembers Barnes and Pickering.
Michael Zytchow nominated by Councilmembers Autry, Cooksey, and Mayfield.

James Rhodes respectively declined the nomination.

Results of the first ballot were recorded as follows:

Russel Adams, 4 votes by Councilmembers Barnes, Fallon, Howard and Pickering.
Joshua Arnold, 1 vote by Councilmember Dulin.
Jaclyn Blair, 2 votes by Councilmembers Barnes and Cooksey
Hung Chau, 5 votes by Councilmembers Autry, Cannon, Howard, Mayfield and Pickering.
Camille Cunningham, 7 votes by Councilmembers Autry, Barnes, Cannon, Fallon, Howard, Mayfield and Mitchell.
Jacob Eddy, 1 vote by Councilmember Cooksey.
Joseph Franco, 1 vote by Councilmember Mitchell.
Charles Jewett, 2 votes by Councilmembers Fallon and Pickering.
Deborah Lee, 2 votes by Councilmembers Cannon and Mitchell.
Stephen Marcus, 1 vote by Councilmember Fallon.
Samantha Pendergrass, 2 votes by Councilmembers Cooksey and Mitchell.
Chandler Woods, 1 vote by Councilmember Barnes.
Michael Zytchow, 3 votes by Councilmembers Autry, Cooksey and Mayfield.

Ms. Kelly said there are three other candidates Russel Adams received 4, Hung Chau received 5 votes and Michael Zytchow received 3 votes. Those were the top vote-getters.

Mayor Kinsey said we will have a run off between Russel Adams, Hung Chau and Michael Zytchow.

Councilmember Mitchell said how many can we vote for?

Councilmember Mayfield said point of clarification, would it be a run off if you had 3, 4, and 5? Wouldn't it just be a run off between the person that received 4 and the person that received 5?

Ms. Kelly said that there are 3 positions. Russel Adams received 4 votes, Hung Chau received 5 and Michael Zytchow received 3. Those were the top vote-getters, everyone else received 1 or 2 votes.

Mayor Kinsey said but we have 4 appointments.

Ms. Kelly said you've already made one.

Mayor Kinsey said so we have 3, but we have three people with 4, 5 and 3 votes.

Mr. Cooksey said Point of Order, let me do it that way. I'm reasonably confident that in a situation like this where there are 3 vacancies and multiple nominees that did not achieve the 6 vote threshold, that the appropriate Robert's Rules of Orders way to go through would actually be to vote on all the remaining candidates who received any votes at all. If the Chair sustains that point, the question would be who else got any votes at all?

Ms. Kelly said Joshua Arnold received 1, Jaclyn Blair received 2, Hung Chau received 5, Jacob Eddy received 1, Charles Jewett received 2, I'm sorry I overlooked Joseph Franco, he received 1, Deborah Lee received 2, Stephen Marcus received 1, Samantha Pendergrass received 2 and Chandler Woods received 1.

Ms. Mayfield asked what about James Rhodes?

Ms. Kelly said James Rhodes declined the nomination so his name was not included. There were no nominations, I mean no votes.

Bob Hagemann, City Attorney, said Point of Clarification from the Clerk, those are in addition to the other 3 that you previously identified.

Ms. Kelly said right.

Mr. Hagemann said so if you are going to go with the procedure that Councilmember Cooksey proposed, those have to be added to the list. And then you would vote for 3, you each have 3 votes going down that list.

Mayor Kinsey said alright, take a minute, a quick minute, to decide who you are going to vote on, or vote for.

Russel Adams, 8 votes by Councilmembers Autry, Barnes, Cannon, Cooksey, Dulin, Fallon, Howard and Pickering.

Ms. Mayfield said clarification, if we just had 8 for Russel Adams and we only need 6 moving forward, but we have 3 positions, can we not move for appointment for Russel since he just received 8?

Mr. Howard said now that we are voting he wins. The others were nominations. Now that we're voting he just won.

Ms. Mayfield said well can we, further clarification, is before moving on to the next person, to go ahead and acknowledge that we just nominated...

Councilmember Fallon said no, we voted for it

Mr. Hagemann said I think what you did Councilmember Mayfield, what the Council just did is exactly what you are asking for. But because you're all holding 3 votes, I would recommend that you would not turn that into an acclamation because that's typically done unanimously. So my recommendation is that you go to the list, you each cast your 3 votes and then you declare who has been selected and who moves on in a further run-off.

A second ballot was taken and recorded as follows:

Russel Adams, 8 votes by Councilmembers Autry, Barnes, Cannon, Cooksey, Dulin, Fallon, Howard and Pickering.

Joshua Arnold received no votes.

Jaclyn Blair, 7 votes by Councilmembers Barnes, Cooksey, Dulin, Fallon, Howard, Mayfield and Pickering.

Hung Chau, 8 votes by Councilmembers Autry, Barnes, Cannon, Fallon, Howard, Mayfield, Mitchell and Pickering.

Mayor Kinsey said is that it?

Mr. Hagemann said yes, there are 3 that received more than 6 votes.

Russel Adams, Jaclyn Blair, Hung Chau and Camille Cunningham were appointed.

16-D: Mint Museum Board of Trustees: The following nominees were considered for one appointment for a three-year term beginning August 1, 2013, and ending July 31, 2016:

Ina Jones nominated by Councilmembers Autry and Mitchell.

Morris McAdoo nominated by Councilmember Fallon.

Sonja Nichols nominated by Councilmembers Barnes, Cannon, Cooksey, Dulin, Howard, Kinsey, Mayfield, and Pickering.

Results of the first ballot were recorded as follows:

Ina Jones, 1 vote by Councilmember Autry.

Morris McAdoo, 1 vote by Councilmember Fallon.

Sonja Nichols, 8 votes by Councilmembers Barnes, Cannon, Cooksey, Dulin, Howard, Mayfield, Mitchell and Pickering.

Sonja Nichols was appointed.

16-E: Zoning Board of Adjustment: The following nominees were considered for one appointment for an unexpired term beginning immediately and ending January 30, 2015:

Tyler Conner nominated by Councilmembers Autry and Dulin.

Russell Hughes nominated by Councilmember Cooksey.

Jason Mathis nominated by Councilmembers Cannon, Mayfield, and Pickering.

Cardiff Shea nominated by Councilmembers Barnes, Howard, Kinsey, and Mitchell.

Results of the first ballot were recorded as follows:

Tyler Conner, 2 votes by Councilmembers Autry and Dulin.

Russell Hughes, 1 vote by Councilmember Cooksey

Jason Mathis, 4 votes by Councilmembers Cannon, Fallon, Mayfield and Pickering.

Cardiff Shea, 3 votes by Councilmembers Barnes, Howard and Mitchell.

Mr. Dulin said this Tyler Conner kid, again, he's the kid that had the rezoning and he's bought the house and all he wanted to do was expand the house. By now, he and his bride might have gotten married already; they were getting ready to get married. He wanted to fix this house up and take his bride home. I've met him, he's a tenacious booger. He got his claws in me and wouldn't stop until he got what he wanted. I've driven by there, they are under construction. He's the kind of kid that I'd like to help get his community service started in Charlotte. I'd appreciate you thinking about Tyler Conner.

Since none of the nominees received the required minimum six (6) votes, a second ballot was taken and was recorded as follows:

Tyler Conner, 6 votes by Councilmembers Autry, Cooksey, Dulin, Fallon, Howard and Mayfield.

Tyler Conner was appointed.

ITEM NO. 17: MAYOR AND COUNCIL TOPICS

Mayor Kinsey said I want to make a statement about the airport. Although we are limited in what we can say about the situation at the airport, now that we are in the midst of legal proceedings, I did want to make a brief statement for the record.

First and foremost, I want our citizens and traveling public to know the Council and I are committed to doing all we can to ensure these proceedings have .no impact on the functions of Charlotte-Douglas International airport. Together with the Interim Aviation Director, Brent Cagle, we will work to maintain airport operations so there is no disruption of service, not just for passengers but also for the airlines, vendors and contractors that serve the airport.

I also want the city employees at the airport to know that we are working to ensure these legal proceeding do not impact them. Regardless of what happens in court, we do not want these proceedings to jeopardize the livelihoods of our airport employees and I want them to know the Council and I stand behind them.

Finally, I want to reiterate the fact that we are maintaining open lines of communications with US Airways. The city manager and I have already spoken with the airlines leadership several times and will remain in regular contact with them as this process unfolds.

While the Council and I regret that we were forced to pursue legal action, as elected officials we have a responsibility to protect our communities' most vital economic asset and were given no other alternative to do so. Both the state and the city want Charlotte-Douglas to continue to provide the highest quality services at the lowest cost and I'm hopeful that we can reach a solution that guarantees the airport's future success. Thank you.

Motion was made by Councilmember Barnes, seconded by Councilmember Cannon, and carried unanimously to go into closed session pursuant to NCGS 143-318.11(a)(3) to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling of City of Charlotte vs. The State of North Carolina and Charlotte-Douglas International Authority File No 13-CVS-12678.

The meeting was recessed to go into Closed Session at 9:23PM.



Stephanie C. Kelly, City Clerk

Length of Meeting: 4 Hours, 8 minutes
Minutes Completed: August 21, 2013