

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, October 28, 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, David Howard, Billy Maddalon, LaWana Mayfield, James Mitchell and Beth Pickering.

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Kinsey said do we have any items to be removed from the consent agenda?

Councilmember Dulin said Mayor I have 10 items pulled.

Mayor Kinsey said you are kidding aren't you?

Councilmember Dulin said I'm kidding. I had to go out with style. No items from me ma'am.

Mayor Kinsey said Mr. Barnes

Councilmember Barnes said none.

Mayor Kinsey said none wow.

Councilmember Cooksey said just for the good of the order, my instinct was to pull 21 to vote no on it because it's the funding Charlotte Regional Transportation Planning Organization that I didn't like the funding scheme of it but as I look...consent agenda, I realize there would be allocations of spending under that and I'm not going to bother with that level of consistency. I just thought you'd like to know.

Councilmember Mitchell said Monday night football looking better.

Mayor Kinsey asked Mr. Maddalon do you have anything you wanted pulled from the consent agenda.

Councilmember Maddalon said no ma'am.

ITEM NO. 2: EMERGENCY ALERT AND NOTIFICATION SYSTEM

Ron Carlee City Manager said as Chief Dulin is coming forward, I just want to say this is a system I have a lot of experience in the past and am very excited that the newest version of this technology is coming to Charlotte. It will enhance our emergency notification system significantly and I am looking forward to its implementation in the coming week.

Jeff Dulin, Fire Department Chief said tonight we are coming to present to you our new emergency notification system; Charneck Alerts. This project has been in the works now for about a year and we are fixing to launch this and wanted to give you all a pre-briefing about it before we launch it next week. Our old system, if you look to the left of the chart; the things we had in our old system that was actually put in place back in 1999 after we had significant flooding in 1997 and 1998. It was a landline notification system only. It had no citizen control. There was no two-way interaction with our citizens. There was no mobile application for sending briefings or announcements out from the web; no way to identify functional special needs populations and was hosted inside the City's firewall so you literally you had to be inside our land system to send emergency notifications and then there was no redundancy to it. It was all hosted right here in on one server. If that went down, we had no system. The new system we are fixing to launch has landline cellular SMS text, email, mobile applications and a social media piece. Its web based for registration for opt-in and for non-emergency alerts and special locations and for multiple devices for the citizens. It's a mobile member app for receiving

notifications and actually responding to those notifications, if we so want to put that in there for the citizens. We can send something out and they can respond back yes or no or give an answer. It's also a mobile app for sending notifications. If we are out in the field and we need to do something from the field, we don't have to be sitting inside the City's network to do it anymore; we can do it from the field. Citizens can provide information for special assistance needs if they want to. It's hosted outside the City's network for seamless access from anywhere globally and also they have three redundant data centers across the United States. We have a web registration portal that citizens will be asked to go to. There they can select up to five locations within Mecklenburg County that they can sign up to receive information for. So the example is that we have someone who lives in Huntersville, they drop their children off at daycare in University City and they work downtown. They can list all three of those locations and wherever there is an emergency, if its one of those three locations, they will get a notification about it. We have ten methods of receiving those notifications; again the text, email, phone, whatever they want. We also have unlimited opt-in subscriptions. So we will be working with Corporate Com within the next couple of months to build out all the things that people want to get that are non-emergency related such as light rail breakages or stoppages, weather main breaks, road closures, event notifications—all of those different things on the non-emergency side—citizens can opt-in to that and get that. There is no opt-in for the emergency notifications. As soon as they register, they will get the emergency notifications automatically and then also the special needs identification. If we citizens out there who feel like they meet the special needs criteria, they can check that box and in times of crisis, we know to go to them first rather than waiting down the line to get those people.

There are three uses of the system right now. One is emergency notifications that we are all familiar with on our old system; flooding events, hazmat events, lost children and law enforcement instances that might be going on. The other is the non-emergency notifications; street closures, neighborhood information, utility outages. The third piece, which is brand new which really affects the entire city is this; we are going to have an employee system to where all of the 7,000 city employees we load into the system; we can use this in case there is work schedule changes; special meetings or special events that are being planned. We will have City of Charlotte employees' notification system that can be used by the City staff. As to Civic engagement, we have planned right now; we have several PSAs being developed right now for TV, print and for radio. We are going to use some bill mailers over CMUD, Duke and PNG have agreed to do those for us. December 4th next week, we are going to have a big press conference out at the Fire and Police Training Academy and we are going to be enhancing and specializing on the emergency notification system—the new way we are going to be notifying our systems. Then also outreach local venues, we are planning the month of December; we are going to be going to all of the Walmart's one Saturday and Targets one Saturday; we are going to all of the Chick-Fil-A's one Saturday and then also we want to hit the malls on a Saturday before Christmas to engage people and have people register and sign-up.

Councilmember Cannon said Chief Dulin can you go back a slide please. On the PSAs and TV, radio and print, are you going to be able to give us a breakout in terms of what those meetings will be? Who they are?

Chief Dulin said yes sir. All the TV stations and radio stations we'll give information to and then the radio stations also we will have pre-publicized after the 4th and when we are going to have a special events that they might be at some kind of community events. If the radio station there we are also be engaging in with those events as well.

Councilmember Cannon said let me go a little bit deeper; so will you be diversifying?

Chief Dulin said yes sir, we will across the board.

Councilmember Mayfield said Chief question for you; are we going to be able to localize this a little more so that people in Mecklenburg don't unnecessarily receive the alerts for Lincoln and other areas when there is a weather alert unless we really think its going to affect the area, because as you know, once that alert goes off, it's great, it's extremely loud, but there is a lot of times that the alert doesn't necessarily affect the Charlotte Mecklenburg area, it's one of our sister surrounding counties that's going to be affected. So is there a way in this new process of trying to streamline that as well and part two of my question is, if we were to have a major storm

come through and we have an internet outage, I'm also hoping I'm just maybe asking this question before you got to it, what's the backup?

Chief Dulin said yes ma'am, good questions. The national weather alerts that you get from the weather radios, we don't control that, however, what we will be doing is we will be giving out information for emergency notifications that's very specific. For a certain neighborhood or a certain part of Mecklenburg, we can control that. There is what is call a geo-notify portion to this and we literally go in with a mouse and draw the area you want to draw and that's the only area that gets the message. We can actually exclude certain residences if you want to that are not part of it. The nice thing about this also is because the way we set the system up is we are going to have like 100 different GIS layers already built into the system so we can do it by fire district, we can do it by police district, we can do it by council district, we can do it by pre-populated areas of flood zones that are preloaded. So just like we had the flooding back in the summer, we could say everything along Stewart Creek, we want to notify, everybody that lived within 100 feet of Stewart Creek, we can do that. So all these pre-populated GIS files, we will have pre-built and the commander or whoever is going to be sending out the notification can just click that, if that's what's affected and send a message directly to them.

Councilmember Mayfield said wonderful, thank you.

Chief Dulin said so the participating jurisdiction right now is City of Charlotte, Mecklenburg County and then all the towns. At some point, we are going to come back to you probably after the first of the year. We are going to ask each jurisdiction to adopt a resolution supporting the system and saying that we are part of one big system because the thing about emergencies is don't stop your jurisdictional line. They cross those lines a lot of times and this is primarily a emergency notification system so we want to make sure that everybody's bought into it and everybody supports using the system in the same consistent manner. So again, looking at the map, we have tried to tie in everybody that would have a reason to send notifications but also one of the biggest things is we want to make sure that we use the system right, we use it correctly and we use it in a timely fashion. We think we've built a really good system. This system that y'all approved two months ago is the same system that was used in Boston last year during the bombing. It's being used in New Orleans, it's in Portland, Ventura County and Washington State. Our tag line is Charmeck Alerts and then what we say to people is "Does Charmeck Alert You."

Mayor Kinsey said thank you.

ITEM NO. 3: ADVANCE PLANNING FOR GENERAL COMMUNITY INVESTGMENT PLAN BOND REFERENDA

Ron Carlee, City Manager said Randy Harrington and Jeb Blackwell are going to come up and do a presentation. One of the questions that always come up on the implementation of the capital program is, "why wasn't my project done yesterday?" All of you have had a lot of experience knowing how long it takes to actually takes to get capital projects done and so what we're proposing to you is to advance some resources so that we can get started on some of the projects that we will expect to have based on the plan you adopted referendum this Fall. You will also note one terminology change. We typically referred to it as the Capital Investment Plan. You will see in this presentation and going forward, we are referring to it as a Community Investment Plan. One of the things that we have done is brought together staff across all of the agencies to begin to look at what is the impact we want to have on these investments; not just on a project by project get it done basis, but how do the projects relate to the community itself. How do the projects relate to one another? How do they relate to capital projects that are going on in Parks and Recreation or the schools and the libraries to try to make sure that we have the intended impact that we want to have on the community itself. On a more mundane basis tonight, we want to get going on what we think are some really important projects that people will want to see movement on if the bonds pass in November.

Mayor Kinsey said have Mr. Blackwell please start. I'm going to ask council if they have to speak to somebody if you will step outside. It's kind of distracting.

Councilmember Mitchell said sorry Mayor.

kmj

Mayor Kinsey said that's okay, you weren't the only one. But I can't hear what I need to hear I guess is what I'm saying. Thank you.

Jeb Blackwell, City Engineer said tonight we are going talk about something that Charlotte has historically done and we think is a good idea here and that's what we want to sort of describe to you. Council approved a series of bond packages, an overall community investment plan that will call for voters to make decisions about those bonds; each two years from 2014 to 2020 starting in this coming November. The goals of these are fairly broad and fairly important to the communities; the infrastructures to help preserve our economic health and help our city to continue to grow as a great city as it been; provide safety and quality of life improvements to our community needs as a growing community. The key point on this is that we have had a long history of doing advance planning and had a lot of benefits by doing it and so as we have done this on previous bonds, we want to look at doing that again on this bond. The advantages that we have had from doing this in the past is by starting our engineering work early, by being able to start work with our economic development partners, the private partners and to work with the community, we can more accurately define the project scope which helps some of those partners understand the benefits better and be supportive of the projects and to give us input in doing the projects correctly. That allows us to do better cost estimates that work but is preliminary if we can get it out of the way before November is savings on the construction schedule. We are able to start the projects. We'll have a running start on running the projects and then other savings that occur to that is one savings is that we can have cost benefits just by finishing the projects a little earlier. Construction inflation tends to run at a high rate and these are a couple of 100 million dollar bond packages so a few percent is a big difference. Also, we get savings when we don't have conflicts with the developer because we know what we are going to do and can coordinate with him. So we've had several projects where we saved a lot of money just by that; sometimes \$1M or more. Getting the projects finished earlier provides a benefit to the community also whether it's the Cross Charlotte Trail or roads, or any of the others. The whole purpose of the projects finishing them sooner is a benefit so this early engagement really helps us do the best transformative projects and get the best value for the community.

The types of activities we will begin if you authorize us to proceed, is community engagement. We will go out and start meeting with the neighborhoods or our private partners that are involved. We will work on where the economic development opportunities are. We can get our mapping together and we can start environmental assessments. In some cases environmental impacts can be significant in terms of costs and be fairly time-consuming to deal with. So again identifying those early provides a lot of benefit to us and that all helps us to get the scope better defined and as I said earlier, to refine our cost estimates. The advance planning projects are fundamentally directed at the 2014 projects. There are three exceptions to that, the Garrison Road work, because there are so many private partners involved around the airport, we wanted to start that early. We want to start the Cross Charlotte Trail early for that same reason and our work also on Monroe Road streetscape because there are a lot of private partners there too. One other thing—some of these projects are citywide projects, so there are some shown on here that show geography. Some of these are citywide; the sidewalks and pedestrian safety projects and the Cross Charlotte Trail can look like a signal stem but as Jim Garges, our Park and Rec Director said, it's really the backbone because, if you will recall, we have a ridge down the one-third rail for the County and a third of the County drains to the east and two-thirds drains to the west so all of those greenways will tie into that so its like a stem that will really serve a wide area on each of that actual Cross Charlotte Trail so that's a really terrific transformative project. The proposed funding and sources, I believe will turn this over to the Budget Director.

Randy Harrington, Budget and Evaluation Director said I'm coming with the funding components of this. \$6.2M is recommended for funding for the projects that Mr. Blackwell outlined in the previous slide and there are two funding sources that we propose for the advance planning funding. One is a roadway planning and design account which is in your page ago Community Investment Plan. This is a funding that you've adopted annually and you've done that historically in the past. It's a prime nexus and it's typically used for these types of purposes. The other source is somewhat, what might sound unconventional but it's not unprecedented and that would be to take a loan to ourselves from the municipal debt service fund--\$4.4M and this would be issued as a loan to ourselves and then it would be repaid essentially with the approval

of the 2014 bond referendum for a total of \$6.2M. As far as next steps, if council were to approve tonight, first off the item is number 28 on page 26.

Mayor Kinsey said Mr. Harrington, could we stop just a minute and has a question from Ms. Mayfield.

Councilmember Mayfield said Randy will you go back one—so for number two, let's say we approve for this municipal debt service fund loan and in 2014 the bond does not pass, what happens?

Mr. Harrington said we would just use existing money that we have been receiving this year to cover that payment so essentially we just would not repay ourselves back from the loan and we would just use existing cash that we have been collecting this year that would be applied to the future debt service associated with the bond referendums.

Councilmember Mayfield said so for clarification, we would not take out the loan.

Mr. Harrington said correct. Well essentially we would not repay ourselves back. We would have to dip into our cash component of the municipal debt service fund to use that to cover it. The two differences are, if we pay ourselves, there is no change in the overall debt capacity. But if we take money out of the cash that's part of a balance in that fund, then we would be reducing the total debt capacity for future bond referendums.

Councilmember Mayfield said so number two is not tied to approval of the bond referendum because what I'm trying to get at is, if it does move forward based on the citizens' vote, then we should not hit that \$4.2M and if we are not going to take a loan to ourselves, then how are we going to identify the funding needed for that gap?

Mr. Harrington said correct. Non-approval of the bonds would not be a precursor to not doing it, because we still can pay for that from the funding for the advance planning.

Councilmember Dulin said that's certainly my question. That was my question so it's been answered but if I were going to stick around longer than the one week; I would have additional questions on that. That's a gray area for me or a gray area in the plan I believe.

Mr. Carlee said if could just comment on that; I certainly understand the questions being raised and had discussions myself with staff. If I can just restate what the budget director said perhaps a little bit differently; if the referendum were not to pass in November, having used this advanced planning from our debt service fund, there would be diminished debt that we could incur in the future, but the reality is that if the bonds do not pass in November, then we are going to have to rethink our capital plan anyhow and so we would have to rethink it taking into account the resources we have used for this advanced planning and looking at what our debt capacity was and whether or not we would want to advance any of these projects or how we would re-prioritize.

Councilmember Dulin said I have a follow-up to what he just said. So if they don't pass and you just said then we've got substantial money and time tied up in advanced planning; essentially a year of multiple staff time. We're not borrowing against their time to pay ourselves back later, that will be just lost time and lost money.

Mr. Carlee said if we never did any of those projects. Now again, we would have to re-prioritize our capital program and I would not presume one way or the other whether or not the council would want to advance any of these projects or not.

Councilmember Dulin said well okay, good on another subject later.

Councilmember Fallon said what you're essentially saying is we'll have less money to spend on other stuff.

Mr. Carlee said that's correct.

Councilmember Fallon said if we don't get the bonds. What land acquisition are we talking about?

Mr. Harrington said primarily there could be some opportunities in the east/southeast corridor area or Independence Boulevard; there could be some potential opportunities there for partnership with the private developers.

Mr. Blackwell said that's pretty much it.

Mr. Carlee said those of course, would have to come back to council for a review and approval on the specifics.

Councilmember Fallon said isn't that Allstate controlled out there?

Mr. Harrington said Independence Boulevard is a State road but we are doing work around that we would be dealing with from around Monroe or creating connectivity between Monroe and Independence is one of the things we are looking to do so those kinds of things we would be involved in.

Councilmember Fallon said in other words, connectors.

Councilmember Cooksey said in keeping with the theme of different potential futures based on how things go in a bond vote next year, what would the shelf life of some of this advance planning be? Let's put it in that context.

Mr. Blackwell said at this level, that would not be a problem, as you correctly have discerned that even if we take the 60% plans which this won't even get us to 10, but even if we went to 60% plans, we are not going to—those are good for several years and so that's not going to be significant issue.

Councilmember Cooksey said I'm sure a lot of what Councilmember Dulin said about timing and the like, but if this is the sort of planning that's still good for quite some time after a year from now, then it to me hits the balance between trying to plan for one opportunity and yet not being wasteful in case the opportunity doesn't come up so thank you.

Councilmember Dulin said I'm sorry, I think speaking of shelf life, well no, I'm not going to get into a streetcar question while we are doing this so.

Mayor Kinsey said is there anything else before Mr. Harrington continues?

Mr. Harrington said as I was saying on page 26 is Agenda Item 28 which we request for your consideration tonight and then if council approves the \$6.2M, the staff will immediately begin to work. That may involve issuing some RFPs or request for information as well and then you may see in the winter, spring or summer timeframe potential consulting contracts for particular expertise along the lines that would help with advanced planning. You may see that then in the coming months. With that, that concludes our presentation. We would be happy to answer any additional questions.

Mayor Kinsey said are there any other questions or comments? Thank you.

ITEM NO. 4: TREES CHARLOTTE UPDATE AND LAND PURCHASE FOR TREE PRESERVATION

Mayor Kinsey said Mr. Manager did you want to say anything before I turn it over to Gina Shell.

Mr. Carlee said ma'am I'll turn this one over. I think this is a particularly good news story for everybody.

Gina Shell, Engineering and Property Management said we have two tree related briefings for your tonight. Both of these relate to your goal of having a 50% tree canopy coverage in 2050. As you will recall from 2008, our tree canopies stood at 46%. We are currently working

on a new tree canopy analysis so we will be able to tell you in January or February where the tree canopy stands now. One of the set of strategies that we have been using to ensure our tree canopy is to have volunteer plantings and so Dave Cable is here to give you a very brief update on Trees Charlotte. Also in around 2011, you approved some changes to the tree ordinance that increased protection for trees and also gave us the opportunity to purchase some lands to compensate for trees lost during development. David Weekly will be describing the details of that and also bringing forward first proposed land purchase under that program. So for now, I will turn things over to Dave Cable.

Dave Cable, Director of Tree Charlotte said I want to take five minutes; I'm going to talk really fast, to give you a little bit of an update. We are having a lot of success and I'm really happy to share a lot of the success with you. Let me just start out by thanking all of you who have supported this initiative and also come out and plant trees with us. A lot of you have done that and we've had a lot of fun with you to do that. So we appreciate that. The community is fully behind this project and they are fully behind it because they really understand the importance of trees to the future of Charlotte. That is not a hard argument to make with anyone. So people have really grabbed onto this project and gotten behind it. They understand the importance of the canopy to the community and in fact, everybody likes to plant trees. So this is a mega community engagement project that happens to spew some trees out the tailpipe in a very meaningful way across the city. So we are having a lot of fun with it. If I had to summarize the last year and half of what we've done, this would probably be the best picture that I could put up for you and we've had 15 events so far. We've planted a lot of trees. We're heading towards planting about 7,000 trees this season and we've had five events so far. We've got about 10 more to go. They are great fun and like I said, the community really gets behind them. We are planting in residential subdivisions. We are planting in parkland. At CMS, we have a great relationship with the school system and planting a lot of great schools. The most recent one is West Charlotte. I'm going to highlight that one just for a second and Mayor thank you again for coming out and offering your welcoming comments to the volunteers, we appreciated that. We also have a great partnership with the Charlotte Housing Authority and are going into those campuses and doing some wonderful work to restore the canopy in those situations. Since I last was before you, which I think was in the summer, we've had a chance to fill our board out and in the Northwest corner of this slight is the board and we have some wonderful people who are providing strong volunteer leadership to this effort. The Trees Charlotte board is housed within Foundation for the Carolinas and its primary goal is to raise private dollars to buy trees and this hand in glove marriage with the City is fantastic because we're raising money to buy the trees but we would not be able to execute on these wonderful community events without the strong support of the City, including the fabulous arborist team that exists in landscape management. So Jeb and Gina and the entire group have been wonderfully supportive of this and this is truly a public private collaborative that is not only making a big difference in the community but doing it in a very efficient way.

We also have expanded our list of collaborative partners. Trees Charlotte is really the fund at the foundation and me as a staff, but we accomplish all of what we accomplished through the collaborative and so we are reaching out to the community constantly expanding the collaborative partners and they are the ones who really make this work and work efficiently and effectively. The projects we've had so far—we've had about 18 of them—are scattered across the city. We are going about determining where we plant trees in a very strategic way and you may recall that the 2010 canopy analysis which provided the basis for the 50% goal, can be actually wound down to the neighborhood level. So we've been very careful to identify those neighborhoods, church campuses, school campuses that really need trees the most and are going about this in a strategic way, always being aware of the importance of the geography of the City. On November 9th, we had a wonderful event at West Charlotte that was truly a collaborative with Project Lift in that school community. We had 250 volunteers that came out and planted about 400 trees in about two hours. We had a good time of it and again Mayor thank you for being there. We had 150 students from the school come out—had a great showing and I wanted to just highlight this project because its front and center and its very exemplary of the kinds of projects that we've been involved with across the city as the Mayor welcoming the volunteers and her presence was greatly appreciated by all of us. We had, like I said 150 students. We had been in the classroom the week before teaching some of the students about the value of the trees to the community. They then participated in planting these trees and then they will go back and evaluate the impact of the trees that they planted on the community and the environment. So this

project is working too because of the strong commitment on the part of many people who have given us capital and leadership so this is a partial listing of some of the supporters of Trees Charlotte. The Board is heavily activated now in raising private dollars and the majority of the money that we are raising goes into buying the trees.

We set out last year with a four-year goal of about one million three; a little over that; trying to create a four-year runway for this project to really to take flight. At that point, we hope that there will be such broad support for the project that our average donor level will go way down, but instead of having maybe 150-200 donors, we have 3,000-4,000 donors. That will lead us to a much more sustainable funding model over the long run. We've raised about half of our total goals for those four years and are making good progress on a weekly basis now. Like I said, the Board led by Johnny Harrison and Marsha Simon are very engaged in fund raising and doing a wonderful job of it.

So why have we been so successful? These are really the key items here. The analysis and having that clear goal, that public policy for 50% goal has been tremendously powerful in rallying the community. The collaborative development process that we went through to establish Trees Charlotte was very very important. We had a lot of people who had a sense of ownership with a project right out of the shoot. This third bullet point is the most important one of all and this is this balanced public/private partnership. That is so important because number one it is a great leverage story. We are taking the public resources of the community and we are leveraging them up with private dollars and we are taking private dollars and we are leveraging those up with the public resources. That is a great story. Number two is it is a very efficient model. This is highly entrepreneurial, highly efficient. We are going about this with minimal staff and really doing a great job of getting it done. Then the third thing is that the City could not do this alone and the private sector could not do this alone. It's that magic happens in the marriage of those two and this is truly a public private collaborative that would not work without that marriage. So it's powerful and we are playing to the strengths of the partnership. We've got a great board. Everything we are doing is science based and that is another very important thing of Trees Charlotte. This is not a willy-nilly lets go out and plant a bunch of trees. We are going about this in the right way to ensure that this project will be sustained over time. So that is an update. I am happy to answer any questions. I appreciate the opportunity to serve in this capacity and I'm really grateful for the support from the council.

Councilmember Pickering said I just want to thank you for all you are doing. You mentioned the marriage of the public/private partnership. That is absolutely true, but without somebody like you with your passion for trees at the helm; it might not work as well as it is. So your passion is infectious and we can't thank you enough. We celebrate seeing the young people out there planting trees. You know they will watch those trees grow and you planted a seed within those kids for life so thank you so much for what you are doing.

David Weekly, Engineering Department Land Development Division said I'm excited to be with you here tonight to talk about the first proposed land purchase, specifically for tree preservation and as Gina mentioned, you may recall back in 2011 when we revised the tree ordinance effective January 2011, and that revision was focused primarily on commercial development and there were two primary changes with that. The first one was the new requirement of 15% tree save for commercial sites and the second was increasing the number of trees planted in parking lots. With respect to the 15% minimum tree save, we did provide options for developers in certain types of developments when they found it difficult to meet the 15% tree save requirement on their site and one of those options was the payment in lieu fund. What that basically says is it allows developers to contribute into a city administered ordinance mitigation fund in lieu of tree save on site and again its offered for certain types of developments like high density developments like transit station areas and corridors and other types of developments like industrial areas where typically for those sites, they did clear the entire site and its difficult to maintain the 15% tree save. So the option was for them to do the payment in lieu and this payment amount that the developer would pay into this fund is based on tax value of the land under development. These funds are to be applied specifically for the purchase of land for tree preservation and part of the success for this is our partnership with agencies such as the Catawba Lands Conservancy and George Kimberly is here representing the conservancy and we thank you for being here with us tonight and also another partner is Mecklenburg County Parks & Rec and the City will enter into these agreements with these agencies for the stewardship of

this land to store the land to protect the trees in perpetuity. So as I said, the ordinance became effective with the revisions in 2011 and it was August where we received our first payment where a developer opted for the payment in lieu option and since 2011, there has been 25 sites shown by the red dots on this map, that's paid into the fund and today we've collected \$561,000. The blue dot on that site is the first proposed land purchase with these funds and a close-up of this site, it's a 14.82 acre parcel located north of Pineville-Mathews Road along the McAlpine Creek Greenway. So you can see this is the site here and this is the greenway running along here and there's Pineville Matthew's Road down below it and Carmel Road is up to the left. This parcel fits well within our strategy and vision to help purchase land for the connections of the greenways and also for the Carolina ...Trail which this is also a part of so this is a good first piece of land to purchase meeting a lot of our visions and strategies for this program.

The parcel was appraised for \$341,000 and the current owner wishes to conserve the land and will sell for the below market value of \$99,000 and donate the remainder and the City will partner with Catawba Lands Conservancy for this parcel and the Conservancy will purchase the land initially and then the City will purchase the property from Catawba Lands Conservancy for \$99,000 and then the City will enter into a conservation easement with the Conservancy for them to protect the land and protect the tree canopy in perpetuity. What the conservation easement offers is the right to monitor and steward the property preventing any activity that is inconsistent with conserving the trees on that property. So it prohibits certain uses that would damage the trees but it allows certain passive uses, like recreational use and educational use and trails on those properties and it allows for the restoration of trees should they become damaged. So this is Item 47 on the Consent Agenda and what staff is asking council tonight to do is to approve the purchase of the 14.82 acres for \$99,000 and also to authorize the City Manager to approve a conservation easement up to \$9,750 which would allow the conservancy to steward that land.

Councilmember Dulin said what on that parcel needs to be restored?

Mr. Weekly said restored, nothing currently. That's just when the Conservancy is stewarding the land over time, forever.

Councilmember Dulin said stewarding; okay I misunderstood.

Mayor Kinsey said okay thank you very much.

ITEM NO. 5: PUBLIC ART PROGRAM MID-YEAR UPDATE

Mayor Kinsey said Mr. Manager did you have anything you wanted to say.

Marc Gustafson, Chairman Public Arts Committee Program said my hope tonight is that we will serve as the same function we hope public arts serves for our community. A lot of serious discussion is going on tonight about roads and fire department and things like that and we hope that public art kind of serves as a breather as you drive down those roads or visit those fire departments or those police stations as that bright spot during the day. I won't talk long; I'll turn things over to Nicole as quickly as I can because she has all the bright and all the fun stuff to talk about. What we are going to review for you tonight is the makeup of the Public Arts Commission. Nicole is going to go over the status of the current projects that we are working on right now and the audit for 2013. I think it is fitting that we follow Trees Charlotte because a lot of our projects right now are focused on trees because when we go out in the communities and talk about our Public Art projects, that's what people say symbolizes their neighborhood. I remember at Steele Creek where we put in a tree sculpture at the fire station or as Councilmember Mayfield knows, we are going to put in a really pretty tree sculpture out at the airport and you can't really call it a sculpture, it's a structure and it's going to be really neat. But we talked to those communities and we talked about the trees and how they are important they are not just as coverage but as anchors and roots for our communities. So I think it's very fitting. So this is our body. I am the Chairperson. It does not mean much other than I sit at the front and have chair next to my name and I get two stars and Patricia gets one. The city appointees are Chuck Bardrow from Counter Market...his name is on just about every committee that's been up here so far today and Patricia Boyer who is married to John Meckler. So we have a great board; very high functioning. We've learned a lot over the 10 years of the ordinance and learned a lot from a lot of the city staff. So we think we are doing very well. We celebrated our two years of

the ordinance. We had a great, in this exact room, had a joint City County staff meeting. I think it's probably the first time that City and County staff members have joined together to talk about public art and how to do public art planning; how to get public art involved in the development process. We had our vision forum at the McColl Center for Visual Art, which was great. It's a lot of the past board people, but also a lot of community people. We had Ed Lebow come and speak. He is the President of the Public Art Network and does a great job in Phoenix. We got a lot of lessons we can learn from him and then we had dozens of people do the public arts scavenger hunt. We have over a 130 pieces of public art in the City of Charlotte and in the County. A lot of people think it's just uptown or along CATS but it exists in neighborhoods and we appreciate the Mayor's focus on public art generally, but the neighborhood projects we are working on because we really want to get them out to where people can interact with them and I think that's important and so I'm going to turn it over to Nicole and she is going to go through what we have going on right now.

Nicole Murphy, Public Arts Program said I just want to go through the projects that we have in progress right now. I'll start with the project along North Tryon. Sheila Kline is our RS for that project. She is out Washington and she has been in residence at McColl. We actually received a grant from NEA for this project and with that grant we were able to put her in residence at McColl. It's the first time we've been able to do so within our public art program because we have these extra private funds and that really helped Sheila over the past five months to work with the City's team on a couple week basis. Often our artists just fly in maybe three or four times and sort of work from a distance but she was able to come in and meet with the city's team and the team of Kimberly Horn at least five times for two weeks at a time and interact with people in the community, walk the corridors; so it really enriches her project. She is still in the design phase of this project but the overall theme will be of linking, knitting and weaving and the imagery is supposed to represent the idea that sustainability is about understanding the linkages between us and our environment. She is working to impact small elements so that she can really stretch the budget. So she's doing things like patterns on the crosswalks, patterns within the paving, changing out small elements of light poles to really give impact along this whole area because it's about \$135,000 in permanent artwork, so it's a small amount for six blocks by two blocks, but she is really stretching that budget and she will also do two signature artworks at each end of the corridor. Then at CMPD Eastway the new facility that is about to be completed in early next year, artist Vivienne Collins, who is a North Carolina artist is completing two works. One will be at the entry, a stained glass piece and then she is also doing site wall that addresses the intersection and also addresses the bus station that's there. So people it sits on axis to the existing little bus stop and people will be able to view that piece as well and that will be installed with the completion of the facility early next year.

Then at Charlotte Airport, we have a new project. Thank you very much to Councilmember Mayfield for sitting on that panel. We had a really wonderful panel and thoughts in this project. We had people from the airport. We had people from the fixed based operator facilities; so employees that work at the airport. We had Teresa Robertson from the CRVA, Blaire Stanford from the Charlotte Chamber of Commerce, Gina Howard from Charlotte Regional Partnership and we also had Leah Newman from the Davidson Galleries and Linda Dougherty from the North Carolina Museum of Art. So we had a great panel choosing the artists and we have three finalists for this project and a North Carolina artist, Haus Haley, was chosen by the panel and the work will be at the plaza outside of the fixed space operator. He is doing a piece of sculpture but also some landscaped based work and some benches so that the people who work there and the pilots that come in and out of there and the people at the airport have a place where they can go to and get away and have their lunch and that sort of thing. It also provides a gateway for the people coming and going through that facility. These are photographs of Haus Haley's past work, not of the work that's proposed for that facility, which he is developing right now. Then we have an allocation of just over \$500,000 at the airport which we are working with aviation staff on how those funds are going to be spent. We have developed a priority list and most likely the first project funded through these will be imbedding an artist within the design team for the new ticketing terminal. Then we have an exciting project, Neighborhoods and Creative Partnership. So we had some small past allocations for multiple years, maybe like an \$8,000 allocation from the streetscapes and different things like that that we pulled together and listening to you all each time I've come here and say how can we have public art just funded throughout these certain places and we always tell you it's because that's where you are spending capital dollars, but we had an opportunity to take this pool of funds and to try and

address that issue and spread it a little bit further out and so what we did was we went out to neighborhoods and asked them what they would like to see in their neighborhood and asked them to apply. We had 22 different applicants from around the city and we will have a panel and thank you to Councilmember Howard for sitting on that panel to select neighborhoods and to Mayor Kinsey about to be back to councilmember for sitting on the artist selection panel for that. So we are really excited about this opportunity. It's something a little different that we are trying and we hope that it will work out well.

Wind Sculpture; this sculpture was donated to the city back in the late 80s I believe and it needs some serious updating. It kind of got a little bit lost in the collection. It was being used sort of a piece of advertising and along with Center City Partners; we would like to bring it back to its original intention. The artist on this is Jack Pentis and he is aging and we went out and met with him and documented his original intent for the sculpture and it was always intended that these banners would change but the funding was not there over time to do so and that different artists within the community would put banners within these pieces so it would be constantly something new to look at and that's what we are proposing to do. A first iteration of that and bring a local artist in to do these banners and then over the course of every few years to change them out and for it to be something new and interesting for the City.

Along Statesville corridor, we will still have Chaundra Cox working on markers for that area and she continues to work on her design and then the joint communication center, we have an allocation from that which the Fire Department has let me know that facility is not really fully accessible to the public and so they have, again as they did with the Fire Department Headquarters, offered for those funds to be spent within the totality of the corridor rather than at the facility to benefit all the citizens in that area. So we will be meeting in the coming weeks to figure out exactly where those funds should be spent within the corridor. We've identified a few locations but that's yet to be determined.

Then CMPD Westover; this project is just in the beginning phases, but we have an allocation here which will be spent for public art within this new facility. This is our public art expense summary. I see you smiling over there Mayor Kinsey; the numbers are always confusing. They don't match to the allocations because the money doesn't always get spent within that allocation year if the artists' contract carries out over two years then the money is spent out over two years, but you can see that the funding and expenses match and these amounts represent our draft audit. The audit has not yet been finalized so once that audit is finalized, we will provide the numbers to the city Budget and Evaluation office and you all can review them.

Then one thing I just want to mention, we've worked very hard with the city staff to put a public art layer on Virtual Charlotte and this has really been a great tool for us. We have both City and County and privately funded on there and it serves a number of purposes. First it's a great tool for citizens to be able to have access to the public art around them and to know where it is. But internally, it allows us to do planning so we can look at where public art is. We can look at where other capital projects are happening. We can look at where parks are and we can try to plan out the best places for future public arts which is similar to advance planning that you do with overall capital plans and it also serves the function of helping us with maintenance so if something happens to a piece of public art, internally you can pull up a file that has documentation of the maintenance requirements for that work, who the artist was, all kinds of different information that we didn't have access to before. So that really helps and we can put files in there each time a piece is maintained to let us know what's been done before. So I thank the Budget and Evaluation and Planning and GIS and a lot of different people who worked to make this happen. That is all unless you all have any questions.

Councilmember Cannon said on the amounts that you've budgeted for in those areas, it's typically up to a certain amount, not totally using all of the budget, right?

Ms. Murphy said we typically get one percent of the capital construction dollars and typically we do spend all of that within that particular project. So if we get 1% at a police station, we are spending the full 1% at the police station and that's in artist's commission amount for the project. So that is the artist project budget.

Councilmember Cannon said so then you rarely have any remainders.

Ms. Murphy said we rarely do. In past years we've have small remainders just because a project changes for one reason or another or what we often have is very small amounts that we can't spend within that particular capital project so when we have like sidewalks, \$8,000 is inefficient to do an \$8,000 public art project and so we roll that into either other projects or we pool them together and those approvals always come to council.

Councilmember Cannon said is there any particular area in the city that you'd like to invest in but you haven't gotten there as of yet and if so, where might that be?

Ms. Murphy said I'd the university area. There's one area that I see a big whole. I was hoping that neighborhoods would apply for the Neighborhoods and Creative Partnership Project, but I think given that there was some transition there with University City Partners at the same time that may have kind of hampered us. So that would be an area that I would like to see. They are getting a lot of public art through CATS and we try to look at the programs, even though they are separate programs, we try to look at them as compliments to one another.

Councilmember Cannon said maybe there is some support out there somewhere to be able to get some help and attention going towards that to help you in that quest. Thank you.

Councilmember Dulin said of the neighborhoods, and I've brought that up before, I still think those trash on Central Avenue ought to be mobile and moved around the city.

Ms. Murphy said none of the neighborhoods wants trashcans in their neighborhood. That's what they've requested. Maybe we'll see more.

Councilmember Dulin said I really think by definition, you have to pick a trash can up and we ought to share that mosaic art all around the city.

Mayor Kinsey said you didn't like it when we did it.

Councilmember Dulin said no I'm made because its \$1,400 per trash can. I'm still mad about that.

Mayor Kinsey said they were art students from Garringer.

Councilmember Dulin said and the worst, excuse me ma'am I'm not harping on you at all, but the worst public art and I'll say it one more time, in the history of Charlotte is the group on the light rail; some art committee got together and picked an artist and paid an artist a commission to pick a color to paint the light rail and he picked orange to signify the red clay of North Carolina's history and why on earth would people—we were spending \$462M on a rail car named the Blue Line and then these brainiacs go and paint it orange.

Councilmember Barnes said the extension won't be that way.

Councilmember Fallon said are you talking about the manhole covers?

Councilmember Dulin said no ma'am. The whole bridge... They painted the thing orange—so on...on the bridge at Central Avenue down there, they've got the nice hand railings, there is a bridge in District 6 that goes across a storm water project that the City did that has crappy old, now they are rusted, metal handrails and if there was ever a nice spot in a nice neighborhood in Madison Park that could really use a little sprucing up, that would be a place that at least the city could go down there and paint it, that would be.

Ms. Murphy said if you will send me the location... We do try to keep a list of potential areas for projects so if you'll send me that I'll put it in.

Councilmember Dulin said and I took Scott right before he quit to the corner there at Brandywine and Park Road. That would be a fabulous place for a piece of public art. The city owns that corner. Right now we just use it for back hoes and dump trucks to park there when we are doing a project down that way and it's just not a very good entrance into that part of the city.

ITEM NO. 6: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Kinsey said that concludes, because we had no query on consent items, so that concludes our dinner agenda, so we will have time to visit Ms. Murphy before we go downstairs.

The meeting was recessed at 6:15 p.m.

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The Council reconvened in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:34 p.m. for their Business Meeting with Mayor Patsy Kinsey presiding. Councilmembers present were John Autry, Michael Barnes, Patrick Cannon, Warren Cooksey, Andy Dulin, Claire Fallon, David Howard, LaWana Mayfield, Billy Maddalon, James Mitchell and Beth Pickering.

INVOCATION AND PLEDGE

Mayor Patsy Kinsey led the Invocation and led the Council in the Pledge of Allegiance to the Flag.

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CITIZENS' FORUM

Mayor Kinsey said tonight is our Citizens' Forum along with the business meeting and we have it looks like maybe eight speakers. You each will have three minutes to speak and there is a little clock on the podium. Please pay attention to that, if you are able to do that. But when the buzzer rings, I will ask you to step aside and just to be fair to everyone; we have to limit it to three minutes.

Storm Water Drainage Issue

Keith Tyrell Jefferson, 6228 Eagle Peak Dr. said I work for Mecklenburg County Water and Land Resources Division as an information technology analyst. My wife is here with me as well, Toni Tuppins that used to work for the City in the Neighborhood Development Department. We reside at 6228 Eagle Peak Drive in Charlotte, which is District 3. I am here to complain about the level of service for the sink hole that is on our property. We noticed it in August 2011 and I understand it has a four year waiting period. So here are my questions: First off, if our storm water fees pay for this service, I'm not quite clear on why there is such a long waiting period. Number two, there is no process for me to understand how we're moving up and down on this waiting list; 311 hasn't been updated. The last time I checked was the first of November and nothing has been done or updated in 311. There is also a push by Storm Water Services for the 50/50 Plan where if I come up with half of the money, they can expedite fixing the sink hole but at a cost of almost \$60,000, I think that's exorbitant, plus we are getting confusing report from Storm Water Services. I have contacted them, not recently because this is starting to drag on a little bit, but the information has been forth coming but they give me a waiting list that seems to be not very clear. For me a waiting list means I know you are going to have this service and the other people come after you—but it doesn't work that way. Number three, I did send some information to my representative and finally, I will just conclude by saying, we are concerned about the property value, because I understand when you have sink holes on your property that does affect property value. We are also concerned that no one has explained why the sink hole exists and finally with everything that's in the news with Florida sink holes, I'm not sure if a small sink hole turns into a large one. People are telling me who's not responsible for it but no one has told me whose response for it.

Mayor Kinsey said I guess Mr. Manager. I'm sorry, Ms. Mayfield

Councilmember Mayfield said we actually have had conversations and I believe I have a staff representative that will be able to share a little bit more information. I actually had the opportunity last year, based on this concern and other concerns within the community where we

actually rode through the neighborhood trying to get a better understanding of some of these issues with the sink holes that are happening so I wanted to just find out where we are and get an update from staff on this because this is a concern that is becoming reoccurring in some parts of the west side.

Jennifer Smith, Storm Water Services Program, Engineering and Property Management said Storm Water receive hundreds maybe even thousands of requests for service every year and in order to fairly and chronologically work on these, we've developed a classification system that is based on severity of the problem and public safety and so the highest priority request for service are storm drainage systems in the roadway that are failing or in the right of way. The next category is system failures that are within 10 feet of a house or house flooding or street flooding. Our medium priority or the next category is those holes that are greater than 10 feet from a property or a house and then our lowest priority is channel erosion. Right now, our main focus is on that the highest and high priorities, the public safety, the holes in streets or near the right of way and holes near house within 10 feet of a house. Mr. Jefferson's request is what we consider a medium priority where the failure or the hole in system is greater than 10 feet from the house. So it is classified as medium. We are currently working on about 180 requests for service and when I say working on those, we have someone, an engineer or a staff person that is evaluating those and trying to put a design together to fix those. We have over 600 requests on the backlog—one of which is Mr. Jefferson's. We are doing as much as we can, as quickly as we can to resolve all the requests within our resources and workload, but we can only get to so many in a year. So we focus on those and public safety issues and the highest severity problems first.

Councilmember Dulin said I agree and Jennifer, you and I have been on site 20 times over the last number of years and sir when I'm on in somebody's yard, I have obviously not been to your home, but this is a problem in District 3. I've got four or five now that just from the last several months that we've added to the list and when I'm describing what the process is to these citizens, I have to tell them that part of the problem is on me. I'm not going to speak for my colleagues but on me because over the years, we've reduced the budget at Storm Water and we've cut those staff positions down. There are 100 less people working at Storm Water today than there were in 2005 when I got elected and I think it'd be a good challenge for the coming new council and Mayor to try to get some of those positions back because those folks, as we all know, as servants that if it's a hole in your backyard, it's the most important thing in your life. So I think it's really good to see you down here because you speak and spoke tonight for hundreds not just you and your wife.

Councilmember Howard said how do you keep up with who has priority when? What he mentioned is that it was impossible for him to find out where he fell on that list and what it sounds like too is that because of new issues that may be higher priorities, things can jump up and that could be a moving target. Is there a list that would give him some certainty about where he is in the process?

Ms. Smith said we have shared a list with Mr. Jefferson. It is a very fluid thing. As you said if a higher priority request comes in, if a street is failing, then that goes to the top of the list and we start working on that. So we do try and work down the list as people have called in, but depending on if a street fails, that will go to the top of the list.

Councilmember Howard said Mr. Manager is it possible, given the comments that Mr. Dulin just shared with us that maybe going into the next budget cycle, we can talk about that?

Ron Carlee, City Manager said we would certainly be happy to give you some options.

Councilmember Fallon said how many positions are open?

Ms. Smith said I don't have that count but I can get that information.

Councilmember Fallon said would you please and if it's possible, can we fill them and get this stuff expedited?

Mr. Carlee said it won't be just filling positions. It is actual cost of doing the work and materials and other matters as well. So we'll put together—we'll show you what the current budget is and we'll show you some budgetary options.

Councilmember Fallon said maybe can move some of that money we are using for planning over there.

Councilmember Cannon said any idea of how deep and how wide that sink hole is right now?

Ms. Smith said I do not know off the top of my head. I think the last time we were out there was in August.

Councilmember Cannon said Mr. Jefferson, any idea how wide and/or how deep that sink hole happens to be, Sir? I need you at the microphone.

Councilmember Dulin said Mr. Cannon, I've got some that are five feet across in District 6

Mr. Jefferson said I only have an approximate. I would say about five feet by four and maybe five or six feet deep.

Councilmember Cannon said I'm not certain as to what kind of soil we are talking about over there because sometimes it's a mixture of soil in different places when developments occur, but it sounds like, unless there is a big rain of some sort and the ground opens up, that is the only way that it would jump high to the top of the list. Correct?

Ms. Smith said yes. The closer it gets to the house, the higher the priority it is and right now it's about I think 20 feet from the house.

Mr. Jefferson said but the soil being soft I'm not sure if I'm speaking out of turn but the soil was soft but we had to eliminate animals that burrow, so we hired a pest control man to make sure there were moles or voles or things like that because that's what concerned me. The ground was getting soft close to the house. We've already spent \$10,000 with Ram Jack. I think I shared with you earlier the front part of the house, but subsequent to that, because I just didn't want to argue on principle, it's my home. So we paid another \$5,000 to shore up the chimney in the back but again I just need make sure that my tax payer dollars are being spent the way I thought they were supposed to be spent. The storm water fees should pay for Class B sink holes.

Councilmember Cannon said thank you and I'm only raising the question about the soil because that's an issue that we haven't even talked about. There may be some environmental issues there in terms of how do you deal with soil and what's used for stronger ground, not to have these types of things take place. I think that's just another issue in itself that we haven't talked about that probably warrants some level of discussion.

Councilmember Fallon said has it spread since it started?

Mr. Jefferson said yes ma'am.

Councilmember Dulin said as a follow-up, I got a call council, about two or three months ago and it was from a fellow who called me and said "hey I just wanted to call you and let you know that they came and fixed my sink hole" and I said wow that's pretty neat and then he and I are on the phone. I don't know this man other than I've been in his yard a couple of times. We said "wow that's what a three year wait feels like." He had worked his way up that list and sure enough they went and got it. Now I hope they try to shorten that wait up for you sir but Storm Water is indeed out. They are good at what they do. They wish they could get them all. They are professionals. They do it well. They tear things up and then they fix it back real nice and I wish we could give y'all the folks and the back hoes to get it down quicker.

Homeless Awareness Month

Angie Forde, 418 Neill Ridge Rd. said this November, as you know is Homelessness Awareness Month. Every year at this time, representatives of \Homeless Services Network come before you to help you to remind all fellow citizens of the plight of the many in this community who are without a place to lay their heads. I have with me tonight, Pamela Jetson and other members of Homeless Citizens Network. As you, this council and Mecklenburg County approved in 2007 a 10-year plan to end and prevent homelessness. The plan pointed out that Charlotte had a deficit of several thousand affordable housing units and the task of making even a dent in backlog seemed formidable. For a while, nothing seemed to be happening, but in the background brave people were making small steps because after all, how do you eat an elephant, one bite at a time. The agencies of the Homeless Services Network in collaboration with the faith community, yourselves and your staff, the county and the philanthropic community set out to house person, one family at a time. Through this awesome collaboration, we are making inroads into this seemingly impossible problem. It's never enjoyable to have to report deaths, but for the first time, we are able to tell you that the list of formerly homeless people who died in the dignity of housing is longer than the list of those who died still awaiting a home. That's progress. You've heard of the money that has been saved in hospital and jail costs through providing homes to the residents of Moore Place. That's progress and we encourage you to continue that forward direction by approving the requests before you tonight to expand the capacity of Moore Place. Pam, I believe you have some words to add.

Mayor Kinsey said, Pam you have 50 seconds.

Pam Jefferson, Executive Director of Supportive Housing Communities and the Kresh Place said we had signed up separately, so can I have the additional three minutes?

Mayor Kinsey said I'm sorry, I don't have it.

Ms. Jefferson said I would like to say a few things. We had some great news last week. Nationally, homelessness has dropped 24%. So it is too late for the people for whose names we spoke outside tonight in our vigil, but we take heart because we have not always had homelessness in this community and we do not need to accept the fact that we will always have homelessness in our community. So I would invite those of you to have hope and to take heart with us and to help support some of the things that will allow us end homelessness in this community because we are excited about having that day come.

Mayor Kinsey said Ms. Forde, I do have a proclamation declaring this as Homeless Awareness Month.

Opening a Community Center on the Eastside of Charlotte

Cornelius Benton, 3557 Bonneville said first of it's not a community center. I would like to thank the council for giving this opportunity to share about our vision the east area of the Queen City. Our vision is to open a large facility; 55,000 square feet. This facility is to include a skating rink, a laser tag center, an arcade area, a restaurant, a sports bar area, party room rentals, children canteen area for birthday parties, a pro shop store, a mother-daughter pampering nail salon, a parent waiting area with free internet and this waiting area is a place where parents can exhale. I have lived in the Eastland area for the last 30 years and I have owned an accounting firm for the last 21 years. I am very compassionate about this idea because I feel that this idea coincides with your agenda to improve the Eastside area and I shared my vision Mrs. Sylvia Emafo. She is a business owner and client my agency and she bought into my vision and added her expertise and hard work to the project. My desire is to bring a business to the area that reaches out to children, teens, adults and seniors—also serving the special need population. This facility would be very beautiful—a safe haven to assist with the revitalization of the Queen City Eastside. It would be a place that is fun, entertaining and enriches the family; a facility that offers something for every member of the family. Today we are ready to make that project a reality. We have found the land.

Sylvia Emafo, 3005 Abingdon Ave said I will just pick up where Mr. Benton—forget my notes and pick up where Mr. Benton left off. We have come up against several obstacles with trying to do this project for the past three years. We were looking at the old Hannaford Building over on

Eastland. It's a sublease property so there is a fifty-five hundred thousand dollars worth of damage done with vandalism to the 15 25-ton units. They want us as lessees to pay for that on a leased building. We can't even actually own the building for approximately 20 years. Then we tried the old BJ's property and that didn't work out for us. So we are looking at the land over there where the old Uptons was, to put this project. Great Community project—bring our children off the streets and let them have a place to come, like Mr. Benton said, a safe haven. It's needed over there on the Eastside so we can build up our community. They are doing this over \$300M project that's over there on Eastland, so we want it to be close, but we are just going to be a couple of blocks away that's over there on Albemarle Road and what we come to the council to ask is for you to endorse this project for us and just say go ahead and this is something that we need and to just give us your blessings and maybe just be a liaison to help connect us other services that are in area that might could help us get this project completed.

DiVeal Brown 8i512 Lodge South Cir., Apt 6 said what I bring to the table is just from the aspect of a young man that kind of came through the rough streets. I grew up in the urban community and I know what it's like to kind of be bored—to kind of get into trouble and not have anything to do. So with this project, having a place where we get off the streets to have a personal place where we can come and not be out in the streets because one thing for sure is when you are out there, you kind of gravitate to what's available. Everybody doesn't have a skill to play basketball; everybody doesn't have the skill to write/rape or these sorts of things, so where do those children go? So pretty much they gravitate to what they see. They see the person that's standing on the corner. So most of them, they gravitate to that. They see the people that may be stealing cars and things like that so they learn those types of skills, but if we had a place where we would go to kind of have something positive where we could actually get off the streets and do something different and learn another skill, I think it would be beneficial and especially whereas the city is building already. You have a lot of apartments coming up. You have a lot of other places coming up but there is still nothing for the young people and also with the vision that Mr. Benton and them have, they just want a place where not only for the children to hang out and have something to do, but we also want to engage in the mentoring program, which the young people can come and maybe actually learn a skill, learn how to work; learn how to have a couple of hours after school and learning something different other than just the norm.

Crystal Pittman, 2630 Conway Highway, said I am a full-time employee for A&D Accounting in Monroe and I've gotten to know Mr. Benton very personally. He is one of the most honest, sincere people that I have ever worked for. He would give the shirt off his back to anyone and this is a vision of his that he has had for as long as I've known him. He wants to help. He's a father. He has grandchildren. He wants to help young children in the community. I feel very comfortable with my children and friends and family patronizing a facility of this magnitude with him involved. As a resident of Monroe, there is just not enough positive recreation for our youth. I'm willing to take the short drive and bring my family out for fun at the Palace. Regular social engaging and some type of physical activity such as skating and laser tag, I believe it promotes lifetime wellness. Your quality of life and a sense of well-being are considered to be equally important to good health. This positive component of good health is now referred to as wellness. Indoor activities are needed for our youth. They bore so easily these days. We also have a lot of couch potatoes. I would like to join in with the first lady in stomping out childhood obesity. I'll leave you with this; I believe with our youth partaking in this type of facility, it would translate into more positive children growing into positive adults and having a strong mind to resist drugs, gangs and other forms of violence. I believe we need the Palace for the youth and our community. I believe in the Palace.

Mayor Kinsey said thank you Ms. Pittman. You did a great job. Very good and I believe you have given us something at our places—some material about this. We will certainly take a look at that and give it some consideration.

Councilmember Cannon said where are you in this process? Have you done a market analysis for the area? Is there a business plan per se? Do you have estimated costs of any sort? You already have that information.

Mr. Benton said yes. We have a business plan and we've done our marketing in the area.

Councilmember Cannon said and how are you set up right now business wise, as an entity?

Mr. Benton said we are incorporated.

Councilmember Cannon said is that an S Corp?

Mr. Benton said C Corp.

Councilmember Cannon said let me applaud your heart and your minds for wanting to do something in the area. It's really important; yes sir I do agree with you. Having an opportunity for kids to be exposed to something other than mischief because there's nothing in and around the area for them to engage in other than mischief is always a good idea. Ma'am, you've got the prayers I think around this dais for what can happen or what should happen or what you would like to see happen. But I'm not clear really on what your "ask" is. I got your concept. I got the prayer, but I'm not sure about what it is you are asking the City for per se. If it's nothing else beside a prayer, then you got that, but if it's something beyond that, what does that look like so that we might understand better at some point.

Ms. Emafo said what we are asking the council for, not only for a blessing and thank you that we have that, but we also would like—we are trying to actually, Mr. Steven Beiderman is the one that's the broker for the property and I understand from a gentleman that called me, I think Mr. Kurt White, that stated from the Environmental Agency of the City stated that the owner actually lived in Germany so what we would like is just some members of the City after endorsing the project just saying that yes this is a great project for the area to maybe help us in some negotiations. We're working with a company out of Diamond Minds out of Atlanta as to procuring our architect and our financing so we are going to go to the table because they are asking cash, as you see on your hand-out there, the land value he states on the prospectus is \$2.4M and he is willing to sell it for \$1.75M and so we are just going to negotiations and we wanted someone also backing behind us that maybe had a little more skills in that area than we do on going up for asking to lower the price and kind of work with us more or less.

Councilmember Cannon said and you're already tied into I assume some finance agency of some sort that's out there.

Ms. Emafo said yes.

Councilmember Cannon said good, I would encourage you also to do things and I'm done; one is to go to CharlotteBusinessResources.com. A lot of the leadership around this dais happen to be very instrumental in pulling that together in a way of access of to capital; if you need any additional assistance relative to business plans what have you. The second thing is to make sure you are engaging with the district representative who is here and I think is going to be following up behind me Madam Mayor so with that I will stop.

Councilmember Autry said Mr. Benton didn't we meet a couple of years ago up on the 15th floor?

Mr. Benton said yes we did.

Councilmember Autry said and we were talking about the Hannaford's Building

Mr. Benton said yes right.

Councilmember Autry said and so it sounds like the Hannaford's Building is not going to pan out at all for you.

Mr. Benton said no.

Councilmember Autry said but I have you're your number here and I think we should re-engage now that you have a different approach and consider what kind of options that are before you and to try to assist where we can and to push this project on down.

kmj

Mr. Benton said thank you.

Police Corruption

Joseph Lee, 3410 Statesville Ave said the President of the United States has a tough job with police corruption. I wouldn't want a job like that; it's too much stress. The Pope also has a stressful job. I wouldn't want nothing like that, but what my point is that I heard they have a common law here. My definition is you go out and solve the case yourself. Why do we have police here? Why do we have FBI? Why do we have anything if we have a common law and you have to go solve it yourself? This is something I'm hearing from my inner ear. Why am I hearing it from my inner ear? Who is that person telling me this to my inner ear? I'm also hearing about people ...other people have them too? What is this all about? Why are people going out killing people and killing kids and cases can't get solved? Why can't they get solved; because you need evidence. Where do they find the evidence? They have to talk to people? I don't understand the situation. People have to come tell you and explain it to you. If you go to anybody else, you would have to explain it to people so they can understand it at their level. So what I am here for is I want this stuff to really stop. I want people to explain it to me down to my level where I can understand it and it all can end right there. This is what I'm trying to—if you understand me, can you explain it to me. I'm trying to find out a definite answer. Is there corruption in the police? There is probably is corruption everywhere in every organization. They have gangster organization, you get in it; it's corrupt and you can't get out of it because you're stuck into a gangster organization which is corrupt. So you might not know you what you were getting into. People might come up to you and they are regular business people and they are involved in criminal activity as a gangster organization and they are talking to you and you are signing papers with them and that's another thing; signing papers. What papers are you signing? You sit down and talk to people and you are signing papers what kind of papers are you signing?

Transit Oriented Development on the BLE Corridor

Martin Zimmerman, 1616 Bonnie Lane said I'll be brief. I actually don't have something to say. I have a question to ask and I thought I'd put it to whomever on city council might feel in the best position to answer. You all know that I've been very active in the BLE Corridor. I've taken a strong position on the Auto Mall. I'm not talking about the Auto Mall; I'm not allowed to talk about the Auto Mall tonight. But the big question that I have asked several members of City Council, I put it to Tammy Keplinger, on the City Plan staff, who has been extraordinarily helpful. I've even asked Walter Fields who was sitting up there a few minutes ago if he could respond to the question and this basically boils down to what Walter advised me. City Council does have the leverage to declare TOD zoning where it feels it needs to go and the question I have been asking all these parties is why can't city council—is there something technically or otherwise that would prevent city council from essentially saying yes, let's take this corridor; the stations are essentially a half mile apart if you take the radius from each station, the radiuses tend to in most cases they link to each other so you basically have areas around each station that touch the next area around the next station so essentially all I'm asking and perhaps Mr. Cooksey can answer, Mr. Barnes having been on the City Planning Commission; what is it that would prevent city council from basically saying let's just make the entire corridor a TOD corridor? That's the question and hopefully you can respond to.

Councilmember Barnes said I want to first thank Mr. Zimmerman for his passion about this issue. He and I have exchanged a few emails about it and had a couple of conversations from time to time on the issue and what I would say to you is that that analysis is actually being done as we speak and in the first quarter of 2014 I think you will see some action taken that is consistent with what we've talked about both with regard to the auto uses, the auto oriented uses and TOD, TOD-M or optional along the corridor, primarily TOD and TOD-M and so I think you will see in the next few months answers that really address specifically what you've been talking about and what I've been sharing with you over the last several months.

Mr. Zimmerman said anyone else want to comment on that?

Councilmember Barnes said you don't believe me?

Mr. Zimmerman said no, no, I'm just trying to get a feel from the....Of course I believe you. Have I ever not believed you?

Councilmember Cooksey said Mayor I'm reading your mind. This is highly unconventional and the forum is the opportunity for citizens to speak us, not to start this kind of a dialogue but I got called out. I would like to point out to Mr. Zimmerman that actually, anybody can file an application to rezone any property in Charlotte at any time. So if that's a passion of yours, you could file that rezoning petition for the city to address. Just identify the parcels, file the petition and you could take that upon yourself to run and see how it works.

Mr. Zimmerman said interesting. I did not know that.

Councilmember Cooksey said yes. It is the right to petition government that exists constitutionally and so you need not be the owner of the property but you have conversations with the owner of every property being affected by that before going forward and you may begin to see not only why it might not be something you would be interested in pursuing but why it might be something that we don't fully go full tilt on either.

Mr. Zimmerman said I wasn't going in that direction. Thank you.

Mayor Kinsey said that completes our list of speakers. Now I'm going to ask your indulgence for a few minutes so I can talk a little bit about the State of the City.

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ITEM NO. 7: STATE OF THE CITY 2013

Mayor Kinsey said since tonight marks the final meeting of this council and my final one as mayor, let me begin by saying thank you to my colleagues on council for appointing me to serve as mayor during this period. It has been a singular honor to serve this city and this council. Thank you also to all the city staff for your invaluable support and counsel during my time as Mayor especially, Tracy Montrose, Al Killeffer, Peggy Huffman and Antonia Mitchell and thank you to the citizens of Charlotte for the chance to serve you. I wanted to say a few words about this past year and what our city has accomplished during it. But first, I wanted to talk a little bit about the Charlotte Way. As many of you know, I'm a lifelong Charlottean. I grew up in the Plaza Midwood area and went to Old Central High School before it became part of Central Piedmont Community College. I raised three children here and served four years on the Mecklenburg Board of County Commissioners before serving 10 years as city councilman for District One and I look forward to returning to my District One seat in just a few days. During my lifetime, Charlotte has added half a million residents. It has grown from the seventieth largest city in the United States to the seventeenth. It has become America's second biggest banking center and its airport has grown to become the sixth busiest in the country. These things didn't happen by mistake, they happened in large part because of past community leaders who subscribed to the Charlotte Way. To me the Charlotte Way means simply that our community accomplishes more when we work together than when we work alone. When our government, business, religious and neighborhood leaders work in tandem, we get things done. When our decision making process takes different opinions and perspectives into account, the best ideas emerge and when we set our sights on a common goal, we receive it. In reflecting on what this council has accomplished over the past year, you can see the Charlotte Way at work and while not every project bears its imprint, it's clear that the Charlotte Way moves our city forward. One of our city's biggest achievements in 2013 was the Blue Line Extension which we broke ground on in July. The extension will include 11 stations along a 9.3 mile stretch from Uptown to UNC Charlotte. It will help Charlotteans get to work and get to class and when it begins service in 2017, it will double the size of our light rail system. Just as the original Blue Line has helped generate \$1.4 Billion of new development in South End, the Blue Line Extension is expected to help spur 5.1M square feet of development along its path to UNC Charlotte. The Blue Line Extension showcases the Charlotte Way at its best. With all branches of government at the Federal, State and local levels working together in conjunction with UNC Charlotte, and the

business community to improvement our transit system. It is a testament to how much we can achieve when we work together. The council's decision to go ahead with a second 2.5 mile phase of the city LYNX Gold Line marked another significant step forward for our transit system in 2013. Under the plan, the City will put up half the project's cost and will work to secure the rest through grants and loans from the Federal Government. To this end, city staff has begun work to apply for a Small Starts Grant from the U.S. Department of Transportation. The second phase of the Gold Line will run from French Street on the west side to Sunny Side Avenue on the east side and help to revitalize both neighborhoods.

The first phase, which we broke ground on this year, will run from Time Warner Cable Arena to Novant Presbyterian Hospital and is on track to open in 2015. Together, the two phases of the project are estimated to help generate 2.2M square feet of development along the east west corridor the line will serve. Both the Blue Line Extension and the Gold Line will help create jobs and foster economic development in Charlotte. They will provide our citizens with transit options, contribute to a health environment, and help manage the city's rapid population growth. While the Blue Line Extension and the Gold Line mark important steps forward in our transit vision, we must continue to build out the entire system. That includes ultimately extending the Gold Line from Charlotte Douglas International Airport to the former Eastland Mall site; Constructing the Red Line Commuter Rail from Center City to Lake Norman, and; building the Silver Line of bus Rapid Transit from Uptown to Matthews. To address the funding challenges we face in building out the system, former Mayor Anthony Foxx urged the formation of the Transit Funding Working Group with the Metropolitan Transit Commission in January. This group brings together a cross section of community leaders, developers and state legislators. The members represent different political views and come from different fields but they are working together toward a common goal which they all know must be addressed. This is the Charlotte Way in action. This spring, the Group concluded that the system has a \$5 billion funding gap and suggested several solutions for closing it including federal loans, special taxing districts and public private partnerships and in June the Group's co-chairs, Huntersville Mayor Jill Swain and City Councilmember David Howard took part in infrastructure financing meetings at the Clinton Global Initiative in Chicago. As a follow-up to those meetings, Charlotte will host a conference in March 2014 to examine ways to drive private investment into public infrastructure projects. As cities across the country are forced to identify new ways to fund their regional infrastructure, Charlotte is leading the way through collaborative and intentional dialogue with community partners. Once again, the Charlotte Way is at work.

In addition to the Blue Line Extension and the Gold Line, this council made another critical down payment on the future of our city with the adoption of our Community Investment Plan or CIP. This \$816M bond package, the most far reaching capital program in Charlotte's history, contains funding for a number of critical projects across our city, including six new police stations and a joint police and fire communications center across Charlotte multi-use trail from Pineville to the Cabarrus County line; \$60M to support an affordable housing strategy that includes housing stock rehabilitation, land banking programs and rental subsidies; \$133M for roads, bridges, sidewalks and traffic control projects, and; \$120M for targeted neighborhood improvement investments across the City. The plan also includes a series of investments in three specific corridors: \$166 billion in the northeast including establishment of an applied innovation corridor from Center City to UNC Charlotte; \$92M in east and southeast, including redevelopment of the Historic Charlotte Coliseum Area into an amateur sports complex, and; \$44M in the west for two road improvement projects that support the inner mobile facility and other economic opportunities around our Airport. Together, the investments in the CIP are estimated to create more than 18,000 jobs and have a \$2.2 billion impact on our city. They will help improve our residents' safety, strengthen our neighborhoods and boost our economy. They will provide Charlotteans with additional exercise and mobility options, improve the flow of people and goods within our city, and bolster our hospitality industry. They will pay dividends for our community and our residents for years to come.

The first of the four bond referenda that will be used to fund the Community Investment Plan will be on the ballot next fall and I would urge all of Charlotte to support it. As we work to create jobs in Charlotte through transit projects and the CIP, this council helped foster economic development in our community through other policies in 2013 as well. We provided business incentive grants to five companies that have proposed to create more than 1,800 new jobs in

Charlotte, including 1,300 from MetLife alone. We've reached agreement on stadium renovations with the Carolina Panthers who now have a seven game winning streak and protected the 5,000 jobs and \$600M in annual economic impact the team generates for our region. We voted to restore the Carolina Theater, further strengthening our Uptown entertainment scene. We adopted the Charlotte Business Inclusion Policy to ensure minority owned firms, women owned firms and small businesses have opportunities to compete for City business and we provided Charlotte's young people with 4,300 career experiences, including more than 300 paid internships and 500 summer jobs through the Mayor's Youth Employment Program. In addition to creating jobs, we also made a significant hire of our own when we brought in Ron Carlee as our new City Manager.

2013 was also the year that our community grappled with an attempt by the General Assembly to remove Charlotte Douglas International Airport from City control. That move followed nearly eight decades of successful management by city leaders to grow Charlotte's Airport into the sixth busiest in America; one of the lowest cost airports in the country and a \$12 billion a year economic engine for our community. While the fight to retain control of our airport is far from over, we can take some comfort in the fact that today, nine months after legislation to change its governance was filed in Raleigh, Charlotte Douglas remains a city department. And while we continue to vigorously challenge the State's legislation in court, we can also take solace in the fact that interim Aviation Director Brent Cagle and his team have continued to operate Charlotte Douglas as one of the best airports in the nation. Not only have Brent and his team ensured that the legal proceedings have had zero impact on the traveling public; they have forged ahead with critical airport upgrades and expansions. This has not gone unnoticed by US Airways whose executives have expressed full confidence in Brent and said the airlines' relationship with the City and the Airport have never been better. I'm happy that U.S. Airways and American Airlines have settled their lawsuit with justice department and look forward to continuing to work with the airlines' leadership to grow and expand our airport. Under the new American system, Charlotte is slated to become the second busiest hub—a move that would provide us residents and businesses with additional travel options, enhance our regions' ability to attract corporate headquarters and strengthen our local economy.

Finally on the issue of the Airport, I want to commend this council for the unified stance it has maintained against this legislation from the outset. We stood together, we stood firm and today the airport remains under our control. The next Mayor and council must also stand united as we continue our challenge in court.

In closing tonight, I'd like to say a few things specifically about my time as mayor. While my time in this office was limited, I endeavored to make the most of the chance it gave me to strengthen our community. To that end, I was proud to be the first Charlotte Mayor to issue a Charlotte Pride Weekend Proclamation and proud to participate in Charlotte's first LGBT Pride Parade in 19 years. I became the first Charlotte Mayor to join the Mayors for Freedom to Marry Movement and I held a meeting with MeckPac, the State Department, and others to discuss Charlotte's sister cities relationship with Voronezh in the wake of anti-gay violence there. Ensuring that all of Charlotte's residents feel at home in our city is the Charlotte Way. While improving the lives of our LGBT residents, we must also work to improve the lives of our immigrant and multicultural residents and I look forward to council's adoption tonight of a resolution sponsored by Councilmember Howard and I that will create an interagency task force to examine immigration issues here in Charlotte. This taskforce will report out its findings to the council within one year of its first meeting and will look for ways to help immigrants better integrate into Charlotte's education system, neighborhoods and businesses. This is the Charlotte Way.

Finally, in September I was pleased to celebrate the 10th Anniversary of the Charlotte Mecklenburg Public Art Ordinance by announcing a new partnership between the City, Public Art Commission and the Arts and Science Council to promote public art in our neighborhoods. Since passage of the ordinance which sets aside one percent of eligible capital improvement funds for public art projects, more than 80 arts and 70 works of art have been commissioned. And under the Neighborhoods and Creative Partnership Program, the City is pledging \$118,000 to help fund five public art grants that neighborhoods throughout Charlotte can compete to win.

Working together with neighborhoods, government and non-profits to promote public art, this is the Charlotte Way.

Tonight I've touched on many priorities I hope the next Mayor and Council will embrace. I hope we will continue to build out our regional transit system and look for innovative ways to fund it. I hope we will support the community investment plan through its first bond cycle. I hope we will continue to support wise business relocations and expansions, the business inclusion policy and the Mayor's Youth Employment Program. I hope we will exhaust every legal option available in our challenge to the State's Airport Legislation. I hope we will lend our full support to Brent Cagle as he works to move our airport forward and collaborate closely with the leadership of US Airways and American Airlines to grow the airport under the new American System. I hope we will continue working to improve the lives of our LGBT and immigrant residents and I hope we will not lose sight of the importance of public art to our community. Above all else, however, I hope we will strive to follow the Charlotte Way, to favor collaboration over division, inclusion over exclusion, partnership over separation. I hope we will think always of a community's needs as a whole, remember our core responsibilities and serve as prudent stewards of taxpayer money in today's era of diminishing resources. I hope we do everything in our power to blaze a bold path for our community's future and continue to building Charlotte into one of the world's truly great cities. As a member of the incoming council, you have my word that I will do my utmost to hold the Charlotte Way and work with my colleagues to support all the policies I've addressed tonight. Thank you again to my colleagues on council for entrusting me with the responsibility of leading our city during this period. Thanks to the City staff for your incredible support during my time in the Mayor's office and to the citizens of Charlotte for granting me the opportunity to serve you. It has been an honor.

Councilmember Pickering said I wonder if it would be appropriate to say a word in conjunction with what you just said about the State of the City and your serviced to the city for the few months and years. I just wanted to mention something that was in the Charlotte Observer today because it struck me and I thought it was important to share with everyone. This was in the context of, as you just mentioned, your participating in the Gay Pride Parade this year and how you didn't hesitate for a moment to say yes when asked. The quote that you gave to the paper I thought was important and bears repeating at the risk of embarrassing you. The quote was, "I was just brought up not to discriminate. That may sound funny, but it's just part of my upbringing." Well Madam Mayor, that doesn't sound funny at all and it's the simplicity of the thought that's striking to me: That you just don't discriminate and we shouldn't discriminate in any context; sexual orientation, race, class, religion, ethnicity, gender or age. This country would be a different place if everyone in it had had the upbringing that you've had and I'll take it one step further and say just imagine if all of our elected officials in Washington had had the upbringing that you've had and how we might have a different presidency. So the people of Charlotte have had the benefits and have been the beneficiaries of that upbringing of your fairness, your deep seeded passion for equality and your caring of reach and every one of them no matter who they were. You are the kind of elected official we need in the City, County, State and Country. I want to thank you for your service and I want to thank you for saying those words publically because it may not seem like a big deal its important and what a Mayor says is important because it brings attention to it. I want to thank you for your service to the people of Charlotte. It's been a pleasure to serve with you and I'm glad you're still going to be around the dais because we need the history and experience that you bring to council. Thank you for your service to the people of Charlotte.

Councilmember Howard said I just think it's important—I'm sure we'll do a lot more of this next week. But you missed a couple of things that you achieved as well—the first female mayor in about 25 years and the first democratic female mayor period.

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ITEM NO. 8: CONSENT AGENDA

Motion was made by Councilmember Cannon, seconded by Councilmember Howard and carried unanimously, to approve the Consent Agenda items 21 through 49 as presented.
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The following Items were approved:

Item No. 21: Charlotte Regional Transportation Planning Organization Funding

(A) Accept Federal Highway Administration funds in the amount of \$616,448, on behalf of the Charlotte Regional Transportation Planning Organization designated for regional planning activities, (B) Accept the Charlotte Regional Transportation Planning Organization member contributions in the amount of \$147,859, and (C) Adopt Budget Ordinance No. 5251-X appropriating \$764,307.

The ordinance is recorded in full in Ordinance Book No. 58 at pages 555-556.

Item No. 22: Congestion Management Process Contract Extension

Authorize the City Manager to negotiate and execute a contract extension on behalf of the Charlotte Regional Transportation Planning Organization, with RS&H Architects-Engineers-Planners, Inc. in an amount not-to-exceed \$469,256 to: Implement the Congestion Management Process and Complete Work associated with development of the roadway project ranking methodology for the Metropolitan Transportation Plan.

Item No. 23: Metropolitan Transportation Plan

Authorize the City Manager to negotiate and execute a contract, on behalf of the Charlotte Regional Transportation Planning Organization, with RS&H Architects-Engineers-Planners, Inc. to assist in the development of the Metropolitan Transportation Plan, in an amount not-to-exceed \$177,074.

Item No. 24: Police Equipment Donations

Adopt a resolution authorizing donation of the following police departments that assisted with the Democratic National Convention: Equipment valued at approximately \$19,500, purchased for the Convention and was not included in the City's prior donation, and Police bicycles and mobile field force equipment valued at approximately \$31,140, not purchased with federal funds.

The resolution is recorded in full in Resolution Book 44 at page 850.

Item No. 25: 2013 Assistance to Firefighters Grant Applications

(A) Authorize the Charlotte Fire Department to apply for a grant from the 2013 Assistance to Firefighters Local Grant program in the amount of \$2.7 million that requires City matching funds of \$300,000 for equipment and protective gear, and (B) Authorize the Charlotte Fire Department to apply for a grant from the 2013 Assistance to Firefighters Regional Grant program in the amount of \$2.55 million to enhance regional radio communications.

Item No. 26: 2013 Homeland Security Grant Acceptance

(A) Authorize the City Manager to accept \$89,437 in grant funds from the 2013 State Homeland Security Grant Program, and (B) Adopt Budget Ordinance No. 5252-X appropriating \$89,437 in State Homeland Security Grant Funds.

The ordinance is recorded in full in Ordinance Book 58 at page 557.

Item No. 27: Compressed National Gas Refuse Vehicles Grant Acceptance and Purchase

(A) Authorize the City Manager to accept the 2013 Clean Fuel Advanced Technology Grant award of \$168,400; (B) Adopt Budget Ordinance No. 5253-X appropriating \$168,400 from North Carolina State University's North Carolina Solar Center; (C) Approve the purchase of five compressed natural gas refuse truck cab/chassis from a cooperative purchasing contract as authorized by G.S.143-129(e)(3), and; (D) Approve a contract with Chastang's Bayou City Autocar for the purchase of five compressed natural gas refuse truck cab/chassis.

The ordinance is recorded in full in Ordinance Book 58 at page 558.

Item No. 28: Advance Planning of General Community Investment Plan Bond Referenda

(A) Authorize the City Manager to begin advance planning on future General Community Investment bond referenda projects in an amount to \$6.2 million, and; (B) Adopt Budget

Ordinance No. 5254-X appropriating \$1.8 million from the Roadway Planning & Design Account in the Pay-As-You-Go General Community Investment Plan and \$4.4 million from the Municipal Debt Service Fund for advance planning of future bond referenda projects.

The ordinance is recorded in full in Ordinance Book 58 at page 559.

Item No. 29: Mallard Creek Road Project Municipal Agreement

Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation for performing traffic signal work associated with the Mallard Creek Road project.

The resolution is recorded in full in Resolution Book 44 at page 851.

Item No. 30; Heating, Ventilation, and Air Conditioning Controls Programming Services

(A) Approve the Heating, Ventilation, and Air Conditioning Controls Programming Services from a cooperative purchasing contract as authorized by G.S.143-129(e)(9a); (B) Approve a unit price contract with Schneider Electric for Heating, Ventilation, and Air Conditioning Controls Programming Services for an initial one-year term, and; (C) Authorize the City Manager to extend the contract for up to three additional, one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Item No. 31: Utility Biogas-Fuel Generator

Approve a contract in the amount of \$1,855,067 with Nixon Energy Solutions for the purchase and a 10-year maintenance plan for power generating equipment at McAlpine Creek Wastewater Treatment.

Item No. 32: Mallard Creek Wastewater Treatment Plant Contract Amendment

Approve a contract amendment #1, in the amount of \$173,291 with HDR Engineering, Inc. of the Carolinas for additional construction administration and inspection services for the Mallard Creek Wastewater Treatment Plant.

Item No. 33 Sewer Cleaning and Closed-Circuit Television Inspection

(A) Award the low-bid unit price contract to Jaamco, Inc. for sewer cleaning and closed-circuit television inspections, and (B) Authorize the City Manager to renew the contract for up to two additional terms with possible price adjustments at the time of renewal as authorized by the terms of the contract.

SUMMARY OF BIDS

Jaamco, Inc.	\$256,961.25
Bio-Nomics Services, Inc.	\$298,778.55
Hydrostructures, PA	\$316,512.00
Southeast Pipe Survey	\$799,050.00

Item No. 34: Community Development Block Grant for Walkers Ferry Road Water Line

(A) Accept a Community Development Block Grant, in the amount of \$216,205, from Mecklenburg County for the design and construction of the Walkers Ferry Road water line; (B) Authorize the City Manager to execute an agreement with Mecklenburg County for acceptance of grant funds for the design and construction of the water main, and; (C) Adopt Budget Ordinance No. 5255-X appropriating \$216,205.

The ordinance is recorded in full in Ordinance Book 58 at page 560.

Item No. 35: Airfield Capacity Enhancement Plan

(A) Approve a professional services contract, in the amount of \$2.5 million, with Landrum & Brown to prepare an Airfield Capacity Enhancement Plan, and; (B) Adopt Budget Ordinance No. 5256-X appropriating \$2.5 million from the Airport Discretionary Fund to the Aviation Capital Investment Plan.

The ordinance is recorded in full in Ordinance Book 58 at page 561.

Item No. 36: Airport Entrance Roadway Change Ordinance #1

Approve change order #1, in the amount of \$400,747, with Blythe Construction Company.

Item No. 37: Airport Financial Services Contracts

(A) Approve a one-year contract with Frasca and Associates, LLC for financial advisory and consulting services; (B) Approve a one-year contract with Newton & Associates, Inc. for financial feasibility services; (C) Authorize the City Manager to execute two, one-year contract extensions with Frasca and Associates and two, one-year contract extensions with Newton & Associates, and; (D) Adopt Budget Ordinance No. 5257-X appropriating \$410,000 from the Airport Discretionary Fund to the Airport Operating Fund.

Item No. 38: Airport Interior Landscape Contract

Award a low-bid contract, in the amount of \$148,500, with Sedgefield Interior Landscapes, Inc. for interior landscape services in the passenger terminal at the Charlotte Douglas International Airport.

SUMMARY OF BIDS

Sedgefield Interior Landscape	\$148,500.00
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Item No. 39: Airport Truck Purchase

(A) Approve the purchase of the five pickup trucks from a state contract as authorized by G.S.143-129(e)(9); (B) Approve a contract, in the amount of \$130,945, with Piedmont Truck Center per State Contract #070G; (C) Approve the purchase of five utility bodies from a state contract as authorized by G.S.143-129(e)(9), and; Approve a contract in the amount of \$41,185.32 with Knapheide per state contract #065A.

Item No. 40: Airport Taxiway and Ramp Design Services

(A) Approve a contract in the amount of \$220,500 with W.K. Dickson & Co., to provide professional design services for taxiway and ramp expansions, and; (B) Adopt Budget Ordinance No. 5258-X appropriating \$220,500 from the Airport Discretionary Fund to the Aviation Capital Investment Plan.

The ordinance is recorded in full in Ordinance Book 58 at page 563.

Item No. 41: Firefighting Medical Supplies

(A) Approve unit price contracts for the purchase of firefighting medical supplies for the term of two years with: Bound Tree Medical, LLC and Southeastern Emergency Equipment, and; (B) Authorize the City Manager to extend the contract for up to three additional one-year terms with possible price adjustments as authorized by the contract.

Item No. 42: Motorcycle and ATV Repair and Maintenance Services

(A) Approve a unit price contract with McKenney-Salinas Motorsports, LLC for motorcycle and all-terrain vehicle repair and maintenance services for an initial term of three years, and; (B) Authorize the City Manager to approve two, one-year renewals with possible price adjustments as authorized by the contract, and contingent upon the company's satisfactory performance.

Item No. 43: Regional Radio Advisory Council Interlocal Agreement

Adopt a resolution approving an Interlocal Agreement with Mecklenburg County and other counties that share use of the regional radio system to establish a Regional Radio Advisory Council.

The resolution is recorded in full in Resolution Book 44 at pages 852-887.

Item No. 44: Donation of Surplus Computers and Related Equipment

Adopt a resolution approving the donation of surplus computers and related equipment to Goodwill of the Southern Piedmont.

The resolution is recorded in full in Resolution Book 44 at pages 888-889.

Item No. 45: Refund of Property and Business Privilege License Taxes

(A) Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$40,522.16, and; (B) Adopt a resolution authorizing the refund of business privilege license payments made in the amount of \$6,033.71

The resolutions are recorded in full in Resolution Book 44 at pages 890-891 and 892-893, respectively.

Item No. 46: Resolution of Intent to Abandon a Residual Portion of Old Steele Creek Road Extension

(A) Adopt a resolution of Intent to abandon a residual portion of Old Steele Creek Road Extension, and (B) Set a Public Hearing for January 13, 2014.

The resolution is recorded in full in Resolution Book 44 at pages 894-897.

Item No. 47: Land Purchase for Tree Preservation

(A) Approve the purchase of 14.82+ acres located along McAlpine Creek Greenway corridor, (PID #21134102) for \$99,000, and; (B) Authorize the City Manager to negotiate and sign a Conservation Easement, and approve a one-time payment of up to \$9,750 to the Catawba Lands Conservancy Stewardship Fund for preserving and maintaining the property for the City of Charlotte.

Item No. 48: Meeting Minutes

Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:

- October 21, 2013 Zoning Meeting
- October 28, 2013 Business Meeting

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Item No. 49: PROPERTY TRANSACTIONS

Acquisitions

Item No. 49-A: 9319 Snow Ridge Lane

Acquisition of 2.87 acres at 9319 Snow Ridge Lane from Pamela Kay Frye for \$110,000 for Airport Master Plan Land Acquisition.

Item No. 49-B: 9125 Markswood Road

Acquisition of 1.01 acres at 9125 Markswood Road from Roger Dale Smith and wife, Leslie G. Smith for \$229,900 for Airport Master Plan Land Acquisition.

Item No. 49-C: 9123 Snow Ridge Lane

Acquisition of 1.78 acres at 9123 Snow Ridge Lane from David W. Brooks and Wife Penny E. Brooks for \$157,000 for Airport Master Plan Land Acquisition.

Item No. 49-D: 9017 Snow Ridge Lane

Acquisition of .43 acres at 9017 Snow Ridge Lane from Catherine McFadden-Barnes for \$185,000 for Airport Master Plan Land Acquisition.

Item No. 49-E: 9330 Markswood Road

Acquisition of 1.43 acres at 9330 Markswood Road from Donald A. Ingle and wife, Melinda L. Ingle for \$210,000 for Airport Master Plan Land Acquisition.

Condemnations

Item No. 49-F: Damson Drive

Resolution to condemn 1,271 sq. ft. (.029 ac.) in Temporary Construction easement at Damson Drive from Plum Creek Property Owners Association, Inc. and any other parties of interest for

an amount to be determined for Abundance Circle Sanitary Sewer and Water Main to Serve 12101 Old Statesville Road, Parcel #2.

The resolution is recorded in full in Resolution Book 44 at page 898.

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ITEM NO. 16: CONCLUSION OF CONSENT AGENDA

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ITEM NO. 9: REZONING PETITION 2013-067

Mayor Kinsey said it's by Withrow Capital for a change in zoning for approximately 18.95 acres located on the Westside of Northlake Centre Parkway near the intersection of Madison Square Place, Northlake Mall Drive and Northlake Centre Parkway from R-3 and BP to UR-3(CD). Changes have been made to this petition since the Zoning Committee made its recommendation, therefore the City Council must find that such changes are not substantial and that the petition should not be sent to the Zoning Committee for further review.

Councilmember Mitchell said let me first apologize to staff and to council. I think the first time it was brought before the zoning meeting, I was not present and I apologize for that. I was out of town, but I hope that council would join me in approving this. This is part of our overall plan for Northlake area Plan to make sure we have market rate apartments to make sure our Northlake Mall will stay very successful.

Motion made by Councilmember Mitchell, seconded by Councilmember Fallon to (A) render a decision on whether the additional elevation information added to the proposed rezoning petition 2013-067, after the Zoning Committee recommendation, requires referral to the Zoning Committee for additional review, and (B) Render a decision on proposed rezoning petition 2013-067 from R-3, single-family residential and BP, business park to UR-3(CD), urban residential, conditional.

Mayor Kinsey said let me just make sure that your motion on Item B adopts a statement of consistency made by the Zoning Committee.

Councilmember Mitchell said yes mayor.

Mayor Kinsey said that is in the public interest based on information and all that good stuff.

Councilmember Mitchell said yes mayor.

The vote was taken and the motion carried unanimously.

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POLICY

ITEM NO. 10: CITY MANAGER'S REPORT

Mayor Kinsey said I know this morning you weren't going to give a report, have you changed your mind?

Ron Carlee, City Manager said I know it will be disappointing to the council, but no ma'am.

ITEM NO. 11: CITIZENS REVIEW BOARD ORDINANCE AMENDMENT

Councilmember Cooksey said since we have four speakers, should we hear from them before council gets into it?

Mayor Kinsey said I'll be happy to. I didn't know if you wanted to make comments or not. We do have four speakers and I will ask you to just come down. You each will have three minutes.

Gregory West, 10915 Gardenia Street said I am here this evening with Ms. Patricia Albritton and we are co-chairs of the CRB, CRC Task force. To the Mayor and City Council; as a citizen who happens to be current chairperson of the Citizens Review Board and a person who is also part of the taskforce, specifically created for this purpose, I just personally wanted to reiterate the importance of passing this revised ordinance. This process involved not just the taskforce members but there were opportunities for the community at large to participate in this revision. As a result, there were many ideas and suggestions that were made. Through further investigation, research and with proper counsel, not all of the suggestions were feasible nor could they be implemented at this time. As a result, there are going to be persons who will still not be satisfied. However, looking at this from a bigger perspective, I think that the revised ordinance is a win/win situation and can be perceived as an improvement. I would say if I was to look at this from my own professional work experience, that this is an opportunity to move from an age of quality assurance to a concept of continuous quality improvement or quality management. The passing of this ordinance is an opportunity to move forward and to look ahead and as from one public servant to another, thank you for your time and service and for your specific consideration on this important matter.

Patricia Albritton, 600 E. Trade Street said I am the chair of the Charlotte Mecklenburg Community Relations Committee. In April when then Mayor Anthony Foxx asked us for a review of the CRB process, I was interested in who would perform this review. I can tell you that after working for the past six months with 17 members of the taskforce, I no longer have the concerns I had in April. My concern then was would there be complete, honest open review of the CRB process. Yes there has been. Would we capture the true comments issues and concerns of the citizens of Mecklenburg? Yes. We did this through multiple public forums, online surveys and meetings with three of the most vocal groups asking for change to the CRB process; the Charlotte School of Law, Democracy North Carolina and the Coalition for a Better CRB. Would the taskforce gather input from the Charlotte Mecklenburg Police Department, it was important to receive their comments and concerns as well? Yes. We gathered this information through a focus group with representatives of the CMPD and an online survey to all members of the Charlotte Mecklenburg Police Department. As a taskforce, would we understand what recommendations we could make and the impact and feasibility of the recommendations? Yes. For any assistance, we had access to the CRC staff, the CRB attorneys, Charlotte City attorneys, CMPD Internal Affairs, Charlotte Deputy and Assistant City Managers and the Charlotte City Manager. Would the citizens of Charlotte Mecklenburg believe there would be appropriate change to the process? Yes they should. Based on the recommendations that have asked for availability of advocate for citizens going through the CRB process; extending the time to file an appeal; changing the standard of review; providing written responses to citizens who file a complaint and improving information on the CRB process through websites, meetings and more public information. Yes, I am confident the taskforce has found ways to improve the CRB process. Finally I want to say that through the taskforce meetings and public forums, we have found that most citizens have little or no concerns with the CRB process. However, I realize that when a single individual has to go through the process, there is a greater level of concern. Additionally I have found that the members of the Citizen's Review Board take pride in servicing as volunteers who sincerely do their best to review complaints. They want to get it right and I believe they do get it right. With the CRB process recommendations and the combined efforts to educate our citizens and renewed focus on the CRB process, we can and will see and will see an improved process. Charlotte is a great city and it has an effective CRB process. Let's put the new recommendations in place so that we may move forward with process that provides flexibility, understanding and assistance to all.

Matt Newton, 2015 Ayrley Town Blvd said I just had two comments and two things that I ask and I encourage you to consider tonight. Piggybacking on what Mrs. Albritton has said Mr. West, I couldn't do a finer job of explaining why it is important that the amendment that will come before you tonight, number 11, be passed and so I encourage you to please pass the Citizens Review Board amendment. I also encourage you to please join many of us here tonight that will be at Dilworth Grill following the passage of that amendment. That is at the corner of

McDowell and Moorehead, 911 East Moorehead for anyone who hasn't gotten the invite. Everyone is invited. Please come on out. It will be a wonderful banquet. Thank you so much.

Jabril Hough, 13328 Calloway Glen Dr. said I am here tonight to encourage council to go forward with the proposed change to the Citizens Review Board but I'm also here to remind all of us that we don't need to stop there. More changes need to be made and I know this council limited in the changes that it can do, but I think if you would ask the greater community, they would be requesting subpoena power and they would rather have a third party do the reviewing instead of Internal Affairs. A Citizens' Review Board that never favors the citizens, in my opinion, is not a citizen's review board. It's almost like having personnel representative at your job who never favors on your side. It's not like having a union—someone who would really represent the people and I have to ask, if you don't believe I'm telling the truth, I have to ask how many more unarmed people must be killed before we listen to what I'm saying tonight. I will leave you with quote from Martin Luther King, "It may be true that the law cannot make a man love me, but it can help him from lynching me" and I think that's pretty important. So with that said, it's important to go forward. Tonight might be a victory, like the Panthers won the other day, but there is another game next week. So we have to keep this movement going.

Chris Bakis, 6510 Idlebrook Drive said recall the Wayne Furr shooting from years ago, when a cell tower worker named Wayne Furr, who was simply at his job, was killed by a CMPD officer after a bar manager called in a suspicious vehicle. Excuse me; his exact words were "suspicious," which was Wayne Furr's truck at the cell tower. Wayne Furr was killed and the police officer's testimony was, "Mr. Furr had a gun. I ordered him to drop the gun. He then turned around, drew his weapon and walked towards me in a suspicious manner." Now anybody who actually believes that a man who is simply at work, is going to draw a gun on an officer, that's ridiculous. Yet, the Charlotte Way is that that officer, nothing happened to him, nothing at all. That is the Charlotte Way. Therefore, I request that substantive amendment number one, the first one, maintain the appellant structure of the Citizens Review Board with no subpoena power or independent investigative responsibilities. I request that that be stricken. I request that this board talk about that. Clearly the CMPD, after seeing what happened with the Wayne Furr, clearly the CMPD cannot be trusted to police itself. The citizens of this community need to have somebody with the power to call in the SBI and to compel through subpoena for the police officer to testify before the CRB. Thank you very much.

Councilmember Cooksey said on behalf of the Council Manager Relations Committee, Mr. Mitchell, Mr. Howard, Mayor Kinsey, I appreciate the time. Most importantly, I have to start with the ridiculously long list of thanks and I'm going to leave somebody out I'm sure, but folks do deserve thanks of this. Thanks to Chair West, Chair Albritton for your leadership on this. Thanks to the folks who have brought their concerns to our attention in the first place, that made the whole conversation possible. Thanks to Manager Carlee and Assistant Manager Eric Campbell, Chief Monroe and those in the police who worked on this; Willie Ratchford, head of our Community Relations Committee did a fine job. There are just lots of people to thank for getting us to this point. To set this up for the record and before we vote on it, I would like to point out that one of the things that became very clear to me during this, and I think to the committee and to all who looked through it, is that CMPD has a lot of eyes on it and a lot of different levels of accountability placed on it all together. I like to look at the various filters that exist. If CMPD or any City Police Department has systemic issues about violating civil rights or violating the law, then the U.S. Department of Justice gets heavily involved. I was at a conference in Pittsburgh earlier this year and discovered Pittsburgh Police Department is operating under a consent decree with the Department of Justice because of not handling itself well. Our police department thankfully does not rise to that level of concern. Sadly, we have tragically had an example this very year of another set of eyes that look over the police department and that's the Criminal Justice System. When an officer shoots an unarmed civilian in a way that the investigation shows should not have happened, we have criminal charges filed and it's important to note that that issue is never going to go before the CRB because it's in a criminal court and will be settled there. When we have a civil litigation filed against the City and several of us have sat in closed sessions where we talked through settlement cases for civil issues regarding police officer conduct. That's an issue that never goes before the CRB because the remedy exists in the Civil Court System and the filing of the suit leads to discussions with attorneys of the like and sometimes we settle, sometimes we go through that litigation.

Furthermore, the City's Independent Risk Management Department evaluates claims against CMPD and sometimes will bring forward to the manager or to council a settlement offer without even going to trial in that case. As the Chief pointed out to us back in April, there have been roughly 1,270 or so complaints filed against CMPD in the past 16 years since the CRB was established on officer conduct. In 43% of those cases after the investigation, there was discipline meted out to the officer. In 79 of those 1,271 cases, a citizen did not like the result of the disciplinary investigation and made an appeal to the CRB. The point I raise in bringing up this chain is that we shouldn't be so focused on one element of a broad range of remedies available to citizens who have issues with our police department. But if you think about the hundreds of officers we have who are on the streets every day and have dozens of interactions with citizens every day and you do the math over 16 years, we are talking millions of interactions between CMPD officers and citizens that have in 16 years resulted in 1,271 complaints. That's a pretty good record, unless you are expecting perfection and I don't expect perfection on myself and I hope we can't do that. But when we get to the end of this, when we have cases that don't trigger the O.J. investigation, that don't rise to the level of a criminal complaint, that don't rise to the level of a civil litigation where the issue is simply, should an officer be disciplined for the conduct demonstrated in interacting with a citizen, what we have clearly found over the past few months is that not everybody understood what was going on with the Citizens Review Board. The language of the ordinance forged at a period of 16 years ago of great controversy, has not been very clear to folks for following it. The activities of the CRB themselves, because they are following that ordinance from 16 years ago weren't necessarily clear to everybody. So what we have before us is a significant rewrite of that ordinance. I won't go over the details because Chair Albritton has already done that and this has gone on a bit long as it is. But I think that what we will see from these amendments is indeed a more transparent process; a stronger realization by the community that there is a great deal of oversight over CMPD and to echo the words of the manager or to paraphrase from him and to add to them on my own and I hope it's the expectation of this and every other council; We do expect the Chief of Police to get his disciplinary decisions correct and so the mark of a good process is that people understand it and see what's going on. It's not the end result because I submit, if you try to create a process with an end result in mind, you are not creating a fair process. We are making this process more fair, more open, but it is this councilmember's hope that there will still never be a case where our Chief of Police erred in making a disciplinary decision.

Motion was by Councilmember Cooksey, seconded by Councilmember Cannon and carried unanimously to approve the Council-Manager Relations Committee recommendation to adopt Ordinance Number 5259 amending Chapter 16 of the Charlotte City Code entitled "Citizens Review Board" to include amendments recommended by the Citizens Review Board Task Force.

The ordinance is recorded in full in Ordinance Book 58 at pages 564-569.

ITEM NO. 12: IMMIGRANT INTEGRATION TASK FORCE RESOLUTION

Manoj Govindan, 101 N. Tryon St. said I chair the Business Advisory Committee for the City of Charlotte; a Mayor appointed position. JFK said in 1960 that immigration is a gesture of faith in social mobility, an act of positive belief in the possibility of better life through change. An immigrant myself, I chair the Business Advisory Committee for the city and in partnership with the city's economic development team including the office of International Relations. We are hoping to intentionally do our part to clearer pathways for immigration, education and entrepreneurship to collectively impact the new American economy and the most vulnerable among its constituents as the job creators and job seekers in our community; our rural and inner-city youth and veterans in particular. When embarking on new ambition, immigrants, like me, leave behind a predictable environment they are familiar with where they know the language, culture and people and head to a new land with new habits, language, dangers and uncertainties. They pour every ounce of their energy and aptitude in adapting to their new world, learning skills they need to prosper in it and shaping the world around themselves. Meanwhile, in the U.S., we always talk about American exceptionalism, why and how we are different from every other country. Have we ever wondered how we make that claim? James Jasper in his book, *Restless Nation, Starting Over in America*, observes that immigrants are the ones with the

starkest sense of how this country differs from their country of origin. Think about it again. It's the immigrants who are going tell us that we are exceptional, not somebody else; not you, not me, but our immigrants. Maybe we are all immigrants so that's why it's the case. Add to that, acquaint the immigrant attributes with a sense of adventure, a reverence for education, eagerness to collaborate, a desperate tolerance for risk and failure and a tendency to dream and you have a recipe for how local communities can prosper when opened to nurturing of immigrants and their dreams. So immigration to me today is a mindset. It's not about policy, it's about a mindset. It's about a cultural mindset and we need to do everything we can to nurture that mindset in our local community because the relationship between immigration, entrepreneurship risk-taking and jobs.

Emily Zimmern, 3601 Knapdale Ln said thank you for the opportunity to speak in support of the resolution to establish an immigrant integration task force. Both as a citizen of Charlotte for the past 31 years and as President of Levine Museum of the New South, I enthusiastically endorse this measure. The percentage of Charlotte's population born outside the U.S. has grown from one percent in 1990 to 15% today. It is imperative to respond to this demographic change in ways that create a more welcoming, inclusive and immigrant-friendly environment. It is critical that we maximize opportunities for economic growth and cultural vitality for all Charlotteans, newcomers and long-time residents alike. The work of the task force will generate new tools and new resources that will help immigrants adjust and become full participants in the economic and civic life of our community and position Charlotte as a globally competitive 21st century leader. Levine Museum of the New South is eager to participate in this initiative. For the past five years, the museum has worked to help our community come to understand the challenges and opportunities presented by our shifting demographics through exhibits such as Change Places from Black and White to Technicolor and through programs that help newcomers learn about this place they now call home. We are honored to host naturalization ceremonies where new Charlotteans become American citizens. It is one of the most emotional experiences I have ever had. We host as well, English language learners and citizenship classes for visits to our exhibit, Cotton Fields to Skyscrapers. Participants and their families are eager and excited to learn about Charlotte and its history. Levine Museum is also one of 25 museums from across the country invited to participate in the National Immigration Dialogue Project funded by the National Endowment for the Humanities. In all of our programming, we strive to bring newcomers and long-time residents together to discuss the issues and ideas that matter to them. We may walk in different shoes but we all stand on common ground. I urge you to approve the resolution to create the Immigrant Integration Task Force. Thank you for your consideration and all you do for our great city.

Councilmember Mitchell said let me just thank all those who are out there watching us. This was great leadership between Mayor Kinsey and Councilman David Howard. It was referred to us August 26, 2013. With the approval of the resolution, we will create a 25 members appointed by Mayor Kinsey and the City council to talk about how we are going to take advantage of the diversity in our community as it relates to economic and civic contributions to the City of Charlotte.

Motion was made by Councilmember Mitchell, seconded by Councilmember Dulin to approve the Economic Development Committee recommendation to adopt a resolution to create an Inter-Agency Task Force to maximize immigrants' Economic and Civil contributions to the City of Charlotte.

Councilmember Howard said the first thing I should do is thank this council for taking this issue up. This issue came out of a forum that the American Societies and some other great folks came together a couple of months ago. I had the opportunity to represent this council there and what I learned is that Charlotte is becoming a very global destination for people to move here. Thank you Manoj for your comments because there is a business argument to be made about it because they bring not only their resources but they bring their skills and they bring their part of growing our economic development of the future. It is also very much a people's picture, so thank you Emily for your comments because we have to make sure that we are serious about taking them in and how they fit into the community. The only thing I wanted to add to the conversation is that we've gotten some emails about people that want to be involved. This was very much supposed

to be a cross agency. So that's really more about departments in the city, county, the school system and agencies that deal with it to make sure that we are addressing where we may have gaps. We are following up from a community effort that Mayor McCrory did some time ago. So just to make sure that if you want to be involved, the action tonight spells out who those 25 are. We couldn't do everybody so we tried to make sure it was a cross section of everybody that would be important to the conversation and then the Mayor gets seven appointments, making sure that we are covering some other key areas of the conversation. So more than anything, I wanted to convey, that we are trying to have a comprehensive approach to this. So again, if you want to be involved, there are groups there to outline as well as industries outline just to make sure that we get that cross agency feedback that we want on this issue so we can make sure that we close those gaps going forward and that's what I would hope we get back from the agency. I had an opportunity at the Veterans Breakfast not too long ago to actually see a few members of the military go through the citizenship and the swearing in and you're right, it was a very emotional thing because we take so much of what we get as freedoms for granted. So what we're talking about is how we make that actualization that we felt that day the same experience that other people that move here feel as well about this community. So thank you for coming down and sharing and council I do ask for your support of this tonight.

Councilmember Autry said as the district representative in District 5, it has been my pleasure to witness firsthand the impact that immigrants can have on our community. For instance, what's going on on Central Avenue and I was also at the Council of Americas Society luncheon that they had here in Charlotte back in June and was very heartened by the act that the Dean of the Sanford School of Government for Duke University approached me at the luncheon to say that that's what the School of Government at Duke University is studying; the impact that immigrants have on depressed and falling aside parts of the City to help reinvigorate them. One of the things that I picked up two weeks ago at the National League of Cities University class was that one in four small businesses in America today are started by immigrants. Immigrants have given up everything they've ever known behind them, travelled thousands of miles to America to start their own version of the American entrepreneurial dream and we must commend them for that and support them in that effort because the governments from where they came, have failed them and hopefully we can do a better job whenever they chose the United States to come and set up home.

Councilmember Cooksey said I brought this up in committee and want to mention it here on passage and hope that it gets carried on a bit by the task force as it gets appointed. If you look at Section 5 of the resolution, there is this part about what the ASCOA round table highlighted on May 30th. There is an Item C "Civic Integration, encourage immigrants to join boards and commissions to improve civic engagement and representation." I can't offer an amendment really because that's what they talked about so there is no change. But I do hope that this task force also addresses and discusses ways that the immigrant community can plug into also the wide variety of social plugs and other organizations that exist outside of governmental boards and commissions. I think in particular of Elks Clubs, Optimist Clubs, even Rotary as I look over at Deputy City Manager Ron Kimble, would be kind of those mediating institutions that exist in a community through which people can play a role and play a part—scouts is an obvious one as well, boy scouts, girl scouts and so on. There is a very rich array of organizations that people new to this country can join to become much more familiar about the way it is. It's not simply about intergovernmental agencies, although that's what we as a council are obviously going to focus more on, but to the extent that this task force can talk about those kinds of issues and make those kinds of directions and reach out to those sorts of groups as well I think would be very useful to the end goal.

Councilmember Fallon said can I say something very practical. I know I'll get the feedback on this, why are you going to support this kind of thing? Well Americans are not having babies. Who do you think is going to pay Social Security for people as they get older if we don't take in the immigrants and make them Americans because the truth of the matter is one generation away, these kids are so integrated in our society, they are just like every other teenager.

Councilmember Cooksey said I'm not sure how I feel about that.

Councilmember Howard said you always forget people and that's what you do when you make remarks. I need to thank Tracy Montrose as well as Alexis Gordon as well as the rest of Brad and his staff for their work on this one, as well as you Mayor. When we brought this you never know how these things are going to go when you start this and thank you for helping by lending your support and thank you staff. This is actually getting notice from people across the country. So they are looking to us to see what we do with this so this may not be just something for Charlotte but a template for the country.

Councilmember Cannon said how might the State and the Federal Government be engaged in this process? With the task force itself? Because I'm looking at some charts, not unless I missed it and I could have. How will they be engaged because probably at those levels is where we see a lot of where the red tape is in terms of being able to address some of the issues that the immigration population has to deal with so speak to that if you don't mind.

Brad Richardson, Neighborhood and Business Services said our department will be sponsoring this initiative with the Charlotte International Cabinet. Your question is a good one. This is a local body of agencies to talk about local issues. We do not have a State representative unless you count a community college employee. Our recommendation is that the findings be made available to the State but we don't currently have State representative on the task force.

Councilmember Howard said I would say Mr. Mayor Pro Tem that it is also an opportunity to hear presentations from them. So after they actually have met and they have figured out what information they need they need to gather, I would assume that that would be two of the bodies that they would find the right agency inside the State; find the right agency inside of the Federal government to invite to give them input for this was very much supposed to be local. So if they need that input, I would guess that they would go out and ask them to come address the body to share what their feedback and what the issues would be in this subject matter.

Councilmember Cannon said I hear that; point well taken. I think you have to find a way to still work to engage someone serving in that capacity and maybe it's an expansion of having an added representative of some sort, but with what we know is happening in terms of the red tape that immigrants are faced with right now; many of us know what that is. It's happening in other states where you have at least 12 or 14 states that have approved some actions to allow the immigration process to be a little bit more fluid in terms of how they handle it. So maybe the task force will look to take that up such that the red tape that currently exists among what they are facing right now, something as small as license, or just trying to get through the process of becoming a citizen can be dealt with a little bit better and/or more fluidly because right now that's not happening and we need someone who has some rapport with the state officials to be able to allow for that to take place knowing and understanding what is happening right here in North Carolina.

Councilmember Howard said Madam Mayor I just want to make sure that ...we forwarded your emails to the Mayor so when they are making appointments, she knows all about it.

The vote was taken and recorded as unanimous.

ITEM NO. 13: BRIGHTWALK HOUSING SUPPORT FUNDING REQUEST.

Motion made by Councilmember Mitchell, seconded by Councilmember Mayfield and carried unanimously to recuse Councilmember David Howard from Agenda Item No. 13, Bright Walk Housing Support Funding request.

Motion made by Councilmember Cannon and seconded by Councilmember Barnes to approve the Housing & Neighborhood Development Committee recommendation to grant \$700,000 of unallocated Community Development Block Grant carry over funding for the continued redevelopment of the Brightwalk Community.

Councilmember Mayfield said I just wanted to make sure that the community was aware regarding the discussion we have tonight that this request for additional funding is due to the extremely rapid house sales, rising construction costs and unanticipated delays in tax increment financing payments because of the ground field tax abatement regulations and these funds will support development activity necessary to maintain the residential sales momentum. The Housing Partnership has experienced tremendous success in rebuilding and revitalizing the historic Double Oaks community by creating a mixed income development with a highly diverse resident population consisting of a mix of race, ethnicity, age and income which falls right in line with the conversation that we are having as far as diversifying our community and it has already be moved and seconded but I definitely am in support of this proposal and of us allocating \$700,000 of CDBG funding for the continued redevelopment of the Brightwalk Community.

Councilmember Cooksey said I had this concern in committee and still do. I realize this is a very complicated project and a lot went into it and a lot was adopted before I got on council, but the thing that concerned me in committee and still does is that one of the drivers of this is that the tax increment grant was structured such that the Housing Partnership isn't getting the revenue from it that they were expecting at the time they signed it because of the tax abatement issue that also applies to the property. All this could have been, should have been known in 2007 when this deal was done and it just makes me extraordinarily nervous to respond to a partner in the tax increment tax grant deal where the entire intent is to rebate taxes collected on the site for the construction of infrastructure on site that but for that deal, the project wouldn't go through, to have a partner, no matter how long the relationship existed, no matter how good the project is, to have a partner come back and say, we didn't get the grant right; we need more money, troubles me. We have quite a number of tax increment grant deals out there currently. No all of them. Many of which are still to quite start or are in the process and it doesn't set right with me to say okay the way we are going to handle it if things don't quite turn our right, especially in a successful project, which I would think would lend itself better to better cash flow management. I just don't want to open that floodgate. So I will be a no on this one.

Councilmember Barnes said we had this discussion during the committee meeting as Mr. Cooksey eluded to and I had a follow-up discussion with Pam Wideman who I'm not sure is present. If she happens to be here, Ms. Wideman it would be helpful I think if you explained some of what we talked about regarding the \$700,000 TIF insufficiency and also if you could, speak to the amount of property tax revenue that community is already generating and is projected to generate.

Pamela Wideman, Neighborhood & Business Services said I will speak to the latter part of your request first. In 2007 the estimated property tax value was \$1M. At completion it will be \$60M. As far as the TIF, Mr. Cooksey you are correct. There has been change in leadership at both the Housing Partnership and so the Brown Field was not structured correctly so it's about the structure of the TIF that's the issue. They are not realizing the payments because of the Brown field as you said. If you want more details, Mr. John Butler who represents the Housing Partnership is on hand and ready to answer those questions.

Councilmember Barnes said one of the things that I thought was somewhat enlightening was the fact that the TIF error was with respect to CMHP and not the city. Is that still true?

Ms. Wideman said that is still true.

Councilman Barnes said and that it essentially presents no harm to the City. Its harm that would apply, if there is any harm, it would be borne by CMHP and not the City of Charlotte.

Ms. Wideman said that is correct sir.

Councilmember Barnes said we were not arguing about it. We are not arguing about it now; it was just to kind of confirm the points.

The vote was taken and recorded as follows:

Yeas: Councilmembers Autry, Barnes, Cannon, Dulin, Fallon, Maddalon, Mayfield, Mitchell and Pickering

kmj

Nays: Councilmember Cooksey

ITEM NO. 14: MOORE PLACE HOUSING SUPPORT FUNDING REQUEST

Motion made by Councilmember Mayfield, seconded Councilmember Cannon to approve the Housing and Neighborhood Development Committee recommendation to grant \$1.0 million in Housing Trust Fund dollars for the expansion of Moore Place.

Councilmember Mayfield said to make sure that the community is aware as far as this recommendation to grant \$1M to the housing trust fund dollars. Moore Place is a permanent supportive housing development for the chronically homeless adults that include services such as life skills training, access to health care and individual case management. Since July 2012, Moore Place has been fully operational and has maintained a 100% occupancy rate demonstrating that the demand for permanent housing for the chronically homeless. Earlier this evening, you did present a proclamation on behalf of it being Homeless Awareness Month. With us moving forward with this \$1M grant of housing trust fund dollars for the expansion of Moore Place, it puts us that much closer to achieving our goal to end homelessness within now it seems the next seven years so I definitely am in support of us moving forward and look forward to having my colleagues' support as well.

Councilmember Maddalon said perhaps it's appropriate that the crowds have left and most of the cameras have left because what we are talking about is helping population in this city that is rarely seen. The folks that stand on the corner and beg for money we see. That is not our chronic homeless. They're under bridges and they are in the woods and they are all over our city and homelessness is something that we can fix as a community. It is not a foregone conclusion. It is not something that has to exist in any community in this country, particularly a community as wealthy as ours. The overwhelming majority of our homeless population is known as chronic homeless. In other words, they are folks that have been on the streets for a long time and they are going to stay on the streets unless something changes that. We have people bouncing in and out of homelessness but it's the chronic homeless. We have had substantial studies that have been done that suggest that if we were to build on the order of 400 to 500 units for homeless, we could all but wipe chronic homelessness off of the map in our city and what a wonderful thing for a community to brag about. Moore Place is an example of how we do it. We make a very very small down payment tonight on really what we have promised ourselves when we say things like world-class community and the Charlotte Way. That's a promise; it's a promise to ourselves and to our children and tonight we make a very small down payment. Charlotte has an embarrassment when I say "wealth". We have an embarrassment of riches of people of faith, houses of worship. I would challenge our community to solve the homeless problem for two reasons. One is our wallets cannot afford it. It is taxing to our hospital system and to our social services network to an extreme and our souls cannot endure it. Every major faith that is represented in this city talks about caring for the sick, giving shelter to the homeless. We talk about it. Government cannot solve the problem alone so this is a challenge to our community; to our communities of faith to collaborate with your government to solve the problem of homelessness in Mecklenburg County and in Charlotte and we can be a model to the rest of the country. We can solve chronic homelessness in Charlotte and Moore Place is exactly how we do it. So tonight I will vote to make a small down payment on that and I hope that it is our commitment to fulfill the promise to our children that this in fact will be our community of the future; that everyone will have as Matthew says "foxes have holes, birds have nests, but the Son of Man has no place to lie his head." Everyone in Charlotte should have a place to sleep.

Councilmember Pickering said thank you to the folks who turned out tonight. I see folks from Moore Place and I want to thank them for the invitation they extended to me in the meeting that we had fairly recently. I appreciated it very much and Councilman Maddalon has said it all I think that these are proven results. This is it; dollars and cents and numbers. We can do it.

The vote was taken and recorded as unanimous.

Councilmember Barnes said here is the point I was going to make. During the committee discussion we talked about the MWSBE commitment and it had been 6% and we had a

discussion around raising that and I know it's important to Chairman Mitchell over the last several years about how to improvement. It's been raised to 10%. I still think it should be higher but at least it has gone up to a higher percentage because a lot of this work will be work that a lot of minorities and small businesses can do; carpet work, painting, plumbing, carpentry, electrical work. So I'm happy that that number went up.

ITEM NO. 15: 2014 FEDERAL LEGISLATIVE AGENDA

Councilmember Dulin said a few weeks ago on November 11th, we received a briefing on the proposed Federal Legislative Agenda for 2014. The proposed agenda was recommended to council on a 4-0 vote in the Governmental Affairs Committee. The Committee is made up of myself, Vice Chair Claire Fallon, Mayor Pro Tem Patrick Cannon and Councilmembers Mitchell and Pickering and Ron Kimble, Dana Fenton and Keith Richardson were our staff committee. It's been a pleasure working with you over the past couple of years. The proposed agenda has positions addressing the airport control tower, federal courthouse, municipal bonds, service transportation programs and the 2030 Transit System Plan. All of these are issues important to council and our community and our ability to keep moving Charlotte and the region forward.

Motion made by Councilmember Dulin, seconded by Councilmember Fallon and carried unanimously to approve the Governmental Affairs Committee recommendation to adopt the 2014 Federal Legislation Agenda.

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BUSINESS

ITEM NO. 17: APPOINTMENTS TO BOARDS AND COMMISSIONS

(A) WASTE MANAGEMENT ADVISORY BOARD

Stephanie Kelly, City Clerk said Martin Doss received seven votes and Ann White received four.

Martin Doss was appointed to the Waste Management Advisory Board.

ITEM NO. 18: MAYOR AND COUNCIL TOPICS

Mayor Kinsey said now we do have two closed sessions so.

Councilmember Howard said I know we received a report from the Manager and staff about this, but I was hoping that we would refer this to Transportation, Planning or ED. The Gray Separation Project in Fourth Ward and the fact that those funds are reallocated, I think I'd love to have the State come and help us understand exactly what went into that decision-making because essentially what it means now is that when we do get the Red Line on, it's now part of the traffic that happens over near the North Carolina Music Factory. It won't be just a straight shot and those funds are reallocated so I would love for just information if council would accommodate me to refer that to one of those committees. I will leave it up Mr. Cannon as future Mayor or the City Manager or however the committee is structured to the appropriate committee so that we can get some feedback on it.

Councilmember Dulin said Mr. Manager thank you for getting this information back to me about the funding for the street car expansion. For the life of me though, under the first funding scenario, "Use of Existing Debt Capacity \$39.7M"—for the life of me I can't figure out how that doesn't end up being tax money. We might have to have a subsequent answer to that.

Mr. Carlee said no sir, I would refer you to my May 13th memo and in there I outline very specifically the source of funding for the different accounts from which the resources have grown and in our debt funding resources, those are not generated entirely by property taxes.

They are generated about on average over the last five years 43% from non-property tax resources.

Councilmember Dulin said meaning that 57% are.

Mr. Carlee said right but everything is not being spent in from our debt funding on the street car. So if you start prorating out the resources, there is clearly sufficient funding from non-property tax sources in order to support the street car and the debt service fund and in the pay go where in fact non property taxes are even higher than the pay go fund.

Councilmember Dulin said thank you for the explanation.

Mr. Carlee said you're welcome.

Councilmember Pickering said as everyone knows of course, Thursday is Thanksgiving and I want to remind everyone that we do have a Thanksgiving Day Parade this year. Thank you to council members who worked on that and particular thanks to Novant Health for stepping up and being our sponsor. I happen to work for Novant Health, thank you Jesse Cureton for making that happen. So the parade starts at 9:30 on Thursday. We will come right down Tryon. If you are going to come, bundle up because it will be cold. Several of us will be in the parade or if you want to stay home and watch on television; 1:00pm on WBTV. Happy Thanksgiving everybody.

Councilmember Cannon said any other Council Mayor Topics?

Councilmember Mayfield said thank you Mayor Pro Tem. I just want to make sure that the community is aware that on the morning of December 7th at the Pawtucket Elementary School, there will be a meeting from 10:00 am to 1:00 pm talking about Foster Care and the opportunities for foster care. There is a need in the community as we are approaching the holidays, Thanksgiving and soon behind it Christmas and Hanukkah and so many holidays. We have a number of children in the community that need secure, safe, loving foster care homes, especially in the 28208 zip code; so I really encourage for you to honestly talk to your family members, pray on it, think about it. If there is an opportunity for you to be a foster parent and you live in the 28208 zip code, please consider attending the discussion. Again, it will be at Pawtucket Elementary on December 7th from 10:00am to 1:00pm and happy holidays.

Councilmember Barnes said I wanted to make the community aware of a couple of meetings that will involve updates on the Blue Line Extension and one of them I believe the first one is December 5th. I cannot find the information. Mr. Manager is anyone in the room who has that information for us? If we don't have it, what you can do folks is call 311 and ask about the Blue Line Extension Update Meetings, one is at the Oasis Shriner, North East Charlotte, University City. The other I believe is at Sugaw Creek Presbyterian Church. They are coming up in the next few weeks but there will be major updates on the progress that we are making with the Blue Line and what you can expect and what you've seen so far.

Mayor Kinsey said I want to thank my daughter for coming down here tonight all the way from Monroe, North Carolina.

ITEM NO. 19: CLOSED SESSION.

Motion made by Councilmember Barnes, seconded by Councilmember Cannon and carried unanimously to adopt a motion pursuant to NC General Statute 143-318.11(a)(4) to go into closed session to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.

ITEM NO. 20: CLOSED SESSION

Motion made by Councilmember Barnes, seconded by Councilmember and carried unanimously to adopt a motion pursuant to NC General Statute 143-318.11(a) (3) to go into closed session to consult with attorneys employed or retained by the City of Charlotte in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of a contract claim between the City and Intergraph Corporation.

The meeting adjourned to go into closed session at 8:41p.m.



Stephanie C. Kelly, City Clerk

Length of Meeting: 3 Hours and 20 minutes
Minutes Completed: December 12, 2013