

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, December 9, 2013 at 5:10 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Patrick Cannon presiding.

Councilmembers present were Al Austin, John Autry, Michael Barnes, Ed Driggs, Claire Fallon, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

Absent until noted: Councilmembers Howard and Kinsey

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Cannon said we have a few things on the agenda but I will ask right now if there are any consent items that council has that it wishes to pull or to get more information on.

Councilmember Mayfield said number 17 and 26.

Mayor Cannon said okay Agenda Items 17 and 26 to be pulled to get information back to us with regard to that. Item 17 is the Citation Management System and related services and then the other is the Transit Scheduling Software Management Agreement.

ITEM NO. 2: ECONOMIC DEVELOPMENT INITIATIVES LEVERAGING CITY-OWNED LAND

(A) AIRPORT INTERMODAL FACILITY

Mayor Cannon said there has been 10 minutes has been allotted to this particular item.

Ron Carlee City Manager said thank you Mayor. Good evening everybody. This is first a welcome to new members and to the returning members for our first business meeting. What we are trying to do on the staff side for your dinner meetings and workshops is to give you background on some of the major issues that you will be dealing with particularly in the short term. But I would also, given the magnitude of them; you will be involved with for some period of time over this new two-year term. At the council meeting, I will do a manager's report that will outline for you a menu of the issues as we've been collecting them based on guidance from previous council meetings and things we are working on with staff. It is really is intended as a menu and I will introduce that when we go upstairs for the meeting, but tonight among the things we want to discuss with you are some economic development projects affecting city-owned land. The City has acquired various parcels over the years for a variety of purposes.

Mayor Cannon said Mr. Manager one moment please.

Mr. Carlee said each of which we ultimately expect to leverage for economic development to grow jobs, to grow our tax base, to basically expand our economy as we create the next version of Charlotte and so three of those land areas we have on the agenda for you tonight; these are all big projects; they are not the only ones; Eastland Mall is another one which we discussed at last council meeting and we are still doing due diligence on and be bringing back to you. So we'd like start with probably one of the most significant economic development opportunities the City has in front of it and that is with the Intermodal facility that Norfolk Southern has constructed at our airport and which will be coming online shortly. So I'd like to bring forward Jack Christine at this time. He is Deputy Director of the Aviation Department. He is the point person on the Intermodal and he'll give you background on what is the Intermodal and how do we see using it for economic development.

Jack Christine, Deputy Director, Aviation Department said we want to run through a series of slides with you real quick and talk to you a little bit about the Intermodal facility, what it's about, what it's supposed to do and what we are planning to do to help with the economic development around the airport as it relates to those. Back in 1995, the airport began an effort to consider the airport in a broader context of the community and identified future opportunities and obstacles in order to better position ourselves to use at the airport as leverage in economic development.

Councilmember Kinsey arrived at 5:14pm

Mr. Christine said we worked with community business leaders, including Sealand, Duke Power, Southern Bell, Norfolk Southern, CSX, UNC Charlotte and others to try and find opportunities to maximize the economic benefit of the airport. From this effort, the concept of the Intermodal Facility was born. The Intermodal facility's intent is to bring all of the four modes of major transportation together on one site; Air through the Charlotte Air Cargo Center; Rail through the Norfolk Southern Intermodal Facility; Seaport connections with Norfolk, Charleston, Savannah and Jacksonville through the rail connections; and the common denominator of all the modes of transportation which is trucks. The intent is to replace the existing facility in downtown Charlotte, which is immediately adjacent to the NoDa district on 35 acres of land. It is in an area that cannot be expanded and Norfolk Southern has the intent to try and grow that business here in Charlotte. Understanding what the goal was once the strategic plan was completed, we set out to try and develop that opportunity. It came with years and years of planning, working with Norfolk Southern and ultimately we developed a facility that culminated with City Council's approval of a master development agreement and lease in June 2010. The facility that is designed is capable of handling 250,000 annual lifts. The current facility in downtown Charlotte can only do about 100,000. It is forecast to generate \$7.5 billion in economic impact over 20 years to the Charlotte region. It is a good public private partnership between the City and Norfolk Southern.

Councilmember Autry said what is a lift?

Mr. Christine said a lift is one container coming on or off the train.

Councilmember Autry said thank you. That's what I thought. I just wanted to confirm.

Mr. Christine said the way the facility is designed has immediate access to I-485 with connections to I-85 and I-77 which allows the truck traffic to move through one traffic light before it gets to the interstate and never pass a home. The intermodal trains produce about one-third as much CO₂ per ton mile as trucks so this facility helps both from in from a traffic congestion perspective for moving the trucks off of the city street grid system as well as reducing emissions because those trucks now don't have to spend as much time idling on the city street grid system to get to the interstates. Lastly, the rent collected from the intermodal facility will reduce landing fees at the airport which lowers the overall cost for the airlines to operate at the airport.

Councilmember Fallon said is that money dedicated and it can only be used for the airport.

Mr. Christine said yes ma'am.

Councilmember Lyles said when you say can only be used for the airport, does that include the operational costs of the intermodal facility as well?

Mr. Christine said no ma'am. The intermodal facility is actually operated by Norfolk Southern. The airport doesn't have a role in that. The only thing that happens from the airport perspective is we lease Norfolk Southern the land. The rent that we collect is then used to offset the landing fee by lowering the overall cost to the airfield. The cost of actually operating the yard is a cost for Norfolk Southern to bear.

Councilmember Lyles said at some point, if we could see the numbers; how they look; what they look like, that would be helpful.

Mr. Christine said yes ma'am.

Councilmember Driggs said there is an existing lease is that right between the airport and Norfolk Southern?

Mr. Christine said yes sir.

Councilmember Driggs said is that a market rate lease?

Mr. Christine said it is a market rate lease.

Councilmember Driggs said I don't know if you are going to get into this, but do we already know what other contractual arrangements might exist between the City and the facility as it evolves. I assume we are not just going to be a leaser.

Mr. Christine said actually yes sir that is all we are, is the leaser. What we have is the ability to capitalize on the other land that we own to help with additional development that will be connected to the intermodal facility itself, but the intermodal yard is a lease between us and Norfolk Southern for them use that land to operate their facility.

Councilmember Driggs said so this briefing is purely informational and is not in anticipation of a request for a vote by us on anything.

Mr. Christine said that is exactly right sir. The lease was already signed in 2010 as part of the master development agreement. What we will be talking about is the other things that we intend to do in relation to the operation of the intermodal facility and the operation of the airport to help try and take advantage of those two assets to increase the economic development around the airport area.

Mayor Cannon said Jack just for clarity, because I got the question earlier, there was some question about whether or not the City owned 100% of that land rather than just a portion of it. Would you clarify that please?

Mr. Christine said yes sir the airport owns all of the land up that you see here in blue. Norfolk Southern actually has right of way which they operate their mainline across the front of the airport on. But the land that we've leased to them is 179 acres that they are using strictly for the yard.

Mayor Cannon said thanks so much.

Mr. Christine said this is the facility location. You can see our three parallel runways and our cross one runway. The area in blue represents the intermodal facility. Like I said, the Norfolk Southern mainline runs across the north side of the airfield here. We have connector tracks that run underneath the taxiways. You have a 10 track classification yard here and then intermodal facility with the overhead straddling cranes and all the containers in this large blue section on the south end of the airport. To give you perspective, the facility is 40 feet lower than the existing airfield and that was done to ensure that the airport didn't have any type of operational impacts from the operation of the yard which was really important both to us and to the FAA to make sure that the airport didn't have any problems in operating both facilities at the same time.

In May 2012, this is what it looked like out there. We had already graded a significant portion of the yard because of the fact that we used that area as the borrow pit for our third parallel runway. Norfolk Southern started to work in May 2012 and today this is what it looks like. Today Norfolk Southern had their first train operation in the yard and they will be moving that train out at about 11:00 tonight. If any of you are big train watchers that would be the time to go out take pictures. But Norfolk Southern is transitioning into this yard starting today. There are certain buildings that will need to be completed. The facility is not finished yet but will be by June of next year.

Mayor Pro Tem Barnes said we have a question from Councilwoman Fallon.

Councilmember Fallon said Jack, are those going to go up like they do in Jersey; way, way up, with the derricks?

Mr. Christine said no, not way, way up; you see in this picture, this is the chassis for the container. That's about as high as it goes. That's the top of the crane right there. If you were looking at this directly across from it, you'd see that it's really no higher than the airfield and we did that on purpose. We purposely set that grade so that the cranes wouldn't interfere with the line of sight for the airfield.

Councilmember Fallon said because I know near the airport in Newark, New Jersey, they are way, way high and they have very big derricks and it's really unsightly.

Mr. Christine said it can be unsightly up there but here those are as tall as they'll be. I can say that because I'm from Newark.

Councilmember Fallon said I always think they are going to collapse because seeing them lift those big containers. So we are just going to go that high.

Mr. Christine said that's as high as it'll go.

Councilmember Fallon said what if you need more of them?

Mr. Christine said well we can add—the facility right now has three tracks that are finished with three cranes; there's the ability to add two more sets of tracks with two additional cranes and then after that we can move to another location to the south of the airport where Norfolk Southern has the option to lease an additional 100 acres where we could get double again the size of this facility. So we have a lot of expansion capability within the airport environment without having to buy one additional acre and be able to give Norfolk Southern the opportunity to really expand their business here in Charlotte.

Councilmember Fallon said good thank you.

Mr. Christine said so we now have a facility that's operating. We have the airport that continues to grow and that gives us a very large economic development platform to operate from and what we want to do from here now is leverage that platform to the best of our ability to maximize the amount of economic development we can initiate in the airport area. We're going to do a number of things. Actually we've already started on a number of things; one is we've put together an interdepartmental team, including Aviation, Planning, CDOT, Neighborhood and Business Services to look at the infrastructure projects that'll be necessary to capitalize on that development, identify external strategic partners that can help us with doing those things and ultimately identify those economic development opportunities around the airport area. From the airport perspective itself, the Aviation Department will implement a business office, including an economic development manager that will be hired I hear over the next couple of months to identify and facilitate those synergistic development opportunities for the airport and the intermodal facility. Between those two folks, we want to create an economic development strategic plan for the airport area and bring that back to you in May of next year. So ultimately what we have here is a day that will be known as a very big day for us, both for the airport and the City. We had the closure of our merger today with American and US Airways. We had our first operation of the intermodal facility all on a day that was very miserable but yet was a very good day to be in Charlotte. What we want to do is maximize the ability to take advantage of the economic opportunities that exist between those two assets. By taking these steps, we feel like we are going to position ourselves to do everything we can to take advantage of that. That's where we are today. We'll be happy to come back and talk to you as often as you'd like and tell you where we are on that development, but we are moving forward with it expeditiously; any other questions.

Councilmember Phipps said I actually have two questions. What will become of the land once the existing intermodal facility is relocated to the airport, do we have any idea?

Mr. Christine said there are two parts of the land that Norfolk Southern uses down there. One is the intermodal facility itself which is about a 35 acre track and then there's a much larger switch yard that they are using down there. The switch yard will remain. The 35 acres of the intermodal facility itself under the development agreement, the City has the option to purchase that land and that's actually going to be used for I believe the Blue Line Extension.

Councilmember Phipps said over in the Back Creek corridor, there is already work being done on the dual track project and as I understand, some of that traffic will be going to the intermodal, is that your understanding?

Mr. Christine said it connects to the mainline which runs into the intermodal facility.

Councilmember Phipps said so to the extent that we are going to have the dual tracks coming in in that corridor, are there any additional plans for any kind of public meetings to alert the public with the increased train traffic and noise associated with that?

Mr. Christine said yes sir we can get you some more information on that. I know Tim Gibbs has been working on a number of different public meetings related to traffic signalized intersections and things of that nature. At the airport and the intermodal facility itself, we do have dual track in front of the yard plus we have another four setoff tracks that were built as part of the intermodal facility and we've saved room for a third track across the airport to make sure that we have enough room for future expansion. At the airport area itself, I think we are in good shape, but as we get closer to downtown, there are some upgrades that are being worked on and we are engaging the public on those projects.

Councilmember Driggs said if the airport needs to be expanded because of the increase is this plan such that it's possible to do so.

Mr. Christine said yes sir. We have and we will be happy to sit down talk with you in depth about our development plans but we have the ability on the airport to add two additional parallel runways when they are needed; another 100 acre expansion to the intermodal facility; we have expansion plans for our terminal facilities, concourses, a new international terminal when that's needed. So we've integrated this program into our overall development plan to make sure that we haven't impeded our ability to add airfield and airport capacity as we need it.

Councilmember Autry said the freeway proposed across the river heading up to I-85, the Garden Parkway, how does that play into your plans because there are still some speculations as to whether that will ever be built.

Mr. Christine said the Garden Parkway from the perspective of the intermodal, would provide a redundant pathway for trucks to get access to I-85. I-85 is a congested interstate so any benefit that you can get from another roadway system is good. Now whether that happens or not, this project was not predicated on that project coming to fruition. It would be a benefit but it's not going to rely on it.

Manager Carlee said if I could just add to that. Part of our other economic development opportunity with the intermodal is the development of the land from I-485 to the river and so that's part of what of our interdepartmental team is looking at. There are some older plans for that area. There has been a good bit of land consolidation over there and so roadway improvements there and building on the synergy of the intermodal does provide us an opportunity to get some good development and job creation as part of that project as well. So as Mr. Christine said earlier, one of the things we want to get on your radar is not just what the intermodal is and what it's doing but also how we are trying to look at how we leverage it to get other economic development. Tony Sisse and some others in the community have been talking about this in a variety of public forums and the comment's been made that we need a port director. Well the economic development position that Mr. Christine is talking about is that position. To get someone really focused on how do we take this asset now that it is here and not be passive about it but really be proactive to create jobs, especially those that are around logistics and movement of goods and services.

Mayor Cannon said speaking of which then Mr. Manager so should they decide go outside of anyone that may be affiliated with the airport to find someone to fill that post.

Mr. Carlee said ideally we would like to find someone with good solid intermodal experience and so we would probably be looking to poach from somebody else who would find the quality of life in Charlotte perhaps more exciting than where are.

Mayor Cannon said and from the stakeholders that will be involved in this, because it talks about various stakeholders, with what specific backgrounds or categories from the stakeholders might we expect to achieve the best outcome.

Mr. Carlee said the stakeholders would be fairly broad. Obviously we have people living in this area over here and so we want to be sure to connect with the older neighborhoods that are there and the people who are actually living in the area so that if they're engaged and involved along

the process and then this much larger area of landowners of the undeveloped property. What we want to do in our planning and development is to exercise our economic development strategies in a way that are neighborhood friendly with residents but also are really marketable that you actually can implement in ways that the market will actually support and that people will bring their private investment. We are really looking to bring private investment just as Norfolk Southern has in the development of intermodal.

Mayor Cannon said any other questions from council. This is beyond a big deal. We need to give it as much support, I believe as we can for what it will mean to not just Charlotte but the region as well as the state. So Mr. Christine, thank you so much for presenting.

(B) AMATEUR SPORT DEVELOPMENT FOR BOJANGLES' COLISEUM/OVENS AUDITORIUM SITE

Mayor Cannon said you all will recall in October that the city issued an RFP to invite private sector interest in developing additional amateur sports related to the facilities at that particular location. The objective of course, is to develop additional indoor facilities to meet growing market demand and to position Charlotte as one of the top two destinations for amateur sports related travel. On November 22nd of this year, the city received one proposal from Good Sports Enterprise Global LLC which is out of Florida and it is a construction and management company specializing in hotel and sports recreation facilities. So at this dinner briefing, basically we are to hear back from staff to just give us an overview and to seek a referral to the ED Committee for a review as we move forward. Assistant City Manager Kimble is available, I believe.

Mr. Carlee said yes. So Mr. Kimble actually focuses on economic development out of my office. He will brief you both on this project and the next one, the I-277 parcels.

Ron Kimble, Assistant City Manager said we are here tonight to discuss another exciting project with the City of Charlotte. Brad Richardson in Neighborhood and Business Services and I will tag team on this. I'm going to give the background and what's led us to today and then Brad is going to come up and talk a little bit about the specifics of the proposal that's been received for amateur sports in the Bojangles Ovens area of our community. As you know, this was a very big part of your community investment plan where \$25M was allocated over time. I want to brief you on why are we talking about amateur sports. It's because you as a council told us that's what we should be doing. It was about three years ago that the Economic Development Committee recommended to the Charlotte City Council that we pursue looking at innovative ways to get public and private together to build new amateur sports facilities in our community. So this is a snapshot from the FY2013/2014 Economic Development Focus Area Plan. It actually says "work with tourism partners to develop a plan for growing sports in the Charlotte region" and it was two different avenues; develop a new public private model and attract sports and sporting events to the city. So this is an actual adoption by the council in the past three years for moving forward on growing amateur sports in our region. We have a lot of partners. Charlotte Mecklenburg Schools; Mecklenburg County Parks and Recreation have done a great job over the years in making sure that their facilities can be used for those amateur sports venues that would come to our community and when residents need to use those facilities and also visitors need to use those facilities, they are competing for very precious time and space on these facilities. So the Charlotte Regional Visitors Authority has entered the equation. We still have the great relationship with Mecklenburg County Parks and Recreation. The Charlotte Sports Foundation which was the former Collegiate Sports Associate merged with the Charlotte Regional Sports Commission this past year and formed the Charlotte Sports Foundation and both those entities now are rolled into one and they are a very active partner in amateur sports as well. They are the group that puts on the Belt Bowl. They put on the ACC Football Championship and any of the college football games that happen on Labor Day Weekend. The Hospitality and Tourism Alliance has been a driver and an advocate. The Charlotte Area Hotel Association which is the 18 largest full service hotels in the Charlotte region; Charlotte Mecklenburg Schools; = Mecklenburg Towns, as you know, there was a recent ribbon cutting down in Matthews of a very, very powerful sportsplex; soccer, lacrosse, all kinds of outdoor activities to be held in Matthews. There's some great swimming and diving facilities up in Huntersville. There are great facilities down in Rock Hill South Carolina. We have great relationships and we have some facilities now, but we are finding that if we want to be a major player in amateur sports, we need to grow the amateur sports facilities. Then there are also private and nonprofit entities that help us and are on the radar screen for the future. There are multiple great partners

in amateur sports on the horizon with us. So just kind of framing the issue: Benefits from Amateur Sports. We did a large study in Charlotte many years ago about the impact of sports in general and it had professional sports and it had amateur sports and it was identified that there is \$232M of annual economic impact in the Charlotte region from amateur sports today and that doesn't include the growth that we will see when we add new facilities into the market place. Amateur sports also fill your hotels and your restaurants in a need and off-peak periods when they need the business the most. It's a great filler of that gap for hotels and restaurants in our community. It also fills all your entertainment venues, like U.S. National Whitewater Center, Carowinds, NASCAR Hall of Fame, Discovery Place, movie theaters. It's a great way for families who come to visit. They need to find things to do in their off time and all of these benefit the businesses and the non-profit entities in our community.

Councilmember Mayfield said going back one slide when we are looking our partners and Mecklenburg County Parks and Rec, I would like for us to consider one of the conversations that I'm having on the ground in the community is one example of a neighborhood park where Park and Rec has signed a 30 year contract with a private entity, a soccer business because it is for profit that has now taken a neighborhood park out of the hands of the residents in the neighborhood so they no longer have access to their park because there are signs posted up in numerous locations that this is now private property when this is public park space that is paid for by the citizens through our tax dollars that now has been leased to a private business.

Councilmember Howard arrived at 5:30

Councilmember Mayfield said so I'm wondering as we continue these conversations how are we addressing the real concerns of the impact of neighborhoods losing access to their parks as we continue to grow the possibility of amateur sports or bringing different sports clubs into local area when they are using public space. Have you had any conversations around that?

Mr. Kimble said I will be glad to look into the specifics of the one, if you would give me which one that is and I'll make sure we get information back to the full council. I'm not aware of the specifics. But if we go down this path with amateur sports and build more facilities in our community, then we can have greater assurance that we are not going to take the existing facilities and have to use them as much for the growing need of amateur sports. So it's a way to grow both the needs and satisfy the needs of the residents as well as satisfy the needs of business and so what we are talking about tonight would help mitigate that factor if we're able to add more facilities in our community. But I'll be glad to get you specifics on the one that you reference tonight.

What it also does is expose families from around the country when they come for these amateur sporting events. It exposes them to Charlotte and the Charlotte Region and says there's a lot of things to do in this area and it encourages them to come back because they have now experienced the good life in Charlotte. They've looked at the amenities and they want to plan a family vacation to come back here again. It also allows local families who always have to travel on weekends to other communities that have other amateur sports facilities. It allows them to stay home once in a while because the tournaments will come here; they will have the ability to sleep in their own beds from time to time and also be able to have maybe more family members attend the amateur sporting events of the kids because you find that a lot families rally around the youth in the family in order to attend these very special amateur sports events. That's kind of the background and the context of why the Charlotte City Council along with Charlotte Regional Visitors Authority and Mecklenburg County and Mecklenburg County Schools have decided that we need to really address this aggressively and find more amateur sports facilities on the ground in the Charlotte Region. I will be available for more questions if you have them and Brad is also going to come up and talk about the specific one which is on Independence Blvd that's part of your Community Investment Plan around Ovens and Bojangles.

Mayor Cannon said Mr. Manager, I don't know if you have it now but at some point, bring back what we are currently losing maybe to our neighbors in the way of the economic impact. I think it would be eye opening for all of us to take a look and see what that means and how we may be able to take advantage of competing on another level to be able to reap those benefits here. I think that's important.

Mr. Kimble said there is a long list and what we are going to be talking about tonight is indoor amateur spots. That's what's planned at Ovens and Bojangles. We recognize that there are also a multitude of outdoor amateur sports; the Matthews Sportsplex is one of those and we need to find ways to put more tennis, more lacrosse, more soccer, more baseball facilities in our community as well, but today and tonight we are talking about indoor amateur sports.

Mayor Cannon said thank you Mr. Kimble.

Brad Richardson, Neighborhood and Business Services said on October 18th we put out a request for proposals to invite private sector interest in partnering with us in a redevelopment of that site to add amateur sports facilities. The stated objective was similar to what the council and what Ron talked about earlier; to meet the market demand. It was part of the community investment plan; Ron alluded to that as well. We requested parties to consider this plan; indoor sports facilities with an adjacent hotel property and ancillary retail uses. We received on proposal back from Good Sports Enterprises. It's a Florida based development company that has experience with hotel development, retail development, and they developed a model for a Good Sports Village concept. More about Good Sports: They are an affiliate of a larger company called Focus Enterprises. They manage/construct hotels, water parks, sports and recreation facilities. The second bullet talks about their portfolio. Several properties—and that's one of the things we evaluate as we go through the proposal with you is the development portfolio; the experience of the developer. The plan includes 100 sq. ft. indoor amateur sports facility; 150 room hotel; 1500 parking spaces and ancillary retail uses of 50,000 feet. Importantly, we'd want you to know that we work collaboratively and expect to work collaboratively with the Charlotte Regional Visitor's Authority who manages Bojangles and Ovens. Let me show you some concepts. I want to emphasize that word conceptual plans. We've had one meeting with the developer over the phone. We plan to do more work over the next several months given your authorization, but want to show you the site plan and a couple of renderings. The area outlined in yellow is City owned land. We own the coliseum area proper with adjunct parking facility at the rear of the property for a total of 80 acres or so. You can see cited as points of reference, the arena. You'll see the new field house complex with a hotel component right here; retail uses in this section. As we'll talk, we'll talk about the elevation change between this level and that level. It's a 40 foot drop in elevation so you'll see some design concepts. This is a rendering of the concept that takes care of the grade. Again, the hotel concept, retail, this is television place current turns into Briar Creek Road and you obviously see the arena. The facility has eight high school regulation size basketball courts and the purpose of this is to be multipurpose. It can handle many flooring types, many types of events; badminton, volleyball, all indoor sports can be played in this facility. You'll also see some health and fitness rooms, locker rooms and the storage you'd need in this kind of facility. Good Sports has proposed a long-term lease on our property. The preliminary construction cost is \$72M. They have requested that we participate at a 25% level, which is \$18M. As stated before, we have \$25M set aside in the Community Improvement Plan, which could be used for property acquisition to the right and to the left, demolition, grading, parking and gap financing with construction.

Councilmember Barnes said Mr. Richardson point clarification; the \$25M on the third bullet point, you are talking about the CIP Capital Investment Plan.

Mr. Richardson said yes sir.

Councilmember Barnes said it says community. I wanted to make sure there wasn't some new pool of cash.

Mayor Cannon said I'll let the manager speak to that but I believe the idea is more around the investments that we are looking to make are more community oriented in nature in terms of what they will affect and so I think the idea that's being used in the way of the wording capital is what it is.

Mr. Barnes said yes but no I'm just saying that that \$25M is part of the total package for east Charlotte in the CIP.

Mayor Cannon said it is.

Mr. Carlee said you'll be seeing us use the term Community Investment.

Councilmember Smith said how many RFPs did we send out?

Mr. Richardson said we advertised the RFP broadly in Urban Land Institute. We sent it out to three or four companies and we had a couple of council members request direct send to some development partners they knew of so we did that as well.

Councilmember Driggs said I have a lot of questions. I don't want to hold this up too much here but I'm a little uneasy about the idea that we've only talked to one company about this. We don't have the benefit of any bidding war for that matter or other proposals so as to have the ability to choose. Are you proposing right now to move ahead with this company or what exactly is the commitment we would make as a result of this meeting?

Mr. Richardson said what we are asking for tonight is a referral to your Economic Development Committee where you'll do those things; ask these questions and work through a potential development proposal.

Mr. Driggs said and we would also cover then the nature of our business relationship with this company, the city's continuing economic interest and so on; so all that is addressed?

Mr. Richardson said absolutely.

Councilmember Driggs said the \$25M in the Community Investment Plan was the designated amount for Bojangles. There was also other funds that were called public private partnership money, some of which I think is also intended perhaps to be allocated to this project. Would that right?

Mr. Richardson said no sir we include \$25M as the totality available for this project. There were some additional funds in the southeast corridor public private partnership. We are not considering that for this project.

Councilmember Fallon said Brad do we anticipate recovering any of the 25%?

Mr. Richardson said no ma'am. It would be capital dollars spent to facilitate the development. So in that sense, we wouldn't recover those dollars. We would be receiving the benefit of the economic impact of the development over the years.

Councilmember Fallon said so you don't have any kind of a way of recovering it if they were making money; we'd get a percentage back or anything. What you're talking about is the taxes they'd bring in, but is it possible to recover any money if they were making a big profit.

Mr. Richardson said we haven't yet worked out the negotiations of a development framework. Those are things we'd consider through the committee process.

Councilmember Fallon said because from what I understand, amateur sports does bring a lot of money and I don't see why we couldn't have some part of it returned to us of the 25% private public partnership.

Mr. Richardson said my concluding slide is just a request for a referral. We think there are plenty of questions and plenty of good reason to talk about this so we'd like a referral to the committee if you are so inclined.

Motion made by Councilmember Howard, second by Councilmember Driggs and carried unanimously to Refer Amateur Sport Development for Bojangles' Coliseum/Ovens Auditorium Site to the Economic Development Committee.

(C) I-277 DEVELOPMENT PARCELS

Manager Carlee said I will kick this up to Mr. Kimble. We didn't have much happening on these parcels during the recession but the economy is turning around. Interest is beginning to pick up and we wanted to bring you up to date about what's happening on these city-owned properties.

kmj

Mr. Kimble said this is the third of the trio of economic development initiatives of city-owned land. Remember it's how we can leverage our city-owned land for great things in our community and one of these was related to the NASCAR Hall of Fame in its original construction back in 2006. The Hall of Fame was completed in 2010. There were interchange modifications made on I-277 and by virtue of the interchange modifications that were made, we came up with parcels of land when we tightened the interchange on and off ramps. It created development parcels of land that we've been marketing since 2009-10 and I have two maps in your materials today. This is the NASCAR Hall of Fame here. This is parcel one, parcel two, parcel three and this is Stonewall Street. Parcel five is way down here and parcel four is across the I-277 here. What happened was that we built these new ramp configurations here and here and created stop lights at the top of the off ramps so that you could eliminate this ramp, this ramp that was on and off here and a ramp that came off of I-277 and went up to South Blvd/Caldwell. By removing the ramps that were large circles and took lots of right-of-way and then creating the smaller tighter ramps, we were able to recover land that we had previously given to the State of North Carolina and the Federal Government in the early 1970s. Another map shows parcel one, parcel two, parcel three, parcel five and parcel four; we have sold parcel five. You authorized the sale of that parcel this past May. We sold it for \$3.82M and I'll talk to you tonight about where the proceeds from that sale went because it's a very complicated way in which all of this happened connected to the NASCAR Hall of Fame. We are now marketing one, two, three and four and we are starting to get significant interest in these parcels from across the country. The land for I-277 in the early 1970s was donated by the City to the State and Federal Government. The land was acquired originally by the City by Federal funds to be used for urban renewal purposes. The State and the Feds then built I-277 in the late 70s and when these new ramp configurations went in, it recovered land and because it had been donated to the State and the Feds, it could come back to us in a donation form as well. So Governor Easley signed the letter in 2006 that conveyed these five parcels back to the City of Charlotte because we were the entity that had conveyed them originally for I-277. The land is prime real estate. It's been marketed for development continuously since 2009 but you know that it was significantly harmed by the deepest recession that we've had since the 1930s. The land is zoned Urban Mixed Use District and so it has significant development potential to have mixed uses such as residential, office, retail, hotels and entertainment and we've gotten lots of nibbles on this; lots of interest, some submissions of interest, but we've not gotten to a contract yet with anybody on parcels one, two, three and four. We did get to a contract on parcel five. The land in its totality is collectively valued today at \$35M, all of these five parcels. Its collateral for a \$20M bank land loan that came from Bank of America and Wells Fargo at a 4% simple interest rate and this \$20M loan from the banks was used as part of the financing of the NASCAR Hall of Fame. The financing for the Hall of Fame looked like this: \$102.5M originally from the new 2% hotel/motel tax; then there was added scope of \$32M and then scope paid for from the original convention center tax which went to the ballroom component of the NASCAR Hall of Fame Ballroom and Parking Deck. This is what the land back stops as collateral; a bank land loan of \$20M that help pay for a portion of the \$195M construction of the NASCAR Hall of Fame, the new ballroom and the parking deck that exists on that one square block.

Councilmember Mayfield said two questions Mr. Kimble. Since we are on this page, you have already broken down what was actually realized, not what was projected so that we have real numbers to compare what was—have we hit that original scope of 2% of \$102.5M?

Mr. Kimble said we did.

Councilmember Mayfield so these are the actual numbers that we have hit, not what we projected.

Mr. Kimble said I'm showing you the revenue side. This is where the sources of funds came for to pay for the NASCAR Hall of Fame. It did indeed come in at this number \$195M. In fact, it came in just a little bit under \$195M.

Councilmember Mayfield said the other question I have for you is when we have already had conversations about the potential expansion of our Charlotte Convention Center, why do we have parcel one even included in the grouping of negotiated lots? Do we have availability for any of the lot space to expand at the Convention Center?

Mr. Kimble said the location of the NASCAR Hall of Fame and the parking deck, and the ballroom was the expansion of our Hall of Fame. That was the one that was anticipated. So we've done is one iteration of expansion. There is opportunity to connect with land around the NASCAR Hall of Fame; including parcel one and parcel two that we could find a development partner that may want to find a public private way in order to integrate what they're planning on doing with expansion of the convention center. We'll have to wait and see what kind of interest is shown by the persons and development partners that want to come and propose. But parcel one is collateral for the land loan so it must be sold and the proceeds from the sale of that must go towards the retirement of the \$20M land loan. This was all agreed to in significant agreements that were struck between the City, the Charlotte Regional Visitors Authority and the banks back in 2006. So all of these parcels are collateral for the land loan and I'll show you how the proceeds will be applied first, where the proceeds can be applied next and then where we go with the use of the funds that come from the sale of the land. That is in a later part in the presentation.

Councilmember Fallon said do you know whoever has applied for this. You said there were people that were interested in it and what do they want to put on it? What kind of venue?

Mr. Kimble said each one of them has a different vision and a different idea. We have a vision for what we want and we have some design standards that we've sent out along with these lands, but the attorneys will tell you that we have to sell these under an upset bid process. We have to make sure that we're getting the right amount of value for these lands and we'll talk about that as I walk through the presentation, but there's significant interest from around the country not just Charlotte.

Councilmember Fallon said Ron do we have the right to say what we want or not want there? Can we stop something that would be uncomfortable for Charlotte?

Mr. Kimble said the design standards and the fact that they're zoned urban mixed use district is your control on those properties and so you would have a say so in what would get built on there in what context it would be built because it's zoned U-MUD and it would have to conform to those design standards. The mix of uses that different developers from across the country might put on each of these sites is the difference. Some of them may have more of a slant towards residential. Some may have more of a slant towards office. Some may have more retail than others. Some may have entertainment that they want to bring like restaurants and night activities that they would like to have on these sites. It's the mix that we are going to need to evaluate and what these groups come up with in terms of mass and scale and density because we want more density on these properties because they are valuable along the light rail line so it could be housing.

Councilmember Fallon said so it could be housing.

Mr. Kimble said it could be housing.

Councilmember Fallon said because was that our property that was across from Harvey Gant Museum Center and they were going to put an office building, was that city property?

Mr. Kimble said the one that's on Stonewall now?

Councilmember Fallon said yes.

Mr. Kimble said there's a piece of property there that I think is owned by Crescent now across the street from the Gant Center but I think the Law Firm of Diehl and McElroy still own the corner building but that is not owned by us. That's owned by the...

Councilmember Fallon said I don't mean there, I mean the other directly across, not where Diehl's law firm is. Weren't they going to put an office building there or something?

Mr. Kimble said I think I need to find out which piece of property you might be talking about.

Mayor Cannon said you mean the one Trump was talking about?

Councilmember Fallon said yes.

Mr. Kimble said that is the one that borders on I-277. There was a proposal about eight years ago by Hill Street that's near the Westin. There's a piece of land on the other side of Hill Street. That proposal fell apart and never materialized mainly due to the recession that occurred in 2008. That's another piece of property that's part of the right-of-way but there's also a piece owned by the private sector on the other side of Hill Street that they were trying to put in play. They wanted to bridge I-277 with a green space on top of I-277 with that project as well.

Councilmember Fallon said didn't that go by the wayside?

Mr. Kimble said it did go by the wayside.

Councilmember Fallon said because of TS whatever it is?

Mr. Kimble said there are a lot of things that went by the wayside in 2009-2012. The market just would not sustain a lot of the proposals that were out there. So when proceeds arise from the sale of these properties, they first have to go to retire the loan. Any excess proceeds from the sale of land after retiring the bank loan and accrued interest are committed to reimbursing the City and the State for its cost on reconstructing the interchange. The State paid \$5M and the City paid \$19M on the interchange modification. These interchange modifications are beneficial not just to the Hall of Fame, they are very beneficial to the overall operation of I-277 and there are ways in which we could do similar things to other interchanges along I-277 if we studied them and developed the opportunity to create new development parcels in and around our interchanges. It was a great project. The interchanges have functioned very well. The traffic moves freely in the interchanges and it's been a great increase and advantage for this area to create these development parcels at the same time. They will generate significant city and county property taxes, sales taxes and hospitality taxes for any future uses that come about by using these development parcels. Each remaining parcel is being marketed and various proposals are being formulated by interested groups nationally as well as locally. There is significant interest now in these parcels. We've put together a staff review team. The staff review team consists of me, Deborah Campbell, Pat Mumford, Tom Murray with the Charlotte Regional Visitors Authority and Michael Smith Charlotte Center City Partners. We will evaluate all proposals and we will bring to you, the Charlotte City Council, any recommended proposal that we have for coming forward and the sales price along with the development vision that a developer is putting forth will come to you and it will be submitted to you for consideration. You can vet it; you can refer it to a committee. You can decide that you want to move forward with it. You can decide not to move forward with it. It's up to you based on what you hear from us, but we will be bringing recommendations to you over the next year because the parcels are a little bit hotter this year than they've been in the 2008-2013 timeframe. If council desires to move forward with any proposal, then that proposal would be advertised for an upset bid. There'll be conditions on the closing. They'll be conditions on sales price. They'll be a vision for what people will do with this particular piece of property. There are design standards. It's zoned urban mixed use district and then that will be advertised with those conditions and those provisions. Any developer then within 10 days thereafter can upset the advertised bid by at least 5% and then that new bid is then advertised and it continues. The process repeats itself until there's no longer an upset bid that's received and this is the same process that was used when the old coliseum on Tyvola Road was sold and the proceeds from the sale of that property went into the new arena in Uptown Charlotte. So you should see this kind of process on parcel one, parcel two, parcel three and parcel four and we are really getting some great interest at this particular point in time on these parcels. We wanted to let you know how these came about, the type of process that we'll need to move forward in order to consummate a sale, where the proceeds go, and then what kind of particular density, mass and scale can come about because of these properties that were created with the interchange modifications.

Councilmember Lyles said I wondered if you could tell me when we have to repay the state and ourselves for the construction run. Is there anybody in first position or how is it done.

Mr. Kimble said pro-rated. Back when the governor signed the letter to allocate and re-convey the properties to us for a dollar, in that letter it said that we shall be reimbursed, the State and City, on a prorated basis of any excess proceeds that accrue from the sale of the properties. So it would be on a prorated basis.

Councilmember Barnes said I want to actually pay a compliment to Deputy Manager Kimble during the experience that we had with the Hall of Fame, Mr. Kimble made representations to us about how the business case would shape up with those parcels and at that time it was accurate and it continues to be accurate and consistent and you in fact are reminding of some of the things that were said seven years ago and just as a credit to you, thanks for your effort and for sticking to this process. It's taken a while and hopefully we will get some buyers for the parcels but Ron I just wanted you to know that I appreciate the effort that you put into it then and that you obviously are still putting into it.

Mr. Kimble said thank you Mr. Barnes and I also would say that Jim Schumacher, Assistant City Manager at that time, City Engineer had this as a brainchild and we carried it through all the way to the end and I think it's going to turn out very, very well for the City of Charlotte.

Mayor Cannon said Mr. Deputy Manager thank you so much for the presentation. Mr. Manager thank you as well.

ITEM NO. 3: PAPERLESS COUNCIL BUSINESS AGENDA INITIATIVE

Mayor Cannon said Manager Carlee we've got a little synopsis here over this. Do you want to talk about it for a half a moment?

Mr. Carlee said we can send gargantuan amounts of paper in the process of executing policies for the City of Charlotte and we've been working over the past few months to see if we can't reduce that consumption. This is not something that we have any intention of forcing on the council as a whole or individually but we do think there is an excellent opportunity. Katie McCoy in Budget and Evaluation office has been heading up this effort. Some of us have been experimenting with it. I've been involved in some other paperless efforts and I think they are doing a really fine job so we would like to brief you on an opportunity to reduce from this to this.

Katie McCoy, Evaluation Manager, Budget and Evaluation said I bring good news for those who have requested less paper. During the presentation, I'd like to outline the capability for staff and council to receive paperless or E-agendas for the council business agenda, the zoning meeting and the council workshops. Those are our three biggest paper producers so we are going to start big and then also I'd like to talk about some enhancements we foresee with the process that I'm excited about and receive your feedback on this initiative. To talk a little bit about our current process, staff provides hard copies to the council as well as staff and citizens for the semimonthly council business agendas as well as zoning and the workshops. We print approximately 500,000 pages organization-wide and that is just for the council business agenda. Looking at the process side, highly manual, labor intensive across departmental initiative and I'm going to talk a little bit about some back office enhancements that we are excited about. This initiative is consistent with what we're seeing across government entities. Here I've listed some smaller as well as larger North Carolina and national jurisdictions that have started an E-agenda or paperless initiative. This initiative is consistent with Council's Environment Focus Area Plan to lead by example by practicing environmental stewardship in city operations and facilities. Other benefits include a reduction of paper and costs, more convenient and productive document retention and note taking and easier document management. I've included a stack of binders. This is in my office. I took this picture. These are just the council business agenda meetings for this year so far. So the next steps—there would be two phases. I'm going to talk about each of these phases in a little bit more detail but initially just in summary, beginning January 2014, there will be available for those who would like it, an E-agenda or paperless agenda. Again that's for the council business agenda, the workshops and the zoning and then this upcoming summer, an implementation of some enhancements to our process.

Mayor Cannon said Katie let me ask you a question on the January 2014 date. There may be some members, like me, who can appreciate the pdf format, but you can't do anything with that format unless you try to manipulate it some sort of way to put it into a Word doc and sometimes in the way of a word doc, the council, mayor can continue to put things in consent or whatever else that they want to make comments or highlight some things. What are your thoughts about that?

Ms. McCoy said I'm delighted you brought that up because I'm going to show you just how to manipulate it in pdf. It's very straight forward and you don't have to transition it to Word at all. So that's going to be in about three slides and if I don't answer your question, let me know.

Mayor Cannon said I'm sure you will.

Ms. McCoy said alright so I'm going to go ahead and talk a little bit more about the Phase One beginning with your January 13th Council Business Agenda. You'll receive an e-mail from Budget and Evaluation on the Wednesday before the meeting. That's consistent with when you would receive the paper copies and again, we will make those paper copies available. You would have the ability to annotate and save notes electronically. That's exactly your question so I'm going to show you a demo if I could. There will be citizen access on the City Clerk's website. Right now we have the agenda items and we have the attachments separate, but we'll consolidate those and that's what you would receive for those who would like it electronically as well. Again, you still have the ability to receive a paper agenda. We will continue to provide them outside the council chambers for citizens when they come in. Lastly, we are here to help. Budget and Evaluation is just down the hall from you on the 15th floor. Please let us know if there is anything we can do. I'll also include our telephone number on the last slide and this PowerPoint presentation will be saved to City Council's website. So all that is available but we are happy to help.

Phase Two: That's what would begin this summer. That is the process side and initially it may be relatively seamless to council because we are going to have all those back office enhancements and I want to recognize Melia Gordon, if you will raise your hand. She is in Budget and Evaluation and she puts together the Council Business Agenda and so I really can't overstate how labor intensive this process is. So we are excited about the possibility of a vendor solution. In addition to our back office enhancements, there would be a simple mobile device for easier document management and expansion to other meetings; committee meetings for example as well as staff meetings. So we could use this ourselves and then some potential E-agenda capabilities. Our RFP, the request for proposal, hasn't gone on the street yet but it will be very soon and what we're seeing right now are some interesting capabilities that other local governments are using. So we are looking forward to getting those RFPs back from vendors. I am happy to take your questions and comments now, but what I'd love to do if it's okay, is go ahead and do the demo. Can I do that?

Mayor Cannon said are there any question? Okay, demo time.

Ms. McCoy said what this is here is a snapshot from an iPad and this is the PDF Expert application and we'll make sure that that gets loaded onto those who have iPad. The capabilities shown here are some of the annotations and Mayor I think this speaks to what you were looking for, the ability to add text and comments using this button, to handwrite comments with the stylus for those who have the stylus with their iPad. You can email if after you have comments you want to email to others and to bookmark sections if there are areas of particular note. On the next slide, I show some links to the table of contents that will be included so as you are going through the agenda, you can quickly get back up to the table of contents and then at the bottom here you'll see links to attachments. So if there are any items with attachments, you click on that and automatically that attachment will pop up and lastly what I'd like to do to wrap us up is show you—this is the demo on a Microsoft product. So this is in pdf. This should look pretty familiar. This is Adobe Pro and what you see here is the ability to thumbnail through page by page. Once you are on the table of contents, if you would like to go to a specific meeting, this is today's meeting. If you are interested in the first consent item, you could select that and there we go. What you can do to get back to the table of contents is go to this top right here; header council agenda and it will take you back up to the table of contents, so hopefully easy toggling and then the annotation for those notes and comments right here. With that I think I'm done.

Councilmember Barnes said Ms. McCoy could you tell us the estimated savings on paper?

Ms. McCoy said based upon the 500,000 pages we do just for council business agenda organization wide, looking at black and white and color copies, it would be an average of about \$95,000 and that's just for the council business agenda, printing alone.

Councilmember Barnes said annually?

Ms. McCoy said yes sir.

Councilmember Austin said I'm excited that we're moving towards this. When I finally got my first package, I was like oh my god and this is supposed to be a light one. But I understand Councilmember Autry you've been working with this. What has been your experience with it thus far?

Councilmember Autry said I found it to be wonderful. I trip over the weeks of agendas as they start to gather up trying to get to my chair at my desk. It will be nice to be able to save these in the ether and I've had no problems with it. You may want to invest in a little stylus if you want to do highlighting. You can just draw highlight lines through it just like if you had a highlighter looking at a physical piece of paper. The ability in PDF Expert to create bookmarks on wherever you put an annotation, you can put an annotation directly on the document with the text tool or you can write it in hand if you wanted and on those pages you can create a bookmark so that whenever you want to get to it, the dropdown menu in the top right corner will give you the access to that bookmark menu that you create wherever you put these annotations or wherever you have questions and go to those instantly. It's kind of interesting to see it all come together like that in the way the table of contents allows you direct access to any part of it that you wanted to and to be able to jump back and forth. It's just jumping around the document instead of—I usually put blue tabs on pages that I wanted to. Now I can just create a bookmark and certainly saving from those books stacking will allow me easier to ingress and egress around my desk.

Councilmember Austin said Mr. Mayor I'm sorry, how much was the savings? I missed that.

Mayor Cannon said it was \$95,000 annually.

Councilmember Phipps said are you able to print individual pages.

Councilmember Autry said you can print any page you want, if you want to print out a page you can print that page just say print it to your printer or open it up on your computer. Printing from the iPad directly requires a special kind of printer that I don't have as yet, but the pdf document is just as easily to be accessed on your computer and print a page from that as you would anything.

Mayor Cannon said Councilman Autry will be providing IT training after the meeting tonight.

Ms. McCoy said and I do want to pay a special thank to Councilmember Autry.

Mr. Carlee said for those of you who have not used this kind of technology, I really do want to encourage you. The initial efforts of going paperless were in the old laptop days before tablets and if that's been your experience, then you probably have no interest in this because it's just really frustrating to read the documents and you couldn't mark them up. It didn't work, but once the tablet technology came out, it did fundamentally change the way that you can do e-documents. Basically with a tablet, you can do in the document anything that you could have done with a piece of paper and you can actually do more and you can then have it available wherever you need it. I've been using—we went to e-agenda at ICMA in my last job. I also in my teaching days before I came down here, I received all of my student papers electronically, graded them electronically with notes and circles and arrows and comments and emailed them back to the students and I have just found again, with the tablet technology, it is fundamentally different than reading pdf on a computer.

Councilmember Driggs said I just wondered whether it runs equally well on an iPad and on other tablets like a Surface.

Ms. McCoy said yes. The Microsoft version that I showed you here is exactly what it would look like on a Surface. Good question.

Councilmember Mayfield said so we're looking at this phase starting as of January so are we saying over the next few weeks, those of us that haven't already downloaded it, who do we reach out to so that if we are interested we can be up and running by our first meeting in January.

Ms. McCoy said we will go ahead and provide it electronically to everyone just so you have access to it and then what we'll ask and you don't need to tell me now, but what we will ask for those who would like to continue to receive a paper version, to let us know.

Mr. Carlee said and if you need assistance in the PDF Expert app, let us know and we'll provide you that assistance as well. PDF Expert is the Enterprise Solution that staff has researched. There are a number of other PDF readers out there that work just as well. PDF Expert, I've been using since staff identified that as our enterprise approach and I find that it does extraordinarily well. I'm very pleased with it.

Councilmember Autry said I would just say though that when you are using it in this building, we should be working with the County on how we improve our wireless connectivity because my office is a dead spot.

Mr. Carlee said we've done some improvements just recently on the 15th floor. If you are still dead, let me know.

Councilmember Autry said actually, I was able to get on today. I said somebody must be standing outside holding a piece of foil or something.

Mr. Carlee said no we actually listened to you and did some improvements on the 15th floor; so, if you are finding dead spots in this building, let us know, we'll fix it.

Mayor Cannon said how much have you engaged already, your own staff, across the board in going paperless?

Mr. Carlee said we're definitely getting there. My goal would be that over this next year, we would be pretty much in a paperless environment on the staff side; doing more electronic briefings instead of giving out PowerPoints, I would really like to get away from having all of this so that you can actually have it electronically and we'll do presentations electronically and we're definitely moving that within the staff environment as well.

Mayor Cannon said let me know how that goes. I would like to see what the savings would be as you continue to move through that process. Thank you so much. Appreciate you Ms. McCoy and Ms. Gordon and that entire department.

ITEM NO. 4: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Cannon said do we have any answers back. We had a question from Ms. Mayfield about two consent items; are you ready for those councilwoman?

Councilmember Mayfield said yes sir.

Mayor Cannon said so one was Item 17.

Eric Campbell, Assistant City Manager said I think we talked about 17 and we were okay with that.

Mayor Cannon said are you okay with that?

Councilmember Mayfield said yes.

Mayor Cannon said Item No. 26.

Mr. Campbell said Item 26 which was the Transit Scheduling Software Maintenance Agreement and Ms. Mayfield's question dealt with whether or not the software affected the employees involved in the recent discussions around the union and how so and the answer is yes that this is the software system that's the tool used for scheduling and that this is the software that sets up those schedules for those employees and it's the system that has been used by CATS for several years. This is actually upgrading the maintenance agreement part of that. And really quick Mr.

Mayor, just in addition, there were some questions that came up during the noon meeting with some of the newer council members and I provided a summary in front of everybody's seat of those questions and answers. It was not pulled but I wanted to provide everybody with questions, their answers.

Mayor Cannon said very good thank you for doing that. I know we had some other members to join us a little bit late this evening; I want to ask if they have any consent items that need to be pulled?

Councilmember Mayfield said just a little bit more clarification and thank you very much Mr. Campbell on number 26. One of the things that it seems that we possibly have a history of doing is when I was able to speak with Ms. Flowers, this contract is overdue being renewed so we have a computer system but we haven't been actively updating the system as the technology has become more advanced or the latest editions have come out. So at some point, it would be helpful for us to have a conversation, I don't know Mr. Mayor if that conversation, Mr. Manager needs to be referred to a committee or if it's a conversation for full council to really talk about these as we move with technology. Are we really making the investments that we need to so that we don't have years that go by without having access to the latest technology and then trying to play catch up three to five, 10 years after.

Mr. Carlee said I am working with IT staff to develop status of our systems and long range master plan so that we do not get behind the curve. There is a definitely a need in the city.

Mayor Cannon said good question; good observation and thank you Mr. Campbell. We have about thirty minutes or so before we go downstairs. There are a couple items for closed session, I wonder if we might be able to tackle one if not both prior to rather than trying to keep council later than we have to. So if you all are amendable to that, I would like to ask Mayor Pro Tem Barnes if he would be so kind as to read one closed session item if not both.

Motion was made by Councilmember Barnes, seconded by Councilmember Howard and carried unanimously to adopt a motion pursuant to North Carolina 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.

Motion was made by Councilmember Barnes, seconded by Councilmember Driggs and carried unanimously to adopt a motion pursuant to NC General Statute 14-318.11(a) (3) to go into closed session to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of the case of *City of Charlotte v. The State of North Carolina and Charlotte Douglas International Airport Commission*, Case No. 13-CVS-12678

The meeting recessed at 6:29 p.m.

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The Council reconvened in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 7:03 p.m. for their Business Meeting with Mayor Patrick Cannon presiding. Councilmembers present were Al Austin, John Autry, Michael Barnes, Ed Driggs, Claire Fallon, David L. Howard, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

Councilmember Smith said we are honored tonight to have Troop 99 here with us. Troop 99 is housed at Selwyn Presbyterian Church. They were chartered in 1942 and have 100 Eagles. Senior Patrol Leader Bergen Bentley will lead us in the pledge.

INVOCATION AND PLEDGE

Reverend Dr. Claude Alexander led the Invocation and Senior Patrol Leader Bergen Bentley led the Council in the Pledge of Allegiance to the Flag.

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ITEM NO. 5: CONSENT AGENDA

Mayor Cannon said Madam Clerk, are there any consent items that have been pulled?

Stephanie Kelly, City Clerk said Item 36-T has been settled. That is the only item that I have.

Motion was made by Councilmember Howard, seconded by Councilmember Barnes and carried unanimously, to approve the Consent Agenda items 11 through 36 as presented.

The following Items were approved:

ITEM NO. 11: CHILLER PLACEMENTS ENGINEERING SERVICES

Approve a contract, in the amount of \$177,708, with McCracken & Lopez, PA to provide professional design services associated with replacing the chillers at the Charlotte-Mecklenburg Government Center.

ITEM NO. 12: POLICE VETERINARY CONTRACTG

(A) Approve a unit price contract with Chantilly Veterinary Services to provide veterinary services at the animal shelter and for police canines for a term of one year, and (B) Authorize the City Manager to approve two, one-year extensions to the contract contingent upon performance and the availability of funds.

ITEM NO. 13: POLICE LAW ENFORCEMENT CENTER ENERGY IMPROVEMENTS

Award the low-bid contract in the amount of \$731,016.50 to AirCond Corporation d/b/a EMCOR Services AirCond for energy improvements to the Charlotte-Mecklenburg Police Department Law Enforcement Center.

SUMMARY OF BIDS

Emcor Services AirCond	\$731,016.50
Catawba Mechanical Services, Inc.	\$764,430.00
Superior Mechanical Systems, Inc.	\$799,400.00
Cost Effective Maintenance, Inc.	\$858,390.00
Southern Comfort of Charlotte, Inc.	\$925,400.00
Comfort Systems USA	\$953,000.00
Edison Foard Construction Services, Inc.	\$995,290.00

ITEM NO. 14: JOHNSON & WALES WAY – FOURTH STREET/TRADE STREET

Award the low-bid contract in the amount of \$1,231,687.49 to United Construction, Inc. for the Johnson & Wales Way – Fourth Street/Trade Street project.

SUMMARY OF BIDS

United Construction, Inc.	\$1,231,687.49
Sealand Contractors, Corp.	\$1,266,635.37
D.E. Walker Construction Co.	\$1,311,950.30
Blythe Development Co.	\$1,398,076.35
Blythe Construction, Inc.	\$1,633,115.77

ITEM NO. 15: ELEVATOR AND ESCALATOR MAINTENANCE

(A) Approve the purchase of elevator maintenance services for a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), and (B) Approve a contract in the amount of \$1,432,583, with Otis Elevator to provide elevator maintenance and repairs in facilities maintained by Engineering & Property Management Services for the term of five years.

ITEM NO. 16: ASPHALT PAVING AND REHABILITATION EQUIPMENTR

(A) Approve the purchase of a Leeboy asphalt paver from a cooperative purchasing contract as authorized by G.S.143-129(e)(3), (B) Approve a contract in the amount of \$147,608 with Carolina Caterpillar for the term of one year, (C) Approve the purchase of an asphalt rehabilitation equipment from a cooperative purchasing contract as authorized by G.S. 143-

129(e)(3), and (D) Approve a contract, in the amount of \$132,375 with Asphalt Zipper Inc for the term of one year.

ITEM NO. 17: CITATION MANAGEMENT SYSTEM AND RELATED SERVICES

(A) Approve a contract with Complus Data Innovations, Inc. for the purchase of software licenses, management services and equipment for a Citation Management System, in the amount up to \$119,040, for a two-year term, (B) Authorize the City Manager to approve expenditures with Complus Data Innovations, Inc. for collection services as authorized by the contract, and (C) Authorize the City Manager to approve up to two, one-year renewal options for continuing maintenance, support and collection services as authorized by the contract.

ITEM NO. 18: CITY BRIDGES INSPECTION MUNICIPAL AGREEMENT

(A) Approve a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation to share the cost of inspecting 132 city maintained bridges and culverts in the amount of \$275,000, and (B) Adopt Budget Ordinance No. 5261-X appropriating North Carolina Department of Transportation funds of \$275,000.

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

The ordinance is recorded in full in Ordinance book 55 at page 572.

ITEM NO. 19: UTILITY LABORATORY, SUPPLIES, EQUIPMENT AND CHEMICALS

(A) Approve the purchase of laboratory supplies, equipment and chemicals, without competitive bidding as authorized by the state contract exemption of G.S.143-129(e) (9), and (B) Approve a unit price contract with Fisher Scientific for the purchase of laboratory supplies, equipment and chemicals.

ITEM NO. 20: UTILITY LABORATORY INSTRUMENTS AND SUPPLIES

(A) Approve the purchase of water quality analytical instruments and lab supplies manufactured as authorized by the sole source exemption G.S.143-129(e)(6), and (B) Approve a unit price contract with Hach Company for the purchase of water quality analytical instruments and lab supplies for a term of three years.

ITEM NO. 21: LABORATORY TESTING SERVICES

(A) Approve contracts with the following firms for a term of one year, for laboratory testing services: Pace Analytical Service, Inc. and ETT Environmental, Inc, and; (B) Authorize the City Manager to approve two additional one-year renewals with possible price adjustments as stipulated in the contract.

ITEM NO. 22: SLOPE MOWING EQUIPMENT

(A) Approve the purchase of slope mowing equipment as authorized by the sole source exemption of G.S.143-129(e)(6), and (B) Approve a contract with Kut Kwick, in the amount of \$118,630, for the purchase of two slope mowers.

ITEM NO. 23: BUS PREVENTIVE MAINTENANCE FILTERS

(A) Award the low-bid contract in the amount of \$950,000 to CumminsAtlantic, LLC for bus maintenance filters, and (B) Authorize the City Manager to execute up to two, one-year renewals with possible price adjustments as stipulated in the contract.

ITEM NO. 24: LIGHT RAIL VEHICLE EQUIPMENT MAINTENANCE

Approve a contract with Simmons Machine Tool Corporation for maintenance and support of the Light Rail Vehicle wheel lathe in the amount up to \$200,000 for a four-year term.

ITEM NO. 25: LYNX BLUE LINE EXTENSION PROJECTR – SOIL DISPOSAL SERVICES

(A) Approve a unit price contract with Republic Services, Inc. for the disposal of contaminated soils f or a three-year term, and (B) Authorize the City Manager to approve two additional, one-year renewals.

ITEM NO. 26: TRANIST SCHEDULING SOFTWARE MAINTENANCE AGREEMENT
Approve a contract with GIRO, Inc. for maintenance and support with the HASTUS transit scheduling software system, in the amount up to \$300,000, for a three-year term.

ITEM NO. 27: TABLEAU SOFTWARE LICENSES, MAINTENANCE AND MANAGEMENT SERVICES.

(A) Approve the purchase of Tableau software licenses, maintenance and managed services from a federal contract as authorized by G.S.143-129(e)(9a), (B) Approve a unit price contract with Triad Technology Partners, LLC for the purchase of Tableau software licenses, maintenance, and managed services for the term of one year under Triad Technology Partners General Services Administration Schedule GS-35F-0298W, effective March 8, 2010, and (C) Authorize the City Manager to extend the contract for additional one-year terms as long as the federal contract is in effect, at prices and terms that are the same or more favorable than those offered under the federal contract.

ITEM NO. 28: CONTRACT CLOSEOUT AGREEMENT WITH ALCATEL-LUCENT
Authorize the City Manager to negotiate and execute a contract closeout agreement with Alcatel-Lucent.

ITEM NO. 29: AIRPORT FUTURE TERMINAL CURBSIDE ROADWAY
(A) Award a low-bid contract in the amount of \$204,034, with Dakota Contracting Company for demolition of pedestrian bridges, and; (B) Adopt Budget Ordinance No. 5262-X appropriating \$204,034 from the Airport Discretionary Fund to the Aviation Community Investment Plan Fund.

SUMMARY OF BIDS

Dakota Contracting Company	\$204,034.00
D H Griffin	\$244,400.00
Archer Western Construction	\$288,135.00

The ordinance is recorded in full in Ordinance Book 55 at page 573.

ITEM NO. 30: AIRPORT SECURITY BACKGROUND CHECK SERVICES
Approve a unit price contract with Transportation Security Clearinghouse for criminal history records checks and security threat assessment services for a term of three years.

ITEM NO. 31: US AIRWAYS CREW TRAINING CENTER PARKING LOT REPAIRS
Award a low-bid contract, in the amount of \$163,900 with Blythe Brothers Asphalt, Co. for parking lot repairs

SUMMARY OF BIDS

Blythe Brothers Asphalt, Co.	\$163,900
The Lane Construction Corporation	\$188,325
Blythe Construction, Co.	\$188,900
Tarpon Construction, Inc.	\$229,700

ITEM NO. 32: AIRPORT BUSINESS VALET PARKING DECK CHANGE ORDER #2
Approve change order #2, in the amount of \$370,720 with Shelco, LLC for building code compliance work and additional work due to unsuitable soils on the Business Valet Parking Deck construction site.

ITEM NO. 33: RESOLUTION OF INTENT TO ABANDON A PORTION OF ANDRILL TERRACE.

(A) Adopt the Resolution of Intent to abandon a portion and Andrill Terrace, and (B) Set a Public Hearing for January 13, 2014.

The resolution is recorded in full in Resolution Book 44 at page 899-901.

ITEM NO. 34: MEETING MINUTES

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

- November 11, 2013 Business Meeting
- November 18, 2013 Zoning Meeting

ITEM NO. 35: IN REM REMEDY

(A) 420 E. 26th Street

Adopt Ordinance No. 5263-X authorizing the use of In Rem Remedy to demolish and remove the structure at 420 E. 26th Street (Neighborhood Profile Area 22).

The Ordinance is recorded in full in Ordinance Book No. 58 at page 574.

(B) 4429 Cades Cove Drive

Adopt Ordinance No. 5264-X authorizing the use of In Rem Remedy to demolish and remove the structure at 4429 Cades Cove Drive (Neighborhood Profile Area 111).

The Ordinance is recorded in full in Ordinance Book No. 58 at page 575.

(C) 7723 Shadow Lawn Road

Adopt Ordinance No. 5265-X authorizing the use of In Rem Remedy to demolish and remove the structure at 7723 Shadow Lawn Road (Neighborhood Provide Area 280).

The Ordinance is recorded in full in Ordinance Book No. 58 at page 576.

(D) 3934 Plainview Road

Adopt Ordinance No. 5266-X authorizing the use of In Rem Remedy to demolish and remove the structure at 3934 Plainview Road (Neighborhood Profile Area 6).

The Ordinance is recorded in full in Ordinance Book No. 58 at page 577.

(E) 1700 Heathcliff Street

Adopt Ordinance No. 5267-X authorizing to use of In Rem Remedy to demolish and remove the structure at 1700 Heathcliff Street (Neighborhood Profile Area 51).

The Ordinance is recorded in full in Ordinance Book No. 58 at page 578.

(F) 4900 Morgan Street

Adopt Ordinance No. 5268-X authorizing the use of In Rem Remedy to demolish and remove the structure at 4900 Morgan Street (Neighborhood Profile Area 385).

The Ordinance is recorded in full in Ordinance Book 58 at page 579.

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Item No. 36: PROPERTY TRANSACTIONS

Acquisitions

Item No. 36-A: 9209 Snow Ridge Lane

Acquisition of .95 acres at 9209 Snow Ridge Lane from Wyman H. Fogg for \$28,400 for Airport Master Plan Land Acquisition.

Item No. 36-B: 9130 Markswood Road

Acquisition of 2.74 acres at 9130 Markswood Road from Claude York for \$229,900 for Airport Master Plan Land Acquisition.

Item No. 36-C: 7218 Steele Creek Road

Acquisition of .53 acres at 7218 Steele Creek Road from Michael Buffkin for \$200,000 for Airport Master Plan Land Acquisition.

Item No. 36-D: 5032 Shopton Road

Acquisition of .78 acres at 5032 Shopton Road from Arnold and Shillina Reaser for \$160,000 for Airport Master Plan Land Acquisition.

Item No. 36-E: 119 North Sharon Amity Road

Acquisition of 128 sq. ft. (.003 ac.) in sidewalk and utility easement, plus 482 sq. ft. (.011 ac.) in temporary construction easement at 119 North Sharon Amity Road from Peggy D. Young and spouse, John A. Young and Armand T. Daniel, Jr., and Spouse, Phyllis B. Daniel for \$10,000 for Gaynor Storm Drainage Improvement Project, Parcel #72.

Item No. 36-F: 4041 Johnston Oehler Road

Acquisition of 36,286 sq. ft. (.833 ac.) in Fee Simple, plus 3,899 sq. ft. (.09 ac.) in Fee Simple within existing right-of-way plus 816 sq. ft. (.019 ac.) in storm drainage easement, plus 5,907 sq. ft. (.136 ac.) in temporary construction easement, plus 78 sq. ft. (.002 ac.) in Utility easement at 4041 Johnston Oehler Road from G. Parker Moffitt, II and wife, Sandra N. Moffitt for \$30,000 for Johnston Oehler Farm to Market, Parcel #12.

Item No. 36-G Johnston Oehler Road

Acquisition of 65,910 sq. ft. (1.513 ac.) in Fee Simple, plus 10,495 sq. ft. (.241 ac.) in Fee Simple within existing right-of-way at Johnston Oehler Road from Jeffrey F. Meyer and wife, Catherine R. Mowry for \$71,000 for Johnston Oehler Farm to Market, Parcel #35.

Item No. 36-H 729 Oakdale Road

Acquisition of 3,525 sq. ft. (.081 ac.) in Fee Simple, plus 4,694 sq. ft. (.108 ac.) in fee simple within existing right of way plus 2,197 sq. ft. (.05 ac.) in sidewalk and utility easement, plus 3,057 sq. ft. (.07 ac.) in temporary construction easement, plus 161 sq. ft. (.004 ac.) in utility easement at 729 Oakdale Road from Deborah Elliott McCord and spouse, Phillip Martin McCord for \$10,630 for Oakdale Road Widening, Parcel #20 and #21.

Item No. 36-I: 1004 Oakdale Road

Acquisition of 1,317 sq. ft. (.03 ac.) in Storm Drainage Easement plus 194 sq. ft. (.004 ac.) in sidewalk and utility easement, plus 14,380 sq. ft. (.33 ac.) in Temporary Construction Easement, plus 173 sq. ft. (.004 ac.) in Utility Easement, plus 3,100 sq. ft. (.071 ac.) in Site Triangle Easement at 1004 Oakdale Road from Joyce Todd Marsh for \$29,585 for Oakdale Road Widening, Parcel #41.

Item No. 36-J: Parkwood Avenue, 1120 North Brevard Street, 1124 North Brevard Street and 1128 North Brevard Street

Acquisition of 2,194 sq. ft. (.05 ac.) in fee simple plus 16,442 sq. ft. (.377 ac.) in storm drainage easement, plus 1,257 sq. ft. (.029 ac.) in sanitary sewer easement, plus 356 sq. ft. (.008 ac.) in waterline easement, plus 4,494 sq. ft. (.103 ac.) in temporary construction easement, plus 1,111 sq. ft. (.026 ac.) in utility easement at Parkwood Avenue, 1120, 1124 and 1128 Brevard Street from Highland Mills, Inc. for \$35,000 for Parkwood Storm Drainage Improvement Project – Phase 2, Parcel #25, #26, #27 and #28.

Item No. 36-K: 340 East 16th Street

Acquisition of 18,243 sq. ft. (.419 ac.) in Storm Drainage Easement, plus 5,527 sq. ft. (.127 ac.) in temporary construction easement at Highland Mills, Inc. at 340 East 16th Street from Highland Mills, Inc. for \$48,000 for Parkwood Storm Drainage Improvement Project – Phase 2, Parcel #40.

Condemnations

Item No. 36-L: Chick Godley Road, East 31st Street and Matheson Avenue

Resolution to condemn 3,816 sq. ft. (.088 ac.) in Fee Simple at Chick Godley Road, East 31st Street and Matheson Avenue from First Industrial B & L, LLC and any other parties of interest for an amount to be determined for Blue Line Extension, Parcel #1235 and #1240.

The resolution is recorded in full in Resolution Book 44 at page 902.

Item No. 36-M: 5625 North Tryon Street

Resolution to condemn 3537 sq. ft. (.081 ac.) in Fee Simple plus 1,306 sq. ft. (.03 ac.) in temporary construction easement, plus 4,501 sq. ft. (.103 ac.) in utility easement at 5625 North

Tryon Street from TDK, Inc. and any other parties of interest for an amount to be determined for Blue Line Extension, Parcel #1373.

The resolution is recorded in full in Resolution Book 44 at page 903.

Item No. 36-N: 3440 and 3716 Johnston Oehler Road

Resolution to condemn 94,270 sq. ft. (2.164 ac.) in Fee Simple plus 18,620 sq. ft. (.427 ac.) in Temporary Construction Easement, plus 1,518 sq. ft. (.035 ac.) in Utility Easement at 3440 and 3716 Johnston Oehler Road from Orville Oehler Thompson Jr., Teddie Clinton Thompson and Richard Kirk Thompson and any other parties of interest for an amount to be determined for Johnston Oehler Farm to Market, Parcel #23 and #21.

The resolution is recorded in full in Resolution Book 44 at page 904.

Item No. 36-O: 3551 Johnston Oehler Road

Resolution to condemn 13,723 sq. ft. (.315 ac.) in Fee Simple with Existing Right-of-way plus 770 sq. ft. (.018 ac.) in Storm Drainage Easement, plus 12,338 sq. ft. (.283 ac.) in Temporary Construction Easement, plus 8,306 sq. ft. (.191 ac.) in Utility Easement at 3351 Johnston Oehler Road from Orville Oehler Thompson, Jr., Teddie Clinton Thompson and Richard Kirk Thompson and any other parties of interest for an amount to be determined for Johnston Oehler Farm to Market, Parcel #24.

The resolution is recorded in full in Resolution Book 44 at page 905.

Item No. 36-P: 3440 Johnson Oehler Road

Resolution to condemn 2,792 sq. ft. (.064 ac.) in Fee Simple plus 6,134 sq. ft. (.141 ac.) in Temporary Construction Easement, plus 86 sq. ft. (.002 ac.) in Utility Easement at 3440 Johnston Oehler Road from O.O. Thompson, Jr. and any other parties of interest for an amount to be determined for Johnston Oehler Farm to Market, Parcel #32.

The resolution is recorded in full in Resolution Book 44 at page 906.

Item No. 36-Q: 3115 Johnston Oehler Road

Resolution to condemn 3,031 sq. ft. (.07 ac.) in Fee Simple, plus 16,361 sq. ft. (.376 ac.) in Fee Simple within Existing Right-of-Way plus 4,855 sq.ft. (.111 ac.) in Temporary Construction Easement, plus 6,828 sq. ft. (1.57 ac.) in Utility Easement at 3115 Johnston Oehler Road from Oehler Family Farms, LLC and any other parties of interest for an amount to be determined for Johnston Oehler Farm to market, Parcel #37.

The resolution is recorded in full in Resolution Book 44 at page 907

Item No. 36-R: 930 Corvus Court

Resolution to condemn 32 sq. ft. (.001 ac.) in Sidewalk and Utility Easement, plus 662 sq. ft. (.015 ac.) in Temporary Construction Easement, plus 70 sq. ft. (.002 ac.) in Utility Easement at 930 Corvus Court from True Homes, LLC and any other parties of interest for at amount to be determined for Oakdale Road Widening, Parcel #35.

The resolution is recorded in full in Resolution Book 44 at page 908.

Item No. 36-S: 1005 North Davison Street, 1009 North Davidson Street and 1021 North Davidson Street

Resolution to condemn 1,063 sq. ft. (.024 ac.) in Temporary Construction Easement, plus 124 sq. ft. (.003 ac.) in Utility Easement at 1005, 1009 and 1021 North Davidson Street from Real Estate Investment Corp., LLC and any other parties of interest for an amount to be determined for Parkwood Storm Drainage Improvement Project – Phase 2, Parcel #45, #46 and #48.

The resolution is recorded in full in Resolution Book 44 at page 909.

Item No. 36-U: Jocelyn Lane

Resolution to condemn 1,694 sq. ft. (.039 ac.) in Fee Simple plus 4,649 sq. ft. (.107 ac.) in Slope Easement, plus 4,379 sq. ft. (.101 ac.) in Temporary Construction Easement, plus 1,431 sq.

ft. (.033 ac.) in Retaining Wall Easement at Jocelyn Lane from Prosperity Village Homeowners Association and any other parties of interest for an amount to be determined for Prosperity Church Road Intersection Improvements, Parcel #5.

The resolution is recorded in full in Resolution Book 44 at page 910.

Item No. 36-V: 4611 West Tyvola Road

Resolution to condemn 921 sq. ft. (.021 ac.) in sidewalk and utility easement, plus 326 sq. ft. (.007 ac.) in Temporary Construction Easement at 4611 West Tyvola Road from RD Commercial Properties, LLC and any other parties of interest for an amount to be determined for West Tyvola Sidewalk (Old Steel Creek to West Tyvola), Parcel #9.

The resolution is recorded in full in Resolution Book 44 at page 911.

Item No. 36-W: 2501 West Boulevard

Resolution to condemn 186 sq. ft (.004 ac.) in Sidewalk and Utility Easement, plus 3,298 sq. ft. (.076 ac.) in Temporary Construction Easement at 2501 West Boulevard from Mohammed Zaal Al-Rawajfeh and wife, Karen Al-Rawajfeh and any other parties of interest for an amount to be determined for West Tyvola Sidewalk (Old Steel Creek to West Tyvola), Parcel #11.

The resolution is recorded in full in Resolution Book 44 at page 912.

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ITEM NO. 8: CONCLUSION OF CONSENT AGENDA

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Mayor Cannon said before we go into the next business, let me recognize John Mackie. Mr. Mackie, are you here? Come on down if you don't mind. It's good to see you. We have a proclamation that we'd like to read sir, if you would indulge us and allow the general public to here from Patsy Kinsey, City Councilwoman representing District 1.

Councilmember Kinsey read:

The City of Charlotte, North Carolina Proclamation

WHEREAS, John Mackie Jr. began his Discovery Place career at the age of 12 when he and his father captured a rattle snake and brought it to the Charlotte Nature Museum for safekeeping and display; and

WHEREAS, John quickly became a museum volunteer and then moved into a part-time staff position; and

WHEREAS, for more than 30 years John has worked in many different areas of science education, his expertise ranges from exhibition and educational programming designed to general administration and fund development; and

WHEREAS, in November 2000, John assumed the role of President and CEO of Discovery Place Incorporated; and

WHEREAS, his love for nature and desire for people to gain a better understanding of how our world works has been driving forces during much of his professional life; and

WHEREAS, on December the 9th 2013, John Mackie will be recognized for all of his hard work and dedication as President and CEO for Discovery Place:

NOW THEREFORE, I, Patrick D. Cannon, Mayor of Charlotte, do hereby proclaim, December 9th 2013 as John Mackie, Jr. Day in Charlotte and command its observance to all citizens.

WITNESS MY HAND and the official Seal of the City of Charlotte. And its signed Patrick D. Cannon.

Mayor Cannon said John as another token of our appreciation; we have a very nice gift that Councilwoman Lyles would like to present to you as well for all of your years of service. We certainly appreciate you.

John Mackie, Jr., President Discovery Place said you'll be glad to know I didn't come prepared to do this so it will be brief, but I do want to take the opportunity to thank the City of Charlotte and especially this council. All of you have been great partners to Discovery Place. It's interesting we're not just Discovery Place now, but we're Discovery Place Kids which orients two different communities and of course we're also the Charlotte Nature Museum and that's also a beloved institution in our community. So we're a growing organization and it would not be possible without the support we get from the City. As with Discovery Place, our parent organization, and for us it's all about igniting wonder among people, not just children, even though children of course are the life blood of our organization coming through our doors, but we really care a lot about helping people experience nature and science in a whole new way and it's because the Council, the City of Charlotte, have always been our partner with this in supporting our building and certainly more recently supported the renovation of Discovery Place back a few years ago, which has catalyzed a lot of really positive things for the organization. So I just want to thank you and thank you for this wonderful tribute and this resolution. It will be greatly displayed in my home and we thank you again.

Mayor Cannon said you know not long ago I talked about working together and how it works. You certainly come to mind as one of those who have worked with the City, and those throughout this region and have made a difference. We certainly appreciate all that you did in your capacity. Many of you may or may not know but the Mayor's Youth Employment Program participates very often with Discovery Place and under John's leadership, we have seen a lot of kids developed through the different stem related projects that they can be engaged in and so we thank you so much for what it is that you've been doing there and wish you the best as you continue to move onward and upward accordingly. Thank you again John.

Councilmember Kinsey said I just wanted to recognize Mrs. Mackie.

Mayor Cannon said the name Julie Burch is synonymous with public servant; a role she has excelled in since she began her career with the City of Phoenix in 1975 where among her various responsibilities was as the Assistant Management and Budget Director. Julie joined the City of Charlotte as an Assistant City Manager in 1987 and she has certainly made her mark. Here is just a sample of her work on behalf of our citizens and city organization in recent years. She is one responsible for environment, neighborhoods and housing activities. Julie managed the development of the City's first focus area plan for the environment. She has served as the lead staff member for two City Council Committees, Environment and Housing and Neighborhood Development. Julie also chairs a multidisciplinary staff team to develop and implement environmental policies and programs and represent the City in several regional environment initiatives related to sustainability. She is also a lead composed of internal City departments and external service agencies and representatives, working together to best leverage information and resources to improve Charlotte's quality of life. Julie has represented the City of Charlotte well through her membership and activism in organizations ranging from the International City County Management Association and the North Carolina City and County Management Association to the American Society for Public Administration and the National Association of Local Government Environmental Professionals and on top of those duties, City Council appointed Julie to serve as Interim City Manager from last December to April of this year and she has been a valuable resource to our city as the current manager continues to work with her accordingly as he has assumed that position of leadership. Julie has done all of these things and so much more like seeing my first born come into the world and we appreciate that and she has done them with professionalism, integrity and grace. She brings those attributes not only to the workplace but to her private life through her volunteer activities in her church and in community organizations. I know the members of the council join me of course in congratulating Julie on her retirement. Yeah, she's leaving us, but hopefully she's not going too far away. We wish her the best as she finds more time to join her husband, Denver Board, as they conquer the ski slopes, travel and enjoy just being together; nothing like being together. And we know Julie's

best canine friend, Barney, will be more than happy to receive more of that daily love attention. Julie, thank you so much for all you've done for the citizens of Charlotte and our city organizations. Charlotte is a much better place because of you. Thank you so much.

Mayor Cannon made a presentation and said the City Council and City staff would like to present you with a check; actually it's not quite a check but a beautiful picture of the Charlotte skyline, something that of course we give to other members who depart from their ability and have done service for this wonderful city. This skyline you have helped shape. You've helped to make it what it is today and so much in and around it. So thank you so much for what you do. We have really enjoyed everything you've been about and what you've represented. Would you like to say few words?

Julie Burch, Assistant City Manager said first of all, thank you so very much. It really has been such an honor, such a privilege to serve this community. I've seen lots of change in the 26 ½ years that I've been here and I want you know that Denver and I do plan to certainly stay in this community. Many of you know that my original home is Kansas City but I have been here for many, many years now and indeed Charlotte's my adopted home. I had to get used to sweet tea and banana pudding and all the other things that come with southern life, but indeed it's been such a privilege to be part of it all. We do plan to travel, get back on those ski slopes, spoil my little dog, and perhaps get into some volunteering certainly. In fact, perhaps pet therapy where they'll have to train me in addition to the dog in order to do that. So I have some plans along those lines. Basically though, however, I plan not to set the alarm clock much and probably have far fewer meetings than I've had before, including those on Monday nights. But seriously, this really is such a fine, fine community and fine organization. You know it really takes all components to make it work. One of those, of course, is strong political leadership as represented by the governing body, you and those who came before you. I figured it up that I've worked with at least 50 different council members and now seven different mayors and so I have seen diversity in all senses of the word in terms of style and agendas and visions for this community, but at the end of it all, it's all been good. I have also had the privilege and honor to work with four different city managers and when Wendell White hired me, I told him I would plan on staying about five years. So Wendell, wherever you are tonight, I kept that promise. I've also had the unique opportunity to work with some very, very fine city department heads over the years and certainly many, many employees. So more than anything, I want you as the council to know what a wonderful workforce you have out there; not only in the offices of this building but certainly on the streets of Charlotte in a variety of services that quite frankly work so very hard and are dedicated everyday to making this community the very best possible place that it can be. Then of course, another component—all of our strong community organizations, our neighborhood associations and then certainly the private sector—so many strong businesses and so many just generally interested and passionate people about Charlotte and that indeed more than anything is what I'm going to remember about my time here. Again, I'm not just going away, I'm going to stay in Charlotte and I hope to remain involved cheering for you all, certainly at some point probably on the sidelines, but I'm going to be very interested in seeing how the city develops over the coming years and certainly wish all of you the very best and again my heartfelt thanks for what's been a very challenging, exhilarating and most days pretty darn fun ride. Thank you.

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POLICY

ITEM NO. 6: CITY MANAGER'S REPORT

Mayor Cannon said this now brings us to our policy section of the agenda and Mr. Manager, I think you are going to start off with me and this council and our first meeting with a report or are you not?

Ron Carlee, City Manager said I actually am. It's not intended to be precedent setting for the new council. I try to only bring you reports when we need to. You will note that our agenda is actually relatively light tonight. That is also not precedent setting and what we thought we would do tonight that would be helpful to you is to show you how we are going to pay for having a light agenda tonight in the coming year by reviewing for you the menu of policy issues that are pending before the city to provide the council as we come into this new session with a broad

overview of the kinds of issues that we will be facing. We've organized these first of all around a brief discussion of a community investment plan. We have traditionally called this a Capital Investment Plan. The capital is what we're using it's not what we are trying to do. We are actually trying to invest in our communities and I will give you just a little bit of background on that. We will provide a longer briefing for you on the Community Investment Plan early in the year. Most of the presentation is organized around the City Council's focus areas in which previous councils have worked and then we have just a few items under governance and accountability. I would like to ask my executive staff if they would come to the podium. They're the ones who actually do the work and if you have any questions, we will be happy to respond to them—mostly from them and I would ask you if you have any really, really hard questions tonight that we direct those to Julie so that we get the full benefit at our last meeting. And so we are in transition in the manager's office. Julie obviously is retiring and Deborah Campbell, who is our Planning Director, is working in the manager's office on an interim bases while maintaining her position as Director of Planning. So she's wearing two hats now and is anxious to go back and being just Planning Director. We are in the process of recruiting for those positions in a nationwide search. We've had over 200 applicants and we're in the process of moving to final interviews and hope to make a decision shortly. Providing continuity is Ron Kimble, Deputy City Manager; Eric Campbell, Assistant City Manager, and Carol Jennings, Chief of Staff. Each of them have significant portfolios and will be the ones following up with you in each of these areas and will be supporting your committees as you go through the various issues over the year. Starting with the Community Investment Plan, the way we are trying to approach the capital budget that the City Council adopted last year is to really think of it as not a series of individual projects but as connected investments in communities that really help us build our communities and develop them. It's really intended to be transformative and to look to the long term literally over four budget cycles. We have a series of fairly lofty goals; six different goals that we are trying to achieve and I have put together a staff committee that is now beginning to focus on not just what the projects are, but how they connect and how we leverage all of our programs to get a community impact. One of the most significant items which the City Council will face in the coming year is of course, the 2014 Bond Referendum. You, in June, will be looking at the resolution and in July holding public hearings and then of course in November will be the Bond Referendum. So much of our work in the early part of the year will be toward preparing for the referendum in November 2014. We also are in the process of developing a Community Engagement Strategy so that not only are citizens aware of what's in the investment plan but they are involved in helping us design the projects and develop the communities in ways that people who live there are interested.

Earlier tonight, going into the focus areas starting with the Economic Development and Global Competitiveness area which Ron Kimble provides lead on, we talked with you in your dinner briefing about land investments. There are also a number of programs that we will be looking at in the coming year to look at how we may make some improvements in them or ensure that they're operating as you wanted. Commercial Façade Program—the question is how do we get better utility out that; how to do we make it available to more businesses and how do we direct those resources in a way that gets a significant impact. The council has indicated a desire to look at our business investment grants in making sure that our policies are still the appropriate and right ones there. The council last year made significant enhancements to the Charlotte INclusion Program. We are implementing those recommendations now and will be giving you reports on our progress there and of course there is the Mayor's Youth Employment Program, the Mayor's Mentoring Alliance and the Business Nuisance Program, all areas that a number of councilmembers have indicated an interest in and all of which we will be hopefully making some significant progress in the coming year. I will say at this point that in this venue we've tried to be as comprehensive as we can but it's not everything. We do a lot of things in the City but if there are areas that are of particular interest to individual members of the council that we have forgotten, please let us know. Part of the reason I'm putting this in front of you at this time is so that you have a chance to reflect on it and to give us feedback.

Also as part of the Economic Development and Global Competitiveness, we are looking at how we market and develop our neighborhood redevelopment strategies—how we might be more proactive and a little bit less reactive in making sure our investments, particularly along the Blue Line both to the north on the new portion of it and going to the south on the existing portion, really develops in the way that we have planned it to develop and being more intentional about reaching out to developers to market and recruit people who can literally build to the plan. All of

our corridors, Beatties Ford, Central, Wilkinson West—all of our corridors, our revitalization, again we are looking to get synergy across all of our programs and those efforts and of course, uptown retail is probably our biggest deficit in what is otherwise an extraordinarily high performing downtown.

In Community Safety area Eric Campbell provides the lead on. We have a number of significant investments in public safety facilities and community safety facilities that are planned in the coming year, especially the community safety campus which will have our new joint communications center and that is at Graham and Statesville. We are also looking at how we provide better community safety through prevention programs with a particular emphasis on people who are reentering from the criminal justice system and victims of domestic violence and then of course we still have carrying over from last year, due to the action taken by the General Assembly, the issue of digital dispatch of vehicles for hire. And again, this isn't regulation just for the sake of regulation, this is regulation to ensure that people who hire vehicles, taxis, and similar vehicles in our city really do so and we know that those vehicles are safe.

Transportation and Planning is being coordinated by Deborah Campbell. During her interim assignment, because obviously she's very intimately involved in all of the planning and transportation issues in her regular job as Director of Planning, we have a number of local and regional transportation projects of great significance. The whole 2030 Transit Plan and the funding taskforce that is working out of the MTC that Mr. Howard is active on becomes a very important issue for us going forward. Transit really is the backbone of our economic future and finding solutions to fully fund that project is probably one of the most important things that this council will be wrestling with over the next two years. The Cross Charlotte Trail, another major project in our Community Investment Plan, is another transformational project that goes to the opposite and you have the high tech rail and then people just walk and bike places as well and here we have an asset of that will really transverse the entire county. There are a number of state transportation projects that we are working on. Probably the most important right now, I started to say the hottest one, relates to hot lanes, no pun intended, is of course the noise walls. You have at your place a postcard mailing that went out to affected neighborhoods. There is a public meeting this Wednesday December 11th where the public is invited to come out and to learn more about the noise walls and there's another one on Tuesday, December 17th. Both meetings are at 6:00pm here at the Government Center on the second floor and then there are a wide range of other state and local projects that we're working on, including rail and roadway construction and we will providing you a separate briefing on those as well.

In the planning area there are a wide range of things going—some area plans that you will be considering in the coming year. Also a wide range of regulatory initiatives as well. The most significant of which is the zoning ordinance update and again that you will receive a very detailed briefing but overall briefing and an individual one on the different components. Housing and neighborhood development is where Julie has provided extraordinary leadership for us. The Housing Trust Fund request will be coming in in January. In January developers will be making an application for state tax credits; applications will come to the city in February, reviewed in March and April by your committee with action by the Council in April and May and of course work is proceeding with fundraising by the Foundation for the Carolinas on the Rental Subsidy Endowment Program that the City Council made in its initial appropriation to last year and, of course, you see very important, the number of neighborhood development programs there. You see the commercial Façade Program repeated there. We did that intentionally because, in fact, many of these programs do not fit neatly into one individual category or focus group. This is really an integrated system where everything connects with everything else and part of the most important responsibilities that you have on the policy side and we have on the administrative side is making sure that we connect the dots to add up to that larger whole of creating the kind of community to which we aspire.

In the environmental area, Julie once again, this is an area of her continuing expertise and support. I would particularly note to you the Mecklenburg Livable Communities Plan. Even though the County is the lead on this project, the City is part of the County and it really is a major sustainability planning effort which will have significant impact on the city and on which the city itself should have significant impact on the development of the plan and we have, in fact, been working very closely with the County on this from the very beginning. They're in the process now of reviewing all the different things that are out there. They've reviewed 150 plans,

programs and policies. You think about how fragmented some of our efforts have been. Over 360 community non-profit and private organizations have been doing work on related plans. There is a draft vision and guiding principles under development that we expect to be presented to both the City and the County in spring of next year with a goal of making final plans on the Livability Program in early 2015. Some of these are extremely long and involved projects. Then finally there are a number of things that do not necessarily fit conveniently into an individual focus group. On the administrative side, we've been working on trying to capture what are the core values that anchor us as an organization and what is it that makes Charlotte special today. The core values that our staff has identified is really critical to the way we operate as a City are that we are accountable and we are creative and most importantly that we are trustworthy; that we're honest, that we're inclusive and that we are collaborative. Areas that have been identified as making Charlotte a very special place are its welcoming spirit, its natural beauty and its unique history; especially the public private relationship. The real question is what is the vision going forward and we've not attempted to address that question as staff. That would be presumptive of us, but as we go into this new council cycle, we'll be sharing with you a whole host of different vision statements that are out there giving you some background and an opportunity to help provide us guidance on what is this mayor's and council's vision not only as we operate over the next two years towards a set of goals but that looks to the future five, ten, 15, 20 and 30 years out.

On a more practical level, we've talked with you about the electronic agenda. We have some proposals for you to consider around streamlining the minute taking process, updating contracting authority and two projects that I just wanted to flag to you very briefly that we're very excited about is our first ever citywide customer satisfaction survey where we'll actually be able to get feedback from a random sample. The legitimate random sample where we can actually make generalizations across the city as a whole and we'll be able to benchmark ourselves around peer cities to really see how we're performing, where we can take pride and make sure we don't slip and if there are areas that we're not as strong, how do we get underneath it and do what we need to do to make sure that we truly are the best performing city that we can be and we're bringing in an organization called Code For America which brings in really bright, mostly young technical people, to get together with the city, staff and community to basically develop ways that technology can improve our connection with the community. Mostly they do work around development of apps. They will be coming in. We were selected as one of ten local governments to participate with Code for America. They will be coming in in the coming year and exactly what they will work on evolves as part of the project as the fellows come in to work with us, but it's part of our effort to use technology effectively to improve services and connectivity with our community. So these are the focus areas that previous councils have worked with and the framework that we're using on an operating basis right now. We have a number of different opportunities that we will use to brief you and present information and options to you so that you can hopefully effectively do your jobs around developing policy and providing policy guidance to staff, so that we can deliver on the things that are important to the City as expressed through its elected leadership.

Mayor Cannon said Mr. Manager thank you for your presentation. Are there any questions or comments from the body? I hear none. Thank you again. This is very good. I think its forward thinking and will help us to be able to continue to move Charlotte forward. Also we have another Boy Scout Troop I believe here visiting with us tonight. Which troop do you represent, Troop 25? Can we get the cameras up that way? You all stand up for a moment and let us give you a hand for what you're doing. All right Troop 25 I want you to meet Troop 99 tonight. They're up there, you all talk; good waves. That's Awesome. So you all keep that going. Continue to work together for the common good of our community and our society overall. Thanks again so much for being here. We certainly want to thank Reverend Doctor Claude Alexander for offering up that prayer that was said early on today as well at the beginning of our meeting.

ITEM NO. 7: 2014 CITY COUNCIL MEETING SCHEDULE

Motion made by Councilmember Howard and seconded by Councilmember Driggs to approve the 2014 City Council and Budget Meeting Schedule.
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Mayor Cannon said Ms. Kelly anything from you. You are the staff resource on this.

Ms. Kelly said nothing.

The vote was taken and carried unanimously.

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BUSINESS

ITEM NO. 9: NOMINATIONS TO BOARDS AND COMMISSIONS

(A) BUSINESS ADVISORY BOARD

Stephanie Kelly, City Clerk said for the Business Advisory Committee, the following nominations have been received and they will come back to you for a vote. You will receive your ballots in your agenda packages. Nominations were received for Renee Barfield, Mary Boyd, Erin Brighton and Jordan Whitfield, Edward Tillman, Nathan Lewis, and Edward Peugh. All of those were for Business Advisory.

Mayor Cannon said okay, this will be a tough one.

(B) CHARLOTTE INTERNATIONAL CABINET

Ms. Kelly said for the Charlotte International Cabinet nominations were received for Joseph Glasgow, Soumia Ichoua, Deborah Walker and Ahmed Kamel.

(C) DOMESTIC VIOLENCE ADVISORY BOARD

Ms. Kelly said there were nominations received for Takiyah Nura Amin, Dominique Dunn, Emily Netzel, Eddie Sanders and Anton Shaw.

(D) KEEP CHARLOTTE BEAUTIFUL

Ms. Kelly said there were nominations received for Joshua Arnold, Michael Zytchow and Jennifer Miloy.

(E) PRIVITIZATION/COMPETITION ADVISORY COMMITTEE

Ms. Kelly said there were nominations received for D. Franklin Freeman, Frederick Hammermann, Tia Lee, and Morris McAdoo.

(F) WASTE MANAGEMENT ADVISORY BOARD

Ms. Kelly said there were nominations received for Jamal Winfrey and Ann White.

Mayor Cannon said we will take that up at the next meeting. I would encourage those of you that are vying for posts on these different boards and/or commissions to touch base with your district representative and make sure you talk to members of the City Council to ask for their support for the board or the commissions that you are applying for.

ITEM NO. 10: MAYOR AND COUNCIL TOPICS

Councilmember Phipps said I would just like to remind council as well as the community particularly in District Four of two very important meetings coming up this week. The first one is on December 10th, at the Oasis Shrine Temple, next to the University Sam's Club. CATS is going to be putting on a presentation on some three small area station plans for the Blue Line Extension. That's going to be from 4:30 to 6:30 pm at the Oasis Shrine Center at 604 Doug Mays Place, Charlotte. Also we have another big meeting coming up on December 12th arranged by Doreen Schmansky as well as Marlene Alexander and members of the Mallard Creek

Community Organization to discuss transportation issues surrounding the Hucks Small Area Plan and a whole host of transportation issues dealing with street names and such. That's going to be on December 12th at 6:30pm at the Oehler Barbeque Barn at 4503 Ridge Road, Charlotte. So I just wanted to remind the public of those important and critical meetings going on in District Four.

Councilmember Barnes said I'd like to take a moment of personal privilege to wish my wife a happy birthday. Her birthday was yesterday. We went out and spent some time together as a family so happy birthday again, my Love. See you shortly.

Motion was made by Councilmember Barnes, seconded by Councilmember Phipps and carried unanimously to adopt a motion pursuant to NC General Statute 14-318.11(a) (3) to go into closed session to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of the case of *City of Charlotte v. The State of North Carolina and Charlotte Douglas International Airport Commission*, Case No. 13-CVS-12678

The meeting was recessed to go into closed session at 7:46 p.m.



Stephanie C. Kelly, City Clerk

Length of Meeting: 2 Hours and 2 minutes
Minutes Completed: January 2, 2014