

January 27, 2014
Business Meeting
Minute Book 135, Page 895

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, January 27, 2014 at 5:10 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Michael Barnes presiding.

Councilmembers present were Al Austin, John Autry, Ed Driggs, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield and Kenny Smith.

Absent Until Noted: Mayor Cannon, Councilmembers Howard and Phipps

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Pro Tem Barnes said okay I guess we'll get started. The Mayor will be down in a moment. Thank you everybody for being here tonight. This is the dinner meeting of the January 27, 2014 City Council Meeting. The first item is Mayor and Council Consent Items. Do we have any?

Councilmember Mayfield said I'm actually pulling 13, 14, 17 and 18.

Mayor Pro Tem Barnes said clerk got that; anybody else? I pulled 25 Mr. Manager because I want to get an update on the health and success of the MWBSBE program since we made the changes. It doesn't have to be tonight, but if we could get that. Any other consent items? Mr. Driggs you look like you've got one.

Councilmember Driggs said I'm not sure whether we had already pulled the Gold Line and the Blue line.

Mayor Pro Tem Barnes said that's now on the business agenda as Item 9B. Is that the Gold or the Blue?

Mr. Driggs said both.

Mayor Pro Tem Barnes said is the Gold then; what's the number? Who's asking about the Blue? The Gold Line is a business agenda item so you can't pull it right now. The blue line however...

Mr. Driggs said that's where it kind of needs to be and the blue line

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Mayor Pro Tem Barnes said Item 32. Is that official Mr. Driggs?

Mr. Driggs said 32.

Mayor Pro Tem Barnes said do you want to ask the question of staff now or is it just for information?

Mr. Driggs said actually I don't have particular issues with it. I just thought for an item like that, it would be a good idea if we took a look at it and all agreed that we wanted to go ahead with it. So if I could vote on that separately, I'd appreciate it.

Mayor Pro Tem Barnes said that's fine. Are there any other consent items?

Councilmembers Howard and Phipps arrived at 5:12 p.m.

Councilmember Kinsey said I'd like to pull 18. I just want to make a comment about it downstairs.

Councilmember Smith said I'd like to complement staff on items 21 and 22.

Mayor Pro Tem Barnes said I'm sure that's appreciated; any other items?

kmj

ITEM NO. 2: UPTOWN RETAIL STUDY FINDINGS

Mayor Pro Tem Barnes said the second item on our agenda is the Uptown Retail Study Findings. Mr. Manager?

Ron Carlee, City Manager said I think we can turn directly to our presenter Michael Smith, President and CEO of Charlotte Center City Partners to do an update for Mayor and council.

Michael Smith, President and CEO of Charlotte Center City Partners said this is a great topic. Retail is the work of your Charlotte Center City Partners for the next decade. There are no shortcuts to this work.

Mayor Cannon arrived at 5:15 p.m.

Mr. Smith said but it is truly the culminating chapter of creating what is the greatest downtown in the southeast and it's been the product of a lot of hard work across a lot of generations. There have been many efforts to try to solve this riddle for downtown Charlotte in the past and the problem with those efforts is they were counter reciprocal. So what's changed is the demands of the consumer and that's been discovered by today's national retailers and we've got good research that reinforces that we're swimming with the stream on this one and I think it presents us with a pretty interesting opportunity. So why does retail matter? Retail adds the magic to great authentic urban places. It articulates and animates the unique character of a city while creating jobs and expanding the tax base. So if you put those three things together, it kind of is a cure-all. That's why retail is pursued as aggressively as it is. So the Charlotte story—because of the hard work of all of you and your predecessors and your partners in the business community, you've seen your downtown Charlotte, your Center City, grow to this where in the last three decades we've added 15 million square feet to our office space and that's of the 22 million that we have; so incredible growth. We've grown to over 15,000 units housing between Uptown and South End; over 160 restaurants; 10 institutions of higher learning; 5,000 hotel rooms shortly because we've got some expansion going on; eight new cultural institutions just in the last five years. How does this all happen? Well this happens as a product of the private sector making investments that are direct moves relative to public sector investment. Things like our 2030 Transit System Plan that shapes and really stimulates private sector investment. It is moves that we've made like the Tryon Street redevelopment back in 1985, which created arguably one of the best downtowns and best main streets in America, and in 2007 this council adopted the Urban Street Design Guidelines. That may seem like a small gesture. It is shaping. It's huge. It creates such great quality of place. So what we have now is retail.

Retail is our culminating chapter. It strengthens the Center City as a destination. We're leaving a lot of money on the table with our guests that come to town. When you look at the delta between what is spent by our guests to the Convention Center versus the national average, there's a big delta and it's because we're not providing them opportunities to invest in employment and buy goods in our community. It enhances the attractiveness of the central business district and it serves our urban neighborhoods. Without this culminating chapter of development we're not going to have a complete downtown. So who does this well? That's always the question that I get. There are bigger cities that have done a great job of cracking the code from Portland to Denver to Minneapolis; we've even got some within our region that have found great ways to create that street level activation of urban retail.

So we just adopted a few years ago, the 2020 Vision Plan and you'll recall that we went out and spoke with hundreds of citizens. We went to the regional libraries, north, south, east and west; we had some at the convention center; we did a lot online and we listened, and what we heard from them boiled down to eight different priorities. One of the most common things that we heard from them was please bring us thriving retail and restaurants. So our consultants interpreted that into one of our transformative strategies and that is the dynamic shopping experience. So this is policy work that has been adopted by this Council in the form of this 2020 Vision Plan. So based on that we went out and we did a couple of studies. We did a study for uptown retail and for South End retail; across those trade areas. And from that we gained a better understanding. We took a snapshot to understand the merchandising mix inside of Uptown and inside of South End. It gave us a better understanding of some of the micro-markets inside of South End, and as we studied the demographics of these and what the experts told us is the amount of retail that we currently have, the different sectors of customers that we have; from

residents to employees to guests, that we have an untapped market and that we're not currently meeting our potential. They identified four different major obstacles that we have in meeting this potential; that being minimal ground floor retail space and a lack of adequate regulation to achieve the ground floor retail that we want. Right now our zoning requires only that we have street level activation. That can mean a lot of different things. This is a major obstacle for us in achieving our potential. Third, that we have an economic imbalance between food and beverage and soft goods, and that imbalance is created based on what a retailer can pay. Right now food and beverage on Tryon Street can pay low 40's per square foot. Soft goods retail is going to pay half that, maybe a little bit more than half that. With that imbalance and you were the owner of a building, which direction would you go; thus the imbalance between the two. Lastly we have a lack of retail-oriented public parking.

So these are the obstacles that were brought to our attention from our consultants. We got a handful of recommendations for Uptown for us to think about. So they recommended that we concentrate our retail development clearly where the customers are and they identified three different locations. The first being right around the square; Trade and Tryon and Trade and College; also South Tryon which is a new area of activation for us around the Levine Center for the Arts and they thought also that there would be opportunities to complement our work in the North Tryon Vision Plan. They identified that we currently have about 335,000 square feet of retail that could be supported right now in these areas of uptown and that would produce \$120M of additional gross retail sales. That's a really a big impact on our local economy. The recommendations that they made were to make those large scale space conversions like the Bank of America Plaza Building. You may remember that Shook Kelly back in 2006 did some rendering work for us on what this could look like. Well this gives you a sense of a little bit of that. They also recommended that we re-tenant some of our underutilized ground floor space like the Johnson Building at the 200 block of South Tryon; this is next to Ruth's Chris. They also suggested that we create kiosks, newsstands, or maybe a kiosk in the pavilion on the Wells Fargo Plaza. They also liked the idea of creating business incubators much like what we've done at the Seventh Street Public Market and foster a pop-up retail environment. This is something that you're seeing in major cities across America. This isn't just tertiary. This is the kind of stuff that people are doing with almost an impromptu curration of the street. They also wanted us to spend time recruiting more neighborhood retail, local small business and service retail. You see the Fourth Ward Bakery here. Also they made a recommendation of hiring a team to own this objective to promote and to recruit retailers and we're complete on that one. We've got part of our staff that's dedicated to supporting that.

The South End recommendations; there was a recommendation that we concentrate retail development into two sub-areas of the South End. Those two sub-areas are in the Camden area and also along South Boulevard. The consultant believes that we could support 100,000 square feet of additional retail in each of those areas; Camden being kind of the heart of South End and South Boulevard being more of an express area. South Boulevard could support another 100,000; Camden 100,000 and the amount of gross sales that this would be able to produce is about \$60M of additional sales in our South End retail corridor. Their specific recommendations for South Boulevard were to recruit more big box retailers that compliment with street front retailers, much like the Publix did. Publix created a 55,000 square foot grocery store, but they put almost 9,000 square feet of edge retail up on South Boulevard. They also suggested that we recruit National and Regional retailers like sporting goods stores on South Boulevard. Along Camden Road they thought that we should stick to more of a local authentic approach, probably ethnic restaurants. They liked some creed of approaches like container retail. This is one of the ideas that actually came from Charlotte. There's a company here called Box Man that takes these boxes and creates incredible pop-up opportunities and they like the idea of also creating neighborhood small grocers to compliment the neighborhood that's being created there in the South End. So what we have here is some recommendations for us to consider as we look at this report and think of the way that we could approach this as a city. First is the idea that if we're really going to kind of punch above our weight in urban retail and really complete our Center City, this is going to have to be something that we adopt as a shared priority where the development community, the City, the County, all of us together, see this much the way we've seen the priority of having a great downtown. It has to be on that level of understanding. So in order to do that there is five strategy pieces that we've identified. The first is a review of current zoning particularly around our retail requirements and to make sure that we've got the right tools. And we're asking the developers to come to the table to have a conversation about the right parcels. Number two is to evaluate the tools we have to expedite the retail strategy because

there are other cities that have been much more aggressive in their pursuit of retail and retail is going to end up in downtowns. It's whether or not we want to have a mature retail environment as the 25th city, or we want to it in the top 10 among our peer group. The third is to develop a comprehensive marketing strategy.

Mayor Cannon said Mr. Smith, one moment please.

Councilmember Autry said you didn't have to stop, but as you were talking about these other food and beverage opportunities moving down South End, was there any discussion about food trucks?

Mr. Smith said they love what we're doing with food trucks and feel like that can be a part of the strategy. The food and beverage side of our retail mix is very mature. It does create a great alternative. The Food Truck Fridays in South End is a community favorite and if you have not been to it, you have to come out. It's an incredible festival. Its big city and it's a small town kind of feel. I think it can be great programming and pop-up retail is first cousin to food trucks. It's just a soft goods retail application of what's been so incredibly successful across the country with food trucks.

Councilmember Mayfield said Mr. Smith a couple of slides before this one you mentioned small grocers. So they're saying for South End, they're looking at both big box, Publix and the small grocer, or are we saying we've already achieved that with Atherton Mills and the fact that we have the market inside Atherton.

Mr. Smith said right now in urban spaces folks want to be able to walk to be able to get the things they need quickly and sometimes it's not going to be convenient for them to walk all the way to the Publix. So they want more of those. In Chicago they were White Hens here it might be a 7/Eleven. The Common Market provides some piece of that, but it's more towards restaurant right now. Their recommendation was it could be ethnic grocers, that with the amount of new residents coming into South End, they think there is going to be more of a demand for those really small 2,000 square foot kind of grocers.

Ms. Mayfield said because I'm wondering how that balances when we do have Atherton Mills but we also have the fact that the Healthy Home Market, which to me would fall in that category is going to be moving within the next few months, so at the same time that we're having this conversation about how we diversify our food options, we're getting ready to lose a major commodity and are we having any conversations about keeping them, moving them closer in or in this area opposed to losing them, opposed to starting all over and saying okay small grocers would be good, but are we doing that at the detriment of a grocer that has been in the community that does offer the variety that wouldn't see in the traditional grocery store.

Mr. Smith said we love having Healthy Home Market there. We do not want to see them leave. I think it's a great idea. Just a couple more components of the strategy; we think we need to have that staffing strategy of having a retail recruiter and again that's one that we're glad to take on to staff and kind of own this to develop that comprehensive marketing strategy and then also to look into a retail supportive parking strategy and figure out what exactly does that mean. What is it that the retailers are going to require to be comfortable to make the commitment to come into this market and do that pairing that needs to be done with the development community.

Councilmember Phipps said when you say conversion of large scale space like at the Bank of America Plaza, are you envisioning a situation where you would replace or encourage tenants that are currently located inside of Bank of America Plaza to come outside in stand-alone buildings?

Mr. Smith said that building provides one of the best objects left for developments that are anti-street level retail. To enter that building you actually have to come off of Tryon and enter in the back and so the redesign that was proposed by Shook Kelly on that was to take those first floors and there's some 50,000 square feet of space in those first couple of floors that probably wouldn't be voluntary but could be three or four soft goods retail right on the square and there are other buildings like that where it's going to take the owner of the building making an investment and we're transitioning as a local economy to be able to support it. Right now free

market forces wouldn't have the owner of that building investing money to make that happen. So over time street level retail will actually pay a premium for soft goods space with office space above and as we become a complete downtown, it will actually be a more valuable asset to those property owners.

Councilmember Kinsey said Michael for the purposes of this study, where were the boundaries for South End, how far out I guess South Boulevard did the study go?

Mr. Smith said we looked all the way down to the light rail line which is the shape of the district and they had other recommendations for LSO, Lower South End. There is something really incredible going on in that furniture district but you know the study kind of allowed them to focus on the two primary areas where you've got kind of the Main Street of South End which is Camden and then the naturally occurring bigger box retail that is occurring on South Boulevard like Home Depot, Lowes.

Ms. Kinsey said I think we've had this conversation before; we really do need retail uptown because I remember when we had it. But whatever you do on Camden, don't mess up Price's Fried Chicken.

Councilmember Driggs said Michael when I look at the numbers in this slide that show the projected gross sales; do we look at this thing in terms of the entirety of Charlotte. Are we able to analyze how much of this is actually being diverted from internet sales or from retail sales elsewhere in Charlotte and how much of it is truly incremental because of visitor traffic? Is that kind of data available?

Mr. Smith said the way that they do this is they create trade zones and we hired a great group out of Atlanta called Teramark. In Charlotte they have done a lot of work with Bank of America so we were able to piggyback on that and it saved us money because they already had a dataset created and it looks at the full trade area of Charlotte; what are the competitive other shopping districts, where does it need to pull from, what are the potential shoppers inside of this trade area, and then make some recommendations. The recommendations were that Center City shouldn't aspire at this point to be destination retail and the way they defined destination retail is that you have to drive past another mall to decide to shop there. They want us to be complimentary retail so that you shop in Uptown as just one of the many things that you would do there. So it's not going out just to shop. You would be making a decision that I am going to enjoy Romare Beardon Park today and while I'm there I'll get some shopping done, or I'm going to a Checkers game, or catch a play, or I'm going out to dinner and just add shopping. Or convention guests that come to town and that's the big opportunity that we would want their business. They're not finding South Park, they're not finding Northlake. A lot of them come to town and don't have a car and I want to give them that opportunity to create jobs into the tax base.

Councilmember Fallon said that's the problem with the conventioners who come uptown. There's nothing for them to do and I know personally from shopping in other places; you see something in a boutique, you walk in. We're losing all that. But what concerns me most is where people are going to park. What have they suggested for that?

Mr. Smith said they've suggested that we study it and that we come up with a retail-oriented public parking strategy and it's underfunded.

Ms. Fallon said you mean behind Trade Street and parking lots.

Mr. Smith said it's going to be different in different parts of Uptown because we have 47,000 parking spots uptown. We have a lot of parking but there are parts that don't have actual surplus parking available and its understanding those spots. I could work on a simple strategy where right now our downtown parking is oriented towards our monthly guests, the people that come here to work. CDOT's done an incredible job creating Way Finding System and the "P" brand, so that it is easier for people to find public parking but the problem is owned and oriented in...

Ms. Fallon said and expensive.

Mr. Smith said and expensive; and I have brought up that we'll find a way to get a person to come in and quickly park their cars.

Ms. Fallon said that's going to be the problem.

Councilmember Smith said is there a financial act to the City? Or is our participation limited to helping craft zoning and out-planning principles to help achieve this.

Mr. Smith said the answer is that we've got a research document right now. This is not too far in the past so we bring this information to you and Staff so that we do this walk together and we figure out how to take these obstacles down to the next level. To understand its more an act of let's do this journey together and figure out what all that means; regarding parking; regarding zoning; is there an investment component; what are other Cities doing that could be implemented here.

Councilmember Austin said Mike thank you so much for your work on this. I am a native Charlottean, so I remember when we had Ivy's and Belk's and Woolworth's and National Hat Shop down there. The one comment I have is really around parking. If it's not free, then we're really not going to get the people to come to downtown Charlotte. I would not pay to park and shop too. I'm double dipping into the limited funds I have, so hopefully the oriented public parking will be ... free.

Mayor Cannon said Michael do you recall some years back you had the first 90 minutes free for parking and then thereafter the rate would kick in. The likes of you and other minds at the table, Mr. McCall, several others had that idea and it worked in a grand way to invite people more to the City, to want to engage in coming up for a nice dinner or shopping what have you--any thoughts around that?

Mr. Smith said I think there are a lot of ways we can do that; all based in publically owned parking systems to a validation system, to having a publically supported validation system to retail supported validation system—I think there's a lot of options. As our downtown has matured, it's been great to see things like hospitality, food and beverage, and that had to be subsidized, but if you want Bank of America and Wachovia to subsidize? A lot of those restaurants that began about 98 and then by 2008, so over a 10 year window we've got a healthy free market operating food and beverage industry. Then you get to build upon it from there. The Seventh Street Station, Bank of America built that. It was free parking there. It created downtown's nightlife. Think of all the stuff that developed around it; Gus and Thomas and some of the more aggressive entrepreneurs that created those. It goes to your point of those statements that would have to occur in order to create an environment where people are going to be entrepreneurial and invest.

Mayor Cannon said well it is part of a course, just doing all we can to create a healthy Uptown and you'll see on any given night. I mean you go uptown on Thursday, you can hardly move through that place. There's that many people still coming Uptown. Friday is just off the charts. Saturday is off the charts. I mean people are going uptown, and inasmuch as I've heard that people really hadn't heard. It's just a matter of having the complimentary things down there in the way of retail that they can also enjoy, because what we don't want to do is to create just a strip like we had once upon a time in area parks like we've had Uptown. But we want people to stop and get out and enjoy, and they do that!

Councilmember Mayfield said I would also like to encourage Mr. Smith when you are speaking with our Staff, because I have asked the question more than once from the dais regarding all of the once upon a time free public parking that we had and the fact that we have so many red bags over a lot of the parking meters. That is a major concern when you're looking at people that come into town for events or for the weekend, a getaway; whatever it is, we really need to look at how we're utilizing the current spaces that we have because we do have quite a bit of free parking in Uptown. You just would not recognize it when you're driving into Uptown because we have a lot of those spaces covered up where they are not usable, but we're not really explaining to the residents or to the visitors why you're not able to use the space. So we really need to look at a better way of making sure that we are coordinating. If there is a special event, that's one thing. But we need to make sure that the information is getting out there to let people know that we do have these spaces available and we need to make sure those bags come off so that people can utilize these spaces and not force people to go into a parking lot where they have to pay for parking.

Councilmember Phipps said Mr. Smith, during your consultant's study, were you able to gauge the level of enthusiasm from major retailers like a Belk's, Nordstrom or Macy's about having a small location uptown?

Mr. Smith said the counsel that we've received is that when it comes to department stores if it's not going to be 150,000 square feet Belk, it's going to be what's described as a resort size department store so what you would see in South Florida, 10K square foot, we're not there yet and that list of obstacles is one that we're going to have to chip away at before we've got a viable market to be able to bring those anchors to town. I think as we look at our zoning requirements that may create some opportunities as well. We've got some major mixed use development projects that are considering Uptown Charlotte and I think we need to have the conversation with them about what are the expectations of being part of the strategy.

Mayor Cannon said alright, thank you so much for your presentation.

Mr. Smith said we stand ready and look forward to working with all of you. We would love for this to be a really shared objective.

Mayor Cannon said there is a suggestion and/or recommendation that the City Council refer this study to the ED and Global Competitiveness Committee. Mr. Manager?

Ron Carlee, City Manager said happy to do that.

Mayor Cannon said members of Council, are you all okay with that.

(Collective, yes)

Mayor Cannon said Mr. Chairman?

Councilmember Barnes said our agenda's pretty packed right now but we'll get to it maybe in December Michael.

(laughter)

ITEM NO. 2B: APPLIED INNOVATION CORRIDOR

Mayor Cannon said the next item is the applied innovation corridor and we have resources here in the way of Ron Kimble and several others.

Mr. Carlee said thank you Mr. Mayor. We have an item on the consent agenda tonight related to the innovation corridor and we thought it would be helpful to do some background for this Council. Ed McKinney is going to do the presentation for us.

Ed McKinney, Assistant Director for Planning said what I would like to do is just give you a brief overview of an exciting opportunity for us to jumpstart and continue the implementation of the work that's happening on the Applied Innovation Corridor partnership with the Urban Land Institute. The request before you is for us to work and develop a professional services contract with ULI (Urban Land Institute) to focus on a technical assistance advisory panel; a process which they applied throughout the country to look at areas like this. To bring in National experts and then provide expertise that will help us think and envision what the opportunities are within the corridor. What I want to do tonight is just give you a quick background of what the corridor's about and what we're trying to do; what the technical assistance panel process is all about and the opportunity that presents us, and then give you a little sense of the schedule and the next steps of the things that are already in place. We come to this request with a whole set of partners, not only us but for Vision Ventures, Mecklenburg County, The Foundation for the Carolinas, The Knights Foundation, City Center Partners, The Housing Authority, The Housing Partnership, UNC Charlotte Foundation and the Chambers. So this is a strong partnership, all of which these organizations have a vested interest in the success of this effort and the corridor itself, so it's a really exciting opportunity to take that energy and move it forward. The first question is what is the Applied Innovation Corridor? This is an initiative that like the discussion we just had, came out of the City Center 2020 Vision Plan. It looked at a corridor that essentially

extended from uptown to UNC Charlotte, really centered along the Blue Line Extension. The idea was to take the unique assets that we have there in the City; the academic, the institutional, the business and development activity that's happening in that corridor, the public investment that we're putting in transit and other things, and catalyze that as a corridor that would bring in new jobs, innovative industry and become a focus for new economic growth, jobs and employment. The focus of our effort and the technical advisory panel that will work on ULI, if you really look at the first part of this, this sort of the north end section from uptown to about Sugar Creek, what is called the north end; focus in on the opportunities, the stations that will be implemented with the Blue Line Extension, the efforts that are underway in looking at the community investment opportunities. There is already private investment that's being coordinated and planned; work that others like Bright Park are doing and other development opportunities. So the intent is to take this larger effort of the Applied Innovation Corridor, bring in the resources of ULI together to focus on this first piece, the connection rail on north side of uptown. A quick highlight about what the panel and the process is all about; again ULI is a National professional organization focused in on quality urban community development. They have a process by which they do this, probably over a dozen times throughout the year in locations throughout the Country where they help communities to focus in on interesting opportunities and challenges and bring in National experts. So we're working with them now to identify the focus of this effort and find the right technical resources that they'll help us with and to bring them here to Charlotte. They work in a week long session in a very intensive way, connected to our stakeholders in that area and connected to the public. We'd bring those experts in and spend a week long very intensive effort to catalyze the ideas and get some initial and quick feedback.

The final part of this is not then to just leave; again, the work that comes out of this will be wrapped up over a period of time after that so we end up with a very detailed document with very specific recommendations and actions, so it's something that's very implementable and something that we'll be able to take with us and really spearhead the next steps following the event.

Councilmember Barnes said back to that last slide please. Last year during the previous Council when we talked about the Applied Innovation Corridor, the Transportation Planning Committee asked staff and Ms. Campbell in particular to be as intentional as possible and that fifth bullet point I think kind of captures the spirit of that, but I still would like to emphasize being as intentional as possible about the parcels and the intended and hoped for uses because if we plan it right, it will be implemented right, I hope.

Mr. McKinney said absolutely yes. That is absolutely the intent, having the right partners at the table. The intensive design of that week is part of that in making sure we've got specifics after that. I'll just kind of conclude quickly with a little preview of what the process is really focused on which is what I call the big event which is the week long session. We've already got a place or week for that; the last week of April, the first week of May. It goes from a Sunday to a Friday. The experts come in; we have an opportunity early in the week for public dialogue and kick off; there'll be some very intensive stakeholder interviews. What that technical team will do a lot of work that will happen near the end of the week and then a big public presentation will happen on the final part. Again the idea there is very intensive, gets our stakeholders involved with these experts kind of in place; give them the sense, a tour of the area and allows us to hear and get direct feedback and a very quick feedback. Following that again back to that event build into a detailed recommendation set of reports that really will help us focus on next steps and real projects moving forward. So with that I will stop. I'm glad to take any questions, comments—get some feedback, anything I can help answer.

Councilmember Fallon said how long will this take to implement? When do you envision it coming into fruition?

Mr. McKinney said the idea of all the energy and concept behind the Applied Innovation Corridor. I'm sure as you've been told been told before, it's a process that will take years with the idea the development opportunities that are within this corridor are numerous. The investment that's possible from a public standpoint still has to be mapped out. So I think our intent is to make sure to the point made already that we take the energy and the ideas that are out there, find some very specific initial steps that we're moving forward. We've got real projects that can be put in place as quickly as possible but then lead to a longer term vision. There is

already activity going on. There's already coordination that happening internally with staff, with development opportunities that are there. So there's already activity happening. This is a real opportunity to kind of bring in experts, test our thinking a little bit and make sure that we're taking advantage of all the opportunities that are before us.

Councilmember Fallon said how dependent is it on the Blue Line and the progress up there?

Mr. McKinney said I don't know if I'd say dependent but I would certainly say that the Blue Line is a key part of the concept and part of the opportunity. So the ability to connect UNC Charlotte to uptown broadly and then all the places in between, all the opportunities between here and there is huge and really has drove this concept of this focus on this Applied Innovation Corridor. So it's a key part of this. It's a major part of the thinking and a major part of how we will define and develop some of the opportunities that are in the corridor.

Ms. Fallon said and how does it affect that building that UNC was doing—that business building. Is that incorporated into it?

Mr. McKinney said yes it seems that notion is this is really an extension of the activity that we were just talking about earlier this evening in uptown. So this is a seamless connection from Uptown to UNC Charlotte. So all of those things connected, really the Blue Line being the spine of that ultimately, but all of that is really part of it so all the academic investment, institutional investment that's happening is really one concept tied together that this is all kind of linked to catalyze those opportunities.

Mayor Pro Tem Barnes said any other questions. Thank you so much Mr. McKinney.

ITEM NO. 3: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Ron Carlee, City Manager said Ms. Jennings is the point person tonight.

Carol Jennings, Chief of Staff said we have a few questions. Councilmember Mayfield asked about the Applied Innovation Corridor Technical Assistance Grant, Item 13, and when will we receive the funding from the partners. We have invoiced them already. We plan to have all the money in by the end of February. On Item 14, Ms. Mayfield had a question about the on-call demolition contracts; why only three percent for the SBE goals. We feel like there's a limited opportunity for subcontracting in this field and because of that, we broke it down into four contracts to get SBE participation as primes and one of the SBEs is a prime and therefore we have about 27% participation from SBEs for this contract.

Councilmember Mayfield said for more clarification; since what we are being asked to do this evening is to approve up to \$500,000 but we've set the SBE goal at 3%, I do have a concern that we are not really utilizing our SBEs to the fullest extent and maybe it would be helpful if in the future we actually break down the cost of the contracts. Because let's say one contract is approved for \$300,000, but the actual work for that contract may be \$125,000. So out that \$125K, the SBE goal, we actually could fill it at 6% because what I really don't want to happen is what we have seen in previous discussions where it was discovered after the fact that we do have SBEs that fit in those categories but then we've gone too far down the process to bring those SBEs in. So I want to make sure that we are actually fully engaging our SBEs when we are telling them that if they sign up and go through the process with us, then we are going to make sure that we're doing everything we can to make sure that their businesses are able to grow with the City. That's why I have, just for full clarification, why I have a concern if we are saying up to \$500K but we have 3% goal opposed to that SBE goal being able to fluctuate with the amount of that contract.

Ms. Jennings said okay that's helpful. On the landscape maintenance, Item 17, Ms. Mayfield had a question about why we had so many separate contracts. Again, we broke this up geographically and we broke it up to have as many SBE opportunities to contract for the work and the bottom line was that eight out of the 10 contracts are going to SBEs. So we feel that that's a good news story on that one.

There was a question about the ASPCA contract, Item 18; what will happen if we do not get the funding in the next few years. They do this a year at a time. We only have four other

partnership communities at which we're competing against nationally and we feel that if we do our part, they will come through and do their part because they'll wait to see how we do each year. So that's how they set it up so every year we've got to reapply.

Ms. Mayfield said and for just further clarification, thank you for getting that information. What I just want to ensure is that hypothetically and over the next two years, if the grant is eliminated, I want to make sure that it isn't going to be an assumption that at this new increased rate, that's the rate that the City will still be liable for if this grant doesn't come in because we've increased the amount that the City pays towards this program mainly in part because we won the grant. So I want to make sure that it's very clear that if something were to happen—we did not qualify, we didn't receive the grant—there's not an expectation for the City to still be able to contribute at this \$67,600 level if the previous amount that the City was contributing to this was a lower amount.

Ms. Jennings said thank you. Mayor Pro Tem Barnes asked a question about SBE participation as it related to Item 25. He said that he would like a report on the SBE program and we will provide that in the future and then Councilmember Driggs pulled the Blue Line Extension Project and I'd like to let Carolyn Flowers address a good news issue on this one.

Carolyn Flowers, CEO Charlotte Area Transit System said the item that you asked to approve today; we've been working diligently on controlling the costs and the budget for the Blue Line Extension. We worked in collaboration with the City Engineering and Transportation, Finance Department and Planning on this project and this is our first major construction, procurement and it came in about \$9M below the engineering estimates. I also would like to add that we have a 17.53% DBE goal on this project too. Thank you.

Councilmember Driggs said I just wanted to mention I wanted to pull that precisely because I wanted to get information about that. I felt that for an amount of over \$100M that including it in the consent agenda with all the other types of things that are there is inappropriate as there is attention and I think that's good news, so I thank you for that.

ITEM NO. 4: CLOSED SESSION

Motion made by Councilmember Barnes, seconded by Councilmember Mayfield and carried unanimously to adopt a motion pursuant to NC General Statute 143-318.11 (a) (3) to go into closed session to consult with Attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling of settlement of Eileen A. Tyler and Ray J. Tyler v City of Charlotte – 12-CVS-13724 and 13-CVS-10907.

The meeting was recessed at 6:03 p.m.

* * * * *

The Council reconvened in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:30 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.

INVOCATION AND PLEDGE

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

* * * * *

CITIZENS' FORUM

Boy Scouts of America - Citizenship Badge

Rick Hurt, 4007 Wannamassa Dr said I am Citizenship of the Community, Merit Badge Counselor for Troop 67 of Ebenezer Baptist Church. Troop 67 is under the leadership of Scout

Master Ted Johnson who has recently been awarded Scout Master of the Year. Over the past several weeks or several months, we have been working with these young men that you'll hear from in just a moment. During that time, they were trying to better understand the importance of being a good citizen in the community. These young men are eager to make a mark on the community as well as the communities they will live in in the future. Troop 67 members are keenly aware of what citizenship is. It's more than just the words, it's an action. These young men will demonstrate their abilities to do that. I'm very confident someday that each of them will be sitting in the seats you now occupy. At this time I would like to introduce to you once again the scouts who will be presenting to you in a moment, first of all Scout Keon Regisford, Brother Desmond Woodburn and Scout "Ted" Theodore Johnson, III.

Desmond Woodburn, 4007 Wannamassa Dr. said good evening City Council. I'm Desmond Woodburn, a life scout from Troop 67 here in the Queen City working on my Eagle Scout project. The Queen City is constantly growing with new businesses relocated to the Charlotte area; both of these factors causing an increase in our population. Having said this, our crime rates are significantly high; raising the question of why would anyone want to move into a city high in crime. In the recent year 2013, violent and property crimes decreased in the first six months at a high rate, however, murder rates in the Queen City did not. My question is since there's some type of system in place to reduce violent and property crimes and seems to work, are there any systems in place to decrease the murder crimes here in the Queens City? If so, which ones work best and how do they control them?

Mayor Cannon said this would be our time to listen to you and so we typically don't go to much back and forth during these sessions, but we'll be happy to get those responses back to you if you'd like.

Mr. Woodburn said thank you.

Mayor Cannon said you're so welcome. Thank you.

Keon Regisford, 4007 Wannamassa Dr. said I'm also a life scout with Boy Scout Troop 67 and I hope to someday get my Eagle. My question is in some neighborhoods we have noticed that sidewalk projects seem to progress along faster than sidewalk projects in other neighborhoods. Are there any deciding factors that you use to work towards to decide what projects you will work towards first?

Mayor Cannon said we have an answer for that as well. So we'll return that to you also.

Theodore "TJ" Johnson, 4007 Wannamassa Dr. said I am a Life Scout with Boy Scout Troop 67 in Mecklenburg County. Our church is Ebenezer Baptist Church near the corner of Graham Street and Sugar Creek Road. I am also a Life Scout with Troop 67 and being in Boy Scouts, we do a lot of service projects and one of the service projects we did was we went to the Men's Homeless Shelter and when I was at the Men's Homeless Shelter I noticed that the room was full of homeless men who needed help. This brings me to my question of—I've done some research while reading the Charlotte Observer and I've noticed that the amount of men going to the homeless shelter is increasing and my question is there any programs set in place to help these men get back into the workforce and help Charlotte?

Mayor Cannon said very good questions by you all. So we've heard questions Mr. Manager around public safety, around sidewalks, around homelessness. We'd like to be able to have you to work with each of us around the dais to be able to get a response back to these gentlemen on these very thought provoking questions.

Ron Carlee, City Manager said Mr. Mayor we would be happy to have staff from the different departments work to provide a thorough response back to these gentlemen so they can have a better understanding of how their government works and how the issues that they care about are being addressed by their government, and the role of the community in each one of those areas that they've identified.

Mayor Cannon said thank you so much. You all are off to somewhere and I don't know where but it's been great, thank you so much for being here this evening.

Water Fluoridation Program in Charlotte

Phillip Anderson, 426 Marsh Road, 28209 said I am here tonight on behalf of Fluoride Free Charlotte. I began researching fluoride several years ago out of disbelief because I heard some saying that fluoride was dangerous to consume. What I found was that fluoridation is based on outdated and fraudulent science, much like the science that told us that cigarettes were safe. Fluoride is linked to arthritis, weakening of bones, cancer, heart disease, endocrine disruption, thyroid disease and lowered IQ. In fact, there are 36 studies linking fluoride to lowered IQ. That alone should be enough to end this program immediately. Then there's the chemical use by Charlotte Mecklenburg Utilities as a fluoride additive; hydrofluoric silicic acid. Hydrofluoric silicic acid is a toxic waste byproduct mainly of the phosphate fertilizer industry. It is made from the gases captured in smoke stack scrubbers that are too toxic to release into the environment and illegal to dump into rivers or the ocean. As you can see, the warning labels that I passed around say "danger, poison. Do not take internally." Yet for some reason this poison is being added to our water supply. Not once is hydrofluoric silicic acid mentioned on the utilities website or in the Annual Water Quality Report. What do you think the public would say if they were told the truth and shown these warning labels and decided to choose for themselves? On most tubes of toothpaste, there is a warning to call Poison Control if more than a pea sized amount is swallowed. This warning is mandated by the FDA because fluoride is toxic to humans. Surely people drinking tap water ingest more fluoride than that in a day. How much tap water does one need to drink before you should call Poison Control? In 2001 the CDC stated that fluoride's affects are post eruptive and topical. This means it does not need to be ingested. Besides, if people want fluoride, it's widely available in many dental products. They should not have it forced upon them. Most tap water is not used for drinking anyway, making the delivery system a failure and a waste of tax dollars. The EPA recommended lowering levels of fluoride in the drinking water a few years back because so many children are being affected by dental fluorosis. Fluorosis is caused by over exposure to fluoride. It causes discoloring of the teeth and a weakening of the enamel. This is the exact opposite of what fluoride is added to the water to prevent. It is supposed to improve dental health, not damage it. This proves that the fluoridation program is a complete failure. Who here is willing to take responsibility for this toxin being added to the water when there is so much evidence that it's doing more harm than good. It is immoral, unethical and criminal to force medication on the public without their consent and this practice should be immediately stopped. Everything I have stated tonight is backed by scientific evidence and I would be happy to supply any of you with this literature at any time and you can find us on FluorideFreeCharlotte@Facebook.com.

City Council to Support After-School Program in Hoskins Community

Pastor Brenda Stevenson, 3900 Gossette Avenue said I'm here on behalf of Hoskins Community and I have some more people that came with me if they would come down and I'll give up some of my minutes to Ms. Shirley. She's been in the community. She's our Vice President for 35 years and she knows how important it is that we get an enrichment center for the seniors to be involved. Our children and youth need a safe and stable place after school and during times when school is not in session to learn life skills, participate in structured activities and attend mentoring programs with community role models such as elected officials, fire fighters, police, sports figures and educators. And I am here on behalf of Hoskins community to ask for the City of Charlotte to help us to get an enrichment program.

Shirley Hathcock said my mother-in-law bought a house back in 1957 and there was still no senior citizens center or anything there. She has passed. My husband was 70 and he passed and there's still not a senior citizen even involved around us and now I have been there for 46 years. Now I am a senior citizen and there are senior citizens that have been there before I moved there. They go all the way to McDonalds on Freedom Drive to go play bingo and it would be very efficient to the neighbors in Hoskins if they can have a senior citizens' center and along with where children can come for enrichment programs after school and we would really appreciate if you could help us out. Thank you and God bless.

Pastor Stevenson said I would like to take the last minute and say thank you Ms. Fallon. She came to our community and brought us much needed items like a big box of washing powder

that we needed and food and canned goods and clothes, and I could not go away without saying that and thank you to everyone. God Bless.

Mayor Cannon said wonderful. For those of you who couldn't hear that by way of being at home she said so what's the next step? The next step would be one; we'd look to evaluate your request based upon the budget that will be coming up. We have a budget committee that looks into those types of requests. You would really need to work through the Budget Department. So I would ask that you call (704)336-2241. I know you know that number and ask for the Budget Department and someone there can explain to you what the process is for your request. Regarding some of the other requests that were made, you need to make sure that you are engaging with the County on some of the senior issues because they are more Human Service driven unlike where we are. Okay? Thank you so much for coming.

Councilmember Barnes said sir briefly, with the previous speaker Mr. Alexander, we got a report from CMU I believe on Friday about the fluoride issue and one, I'd like for him to get a copy of that and two; I would like to know whether we are exceeding the necessary amounts of fluoride in our drinking water. So Mr. Manager if you could provide him with the information we got and also have Mr. Gullet answer that question for all of us.

Ron Carlee, City Manager said we'll be happy share that information with the gentleman and I will assure the Mayor, Council and the public that our utility operates under best practices for drinking water and in close coordination and collaboration with the Health Department to ensure that we are in fact providing people clean water and water that is safe and based on best practices for an urban water system.

Mayor Cannon said thank you so much and sir, you can feel free to come down if you'd like to be able to get that report at the end of the dais. No, we are going to send you that information.

Charlotte Banking Protocol

(NOTE: Rev. Simpson arrived late and was taken after the Consent)

Reverend Willie Simpson, P.O. Box 16537 said thank you Mayor and City Councilmen. I want to just congratulate you for the prophecy that came to pass and give you a hand clap for that. I'm here because of bank fraud. Excuse my voice. I was sort of screaming on Sunday ministering. There was a problem with two banks in the City of Charlotte and you know I had been supporting a lot of things here in Charlotte. My organization is called We Care and we give out food, etc...different organizations like Feed the Children, INSP, different organizations like that. But at this present time I had someone to transfer \$5,000 in a bank from a business account of mine from a personal account into a business account and the bank don't want to refund—restore that money back and I got a problem with Wells Fargo today and a problem with Bank of America too. I had two banks that I was working with. Its sad news Mayor but I moved out of town for about 1½ years, that's why I hadn't been back down here. So I come back to try to straighten this business out. They still refuse to amend that issue that I had with the bank. They sent a letter out to the wrong address because I had been moving so much. They say they denied me of the \$5,000 that was taken from my personal account and put in my business account. So the money is missing. I never did get it. So my point is I needed someone to investigate to find out where did this \$5,000 go and since then the Bank of America, we had a short sale, sold the home and I moved out of town and didn't get a relocation fee. You know you supposed to relocate somebody; didn't get that. So it just rains and rains and rains until an old local preacher like me couldn't take it no more. I had to move and belittle myself to come down here to make this report. I have bank statements right here that within one month it was about \$8,000 moved around in the account. I know the buzzer went off. I know I gotta wrap it up now and it's stamped on this paper January 8th but all of this stuff happened January 9th. So it's some kind of fraudulent things happening with the bank and I just need some help with it.

Mayor Cannon said well one, thank you for coming. We appreciate you being here. This of course would be a matter and I'm going to assume that you've already gone through the fraud piece of it all where you would go to the bank for that for them to begin to investigate for you but here, at least on this level, because it is a private sector matter, is one that we, of course cannot properly engage in. If that's your ask. So I want to be clear about that.

Rev. Simpson said is there anybody that you know that can help me out with that. I can give my P.O. Box?

Mayor Cannon said you know what, I think I just found somebody. Councilman Greg Phipps. He would like to weigh in on the discussion.

Councilmember Phipps said Rev. Simpson yes we do have a regulatory agency with the Treasury Department that if you would write a formal written complaint that they would thoroughly investigate that complaint and get with both you and the banks for an explanation as to what would happen and I would be glad to be able to meet with you separately to give you that address and information that you would need to contact. But they will definitely address the problem and investigate it and whatever decision comes from that, then you would be assured that your situation would have been thoroughly investigated. So I would be glad get with you to give you that information so you can file a formal complaint and each complaint is logged and investigated and you'd be surprised at the amount of resources that go into actually investigating those matters. So I would be glad to get with you on that.

Rev. Simpson said well that's the best news I've heard so far.

Mayor Cannon said well there you go. I told you he could help you.

Rev. Simpson said since there that put me out of a home so right now I really need that help.

Mayor Cannon said well thank you so much for coming. It looks like somebody may be able to help you with some of that. Councilman Phipps thank you sir; appreciate that.

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ITEM NO. 5: CONSENT AGENDA

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey to approve Agenda Items 13 through 36 as presented.

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

Stephanie Kelly, City Clerk said no sir.

Mayor Cannon said one moment; one item was pulled by Councilwoman Kinsey.

Councilmember Kinsey said it was Item No. 18.

Mayor Cannon said right, that was the same one that I was going to pull.

ITEM NO. 13. APPLIED INNOVATION CORRIDOR TECHNICAL ASSISTANCE

Approve the professional services contract with Urban Land Institute in the amount of \$125,000 for a National Technical Assistance Panel to assist in identifying key strategies needed to implement the Applied Innovation Corridor concept recommended in the Community Investment Plan and the 2020 Center City Vision Plan.

ITEM NO. 14: ON-CALL DEMOLITION SERVICES

Approve the following three year contracts, each in an amount up to \$500,000, for on-call demolition services: W.C. Black & Sons, Inc.; Double "D" Trucking, Inc.; Environmental Holdings Group, LLC; D.H. Griffin Wrecking Company, Inc.

ITEM NO. 15: REEDY CREEK STREAM RESTORATION DESIGN/BUILD PROJECT

Approve a contract with Wildlands Engineering in the amount of \$900,000 for engineering services on the Reedy Creek Stream Restoration Project

ITEM NO. 16: WEST BOULEVARD SIDEWALK PROJECT

Award the low-bid contract of \$224,000.11 to DOT Construction, Inc. for the West Boulevard Sidewalk Project.

SUMMARY OF BIDS

DOT Construction Inc.	\$224,000.11
The Huffstetler Group, Inc.	\$225,265.68
W.M. Warr & Son Inc.	\$253,872.85
Bullseye Construction, Inc.	\$254,715.80
United Construction, Inc.	\$284,152.35
Armen Construction, LLC	\$289,809.20
Carolina Cajun Concrete, Inc.	\$304,273.90
Zoladz Construction Co., Inc.	\$513,698.10

ITEM NO. 17: LANDSCAPE MAINTENANCE SERVICES

Approve the following three-year landscaping maintenance contracts totaling \$2,378,453.94: (A) Roundtree Companies, LLC in the amount of \$196,703.94; (B) Taylor's Landscaping Services, Inc., in the amount of \$179,995.24; (C) Taylor's Landscaping Services, Inc., in the amount of \$199,524; (D) The Byrd's Group, Inc. in the amount of \$417,701.80; (E) The Byrd's Group, Inc. in the amount of \$264,664.96; (F) A-1 Services & John Todd Landscaping in the amount of \$176,040; (G) Edward's Landscaping Company, LCC in the amount of \$165,816; (H) Edward's Landscaping Company, LLC in the amount of \$171,228; (I) A-1 Services & John Todd Landscaping in the amount of \$274,500; and (J) A-1 Services & John Todd Landscaping in the amount of \$332,280.

ITEM NO. 19: FY2014 METROPOLITAN PLANNING PROGRAM GRANT MUNICIPAL AGREEMENT

Adopt a resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation to support transit-planning activities for the Charlotte Regional Transportation Planning Organization.

The resolution is recorded in full in Resolution Book 45 at page 30.

ITEM NO. 20: LED TRAFFIC SIGNAL BULB PURCHASE

(A) Approve the purchase of LED bulbs from a state contract as authorized by G.S. 143-129(e)(9); (B) Approve contracts with Dialight Corporation, Excellence Opto, Inc, Leotek Electronics USA Corporation, and GE Lumination for the purchase LED traffic signal bulbs per State contract #550A in the aggregate amount of up to \$250,000 for one year, and (C) Authorize the City Manager to extend the contract for four additional, one-year terms, as long as the state contract is in effect, at prices and terms that are the same or more favorable than those offered under the state contract.

ITEM NO. 21: PEDESTRIAN AND TRAFFIC SIGNAL LED BULB REPLACEMENT

Award the low-bid contract of \$197,590.58 to ALS of North Carolina, Inc. for the installation of LED bulbs at signalized intersections

SUMMARY OF BIDS

ALS of NC, Inc.	\$197,590.58
Bryant Electric Repair & Construction, Inc.	\$199,504.80
Midasco, LLC	\$218,453.40
Haynes Electric Utility Corporation	\$225,689.20

ITEM NO. 22: LED PEDESTRIAN SIGNALS

(A) Approve the purchase of Dialight LED Pedestrian Signals, as authorized by the sole source exemption of G.S. 143-129(e) (6); (B) Approve a contract with Temple, Inc. for the purchase of Dialight LED Pedestrian Signals for a three-year term, and (C) Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as deemed reasonable and appropriate by the City Manager.

ITEM NO. 23: AIRPORT TELECOMMUNICATIONS ANTENNA SITE LEASE AMENDMENT

Approve a five-year lease amendment with T-Mobile South, LLC for a telecommunications antenna and related facility site on the Airport's rotating beacon tower.

ITEM NO. 24: WATER AND SANITARY SEWER SERVICE CONNECTIONS

Award the low-bid contract of \$100,178.80 to R.F. Shinn Contractors, Inc. for the construction and installation of new water and sewer services to serve The Fountains Uptown Apartment Building.

SUMMARY OF BIDS

R.F. Shinn Contractors, Inc.	\$100,178.80
State Utility Contractors, Inc.	\$100,395.00
B.R.S., Inc.	\$101,602.50
R.H. Price, Inc.	\$232,070.00

ITEM NO. 25: WATER AND SANITARY SEWER SERVICE CONNECTIONS

Award the low-bid contract of \$131,071.25 to BRS, Inc. for the construction and installation of new water and sewer services to serve The Duke Endowment Building.

SUMMARY OF BIDS

B.R.S., Inc.	\$131,071.25
State Utility Contractors	\$193,775.00

ITEM NO. 26: HOSKINS PUMP STATION POWER AND ELECTRICAL IMPROVEMENTS

(A) Reject the low-bid submitted by Liles Construction Co. for failure to submit a responsive bid, and (B) Award to the second lowest, responsive-bid contract of \$1,143,450 with Wharton-Smith, Inc. for Hoskins Pump Station standby power and electrical improvements

SUMMARY OF BIDS

Liles Construction	\$989,900.00
Wharton-Smith	\$1,143,450.00
Sanders Utility Construction	\$1,523,518.50

ITEM NO. 27: MALLARD CREEK CHEMICAL STORAGE AND FEED SYSTEM

Award a low-bid contract of \$488,893.75 with The Huffstetler Group, Inc. for sodium hypochlorite and magnesium hydroxide feed systems improvements at Mallard Creek Wastewater Treatment Plant.

SUMMARY OF BIDS

The Huffstetler Group	\$488,893.75
Crowder Construction Co.	\$544,036.00
Gilbert Engineering Co.	\$567,887.25
Wharton-Smith, Inc.	\$680,793.00

ITEM NO. 28: McDOWELL CREEK CHEMICAL STORAGE AND FEED SYSTEM

Award a low-bid contract of \$178,625 with BW Solutions, Inc. for sodium hypochlorite storage and feed system improvements at McDowell Creek Wastewater Treatment Plant.

SUMMARY OF BIDS

BW Solutions	\$178,625.00
Crowder Construction	\$261,350.00
Wharton-Smith	\$262,529.00

ITEM NO. 30: TRANSIT DATA COMMUNICATIONS UPGRADE

(A) Approve the purchase of mobile data communication equipment for the Charlotte Area Transit System as authorized by the sole source exemption G.S.143-129(e)(6); (B) Authorize the City Manager to negotiate and execute a contract with Trapeze ITS in the estimated amount of \$2.8 million; and, (C) Approve the purchase of mobile data modems and switches from a federal contract as authorized by G.S.143-129(e)(9a), and; (D) Approve unit price contract with Simple Com Tool in an estimated amount of \$400,000.

ITEM NO. 31: TRANSIT FARE BOX PARTS

(A) Approve the purchase of parts as authorized by the sole source purchasing exemption G.S.143-129(e) (6); (B) Approve a unit price contract with GFI Genfare for fare box parts in the

estimated annual amount of \$120,000, and; (C) Authorize the City Manager to exercise two additional, one-year renewals at \$120,000 per year, for a total estimated amount of \$360,000 for all three years, with possible price adjustments as deemed reasonable and appropriate by the City Manager.

ITEM NO. 32: LYNX BLUE LINE EXTENSION PROJECT – CIVIL CONSTRUCTION

Award the low-bid contract of \$107,967,958.13 to Balfour Beatty Infrastructure, Inc./Blythe Development Company (Joint Venture) for the civil construction of Segment A of the LYNX Blue Line Extension project.

SUMMARY OF BIDS

Balfour Beatty Infrastructure, Inc./Blythe Development Co. (Joint Venture)	\$106,867,958.13
The Lane Construction Corporation	\$111,687,225.60
Crowder Construction Company	\$117,424,751.16
Archer Western Construction, LLC	\$118,372,800.58

ITEM NO. 33: TRANSIT BUS PARTS

(A) Approve the purchase of parts as authorized by the sole source purchasing exemption G.S. 143-129(e)(6); (B) Approve a contract with Cummins Atlantic, LLC for bus parts for the estimated annual amount of \$800,000, and; (C) Authorize the City Manager to exercise two additional, one-year renewals at \$800,000 per year, for a total estimated amount of \$2.4 million for all three years, with possible price adjustments as deemed reasonable and appropriate by the City Manager.

ITEM NO. 34: REFUND OF PROPERTY TAXES

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$17,316.93.

The resolution is recorded in full in Resolution Book 45 at pages 31-35.

PROPERTY TRANSACTIONS

ITEM NO. 35: LAND ACQUISITION FOR THE POLICE WESTOVER DIVISION STATION

(A) Approve the purchase of approximately 4.963 acres from Imani, LLC in the amount of \$537,000 and 0.36 acres from Habitat for Humanity in the amount of \$12,000 for the Westover Division Station of the Charlotte-Mecklenburg Police Department, and; (B) Authorize the City Manager to execute all documents relating to the acquisition between Imani, LLC and Habitat for Humanity (Sellers) and the City of Charlotte, a North Carolina municipal corporation (Buyer), and to pay closing costs and pro-rata and delinquent property taxes.

ITEM NO. 36: PROPERTY TRANSACTIONS

ACQUISITIONS

ITEM NO. 36-A: 7829 Mountain View Road

Acquisition of 3.28 acres at 7829 Mountain View Road from Samuel W. Davis and Carolyn D. Moore (Deceased) for \$46,000 for Airport Master Plan Land Acquisition.

ITEM NO. 36-B: 9410 Markswood Road

Acquisition of 1.42 acres at 9410 Markswood Road from Edith Massey Denson and Joe Denson (Deceased) for \$210,000 for Airport Master Plan Land Acquisition.

Item No. 36-C: 9434 Snow Ridge Lane

Acquisition of 1.00 acres at 9434 Snow Ridge Lane from Montrice McGill for \$170,000 for Airport Master Plan Land Acquisition.

Item No. 36-D: 9221 Snow Ridge Lane

Acquisition for 1.00 acres at 9221 Snow Ridge Lane from Mary C. Ezzo for \$185,000 for Airport Master Plan Land Acquisition.

Item No. 36-E: 9413 Snow Ridge Lane

Acquisition of 1.00 acres at 9413 Snow Ridge Lane from George E. and Azucena A. Lapatra for \$159,000 for Airport Master Plan Land Acquisition.

Item No. 36-F: 5553 Larchmont Avenue

Acquisition of 20,156 sq. ft. (.463 ac.) in Fee Simple (TOTAL TAKE) at 5553 Larchmont Avenue from Rafael Arredondo Triqueroz for \$42,000 for Briar Creek Relief Sewer Phase III, Parcel #4.

Item No. 36-G: 333 Oakdale Road

Acquisition of 4,263 sq. ft. (.098 ac.) in Fee Simple, plus 2,807 sq. ft. (.064 ac.) in Fee Simple with Existing Right-of-Way, plus 7,800 sq. ft. (.179 ac.) in Storm Drainage Easement, plus 2,483 sq. ft. (.057 ac.) in Sidewalk and Utility Easement, plus 19,484 sq. ft. (.447) in Temporary Construction Easement, plus 38 sq. ft. (.001 ac.) in Utility Easement at 333 Oakdale Road from L&K Development, Inc. for \$25,750 for Oakdale Road Widening, Parcel #2.1, #3 and #4.

Item No. 36-H: 1109 Belmont Avenue, 621 Belmont Avenue, 617 Belmont Avenue, 1108 North Davidson Street, 1112 North Davidson Street and 615 Belmont Avenue

Acquisition of 5,993 sq. ft. (.138 ac.) in Storm Drainage Easement, plus 3,393 sq. ft. (.078 ac.) in Sanitary Sewer Easement, plus 16 sq. ft. in Sidewalk and Utility Easement, plus 2,929 sq. ft. (.067 ac.) in Temporary Construction Easement, plus 185 sq. ft. (.004 ac.) in Utility Easement at 1109 Belmont Avenue, 621 Belmont Avenue, 617 Belmont Avenue, 1108 North Davidson Street, 1112 North Davidson Street and 615 Belmont Avenue from Hunter Auto and Wrecker Service, Inc. for \$50,887 for the Parkwood Storm Drainage Improvement Project – Phase 2, Parcel #10, #11, #14, #15, #16 and #44.

Item No. 36-I: 1114 North Davidson Street

Acquisition of 16,879 sq. ft. (.387 ac.) in Storm Drainage Easement, plus 2,492 sq. ft. (.057 ac.) in Sanitary Sewer Easement, plus 440 sq. ft. (.01 ac.) in Sidewalk and Utility Easement, plus 1,585 sq. ft. (.036 ac.) in Temporary Construction Easement at 1114 North Davidson Street from Thomas R. Hunter and Carroll E. Hunter for \$22,110 for Parkwood Storm Drainage Improvement Project – Phase 2, Parcel #17.

Item No. 36-J: 1107 North Davidson Street, 1101 North Davidson Street and 521 Belmont Avenue

Acquisition of 25,375 sq. ft. (.583 ac.) in Storm Drainage Easement, plus 558 sq. ft. (.013 ac.) in Sidewalk and Utility Easement, plus 3,646 sq. ft. (.084 ac.) in Temporary Construction Easement, plus 93 sq. ft. (.002 ac.) in Utility Easement at 1107 North Davidson Street, 1101 North Davidson Street and 521 Belmont Avenue from Thomas R. Hunter and Carroll E. Hunter for \$48,149 for Parkwood Storm Drainage Improvement Project – Phase 2, Parcel #21, #41 and #58.

CONDEMNATIONS

Item No. 36-K: Rook Road and 5837 Ringneck Road

Resolution to condemn 563 sq. ft. (.013 ac.) in Fee Simple plus 2,923 sq. ft. (.067 ac.) in Sidewalk and Utility Easement, plus 2,564 sq. ft. (.059 ac.) in temporary construction easement, plus 44 sq. ft. (.001 ac.) in Utility Easement Rook Road and 5837 Ringneck Road from Quail Ridge Homeowners Association of Mecklenburg County, Inc. and any other parties of interest for an amount to be determined for Oakdale Road Widening, Parcel #22 and #24.

The resolution is recorded in full in Resolution Book 45 at page 36.

Item No. 36-L: Corvus Court

Resolution to condemn 571 sq. ft. (.013 ac.) in Fee Simple plus 4,025 sq. ft. (.092 ac.) in sidewalk and utility easement, plus 4,126 sq. ft. (.095 ac.) in Temporary Construction Easement, plus 61 sq. ft. (.001 ac.) in Utility Easement at Corvus Court from Raven Ridge Homeowners Association of Mecklenburg, Inc. and any other parties of interest for an amount to be determined for Oakdale Road Widening, Parcel #27.

The resolution is recorded in full in Resolution Book 45 at page 37.

Item No. 36-M: Peachtree Road

Resolution to condemn 293 sq. ft. (.007 ac.) in Fee Simple plus 1,685 sq. ft. (.039 ac.) in Storm Drainage Easement, plus 1,420 sq. ft. (.033 ac.) in Sidewalk and Utility Easement, plus 474 sq. ft. (.011 ac.) in Temporary Construction Easement, plus 7 sq. ft. (.00016 ac.) in Utility Easement at Peachtree Road from Raven Ridge Homeowners Association of Mecklenburg Inc. and any other parties of interest for an amount to be determined for Oakdale Road Widening, Parcel #42.

ITEM NO. 18: AMERICAN SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS PARTNERSHIP

(A) Approve a five-year partnership between the American Society for Prevention of Cruelty to Animals, the Charlotte-Mecklenburg Police Animal Care and Control Division, and the Humane Society of Charlotte, and; (B) Adopt Budget Ordinance 5295-X appropriating \$67,600 in funds from the American Society for Prevention of Cruelty to Animals.

Councilmember Kinsey said I just wanted to let everyone know that one of my favorite departments in City Government is doing something really good now and this particular action is to approve a five-year partnership between American Society for Prevention of Cruelty to Animals, The Charlotte Mecklenburg Police Animal Care and Control and Humane Society of Charlotte and the purpose of this partnership is to increase animal adoptions and relocations with the ultimate goal of reducing the euthanasia rate for canines and felines in the Charlotte Mecklenburg area and if you're an animal lover like I am, you can appreciate that.

There are a lot of things that'll be happening over the next year. An additional 720 spay and neuter surgeries can occur. There will be programs for the development and support to relocate animals out of the County and State to increase the potential for adoption and programs under which animal rescue groups accept animals with special needs; all sorts of programs that this partnership will allow and I just wanted to recognize Animal Care and Control because they do a wonderful job. They don't get much attention and it's a pleasure for me to be able to work with them. I got my last dog there and I'm getting pretty close to go back and getting another one. I certainly advise you if you are looking for an animal, go out and see what they have out there and its fun just to go out and visit and watch, particularly the cats play out there. But congratulations Mark Balestra; you're doing a great job. Thank you so much and I guess we've already included this. Mayor Cannon said well almost. We will include that in the entire motion. Well said and I would just conclude with saying that basically the vision established by these organizations is for Charlotte to represent a united, well-educated community where animal welfare is valued and demonstrated through collaborative efforts, leading to positive outcomes for people and animals just as Councilwoman Kinsey spoke to.

So I simply want to encourage you, the general public, to join us at the Palmer Building, that's 2601 East Seventh Street at 10:00 a.m. on February 4th, as we embark on this journey which will improve the overall welfare of the community and lead to a very important improvement in the quality of life for all of Charlotte Mecklenburg. And it is with that that I had a few doggy bags put together for each one of you members of the body here. So please accept one of these nice little bags; now about a big hand for working together. If you look on the screen John has his up. You can see at home who we have there. He or she hasn't quite been named yet but we, in our household just welcomed in a new Beagle and my wife named her Bella, but she didn't know that she bellowed a great deal, but we are thoroughly enjoying Bella our new Beagle and again, for this wonderful collaboration. We just thank everybody for being involved and please come out and support this next week. It will be great.

The Ordinance is recorded in full in Ordinance Book 58 at page 621.

Mayor Cannon said alright there is a motion I heard that Councilmember Howard made. Is there a second? Who seconded? Councilmember Kinsey seconded.

The vote was taken on the motion made by Councilmember Howard to approve the Consent Agenda Items 13 through 36 as presented and carried unanimously

ITEM NO. 10: CONCLUSION OF CONSENT AGENDA

Councilmember Kinsey said I just to recognize a former colleague Billy Maddalon is out in the Chamber.

Mayor Cannon said let's give him a round of applause please. You served very well down here, thank you sir so much for your continued service. We really appreciate that. I noticed Council that Reverend Simpson just made it. I would ask if it would be okay to allow him to go ahead and speak. He was signed up here and I know he got held up a little bit so Reverend Simpson, please come if you'd like. (NOTE: Please see Citizen's Forum portion of Minutes for Rev. Simpson's dialogue.)

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PUBLIC HEARING

ITEM NO. 6. PUBLIC HEARING FOR FLOODPLAIN REGULATIONS ORDINANCE REVISIONS

Motion made by Councilmember Barnes, seconded by Councilmember Howard and carried unanimously to (A) Conduct and close the public hearing on a minor revision to the Floodplain Regulation Ordinance and (B) Adopt Ordinance No.5294 revising converting preliminary floodplain maps to final, effective February 19, 2014.

The ordinance is recorded in full in Ordinance Book 58 at page 620.

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POLICY

ITEM NO. 7. CITY MANAGER'S REPORT

Mayor Cannon said Mr. Manager we are on the policy side. Is there a report from you?

Mr. Carlee said no sir, not tonight.

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BUSINESS

ITEM NO. 8. ELECTROLUX BUSINESS INVESTMENT GRANT

Motion made by Councilmember Howard and seconded by Councilmember Fallon to approve the City's share of a Business Investment Grant to Electrolux for a total estimated amount of \$2,329,177 over seven years (Total City/County grant estimated at \$6,382,749.

Councilmember Barnes said I was wondering if we could have Brad Richardson to briefly describe the details of this incentive grant. We have another one coming up. They are different grants. The grant program is something that I think a lot a lot of people have questions about and it would be helpful for Mr. Richardson to describe the value derived from this particular grant opportunity and some of the details that the public might not ordinarily here.

Mayor Cannon said very well. Mr. Richardson.

Brad Richardson, Economic Development Manager said just to tell you briefly about the program. It's a 16 year old program in partnership with Mecklenburg County. Companies apply if they're expanding or relocating to the Charlotte city limits that were Mecklenburg County but in our case City and County. Companies pay property taxes associated with that new investment. The grants that we provide are short term, three to five years, sometimes seven

years, depending on how it fits against our policy. The grants are off-set by increased taxes paid by the company over that time. They must meet performance standards which include job creation, average wage and private and capital investment and then we have provisions in our policy that require the company to pay all or a portion of this grant back should they relocate out of Charlotte, or have a significant downsizing during that term and a three to five year term following the end of the grant.

Councilmember Barnes said Mr. Richardson let's amplify a point. In this particular grant Electrolux is going to invest \$85M in spending on the capital side and that \$68M for real estate, which I believe is primarily the building construction. Then there's also the \$17M component for business/personal property. So that's computers, desks, things like that, the stuff that's not attached to the ground. And we give them a rebate on the taxes that they would pay on that towards their investment. Is that correct?

Mr. Richardson said that's right. It's a grant based upon 90% of those new taxes paid to the City and the County.

Mr. Barnes said right and so the point is that what we're not doing is for the benefit of people who watch this stuff. What we're not doing is just cutting checks out of our General Fund to pay companies to come to Charlotte. They make an investment and we give them a portion of that money back for a finite period of time in order to help with the job creation and in this case Electrolux is going to hire at least 610 people over a four year period who will make at least \$100,000 and so for the \$2.3M that we are going to grant back to them through the rebate type program that I described earlier, we're going to get over 610 jobs that pay \$100,000 per year or more. When Electrolux originally came to Charlotte, they promised to hire, I believe it was 750 people.

Mr. Richardson said 730, 740, something like that.

Mr. Barnes said and they exceeded that number I believe and are continuing to grow. So obviously I support this item as you may be able to tell. But I wanted to talk about it in some detail because people ask questions and they think we're just cutting checks to companies and paying them to come here and that's not accurate.

Councilmember Driggs said I wanted to comment on this. I'm not normally a fan of incentives and I believe that the premise that when you give a tax rebate like that, it's costless, it's not the right premise. I think we have to recognize that we lose tax base there is a cost associated with it. That doesn't mean that under no circumstances is that cost justified. I just think we need to be very critical about awarding grants; to be sure that they're absolutely necessary. So the but-for provision is critical in this case having given two prior grants, I wonder whether this one was essential in order to procure the extra investment by Electrolux. On the other hand, I also acknowledge that this was discussed in closed session before I joined council and that the City made a commitment; gave an undertaking to Electrolux. So rather than appear to want to go back on that undertaking, I'm prepared to support this tonight.

Mr. Barnes said to a point that Councilman Driggs made; there are proposals that we turned down and we don't all always vote for that. So we do look at the but-for analysis and there's some that make sense and there are others that don't make sense to all of us. But I think as you get into this this, you'll see how we kind of debate them in closed session, but they don't always get a rubber stamp. In fact, I don't think any of them have gotten a completely rubber stamp. We've liked a lot of them, but there's some we just don't like and some of us just don't support them. But I appreciate your point and will move to approve too.

Mr. Driggs said briefly I just wanted to clarify I don't suggest that we do. I just mean that I intend to participate in this process; I'm going to be somebody that is skeptical generally and requires some convincing.

The vote was taken recorded as follows:

YEAHS: Councilmembers Austin, Autry, Barnes, Driggs, Fallon, Howard, Kinsey, Lyles and Phipps

kmj

NAYS: Councilmember Mayfield and Smith

ITEM NO. 9: STANLEY BLACK & DECKER BUSINESS INVESTMENT GRANT

Motion made by Councilmember Howard and seconded by Councilmember Mayfield to approve the City's share of a Business Grant to Stanley Black & Decker for a total estimated amount of \$66,125 over three years (Total City/County grant estimated at \$181,208).

The vote was taken recorded as follows:

YEAHS: Councilmembers Austin, Autry, Barnes, Fallon, Howard, Kinsey, Lyles, Mayfield and Phipps

NAYS: Councilmember Driggs and Smith

ITEM NO. 9B. CITYLYNX GOLD LINE PHASE 2

David McDonald, Transit Planning Manager, Charlotte Area Transit System said I've got a brief presentation about the project. The City LYNX Gold Line is an integral part of the Metropolitan Transit Commission's adopted transit corridor system plan. It has been such since 2002 when it was first adopted and it's been included in subsequent updates. In 2009, the City Council provided funding to advance the design of the entire 10 mile alignment for the City LYNX Gold Line to 30% in order to compete for federal grants. In 2011, that resulted in a \$25M grant being awarded to the City, which you match the \$12M of local funds for Phase 1 which is under construction and scheduled to be completed in 2015. Last May you authorized the appropriation of \$63M and asked the City Manager to seek additional federal grants for Phase 2 and in November of last year, we took the first step by submitting a formal request in our project development. This is the first step in the Small Starts process to seek a grant. The Phase 2 project extends the 1½ mile section under construction by 2½ miles. A half mile to the east, two miles to the west; adds 11 new stops bringing the total to 17 and the project is estimated to cost \$126M. In order to secure the federal funding, additional design work must be undertaken to allow the FTA to rate the project in September of this year and recommend awarding a federal Small Starts grant. This additional work includes advancing design to 65%. This is a level at which we set the cost estimate for the LYNX Blue Line Extension so it gives us an understanding of the cost and the scope of the project so that we can ensure that we meet that number. Also, we would need to perform vehicle assessment to determine on-wire versus off-wire ability of vehicles and set the final design standards for those in street running modern street cars. We also need to update the land use report, the economic development report and financial plan for this project for submission to FTA for their evaluation and rating. This work, upon your approval, would be funded for \$12M of the \$63M that you appropriated in 2013 and upon award of a federal Small Starts grant, 50% of the expenditures will be reimbursable for the grant. The action before you tonight is to authorize the City Manager to utilize the \$12M of the \$63M previously appropriated. It is required to compete for and receive a Federal Small Starts Grant and our goal would be to complete the work in time for inclusion in the President's FY16 Budget which will allow us to go to construction in early 2016 and be open in 2019. The \$12M will not be utilized until the FTA approves entry in the project development which will make these funds eligible for future reimbursement upon approval of a Small Starts Grant Agreement.

Mayor Cannon said alright. So I'm going to ask us to hold off on any questions we may have of staff right now until we can hear from the speakers.

Aaron McKeithan said I am Chair of Historic West End Neighborhood Association; fifteen neighborhoods plus the Beattie's Ford Corridor. In November of last year we submitted a letter of support for this grant. You may not have that in your package but I understand that you do have that available to you. We support this because it will bring economic development to the east and to the west. If you start at 6:30 in the morning to 9:30 in the morning on Beatties Ford Road it is a parking lot. We need this line to alleviate that congestion on that corridor. Economic development as you know on the LYNX Blue Line, what that was when it first started. We supported that when they were trying to repeal that with half cent sales tax, it's got around

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that law. So now we're asking for your support of the GoldLYNX Line so we can have the same kind of amenities and the same kind of economic development so that it can create jobs in the Beatties Ford Corridor. I thank you very much.

Malcolm Graham said I am Chairman of the West Trade Street Beatties Ford Road Taskforce and Director of Community Engagement and Government Affairs at Johnson C. Smith University and it is in that capacity that I stand before you tonight. I too come here today to urge your support of this agenda item. Johnson C. Smith University over the past four years, as you know, has invested well over \$25M in the West Trade Street Corridor. We built Mosaic Village, a four story parking deck, and a student living center with your support. We also invested in the Arts Factory, a study center for students studying dance, theater and the arts. We worked with you for the Passing Through Lights which is the bridge project underneath the West Trade Street overpass. We invested in the Gold Rush and did a ULI study to determine the value and the needs of the West Trade Street Beatties Ford Corridor. We did it in partnership with you; the City of Charlotte, the neighborhoods and residents of the West Trade Beatties Ford Road Corridor, because we believe in investing in our community. We also believe this investment is a good investment that would help revitalize the corridor and the neighborhoods around it. So we urge your support. We need your partnership, your continued participation because it's a great economic development activity for our community; for not only West Charlotte, but East Charlotte as well; tying those two historic neighborhoods together. We urge your support. Thank you very much.

Billy Maddalon said it's nice to be back with you tonight and I thank you for the kindness that you afforded me earlier. Tonight I am here as a business owner on the east side and resident and I'm here as co-chair of E.A.S.T. which is the Eastland Area Strategies Team. Our group is a group of business owners and community leaders throughout the eastside who have been working for some ten years now to work on economic development strategies and other kinds of solutions that are positive in the main corridors of our communities surrounding the Eastland Mall sort of center of gravity. Some time ago our group decided to wholeheartedly support the effort to build and expand the transportation projects in Charlotte, specifically the Gold Line which will uniquely serve the economic development needs of the west and the east side. I'm here tonight to simply tell you that our group, once again continues to be in significant support of that. We recognize that it has the potential to have a dramatic impact on the economic development on the east side. I also want to sort of encourage you to consider the fact that reasonable people can and certainly have disagreed about the need to pull the streetcar or the Gold Line project out of the regular order of business and advance it because of the economic needs on the east and the west side. But now that that decision's been made and a substantial amount of money and investment has already been invested in doing so, it would only make sense to me as a business owner at this point to do what we know we need to do in order to be competitive for the Federal grants that are going to give us the opportunity to actually do this project. Without those grants I think we all recognize that it probably will not happen certainly in the timeframe that we all expect. And finally before I go tonight, I want to thank you. We recognize that you all understand the needs on the west side of the city and on the east side and your votes recently to support economic development with projects like the BoJangles Coliseum and other projects like that are greatly appreciated. We appreciate your vision and your support for our area and we are confident that if you continue to do so, that our communities will continue to grow and return exponentially for every dollar that you put into our tax base so thank you.

Maarten Pinnink said I live in Dilworth. Some time ago the New York Times published a survey that was held among college students and they were asked among other things the question, "when you have graduated and you go into the job market, what would you prefer to have, a car or to take public transportation?" Well surprise; they chose public transportation and the question was why. Well the purchase of an automobile is expensive. The maintenance is expensive. The insurance is expensive and on top of that, the parking downtown or anywhere else is expensive. So if this city wants to attract these college grads; these talented folks, then it behooves us to invest now in growth public transportation and the Gold Line which most likely will encourage investment just as the LYNX Line has done so far. Thank you very much.

Donovan Hubbard said when I graduate from college I took a job doing government contracting and I worked there for a long time. I soon got tired of it and I wanted to start my

own business and I looked in to a lot cities wanting to stay on the east coast. Charlotte shined out like a beacon because of its economic prosperity and its comfortable living and its good standard of living. Ever since I moved here I have been living in the Elizabeth neighborhood right next to where the Gold Line will be built. What I have seen is an utter disaster. All the businesses that were once flourishing there have gone and now that part of the road is finally rebuilt, these businesses have recovered but at what cost. The original budget plan for the Charlotte Blue Line was about \$250M but came in at over \$400M. That is a huge waste of taxpayer money and incredibly off budget. Furthermore, the amount of people traveling these lines continues to fall under the expectations. I think it would make much more sense to put more money into a bus system and successful road transportation than to continue dumping money into something that has not been working. A great man once said that continuing to do the same thing over expecting different results is the definition of insanity and I don't think it is very sane for a fiscal policy to continue to raise taxpayer money to fund something that is shown to not be working. I think it'd be much better for the city if we would take these funds and spend them on things like schools; on things like crime prevention; on things like some of the other speakers have come here and asked you about earlier. I would just like to say that this policy has been driving out the middle class. People who pay taxes are leaving the city. I'm sure you are all aware of this because you work on the City Council. In order to keep people, get taxpayers back, you should lower the taxes and rework this entire plan. It is a disaster and it's literally a train wreck. Thank you very much.

Mayor Cannon said honorable members of council; you heard the action that I've read. You've heard from the speakers. Is there a motion?

Motion made by Councilmember Austin and seconded by Councilmember Kinsey to authorize the City Manager to negotiate and approve up to \$12.0 million in consultant services contracts and/or amendments to existing service contracts to advance the CityLYNX Gold Line Phase 2 project and submit a Small Starts grant application to the Federal Transit Administration.
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Councilmember Driggs said I think I'm in a somewhat isolated position here tonight. I commend the last speaker for coming and stating a point of view. I'd like to point out that point of view is not nearly as narrowly held in this city as you would think attending tonight. I think there are a lot of people who pay the taxes that fund this who wonder whether that's the best use of their money and there are a lot of people who wonder whether this is the best way to improve the corridor or whether this is the best use of these funds. It's actually a fairly active debate. I think it's unfortunate that there is not more representation of people who feel differently about this here tonight just to have a healthy discussion in which different points of view are presented. But I'm not going to attempt to renegotiate the whole question of the Gold Line all by myself. I do have a particular issue that I'd like to raise and that is having approved the \$126M last year.

We're now tonight in a position where all we're talking about is a \$12M decision and I look at that as a business decision. I look at it the same way I looked at decisions when I was in business and I assessed risks and rewards and what is clear is we're going to spend this money on the kind of development towards an application for funding and after we spend it we will submit the application and then we will find out whether we got the money or not. There's a chance, don't know how good a chance exactly, but there is a chance that we'll end up not getting the money; that the application will be unsuccessful and that we will have spent \$12M towards this goal of the Gold Line and not know how to proceed or whether we can proceed. I've tried in my own assessment of this to narrow this down a bit to get information. I've talked to Staff. I've talked to other members of council. I can't find anybody who's able to tell me with a reasonable level of certainty the probability that we will actually get the federal funds if we spend this \$12M, is it 80% or 90% or whatever. There seems to be just a general uncertainty about it. So what troubles me is the possibility that we spend the \$12M and we end up at the end of that not getting the federal money and having to decide in that position, under duress, what do we do next. The other indication I've had is that as it stands right now, there's no evidence that the City would be in a position to make up for that funding that was included in the originally approved proposal. So what I'm saying tonight is I think more work needs to be done. I wonder how many people on Council understand how a Small Start grant works. What the steps are that go into applying for it and how we would handicap the likelihood of that when we make this

\$12M investment, we're actually going to get the result we want. So just let me be clear; this is not in my mind about the Gold Line. This is about whether or not this investment of \$12M is properly supported by the sort of thoughtful analysis that I think we all owe to the citizens of Charlotte. Thank you.

Mayor Cannon said any other comments around the dais?

Councilmember Driggs said I'd like to make a motion that we refer the proposal back to committee for further analysis of this investment in the terms I just described and that the committee make a recommendation to us about how we arrive at the conclusion that this is a prudent risk for us to take given the possibility that we'll lose all the money.

Substitute motion made by Councilmember Driggs and seconded by Councilmember Smith to refer the subject proposal back to Economic Development and Global Competitive Committee for further analysis of the investment terms and for the committee to make recommendations.

Mayor Cannon said is there any other discussion on the items at hand.

Councilmember Smith said first of all I want to thank everybody that's down here tonight participating. It is good to see folks out here exercising their civic duty. I suspect we're going to have a difference of opinion. Nonetheless, I do think for you to come down here tonight and participate is well-received by us, so thank you. We were elected to be stewards of the taxpayer's money and we were elected to be good stewards of the taxpayer's money and I think we are failing in that duty if we spend \$12M on something we don't know will have a proven outcome. I think there are a lot folks watching this on TV tonight; a lot of folks will read in the paper tomorrow and quite frankly will be scratching their head asking how we spent that money and quite frankly, I'll be in agreement with them. So I just want to echo Mr. Driggs' sentiment if we can send this back to committee and do a little more study. But I will not be supporting the motion.

Councilmember Austin said a good friend of mine and fellow city Councilman, John Autry shared a quote with me recently and it says, "We all sit in the shade of trees that we did not plant." This quote speaks to planting seeds of opportunity and growth into the rich earth of Charlotte so that our children and our children's children will sit in the shade of future prosperity of Charlotte as a global mecca. The seed tonight Mr. Mayor and Council is moving forward with the \$12M allocation for the GoldLYNX Line to secure the consultant service and advance design to 65%. If Charlotte wants to be a global city, we need to act like it. We need to make sure that we have multiple transportation options like other major cities of Seattle, New York and Hong Kong. If we want to compete with other cities to attract major corporations who employ thousands of residents and increase our tax base, we need a transportation infrastructure that will move people around this city. Global cities understand that multiple transportation options are about linking communities. It's about linking colleges and universities; it's about linking restaurants and entertainment venues; it's about getting people to their jobs and their homes without exasperating our roads, our streets and impacting our environment negatively. So tonight we are sitting at a tipping point to plant a seed to what Charlotte will be in 2030; what Charlotte will be in 2050 and what Charlotte will be in the year 3000. This council, I believe, is determined to be bold. This council, I believe, is determined to be gold. We need to move forward with the GoldLYNX Line and make it a reality. Thank you Mr. Mayor.

Councilmember Smith said we are at a tipping point. How are we going to treat the taxpayer's dollars and again, this is just not sound fiscal policy. This isn't about being for or against the Gold Line; this is about a business proposition in spending money when we don't know the likelihood of the return. Again, the Gold Line has been voted on. It's been approved. This is an issue on the funding.

Councilmember Barnes said I just want to make a brief statement. I have sucked up a lot of oxygen over the last five years and certainly over the last two years on this item so I won't bore everybody with everything that I've said for the last couple of years going back to the 2012 budget crisis. What I would say is that there are a lot of people I respect; Mr. McKeithan and Senator Graham, former colleague Mr. Maddalon, and other people who I know in the chamber

who are here to support the project. My concerns about the funding methodology haven't changed since our vote last year on the \$63M so I'm going to vote against this tonight. Former Mayor Foxx and I took a trip to Portland Oregon in August 2012, and we met with the folks who are the godfathers and proponents of the streetcar system there and we spent a lot of time as a Council and I spent a lot of time individually investigating how other cities have funded these projects and Charlotte has been the only city I've found that's doing it, or has done it the way we're attempting to do it, and most cities do it in a different way in terms of the funding methodology, and so I remain concerned about the way we're doing this and if you're asking me to do what I think is best for Charlotte, it is not to support this particular methodology for funding the street car. I support the 2030 Plan which contains the street car but the way we're doing this in my opinion, is not the way to do it.

Councilmember Driggs said I'd just like to emphasize the difference between the decision about the Gold Line and the procedure and what I'm trying to get across—my background is in finance and banking and I worked on a lot of transactions. We did a lot of things. We studied the risks and investment of capital. We've thought hard about different uses of capital. So I'm not here out of hostility towards a particular project, I would just like to see us be more careful about entering into a situation where we could lose \$12M and be able to say later on, we were thoughtful about. We looked at that. We studied past applications. We said how many billion dollars does the Federal Government allocate to this and how many applications does it receive and how many of those applications are accepted and how many are turned down and if the result of that process is that we can then with good information and responsibly say the likelihood that this will proceed as planned is very high, then that doesn't necessarily mean I'll vote for it, but I will be comfortable in terms of having done the responsible thing to get to that conclusion and I'm not there right now which is why I'm making this substitute motion.

Councilmember Lyles said I find this a really difficult thing to talk about in some respects because I think a number of us on this Council during the campaign voted to support the 2030 Plan and we knew that that included the street car. Oftentimes people would ask me, "Vi are you for the street car?" and it was that definitive and my answer was "yes", and it still is going to be yes. I think the other thing that I'm struggling with is that if we don't do this; then what do we do. What is the area that we take no risk in? What is the way that we funded differently? And what I hear is this isn't a good decision. It's not a solid risk or low risk decision, but I don't see what our choices are that are being presented, so I'd really like to ask my colleagues based on where we are now, knowing where we have to going the future, what is the choice that we have when we've committed to people that we would invest in a transit system. It would be a system, not just parts of it that would go north and south, but parts of it that would really bring the community together. Now I'm going to be showing you my age because I remember when I-77 and the Brookshire Freeway were built and that tore down a number of middle class African-American neighborhoods that were connected from Johnson C. Smith to downtown and that was at a time that people really had homeownership, things that were going on in this community. So I know the importance of these connections. So I'm going to take it from the time that I remember when McCrory Heights was cut off from the rest of the community to today. A couple of weeks ago I went to visit my daughter who lives in Washington D.C. and we were getting out of her apartment; a very high rent apartment, and we were walking outside and we were going out to dinner and she pulled out her phone and she pulled it up and she put in the address and it said do I take the Metro, do I take a taxi, do I walk or do I take a bus. We need to provide choice to our community in transportation. We need to connect employment at Presbyterian to the Metropolitan College at Johnson C. Smith and I understand some of the things that people are saying financially because I mean after all, I also ran because I was Budget Director for the City and I understand those kinds of things, but at the same time, I think that this is a situation where you have to put some money in to get it out and my dad said, "you've got to give one sometimes when you're playing checkers to win the game." We're going to win the game.

Councilmember Fallon said I don't want to say against my better judgment. I will vote for this for one reason; I do not believe in not being fair. I think it's only fair to give them a chance to get these grants. What I will not do is constantly come back here and vote over and over and over to see if we will get grants and when we don't get grants. This is a one-time thing. It does not connote my agreement with it, but I want to be fair to everybody. I will vote for it and give us a chance to spend that \$12M to get a grant and hopefully we get it because I'm not going to

go round-robin with it over and over. It's not fair and it's time for us to sit down and talk about a real transportation plan for all of Charlotte. That means east, west and a spur to the airport. We can't go on like this. We're talking about a 30 year build-out to connect Charlotte from one end to the other.

Councilmember Phipps said I've had my reservations about the street car particularly in the early stages and the manner of which it was proposed to be funded. I was against a tax increase for it. I was against using personal property taxes to fund it. But one of the things I did think that I could really support is the opportunity to apply for a grant and I just cannot reconcile in my mind how we would seriously apply for a grant without going full bore and doing what's necessary to try to get the grant. So I will support this measure based on that, that we need to see if we can get this grant and we need to take the steps to show that we're serious about it and I do believe that we will get it.

Mayor Cannon said this process has been one that yes, has been long. This has been through at least four Mayors now and continues to go on and I think it goes on largely in part because there are people who understand and realize that it's not so much about Charlotte's present as much as it is about Charlotte's future and I think when we think about the process; because I recall asking the question, why hasn't this gone through the MTC? And I recall when Manager Carlee was hired, saying to him before his feet could barely touch the ground to walk one foot in the door, "work this out so this goes through the MTC to get their level of support or non-support." They came back with support of it. People said they had a problem and that was to be one of the hangnails, well it got pulled. The second piece was to go and to find other alternative funding modes beyond having what would be new property taxes. 100% I might add, of new property taxes, and the Manager came back with some other items for the Council to consider. We're still in that same place, dealing with the same money, no new money because the \$12M comes from the \$63M and as we talk about what makes good sense from a business perspective, if I'm thinking businesswise, I'd work to leverage my money rather than to spend 100% of it and it would seem to me that we would not want the taxpayers to be on the hook if we could help it for 100% of the cost if we could get a grant elsewhere to help alleviate that situation. So I think about some of the things; I heard Mr. McKeithan and I've heard others talk about the economic impact and I'm confident about what it can do based upon South End and Ms. Flowers, you're here tonight, I'm going to ask you about ridership because the one thing I don't want to make sure happens is that when things get twisted, and there was a comment made tonight about ridership and how its low. But I think we've probably seen an excess in ridership on that line but correct me if I might be wrong about that.

Carolyn Flowers, CEO Charlotte Area Transit System said the Blue Line is exceeding the ridership expectations that were in the plan. We are now probably close to 16,000 riders a day. For special events we're exceeding our ridership expectations and that is one of the reasons that we received a grant for the capacity expansion of the platforms.

Mayor Cannon said so I give you that, the general public that's in the audience here tonight and those of you that are watching largely in part because you heard something totally different and inasmuch as we can continue to educate the general public about what the real deal happens to be, the real deal relative to 1.1M or more square feet in new development having the potential opportunity to come forward, we should be telling that story. The 731 additional residential units, the 21,800 sq. ft. of additional retail space; the 276,000 of additional office space; and the 101 additional hotel rooms and the idea of an increased and incremental property tax revenues that could range anywhere between \$4.7M to \$7M, and those things are matters we shouldn't ignore or act like cannot or will not exist, and so Council, I'm going to ask you this evening to be supportive of the main motion because it's a motion that I think continues to do what we need to do here in the City of Charlotte and that is to move us forward. With that being said there is a substitute motion on the floor. We will vote on the substitute first and so all in favor of the substitution motion which is to refer this to the committee and I'm going to assume that's the Economic Development and Global Competitiveness Committee, correct; because this is about economic development.

Councilmember Driggs said for an assessment of the risks.

The vote was taken on the substitute motion of Councilmember Driggs to refer this agenda item back to the Economic Development and Global Competitiveness Committee for further analysis and recommendation and is recorded as follows:

YEAHS: Councilmembers Driggs and Smith

NAYS: Councilmembers Austin, Autry, Barnes, Kinsey, Fallon, Lyles, Howard, Mayfield and Phipps

Mayor Cannon said that motion fails. That takes us to the main motion.

The vote was taken on the original motion (by Councilmember Austin) and recorded as follows:

YEAHS: Councilmembers Austin, Autry, Kinsey, Fallon, Lyles, Howard, Mayfield and Phipps

NAYS: Councilmembers Driggs, Barnes and Smith

Mayor Cannon said that is an eight to three vote members Driggs, Barnes and Smith in opposition. Thank you all very much.

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ITEM NO. 11: APPOINTMENT TO BOARDS AND COMMISSIONS

(A)PRIVATIZATION / COMPETITION ADVISORY BOARD

Stephanie C. Kelly, City Clerk said Michael Messinger received four votes, John Murphy received four votes and Kurt Robinson received three votes, so there will need to be a run-off between Mr. Messinger and Mr. Murphy

Mayor Cannon said by a show of hands there were seven votes for Mr. Murphy.

John Murphy was appointed to the Privatization / Competition Advisory Board

(B)TRANSIT SERVICES ADVISORY COMMITTEE

Ms. Kelly said Andrew Bowen received six votes, Michael Messinger received one vote and Myron Taylor received three votes.

Andrew Bowen was appointed to the Transit Services Advisory Committee

(C)ZONING BOARD OF ADJUSTMENT

Ms. Kelly said John Lambert received four votes, Bob Rapp received one vote and Kurt Robinson received six votes

Kurt Robinson was appointed to the Zoning Board of Adjustment

(D)PLANNING COMMISSION

Ms. Kelly said Alberio Loaiza received three votes, A. Cozzie Watkins received seven votes and Nancy Wiggins received one vote.

A. Cozzie Watkins was appointed to the Planning Commission

ITEM NO. 12: MAYOR AND COUNCIL TOPICS

Councilmember Autry said I would like to remind citizens that as we're cleaning up our yards and especially the leaves that are falling from the trees and especially after this weekend work, please be cognizant and not let those leaves get into the storm drainage system. It's very important that we protect the integrity of our stressed out storm drainage system that we have in

Charlotte and one of the ways that we can do that is to not let leaves, foliage, limbs and so forth get into the storm drains. So if leaves are being piled up along the curb, whenever you're getting the leaves up in your yard, do your fellow citizens in the City of Charlotte a favor by getting those leaves up off the curb and bag those up also and if you see folks pushing leaves into the storm drain, if you could just make a friendly call to 311 and report that, it would be appreciated.

Councilmember Austin said Blanche Penn could not be here earlier but she wanted us to remind everybody that February is Black History Month and the organizers at the Wallace Pruitt Recreation Center are having an event called Highlighting African American Achievers. That's February 17th -22nd. The cost is free. It's located at 501 S. Bruns Avenue. They'll have exhibits and tours so it will be a great opportunity to come out and learn about the history of African Americans in America.

Councilmember Mayfield said I actually want to highlight two events that happened this weekend starting on Saturday evening; but really three events, and also Sunday when we look at going into celebrating Black History Month. Recognizing just how diverse the City of Charlotte has become over the years. On Saturday evening, there was a discussion at the Devon Center, my colleague; Councilmember Fallon was one of the councilmembers and a number of members from the Mecklenburg County Commissioners were in attendance to hear discussion and meeting and greeting with our residents from the Turkish community. But also yesterday we had two celebrations. There was the celebration of the Vietnamese New Year that was held at Central Piedmont Community College and there was also the celebration of Republic Day which was a celebration at the Hindu Center, and it recognized the independence of India and all of the U.S. citizens that are extremely proud and happy to be U.S. citizens, but also really working to hold on to their heritage and hold on to their history and making sure that it's shared. So I would just encourage all of us to take the time to learn your City. Learn the City of Charlotte; get to know your neighbors and come out and share in some of the experiences that the members of our diverse community have brought to our area.

Councilmember Fallon said the Devon Community; it was very interesting. A lot of those young men from that community teach at North Carolina. They are techies, they're scientists. They are very good ambassadors for us. They come here; get an education; teach here and then they go back to their own country with a positive view of the United States which we need Turkey to keep.

Councilmember Phipps said I would just like to invite the dais to join me in congratulating Hidden Valley Precinct Chair, Precinct No. 82, and Mr. Samuel Love for being recognized with the 2014 Fanny Lou Hamer Award this past Saturday night. So he is a star-walk in the Hidden Valley Community and as a well-deserved honor, I think we should congratulate him the next time you happen to see him.

Councilmember Smith said I hope the Manager will get those fine young Boy Scouts all the answers to their question because that was an impressive group of young men and I was very pleased to see such young men with such poise at the microphone on TV. I don't know if at that age I would have had the poise that they had, so thank them for coming down.

Mayor Cannon said because that was a Council request, your name would probably be on there as they get their responses back.

Motion made by Councilmember Barnes, seconded by Councilmember Mayfield and carried unanimously to adjourn the meeting.

Meeting adjourned at 7:49 p.m.



Stephanie C. Kelly, City Clerk

Length of Meeting: 2 Hours and 39 minutes
Minutes Completed: February 10, 2014

kmj