

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, April 14, 2014, at 5:10 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Dan Clodfelter presiding. Councilmembers present were Al Austin, John Autry, Michael Barnes, Dan Clodfelter, Edmund Driggs, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

ABSENT UNTIL NOTED: Councilmember David Howard

ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Clodfelter said we will begin the Dinner Briefing on the April 14th meeting with consent agenda items questions first. So, what have we got for the staff on that?

Councilmember Driggs said Mr. Mayor I'm going to raise actually in our meeting a couple of questions about the consent agenda item; I believe its number 48. It's the one investing \$2.5 million for advisory services for CATS and I wonder if Ms. Flowers, maybe if I could ask you a couple of things about that.

Mayor Clodfelter said as I understand your process here is we get the questions out here and then we sort of get the conclusion before we go in to try to get anything answered we can, right?

Mr. Driggs said right, so I'll just tell, we've had to discuss them, but my concern on these is this is basically a request for \$2.5 million for advisory services and I would like to reach a level of comfort that we have a finite and specific scope for these services if this is not the commencement of an open ended relationship in which we're incurring annual expense. I see some of the scope but Ms. Flowers if you could just clarify for me and maybe not now. I'll just tell you what the question is so I can get this information about exactly which things are covered; whether by approving this amount we have an end or just a beginning to an on-going advisory relationship because the scope of this thing is quite large. I'd also be interested to know if the people that we're hiring are needed in order to add to our capacity within CATS; our total work capacity or whether we're requiring their specific expertise, so just so that we can be a little more disciplined about approving this money for this purpose.

Mayor Clodfelter said do you intend to pull the item then for discussion this evening?

Mr. Driggs said I've given that notice.

Councilmember Smith said I'm not going to pull the item but I'm going to ask for recusal on item 29. It is my understanding that I can be recused without actually having to pull the item.

Mayor Clodfelter said I think that's great. You guys may need to help me out with the actual mechanics of that procedure but I'm told that is correct; we can do that. Are there any other items?

ITEM NO. 2: 2014 NATIONAL CITIZEN SURVEY

City Manager Ron Carlee said what we have to present to you tonight are the results from a citizens survey that we conducted at the end of last year; really, over the term of the year. We did this to really try to answer two questions; how are we doing? And how do we know? I have some broad overview slides that I'll show you at the beginning. My intent is to go through those fairly quickly so that I can get to Katie McCoy who will provide a more in depth presentation on how the different questions that are being asked fit into the major idea of what makes for a great livable city. Using concepts that our survey contractor uses in other cities their work is focused on local government and so Ms. McCoy's presentation, she will address a lot of the specifics that are in the overview slides up front. I would ask that if it is alright with the Council if you can try to hold your questions, I think, as Ms. McCoy goes through her presentation many of them will be answered. I think you will see the data in a little bit richer light based on the analysis that she and an interdepartmental team have done to understand what the survey suggests to us in the City of Charlotte.

At a very high level, and I'm going to skip some of these preliminary stuff, this is a very new survey. The bottom line is people really love living in Charlotte. There are a lot of things about Charlotte that they really like. Overall, quality of life, place to retire, place to visit, place to raise children, the natural environment, the built environment, the overall feeling of safety and if you look at the last one here and you have the slides in front of you. You can look at them at your leisure. People feel really, really safe in their neighborhoods; a really good news story. Now just as a guide as you look at the various slides that are coming up; a highlight for you, the dark and medium green are generally excellent and good. We are looking for those bars to move as far over to the right as we can. As you get close to 80%; that's outstanding. If you start dropping below 50% then you want to begin to ask some questions. Also, looking at the area of the red bars these are the poor. You would like to have your red bars nonexistent but it is virtually the case I'm safe in my neighborhood. I think like three, four, five, six people said they didn't feel safe in their neighborhood. That's truly outstanding and rare. You will typically have in city surveys poor responses in the five to ten percent range. Once you start going over ten percent that is truly a red flag to begin to ask more questions about it. The yellow is fair and it is with that in between area in how you interpret the fair really depends on what your reds and greens actually look like. So people like a lot of things about this city. They plan to remain in Charlotte for the next five years and virtually everybody would recommend to other people that they come to this city.

This is a high level overview of our different city services. Each of our departments will be reviewing these results in detail and comparing them to other data that they have. You'll see a blue ball on the far right hand side of this chart which you did not see in the others. You'll see this pop up in some of the subsequent slides. These are the "Don't Knows" and whether or not we report the "Don't Knows" is whether or not they're relevant. If it's a significant number then you drop them out and you really just look at your excellent to poor ratings. When you can see that you have "Don't Knows" that are over twenty and even thirty percent then the "Don't Knows" become important. On this chart you will see there are very high "Don't Knows" in animal control, bus transit, code enforcement, better use of zoning. There a variety of reasons that we will explore in some considerable detail. The highlight here is that Fire service, Garbage Collection, Recycling, Water, Police, Sewer, very basic services that accord with what we do as city government are all rated really quite high. Here's that same information stripping out the "Don't Knows" and that gives you some idea where some of the reds are and you can see we have some fairly high negatives in Bus/ Transit, Street Repair, Code Enforcement, Traffic Signal Timing and Street Lighting. Those are over that ten percent threshold that I talked about. A lot of those would be cause for us to dive deeper and understand what the constraints are. What's the reason behind them? What are our constraints? What can we do? What should we do?

This one is interesting; this provides us responses on how people feel about government overall. One of the complexities that we have is to what extent do people actually distinguish between what is the City of Charlotte, what is Mecklenburg County, what's the schools? We have a complex government system that would give either the City or County in particular pause around some of these questions. In fact, as we look at benchmark data with other cities we found that most cities do not even ask these questions. This is actually a fairly bold move but we think it's important in terms of whether or not people feel like their treated fairly, whether or not they get good value for their taxes, whether or not they perceive government as honest. And of course, this survey was done before the most recent events which raise a number of questions for us going forward in terms of what the impact may be long term.

Mr. Driggs said the response rate was about 13%. Is it possible that we had a higher proportion of dissatisfied people responding and that the satisfaction levels were actually higher than this?

Mr. Carlee said it's certainly always possible but because it is a random sample that is tested against the demographics of the city. The survey methodology here leads our survey contractor to suggest that these answers should be accurate within plus or minus 5%. That's your level of confidence there. But there's always possibility that people do [inaudible] you could have either higher negatives or higher positives; usually more often higher in negatives. So we have some high negatives here, again, most people don't even ask the question but given the complexity of overlapping layers of government that it does suggests that these are some key areas that will be worthy of our paying some attention too; particularly around the fairness and value of taxes. Most people get the information from watching the news. Our friends over in the corner help shape how people perceive the city government. Some of these you're going to see later. When

you get to the end of the day there, people do have a much higher level of confidence in what the City does compared to what the state government does and compared to the federal government and you can see our overall confidence, our negatives here are really quite low. They're below the 10%. You can see the growth to over 25% for the federal government; so people do look to their local government as the government that they can trust, that they can depend on. Part of the purpose of this survey is to ensure that we do not take that support for granted and that we work to reinforce it in all that we do.

One of the reasons we selected this vendor is because they do focus on local government and we're able to benchmark our responses against other cities. We looked at benchmarking against cities with populations over 200,000 and below 2.5 million. As you can see in this slide one of our questions was rated much higher than our benchmark. Seven were higher, four were lower and none were much lower. So as we look to larger cities we've got a favorable comparison against our benchmarks. Of course, we'd like to have better than everybody else in everything. We certainly don't want much lower on anything. These are the areas in which we did better; partially because Charlotte is such a large city. Most people in the city actually work within the city. That's not true for a lot of cities that have a much smaller geography. Overall image and reputation, appearance and safety are higher. The areas where we drop a little bit lower gets around mobility, walking and biking and you look at national scores there clearly these are areas where we need to do some work. These are actual areas that are a part of our Community Improvement Program; reaffirming, I think, priorities set by the Council. Our populations have done a little bit less in terms of emergency preparedness. Even though our residents have conserved water and water consumption is going down, not to the same extent as our peer cities. These are the cities that are in the database against which we have data, a large number of questions.

Pulling back from the individual questions, what we wanted to do was think about how these different things fit together in creating a high quality of life or livability in the city. This is the concept developed by the survey firm that we're using. You can see what they refer to as the eight facets. The ones that are in blue are the ones that are covered by city services and the ones that are in gray are largely in the domain of Mecklenburg County. What I would like to do now is turn the presentation over to Katie McCoy who has been working with an interdepartmental team to evaluate the responses in the six areas of city services and to share with you those results.

Katie McCoy, Budget & Evaluation Department said something I do want to point out about this is the survey group after working with about 378 jurisdictions tried to organize what are the themes that best describe Community Livability and these are the five that mostly aligned with city services. What I find interesting about this is they're very similar to our focus areas. So I thought well gosh we could have saved you all the research; we could've told you our Council had already decided that; they're way ahead of you. These are a little bit different than our focus areas of course but I think what you'll find as we go through is our focus areas really are a little bit more intuitive to what the city does statutorily; a lot of similarities, so bravo to our elected body. Safety, I'm going to go through each of the facets of Community Livability. These are generally organized in two sections and this is how the slides are organized. General characteristics of this city related to these facets of livability and then services and there are a couple of exceptions that I'll talk about as we go.

Let's jump into Safety. Starting with community characteristics; overall feeling of safety; 64% feel safe, 86% feel safe in their neighborhood and 82% feel safe in uptown. What I've noted in the slides is where we performed higher as well as lower than the benchmark and that was the slide that the City Manager was talking about; we have the green and the red, compared to that benchmark of 44 other cities. Here are our ratings specific to city services. you can see we have a majority of favorable ratings for our fire, police, fire prevention and education, quality of crime prevention, animal control and emergency preparedness. Although the survey group does not benchmark the "Don't Knows" I think they tell a really important story. I'm going to talk about that as we go. We're starting to do some analysis with "Don't Knows" compared to the other local governments. These "Don't Knows" overall are consistent with the benchmark with the exception of animal control and emergency preparedness; a little bit higher of "Don't Know"; could be an opportunity. Just in general observations, overall residents feel safe. 94% of respondents say a focus on safety is essential or very important. 81% said that neither they nor anyone in their household had been a victim of a crime. A majority of the residents as you saw

give Police and Fire high ratings which is consistent with other surveys we've done. There are some opportunities for residents to learn more about crime prevention, fire education and emergency preparedness as you saw with the "Don't Knows". I'd like to make one quick note in case you were thinking emergency preparedness I thought that is where we scored lower on the benchmark that the City Manager showed us. That was specific to people stocking emergency supplies. So you're not going to see all of the survey questions listed in these slides. These are specific to those six facets of Community Livability. This emergency preparedness as a city characteristic is similar than the benchmark, its individuals personal stocking supplies that is lower than the benchmark, if that makes sense.

Councilmember Howard arrived at 5:20 p.m.

Let's move on to Mobility. General characteristics, 60% rated favorably the overall ease of getting places that they visit. Ease of travel by car, availability of paths and walking trails, ease of walking; this is lower than the benchmark, public parking, traffic flow on major streets, ease of public transportation and ease of travel by bicycle. That ease of public transportation that "Don't Know", looks rather big but that is actually much better than the benchmark. More people know about ease of public transportation than the other 44 cities that we benchmark ourselves against. The "Don't Know" for travel of bicycle is larger. That is a higher "Don't Know". Now we're looking at services; street cleaning, traffic enforcement, street lighting, sidewalk maintenance, traffic signal timing, street repair, bus or transit service and you can see that most are rated either good or fair so the light green or the yellow. Some general observations about mobility; 89% of the respondents put an emphasis or focus on mobility. Charlotte ranks similar to the benchmark related to transportation and mobility with the exception of ease of walking and biking is ranked lower. Although 32% of the respondents said "Don't Know" related to bus and transit service familiarity; as I mentioned that's actually better than the benchmark. So certainly exist for greater education around transportation and transit plans with only 28% rating extremely or very familiar.

The next facet of Community Livability is Natural Environment. Questions were on air quality, recycling and garbage collection, cleanliness, drinking water, open space and natural area preservation. When you see this you may think well where is sewer? They've actually grouped that with Built Environment so we'll get to that in the next category. General community characteristics, 69% of respondents gave positive ratings for the Quality of natural environment, Cleanliness of Charlotte ranks high and then you can see Air quality just over half received an excellent or great rating. Now we're going to jump into the services. You can see most are rated quite high; garbage collection, recycling, drinking water, yard waste, preservation of natural areas, charlotte open space is where that green needle starts to move below the 50% mark. Again, all three solid waste collection services as well as drinking water get favorable ratings but it's that preservation of natural areas and open space that moves below 50%. 74% of the respondents emphasized a focus on the natural environment as being essential or very important. Only 21% of respondents are extremely familiar or very familiar with the city's environmental initiatives; certainly an opportunity for more education and community engagement.

Moving on to Built Environment; the survey group categorizes this around Transportation And Planning, Infrastructure, Development and Growth and Housing Options. Some general community characteristics; overall Built Environment, again we're still above 50%; real good news. We see overall quality of new development in charlotte, public places where people want to spend time, variety of housing options and then availability of affordable quality housing. I will note the "Don't Know" availability of affordable quality housing that is better than the national benchmark. While we have some high ratings around the characteristics we start to see more blue, some more of those "Don't Knows". These "Don't Knows", the last two which are code enforcement and land use planning and zoning are a little bit higher than the national benchmark so this and Mr. Driggs I want to thank you for your question earlier about what does this say about those who responded. This probably asks more questions than it does answer so it really helps us form what more questions should we be asking the community. What does that mean to have a high "Don't Know" for code enforcement or land use planning and zoning. If I may just from a personal perspective; my initial reaction was coming from a coastal town with very, very restrictive planning and zoning, very high awareness by the citizenry because it was so restrictive. I go to visit my grandfather and I see tarot card readers and car body shops in the middle of neighborhoods, very high awareness because of the low restrictiveness or the flexibility around planning and zoning. So does this mean that Charlotte has struck the right

balance that it's not an issue that why they don't know, or does it mean this is something that we really need to emphasize on? Familiarity with the city's Built Environment; this, as I mentioned, the last slides were around characteristics and services, this is specifically around familiarity because the survey group structures a lot of questions around this area. So you'll see how familiar are you with the city's plans for development and growth, how familiar are you with the city's investments and infrastructure and then familiarity with the city's housing and neighborhood policies. We have some high "Not At All Familiars" although I will say these are pretty consistent with the benchmark. Is that because folks are happy and it's not an issue or is this something we need to address; those are some of the questions we are now starting to ask. What are some observations around Built Environment? I should note that 74% of the respondents say a focus on Built Environment is either essential or very important. The overall characteristics are pretty high but the services get more mixed ratings. Exploring the "Don't Knows"; what does that mean? Certainly opportunities exist for further community engagement around housing and infrastructure and you'll see that theme throughout. Opportunities for community engagement, of course you all received a presentation a couple months ago about the city's initiatives around community engagement. We are really excited to see that affirmed, the energy we're putting into community engagement and public information.

The next facet of Community Livability is the Economy. We've got some very nice ratings here. 59% rate overall very favorably then you can see shopping opportunities, place to work, overall quality of businesses and services, place to visit, vibrant uptown, employment opportunities, economic development, cost of living for the most part above the 50% mark so that's pretty good but still some opportunities. Here we have the familiarity again; importance of focus on economic health of Charlotte, you can see a lot of dark blue, essential or very important with only a very small smidge of somewhat important; no one said not at all important. Then how familiar are you with the city's economic development initiatives, more mixed ratings some not at all familiar, a place for us to start asking additional questions. What are some overall observations around Economy? Favorable ratings around Charlotte's economic development characteristics; 95% say a focus on economic health is essential or very important; real high number. Although 21% of respondents indicate "Don't Know" related to economic development services this is a higher level of familiarity compared to the benchmark so that's important to know. The familiarity with employment opportunities in Charlotte is much higher than the benchmark so that's good news. However, familiarity with quality of businesses is a little bit lower so we are exploring that and working to, again that community engagement piece; familiarize our residents.

Community Engagement, which should live in all of our Focus Areas, is a part of all of the facets of Community Livability. You can see neighborliness of residents in Charlotte, sense of community, public information and openness and acceptance of the community towards people of diverse backgrounds. You want to be higher on all of these so it's hard for me to see some big yellow and some red even though we are consistent with the benchmark it still doesn't mean that we shouldn't strive to be better. This is something we are really putting a lot of emphasis on. Opportunities for community engagement; the survey respondents were asked about opportunities for their own engagement in the community. Opportunities to volunteer was very high and if you're thinking wait a minute I thought that was high on the benchmark. That was their self-rating as to whether or not they were volunteering but opportunities to volunteer is consistent with the benchmark. You can see opportunities to attend cultural arts, music, activities, opportunities to participate in social events and activities and then opportunities to participate in community matters. We'd certainly want more green there, it's consistent with the benchmark but we are striving to outperform the benchmark. We're ranked comparably; 78% of respondents rate a sense of community as essential or very important. This is interesting, what we have found is public information is a key driver related to satisfaction. What we're finding and we're still trying to dig through the numbers is folks that rate their level of familiarity as higher tend to be happier. That's good news because it means the more they know about their community the happier they are. The flip side would be the more they know about their community the more unhappy they are. That would be real bad news. It's great to hear that if they know more; they're happier so that means what we need to do is get our message out. Lots of opportunities exist to familiarize and engage the community with public meetings and city initiatives.

I want to wrap up by looking at all six of the facets for Community Livability that relate to city services. Look at these high ratings; really affirms the importance of what we're doing. Safety,

94%, Mobility 89%, Natural Environment 74%, Built Environment also 74%, Economy 95% and Community Engagement 78%. It really goes to show the interdependentness of these; not mutually exclusive, they have to work together towards an overall community that's livable and we're going to see that on the next slide. What does that look like? The overall quality of life; we need these to work together to get these overall high quality of life ratings. We've got some really nice ratings here. Charlotte is a place to live, 88% rated either excellent or good. Overall appearance of Charlotte higher than the benchmark, overall quality of life in Charlotte, good green, neighborhoods and place to live, overall image or reputation of Charlotte again higher than the benchmark. Place to work, place to raise children, place to visit, place to retire and if I can make a quick side note on this; something that we found interesting again we're asking more questions, we're digging through the data, is we're finding that the retirees are rating Charlotte a place to retire higher than the younger folks. The retirees are happy, they think this a great place to retire so what is it that the younger folks maybe don't rate it as higher. In thinking about my own personal situation, I dream of going to Barbados and retiring in Barbados but maybe those who have done that and said no it's too hot, they're coming back to Charlotte. Reality sets in and they realize that Charlotte really is a fantastic place to retire. We're digging through those. Overall feelings about Charlotte as you've seen; high quality of life in the City of Charlotte, people like living here and they like working here and as one of the City Manager's initial slides showed people who live here typically work here too, that's much higher than the benchmark. They like living here, they like working here. City characteristics and services generally consistent with other cities, remember we had a little bit more better ratings than our peer cities. Areas for celebration, areas for improvement; certainly more communication and community engagement and responses affirm city initiatives under way; whether or not that's our community engagement initiatives or our community investment plan we have some affirming ratings. With that I'll touch on some action steps, although I'm happy to turn it over to the City Manager if he'd prefer.

I've mentioned a couple times that we're still digging through the data so we're going to keep doing that; slicing and dicing, doing some cross tabulations such as the retiree questions that I mentioned. Where can we really target some of our community engagements specific to the individual services as well as facets of Community Livability; departmentally continuing to evaluate the results, comparing with other data, developing a specific plan of response. Citywide review and enhance customer service training, implement civic engagement program, focus on the value for taxes paid and a comprehensive communication strategy. I will mention that we didn't differentiate between City, County and School services so that's going to be part of that comprehensive communication strategy as well. We are going to track our progress so now that we have the data with this vendor we're able to benchmark ourselves not just continually against these other local governments but also against ourselves. How are we doing to move the needle? We're looking forward to repeating the survey to see just that. With that I will turn it over to any questions.

Mayor Clodfelter said this is an information item but we've got discussion time so questions for Ms. McCoy or observations?

Councilmember Howard said did you list earlier the 40 cities that you benchmarked against?

Ms. McCoy said sure did. Would you like to see those again?

Mr. Howard said nope, if it's in here I'll find it. And along the way, Ron I know when you showed this to us earlier we actually got a chance to see where we benchmarked on all of these. Do you have something going forth that would show us how we benchmarked on each one of them?

Mr. Carlee said yes we have a full technical report from the vendor which we are placing on our website. Anyone that wants a hard copy we would be happy to provide it to you but we'll make that available to everybody.

Mr. Howard said even if it was just a dash where that benchmark was on the line that would be helpful.

Mr. Carlee said yes we can do that.

Mayor Clodfelter said I want to follow up on Councilmember Howard's questions about the benchmark cities; it's an interesting list. Were you trying to select cities that were comparable in demographics and the structure of the local economy and things that would really make them comparable? I look at one on here for example; North Las Vegas, Nevada; I hope we have nothing in common with them; they're on the verge of bankruptcy so I would expect us to be rated higher than them. I'm asking a question really about how the benchmarks were assembled because I think we want to pick cities that are much like us demographically and economically as we could.

Mr. Carlee said we didn't drive down that deeply although we could have. What we tried to do was get a large enough sample of benchmark cities so that we had some numbers to work with. Our decision, somewhat arbitrary, but not entirely, was to do it strictly by population and we set the thresholds at 200,000 on the lower end which is relatively low but you do get some real cities there and then with the upper end at 2.5 million. The forty something cities that we're benchmarked against are all of the cities that the vendor had in their database within those population parameters.

Councilmember Austin said Ron, great presentation. Is this the first time we've done a survey?

Mr. Carlee said apparently the last one was done in 2008 although we've not actually found it yet and it was done by a North Carolina vendor that did not have a database to benchmark against other cities. We did a national procurement and one of the keys we were looking for was a vendor that had a database to be able to benchmark against other cities. There are only two or three such firms that are out there. The one that the staff selected has a partnership with National League of Cities and ICMA and focuses very specifically on local governments.

Mr. Austin said are we planning to do this annually?

Mr. Carlee said my experience I've done this a good bit in the past and typically an annual survey doesn't give you enough time to move the needle and I don't think that's cost effective. My recommendation is that we do it every two or three years. You want to have enough of a gap between the surveys that you can really test whether or not your initiatives have paid off.

Councilmember Barnes said Ms. McCoy I wanted to ask you a question regarding the background of the survey itself. The slide indicates that there were 3,000 random samples.

Ms. McCoy said that's correct.

Mr. Barnes said and 400 surveys were returned. Do you know where those 3,000 surveys were sent to and where the 400 came from?

Ms. McCoy said it was a random sample in terms of the 3,000 that were sent out. Related to the 400 that came back we do not have reliable geographic data that we can use there. Of course the survey was anonymous.

Mr. Carlee said we know that they in fact were geographically dispersed but the populations within the different geographies are so small that actually analyzing it at a smaller geography has a very high margin of error but it is geographically dispersed.

Mr. Barnes said the 400 came back though from one part of Charlotte.

Mr. Carlee said they did not. They were geographically dispersed.

Mr. Barnes said how do you know that? You just said you don't know where they came from.

Mr. Carlee said we know where they came from geographically. What Ms. McCoy was referring to was the ability to actually analyze at a lower geography based on the small population. We could actually show you a map with the distribution of the responses.

Mayor Clodfelter said Mr. Manager is there a full data book on this? Could that be put in the Council office and made available.

Mr. Carlee said it's something we're putting on our web.

Mayor Clodfelter said you're putting all the backup including things like the kind of question I think Councilmember Barnes is asking?

Mr. Carlee said I can't remember if there is actually a geographical distribution map in there but we can actually have one produced.

Mayor Clodfelter said I think it would be useful because I think this is going to be grist for a lot of the Council committees as they work through their issue areas and so to the extent Councilmembers would like to see the backup data on a lot of these that would be useful if they could get access to it.

Mr. Howard said that actually goes to the next question I have which is I would suspect that you intend to do is actually; I've heard the word initiative several times, is actually propose something that would deal with some of these broader, bigger concerns that came from this as far as you're concerned. What are the next steps? Do you see that, like the Mayor said, now being sent to committees, are you going to have a chart that says this is what this was and this is what we think we should do and this is how we're going to measure it? Is that the way it's going to be done and then sent to committees or just thoughts?

Mr. Carlee said I would hope that this data would help inform the Focus Area Plans that you've been working on and would also help us as you clarify your overarching vision for the city and the metrics that we want to use to judge our progress towards that vision and these become some of the metrics that we can use to judge whether or not we're actually achieving the end game objectives of both the Focus Areas Plans as well as the larger vision.

Mr. Howard said the two data sets that you've given us now over the last couple of months was that incredible presentation that Debra and Phil did at the retreat and now you have this information. I will be extremely interested now how you start to tie them both together. What we heard about the age of our population ties directly into what you said about retirees and how do we tie all that back together into an initiative? Not just using this data set but using that data set as well and trying to pull them together. It sounds like a really hard job in my head but maybe it's not. I would hope they both come together in a way that we get some value out of both because that was a really good presentation at the retreat.

Mr. Carlee said and that provides other data points for us as we put together, again, where do we really want to go? What are the critical measures against we'll judge whether or not we're getting there? It ultimately would be a combination of what you saw at the retreat with those data points and now actual some survey feedback about how our citizens are reacting to how we're doing. It is the integration of those that become the measures of our success against the vision that you have for the city.

Councilmember Fallon said can you give me data about for instance public safety; where I know the communities or the part of the community which does not feel safe; that we could go in with my Public Safety Committee and talk to the people there. Have the meeting, find out what their problems are, why they feel unsafe and what they suggest would be better for us to do to help them. Would that be available with your demographics or your data?

Mr. Carlee said as Ms. McCoy said we're still doing deeper analysis of the data. Given our population size we don't think we have generalizable information based on smaller geographical areas. We think we do potentially have, although we need to double check the margin of error at the demographic level, gender and ethnicity potentially. But yes, we would be really pleased if each or all of the Focus Area committees of the Council would actually look at the data that relates to your area as you in saw the livability facets, they align pretty nicely with what you're working on.

Ms. Fallon said can you find out for me the small segment of who said what and why? We can go and work public safety and find out exactly how we can help them. Or maybe it is just a perception and to change that perception.

Mr. Carlee said staff is prepared to produce reports for your committee as they may be helpful to you.

Councilmember Phipps said the citizens, the respondents' answers to the citizen survey questions I thought I heard you say they might not have been familiar with the nuances of the

differences between city government and county government. So given the favorable responses that we had to this survey, could it reasonably be stated that this survey could also serve as a proxy on how people feel about the county too, exclusive of small towns.

Mr. Carlee said to some extent. The County was surveyed as well and I think generally we've got more comparative analysis to do and theirs is done a little bit differently than ours. I think mostly we're finding some consistency between what they have found and so I would say that by and large, absent of data to prove this; this is my conjecture; that a lot of people really don't know the differences between the different governments, so it is a reflection overall of the sum total of what this community is. Where its gets more specific to us in the City is when we ask about services that clearly we're the ones that provide it and nobody else does. To what extent that generalizes from the respondent up to the overall versus County services is really hard to say.

Mayor Clodfelter said anything further on this one? I don't know how many saw this but I'll just add as footnote I noticed that we were having problems with a couple of mobility ratings and I saw a survey today that said we are the third worst in the nation in terms of accessibility to food, our ability to access residents to get the food in a reasonable walking or driving distance. That was pretty shocking so I don't know where that survey comes from. We'll go to the next item.

ITEM NO. 3: WASTEWATER PLANT OPERATIONS AGREEMENT WITH UNION COUNTY UPDATE

Barry Shearin, Charlotte-Mecklenburg Utilities Department said tonight I want to give you an update on our regional agreement that we've been working on with our utility staff for about eight or nine months now working towards kind of a long term agreement to operate several of Union County's wastewater treatment plants. This is a picture of the largest plant. It's the Twelve Mile facility on the Catawba basin; just by comparison it's probably about half the size of the smallest plant the Utilities operates currently in Mecklenburg County. They have a total of five plants. They range, this one would be about 6 million gallons a day and they start down to 1.9 million gallons and then they drop literally to a couple of plants that serve individual neighborhoods so they're very small, on the lower end. CMUD is pretty much a regional utility. These are some of the agreements that we currently have in place where we are either providing service or we receive service from surrounding local governments out of the County. The red ones noted are some that are actually proposed that we are currently working on. Like I've mentioned; in some cases we're actually buying the service and in other cases we're selling the service. In our graph we show you that here; go around the County and you can see these are existing services with the red ones being the sewer where we serve a significant part of Eastern Mecklenburg County to a sewer going to Cabarrus County. We sell water to Concord and Harrisburg. We have current sewer agreements with Union County where they're treating some sewer for us and we're currently treating some sewer for them. Those are proposed agreements, new areas that popped up, looking at potentially something with Iredell County, exploring something with Kannapolis and of course Council has heard a lot about the Long Creek project which will be Belmont and Mt. Holly; they will be future agreements.

We really do have a good distribution of where we're serving or receiving services all around the County. Pulling up a level to 30,000 foot view, this gives you an oversight of the Catawba River basin and the Yadkin River basin; as you can see by this red line, Mecklenburg County is really split between two river basins; being the Catawba basin, Lake Norman, Mountain Island, Lake Wylie and then fishing creek reservoirs off the page just out here. A lot of us are using the same body of water here. This is the Twelve Mile plant that we were just talking about. But if you look we pull out water from Lake Norman and Mountain Island. Lancaster and Union have a joint intake down on the Catawba River here. Our three major plants are currently discharging into South Carolina and hitting the Catawba River at that point as well as Union. One of the things that concern us is managing the river resources. These three plants and waterways get measured against the water quality right here in this reservoir. In fact there was a lawsuit years ago; some of the Council saw between North Carolina and South Carolina which really was a function of the water quality in South Carolina. We have a very much invested interest in the whole stretch of the Catawba not just in the parts that are in Mecklenburg County. Just as a point of reference too, this is the inner basin transfer area as well and then these are the other four plants. One of

the plants for Union is in the Catawba and the other four in the Yadkin PD basin that we would be operating. We currently have one plant ourselves also in that basin; being the Mallard Creek plant.

Drilling down a little bit into what was Union looking for? They were looking for assistance. They really had decided that they had suddenly vacated three key positions in their wastewater plant operations and so they started to seek outside assistance and that's where we started conversations with them as utilities. They recognized that it was going to be difficult for them to fill those positions and they also were concerned as they looked at standardizing some of the operation and maintenance practices they really decided they needed some outside help. They also recognized that if you looked at their current staff; they said their average tenure is about 5 years in terms of experience. Their concern was they didn't have a lot of bench strength so they really started to seek outside help at that point when we started to talk with them. As the talks went forward and they looked at both CMUD as well as external help. They ended up wanting to talk with CMUD because of the regional approach to managing the river. Plus, I think as their director said, he sat at a meeting with us, he recognized that in 3 or 4 people CMUD had 100 years of experience sitting around the table. I don't know if I was insulted by that comment or not because I was one of those folks I think.

Just to back up for some of the things that happened in 2013. On September 23rd of last year Council approved two short term agreements. One was relief where we called an Interim Management Agreement where we went in and agreed and Council approved that at Union's cost we provided them with that management help that were missing. We had wastewater treatment managers at their facilities a couple days a week, really assisting them with that management piece where they really had a vacancy. The other thing that was approved was a MOU that really allowed for us a due diligence period. Council said go forward, explore due diligence towards a long term agreement and so that's really what we've been doing since September. Which is really the meat of what I'll talk about is what's in that long term agreement or what's being proposed.

The structure of the agreement is right now set up intended to be a 10 year agreement; it's to operate all five wastewater plants. Union would continue to own the plants, they would continue to own the permits, and CMUD would really just operate the plants. We would be what's sometimes called a contract operator or a contractor for them. Union County will operate the collection system; all of the pipes coming in the plant. We characterize it as our zone or jurisdiction so to speak is at the fence line. Anything outside the fence line Union continues to own and operate. They will pay all of our operating costs plus our overhead costs that we've calculated and then of course one thing it says; what if years down the road it's not the exciting project we all thought it was, there is a termination option in there for either of us. We have opted in the first one that we mentioned for three years we really have obligated ourselves to really make it work. There really has to be an agreement breach and that's really for the benefit of those employees that are there because of them changing from possibly Union County to CMUD if this agreement is approved. We feel like there needs to be stability. After the third year we both have a termination for convenience as it's called for either party; just depending on whether it's working for us and if we want to continue the relationship.

A little bit about the employees they currently have; they had 16 positions they were budgeted to serve those five plants. They currently only have 9 of those positions filled which is some of the struggle they have had is filling those positions. With the intent of this merger it will be just similar to one we did a few years ago with the laboratory operations in Mecklenburg County. Those employees become City of Charlotte employees; they would transfer to us. As a part of the transfer typically what we have done is those benefits will transfer with them; so if they had sick leave or vacation as well as their tenure would come across in terms of them becoming a City employee. So a 20 year employee with Union County will bring across really the same tenure and benefits that they would if they had been with CMUD.

Ms. Fallon said does that fee become a part of your overhead operating expense; their salaries and their benefits?

Mr. Shearin said yes it does and I think my next slide is going to get exactly to that question. Cost structure. We had split it into two pieces. You can see the first piece is that fixed annual fee. This will be a fixed fee they will pay us on a monthly basis which covers those personnel costs, it

covers laboratory testing, preventative maintenance and overhead and insurance. These were things that were not variable. As a general rule we can predict these pretty consistently and they don't change with flow; they don't change with weather. They tend to stay constant so they've agreed that will be a fixed fee. Then of course what we'll do is adjust the fee annually according to our merit. So if for instance the City of Charlotte adopts a 3% merit the contract is adjusted up by 3% or whatever that percentage is. Most of that \$2.3 million is salary costs and that's what they will pay us back. The pieces of it that are a little harder to predict that would have a little more risk, Union is going to continue to own that risk. So electricity, chemicals, corrective maintenance, which is repairs over \$1,000, and the disposal of the biosolids; Union will pay the cost of those. For instance, electricity, they're literally going to keep the account in their name, they'll pay the power bill straight to the power company. A few of the others will actually come through us. So for instance in our budget you might see instead of \$2.3 million we'll approve a \$3 million budget because there are pass-through costs but they will reimburse us for those costs. It really takes the risk and variability out that CMUD no longer has to account for and yes to get at your question the last bullet is what we're trying to achieve.

Ms. Fallon said are you going to fill any of the empty positions?

Mr. Shearin said our intent would be to fill all 16 of those positions. We would put in the management positions that are currently missing there as well as fill out the rest of the maintenance and operations staff.

Ms. Fallon said at the end of the contract or if doesn't go on more than 3 years do they transfer back to Union County's payroll or do they stay on ours?

Mr. Shearin said that would have to be worked out. The intent of the agreement; there is a clause that says we will help to facilitate the transfer back for those employees who are willing or wanting to go back. The intent was we will not be absorbing all 16 of those folks they would stay with that operation.

Mr. Driggs said I'm just interested to know whether when we manage these facilities is the cost the same as they were when they did and if not are we charging them what it costs to us or are we somehow getting some benefit from that fact that we can do it better and cheaper than they would?

Mr. Shearin said we have used their budget somewhat as a benchmark and then compared it with what it costs us to run our facilities. So we took our smaller facilities and decided in some cases our costs are higher because what Union said was because of their loss of staff some of the maintenance wasn't happening that they needed to happen. So they've said we expect you to spend more than we did on maintenance. So some costs have gone up but yet some have come down. We think we can optimize our chemical usage, we can optimize their electricity.

Mr. Driggs said so you're expecting that there will be no impact on your own bottom line?

Mr. Shearin said yes. That is the intent. We are planning for this fee number; the \$2.3 million, is basically our calculation of what it will cost to operate that plant for that.

Mr. Driggs said presumably we're allocating some overhead costs that we already incur that won't necessarily need to increase as a result of managing those extra facilities. Is there no benefit like that? HR, there are some fixed costs like that that we incur now and now we're operating on a larger scale and the extra costs of taking those on is less. I'm just thinking there ought to be some benefit to us from this.

Mr. Shearin said with our covering a portion; yes there is an overhead calculation. Within the fee the \$2.3 million they are paying us for overhead; for the management, for HR a few pieces of those such as that. We know it will touch some of those operations so that is built in there.

Mayor Clodfelter said I understand that Union County remains the permit holder. But under the contract who carries the risk and the cost of permit violations? Does that fall on us or does that fall on Union County? How does that work?

Mr. Shearin said its split. If the permit violation is a function of something we did incorrectly or something we did not do such as we caused the plant to violate its permit then yes that is a risk that is owned by Charlotte. If anything happens to the permit violation that is a function of

something needed a capital upgrade and it was not upgraded. If something entered the plant, either too much flow or poor quality that was really out of our control that is solely Union's risk and they will cover all of those penalties.

Mayor Clodfelter said you've got that clearly spelled out in the contract?

Mr. Shearin said yes. We've had our attorneys spend lots of time to try to differentiate what's included and they have acknowledged that unless we feel good that we control it Union is going to continue to own that risk.

Mayor Clodfelter said we like to hear that attorneys are spending a lot of time.

Mr. Barnes said there are currently 9 positions out of 16 filled. Explain to me what happens if by the end of this agreement, say within a matter of a couple of years, 1 of the 9 employees is eligible for retirement and chooses to retire. Is that person a retiree on our system solely or is there some shared cost with Union County?

Mr. Shearin said the way the transfers have worked and the way this one's set up is yes. They are treated as if they are a City of Charlotte employee and always have been. There is not a shared cost. Now that being said within some of our personnel calculations in the fee, we've put in some calculation with the idea we looked at what's our exposure for a retirement, so some of that is actually built into the fee.

Mr. Barnes said just to be precise about you saying some of it; are we looking for a full recovery of that cost? I'm encouraging you to.

Mr. Shearin said I believe it is. I hesitate on the calculation but yes one of the things we looked at is because of the 5 year tenure there would be a significant time before retirement. One of the things that may happen is they may have employees that because they're city employees at the time of their retirement they're actually working at a plant in Charlotte. So they will be treated just like Charlotte employees and they're not necessarily relegated to always work at a Union County plant. We have really absorbed them with the idea and budgeted as if they were City employees.

Mr. Barnes said is it the same retirement system in Union verses Mecklenburg or Charlotte verses Union?

Mr. Shearin said the retirement itself yes. The primary thing that could be different, I don't know the answer to this question, but we've looked at it, is things like retiree insurance. I don't know about theirs but they would transfer over to us. So, if they come across and would have been eligible given their tenure in Charlotte for retiree insurance then they are still eligible for Charlotte's retiree insurance; if they don't have enough tenure and would not have been eligible under our program anyway then that still transfers as well.

Councilmember Howard said earlier Barry you had a slide up that talked about the fact that we actually buy services from other people. I think what I'm getting at is that this has been done before.

Mr. Shearin said yes. We trade services or buy and sell services across several county lines.

Mr. Howard said which arrangement is closest to this one?

Mr. Shearin said this one has a different twist to it in that we are physically operating a facility across the county line whereas the next closest one I can think of that's current is what we have with Cabarrus County. There again we essentially bought capacity but they still operate the facility. We don't have any where we're operating the facility outside of Mecklenburg County. That part is true.

Mr. Howard said the whole idea, I was trying to wait until the next slide, I saw you were going to talk about capital some. Capital is one of those things that the person who's operating the plant has a better understanding of what the needs are than anybody else. I would suspect that you're putting benchmarks in place that say that they have to maintain it at a level that we think would be not optimal but at least at some minimal level so that if for some reason it falls below a certain level we are not responsible and we can say bye.

Mr. Shearin said yes, that would be correct. The agreement specifically says that the plants have to be maintained as far as condition and capacity to the point that we can meet the permits. Otherwise we're not responsible.

Mr. Howard said so the permit is the level that you're talking about. Is that a minimum level is that in the middle or is that optimal? Where does permitting kind of fall in that capital need assessment?

Mr. Shearin said meeting permits is always your target. So that ends up being your minimum. You need to do at least that well in terms of treating. But for instance, on flow, if that plant can treat six million gallons and we start to see over six; the agreement is very specific, then we are no longer responsible for that. Any fines, penalties, sanctions, they're all accrued to Union County and they have to make an upgrade to that plant.

Mr. Howard said I'm worried about them pointing fingers later on. 10 years from now they say well you didn't tell us we need to do this. We walk away after it's just got so bad that it's some big number that they say you didn't tell us about it. I'm worried about it having some real clear expectations so maybe on an annual basis or something we document what we told them they needed to do and what they did and what they didn't do.

Mr. Shearin said we actually have that in there; I didn't mention it. There are two things; they've asked us to put in a computerized maintenance system to look at preventative maintenance. The other thing we are required to do within the first 18 months to 2 years is an asset management system. That asset management system is to assess the condition at all of their facilities and we're required to update it every year to give them that exact answer you just said so they never get surprised by showing up and saying.

Mr. Howard said that's what I wanted. The next thing then is going beyond that. You mentioned a merit. We get 3%, they have a bad year, that's politics playing in that one, and now what you got is them paying for some employees to get a raise when they don't give a raises to anybody else. That and that assessment when you say these are your capital needs, what are we putting in place so that they have to do both? That should be a deal killer at 30 days out to me if we start having that type of buildup. Where they politically say we're not giving raises to anybody. We're not going to do it in this contract or they say you did this assessment, you said you needed these but we're only going to do five of them instead of six of them. Do you get what I'm getting at? I just want to make sure we're staying as close to that because what happens is that 5-10 years from now it's big. Now we've taken on this situation that you know is not good for either one of us. I just want that to be as clear as mud if you can on this one.

Mr. Shearin said the one on the personnel and the salaries is much easier because we've been very clear they become Charlotte employees and Union County really no longer has a vote so to speak in that piece. Whatever the merit is the contract clearly says that is the increase and if they fail to pay it it's a breach of the contract.

Mr. Howard said that goes both ways because they could give a raise that we don't do.

Mr. Shearin said that's right. We recognize that it may be that our annual increase some years could be zero because there was no merit increase. So it works both ways but we feel pretty comfortable with the capital but you're right anyway you look at it there will always have to be a lot of communication between us and Union County on the capital piece.

Mr. Howard said and documentation.

Mr. Shearin said yes. I think I probably covered some of these but the Union County responsibilities under the agreement, they are responsible for the collections system so any of the pipes coming into the plant; they're responsible for the condition of them, whether they need to be replaced, rehabbed or whatever. They also are responsible for regulating the dischargers into the system. That means that any industries or commercial customers the quality of wastewater they are discharging is Union's responsibility; we do not have any interaction with them. And also the quantity of water; part of it is if their system becomes leaky and we start to exceed the permit violation that is clearly a Union responsibility. They are solely responsible for rate setting and maintaining the billing operations and dealing with their customers. Their responsibility is plant structure so if there's a natural disaster or some form of contamination of the facility,

Union holds that responsibility to make the repairs or replacements. And as I mentioned before, we just talked about it, they are responsible for all capital improvements to the facilities.

Mr. Howard said given what we just went through with our wastewater treatment and the number you keep telling me could be a big number. When you say that they're responsible for that type of situation that's what you're talking about?

Mr. Shearin said correct, the agreement is very clear that if we have any, I think we call it abnormal or toxic material, entering the plant and we incur any cost above the baseline that is all Union's cost.

Mr. Howard said well not we incur; they incur because they have to pay it. Is this a reimbursement by the way? Is this a reimbursement agreement? Are we paying and they are going to reimburse us?

Mr. Shearin said part yes. At the end of the day, the base fee, the initial number, they pay us \$2.3 million divided by 12 so it's a monthly fee but it is essentially. In that case we're probably getting our money pretty much all of the times we are spending it but there are some pieces of it where we would be at least 30 days behind because it is a reimbursement. The chemicals we will hold those contracts and so they would be reimbursing us at the end of every month for what we've purchased. CMUD's responsibility of course we talked a little about we're responsible for the day to day operations, we're responsible for making sure the plant discharge meets water quality requirements of the permit.

Councilmember Mayfield said even though I know you're trying to move forward I'm going to need you to back up just a little bit around that reimbursement piece. Let's just say worst case scenario, Union County runs into some financial concerns which we're seeing across the nation and they file bankruptcy or they're not in a position to pay what we've already advanced payment on, what do we have in writing to address that? Or do we have a reserve account that will be set up?

Mr. Shearin said we will be setting up a budget so the annual expenses will be appropriated. I think there are two mechanisms, and I'll have the attorney correct me if I get this part wrong, one is if they're slow to pay, let's say there is an issue and it takes them an extra 60 days or 90 days, there is interest that accrues. The agreement provides that they will pay us interest; the other way is we do have a mechanism that says if for non-payment we will reach a point where we can breach the contract and notify them that we're terminating.

Ms. Mayfield said we could terminate but we have no way in place to recoup those funds.

Mr. Shearin said at that point I think that if we got in the arrears then the legal system would be where we would land.

Ms. Mayfield said and I'm just trying to think this through out loud. That would still consist of us spending tax dollars to go through that whole process. I'm just trying to make sure that again 20 years from now as the City of Charlotte continues to grow, as they grow, that we're thinking of every possible scenario to make sure that our citizens are protected as well as their citizens.

Mr. Carlee said it could result in litigation although if they got into financial difficulty I think we would know pretty far in advance and could begin to take measures. At the same time they face some of the same risks in terms of what could be our failure to perform. My expectation is that their elected body is asking some of the exact same questions that you're asking because ultimately when you're responsible to another party; when you're contracted to another party there is risk. We think we've mitigated the risk to us in this instance but it would be incorrect to say it is completely without risk.

Mr. Howard said one thing I haven't heard that we heard a lot in the last presentation, or the one before, was about benchmarking against other cities. I can't imagine that this is the only time this has ever been done. It would be really nice if this has been done in North Carolina, if this has been done close by, if we actually spoke to someone and got some best practices contract-wise and what they've learned. I can't imagine this hasn't been done in other places.

Mr. Shearin said you're right. I think typically the way you see this set up most often is with private sector contract operators running the plants and we actually pulled one of those

agreements to use as our base contract from a contract operator on the private side to see what kind of risk you're looking at; how the fee structures set up. Some of our agreement was actually modeled after the private sector that also does these contracts on a regular basis. I think in North Carolina a public contracted operation is probably a little more unique but we think it has some real advantages at the end of the day.

Mr. Howard said would you look?

Mr. Shearin said yes we'll look around and see what's out there.

Mr. Howard said when are we voting on this?

Mr. Shearin said the vote is April 28th.

Mr. Howard said can we see if we can get some benchmarks and best practices before then please.

Mr. Shearin said yes I think we can do that.

Mayor Clodfelter said there are some split operations. They are a little differently structured but WSACC operates treatment and Cabarrus County operates collections so you do have an interface operation there but it's still too public bodies within the same county they're contracting.

Mr. Shearin said right. Last two items our obligation for adequate and experienced staff and then our obligation for employee safety. Next steps, Union County will be considering the agreement this coming Monday night on April 21st. City Council will be asked to consider it on the 28th and the effective date of the contract being June 1st if approved. That's all I have.

Mayor Clodfelter said anything we haven't asked tonight? We get another crack on April 28th. I give you fair warning, members of Council, you probably didn't know what you were getting you're getting yourself into when you voted on your new Mayor last Monday. But Barry Gullet will tell you you've got a water and sewer junky. Am I right? And so as a water and sewer junky let me tell you that this probably one of the most important initiatives from a state perspective and the state policy is going to be pushing very strongly in the direction of regionalization of operation and management within a river basin, ignoring county and city lines as irrelevant, and you guys are already light years ahead of anywhere else in the State in terms of advancing that strong public policy. You're really breaking the ground and showing the rest of state on how to do this. You guys are right to ask the questions; you're asking all the right questions, you've got the best people to ask the questions to get you the answers. I think you're going to see a lot more of this as we go forward because this is the direction that leadership and the State wants to take you. I think you're ahead of them. Am I right Barry?

Director Barry Gullet, Charlotte-Mecklenburg Utilities Department said yes.

Mr. Howard said I just wanted to remind you Mayor it is a "We" now.

Mayor Clodfelter said excuse me. I might get the hang of the process sooner than I get the hang of the language.

ITEM NO. 4: 2014 HOUSING TRUST FUND DEVELOPMENT RECOMMENDATIONS

Pamela Wideman, Neighborhood & Business Services said I want to walk through with you real briefly your 2014 Housing and Trust Fund Allocations. I want to talk with you about the background of the Housing Trust Fund, talk to you about the proposal process, our evaluation criteria. We have two categories before you tonight that are the Multi-Family Tax Credit Allocations; those are consistent with the State and North Carolina Housing Finance Agency tax credit awards, want to talk to you about the support of housing category and then talk about the next steps. The Housing Trust Fund as many of you will recall was established in 2001. The Trust Fund provides gap financing to developers of affordable housing. Since that time you all have financed about 4,948 affordable housing units; of those financed, 4,296 of those units have been completed. The total development cost will result in about \$468 million. Your funds that

have been committed are \$82 million so you can see you have about a 1:5 leverage ratio. For every one of your dollars, five dollars comes from another funding source.

This is our proposal process; we issue RFP to developers who are interested, we get those returned, with staff, we review the proposals; we evaluate them based on our guidelines and our criteria that I will go into more detail with you about in just a few moments. We present those to your Housing and Neighborhood Development Committee. We then bring them to you for a Dinner Briefing; that's the point where we are tonight and then we will be requesting your approval at your April 28th Business Meeting.

Just a little about the evaluation criteria, we make sure that they are consistent with your city policies. We look at the number of years the units will remain affordable. We make sure that they're consistent with your neighborhood revitalization goals and policies. One of those is your housing locational policy. We look at the strength of the development; what we mean there is we look at the number of affordable units that are proposed in the development. Your Housing Trust Fund is really targeted for units earning 60% or less, so that's about \$38,500 for a household of four. We look at the developers experience and their track record. We really want to make sure that they have the know-how to do this and to do it really well. We look at the financial strength of the development; really right there we're looking at how we leverage your dollars verses other dollars in the proposed developments. There are bonus points awarded for green building techniques, we award bonus points for proximity to transit. I'll pause right there and just tell you that the State of North Carolina does not award bonus points for proximity to transit and when we often talk with them about it they remind us that they're not just awarding tax credits to Charlotte; they're awarding them to all counties throughout the State of North Carolina. We have a more sophisticated transit system than most so that's why the State doesn't award bonus points for them but we do. And we also look to make sure that they're mixed income.

I'll talk to you about the tax credit category; just a reminder that one of the goals of your dollars is to leverage State dollars. We want to bring more State dollars to Charlotte by leveraging State Tax Credit Awards. We make our funds or we're suggesting that our dollars are consistently awarded based on the State's site scoring. The development as I said earlier must meet your policy, your housing locational policy or they will have to request a waiver. All of the developments that I'll be presenting to you on the next couple of slides they do meet the locational policy. Developers are required to inform the Council representative and convene at least one neighborhood meeting prior to getting to this point. That's one of the things that you all really asked us to do and so all the developments that we'll be presenting to you tonight; they've convened at least one neighborhood meeting at this point. In terms of the tax credit request; we've received requests for four developments but we are only going to present to you three tonight. Only three of those developments meet the submission requirements. It's anticipated that all of the developments that we are presenting to you tonight; they will not all receive tax credit awards. That is simply a result of we are competing with other localities throughout the State so the State simply does not have enough tax credit awards to go around. We can generally anticipate getting two developments awarded to this area. The State is anticipated to make their awards in August of this year. The proposed projects if they do not receive a tax credit award, the funding will be returned to your Trust Fund for future allocation.

We have three developments; I'll just go into detail with you. Two of those are senior developments and then one is a family development. So Cinnamon Pointe Seniors you can see the unit mix there for you. What I will point out to you is two things; the affordability period for these units will be 30 years and then you're receiving a leverage ratio of 1:13 on this particular proposal. Park & Marsh Seniors again, 30 years affordability period; you're receiving a 1:9 leverage ratio. Weddington Families, 30 years again; you're receiving a 1:9 leverage ratio.

The next category is your Supportive Housing Category. This category assists with the continued work that you all are doing to implement your 10 year plan to end and prevent homelessness. The supportive housing population includes elderly, homeless and disabled persons. I'll remind you that on December 18th, city staff, Mecklenburg County and the Charlotte Housing Authority we issued a joint RFP for supportive services. This is really good news. It signifies the partnership that we have throughout the community to deal with our 10 year plan to end and prevent homelessness. We realize that it's just not up to the City Council to deal with it but we need our partners to help us in this effort as well. We received a total of ten proposals; however, only two of those proposals requested funding. The other proposals either requested help from

CHA or from the County around their supportive services or housing vouchers. The two proposals that we have that requested funding; one is the Center of Hope, that's the Salvation Army, that's actually an expansion of the existing facility. I'll remind you all that you all heard a huge outcry last winter about people sleeping on the floor in the existing space. This expansion replaces 50 beds that were in another part of town. That facility had to close down for some other issues; they were not consistent with code so these beds are a replacement of that. Then Centre Terrace, that is a rehab, and I'll remind you that that is consistent with what you all had asked us to do over the years. We know that we're not going to build our way out of the lack of affordable housing so we're taking the opportunity to put some dollars toward a rehab of an existing facility. So this is Centre of Hope. All of those beds will serve people earning 30% and below and will remain affordable for 50 years. The leverage ratio is not as great but that's one of the results of when you're doing supportive housing it costs more to do that. This is the Centre Terrace; you can see this is the rehab that we're doing. It's in District 4 I believe, again 50 year affordability period and you have bit of a lower leverage ratio there as well.

Your next steps; I'll let you know that the Housing and Neighborhood Development reviewed these requests at their April 9th meeting. We're here for you tonight to provide a Dinner Briefing for the full Council and then we'll be asking your approval at your April 28th regular business meeting.

Mr. Driggs said my colleagues won't be surprised to know that I want to point out the Weddington Road funding, in particular. This was a project that was very unpopular when it came up for rezoning. I'm interested to know whether the funding for the City's portion, for the \$1 million dollars comes from general tax revenues or what the source is for the funding.

Ms. Wideman said those are your voter approved Housing Trust Fund bonds and those are from previous years.

Mr. Driggs said so the cost is born by the entire community.

Ms. Wideman said yes sir.

Mr. Driggs said I know that you say in here that developers are required to inform Council representatives and convene at least one neighborhood meeting to address proposed development. On the subject of Weddington Road there was a neighborhood meeting and about 650 people showed up and they basically almost unanimously said that they were not in favor. So I just wonder how much weight that requirement actually carries because you couldn't have had a stronger message that area residents were not in support of Weddington Road.

Mayor Clodfelter said I think that is a somewhat rhetorical question.

Mr. Driggs said I feel that on behalf of the people in my district I need to point out they're sharing in the cost of this and they couldn't have made it plainer that this was not something they wanted at that particular location.

Mayor Clodfelter said I think we will have more discussion then on the April 28th agenda.

Councilmember Kinsey said I might add that the Council votes on this; the staff does not. I think it was 9 to 2 or was it 8 to 2 and Councilmember Howard was recused. The Council votes.

ITEM NO. 5: 2040 METROPOLITAN TRANSPORTATION PLAN

Norman Steinman, Charlotte Department of Transportation said I am the Manager of Planning and Design for the City's Department of Transportation and the topic tonight has to do with an action that will be taken on Wednesday night. Before we get to that, a couple of name changes, what used to be called the Long Range Transportation Plan (LRTP) is now called the Metropolitan Transportation Plan (MTP) and the organization previously known as the Mecklenburg Union Metropolitan Planning Organization or MUMPO is now become the Charlotte Regional Transportation Planning Organization (CRTPO). That took place after the 2010 Census in order to incorporate a larger area based on the census of population and that larger area for us is mostly in Iredell County. There is a vote on Wednesday night by the CRTPO; they will be asked to adopt the 2040 Metropolitan Transportation Plan and since there

were questions raised by Council's Transportation and Planning Committee about the roadway projects included in the plan; that's what I'm kind of going to concentrate on tonight.

The content of the Metropolitan Transportation Plan is prescribed by federal regulations. The plan has to describe the plans, programs and projects that are intended to serve the area for at least the next 20 years into the future. The plan must be financially feasible; in other words, we have to show there are funds available to build, operate and maintain the transportation facilities; highway and transit in the network. We must show that the plan will not harm the attainment of the national air qualities standards and in our non-attainment area the plan must be updated every 4 years. The plan does exist; here's what the draft looks like and I'll try not to drop it on myself. There are 18 chapters in the plan; again they are prescribed almost entirely by federal regulations. They range from defining goals through planning and evaluation factors onto the specific projects which is frankly what most people are usually interested in. The new topic for this plan has to do with health impacts; trying to start to describe what the health impacts would be of the various components of the transportation system. Another big change from previous plans I would say is the process of public involvement which includes posting the draft sections in the website, open houses, community events, public meetings and reaching out to actual community and other groups; going directly to them to get their comments and suggestions about the transportation network. This process has been going on for about a year and a half now and during the course of that time we have made four presentations and held four discussions with Council's Transportation and Planning Committee. The last two were in February and March and that's what I'm going to concentrate on for the remainder of this presentation.

On February 27th members of Council's Transportation and Planning Committee asked two specific questions; which roadway projects were included in the 2035 Long Range Transportation Plan but are not now included in 2040 Metropolitan Transportation Plan? That is which ones dropped out? The second question was which roadway projects are in the 2040 Metropolitan Transportation Plan but were not in 2035 Long Range Transportation Plan? Which ones were added? The good news is that there are many more roadway projects potentially added than were dropped out of the previous plan. There are only four projects that were previously in the Long Range Transportation Plan that are not now in the 2040 Metropolitan Transportation Plan. One of those has to do with a change at the Belk Freeway interchange with I-77 and that's actually now included in the larger project price on I-77. Another one has to do with the realignment and extension of West Boulevard and that is now receiving a lower priority because of when the Garden Parkway is expected to be built. One more is the Clanton Road extension which would require grade separation over the Norfolk-Southern railroad to reach Wilkinson Boulevard. Then the last one has to do with the extension of what's called Hucks Road to reach I-77 and that didn't do us well this time in the prioritization.

Let me show what has actually been added. First we have a series of what are called committed projects; these are the ones where construction is under way right now as you're well aware on the I-485 and northeast Charlotte, I-485 and south Charlotte, a section of Independence, US-74, also City Boulevard extension and the Mallard Creek Road extension. Those are all active projects. I'm only concentrating here by the way on the large projects, not on smaller intersection or minor road projects.

Ms. Mayfield said I'm going to ask you to go back again. Looking at the ones that we just said, the West Boulevard, the Clanton Road extension, the Wilkinson Boulevard, Garden Parkway and the grade separation of the Norfolk, so that I get a clear understanding, currently we have this sprinter line and that's what runs from the airport to uptown Charlotte which is eventually was supposed to be the rail line. When does that leave that project?

Mr. Steinman said there is no change in that. These are the roadway projects that were previously in our plan but are not in the plan. The transit part of the network for that area of the city is identical to what it was before.

Ms. Mayfield said okay so that's still the same. I am just trying to get an understanding; the fact that we are not moving forward with the West Boulevard and the Clanton and the Wilkinson, why were these taken out or not seen as a high priority?

Mr. Steinman said we tried to evaluate the projects on factors similar to the ones at NCDOT is using because last year there was a very large change in the funding allocation originally formulated and now law in North Carolina. So we tried to align what we are evaluating in this

plan with what we believe NCDOT's going to be evaluating and based on our evaluations these projects did not do as well as other projects. The other thing I should say is that this plan gets amended every four years and then actually sometimes gets amended every year. This is not a plan that's going to not be coming back for further review for a long time. It's actually going to be back no later than four years from now. The other thing that we will know in about two years maybe at the latest; how the General Assembly reacts to the new funding on they can see how the projects are receiving priority or not that they think should receive priority.

Mayor Clodfelter said I had the same question about West Boulevard. If the Garden Parkway, I understood you to say that they downgrade on West Boulevard but because of the situation with the Garden Parkway. Well it's going away if the General Assembly has anything to say about it. Wouldn't that elevate the need for the West Boulevard?

Mr. Steinman said no because actually a large of the reason to widen West Boulevard and realigning that section is to connect into the Garden Parkway so if that goes away compared to all the other roadway projects that we're trying to get built that receives lower priority.

Mr. Howard said it's actually probably a better question for Jack because what that is where West Boulevard straightens out and goes into Bynum and eventually ties right into that new intersection. It would have just made it a straight connection without that going around then I think the runway may actually push it out too if I remember right. So that's what it is; if you don't have that connection and some of that need goes away. Did I say that right?

Interim Deputy Director Jack Christine, Charlotte Douglas International Airport said close, very close.

Mr. Steinman said these are the projects that are identical as they were in the 2035 LRTP and in the interest of time I'm going to keep going here. There's one project where the limits of it change and that's because actually more construction of US-74 is expected to happen with new funding available, this construction could reach I-485. Then there's a whole series of new projects that we now believe can get funding by 2040 and I want to state it again and probably again that we do not control the funding at the MPO as to what's going to happen. Those decisions will be made primarily by NCDOT through their new strategic transportation and advancement formula. These are the projects that we are nominating because we believe they align with NCDOT criteria but we have no control over when they are going to be selected for funding or when they might actually be built.

Mr. Howard said my assumption when I first asked that was based on the fact that we were going to just be reorganizing or reprioritizing projects with the same amount of money. You are actually saying you've added projects with the understanding that there could be more money coming our way.

Mr. Steinman said there could be more money for certain types of projects and that's the intent of the legislation. Interstates, expressways, large highways are expected to receive more funding with this new funding allocation method.

Mr. Howard said when I first asked the question I was thinking we were going to just be reallocating the same amount of money and moving it around.

Mr. Steinman said no, the General Assembly and the Governor have decided to change the priorities among modes and among types of projects within the highway mode.

Mr. Howard said so Mr. Mayor maybe you could help we with this then, what that tells me though is that as Charlotte gets more somewhere in our carbon footprint somebody is going to lose something. If we qualify for this many more projects, that's quite a bit that is being lost somewhere else.

Mayor Clodfelter said it depends on where the money comes from. Some of it may shift from some of our old projects that we had earlier prioritized. I was going to ask and it really goes to Councilmember Howard's question Mr. Steinman. Has the Council had a briefing on the new state funding formulas? You have? That's interesting because you've had more than the General Assembly has had.

Councilmember Lyles said that's to say we've had the briefings Mr. Mayor; it doesn't mean that that has any meaningful change in what happens.

Mr. Phipps said particular frustration to me is the fact that the farm to market road funding has basically been obliterated from this plan and I have lots of farm to market roads in my district.

Mr. Steinman said what may happen is that there'll be a cascade in the larger interstate and expressway type projects could get funding against, again we cannot guarantee that at this point, but we expect that's what will happen with the new funding formula and as a result the smaller minor thoroughfares, the farm to market road projects, certainly intersections are probably not likely to receive funding because there may not be any left.

Mayor Clodfelter said Councilmember Phipps that was the primary source of the movement of the money was off the secondary road, farm to market improvement into other categories. So yes in unincorporated areas of the county and less densely built up areas that's where the money will shift away from projects.

Mr. Phipps said let the record reflect my unhappiness.

Mr. Howard said if you look at that map you still got quite a few more projects then you had to begin with. It actually looks like you, Driggs, and LaWana were the recipients, just to be fair to.

Ms. Fallon said and the problem is if you go back to Hucks Road. Its farm to market and it's built up and that's the problem. It wasn't built up when everybody looked at stuff. Now there are so many housing developments along it that it's become a major thoroughfare. If you're going to leave them farm to market we're going to have worse back up then we have now which is terrible.

Mr. Steinman said there's one other factor that I'm going to have to admit to here; North Carolina has a complete streets policy and NCDOT has been trying to design and work towards building complete streets but frankly the City of Charlotte has acquired more, it has had more years of experience in building streets that fit in well with the neighborhoods and that are intended to serve a variety of modes. Receiving state funding for a roadway inside the City, farm to market or other is sort of a mixed blessing. You probably are likely to get more automobile capacity but you may not get the same kind of treatment as to sidewalks, planning strips or bike lanes.

Ms. Fallon said because a lot of these farm to market roads now are access roads to 77 so that where you never saw any traffic before it's bumper to bumper at times when people are going to work or coming from work.

Mr. Steinman said yes because a lot of them are rural roads and now there surrounded by subdivisions and other types of...

Ms. Fallon said and they become major thoroughfares and access roads, when W.T. Harris gets so bulked up that the small little roads on either side become thoroughfares.

Mr. Steinman said one change that you should expect in northeast Charlotte is that with the opening of I-485 a lot of traffic will move to that interstate.

Mr. Howard says when you put more capacity on the roads than really needed it should take some off the farm to market roads too. That opening up 485 as well as putting some more money into Prosperity and some of those other roads will actually probably take some off the farm to market roads.

Ms. Fallon said it's not doing it.

Mr. Steinman said we're almost done. The last category of additional projects is in what we call managed lanes which are high occupancy toll lanes or express toll lanes; these include the project that you may have seen in the newspaper was approved by NCDOT last week public-private partnership project for I-77 North and we also are recommending managed lanes for I-77 South, for I-485 in the South and for US-74. There were lots of comments received when the draft MTP was out for public review. Most of the comments were about specific locations or existing conditions, through the most significant types of comments came from the Southern Environmental Law Center and from Sustain Charlotte and their comments were as much about

their concerns that they have on North Carolina's new funding priorities as they were about the specific content of the transportation. The Technical Coordinating Committee (TCC) reviewed the comments and responses that were drafted about the comments; they drew conclusions that there's nothing there to cause substantial change to the Metropolitan Transportation Plan as a draft and nothing there to really delay making the adoption occur on this coming Wednesday. As a result on April 3rd the TCC voted unanimous to recommend to the Board of the MPO that they adopt a plan to make air quality conformity finding in conjunction with that. Finally, I do need to remind you that the plan is about all modes even though what I've spoken about here is primarily roadways.

Mayor Clodfelter said lots to talk about that I guess we'll be talking over the course of a long period of time.

Ms. Lyles said on Wednesday night I will be voting to support the plan as Norm presented. I think the biggest thing is the idea of the way the State approaches this; we're about complete roads so there is very little transit, there's not the bike ways, the sidewalks so it's very difficult, but most of the work is going to be done on the highways and that just the new way of doing business.

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

Mayor Clodfelter said so you heard Councilmember Lyles she's voting for this on Wednesday night so if you don't like it it's her fault. Blame her. Couple of things; make sure you hand in your ballots to the clerk before the meeting if you haven't already done so and Ms. Flowers do you think you can get an answer to Councilmember Driggs question earlier before we go downstairs or should we do that in the meeting?

Ms. Flowers said ACM Ann Walls has their responses.

Mayor Clodfelter said do you think you want to do that here or downstairs? Can you do it here?

Mr. Driggs said I'd actually like to just air the subject.

Mayor Clodfelter said air the subject downstairs. Let's do that because that way we can get it out in front of everybody; anything else? Thank you. We will convene again down in the Chamber.

The meeting was recessed at 6:54 p.m. to move to the Council Chamber for the regularly scheduled business meeting.

The City Council reconvened at 7:03 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center for their regularly scheduled business meeting with Mayor Clodfelter presiding. Councilmembers present were Al Austin, John Autry, Michael Barnes, Edmund Driggs, Claire Fallon, David Howard, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

INVOCATION AND PLEDGE

Mayor Clodfelter recognized Boy Scout Troop #107 from University Park Church led by Troop Scout Master Anthony Love and invited them to come down and lead the Council in the Pledge of Allegiance to the Flag.

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

AWARDS AND RECOGNITIONS

Mayor Clodfelter said we have a number of awards and recognitions that we want to start the evening with tonight. We have several proclamations, as I call you if you'll come down to the

podium and we'll present the proclamation to you. Then if you have a word or two and want to say something to us we'll be glad to listen. We're on a short leash so if you can keep it fairly brief when you do speak that would be great. The first presentation we have tonight is by Councilmember Mayfield who is going to present a proclamation declaring this month to be National Child Abuse Awareness Month. I understand Courtney Coyle from the Mecklenburg Guardian Ad Litem Program is here to accept the proclamation.

ITEM NO. 8: NATIONAL CHILD ABUSE AWARENESS MONTH PROCLAMATION

Councilmember Mayfield said thank you very much Mr. Mayor. On behalf of the City of Charlotte, Mecklenburg County:

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Charlotte; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

WHEREAS, it is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe and nurturing childhood; and

WHEREAS, our communities are stronger when all citizens become aware of child maltreatment prevention and become involved in supporting parents to raise their children in a safe and nurturing environment; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community; and

WHEREAS, all citizens, community agencies, faith organizations, businesses will work to increase their efforts to support families:

NOW, THEREFORE, WE, Daniel G. Clodfelter, Mayor of Charlotte, and

Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 2014 as

“CHILD ABUSE AWARENESS AND PREVENTION MONTH”

in Charlotte and Mecklenburg County and commend its observance to all citizens.

Courtney Coyle, Mecklenburg Guardian Ad Litem Office said we had the pinwheel celebration on April 2nd and were very pleased with the community turnout. We had a lot of support. We had a lot of kids show up and we put pinwheels out in the courtyard as well as in other service agencies like Pat's Place. If you see blue ribbons out in baskets among the community please feel free to take one and wear it to support Child Abuse Awareness Prevention Month.

ITEM NO. 9: FAIR HOUSING MONTH PROCLAMATION

Mayor Clodfelter said next we will have proclamation presented by Councilmember Kinsey declaring April to be Fair Housing Month and I understand that Mr. Joe Padilla is here to receive the award and there may be also a short presentation associated with that.

Councilmember Kinsey said thank you very much. Proclamation, City of Charlotte, Mecklenburg County:

WHEREAS, provision of fair housing opportunities for all citizens of Charlotte and Mecklenburg County is an important goal of the Charlotte – Mecklenburg Community Relations Committee, the Charlotte Regional Realtor Association, and the Greater Charlotte Apartment Association; and

WHEREAS, the Community Relations Committee, the Charlotte Regional Realtor Association, the Greater Charlotte Apartment Association, the City of Charlotte, Mecklenburg County, the United States Department of Housing and Urban Development, concerned citizens and the

housing industry are working to realize the dream of fair and available housing for all city and county residents; and

WHEREAS, the Mecklenburg County Fair Housing Ordinance and the Charlotte Fair Housing Ordinance prohibit discrimination in housing because of race, color, sex, religion, disability, familial status or national origin, with April 2014 marking the forty-sixth anniversary of the Federal Fair Housing Act of 1968; and

WHEREAS, by supporting and promoting fair housing and equal opportunity, we are contributing to the health of our city, county and our nation, and we are encouraging others to abide by the letter and the spirit of the Federal Fair Housing Act and the Fair Housing Ordinance of Mecklenburg County and the Charlotte Fair Housing Ordinance; and

WHEREAS, the theme of Fair Housing Month is “Fair Housing is Your Right. Use It!”

NOW, THEREFORE, WE, Daniel G. Clodfelter, Mayor of Charlotte, and

Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 2014 as

“FAIR HOUSING MONTH”

in Charlotte and Mecklenburg County and commend its observance to all citizens.

Mayor Clodfelter said Joe you couldn't handle this one on your own; you brought your whole army, why don't you introduce everybody who's here with you tonight okay.

Chairwoman Patricia Albriton, Community Relations Committee said thank you for allowing me to speak before you tonight. April is Fair Housing Month and our theme is “Fair Housing Is Your Right. Use It.” This reflects a renewed commitment to educating the public about their fair housing rights and emphasizes how important it is that every person take action whenever they believe fair housing rights have been violated. The theme is also a call to HUD's fair housing partners and other housing advocates to remain vigilant in addressing the blatant and subtle forms of housing discrimination that persists today. Now I can tell you much more about this but that's why we have our partners here and I'll let each one of them speak.

Betsey Kirkpatrick, Greater Charlotte Apartment Association said I would like to start off by thanking the Charlotte City Council, its members and Mayor Clodfelter for declaring April Fair Housing Month. It is an extremely important issue that directly affects every person in Charlotte and the surrounding areas. Fair housing is intended to increase housing opportunities and to prohibit discrimination on the basis of race, color, religion, sex or national origin in all housing transactions including rentals. Per the National Multi-Family Council approximately 35% of US residents are renters and this number is only increasing. As such it is imperative that fair housing practices become integral at every multi-family housing community. The Greater Charlotte Apartment Association is dedicated to furthering this cause. We represent 556 multi-family communities who in turn house over 107,000 people, which is close to one fifth of the total population of Charlotte. We believe that it is necessary that all communities understand the importance of equal housing opportunities, anti-discrimination practices and have the ability to make reasonable accommodations for their residents. Fair and equal treatment of all people residing in Charlotte and the surrounding areas is our goal. Per our mission statement the GCAA promotes the interest of its members through legislative advocacy, education and networking and supports housing quality, value and choice throughout the Greater Charlotte community. This relates to fair housing in several ways; we have regular training on the subject of fair housing, which is open to all property and vendor members. We are active in local and state legislature; fighting for the rights of our members, their residents and the multi-family industry as a whole and the property management companies that partner with the GCAA all have their own fair housing training that employees are required to take to be employed with their communities. Some vendors also provide basic fair housing training as well. We at the Greater Charlotte Apartment Association appreciate greatly Charlotte's attention to fair housing and hope that we can continue to partner with you to further this incredibly important cause. Thank you.

Todd Long, Realtor at Keller Williams said Mayor Clodfelter, members of City Council, my name is Todd Long and I'm a realtor for Keller Williams. I'm also the Chair of Realtors Care Day this year which is up on your screen there. I would like to thank you for recognizing April as

Fair Housing Month and for allowing us to speak for just a moment about the Realtor Care Day Project which is our way of recognizing the importance of this month long initiative. This year marks the 6th anniversary of Realtor's Care Day for Charlotte Regional Realtors Association and the Housing Opportunity Foundation. This year's project took place this past Friday April 11th at home sites throughout Iredell and Mecklenburg County. This one day communitywide initiative assists homeowners with critical exterior home needs as well as adaptive and safety modifications. Each year our realtor volunteers offer assistance to neighbors in need of a helping hand. This year we had over 600 realtors from this area volunteering. Since 2009 the project has assisted 146 families in our area. This year realtors worked on 17 different home sites; 12 of which were in Charlotte. I'd like to show you some before and after pictures up on the screen of some the sites we worked on this year as well as some of the images of our volunteers in action. This first site was on Eastburn; this was a code enforcement issue, this gentleman came down with some health issues that did not allow him to keep his home up the way it needed to be and Code Enforcement reached out to us and we were able to haul away over 4 dumpsters of stuff away from his home to bring him back into a situation that he can stay in that home. Code Enforcement was very, very, good to us and came out that day as a show of support to us and we appreciated them. This was some of the pictures after the site was cleaned up. This house was out on Heflin Street which is in Grier Heights which has been under a redevelopment program for a couple of years. This is one of the last homes that really needed some assistance and we were able to go all out and really make a transformation in one day to this project. A lot of the projects have 20 to 30, sometimes 40 volunteers helping out in one day so we really can make an impact in one day. This last slide; some of the people you may notice here, Patsy Kinsey and Kenny Smith from our City Council. Thank you for your support and Rob Bryant from North Carolina House of Reps.

Through the work of Housing Opportunity Foundation realtors work year round to support fair and affordable housing measures. Realtors Care Day is just one of the many programs and services that are conducted to ensure that local citizens have access to fair and affordable and safe housing. Again thank you for this opportunity to join our community partners in making the importance of Fair Housing Month a reality. I just want to mention our community partners; Belmont CDC, City of Charlotte Neighborhoods and Business Service Department, Crossroads, Davidson Housing Coalition, The Hammers Coalition, Habitat for Humanity of Charlotte, Habitat for Humanity of Iredell County, Love Inc., Our Town's Habitat for Humanity and Rebuild Together. Thank you for your support.

Executive Director Willie Ratchford, Charlotte-Mecklenburg Community Relations said Mayor Clodfelter and members of Council I'll go the short route and close this out quickly since we've been awhile; in fact, I'll remember the scripture that reads blessed is he that keeps it short for he shall be invited back.

Mayor Clodfelter said you get a special proclamation.

Mr. Ratchford said on behalf of the Relations Committee and all of our partners we'd like to thank you all for your continued support of the work of the Community Relations Committee as we move forward in this community to promote community harmony and to ameliorate the current effects of past discrimination. It is special to us that April has been designated as Fair Housing Month. It is sad that in 2014 that this type of behavior still goes on. Many of us don't realize it because we don't see it. We assume that because we don't see it that it doesn't happen. What we have found is that people who engage in this behavior are very subtle and very sophisticated in the way that they carry it out and very often the victims of this reprehensible behavior have no idea that they have been victimized because people engage in what we call have a nice day racism or racism with a smile and a pat on the back. We have the tools to root this out and to make sure that it stops and this only happens because of the support of the people around this dais. Thank you very much we appreciate all that you've done.

Mayor Clodfelter said thank you for all your work too.

Ms. Kinsey said I just wanted to give a big thank you to the realtors. There were three houses in District 1 that you worked on and I went to all three and it's amazing; unless you've seen what they can do in one day, you wouldn't believe it. But thank you so much; it meant a lot to the residents in the three houses that I visited, thank you.

ITEM NO. 10: NATIONAL TELECOMMUNICATORS WEEK PROCLAMATION

Mayor Clodfelter said next we have a presentation that's going to be given by Councilmember Fallon declaring this National Telecommunicators Week. We have I'm told Deputy Chief Katrina Graue, and Deputy Chief Jeff Dulin here to accept the proclamation.

Councilmember Fallon read the proclamation:

WHEREAS, 911 is a nationally recognized as the number to call for emergency law enforcement, fire, and EMS services; and

WHEREAS, the Public Safety Telecommunicators are crucial to all emergency response efforts, making them our initial "first responders", and recognizing that their jobs answering 911 calls and dispatching emergency response units are among the most difficult public service jobs; and

WHEREAS, our Public Safety Telecommunicators provide critical service to our citizens and emergency response agencies which requires enormous personal dedication, ongoing training, and professional skill; and

WHEREAS, in 2013, the Charlotte-Mecklenburg Police 911 Center handled over one million calls with a growing number of 911 calls generated from wireless and IP based communications services; and

WHEREAS, the City of Charlotte is proud of the dedication and professionalism of our Charlotte-Mecklenburg Police and Charlotte Fire Department Telecommunicators, and the ongoing public safety awareness events which teach the importance and proper use of 911:

NOW, THEREFORE, I, Daniel G. Clodfelter, Mayor of Charlotte, do hereby proclaim

April 13 – 19, 2014 as

“NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK”

in Charlotte and commend its observance to all citizens.

Deputy Fire Chief Jeff Dulin, Charlotte Fire Department said thank you very much for this recognition. The Charlotte Mecklenburg Police Department and Charlotte Fire Department appreciate this very much. Every day our telecommunicators are the first point of contact for our citizens to have on the worst day of their life and their job is very stressful, it's very critical to get it in the right service in a timely fashion. As you know we've embarked on a new path to consolidate our two communication centers into one which will greatly enhance the services we provide for our citizens down the road.

Deputy Chief Katrina Graue, Charlotte-Mecklenburg Police Department said on behalf of Chief Monroe and Chief Hannon we would like to invite you to a special awards ceremony that we are holding here in the Council Chambers at 1:00 p.m. on Wednesday the 16th where we will recognize the Police and Fire Telecommunicator of the Year and Police and Fire Communications Supervisor of the year. We would love for you to join us. Thank you.

ITEM NO. 11: INTERNATIONAL NEGRO BUSINESS AND PROFESSIONAL WOMEN, INC. RECOGNITION

Mayor Clodfelter said last for this evening, but far, far from the least, Councilmember Lyles is going to present three certificates of appreciation to three members of the Charlotte Chapter of the National Association of Negro Business and Professional Women; Valerie Glenn, Dr. Carlether Burwell and Juanita Miller, if you'll come down. I understand you also have a short presentation about your 35th Annual Founders Day Luncheon that you'll make after Councilmember Lyles makes the presentation of the certificates.

Councilmember Vi Lyles said it is truly an honor to be able to recognize the Charlotte Chapter of the National Association of Negro Business and Professional Women. Many of you are standing and you've stood so well for all of us that are sitting around this dais that we're so appreciative of you so I particularly feel an honor. I wanted to just say that in 1977 the Charlotte

Chapter was founded by Anna Hood. It had many illustrious women. Women who had businesses, who had professions in this community but more importantly they had community leadership. When I start thinking about T.D. Elder who's here tonight and all that she's done to focus on women and our history. Betty McCarroll, McCarroll Catering Company, who worked many years in the building across the street serving our city. Marion Campbell, who lived teaching forever, Sarah Stevenson, who stands here today with red on because she's a powerful woman right now; today from school board to Community Relations Committee staff person to school integration, we are just so grateful for all of the services there. But the reason that we are here this evening is because this association, which still calls itself Negro Business and Professional Women, even though we have many titles, the tradition of being a negro woman is still very, very important. These members actually worked to encourage young women to join an entrepreneurship and leadership. Their focus is moving forward with purpose. If you're watching this and you're a young woman who wants to be entrepreneur, or if you are an entrepreneur, I encourage you to join this organization because just like many of us, including myself particularly, we have benefited from the leadership and commitment of these women. With that, I want to say thank you to association members and I would like to present the certificates of appreciation to Valerie Glenn, Dr. Carlether Burwell and Juanita Miller and I'm going to read:

The City of Charlotte presents this Certificate of Appreciation in grateful appreciation for outstanding contributions to the community.

WHEREAS, such deeds deserve public acclaim and recognition;

THEREFORE, BE IT RESOLVED by the City of Charlotte that this Certificate of Appreciation be conferred, dated this 14th day of April 2014 by the Mayor of Charlotte, North Carolina, Daniel G. Clodfelter.

Thank you for what you do, thank you for your service and thank you for being you.

President Valerie Glenn, Charlotte Chapter, National Association of Negro Business and Professional Women's Club Inc. said to Mayor Clodfelter and the City Council, I want to thank you all for acknowledging us. It's very important at this particular time that we've been able to sustain our business and our work in the community for 37 years and we too would like to invite you to have lunch with us on May 3rd at the University Hilton where we will celebrate our 37 years and we will also celebrate some of the accomplishments of the gems of Charlotte. We have a Man of the Year which will be our Chief of Police, Mr. Rodney Monroe, and we have several other members of the community who will be receiving awards. We'll give out scholarships, which we do every year, to deserving high school students from CMS schools. We are excited about doing that work and we'll continue to work to address some of the social ills that are affecting our community right now, such as homelessness, such as poverty and some academic and educational concerns. We continue to mentor and serve the displaced and we will continue to do that for 37 and more. Thank you so much.

Governor Juanita Miller, National Association of Negro Business and Professionals Women's Club Inc. said it is such an honor to be here tonight. We address areas such as leadership, entrepreneurship, technology and service as well as health, education and economic development. This certificate is a motivation for us to continue the work that we're doing. Again, thank you; we are very honored to receive the award.

May Orr said I am accepting on behalf of Dr. Carlether Burwell who is working this afternoon and could not get a replacement.

CONSENT AGENDA

| |
|--|
| Motion was made by Councilmember Driggs, seconded by Councilmember Barnes, and carried unanimously to recuse Councilmember Smith on Item No. 29 of the Consent Agenda. |
|--|

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey, and carried unanimously, to approve the Consent Agenda as presented with the exception of Item No. 24 which has speaker, Item No. 25 which has two speakers, Item No. 48 pulled by Councilmember Driggs and Item Nos. 54J and 54K were settled.

The following items were approved:

Item No. 26: Police Department North Tryon Job Link Space Up-fit

(A) Award the low-bid contract of \$199,932.41 to D.E. Brown Construction, Inc. for the Charlotte-Mecklenburg Police Department North Tryon Job Link Space Up-fit, and (B) Adopt Budget Ordinance No. 5333-X appropriating \$199,932.41 to the General Facilities community Investment Plan fund and the Police Operating fund for the project.

Summary of Bids:

| | |
|---------------------------------------|---------------|
| D.E. Brown Construction | \$196,231.15* |
| Edison Foard, Inc. | \$197,435.00 |
| Encompass Building Group, Inc. | \$199,500.00 |
| Prestige Building Company, Inc. | \$216,568.00 |
| YTM Construction | \$227,216.80 |
| Progressive Contracting Company, Inc. | \$237,135.00 |

The ordinance is recorded in full in Ordinance Book 58, at Page 672.

* The award amount includes additional contingency amounts in the contract.

Item No. 27: Joint Communications Center Pre-construction Services

Approve a contract in the amount up to \$363,291 with Rodgers Leeper I (a Joint Venture between Rodgers Builders, Inc. and RJ Leeper Construction, LLC) for Construction Manager at Risk pre-construction services for the Joint Communications Center.

Item No. 28: North Tryon Street Fiber Relocation

Award the low-bid contract of \$211,409.25 to Partners Communications Services, Inc. for the North Tryon Street Fiber Relocation project.

Summary of Bids:

| | |
|---------------------------------------|--------------|
| Partners Communication Services, Inc. | \$211,409.25 |
| Edwards Telecommunication | \$318,359.95 |

Item No. 29: Private Developer Funds for Traffic Signal Improvements

(A) Authorize the City Manager to execute a developer agreement between the City of Charlotte and the following developers: Mountain Island Marketplace 1684, LP and CK RiverGate Expansion, LLC, and (B) Approve Budget Ordinance No. 5334-X appropriating \$250,350 in private developer funds for traffic signal improvements.

The ordinance is recorded in full in Ordinance Book 58, at Page 673.

Item No. 30: Traffic Signal Modifications

Approve the low-bid contract of \$108,206.30 to Bryant Electric Repair & Construction, Inc. for signal modifications at Ballantyne Commons Parkway and Johnston Road.

Summary of Bids

| | |
|-----------------|--------------|
| Bryant Electric | \$108,206.38 |
| Whiting | \$135,671.25 |
| Colter | \$149,708.73 |

Item No. 31: Ashley Farm Pond Water Quality Enhancement Project

Award the low-bid contract of \$668,120.00 to Blythe Development Co. for the Ashley Farm Pond Water Quality Enhancement project.

Summary of Bids

| | |
|------------------------|--------------|
| Blythe Development Co. | \$668,120.00 |
|------------------------|--------------|

| | |
|----------------------------|----------------|
| United Construction, Inc. | \$696,676.25 |
| Sealand Contractors, Corp. | \$838,407.50 |
| OnSite Development, LLC | \$1,010,037.50 |

Item No. 32: Shillington Place Storm Drainage Improvement Project

Approve change order #1 with Ferebee Corporation in the amount of \$396,871.65 for the Shillington Place Storm Drainage Improvement project.

Item No. 33: Trade Street Storm Drainage Improvement Project

Approve contract amendment #2 for \$850,000 to URS Corporation- North Carolina for additional engineering services along the Trade Street Corridor.

Item No. 34: Storm Drainage Improvement Engineering Services

Approve a contract, in the amount of \$1.0 million, with Dewberry Engineers Inc. for engineering services on storm drainage improvement projects.

Item No. 35: Environmental Consulting Services

(A) Approve one-year term contracts for environmental consulting services with the following firms: Geosyntec Consultants of North Carolina, PC, \$150,000, HDR Engineering, Inc. of the Carolinas, \$150,000, Hart & Hickman, PC, \$150,000, S&ME, Inc., \$150,000, Kleinfelder Southeast, Inc., \$75,000, and Terracon Consultants, Inc., \$75,000; and (B) Authorize the City Manager to approve two renewals each in an amount up to the original contract amount.

Item No. 36: Surveying Services

(A) Approve one-year term contracts for surveying services with the following firms: -Concord Engineering and Surveying, Inc., \$200,000; Dewberry Engineers, Inc., \$250,000; Dunbar Geomatics Group, PLLC, \$200,000, ESP Associates, P.A., \$250,000, Lawrence Associates, P.A., \$200,000, McKim & Creed, Inc., \$250,000, Mulkey Engineers & Consultants, \$200,000, R. Joe Harris & Associates, LLC, \$200,000, Taylor Wiseman & Taylor, \$200,000, The Isaacs Group, P.C., \$250,000, The Survey Company, Inc., \$200,000, and Woolpert North Carolina, PLLC, \$200,000; and (B) Authorize the City Manager to approve two renewals each in an amount up to the original contract amount.

Item No. 37: Utility Heavy Duty Trucks

(A) Approve the purchase of cab-chassis from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), (B) Approve a contract with Santex Truck Center in the amount of \$515,198 for the purchase of six cab-chassis under Houston-Galveston Area Council cooperative purchasing organization contract #HT11-12, and (C) Authorize the City Manager to extend the contract for additional one-year terms as long as the respective cooperative is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Item No. 38: Rolling Stone Avenue Roadway Repair

Award a low-bid contract of \$192,452.50 to Carolina Cajun Concrete, Inc. for construction of the Rolling Stone Avenue roadway repair project.

Summary of Bids

| | |
|-------------------------|--------------|
| Carolina Cajun Concrete | \$192,452.50 |
| Red Clay Industries | \$218,278.05 |
| United Construction | \$240,935.35 |

Item No. 39: Harding Place Water and Sanitary Sewer Service Connections

Award the low-bid contract of \$123,682.50 to State Utility Contractors, Inc. for the construction and installation of new water and sewer services to serve the Crescent Dilworth Apartment Building.

Summary of Bids

| | |
|---------------------------------|--------------|
| State Utility Contractors, Inc. | \$123,567.50 |
| R.F. Shinn Contractors, Inc. | \$124,290.85 |

* The \$123,682.50 is a typographical error; the actual award amount is \$123,567.50.

Item No. 40: Wastewater PCB Decontamination Contract Amendments

Approve contract amendments with the following firms: Soils & Materials Engineering, \$75,000, Carolina Environmental Response Team, Inc. \$200,000, and Pace Analytical, \$250,000.

Item No. 41: Utility Laboratory Supplies and Equipment Purchases

(A) Approve the purchase of laboratory testing supplies and equipment, as authorized by the sole source exemption of G.S. 143-129(e) (6), and (B) Approve a unit price contract with Horizon Technology, Inc. for the purchase of organic laboratory testing supplies and equipment for the term of three years.

Item No. 42: Utility Control System Software Maintenance

(A) Approve a contract for maintenance services with InSource Solutions in the amount of \$57,381 for control system application software maintenance for a term of one year, and (B) Authorize the City Manager to renew the contract for five additional, one-year terms with possible price adjustments.

Item No. 43: Aircraft Hangar License

Approve a five-year license with SPX Corporation for an exclusive aircraft hangar in the amount of \$1,855,957.

Item No. 44: Airport Maintenance Contract for Parking Systems

(A) Approve contract in the amount of \$454,008 with Scheidt & Bachmann USA, Inc. for extended maintenance support services for the Airport's parking revenue control and ground transportation management systems for a term of 14-months, and (B) Authorize the City Manager to approve four, one-year extensions of the maintenance contract in accordance with the fee schedule set forth in the maintenance contract.

Item No. 45: Airport Master Plan Contract Amendment

(A) Approve contract amendment #1, in the amount of \$697,660, with Landrum & Brown, Inc. for the addition of a terminal capacity enhancement plan to the Airport's Master Plan contract, and (B) Adopt Budget Ordinance No. 5335-X appropriating \$697,660 from the Airport Discretionary Fund to the Airport Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 58, at Page 674.

Item No. 46: Transit Project Management System Licenses

(A) Approve the purchase of additional E-Builder project management system licenses from a federal contract as authorized by G. S. 143-129 (e) (9a), (B) Approve a contract with E-Builder for an amount up to \$545,000 for a term of three years, and (C) Authorize the City Manager to extend the contract for one additional term as long as the federal contract is in effect, at prices and terms that are the same or more favorable than those offered under the federal contract.

Item No. 47: Transit Buses and Related Equipment

Award unit price contracts to Gillig Corporation and Motor Coach Industries for the purchase of 40, 45, and 30-foot low floor and coach diesel, and diesel/electric hybrid buses and related equipment.

Item No. 49: Transit Radio and Phone Recording System Replacement

(A) Approve the purchase of Eventide, Inc. radio and phone recording equipment from a federal contract as authorized by G.S. 143-129 (e) (9a), and (B) Approve a unit price contract with Carolina Recording Devices, Inc. for the purchase of Eventide, Inc. radio and phone recording equipment pursuant to Federal Contract GS-35F-0415V for the term of one year.

Item No. 50: General Motors Original Equipment Manufacturer Parts

(A) Approve a unit price, low-bid contract with City Chevrolet for the purchase of General Motors original equipment manufacturer parts for the term of three years, and (B) Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract.

Summary of Bids

| | |
|---------------------|--------------|
| Auto Supply Company | \$66,879.83* |
| City Chevrolet | \$158,380.86 |
| McKenny Chevrolet | \$169,302.34 |

| | |
|------------------|--------------|
| Parks Chevrolet | \$172,094.99 |
| DLR Distributors | \$227,321.79 |

* Non-Responsive; did not bill all required items

Item No. 51: Art in the Public Right-of-Way Agreement

Adopt a resolution on behalf of the Arts & Science Council, supporting the City's application for art in the North Carolina Department of Transportation right-of-way, in conjunction with the North Tryon Business corridor enhancements.

The resolution is recorded in full in Resolution Book 45, at Pages 230-232.

Item No. 52: Refund of Property and Privilege License Taxes

(A) Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$645,117.57, and (B) Adopt a resolution authorizing the refund of business privilege license payments in the amount of \$4,350.

The resolutions are recorded in full in Resolution Book 45, at Pages 233-261 and 262-263.

Item No. 53: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: February 17, 2014, February 24, 2014, February 26, 2014 Budget Workshop and March 3, 2014

Item No. 54: Property Transactions

Item No. 54-A: 9314 Markswood Road

Acquisition of 1.51 acres in Fee Simple at 9314 Markswood Road from Gayle M. Mull for \$175,000 for Aviation Master Plan.

Item 54-B: 9426 Markswood Road

Acquisition of 2.86 acres in Fee Simple at 9426 Markswood Road from Roger E. Palmer and Mary Jane Palmer for \$100,000 for Aviation Master Plan.

Item 54-C: 9328 Snow Ridge Lane

Acquisition of 0.65 acres in Fee Simple at 9328 Snow Ridge Lane from Gordon W. Miller for \$125,000 for Aviation Master Plan.

Item 54-D: 9215 Markswood Road

Acquisition of 0.81 acres in Fee Simple at 9215 Markswood Road from Christopher Anatasio and David Horak for \$154,000 for Aviation Master Plan

Item 54-E: 11416 Albemarle Road

Acquisition of 7,548 square feet in Sanitary Sewer Easement, plus 8,005 square feet in Temporary Construction Easement at 11416 Albemarle Road from Fellowship Baptist Church for \$14,500 for CMU – Albemarle 11332 8"SS, Parcel #9.

Item 54-F: 3551 Johnston-Oehler Road

Acquisition of 18,190 square feet in Fee Simple, plus 770 square feet in Storm Drainage Easement, plus 5,120 square feet in Temporary Construction Easement, plus 8,306 square feet in Utility Easement at 3551 Johnston-Oehler Road from Orville Oehler Thompson, Jr., Teddie Clinton Thompson and Richard Kirk Thompson for \$21,000 for Johnston Oehler Farm to Market, Parch #24

Item 54-G: Knollwood Circle

Acquisition of 96,109 square feet in Conservation Easement, plus 3,982 square feet in Temporary Access Easement at Knollwood Circle from Nancy Winningham Page for \$13,775 for Newell Stream Restoration Project, Parcel #4

Item 54-H 2620 Celia Avenue

Resolution of condemnation of 316 square feet in Fee Simple, plus 732 square feet in Sanitary Sewer Easement, plus 2,052 square feet in Temporary Construction Easement, plus 10 square

feet in Utility Easement at 2620 Celia Avenue from Mozell Laverne G Hobgood and Angelo Hobgood and other parties of interest for \$875 for Celia Avenue Storm Drainage Improvement Project Easement Acquisition, Parcel #4.

The resolution is recorded in full in Resolution Book 45, at Page 264.

Item 54-I: 3308 Johnson-Oehler Road

Resolution of condemnation of 4,059 square feet in Fee Simple, plus 7,602 square feet in Fee Simple within Existing Right-of-Way, plus 5,484 square feet in Temporary Construction Easement, plus 6,291 square feet in Utility Easement at 3308 Johnston-Oehler Road from Clarence Ross Ritchie III and C. Yvonne Poole Ritchie and any other parties of interest for \$5,900 for Johnston-Oehler Farm to Market, Parcel #36.

The resolution is recorded in full in Resolution Book 45, at Page 265.

ITEM NO. 24: POLICE APPLICANT PSYCHOLOGICAL EVALUATION SERVICES

Karen Jensen, 311 Baldwin Avenue, Charlotte, NC 28204 said I came to speak about this because it says that the contract is contingent on upon evaluation of satisfactory performance. I'd like to ask what the criteria are. Mr. Mayor, you were my representative before you became my Mayor and I contacted you about an officer who was in a rage on my porch and I reported as I should have and then a few weeks later he went and filed a false affidavit to have me thrown in jail. I never got any response from you then but I'm hoping to now. I'm not sure what his results were from this agency that you're trying to rehire but there has been no resolution. The CMPD attorneys know and have known that this officer made a false statement to have me thrown in jail. I have a letter from you all explaining that I didn't do what he said; yet everybody continued to prosecute me. I have been slandered and attacked. Nobody will respond. Patsy Kinsey was my representative; then she was my Mayor and now she is my rep but refused to respond in any way except to tell me that attorneys have instructed the City Councilmember not to speak to me. Why? What's being hidden? I know the answer to that but I would like you all to examine that. I have sent detail and evidence to Mayors and City Councils. This is my third City Council now. I have audio recordings, video recordings, documents. The only response has been to either hang up on me, to tell me the police said they didn't do anything wrong, which seems pretty likely or to eventually a threat letter sent to me by the City telling me you will arrest me and sue me if I try to report to Internal Affairs, report crimes and ask for resolution and ask for my records. Aside from breaking the law it is against all of your policies. Nobody has taken any action yet other than to continue threatening me. Warren Cooksey, when he was on Council and discussing things that were going on with CRB reform, the Citizens Review Board. His response is we don't need to do anything different, we're fine, everybody's behaving properly and the result he suggested is that people should go sue the City. If I were a tax payer, as I am, and every other tax payer should be very angry about that. There's a system to try fix this. It was reported before the false arrest and a lot since then. I deserve answers and a resolution without having to be dragged through court and have I'm sure many, many tax dollars spent on defending something that you know is not correct.

Mayor Clodfelter said Ms. Jensen I need to find out the facts of your case. I assume you've taken it to Internal Affairs and I will try to find out what may have transpired with the case.

Ms. Jensen said yes sir and my letters to you from two years ago and also this past week which I know has been quite busy for you but you have an email in your box.

Mayor Clodfelter said I do recall the email from you within the last week. Thank you for coming down tonight.

Ms. Jensen said may I ask when somebody might answer me. Because every other time I was told that the Manager would, nobody would.

Mayor Clodfelter said not sure that we can answer you tonight. The contract we have before us is a contract with police department on the job application process.

Ms. Jensen said yes but the psychological evaluation part. I hope you understand why I'm here to talk about that.

Motion was made by Councilmember Howard, seconded by Councilmember Lyles, and carried unanimously to (A) Approve a unit price contract with The FMRT Group for police applicant psychological evaluations for a term of three years; and, (B) Authorize the City Manager to negotiate two, one-year contract extensions contingent upon the company's satisfactory performance.

ITEM NO. 25: POLICE ASSETS FORFEITURE APPROPRIATION-EQUIPMENT AND PERSONNEL

Karen Jensen, 311 Baldwin Avenue, Charlotte, NC 28204 said I'll be extremely brief. I just would like to say that it won't do any good at all to have these cameras if the Police Department and the City, and the attorneys are covering up what's on the cameras and citizens don't have proper access. I don't know what else to do when you report perjury and nobody's investigating and you have video, audio, document evidence of that. I guess this video could be helpful but not if everybody continues to cover it up. I don't know if there are any defense attorneys who have worked with Blake Jessamy or Jeffrey Mark King but may want to contact me about some things I've recorded. Thank you.

Charles Loudermilk, 28269 said I'm representing myself, single father, with just some concerns. First of all, I'd like to say that I'm in favor of the lapel camera. The only concerns that I do have are concerns of who will maintain the integrity of the video. I feel like the videos will be very productive to society in helping people regain faith and trust in our public officials as well as our public officials being held accountable for their actions. Everybody has a story and I feel like the cameras and the video will eliminate a lot of the confusion that goes on. My main concern is who will maintain the video? Will the public have access to the video in some form of a public log possibly? I've heard questions of it before and I haven't seen any follow up on it so that was about my only concern with it.

Mayor Clodfelter said Mr. Manager is there some way we can post an answer to that question somewhere on just who keeps custody of the videotapes.

City Manager Ron Carlee said we have representatives from Charlotte Mecklenburg Police Department.

Mayor Clodfelter said it's a very good question, a very timely question in light of the anniversary coming on in Boston. Those videotapes were critical.

Major Stephen Willis, Charlotte-Mecklenburg Police Department said depending upon the system that we actually purchase it's kind of hard to give you the exact answer. Under our current system that we use for our motorcycle unit the officers have absolutely no access to the video. The video is recorded to the device; the device then uploads the video into our system and they don't have the ability to delete that video. Once the video goes into the system it stays there for the retention period that is set into the system so that we can address complaints, we can address training; we can hold our officers accountable for their actions and train them better down the road. So our intention is to have a system that does not allow them to have any access to the video to where they can edit it in any fashion.

Mr. Loudermilk said so the new cameras will also have this same format of like they can't turn it off?

Mr. Willis said it will have the ability to turn the camera on and off. The cameras that we currently utilize do have the ability to turn the camera off and on and that is simply for a method to allow us to have enough room to store video on. If the officers continue to record an entire eight to ten hour shift there wouldn't be enough space to record the important video.

Mayor Clodfelter said let me ask, if you will, after we're done here if you can get with Mr. Loudermilk if he's got any questions you can give him an address and an email to continue further offline.

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey, and carried unanimously to adopt Budget Ordinance 5332-X appropriating \$421,150 in assets forfeiture funds for the purchase of body cameras, rifles, and the salary and benefits for a Homicide Support Specialist.

The ordinance is recorded in full in Ordinance Book 58, at Page 671.

ITEM NO. 48: TRANSIT FINANCIAL PLANNING AND ADVISOR SERVICES

Councilmember Driggs said this is an item that relates to financial advisory services that CATS has requested in the amount of \$2.5 million and I would just like to ask a couple of questions about it. One, let me say that I recognize that the expertise that these consultants provide does help us to get better insight into the future to plan and to prepare for contingencies. I have no question that Ernst & Young is a top notch firm. I think the concern I do have is that relationships with consultants can be kind of open ended and become annuities and although the policy is not established by Council when it comes to incurring these expenses if we are being asked to sign off on a \$2.5 million outlay I'd just like to have a clearer responsibility of what we're being asked to sign off on. One of the questions I did have, you and CEO Flowers, thank you for being here, was are the personnel that we actually employ as a result of this contract manpower or are they supplemental to your expertise? Are they needed because you don't have the ability to do what they do?

Director Carolyn Flowers, Charlotte Area Transportation System said it's an extension of the capacity that we have with our staff. Our staff primarily does annual budgeting and accounting functions. We're looking for expertise, specifically in the transit industry to help us continue to expand the 2030 plan and to assist us with preparations for financing, debt financing on projects that we will eventually go out for.

Mr. Driggs said the \$2.5 million, what's the special significance of that amount? Is this for a particular scope of work or a particular period of time?

Ms. Flowers said it's going to be a task order basis. It's covering a number of projects in the 2030 plan including the permanent financing for the Blue Line Extension. We have received approval from the local government commission to do the construction bridge financing but we still have to go back for the permanent financing which is basically the mortgage on the system in the future. We're contemplating doing a TIFIA loan and so we'll have to work with the federal government to do an application and that is a financing application. That expertise is needed in the preparation of the TIFIA loan, working with City Finance. We have received a TIGER grant for the Blue Line Capacity Expansion and that also requires a financial plan. All of these federal grants we have to provide a financing plan to ensure that the federal government understands that we can operate while we're continuing to expand the system; they're long term projections over 30 to 35 years. Also as a megaproject for the Blue Line Extension we have to update our financing plan on an annual basis because we have Congressional oversight. We also received approval from Council at the end of January for the Gold Line Lynx project and that's going to be Small Starts Grant application that will also require a financing plan. We're also going to try to pursue another grant called a Core Capacity Grant, which will allow us to complete the other 12 stations that are still remaining on the Blue Line Capacity Expansion Program and so that will also require because it's part of the federal grant process the same requirement upon us. Basically, most of this funding is to continue to proceed in the 2030 plan.

Mr. Driggs said over what period of time will these services be rendered?

Ms. Flowers said we're envisioning that this will probably be at least a two or three year period for these task orders.

Mr. Driggs said alright. I'm not going to oppose it, I just like to understand what it is I'm approving.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to authorize the City Manager to negotiate and execute a contract with Ernst & Young Infrastructure Advisors, LLC to provide financial planning and advisory services on current, new, and potential transit capital and infrastructure projects in an amount up to \$2.5 million.

ZONING

(Council District 1 – Kinsey)

ITEM NO. 13: ORDINANCE NO. 5336-Z, PETITION 2014-001 BY WEEKLY HOMES LP FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.02 ACRES LOCATED ON THE NORTHEAST CORNER AT THE INTERSECTION OF IDEAL WAY AND EUCLID AVENUE. CURRENT ZONING IS R5 SINGLE FAMILY RESIDENTIAL AND MUDD (CD) MIXED USED DEVELOPMENT, CONDITIONAL. THE PROPOSED REZONING IS TO UR-2 (CD), URBAN RESIDENTIAL CONDITIONAL.

Mayor Clodfelter said the Planning staff recommends denial of this request as being inconsistent with the Dilworth Land Use and Streetscape Plan, which recommends a density of five units per acre for the proposed site. The Zoning Committee of the Planning Commission voted 7-0 finding the petition to be inconsistent with the Dilworth Land Use and Streetscape Plan but to be reasonable and in the public interest based on information provided in the staff analysis and at the public hearing. The Zoning Committee also voted 7-0 to recommend that the Council approve this petition with the modifications that are noted in the agenda. Ms. Keplinger is here from Planning. Do you have anything to supplement?

Tammie Keplinger, Planning Department said yes sir. Mayor, the petitioner has several changes I believe, that he would like to enter; if the Council would like to speak to him and ask him about those changes.

Mayor Clodfelter said I think it's proper that we consider the changes before we consider the principal motion.

Walter Fields, The Walter Fields Group Inc. said in the course of the conversations that we've been having with the community about this rezoning as recently as this afternoon with the property owner directly across the street and at the suggestion of that property owner we have agreed, and the Dilworth Community Development Association, we have agreed to make a small adjustment to the site plan with regard to the building that faces on Ideal Way. They asked us since we had made changes to other buildings that fronted on Marshall Place, we had improved that streetscape but there was the end of the building that fronted on Ideal Way that still maintained a setback which was closer to Marshall Place. We have agreed to move that building 5 ½ feet further away from Marshall Place in order to create a larger set back. In the conversation this afternoon with the property owner directly across the street who was concerned primarily about parking and we understand that. Our plan actually showed for connections for both Marshall Place and Euclid Avenue. The Marshall Place access point would essentially be right across from where he would have the driveway to his single family home. He was concerned that people would come and go that way and perhaps park on the street there along his property and up and down along our property frontage. In order to address that and it was a suggestion that came out of this meeting today. We have agreed if it's Council's wish to actually not make that connection to Marshall Place. We would still have a connection to Euclid Avenue. People could leave the site on Euclid on go north to Atherton or south towards Ideal Way and then connect to the thoroughfares in the remainder of the city. So those are things which have come up in very, very recent discussions. The folks that lived across the street are on the property but don't live on it so when the mailings went out and our community meetings occurred they didn't make the connection that this was something they had a very specific interest in. Since then we've met with both the husband and the wife and this is what we've agreed to, to respond directly to their concerns. I will say based on the change that we proposed the 5 ½ foot building shift; the DCDA has now removed any opposition that they had expressed to this petition at the public hearing.

Mayor Clodfelter said Ms. Keplinger, comment on the proposed changes from the Planning Staff.

Ms. Keplinger said thank you sir. The proposed changes, we did get a chance to look at those this afternoon, late this afternoon. The connection to Marshall is not something that is required by the ordinance so that is something that they can do. The one concern we had was that there would be fire access issues. Mr. Fields has explained that they have talked to the Fire Department and they have indicated that there are no issues with that. In terms of the changes with the set back on Euclid; that's fine. We do not have any issues with that. With this type of changes coming after the Zoning Committee meeting, the Zoning Ordinance does require the City Council to make a decision as to whether these changes are substantial or not. If you consider them substantial then this needs to go back to the Zoning Committee for reconsideration. If you believe that they are not substantial then you need to take a vote to that effect. There needs to be a super majority, 3/4 vote and then you can proceed with a decision.

Councilmember Autry said the Dilworth Land Use and Streetscape Plan adopted in 2006. That's only eight years old and we're already going to go against that plan?

Ms. Keplinger said as the Mayor indicated staff is not recommending approval of the petition and the reason for that is because the plan does recommend five dwelling units per acre for this site and the density is approximately 19 to 20 units per acre under the current plan. This site is at a sort of a nexus. It's within half mile of a transit station but it's also on the edge of Dilworth but the plan did, not the Historic District but the Dilworth Neighborhood, so the plan drew a fine boundary and it just happened to be that this property was within the single family residential boundary.

Motion was made by Councilmember Kinsey, seconded by Councilmember Howard, and carried unanimously to find that the changes proposed and made offered by the petitioner are not substantial; and that the petition therefore, should not be remanded to the Zoning Committee for further consideration.

Councilmember Lyles said I've not heard a definition of substantial. That would be helpful for me. If there is one in our Planning rules, regulations, ordinances, zoning, I'd just like to know if there is a definition.

Ms. Keplinger said there is not a definition but in the past we have brought other cases back to the Council when we have deemed that there have been substantial changes, those changes that are changes that impact the adjacent property owners, whether it is increasing or decreasing density. We did have one just this past January that we said needed to go back; the staff recommended going back and it did.

Councilmember Phipps said Ms. Keplinger you did say that these changes were not prescribed by any ordinance requirements?

Ms. Keplinger said the changes are not required by any ordinance requirements nor do they effect any ordinance requirements.

Ms. Lyles said I guess the other question is I heard Mr. Fields say that he had confirmed it with the Fire Department. I did not hear the staff say confirmation so I'm wondering if that confirmation should be confirmed as a part of the motion or if that would be acceptable. Or does that matter?

Mayor Clodfelter said if we need confirmation, the Council requires confirmation, I think that would have to be held for further vote then unless we have someone from the Fire Department here that could answer the question.

Mr. Fields said we are very aware of the Fire Department's requirements especially on small sites. We took this plan to them early in the process. Their principle concern is no matter how they arrive at the site they have to be able to turn their vehicles around. The termination of the driveway that would have otherwise connected to Marshall Place in no way interferes with the portion of the site where the vehicles would turn around. The fact that that street connection would not be there to respect this adjoining property owners concerns does not affect the fact that the fire apparatus can still access the site, still have full access to all the paved portions of

the site and can still turn around on the site. We don't believe there is any issue there. We certainly would not go forward with that uncertainty hanging over our head.

Councilmember Howard said I think it and correct me if I'm wrong, they can't get a building permit if the Fire Department doesn't sign off on it.

Ms. Keplinger said that would be correct. An alternative, if I may, could be that the motion says that the street be closed, the connection be closed, unless the Fire Department does not allow it and then it would remain open.

Mayor Clodfelter said okay I'm going to have to look back to whoever made the motions to see if that's an acceptable amendment to modify your motion.

Councilmember Kinsey said I suppose so.

Mayor Clodfelter said it is. How about the seconder?

Mr. Howard said I'm uncomfortable with the fact that we're doing land use and we should let whatever the planning process that goes forward with the building to take that and not put that on this and confuse that. If for some reason this doesn't get built then something else comes behind it. I think what we're doing is going to take care of that and if the Fire Department didn't sign off on it, it won't get built. They'll change the design.

Mayor Clodfelter said they will not get the permits regardless of the zoning decision; that is correct. Councilmember Lyles is comfortable with that. Since she raised the question can we then continue?

The vote was recorded as unanimous.

Mayor Clodfelter said now before us is the petition as modified and you have a recommendation of the Zoning Committee, a statement that the petition is not consistent but that the Zoning Committee recommends approval for the reasons set out in this recommendation.

| |
|--|
| Motion was made by Councilmember Fallon and seconded by Councilmember Barnes to adopt the statement of consistency and approve Petition 2014-001 by Weekly Homes, LP for the above zoning, as modified and as recommended by the Zoning Committee. |
|--|

Mr. Autry said I appreciate all the work that has gone into this but seeing as how that area plan is not even 10 years old yet I'm going to have to oppose the motion.

The vote was recorded as follows:

YEAS: Councilmembers Austin, Barnes, Driggs, Fallon, Howard, Kinsey, Lyles, Mayfield, Phipps and Smith

NAYS: Councilmember Autry.

The Modifications are:

1. The petitioner provided a six-foot sidewalk along Marshall Place.
2. The sidewalk widths on Euclid Avenue and Ideal Way are clearly labeled on the site plan.
3. The height of the proposed ornamental fence will be a maximum four feet.
4. The petitioner has amended the Development Data to clearly specify the existing site area (1.028 acres) and the amount of proposed right-of-way dedication (0.188 acres).
5. The site plan delineates proposed right-of-way from centerline for all abutting streets. A note has been added to the site plan stating this additional right-of-way will be dedicated and conveyed to the City.
6. The petitioner has added language to the site plan indicating that the building materials will include brick, stone, and/or other masonry products and HardiPlank or other similar durable siding materials. No vinyl will be used as siding material.
7. The petitioner has provided language that states no expanses of blank walls exceeding 20 feet in length will be allowed for the two end units that have a side along Euclid Avenue.
8. The "net" acreage has been removed from the site plan.

9. The proposed density is based on the gross acreage as per the Zoning Ordinance (22.37 dwelling units per acre).
10. The five-foot side yard along the property line abutting the R-5 (single family residential) zoned parcel has been increased to 10 feet.
11. The petitioner has reduced the number of units for the overall development from 23 to 21, resulting in a decrease in density from 22.37 units per acre to 20.4 units per acre.
12. The petitioner has made the following changes to the portion of the development facing Marshall Place:
 - Reduced number of units from eight to six, with a slight increase in the size of the building footprints.
 - Created two triplexes out of the six units with open area/space as separation.
 - Provided an elevation of the proposed triplexes created along Marshall Place.
13. Added language to Architectural Standards note that states the side yard proposed along the property line abutting R-5 zoned property will include a privacy fence and will be landscaped.

The ordinance was recorded in full in Ordinance Book 58, at Pages 675-676.

PUBLIC HEARING

ITEM NO. 14: PUBLIC HEARING ON THE FISCAL YEAR 2015 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT

Motion was made by Councilmember Lyles, seconded by Councilmember Barnes, and carried unanimously to recuse Councilmember Howard from the Public Hearing on the Fiscal Year 2015 Annual Action Plan for Housing and Community Development.

Motion was made by Councilmember Barnes, seconded by Councilmember Lyles, and carried unanimously to open the Public Hearing on Fiscal Year 2015 annual Action Plan for Housing and Community Development.

Mayor Clodfelter said do we have any speakers; none.

Motion was made by Councilmember Barnes and seconded by Councilmember Fallon to close the Public Hearing on the Fiscal Year 2015 annual Action Plan for Housing and Community Development.

Councilmember Phipps said our packet says that a draft of the 2015 Plan in both English and Spanish is available throughout several Mecklenburg County Libraries. I wanted to know was the draft on any of our City websites?

Mayor Clodfelter said anyone know the answer to that?

Pamela Wideman, Neighborhood & Business Services said it was on our Neighborhood & Business Service website sir.

The vote was taken on the motion to close the public hearing and recorded as unanimous.

ITEM NO. 15: PUBLIC HEARING FOR POST-CONSTRUCTION CONTROLS ORDINANCE

Motion was made by Councilmember Barnes, seconded by Councilmember Lyles, and carried unanimously to open the Public Hearing for the Post-Construction Controls Ordinance.

Joe Padilla, 7727 Compton Court I am the Executive Director of the Real Estate and Building Industry Coalition and on behalf of the hundreds of commercial and multi-family developers that

we represent in the City of Charlotte I'd like to express my full support for an extension of the PCCO fee mitigation program and ask you to vote in favor of its extension. We believe this program is one of the most cost effective ways to encourage small site urban redevelopment while generating revenue for the construction of public water quality projects to protect the health of our creeks and streams. Redevelopment has far less impact on the environment than new development and reinvestment in urban infill sites is key to both Charlotte's economic sustainability and the health of existing neighborhoods. But economically, redevelopment isn't easy. Between higher land prices, urban parking requirements and the challenges of installing extensive storm water treatment systems on a small site is usually much easier to develop a green fill property outside the city than to take on the risks and challenges of a complex reuse project at an in town location. So vacant curating properties do little for our tax base, negatively impact the surrounding community and certainly don't improve our water quality. Allowing property owners to continue electing to pay a mitigation fee in lieu of providing onsite retention will generate more opportunities for redevelopment projects without compromising water quality or creating an increase to risk of downstream flooding. While we think the five year reauthorization recommended by your staff is preferable; we do support the six month renewal proposed by the Environment Committee as a way to further explore this program with other stakeholders and see if there are other opportunities to improve it. We ask that you do renew this program when it comes before you in two weeks and thank you for your attention.

Richard Gaskins, 3428 Seward Place I'm the Executive Director of the Catawba Riverkeeper Foundation and we oppose the extension of the buyout provision of the ordinance. These are stated in a letter that was submitted three or four weeks ago, I guess. I want to emphasize a couple of points. First of all, storm water is the number one cause of streams failing to meet water quality standards in the basin and in the county. Basically, one hundred percent of our streams fail to meet all the water quality standards; so we have a big problem. This process basically sacrifices the upstream areas for remediation that might occur downstream, not even necessarily on the same stream. It happens in our county, in our city. The people who live in the upstream areas, north Charlotte, west Charlotte are generally in the upstream areas. The people in the downstream areas where the water is going to be cleaned up are in south Charlotte. So I think we have a potential problem. In fact, unconnected with this I was called to a meeting in the Historic West End Neighborhood Associations on Saturday because of their concerns about the continuing degradation of their streams. This is a real problem. The solution, I support the goals that were mentioned by Mr. Padilla but I don't think the solution is really solving them. If you look at the list of the sites that have been redeveloped there are things like a McDonalds. This isn't the kind of development we're trying to encourage with these proposals and we're sacrificing our streams to get it. Other cities, I just saw a presentation last week on what people are doing in different cities. There doing some amazing things. One of the most interesting I saw was in Alexandria, Virginia, where they're getting people to they can't do the projects onsite; they're getting redeveloping things in the streets and different places where they can do the projects. They're finding other ways to do it but get it done right where the project is occurring. Ultimately, I think the question here is do we want Charlotte to be known as a city where you can buy your way out of things? Buy your way out of complying with the law and the environmental laws. Are we willing to sacrifice the streams in some parts of the town to benefit other parts of the town? I think the answer to that should be no. Thank you.

Councilmember Kenny Smith said I just want to make a comment if it's okay. One is as some of you have noted when I voted the committee level against the six month extension we've had some lively discussion for the better half of an hour on the extension to 2018 in which I participated and fully support it and still do support. I plan on supporting the six month addition. I think we've crafted a win-win solution in many cases where the cities able to garner additional revenue from the redevelopment and we're able to apply some dollars toward stream remediation that should be good for the environment. We noted at the committee level, a particular project in District 6 at the Bank of the Ozarks in which the actual [inaudible] was reduced. The city gained more tax revenue and we have a quality community bank at the intersection right across the street from Park Road Shopping Center. I did want to clarify for fellow Councilmembers that were not in that committee meeting that I had spent the better half of an hour having great dialog with my good friend Mr. Autry on the extension for five years. I do plan on supporting the six month.

Councilmember Howard said just to give a little bit more context to that conversation and committee. One, I agree, Mr. Autry crafted a compromisive committee and I want to give a little

bit more context to why. If somebody, either Mr. Autry or somebody from staff could explain the state law that is saying that we have to unanimously agree to this, just so that that's on the record and that's clear. Because essentially what happens if we don't all vote for it because of well I guess he'll tell us about the law. You can't go forward anyway.

Daryl Hammock, Engineering & Property Management said it's true that last session the General Assembly voted that local environmental ordinances must pass with a unanimous vote of a city council or county commission until a what's been referred to as moratorium expires. That moratorium expires late this year but until then any local environmental ordinance must be passed with the unanimous vote of City Council.

Mr. Howard said it's above the state requirement, right? It's not every environmental plan is it?

Mr. Hammock said it's any environmental ordinance that regulates an area that's also regulated by the state.

Mr. Howard said that's what I'm asking. Just to respond to both of the speakers. When this came up a couple years ago the whole goal was to find a fee in lieu that gave some flexibility to people that wanted to develop sites that were costly to develop like the one that Mr. Smith just spoke about but also make it painful enough so that was not the first thing that they went to. The goal has always been to find that balance between the two. It was not just to give carte blanche go do what you want to do. That was never the goal. The goal is to find that balancing act so that some of the sites like Mr. Smith spoke about had an opportunity to actually be redeveloped. Just for the public, I wanted to make sure that was clear.

Mr. Smith said in addition to Mr. Howard, I think it is worth noting I believe it has only been utilized ten times if memory serves correct. This is not a carte blanche opportunity for a development to run wild. It is a very sort of narrowly defined use.

Councilmember Autry said yes the number of projects that actually took advantage of the fee in lieu was ten that are outside the geographic area of the distressed areas and business corridors where the fee in lieu is part of the original ordinance. My hope in reaching this compromise is that the staff can come back with a process for its evaluating these projects to make sure that indeed there is a hardship that would prohibit the project from going forward unless the fee in lieu was applied. Right now there is no process. The developer just has to say I want to do the fee in lieu; I don't want to do on-site mitigation, pays the fee and goes on with his development. I would like to have a little more ability to ensure that we're going to be taking the best care that we can of our creeks and streams in the county.

Councilmember Fallon said I believe the idea was that the money that would be paid in lieu would be used otherwise there would not be the money to correct the streams and to get as many streams fixed as we could with that money. I think that was the idea of extending it for six months. I think we asked to find out what the problems would be; what the pros and cons I asked would be and you were going to bring that back to us.

Mr. Hammock said that's right. In committee we discussed what some of the negatives of this approach was and as Mr. Gaskin has explained sometimes when you address the larger watershed as a whole there are some compromises that you make at the local and site level. Some of those smaller streams would not receive the benefit of on-site controls. There is a lot of economy of scale with off-site mitigation payments and ultimately we're going to reach our goal of cleaner water quicker with the use of mitigation fees and other off-site control measures.

Mayor Clodfelter said this is a continuing discussion. You're going to have us back on April the 28th for a decision and then if you pass the recommendation then you'll hear it again in six months' time. You're going to be talking about this a lot guys. Do I have a motion to close the public hearing?

Councilmember Barnes said I want to understand something before we vote. How do we respond to the issue that Mr. Gaskin raised regarding some of the downstream contamination in northwest Charlotte, for example, in west Charlotte where there are some extreme issues, number one. And number two, if one of us happens to agree with him and votes no, what's the implication?

Mr. Hammock said first of all, if you vote no. If one of you votes no against extending it then the program will expire on April 30th and there will be no opportunity for off-site mitigation payments to be made in certain areas of the city. In that case, there will only be a mitigation payment allowed in the transit station corridor areas and then the economically distressed business areas. That's what happens if one of you votes no. In terms of the question about water quality; it's correct to say that all of the creeks in Charlotte are impaired. They're all impacted by urbanization and channelization and hydro-modification and all types of things so it's a wide spread problem and it's not only affecting Charlotte it affects the entire nation. I wouldn't necessarily agree that a particular part of town is affected. I think they're all affected equally and it depends on whether or not you live at the top of the hill or not as to how you would be affected by mitigation payments. Ultimately, the mitigation payments are used for a global watershed restoration project and ultimately the goal is to have all the creeks in Charlotte meeting their intended uses and swimmable and fishable.

Mr. Smith said just real quickly for the community, can you let them know how much money this program has brought in for the city for mitigation?

Mr. Hammock said the program was started in 2008. Since that time we've collected about \$5 million in mitigation fees. These are from all types of redevelopment projects. We've constructed numerous off-site regional wetlands, wet ponds, stream restoration projects and things like that throughout watersheds in the city and those are very high impact projects and they're doing a lot for water quality.

Motion was made by Councilmember Barnes and seconded by Councilmember Smith to close the Public Hearing for Post-Construction Controls Ordinance.

Mr. Howard said just for the Council, if for some reason one of us thinks that we will be voting against the six months because this ends April the 30th we really should give some clear direction because the projects in process, the projects that need to get going, this has a ripple effect across the community just because of the way we've been doing business. I would hope we give some heads up to how we feel about it. I know we don't have to but April the 30th is kind of it. If we have some issues I hope we put it on record sooner than later so that people that are in the process of planning projects, trying to get them in can move quicker or just decide to do something different.

Mayor Clodfelter said it's a good observation. My hunch as the newcomer among you is that perhaps that's why the six month extension might have been suggested, to give, for those who want to do something different, a transition time and for those that want to advocate for something else different a transition time. That's just the way it looks to an outside newcomer.

The vote was taken on the motion to close the public hearing and recorded as unanimous.

POLICY

ITEM NO. 16: CITY MANAGER'S REPORT

City Manager Ron Carlee said no report this evening Mayor.

ITEM NO. 17: 2014 STATE LEGISLATIVE AGENDA

Councilmember Driggs said Mayor and Council, a few weeks ago our Intergovernmental Relations Manager, Dana Fenton, briefed us on the proposed 2014 State Legislative Agenda. This was commended to Council by a 5-0 vote of the Intergovernmental Relations Committee. The proposed agenda has positions addressing film production credits, public transportation, buses and privilege license tax, as I think you'll recall, the agenda item has been amended to add the North Carolina League of Municipalities Town Hall Day on June 4th to the Council's meeting calendar.

Motion was made by Councilmember Driggs, seconded by Councilmember Howard and carried unanimously to (A) approve the Intergovernmental Relations Committee recommendation to approve the 2014 State Legislative Agenda, and (B) Approve an amendment to the 2014 City Council calendar setting Wednesday, June 4, 2014, all day, as North Carolina League of Municipalities 2014 Town Hall Day in Raleigh, North Carolina.

Councilmember Phipps said on item B, in reference to the Town Hall Day, has there been any consideration on transportation arrangements by the Council to this Town Hall Day? Or is it just everybody are, more or less, on their own?

Mayor Clodfelter said I think Mr. Fenton will be the ringmaster that day if I'm correct and probably will organize transportation up and back.

ITEM NO. 17A: CITY COUNCIL MEETING SCHEDULE AMENDMENT

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield and carried unanimously to amend the 2014 City Council calendar by setting the City Council half-day retreat on Wednesday, April 30, 2014, from 8:30 a.m. to 1:00 p.m. at the Police and Fire Training Academy.

BUSINESS

ITEM NO. 18: 2014 TIGER PROGRAM GRANTS

Motion was made by Councilmember Howard and seconded by Councilmember Kinsey to (A) Authorize the City Manager to submit applications to compete for funds from the fiscal year 2014 TIGER program, with the City of Charlotte as the lead agency, and (B) Adopt a resolution of support on the two projects

Councilmember Lyles said this afternoon the Transportation and Planning Committee had the opportunity with Ms. Flowers and Mr. Pleasant and Jim Prosser from the Centralina Council of Governments and we walked through the TIGER grant applications and based on that discussion while we didn't have a vote there was agreement recommended on both of these items for the Council's approval.

The vote was taken on the motion to approve items 18A and 18B and was recorded as unanimous.

The resolution is recorded in full in Resolution Book 45 at Pages 226-227.

ITEM NO. 19: CENTRALINA COUNCIL OF GOVERNMENT RESOLUTION OF SUPPORT

Motion was made by Councilmember Mayfield, seconded by Councilmember Howard, and carried unanimously to (A) Adopt a resolution in support of Centralina Council of Government's submission of a proposal U.S. Commerce Department seeking the Charlotte region's designation as a Manufacturing Community as defined by the Investing in Manufacturing Communities Partnership, and (B) Authorize the City Manager to execute a Memorandum of Understanding with Centralina Council of Governments for membership in the Global Charlotte Manufacturing Community Consortium.

The resolution is recorded in full in Resolution Book 45 at Pages 228-229.

ITEM NO. 20: LYNX BLUE LINE EXTENSION PROJECT-CIVIL CONSTRUCTION

Motion was made by Councilmember Barnes and seconded by Councilmember Fallon to award the low-bid contract of \$119,051,742.33 to The Lane Construction Corporation for the civil construction of Segment B/C of the LYNX Blue Line Extension project.

Summary of Bids

| | |
|---|-------------------|
| The Lane Construction Corporation | \$118,051,742.33* |
| Archer Western Construction, LLC | \$124,489,716.51 |
| Balfour Beatty Infrastructure, Inc./ Blythe Development Co. (Joint Venture) | \$127,107,116.57 |

Councilmember Barnes said I do want to say, and Ms. Flowers can refute this or support it, but this will be the beginning of the major construction that people will see. Is that not right? Close to it? The area in University City, so people have seen the utility work going on for a few months now and they will now begin to see all the major construction through Districts 1 and 4. It's been bad for a while, it's going to get worse before it will get better but it's going to get better. This is the beginning of things getting a little bit worse before they get better. I believe Ms. Flowers the actual construction will start in the summer? So it starts this summer. When folks see road blocks and lane closures and changes it's related to the Blue Line.

The vote was taken on the motion to approve item 20 and was recorded as unanimous.

* The contract was advertised with the provision of incentive payments if the contractor can complete three key milestones ahead of schedule; a total of \$1.0 million is potentially available and included in the award amount.

ITEM NO. 21: LYNX BLUE LINE EXTENSION AND CAPACITY EXPANSION PROJECTS

Motion was made by Councilmember Howard and seconded by Councilmember Kinsey to award the low-bid contract of \$130,805,444.31 to Balfour Beatty Infrastructure, Inc. for the track and systems construction of the LYNX Blue Line Extension and the LYNX Blue Line Capacity Expansion projects.

Summary of Bids

| | |
|-------------------------------------|-------------------|
| Balfour Beatty Infrastructure, Inc. | \$130,935,911.74* |
| RailWorks Track Systems | \$133,719,277.69 |
| Alstom/Judlau JV | \$140,732,143.00 |
| M.C. Dean | \$146,805,981.04 |
| Mass Electric Construction Co. | \$150,067,165.00 |
| Aldridge-Delta JV | \$150,908,075.29 |

* The final contract value of \$130,805,444.31 is a result of not selecting all bid alternates.

Councilmember Howard said I just wanted to point out that I was extremely happy to see that the DBE numbers. On projects of this size it's really important to make sure that we're getting minority participation and I'm really excited about what you were able to achieve going beyond the goal in both situations.

The vote was taken on the motion to approve item 21 and was recorded as unanimous.

ITEM NO. 22: APPOINTMENTS TO BOARDS AND COMMISSION

22-A: Bechtler Arts Foundation: The following nominees were considered for one appointment for an unexpired term beginning immediately and ending June 30, 2015:

M. Katherine Alexander nominated by Councilmembers Autry and Fallon
Takiyah Amin nominated by Councilmembers Barnes and Driggs
Matthew Benson nominated by Councilmember Lyles
Keith Cradle by nominated Councilmembers Austin, Howard, Mayfield, and Phipps
Patricia Fletcher nominated by Councilmember Kinsey
David Harris by nominated Councilmember Smith

Results of the first ballot were recorded as follows:

M. Katherine Alexander, 1 vote – Councilmember Fallon
Takiyah Amin, 1 vote – Councilmember Barnes
Matthew Benson, 1 vote - Councilmember Lyles
Keith Cradle, 5 votes – Councilmembers Austin, Autry, Howard, Mayfield, and Phipps
Patricia Fletcher, 1 vote – Councilmembers Kinsey
David Harris, 2 votes – Councilmembers Driggs and Smith

A second ballot was taken between Keith Cradle and David Harris and recorded as follows:

Keith Cradle, 9 votes – Councilmembers Austin, Autry, Barnes, Driggs, Howard, Kinsey, Lyles, Mayfield, Phipps and Smith
David Harris, 1 vote – Councilmember Smith

Mr. Cradle was appointed.

22-B: Bicycle Advisory Committee: The following nominees were considered for one appointment for an unexpired term beginning immediately and ending December 31, 2014:

Cindy Bean nominated by Councilmembers Austin, Barnes, Driggs, Fallon, and Kinsey.
Terry Lansdell nominated by Councilmember Lyles
Nathaniel Morrill nominated by Councilmembers Howard and Phipps
Thomas Raispis nominated by Councilmember Mayfield
Christopher White nominated by Councilmember Smith
Walter Zelensky nominated by Councilmember Autry

Results of the ballot were recorded as follows:

Cindy Bean, 7 votes – Councilmembers Austin, Autry, Barnes, Driggs, Fallon, Kinsey, and Lyles
Nathaniel Morrill, 3 votes – Councilmembers Howard, Mayfield and Phipps
Christopher White, 1 vote – Councilmember Smith

Ms. Bean was appointed.

22-C: Charlotte Housing Authority: The following nominees were considered for one appointment for an unexpired term beginning immediately and ending December 17, 2015:

Shirley Fulton by nominated Councilmembers Austin, Autry, Howard, Kinsey, Lyles, Mayfield, and Phipps
Douglas Gentile by nominated Councilmember Driggs
Patrick McNeely by nominated Councilmember Barnes
Alexander Vuchnich by nominated Councilmember Fallon

Results of the ballot were recorded as follows:

Shirley Fulton, 7 votes – Councilmembers Austin, Autry, Howard, Kinsey, Lyles, Mayfield, and Phipps
Alexander Vuchnich, 3 votes – Councilmembers Driggs, Fallon and Smith

Ms. Fulton was appointed.

22-D1: Historic District Commission: The following nominees were considered for one appointment for a residential property owner of Dilworth for an unexpired term beginning immediately and ending June 30, 2016:

Mildred Snyder nominated by Councilmembers Autry and Fallon
Tamara Titus by nominated Councilmembers Austin, Barnes, Driggs, Howard, Kinsey, Lyles, and Phipps

Results of the ballot were recorded as follows:

Tamara Titus, 11 votes – Councilmembers Austin, Autry, Barnes, Driggs, Fallon, Howard, Kinsey, Lyles, Mayfield, Phipps, and Smith

Ms. Titus was appointed.

22-D2: Historic District Commission: The following nominees were considered for one appointment for a residential property owner of Fourth Ward for an unexpired term beginning immediately and ending June 30, 2016:

John Luke nominated by Councilmembers Austin, Autry, Barnes, Fallon, Howard, Kinsey, Lyles, Mayfield, and Phipps

Results of the ballot were recorded as follows:

John Luke, 10 votes – Councilmembers Austin, Autry, Barnes, Driggs, Howard, Kinsey, Lyles, Mayfield, Phipps, and Smith

Mr. Luke was appointed.

22-D3: Historic District Commission: The following nominees were considered for one appointment for a residential property owner of Wesley Heights for an unexpired term beginning immediately and ending June 30, 2016:

Rodric Lenhart nominated by Councilmembers Austin, Autry, Barnes, Fallon, Howard, Kinsey, Mayfield, and Phipps

Results of the ballot were recorded as follows:

Rodric Lenhart, 11 votes - Councilmembers Austin, Autry, Barnes, Driggs, Fallon, Howard, Kinsey, Lyles, Mayfield, Phipps, and Smith

Mr. Lenhart was appointed.

22-E: Keep Charlotte Beautiful: The following nominees were considered for one appointment for an unexpired term beginning immediately and ending June 30, 2015 and one appointment for an unexpired term beginning immediately and ending June 30, 2014, and then continuing for a full three-year term beginning July 1, 2014, and ending June 30, 2017:

Robert Combs nominated by Councilmembers Fallon and Phipps
Mayada Hawkins nominated by Councilmembers Barnes, Fallon, Mayfield, and Phipps
Deborah Lee nominated by Councilmembers Barnes and Lyles
Dustin Prudhomme nominated by Councilmembers Autry, Howard, and Lyles
Deborah Robinson nominated by Councilmember Kinsey

Results of the first ballot were recorded as follows:

Robert Combs, 1 vote – Councilmember Phipps
Mayada Hawkins, 6 votes – Councilmembers Austin, Autry, Barnes, Lyles, Mayfield and Phipps
Deborah Lee, 3 votes – Councilmembers Autry, Barnes and Lyles
Dustin Prudhomme, 4 votes – Councilmembers Driggs, Fallon, Howard, and Smith
Deborah Robinson, 1 vote – Councilmember Kinsey

City Clerk Stephanie Kelly said Mayada Hawkins received six votes and there needs to be a run off between Deborah Lee who received three and Dustin Prudhomme who received four.

Mayor Clodfelter said Madame Clerk and Mr. Attorney since we are filling two positions and Ms. Hawkins received six votes does she get one position or the other position because they have different term lengths? How does that work?

Ms. Kelly said we would ordinarily put the person that received the highest number of votes in the longer term.

Results of the second ballot were recorded as follows:

Deborah Lee, 1 vote – Councilmember Barnes
Dustin Prudhomme, 10 votes – Councilmembers Austin, Autry, Driggs, Fallon, Howard, Kinsey, Lyles, Mayfield, Phipps, and Smith

Ms. Hawkins and Mr. Prudhomme were appointed.

22-F: Passenger Vehicle For Hire: The following nominees were considered for one appointment that calls for a person with a disability or a representative from an organization that represents persons with disabilities for an unexpired term beginning immediately and ending June 30, 2015:

Byron Mumford nominated by Councilmembers Austin and Autry

Results of the ballot were recorded as follows:

Byron Mumford, 7 votes – Councilmembers Austin, Autry, Howard, Kinsey, Lyles, Mayfield, and Phipps

Mr. Mumford was appointed.

22-G: Waste Management Advisory Board: The following nominees were considered for one recommendation by the City Council for appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending September 21, 2016:

Henry Antshel nominated by Councilmembers Austin, Howard, and Kinsey
Jay D. Winfrey by nominated by Councilmembers Barnes, Fallon, Mayfield, and Phipps

Results of the first ballot were recorded as follows:

Henry Antshel, 4 votes – Councilmembers Autry, Howard, Kinsey, and Lyles
Jay D. Winfrey, 5 votes – Councilmembers Barnes, Driggs, Mayfield, Phipps, and Smith

Since no nominee received 6 votes a second ballot was taken between Henry Antshel and Jay D. Winfrey and recorded as follows:

Henry Antshel, 6 votes – Councilmembers Austin, Autry, Fallon, Howard, Kinsey, and Lyles
Jay D. Winfrey, 3 votes – Councilmembers Barnes, Mayfield, and Smith

Mr. Antshel was appointed.

22-H: Zoning Board Of Adjustment: The following nominees were considered for one appointment as an alternate member for an unexpired term beginning immediately and ending January 30, 2015:

Collin Brock nominated by Councilmember Mayfield
John Powell nominated by Councilmembers Austin, Autry, Driggs, Fallon, Howard, and Smith
Bob Rapp nominated by Councilmembers Barnes, Kinsey, and Phipps

Results of the ballot were recorded as follows:

John Powell, 8 votes – Councilmembers Autry, Driggs, Fallon, Howard, Kinsey, Lyles, Mayfield, and Smith
Bob Rapp, 2 votes – Councilmembers Barnes and Phipps

Mr. Powell was appointed.

ITEM NO. 23: MAYOR AND COUNCIL TOPICS

Mayor Clodfelter said I want to raise one item that staff advised me that at your last meeting it was unclear from the minutes whether a referral into committee into the Governance and Accountability was properly made or did get actively made of the study and some recommendations about the City's ethics policies and practices and some processes of reviewing those. I understand that it appears from the minutes that the Council intended to refer that but maybe didn't actually get it referred. If there is no objection from the Council tonight since that appears to be the action you tried to take and didn't quite get it done would it be agreeable for the Council simply by consent without objection say that that matter is deemed referred to the Governance and Accountability Committee? Is that agreeable?

Councilmember Mayfield said I just wanted to give another reminder we are starting our count down for our show at premium outlet. The job fair will be on May 2nd which is a Friday. It will be from 10:00 a.m. to 7:00 p.m. and it will be at the Sheraton Charlotte Airport which is located at 3315 Scott Futrell Drive. Again the Sheraton Charlotte Airport, our Charlotte premium outlet which will be 100 stores, originally anticipated 90 that will be happening on May 2nd from 10:00 a.m. to 7:00 p.m. so please come out, dress professionally. Bring your resumes and be excited and open and willing for a new job opportunity.

ITEM NO. 7: CLOSED SESSION

Motion was made by Councilmember Barnes, seconded by Councilmember Driggs, and carried unanimously to go into closed session pursuant to NC General Statutes §143-318.11 to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of (a) City of Charlotte v. G. Keith Morris, Morris-Berg Architects, Inc., Elm Engineering, Inc. and Shelco, Inc., which is a Mecklenburg County case 13-CVS-720; and, (b) City of Charlotte v the State of North Carolina and the Charlotte-Douglas International Airport Commission which is also a Mecklenburg County case 13-CVS-12678.

The meeting was recessed at 8:41 p.m.



Stephanie C. Kelly, MMC, NCCMC, City Clerk

Length of Meeting: 3 Hours and 31 minutes
Minutes Completed: May 2, 2014