

The City Council of the City of Charlotte, North Carolina convened for a City Council Dinner Briefing on Monday, May 12, 2014, at 5:15 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Dan Clodfelter presiding. Councilmembers present were Al Austin, Michael Barnes, David Howard, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

ABSENT UNTIL NOTED: Councilmember Ed Driggs

ABSENT: Councilmembers John Autry, Claire Fallon and Patsy Kinsey

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Clodfelter said are there any questions that we need to get work done on the consent agenda items that haven't already been turned in?

Councilmember Mayfield said I believed I pulled item 33 but that's more for informational. I just want to give an opportunity for staff to address a question that I have but they already have it.

Mayor Clodfelter said do you need them to address it in the meeting? You want it pulled in the meeting? Okay, thanks. Anything else?

Councilmember Howard said I had number 32. I'm sorry staff; I didn't get this beforehand; a little bit more information about the INclusion goals and I think they did some good faith estimates but I'd love to know especially on a construction project why those goals couldn't be met. That's all I have.

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ITEM NO. 2: AIRPORT TAXI CONTRACT BRIEFING

Interim Aviation Director Brent Cagle said I appreciate the opportunity to come to this meeting tonight and talk about the taxis. I will say this agreement has been in place since 2011 which predates me. I joined the airport in 2012. Most of the briefing tonight I'm going to turn it over to Leila Lahbabi and Haley Gentry. Leila and Haley have been with the airport for many years and were very integral to this process back in 2011 and before. With that I'm going to go ahead and turn it over to them so that they can talk about some of the history and talk about the decision making that led us into this contract.

Councilmember Driggs arrived at 5:17 p.m.

City Manager Ron Carlee said if I may, before they begin this briefing there is one comment I wanted to make at the beginning. There have been a number of allegations made with regard to this process including some that are of a criminal nature. We will not be discussing any of those tonight. Those are investigatory matters and that is not the purpose of this meeting. If at an appropriate time when external law enforcement has completed an investigation it appropriate for us to do one; we will but that would be premature on our part. The purpose of the briefing tonight is to give Mayor and Council a comprehensive background to understand why the airport shifted to a managed contract for taxis, how that process was conducted, what staff did in conducting that process, the decisions that were made and some of the outcomes of those decisions including some lawsuits as well. This is really intended as background although nonetheless as Mr. Cagle will talk at the end we are at a critical point in deciding the future of that contract that is on a fairly tight time frame and he'll address that at the very end of this conversation. I just wanted to say at the outset there has been a lot of discussion and testimony before the Council with regard to inappropriate activities that would not be appropriate to discuss those in session tonight and we are not prepared to do so.

Leila Lahbabi, Aviation said we appreciate the opportunity to give you some of the history and background and as Mr. Carlee said; how we got here and why. For some of you you know quite a lot about airport taxis having lived through this and its first incarnation and for those of you we

hope that this will prove helpful as a refresher and for those of you for whom this information is new we also hope it's helpful in terms of background. I am the Lead Counsel to the Airport but as Mr. Cagle mentioned was part of the project team along with Haley and others as we implemented the new system. Let's talk first about the legal environment at the Airport. As you probably you know while most drivers here in Charlotte are actually independent owner operators the City's PVH Ordinance requires that taxis drivers associate with a taxi company. Therefore, the City contracts directly with taxis companies to serve the Airport. Let me explain what I mean when I say to serve the Airport. Our Airport Operating Agreements are only required for on demand service and what that means is for the right to wait on Airport property to pick up passengers in our on demand cue. When somebody comes out of baggage claim and wants a cab. Any taxis company that's properly licensed by PVH is able to drop off passengers at the Airport and any taxi company can pick up by prearrangement with or without an Airport Operating Agreement.

Let's talk a little bit about the history of the Airport taxi system. We've actually regulated the taxis companies serving the Airport for many years. In 1989 Council actually established what's called an open agreement system. The most popular taxi driver at the Airport that year was Big Earl pictured here in an Airport publication the move to open agreement was an innovation. It did away with open curb. Open curb means any taxi in the City can just come to the Airport and wait for a fare. In contrast the open agreement system that was implemented that year allowed any company who met minimum qualifications to receive a limited number of permits to give to their drivers; that system followed best practices in major markets. Our very own Councilmember Al Austin, who in his previous life, and we know this because Haley Gentry was an intern with Mr. Austin back in the day, said we want to make sure that the taxis serving the Airport are projecting a positive image. Both of us and the overall City and that quote really resonated because that goal that he articulated then in 1989 remains spot on and exactly our goal today. Although the 1989 reform was a great advance in customer service and as I mentioned it followed innovations in other major markets; it didn't work forever. As the City changed the system needed to change too. Back in 1989 there were a handful of companies in town and they could all serve the Airport but as the number of companies in town grew and they all obtained Airport Operating Agreements more and more taxis set up shop at the Airport. The growth was propelled by the demand of the taxi companies wanting agreements rather than the demand of customers wanting cabs. Supply and demand got out of whack and Haley will further explain the effects of that in just a few minutes. In 2004 the number of companies at the Airport reached 12 and froze there until as you know we implemented the upgraded system in 2011. Because of the first come, first serve system some companies were actually shut out of serving the Airport with no competitive process and similarly other companies benefited but without a competitive process. Another consequence of that lack of competition was that companies had no real incentive to step up their game. Companies typically receive their payment based on the franchise fees of the drivers pay. The companies were making money with the Airport agreement regardless of the level of service. It's a little bit of a different calculus for the driver obviously. Now, don't get me wrong many companies did step up their service and put in innovations; more quality controls and invested in technology. Many of the companies did that but not all did and so what that meant for our customers is that there was a real continuum in quality. Starting in about 2008 we started studying how to improve the system. We didn't want that continuum of quality we wanted consistent quality. The Airport determined that in accordance with best practices in the industry. It was time to implement a competitive process and upgrade the taxi system. The Aviation Director actually gave several briefings to City Council over the years from 2008 forward. We thought it would actually be helpful for you all to hear what Council then heard as they were considering and then ultimately approved the new upgraded system. With that note I'll turn it over to Haley Gentry.

Haley Gentry, Aviation said as Leila said in our earlier presentation we had told Council of the need to improve the Airport's taxi system. This is the presentation from March 20, 2011 that discusses the plans for how we plan to do that. At that time we determined we wanted the best cars, the best service and the best drivers to show the best face to this City. The easiest way to accomplish that goal would've been to issue an operating agreement to one taxi company. That would have been the easiest to administer for the Airport. It would have been the most effective and efficient way to get the most consistency. It would have provided uniform service, uniform appearance, and uniform technology. It would have also given us the greatest degree of

flexibility while still allowing us to have control. However, it was understood that a competitive environment would give drivers more options in selecting which company they may want to work with. It was also understood that sharing the business among more than one company was good business and beneficial to the City. Ultimately, it was decided that three companies would be recommended for agreements. At the time we had 12 different companies and 144 taxis. We saw significant inequities in the quality provided to our customers. Some taxis were clean; some were not, some had technology; some didn't, some provided excellent service; some did not. We really needed to change that. The customers never knew what to expect when an Airport taxi pulled up at their stop. We thought that every Airport customer should expect first class service every time. During the process we talked to many different people about designing improvements; things that would make it a much better product for our customer. Many of the drivers complained that they were working too much. Some of them as many as 16 hours a day. That was largely because they were too many taxis sitting at the Airport competing for too few fares. Taxis do not make money sitting in the lot waiting to be dispatched. This is a picture of what it looked like then. They make money with a customer in the backseat and at the time taxis were waiting almost an hour and a half on average between dispatches. The data analysis showed that we had too many taxis most of the time and not enough taxis some of the time. We decided we would balance our supply and demand; a basic business philosophy. The new system was designed to keep the drivers driving. Driving would mean they would make more money. We used to issue 144 permits. The data showed that most of the time we only needed a fraction of the 144 to serve our customers but at peak times we actually needed more than the 144. The best way to resolve the discrepancy is to allow the number of taxis we actually needed to work at any given time. We now have close to 160 permits issued. While the number of full time permits has decreased the overall number of permits has not. The reasoning for doing that was this; fewer drivers at any given time slot will mean more fares for those drivers. Scheduling the permits will mean that they will be able to handle more fares in less time. In this way we will match the customer demand with the taxi supply and the drivers working will make more fares in less time. We believed a better rested and a better paid driver would be able to provide better customer service which would lead to a better image of our City.

Councilmember Phipps said it changes in the way we operate the contract. The changes come about partly because of significant consumer complaints.

Ms. Gentry said yes sir. We used to be inundated with complaints and the CRVA was inundated and the Mayor's office was inundated. We did have a lot of problems particularly with the cabs that were dispatched from the Airport and the inconsistency.

Councilmember Howard said to piggy back on that. Did you guys document the number of complaints back then when we were going through this?

Ms. Gentry said yes we do have some complaints documented. In terms of numbers we would have to go back and look at our files from then but yes we do have some complaints.

Mr. Howard said one of the benchmarks should be if they went down. I was just wondering if that was something that was looked at all.

Ms. Gentry said I can comment although I think this to Brent's; he plans to comment as well but I can tell you now we have virtually none.

Mr. Howard said that's a good benchmark. You said a little while ago how many permits were given out and I don't see on the screen. When we started it was how many?

Ms. Gentry said we had 144 permits initially that were spread among 12 companies.

Mr. Howard said and it went to?

Ms. Gentry said and now we have almost 160. Its 105 standard permits and 51 and those are spread among three different companies. Leila can give you the breakdown if you need it.

Mr. Howard said I thought you said that. The number of cab drivers didn't change because the permits are per car right?

Ms. Gentry said permits are per car. Do you want to comment further about that?

Mr. Howard said we asked you we have more people than we had before just with three companies?

Ms. Lahbabi said that's right although in all fairness the peak time permits don't give that driver the ability to serve the Airport full time so for that driver with a peak time permit; he's not going to feel it's as valuable as a standard permit.

Mr. Howard said that's what I wanted to make sure of.

Ms. Lahbabi said that's right.

Councilmember Smith said this is more of an observation. It seems to me that it just a bad business plan for somebody to sit for an hour and a half to wait for a fare; not something that we as government necessarily need to regulate or legislate. This may come later in the comments but did we look at forcibly raising standards on folks that came to pick up fares and was that enforceable? Instead of boxing out cab companies leaving the competition open to all but raising the standard for those that were going to do business out at the Airport.

Ms. Gentry said I think I'm going to answer that probably in the next slide or two and if it's not clear let's go back to it after I cover that.

Ms. Gentry said we did determine that our new system had to have increased standards of service. The new operating agreements gave these companies the right to serve the airports on demand customers in exchange for meeting Airport standards which at the time were higher than the PVH standards. The agreements provided for improvements such as better technology, a driver dress code and newer cars. What you don't see here is that the Airport did explain to Council in an earlier presentation in February 2011 was that we had to step our game as well. We had to dedicate more staff to focus on this initiative and focus on enforcement. We also invested in new technology that enabled us to dispatch taxis electronically which helps get the cabs to the curbside more efficiently. We've explained what the upgraded taxi system looks like then we turn to who was recommended to help make these improvements happen. In August 2010 the Airport issued a RFP and nine companies proposed. The proposals were reviewed by a selection committee made up of individuals from the Airport Advisory Committee, CMPD, CRVA and the Aviation Director. They analyzed the proposals according to the selection criteria and decided to interview the five companies who submitted the best ones. After the interviews they unanimously agreed on three companies to recommend. At that time it was Crown, Yellow and King. Each proposing taxi company was already certified by the PVH Unit and therefore had properly met the initial eligibility requirements to submit proposals however, with further research the City Manager determined that it was not in the City's or the public's best interest to issue an operating agreement to Kashmiri Enterprises; the operator of King Cab and recommended the selection committee's first alternate City Cab. The recommendation was then to issue operating agreements to City Cab, a newly formed shareholder owned company formed and owned by drivers; Crown Cab; an established well respected local company with active management and Yellow Cab a nationally recognized brand. Later that night Council was asked to approve operating agreements with those companies.

Councilmember Mayfield said repeat again who made the decision because we created a process. We identified three companies and through the City Manager's office we decided that one of those companies that we were going to the alternative. Why?

Ms. Gentry said the City Manager did recommend that the selection committee's first proposal not include one of the recommended companies and at that time the alternate proposer who is the next in line was recommended for the Council action process.

Ms. Mayfield said but if the selection committee had a stringent process; I'm trying to understand do we have anything to state why it was suggested that we not go with the original suggestion because for the short period of time that I've been on Council it seems that that's been the biggest concern and that's been from that particular business is where we had most of the conversations at the meetings is the fact that they were proposed and then we basically superseded the process and say no we're going to go to the second.

Ms. Gentry said the Council action was pulled from the agenda. I can't speak for Mr. Walton who is not here any longer but I can tell you that it was determined that there was a felony conviction on one of the owners of King Cab and Mr. Walton made the decision at that time to remove them from our recommended selection.

Ms. Mayfield said okay, thank you.

Ms. Lahbabi said so as Haley said this was the Dinner Briefing before Council was asked to approve agreements with the three companies whose vehicles you see there. That evening Council decided to refer the matter to the Community Safety Committee for further discussion and review. The committee members asked for and received all the taxi company proposals in advance of their meeting and when they did meet the minutes reflect a very thorough discussion of a lot of different topics. One of the issues actually discussed during that committee meeting is of particular interest or remains a particular interest today and as the Manager said while we have no information and cannot comment on any investigation there had been allegations at the time that HTA membership played some role in the selection process so staff was asked to research HTA membership and our findings were presented at the committee. What we found was that two of the three companies that were recommended were members and two of the six not recommended were also members. After a vigorous discussion and debate the committee unanimously ratified the recommendation of the selection committee as modified by the City Manager and they sent that back to the full City Council for a vote a month or so later. There were law suits and now I put my Counsel hat back on. On June 13, 2011, City Council did ultimately approve the operating agreements with those three companies; City, Crown and Yellow and despite legal challenges the new system was successfully implemented about a month following that. All the disappointed proposers who did not receive a new agreement after the competitive process sued. A few individual drivers as well as an organization representing drivers also sued. The City successfully defended all seven lawsuits. Some were voluntarily dismissed by the plaintiffs' right before court hearings were scheduled where the City would have argued for a dismissal. In other cases the city was able to go to court and be heard and the court agreed with the City that the legal complaints failed to stay a claim. The new Airport Operating Agreements took effect July 18, 2011 and provide for a one year term with four one year renewals. As approved by City Council the options to renew are exercisable by the Aviation Director. We're now coming to the end of the second option year in just a couple of months and at this point the Director will address next steps.

Mr. Howard said one of the things when you were going through, were the selection committee recommendations and the committee; what were the votes on all those? Are all those unanimous?

Ms. Lahbabi said yes the vote was unanimous in the selection committee and then the Community Safety Committee in turn was unanimous as well. That's right

Mr. Howard said and another process going forward; maybe Mr. Cable you're going to talk about this; the selection process would include a review of the reason why the third person was kicked out so we don't have that happen again. Is that part of the new criteria?

Ms. Lahbabi said if you don't me jumping in I think the PVH Ordinance was actually revised in light of that and if you want more details Mr. Campbell could speak to that.

Mr. Howard said that's all I wanted to know.

Councilmember Austin said three companies got selected. The other companies were able to operate within the City; the greater City correct?

Ms. Lahbabi said yes sir.

Mr. Austin said did any of those fold as a result of this?

Ms. Lahbabi said they did. I have gotten information from the PVH Manager previously and I'll be glad to recirculate that. What my recollection is, is that a couple of companies who had served the Airport did close. The PVH Manager told us that those companies had struggled to maintain the minimum number of vehicles in their fleet for some time prior to the end of the contract. Also a new company was formed; United. It's another driver owned company much like on the model of City Cab and I see some people who are; Eric Campbell might want to speak to that or might not. Is that correct?

Assistant City Manager Eric Campbell said yes.

Ms. Lahbabi said we did have a couple that closed. We can't say whether or not it was related. We did have some new ones form and also three companies merged. Taxi USA had three different companies under its umbrella and they merged into one so there are currently 10 companies operating in the City of Charlotte and the number of drivers has actually grown over the years.

Mayor Clodfelter said the number of drivers has increased?

Ms. Lahbabi said yes sir.

Mr. Austin said thank you for my little blurb about me. I was probably the first Ground Transportation Supervisor there and started a lot of this. How are your staffed now in terms of enforcement, since I was the enforcer?

Ms. Lahbabi said do you know how many inspectors we have?

Mr. Cagle said I believe we have three inspectors and we have several operations officers who help to enforce the regulations and monitor the commercial vehicle lane and the taxi lanes at the Airport. I will say that after talking to some folks who have followed in your footsteps so to speak.; one of the advantages that they clearly see to the current agreement and the current regulated environment is the ability to address directly any concerns on a literally daily basis. Right now there are three companies operating and as the ground transportation folks and the operation folks at the Airport see issues because issues do arise usually minor in nature on a daily basis. They have the ability to communicate directly daily with the General Managers of the three different companies and they literally see instant results. That's something Councilman to your earlier question that we were not seeing as I understand when there were more companies and the market was diluted. It was much more difficult to request and get a higher level of service and as a result we had very inconsistent service. You never knew what kind of taxi you were going to be hopping in when they pulled up to the curb. That has changed. It's not that every taxi is perfect but we have a very good open line of communications. Our ground transportation folks meet with the current three managers on a monthly basis. They inspect the vehicles on a quarterly basis and they issue the permits annually. There is a very close relationship and there is a very clear way for us to express concerns and to see those concerns resolved.

Let's move right into next steps. As I just said we believe that an open curb system is not a benefit to the Airport and specifically to the Airport customers. We do understand that the next RFP process we need to evaluate the number of providers at the Airport. We also need to evaluate the number of permits issued. As the Airport grows we want to make sure that the customers are serviced but that may mean more permits overall both standard and peak time. Again, any RFP process including the previous one but a future one is intended to select the companies with the best proposals. We've learned some lessons from the last process and we can improve on next process. All that brings me to what do we do today? The contract has a sixty day notification clause. That notification is really designed as a courtesy to the current providers and really specifically to the current provider's drivers. What I would recommend is to take an additional 30 days and reduce the 60 day notification to a 30 day notification. That will allow us

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an additional 30 days to further evaluate our options and develop a sound strategy for moving forward with the fiscal year 2015 contract which would commence July 17 of 2014 running through July of 2015.

Mayor Clodfelter said your recommendation is that we shorten the notice process by 30 days to give you more time develop the process for going forward. Do you need action on that recommendation?

Mr. Carlee said previous Council action delegates to the Aviation Director the ability to act on this contract and as you can hear from the Aviation Director there are a lot of issues that need to be taken into account this year. Probably all things being equal the contract would have been renewed for another year. Given all that has been raised what is suggested is that he take an additional 30 days to evaluate and decide what may be the best direction to go. This will hopefully give us more time to learn what is going on externally but also to decide what the actual process would be. If we were to go through a re-contracting; go through the process similar to what you heard described tonight; it's probably at least a six month process and the last one led to seven lawsuits. I would hope that this one would lead to none but that is probably not likely to be the outcome.

Mr. Howard said I have a couple questions then I have some comments. One thing you didn't mention; you kind of mentioned that we have more drivers than we had before but I heard a stat somewhere a couple months ago about the fact that the three companies absorbed more drivers that left some of the other companies. Do we have an understanding about how many of the drivers we are really out? Not the cab companies.

Ms. Lahbabi said I can pull that information. I think I can get that for you.

Mr. Howard said there is an automatic one year in this that could just be done. One year with an automatic; one or two years?

Mr. Carlee said they're not automatic. They are discretionary but there are two additional one year options.

Mr. Cagle said it was originally a one year contract with four options. We are now currently in the third year i.e. there are two options remaining. If we were to exercise the option for July 17th it would be the fourth year of the contract or the fourth year for these three providers to provide service at the Airport.

Mr. Howard said Council when we dealt with this, and I think there are two of us at the table right now. It was Michael and I that were here when we dealt with this a couple of years ago. One of the things you should know is that we didn't get to the decision in that one night. We actually went through several deferrals on that to get to where we were because we were concerned about all this. Ultimately, what we came down to; at least what I came down to; is that in the scheme of what's going on at the Airport; not's going on with cab companies in Charlotte; the most important entity there is the customer. What we heard from even Mr. Dulin who went out and did some secret shopping. He went out and rode in and out, in and out of the Airport a couple times and talked about the inconsistency he found when he was doing it. Ultimately, the vote for me came down to putting the customer first. When we did this though we also did with the understanding that we were going to be asking for these three companies to invest more than they had been investing in their cars, in their drivers and more expense. The idea of giving the options was to make the investment that they were making in those cars make some sense. I still have that same concern even now because they've done everything they were supposed to do right and because of some newspaper articles and some allegation, which you know how frustrated I am that we keep all brushed with this issue we have in front of us. They haven't done anything wrong. Why add more companies to a situation when the three companies from everything I've heard from everybody that's coming to the Airport has been doing a good job seems to be unfair to me. They played exactly by the rules that we set in place and we had a lot of discussion about this. A whole lot of discussion about it and these companies haven't done anything. To add competition when they've done everything right because of allegations doesn't feel right to me. That's just where I am on that one.

Councilmember Barnes said I recall and this may be a direct quote from Jerry Orr. We want the best cars, the best service and the best drivers to show the best face of the City. I think Jerry said that to us. We all agreed with it. What I heard you say a few moments ago is that you have almost zero complaints. Our goal at that time was to accomplish this; good clean cars, technology, a presentable face on the City of Charlotte and from my perspective and according to what you guys have just told us we've been accomplishing that since 2011. I hope you'll keep that in mind as continue through this process.

Mr. Smith said my problem is and I was not on Council so I look forward to dialogue this go round as this seems to be an instance of government picking winners and losers which is something to struggle with.

Councilmember Driggs said I'm curious the companies obviously have a significant benefit from being chosen. Do they pay anything? A franchise fee? Did they bid for the business or do they just compete and then they have this advantage that we give them?

Mr. Cagle said that is an important question and I'm glad that you asked. They currently pay \$500; the \$500 annual permit fee. I will say that that fee has not increased over the years and that is a very modest permit fee. It is not a bid situation. It is simply a permit fee to help us cover those costs. One of our concerns is the more companies that are allowed; is it impossible to regulate and to enforce standards with more companies. The answer is no. It is more costly though. Those costs quite frankly, it's our understanding that those costs will be borne by the drivers. We believe to provide the best service to the passengers is to provide the best situation for those drivers. It's not good for them to sit an hour and half and wait and those kinds of things. It is a permit fee.

Mr. Driggs said clearly this is a benefit to the companies because they all compete to get this appointment and the companies that didn't get it sued. On balance there is obviously a commercial advantage that is created for those three companies. Do we have a sense of what that is? How much is worth to them? One of the things you're doing is by regulating the waiting time which I agree has economic benefits but your also doing exactly what was suggested and that is seeing to it that the cars that happen to be participating do not wait and have passengers on board and I have to assume that there's a significant commercial benefit to them. I'm wondering if we have sense of what that is and what we're actually giving them.

Mr. Cagle said not to my knowledge. I do not believe that we have tried to price out the commercial benefit to the company. I will say the number of permits were regulated far before 2011. They were regulated since 1989, so that number of permits has been in place or a regulated system has been in place since 1989; not just since 2011.

Mr. Driggs said but it's only since 2011 that we haven't had the hour and a half waits for some of the drivers.

Mr. Cagle said and part of that is and I apologize; I'll explain this; we called the old system 12,12,12; 12 companies, 12 cabs for 12 months. Part of that hour and half wait is regulating the number of companies and allowing them a larger market share by reducing the number of companies and also pulling down and having peak time versus standard permits. All of that together helps to benefit the individual driver but the regulations or the regulated environment goes all the way back to 1989.

Mr. Barnes said I want to respond briefly to my good friend from District 6. It would not be fair to say Mr. Smith that we were picking winners and losers. As you heard earlier we went through a fairly extensive competitive process; none of us were on the selection committee that was CMPD, Airport Officials, CRV and other people who weren't a part of this body and as you see here they interviewed five proposing entities and recommended three. Initially the Airport Director wanted one company there and some of us fought for; I fought for four; we ended up with three. I say this to you to say that any company that was able to get through this process, that was able to invest in clean, efficient and working taxis and was willing to provide the technology that we were seeking; the credit card machines and so forth in the taxes was very much able to compete in this process as I understood it. The three companies that succeeded in

the process have been working there since 2011 apparently with very, very few complaints which I think is a good thing for the traveling public and the City of Charlotte and the image that we were hoping to create for our City. Saying that we were picking winners and losers is not true and yes Mr. Driggs there is some gain to the companies that succeeded in the RFP process and the investments they made in their cars and in their people, I think is the cost of doing what they've done. Yes, we asked for a lot of things, yes they've gotten business but they as I understand had to invest in their people and their vehicles and the technology piece in order to become a part of this three company process.

Mayor Clodfelter said let's talk about where we are here for a minute. There is a difference in sort of philosophy about you approach the award of a contract like this and I understand that. We are not going to settle that tonight. This is an information report on what happened and how we got here so I think if we want to revisit that again that's probably a policy decision that needs a different kind of agenda placement. We've got other items. On this presentation and what I understand is going to happen is Mr. Cagle wants to take another 30 days to sort of think about what's the process of going forward from this point and what does he recommend about any changes that might be made going forth from this point so we're not at that stage tonight. As I understand that's his recommendation. No philosophy; just sort of what happened.

Mr. Howard said again the only two people that are here tonight that were here were me and Michael. For me personally starting out with what was the most important. Was it good companies at the Airport or was it the customer at the Airport. Given everything that we've done at this Council and the fight for what's going on at the airport; everybody concerned has talked about how important an engine the Airport is to the economy. That's why we regulating vendors, it is something we do at an enterprise. We do it inside the Airport. I'm just giving a thought about why I got to where I got Mayor because what I was told even the shoe shine folk make hundreds of thousands of dollars a year. We regulate all of them. We don't just let anybody into the Airport; we don't do that. Mr. Mayor, I'm still concerned that even in this situation Mr. Manager we seem to be solving for a problem that we don't know we have yet. Now if out of this investigation with the former Mayor we find out there was something then let's solve a problem. Again, it sounds like we're solving something we and I don't like the 30 day thing because again, being loyal to those three companies Brent. They've made that investment, the whole point of 60 days was to give them time to make adjustments if for some reason they lost the contract or something changed. To go to 30 days just seems to be a bit unfair to me. I'd rather us extend theirs for 30 days and give them 60 days then to just wipe it clean. We could do that too. We could extend it past July 31st and give you 60 days to do everything you still want to do but just give them the same amount of notice out of fairness to them.

Mr. Carlee said well there are some technicalities here that I think will address your concerns.

Mr. Cagle said there is one technicality that I am concerned about; the City Ordinance or the City Code regarding PVH or the taxis does specify that the Airport will enter into annual agreements or enter into agreements annually with companies. I'm not sure if we have the right to enter into a "month to month." I will say the current contract allows a 30 day termination without cause clause which may allow us to get to the same place although I would like to have better certainty going forward. I think we owe that to the companies that do business because fundamentally the service they are providing is of an excellent standard and they're meeting the terms and conditions of their contract and have been since 2011.

Ms. Mayfield said can Uber or Lift pickup and drop off at the Airport now since they're recently added into the community how does that work if we're working on regulating our cabs?

Mr. Cagle said any legally licensed company that provides transportation can drop off at the airport. If someone grabs an Uber; I've never done that; however, that happens; yes they can say take me to the Airport and there is no problem with that. If you also as a passenger are coming back and you call Uber and say pick me up at the Airport that is perfectly legal. That does not violate any of the ordinance or the provisions. It is on demand so it is not prearranged is what that means. Any prearranged service either coming to the Airport or leaving the Airport has been prearranged is okay.

Ms. Mayfield said for clarification; I fly in from D.C. and I'm used to utilizing this service there and I'm waiting and for me I'm impatient; it seems like it's taking forever I'd go ahead on my phone right then and request for them to come. I'm just trying to make sure that if this is the direction we are going in while you're looking at it to make sure that we're keeping the process competitive because what I don't want is in another year we're back to having this conversation because now these other companies have created a disadvantage when we put so much into this process.

Mr. Cagle said as you've described it, as I understand the description you're giving that is perfectly fine. That would be prearranged transportation. What we're really talking about when we say on demand is the right to stage and wait in the taxi lot and be called up as you walk out of the terminal and say I need a cab. For that right or privilege that is the on demand service and that is what's regulated with the Airport licenses.

Councilmember Lyles said I just want to make sure that I've understood what you've said. The current contract expires July 17, 2014 requires a 60 day notice and has one additional year for a renewal by the Aviation Director prior to going out for a request for proposal for the end of this term of this contract.

Mr. Cagle said technically there would be two extensions and then the question...

Ms. Lyles said for 14 to 15 and 15 to 16.

Mr. Cagle said that is correct that would be the extent of the original request and contract that was approved in 2011.

Ms. Lyles said in 2016 if that were the end of it; would the process that you're talking about now the next steps be what you would be talking about doing again in 2016? You're actually moving this forward or thinking about moving it forward now versus the 16 year and the driver for that has been what?

Mr. Cagle said it has been the suggestion or possibility that the process involved; not the method, not the system; that the process involved was possibly tainted.

Ms. Lyles said I guess I'm listening to this and I think that it's very difficult for us as a Council to sit in the stead of what I think is an investigation that's ongoing. I'm certainly not qualified to be an investigator. I didn't join the police department, I'm not an FBI agent and I'm just really concerned about what drives this in terms of our intent versus what we've got to do and to do it well I just think there is a lot of change that's gone on since we started this contract and I would like to have a really good process that takes into account are we using credit cards, are we going to be able to bump your phone up against the machine in the back of taxi to make it work. I don't want to rush to make those kinds of decisions that are going to last for a long time. I don't know that I see why we would drive when we need to have in place the most up to date technology; benchmarking what our competitive other airports are doing, what's the state of the taxi industry and I would feel very reluctant to do that unless you can guarantee; well I'm not going to be able to do it; if you say you can do all that in 30 days and do it in a quality way that works well for Charlotte I could get there but right now I'd rather have a really well done contract with the latest technology taking in consideration latest market forces both in the aviation and the taxi industry and doing it the way that we do things in Charlotte; the right way, quality for the right time and place. I'm just concerned about 30 days to do what we took time or I wasn't here but took time to do over a significant period of time and to make the improvements that we need to make for the customer that we're talking about. Mayor, I wasn't here but I think about this in the way that we approach significant efforts now. I'm just going to say if we decide that it's free market and everybody's going to let it go that's 30 days; we don't have to take long to decide that Mr. Smith but I think to do it the way that we ordinarily do it I'm very concerned that we do it right.

Mr. Carlee said me too and to clarify that was very well put and expresses the concerns of staff as well. The 30 days would only be to evaluate what all of our options are. As you heard Mr. Cagle say a moment ago he wants to have real clarity in terms of what our legal options are and what the implications are. I do not anticipate that from many conversations that he's had that he

would be making a recommendation to discontinue the contracts with the existing companies in 30 days. The question is what would be the terms of the conditions of an extension and would those be acceptable to the companies. As I said a few moments ago, let me see if I can restate it and be clear, in order to go through a new competitive process or to go to a different system and ensure that we could do it right I believe would take a minimum of six months.

Ms. Lyles said just in response to that I think doing it right is more important. I say if there is a tainted process let the chips fall where they may because we still have to do things and run this City in the way that it's supposed to be run and that's really important.

Mr. Smith said this is a very specific question to the slide they're not numbered; but upgrade the vehicles so we awarded contracts to three cab companies. Did the five other cab companies that came in for RFP process; were they willing to have the backseat credit card devices, the GPS systems and the newer taxes?

Mr. Cagle said in context of your narrow question I think the question is were the other companies responsive?

Mr. Smith said I'm just trying to figure out if we only awarded it to three were there more than three companies willing to do these things to keep the business?

Ms. Gentry said I can tell you that not all of the companies were financially able to meet these qualifications.

Mr. Smith said but were more than three?

Ms. Gentry said we'd have to look to be exact but I know there were at least four because those were our three and then the alternate that met these criteria.

Mayor Clodfelter said are there evaluation reports from the review committee?

Ms. Lahbabi said we did not do formal sheets for them to fill out so any materials they had were just rough notes. Nothing was circulated or voted on.

Mayor Clodfelter said I thought that might get to Councilmember Smith's question.

Ms. Lahbabi said and just a little bit more. If you're saying were other companies who were willing to meet the requirements still not selected; yes. There was a focus and the design on minimizing the number of companies. Part of what we talked about was wanting everybody to be invested in the system and what we said was that the companies are going to be given more business at the Airport but in exchange for more management. We really needed them to step and do active management and we thought the way to do that was to make the portion of their business that was related to the Airport more important. There may have been some as Haley said there were financial concerns but the focus was on limiting for that active management.

Mr. Driggs said I just wanted to understand what the stakes are if I could find out; not necessarily right now; how many trips originate from the Airport by these companies? They have an advantage in that when they take somebody to the Airport they know that they're going to have a fare back where the people don't. Just to get a feel for how big the stakes are here if I could get an estimate. How many trips originate from the Airport by these companies? Again, not now; get back to me if you need to.

Mr. Cagle said we can get that information.

Mayor Clodfelter said for those of us who were not around this is good background to have so I appreciate it.

Mr. Howard said I guess it's clear how I felt about it then right?

Mayor Clodfelter said I think we understand how folks feel. I was getting a sense about how folks felt about it. We may need to cut you a little bit short Barry.

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ITEM NO. 3: CATAWBA-WATEREE RIVER BASIN WATER SUPPLY MASTER PLAN

Utilities Director Barry Gullet said we're going to cut back just a little bit to try to get you back on schedule.

Mayor Clodfelter said I'm going to suggest that if we don't get through everything on this topic we need to we may need to bring it back again. This is probably one of the most important pieces of work that the City is doing right now. If we run out time we'll continue the dialog at another meeting.

Mr. Gullet said the first thing I want to say is that I'm really here tonight kind of wearing two hats. I'm here as your Utility Director, your Water and Sewer Director but I'm also here as the Chair of the Catawba-Wateree Water Management Group. Some of you know this; I've talked about this before with Council but there's really a serious problem developing in this region. The serious problem is that if the past trends continue the Catawba River is not going to have enough capacity to support new growth in this region beyond the middle of the century. That isn't far off. We believe that we need a plan; we need to make it last longer and so the Catawba-Wateree Water Management Group has commissioned a study and has created a water supply Master Plan that addresses this issue throughout the basin. I really believe that the success of the plan is as much the planning process as it is the plan itself and the report itself and I can tell you that the planning process is ongoing and will continue to be ongoing. The report that's being published and it will be on our website tomorrow is really kind of a snap shot. We have already received some comments on it. The Master Plan is broadly based. There are a lot of groups in our area who have a different perspective; who have a different interest and who may disagree with some aspects of the report. We're already addressing some of those and will continue to work with them and address them going forward in the future. I want to reemphasize that this was not a City project. This report was not a contract that was commissioned and contracted with by the City; this was Water Management Group funded project. The Water Management Group is a non-profit corporation so we have the ability to do that. We hired a consulting team consisting of HDR Engineering and McKim and Creed to do this work. They've been working on it now for three years plus and so there has been a lot of work that's gone into it. I'm going to start this video that is a little bit of a summary. It's about three and half minutes I believe and when the video finishes I'm going to turn the mic over to Kevin Mosteller from HDR engineering. He did most of the work on this project; he and his team and so he going to go through some of the specifics.

A video about the Catawba River Basin was shown.

Kevin Mosteller, HDR Engineering said I was very privileged to work with those three gentleman and a number of the other members of the Water Management Group over the last three or four years. At least for me and I think for all the Water Management Group members this is a once in a career project because as Barry said we have a problem in 2050 and it's not a problem we can solve in 2049. That's really what the Master Plan is about. I'm going to try to condense about three years effort and a 1,000 pages into about the next eight minutes so hope you bear with me.

Some background in 2006 as part of Duke Energy's relicensing effort on the Catawba River a water supply study was done and that water supply study was the first effort to really identify that the Catawba River had a problem and that problem would really limit this region from growth past about 2050. As part of that relicensing effort the Catawba-Wateree Water Management Group was formed. That's the 19 members that you saw on the screen. The City of Charlotte being represented by Barry is one of them but that group is comprised of everybody in the Catawba-Wateree Basin that use water. This group commissioned our water supply Master Plan in about 2010; we've been working on it for I guess four years that would make it. The

purpose is to extend water supply out beyond that mid-century point. Here's a little cut out of North and South Carolina where the Catawba-Wateree River Basin that we're talking about; that little area inside the red running from the foothills of North Carolina to the Piedmont of South Carolina; that's the subject area of this work. It goes from Lake James down to Lake Wateree and it includes 11 reservoirs and five power plants and supports drinking water for two million people. Again, the work that's done here and the outcome, you'll see a lot of this stuff about Charlotte because we're presenting to you guys tonight, but it impacts everybody within this river basin. The project was funded; the Water Management Group is a 501c3 non-profit; they do raise money through their members but two-thirds of this project was funded by outside sources including those you see on the screen. The real neat part was the collaboration with the regulators in both North and South Carolina. I'm not going to go through the Master Plan scope of work and the elements that comprise it because you're going to see the outcome of a lot that work. I'll just hit on those last four. In addition to the things you're going to hear in the next couple of minutes there is an action plan and schedule for when some of the recommendations need to happen and what the region needs to do to make them happen. We'll publish the report tomorrow and we will have ongoing public input in the revisions to this Master Plan in the years to come.

In addition to the Water Management Group members which are all water utilities and Duke Energy, we did put together a Stakeholder Advisory Team with outside interests. You'll see them listed here; they include council of governments, recreation interests, some of the other communities in the region and regulators from both North and South Carolina. This team met about six times in about a three year period providing advisory level input into the Master Plan. If you want to know how water is going to be used in 2065 you can take a look at this pie chart. You can see that for public water supply that coming into your homes and businesses will comprise about 47%, power will be about 43% so 90% tied up in those two water use categories. The rest were industrial and agricultural and irrigation. If you look at today it's not that much different than this pie chart; it's a little bit different but this is what the picture will look like in 2065. In the graph you see here we made water use projections for everybody in the basin and that is what you see in the blue line going from current period of time out to the year 2065. You'll see that less than the orange graph; that's the work that was done back in 2006 that projected we would have problems by mid-century. You can see that our water use projections now is a good bit less than it was just a few years ago and that's really a result of significant water reductions by customers in this basin as well as changes in agriculture and irrigation and reduction in inter basin transfers.

The forecast going forward is people are going to use less water than maybe they did a few years ago on a per capita basis and you'll see that in a minute. The Water Management Group does a lot of projects. There was some predecessor work here done with regard to looking at what's called safe yield of these water reservoirs. Safe yield is how much water you can take out before you get into trouble during a drought. You may hear me use that terms in the next few minutes. There was a Safe Yield Research Project done a few years ago by the Water Management Group which identified how that should be measured and looked at a number of strategies for how to increase Safe Yield in this basin and others that were like it. Some of the things that were really outcomes of the work that we did; we looked at base level population growth and how much water people would need in this region in the future, then we also looked at what if the growth doesn't happen like we think. What if it's a little bit slower or a little bit more aggressive? Then we looked at something that has not been done in this basin frankly, I don't know that it's been done in North Carolina yet and very few places in the Southeast; we looked at impacts of climate change. We looked at no impact of climate change on the region, we looked a low level of climate change impact, that is temperature increasing over time which leads to evaporation, and then we looked at really a significant impact of climate change which might also affect how much water is actually making it to the reservoirs. Again, as the final bullet says the Water Management Group and this Master Plan is probably that I know of the only one in North Carolina that really incorporated potential impacts of climate change into future water use planning. As part of this project we advanced a water modeling tool. The water modeling tool basically looks at this 220 mile river system with 11 reservoirs and all kinds of uses and simulates how it's going to be operated in the future through a whole lot of different conditions of water coming into this system. We can use this tool and the region can now use this tool to play what if games. What if things change with regard to how people use water to where power

plants are going to be located to what if we change how these reservoirs are operated or our drought management protocol? These are all things that we looked at; playing what if games during the project, the goal was to see if we change these things what is the impact to water supply. If you change one thing, let's say per capita use; that'll give you a result. You can change something else like what if a power plant is located here rather than there and those are all interesting findings. What we wanted to do was come out with a plan. What can we base the future on that gives us the impact we want and so we began to integrate solutions to develop the Master Plan and that would be things like actually what we recommended. We looked at blending those different individual things that can be done to get a result that we wanted. This table highlights those blended; what I'll call integrated scenarios; different things change, different things occur and what is our outcome. We've got the ones circled here; we call it Mitigated Planning Case b; which as you see to the right it extends the basin yield out 40 to 50 years which will take this region from 2050 kind of we're in a problem to out past next century if we do the things that we modeled this scenario on. The 204 is actually how many million gallons per day we can then use if we make the changes recommended in the Master Plan. You can see down below; there are some red numbers. If you look at really fast population change and really big impacts of climate change you actually have a real negative impact and we begin to have problems much sooner. The good thing about the work the Water Management Group has done is they have a modeling tool and they have analysis that can already tell us that and so we can begin monitoring things as we go forward and we already know what the result could be.

What are some of the key recommendations? What do we have to do in the region to extend water yield and prosperous growth and economic growth past 2050? We have to increase water use sufficiency. If you caught it in the video, the goal for the region is about an 18% water use reduction in per capita use for that amount of water coming out to water utilities. There were some places in this basin in the reservoirs where we're going to lower intakes. If you can get certain intakes lower and you can access water during drought it really can benefit you. There are some recommendations for lowering intakes and elevations where the reservoirs have a problem. Then a recommendation to raise targeted elevations in those reservoirs during summer months to give you the cushion you want in case the drought happens. Finally a number of different recommendations with regard to the drought management plan or what the Water Management Group calls low in flow protocol. It's really changes to the drought management plan for the region that can extend the life of this system again past mid-century into 2100. What might that mean for the City of Charlotte? This graph on top circles two numbers. It circles 85; 85 is the amount of per capita use; it's 85 gallons per day, per customer in residential homes and that is a basin wide number. If you look at the 113; that's what it was about a decade ago. This regions already experienced 25% reduction in per capita water use which is a result of the droughts, changes in behavior, changes in the plumbing and the homes, water rate changes, things like that so the regions already seen 25% reduction and this Master Plan recommends about the change from 85 down to 70 which is about an 18% reduction. I have the Charlotte Mecklenburg system numbers there. If you go specific there it's 100 to 80 over that time period. Those aren't changes you can implement three years before you need them. You have to start now so you can get there in the future. The key result; implementation of the Master Plan can really extend the rivers capacity into 2100 that's the key finding. There's a whole lot of back up and support that goes with that.

Councilmember Mayfield said when we're looking at these numbers at what point do we take into account businesses and the amount of water they're using? An example, I was headed here earlier today 12:23 in the afternoon, the height where the suns out, golf course was watering the grass and we have a lot of golf course space around the area and I knew we were having this presentation this evening, but I wonder what is the impact and how will we be tracking businesses and the amount of water that they're using in comparison to what's needed for residential.

Mr. Gullet said Ms. Mayfield I can tell you that in our system the golf courses have generally converted away from using city water. They are using either they're harvesting rain water or they're using wells for the water supply source and in fact one of the golf courses is using reclaimed treated waste water effluent to irrigate their golf course with. To answer your question a little more broadly; business and industry were analyzed during this project throughout the basin and one of the concerns were that the changes in the types of industry and how those

industries use water that had taken place over the last decade and what is that likely to look like going forward into the future so there was a lot of work put into analyzing that and trying to do some normalization of the projections that all of those cities and towns throughout the basin are expected to use over the next 50 years.

Councilmember Lyles said this is really good work and so important for what we're going to do so I want to say thank you for that. I did want to ask not today but under the key recommendations where you talk about the efficiencies and the intakes and the elevations I was wondering Barry, if we had a plan for that and if those were capital expenditures and I heard the three years so if you could give us some alignment of how this report fits in what we're actually accountable and responsible for doing in terms of the implementation. If you could do a follow up on that I would appreciate it.

Mr. Gullet said we will be doing that but just for the 30 seconds is that those critical intakes that need to be lowered don't belong to us.

Mayor Clodfelter said Mr. Manager and Council, I'm going to suggest that this might be a topic that benefits from maybe some just general discussion and education in more depth about the kind of question you're asking in committee just to get Councilmembers better informed about some of the implications as we do capital improvement programs in the future and especially capital investments of the kind you're talking about.

Mr. Gullet said one thing that I meant to say and didn't is that we're going to bringing a resolution to Council at some point in the future asking you to support this Master Plan so if you'd like this to go into deeper diving committee that would be just fine.

Mayor Clodfelter said I think it would be helpful. This is really again, if we get this right we'll have leg up on competitiveness over all our competition around the world. Atlanta is already bumping up against this problem. It's a today problem for them. They are at capacity today. If we get this right we're way ahead of the game and there's probably nothing more important in that sense. Three years ago the Catawba was named one of the 10 most endangered rivers in the United States because of the growth pressures and so this is not something we can wait on to deal with. I think we really would benefit from a deeper dive.

Ms. Lyles said I move that we refer it to the Environmental Committee and have that deeper dive. It is key to everything.

Mayor Clodfelter said without objection?

Councilmember Phipps said you indicated that you would bring it back to us for approval the plan but this is a regional plan right so other parties would have to approve it too?

Mr. Gullet said yes, remember that this plan was put together and funded by the Water Management Group so our plan is that we're going to be doing another phase of this project that will be implementation so they burden is going to be on the Water Management Group to take this around to all of the cities and water suppliers and sell it. That's our next step. We're going to be doing this similar presentation all across North and South Carolina in the Catawba River Basin and asking their elected officials to support this Master Plan as well. Most of them have participated in the development of it and so we're optimistic that it will get wide spread support.

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ITEM NO. 4: FISCAL YEAR 2015 PUBLIC ART WORK PLAN

Marc Gustafson, Public Art Commission said I'm also with Nicole Bartlett from the ASC, I also think it's a good sign for the Public Art Commission and ASC that all the cameras are leaving. I believe that says we're doing something right. We're going to talk about projects that are completed in 2014. We're going to talk about projects that are under development and then we're also going to preview projects for 2015. 2014 was somewhat of a slow year and I think it just hit as part of the capital projects cycle. I think it's a good indication of what's going on in our economy and what's going on with our City that we're growing and building new projects

and so 2015 is an exciting year and beyond. One thing positive coming out the Airport is that we've got great prospects there for public art so if you're interested in talking about something fun then that's a great spot. This is the current Public Art Commission, there are nine members; the City appoints three. You have one that is up for renewal, Chuck Barger, and I've sent you all an e-mail and I hope that you'll approve him. Chuck's been great and is doing a good job with us. Patricia Fletcher you'll see up there is the Assistant Chair and you all can reach out to her but you can also reach out to Betty Chaffin Rash and Patricia Boyer but you're also welcome to contact me directly if you have any questions about the Public Art Commission. One thing that I hope you've noticed is that there are neighborhood public art projects going on in five different neighborhoods. They're dispersed throughout the City and that's a great point of engagement for public art and a very value driven proposition. Before I go and turn things over to Nicole, she's worked with us for the past three years and has graduated with her MPA and is going to spend time with her family and so we're going to lose her and she's been invaluable to the Arts and Science Council and the Public Art Commission and I didn't want to go without saying that.

Councilmember Howard said before Nicole comes up I want to say the same thing. I've had the pleasure of working with Nicole at work and here for the last number of years. She had some big shoes to fill when she took over. She's done a great job including working on getting the piece out at the airport dedicated for Susan Burgess right before the DNC. She was my partner in crime in that and I wanted to publicly say Nicole, thank you. I still wish you would reconsider or Robert go back and get her after she spends six months with her kids. She'll be ready for a break by then. Thank you so much for your hard work. It's been a pleasure working with you and I hope you don't disappear into mommy land we still need you.

Nicole Bartlett, Arts and Science Council said I won't disappear into mommy land but thank you very much, I appreciate it. I've really enjoyed working with all of you and with the program but in the interest of time I'm going to speed through things so you know about the important things going on. We have one project that was completed this year. We have 13 projects in process right now so a lot of exciting things coming. This project was installed just a few weeks ago at CMPD Eastway. North Carolina artist, Vivian Collins; she's a local educator as well installed the project. It is an art glass project in two different locations within the CMPD Eastway facility. We have one project in the lobby which can be viewed from the interior and a separate project at the exterior which is adjacent to a CATS bus stop. This will be dedicated at the beginning of June. Then on North Tryon, nationally acclaimed artist Sheila Kline is working on this project to integrate artwork within the new streetscape. The one-way pair going out North Tryon; this is to be the City's first green road so it's an exciting project. We also received an NEA Our Town Grant for the project. The artist has been working with the design team and incorporating art in a variety of places. They'll be two kind of signature artworks at each end of the streetscape and then incorporating art within the cross walks, the sidewalks, the color of the light poles there and the whole idea of this piece is that it speaks about linkages, it speaks about connections with the idea that sustainability is about a connection between us and our environment. Along Statesville Road we've been working with artists Chandra Cox, again a local artist or a North Carolina artist, and a professor at UNCG. For markers that will be placed along this corridor we've had some back and forth about locations and we've finally settle on a location at Woodward and Statesville and so she'll continue her work with that location in mind. At the Airport we're working to develop a piece with North Carolina artist Hoss Haley at the fixed base operator Wilson Air Facility. Thank you very much to Councilmember Mayfield for sitting on that panel. It's going to be a really great project. If any of you have been out there it's a really barren plaza right now. This is really going to enhance that plaza with a relatively small amount of money for what we're getting for it. A massive sculpture that will be really wonderful for passengers coming to and from that facility and then landscaping and seating elements at the exterior as well for the people who work there to rest and to contemplate. We're in the process of planning some of the funding that we received from last year; trying to figure out exactly where that's going to go. The key places that we have discussed are in the new terminal, the new ticketing terminal and then at the new Airport entrance road. These are just in the planning phase with the aviation staff.

Neighborhoods and Creative Partnership is an exciting project that we started with the support of the city in September. Twenty-two different neighborhoods applied for these projects. It was an open call to neighborhoods to apply to have public art developed for their neighborhood with the

goal of extending the footprint of public art within the City of Charlotte and also increasing neighborhood identity and supporting neighborhood identity. Neighborhood selection panels selected from the twenty-two; five neighborhoods. Councilmember Howard sat on that neighborhood selection panel and it was chaired by Public Art Commissioner Betty Chafin Rash. A separate panel selected artist and paired them with the five neighborhoods and that panel Councilmember Kinsey sat on that panel. The five neighborhoods that were selected were Reed Park who will be working with Laura Holtsapp, Lashawn Cassidy and Lauren Duran and this project will draw from the oral history project that the neighborhood is doing. Then we have Grove Park, they'll be working with Dana Gingress on either a free standing metal sculpture or sculptural benches along W.T. Harris Boulevard. In the Elizabeth neighborhood, Amy Valgone, Sharon Dowl are working on multiple sites that will be about discovery and they will use poetry from North Carolina writers. In Sedgefield, artist Paula Smith will be working on a playful mosaic sculpture that will be on Marsh Road. Shamrock Drive, we've got eight different neighborhoods that came together collaboratively to apply for this project. Eight different neighborhoods along Shamrock Drive and they'll be working with the bi-lingual team of Carey Gall, Rosalee Torres Weiner and Tina Burney on the project. It's really an important point because it's a very diverse neighborhood. All the projects should be completed in October 2015. The artists and the neighborhoods are taking the summer to really do a deep dive with these different neighborhoods. Community meetings are scheduled this month and next month and they'll continue community interaction over the next two months.

For the wind sculpture piece which was piece donated to the City by Queens Table in about 1985 or 86, the piece is in need of repair, it's got banners in it that were not within the original intent of the artist and so we've been working with Charlotte Center City Partners to redo these banners, to document the history of the piece and then to develop a plan to change out the banners every couple of years with the idea that we would have a different artist put the banners in place and it would be something that would animate the sculpture every couple years. At CMPD Westover artist Michael Morgan was just recently selected for this project and he will develop a brick sculpture that's actually going to be integrated within the façade of the building. It should be a very interesting project and we've just gotten started on this one.

Councilmember Phipps said that definitely looks like the throne on the Game of Thrones.

Ms. Bartlett said that's a piece of his past work. The piece will actually be integrated within the building. At the Joint Communications center we have an allocation from last year. We have another allocation because that CIP project is split over two years so we're in planning phases for something that will front Statesville and Graham; that's a very inward facing building because of what's happening there so the public art we want to be the outward facing side of things to communicate to the neighborhood. That will probably be in the fencing or in the wall of that facility. Like I mentioned we're developing the new products for 2015 and they'll be based off the priorities that Council has set. We want them to be highly visible on City property in association with the facility or the corridor that the funding generated from. We pull funds where it is appropriate. We like to try to geographically distribute the projects when at all possible. Based on the CIP that you all will hopefully be approving we have three different funds that we've sort of pooled together. One will be based around neighborhood projects, one will be in the University Area, we have a lot of infrastructure projects happening in the CIP in the coming years and so we'd like to a public art project out the University or the University City area and then again the additional funding for the Joint Communications Center and the funding from the Airport from this past years projects and that's all. Hopefully that was quickly enough. Thank you very much and you all have the PowerPoint at your place. If you've got additional questions on any of the projects just feel free to reach out to me, to Robert Bush at the Arts & Science Council or to Marc and we can answer any specific questions you have.

Councilmember Mayfield said thank you for everything you've done Nicole.

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ITEM NO. 5: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Clodfelter said we had two items pulled. Do you have an answer for Council on Howard's question?

Assistant City Manager, Hyong Yi said I do.

Mr. Howard said I can tell you on mine; I want mine on the record.

Mayor Clodfelter said you want yours on the record too so we'll pull both items. Great, see you downstairs.

The meeting was recessed at 6:48 p.m. to move to the Council Chamber for the regularly scheduled business meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a City Council Dinner Briefing on Monday, May 12, 2014, at 7:05 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Dan Clodfelter presiding. Councilmembers present were Al Austin, Michael Barnes, Ed Driggs, David Howard, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

ABSENT: Councilmembers John Autry, Claire Fallon and Patsy Kinsey

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INVOCATION AND PLEDGE

Councilmember Lyles gave the Invocation followed by the Pledge of Allegiance to the Flag.

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AWARDS AND RECOGNITIONS

ITEM NO. 7: JIMMIE JOHNSON AWARD

Mayor Clodfelter said we have a series of special presentations before we begin the actual business agenda. To start off with we've got a very special recognition of someone who is well known I'm sure to all of you and we're honored that he is here with us tonight and so I'm going to recognize Mayor Pro Tem, Michael Barnes who's going to make a special presentation on behalf of the Council.

Councilmember Barnes said it is nice that we get a chance from time to time to do fun stuff and I think this presentation here from me is fun stuff. I've been working on it for about two years now and we were finally able to bring it together. It's my pleasure to begin the Awards and Recognition tonight with recognition of an individual in our community, a citizen of Charlotte who has demonstrated kindness and generosity to the citizens of Charlotte and many others. He is best known for his 13 full time winning race seasons and as the NASCAR driver of the Lowes #48 for Hendrick Motor Sports. His professional accomplishments are often referred to as a six pack highlighting his six NASCAR Sprint Cup Series Championships and as I described to my colleagues a couple of years ago when we were working on this originally it's very difficult to win one race more or less sixty-six I believe it is and certainly it is difficult to win six championships. Everyone knows that Richard Petty is the current king of championships but this man is not very far behind at all at a fairly young age. Tonight the Charlotte City Council would like to recognize Mr. Jimmy Johnson for his many contributions to the Charlotte community and I welcome you to come down to the podium.

Some of the fans have shown up. That's cool too. Jimmy Johnson and his wife Chandra are committed philanthropists and believes in supporting in the Charlotte community. The Jimmy Johnson Foundation was launched in 2006 and is dedicated to assisting children, families and communities in need throughout the United States. To date more than \$6.7 million dollars have been contributed to various organizations across the United States. The foundation currently focuses on funding K-12 Public Education and in recent years has contributed close to \$1,000,000 million dollars to CMS and Cabarrus County schools. Mr. Johnson has experienced tremendous success, as I mentioned earlier, professionally capturing six cup titles, 66 point wins in his 13 full time seasons. His six championships place him third all-time in championships and his 66 point victories place him eighth on the all-time wins list. During his 13 full time seasons in the NASCAR Sprint Cup Series, Mr. Johnson's primary sponsor has been North Carolina based Lowes, the home improvement company. This is the longest current primary sponsorship in NASCAR. Mr. Johnson and his wife are the proud parents of two girls, Genevieve who's two and Lydia who is eight months old. I want to present to Jimmy Johnson the Key to the City; I believe you're the first recipient of this Key to the City of Charlotte which I'll show the camera folks there; in recognition of your contributions in generosity I would like to present this Key to the City to you and it's presented to an esteemed citizen of the City and a trusted friend of the City. Jimmy it is our privilege to honor you at this time and thank you for all that you do for the City of Charlotte and the community at large.

Mr. Jimmy Johnson said just briefly I wanted to say thank you for the standing ovation. I'm not sure how many of those take place in this building but I greatly, greatly appreciate it and for this huge honor. I moved here in 1997 chasing my dream to be a NASCAR Sprint Cup Driver, didn't know if it would turn out but fell in love with the area and have decided to make this home and fortunately my career worked out to where I can stick around and do what I really enjoy to do which is drive race cars. I met my wife I guess probably in 2002 and we started dating and she fell in love with the Charlotte area as well and we are both so proud to call Charlotte home; have our two daughters born here and certainly being raised here. This is home and again as you mentioned the work in the foundation. We are very active in the areas where my wife and I both grew up so Southern California for myself and in Oklahoma where my wife is from and then here where we live. Public education as everybody knows is at a huge deficit and we're so happy to have raised and have given back a \$1,000,000 to this area and certainly plan on much, much more so thank you once again for the honor. So happy to be home to accept this honor and we look forward to doing more in the community. Thank you.

Mayor Clodfelter said we're glad this is your home and we hope it stays your home forever. I'll also say you notice as Mayor Pro Tem Barnes says this is the new Key to the City and I'll tell you it's quite a bit bigger than the old Key to the City. Some of you may have seen that we had an opening of a time capsule yesterday at Park Terrace Shopping Center and the only thing that seemed to have survived the time capsule was the Key to the City that was put there in 1964. It was about that big. I guess it's appropriate since Charlotte has grown that much since 1964 that we ought to have a bigger key to the City in 2014. It's great to have you with us. Thank you.

ITEM NO. 8: SMALL BUSINESS MONTH PROCLAMATION

Councilmember Smith said it truly is an honor to do this proclamation. I worked for a small business of 12 employees and I can't resist this but small business makes our economic engine run. The City of Charlotte, North Carolina Proclamation:

WHEREAS, the City of Charlotte recognizes the thousands of small businesses in Charlotte-Mecklenburg that play a pivotal role in strengthening the local economy; and

WHEREAS, according to the United States Small Business Administration, the 23 million small businesses in America account for 54% of all U.S. sales; and

WHEREAS, more than half of Americans either own or work for a small business, and small businesses create the majority of new jobs in the country; and

WHEREAS, small businesses drive innovation, create 21st century jobs and increase U.S. competitiveness; and

WHEREAS, small businesses in Charlotte provide needed goods and services to our residents, engage in philanthropic and civic concerns, help preserve our neighborhoods and business districts, and improve the quality of life of our citizens; and

WHEREAS, the City of Charlotte honors and celebrates the entrepreneurial spirit that makes our community great and reaffirms our commitment to helping small businesses thrive and prosper; and

WHEREAS, during Small Business Month, we recognize entrepreneurs and small business owners who are the engine of our local economy and thank them for the important role they play in ensuring Charlotte remains a great place to live and work; and

WHEREAS, residents of Charlotte are asked to recognize the contributions of our community's local small businesses and the key role they play in keeping our economy strong:

NOW, THEREFORE, I, Daniel G. Clodfelter, Mayor of Charlotte, do hereby proclaim the month of May 2014 as

“SMALL BUSINESS MONTH”

in the City of Charlotte and commend its observance to all citizens by supporting local small business during this month and throughout the year.

Natasha Warren, Neighborhood & Business Services said Small Business Month is an opportunity to stop and recognize the many contributions and successes of the heroes of our local economy; the small businesses and entrepreneurs that make Charlotte great. In the past we have highlighted a variety of entrepreneurs and small business owners that have made their mark on Charlotte. This year we'd like to recognize the Charlotte Business Resource Partners; the outstanding support system in place to help make local businesses and entrepreneurs successful. A lot of them are here tonight so if you guys would stand and remain standing while I finish my comments. These partners serve hundreds of small business owners with services such as increased access to capital, business plan review, succession planning, training courses and networking events. This year the strength of the Charlotte Business Resource Partners Consortium was further galvanized. Our small business month calendar boasts 18 events hosted by just these organizations; each event featuring the Charlotte Small Business Month brand. I want to thank these community partners for the work they do to ensure business have the tools and resources to thrive. Just like each of you, we believe in the dreams of local small businesses and entrepreneurs. It is important to celebrate our partners and the many businesses they support. We invite you and the public to join us at remaining small business month events which you can find listed on charlottebusinessresources.com. Thank you for your time.

ITEM NO. 9: MUNICIPAL CLERK'S WEEK PROCLAMATION

Mayor Clodfelter said we now have one more presentation and this is a very special one for us up here around the dais. You watch these meetings from week after week and you see all of us doing various things and you think we know what we're doing and the reason we look like we know what we're doing is only because of Stephanie Kelly down here at the end and her staff pass us little notes and send us materials and put things in our books and tell us what to do and when to do it. Really what's going on at these meetings is Stephanie and her staff are pulling all these strings that you don't get to see and so we thought it was pretty important to recognize those folks who really make the City run smoothly and without a lot of fuss and muss. We're the ones that make the fuss and muss and they make it run smoothly. I'm pleased to present a proclamation declaring this Municipal Clerks Week and Stephanie you've got a number of your staff members here with you and I'd like to ask them if they would come down while we read the proclamation or stand if you prefer. Emily Kuntz, Khadya Hale Lorie Massenburg, Kim Byrd, Bianca Payne and Mildred Laney; you will all be there with Stephanie while we make the proclamation.

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists through the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk:

NOW, THEREFORE, I, Daniel G. Clodfelter, Mayor of Charlotte, do hereby proclaim May 4 – 10, 2014 as

“MUNICIPAL CLERKS WEEK”

in Charlotte and further extend appreciation to our Municipal Clerk, Stephanie C. Kelly, Deputy Clerk, Emily Kunze, and all members of our City Clerk’s Office as well as all of our local Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

City Clerk Stephanie Kelly said thank you Mr. Mayor and Council for this special recognition. Municipal Clerks throughout the United States, Canada and 15 other countries have celebrated Municipal Clerks Week very proudly. We’re proud to serve the communities in all the ways in which you need us to serve. The Office of the Municipal Clerk is the oldest of public servants in local government as the Mayor said tracing back before Biblical times. The main function of our Municipal Clerks Office is to serve as the Council’s foundation. Duties include but are certainly not limited to taking and archiving of your minutes, maintaining ordinances and resolutions files, keeping the municipalities historical records, processing various petitions and licenses, administering oaths of office, attesting official city documents and serving as a clearing house for information about the local government. The Clerk’s office also administers your appointments to various commissions and committees. The work we do demands attention to detail, accuracy, patience and versatility. We’re proud of what we do and in knowing that the records of Charlotte’s history is in our hands. Thank you very much.

JEFF JACKSON SWEARING IN

Mayor Clodfelter said we’ve got one more item before we get into the business agenda. These guys on my left and my right sort of messed things up about 30 days ago and they left us shorthanded, down one member of the Mecklenburg Legislative Delegation in Raleigh and so we’re going to try to fix that tonight and get that slot officially filled because on Wednesday they crank up there again in Raleigh. They got to have folks up there watching out for us. With that I’m going to call down for the Oath of Office our new member of the North Carolina Senate after he takes this oath; Mr. Jeff Jackson.

Mayor Clodfelter administered the Oath of Office to Jeff Jackson.

Mayor Clodfelter said you’re official. I got to ask him a question. Jeff is my successor in the Senate so I’m going to ask him the same question I was asked about 30 days ago. Are you sure you know what you’re getting into? Congratulations. Jeff, just remember one other thing it’s our Airport.

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CONSENT AGENDA

Motion was made by Councilmember Driggs, seconded by Councilmember Howard, and carried unanimously to approve the Consent Agenda as presented with the exception of Item Nos. 32 and 33 which were pulled and Item No. 39-A which was withdrawn from the agenda.

The following items were approved:

Item No. 20: Public Hearings for Renewal of Annexation Agreements with Weddington, Marvin, and Stallings

Set public hearings for May 27, 2014 to consider entering into annexation agreements with Weddington, Marvin, and Stallings.

Item No. 21: Voluntary Annexation Public Hearing Date

Adopt resolutions setting public hearings for June 9, 2014, for four voluntary annexation petitions; West Boulevard/Barwick IV, Avery Meadows, Frank Vance Road and Wilkinson/I-485 IV.

The resolutions are recorded in full in Resolution Book 45, at Page 317-327.

Item No. 22: Accela Technology Maintenance and Hosting Services Contract Amendment

(A) Approve a contract amendment in the amount of \$206,086.39, with Accela, Inc. for maintenance and hosting services for the land development permit and enforcement system through June 2, 2015, and (B) Authorize the City Manager to renew the contract with Accela, Inc. for an additional one-year term at the same per license rate for maintenance services, and annual rate increases of up to 3% for hosting services.

Item No. 23: Construction Inspection and Plan Review Services

(A) Approve contracts for construction inspection and plan review services with the following firms: Engineering Services Roadway projects: US Infrastructure of Carolina, Inc., \$300,000, SEPI Engineering & Construction, Inc. \$300,000, E.S.P. Associates, PA, \$100,000, Rummel, Klepper & Kahl, LLP, \$100,000, Campo & Associates, PLLC, \$100,000, KCI Associates of North Carolina, PA, \$100,000, and Mulkey, Inc., \$100,000. Storm Water projects: Rummel, Klepper & Kahl, LLP, \$100,000, Campo & Associates, PLLC, \$250,000, and Gavel & Dorn Engineering, PLLC, \$100,000, and (B) Authorize the City Manager to approve up to two renewals, for each contract, up to the original contract amount.

Item No. 24: Private Developer Funds Appropriation

Adopt Budget Ordinance No. 5346-X appropriating \$60,000 in private developer funds for traffic signal improvements.

The ordinance is recorded in full in Ordinance Book 58, at Page 693.

Item No. 25: Prosperity Ridge Road Connection

Award the low-bid contract of \$1,474,318.25 to Blythe Construction, Inc. for the Prosperity Ridge Road Connection project.

Summary of Bids:

Blythe Construction, Inc.	\$1,474,318.25
D.E. Walker Construction Company	\$1,518,768.19
Sealand Contractors Corp.	\$1,520,132.59
United Construction, Inc.	\$1,546,711.73
OnSite Development, LLC	\$1,621,419.60
Blythe Development Company	\$1,668,900.00
Zoladz Construction Co., Inc.	\$1,741,767.30
Carolina Cajun Concrete, Inc.	\$1,965,473.75

Item No. 26: Heating, Ventilation, and Air Conditioning Maintenance and Repair Services

(A) Approve a contract with Southern Comfort in the total amount up to \$150,000, for a one-year term, and (B) Authorize the City Manager to approve up to two renewals, each in an amount up to the original contract amount.

Item No. 27: Rental Car Facility/Hourly Parking Garage Change Order

Approve change order No. 10 in the amount of \$1,687,651.09, with Archer Western Contractors, LTD., to accommodate an additional storm water line for the Hourly and Rental Car Parking Deck.

Item No. 28: Airport Bus Purchase

(A) Award the low-bid, unit price contract to Carolina Thomas, LLC, for the purchase of El Dorado national Low-floor transit buses and El Dorado National Aerotech 220 cut-away style buses for a term of three years, and (B) Approve Budget Ordinance No. 5347-X appropriating \$5,786,788 from Aviation Discretionary Fund to the Aviation Community Investment Fund.

<u>Bus Type</u>	<u>Year One</u>	<u>Year Two</u>	<u>Year Three</u>
Low-floor	\$316,399.	\$322,598.	\$328,918.
Cut Away	\$ 64,989.	\$ 66,604.	\$ 67,927.

*Carolina Thomas, LLC was the only bidder.

The ordinance is recorded in full in Ordinance Book 58, at Page 694.

Item No. 29: Goose Creek Pump Station Reimbursable Sewer Contract

Approve a reimbursable sewer contract with Bridges at Mint Hill, LLC, for a term of five years, in the estimated amount of \$3,305,220.

Item No. 30: Arrowood Road/Sulkirk Road Water Main Replacement

(A) Award the low-bid contract of \$4,706,817 to R.H. Price, Inc. for construction of the Arrowood/Sulkirk 24-inch water main replacement, and (B) Approve a professional services agreement for \$685,334 with Hazen and Sawyer, P.C. for construction administration.

Summary of Bids:

R.H. Price	\$4,706,817.00
State Utility	\$6,199,572.00
Dellinger, Inc.	\$6,398,190.00
Propst Construction	\$6,796,999.00
Sanders Utility Contractors	\$6,994,261.70
Ruby Collins	\$7,734,341.00
BRS, Inc.	\$9,554,580.75

Item No. 31: McAlpine Creek Relief Sewer Phase 3-Gas Line Relocation

Approve an agreement with Piedmont Natural Gas company, Inc. to relocate a gas pipeline in conflict with the McAlpine Creek Relief Sewer Phase 3 project in an estimated amount of \$570,087.

Item No. 34: Utility Field Operations Plumbing Services

(A) Award a service contract to W.H. Hobbs, Inc. to provide plumbing services for an initial term of one year, and (B) Authorize the City Manager to renew the contracts for two additional, one-year terms.

Item No. 35: LYNX Blue Line Grade Crossing Repairs

Award the low-bid contract of \$457,579 to Bullock Construction, Inc. for the repair of two grade crossings of the LYNX Blue Line.

* Bullock Construction, Inc. was the only bidder.

Item No. 36: Paratransit Buses and Minivans

(A) Award the low-bid unit price contract to National Bus Sales and Leasing, Inc. for the purchase of 20 paratransit buses for the term of one year, (B) Award the low-bid of \$376,443 submitted by Carolina Mobility Sales for the one time purchase of nine paratransit minivans and (C) Authorize the City Manager to extend the National Bus Sales and Leasing, Inc. contract for up to four (4) one-year terms with possible price adjustments at the time of renewal as authorized by the terms of the contract.

<u>Summary of Bids Paratransit Buses:</u>	<u>Unit Base Bid</u>	<u>Unit w/ all Options</u>
National Bus Sales, Inc.	\$74,787	\$83,797
Interstate Transportation	\$74,998	\$88,309
Palmetto Bus Sales	\$79,932	\$91,612

<u>Summary of Bids Paratransit Minivans:</u>	<u>Unit Base Bid</u>	<u>Unit w/ all Options</u>
Carolina Mobility Sales, Inc.	\$38,853	\$41,827
Horace G. Ilderton, LLC	\$35,444	\$42,237
National Bus Sales	\$35,790	\$42,449
Creative Bus Sales	\$47,839	\$57,349

Item No. 37: Resolution of Intent to Abandon an Unopened Alleyway off of Newberry Street

(A) Adopt a resolution of intent to abandon an unopened alleyway off of Newberry Street, and (B) Set a public hearing for June, 9, 2014.

The resolution is recorded in full in Resolution Book 45, at Pages 328-331.

Item No. 38: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$294,902.88.

The resolution is recorded in full in Resolution Book 45, at Pages 332-404.

Item No. 39: In Rem Remedy

Item No. 39-B: 2317 A and B Kennesaw Drive

Adopt Ordinance No. 5348-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2317 A and B Kennesaw Drive (Neighborhood Profile Area 374).

The ordinance is recorded in full in Ordinance Book 58, at Page 695.

Item No. 39-C: 3318 A, B, and C Tuckaseegee Road

Adopt Ordinance No. 5349-X authorizing the use of In Rem Remedy to demolish and remove the structure at 3318 A, B, and C Tuckaseegee Road (Neighborhood Profile Area 5).

The ordinance is recorded in full in Ordinance Book 58, at Page 696.

Item No. 40: LYNX Blue Line Extension Project- Condemnation Settlement with Public Storage NC Limited Partnership

Approve the settlement of the condemnation action, City vs. PS NC I, LP., 12 CVS 17148, acquiring the entire 10.33 acre parcel at 5448 North Tryon Street in the amount of \$5,745.623.

Item No. 41: Property Transactions

Item No. 41-A: 9512 Markswood Road

Acquisition of 1.48 acres in Fee Simple at 9512 Markswood Road from Robert L. Richardson and Geraldine L. Richardson for \$182,000 for Aviation Master Plan.

Item No. 41-B: 9301 Snow Ridge Lane

Acquisition of .46 acres in Fee Simple at 9301 Snow Ridge Lane from Matthew L. Hayes for \$139,000 for Aviation Master Plan.

Item No. 41-C: 8006 Robbie Circle

Acquisition of 1.00 acres in Fee Simple at 8006 Robbie Circle from Alfred M. Foard and Barbara M. Foard for \$150,000 for Aviation Master Plan.

Item No. 41-D: 9401 Markswood Road

Acquisition of 2.36 acres in Fee Simple at 9401 Markswood Road from Timothy W. Gilbert and Angela Gilbert for \$274,000 for Aviation Master Plan.

Item No. 41-E: 9505 Dorcas Lane

Acquisition of .62 acres in Fee Simple at 9505 Dorcas Lane from Wanda B. Stiles for \$220,000 for Aviation Master Plan.

Item No. 41-F: 342 Wendover Hill Court

Acquisition of 16,925 square feet in Natural Storm Drainage Easement from Robert A. Pressley and Valerie W. Pressley for \$69,500 for McAlway/Churchill Storm Drainage Improvement Project, Parcel #7.

Item No. 41-G: 5143, 5139, 5135, 5131, 5127, 5123, 5119, 5115, 5154, 5150, 5146, 5142, 5138 5132, 5128, 5124, 5120, 5116, 6429, 6425, 6421, 6417, 6413, 6409, 6405, 6401, 6365, 6361, 6357, 6353, 6349, 6345 and 6341 New Prosperity Church Road and Summerford Drive

Acquisition of 12,801 square feet in Fee Simple and 1,469 square feet in Storm Drainage Easement, plus 5,973 square feet in Sidewalk and Utility Easement, plus 24,798 square feet in Temporary Construction Easement, plus 206 square feet in Utility Easement at 5143, 5139, 5135, 5131, 5127, 5123, 5119, 5115, 5154, 5150, 5146, 5142, 5138 5132, 5128, 5124, 5120, 5116, 6429, 6425, 6421, 6417, 6413, 6409, 6405, 6401, 6365, 6361, 6357, 6353, 6349, 6345 and 6341 New Prosperity Church Road and Summerford Drive from Hills Homes of North Carolina, LLC (f/k/a Alexander Chase Estates, LLC) and any other parties of interest for \$46,000 for Prosperity Village Northwest Arc B, Parcel #13, #14, #20, #21, #22, #23, #24, #25, #26, #27, #28, #29, #30, #31, #32, #33, #34, #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51, and #52.

Item No. 41-H: 11220 Albemarle Road

Resolution of condemnation of 302 square feet in Sanitary Sewer Easement, plus 816 square feet in Temporary Construction Easement at 11220 Albemarle Road from Albert Reese, James Reese, Laura Diane Lipe, Stephen Todd Lipe, Samantha Elaine Saia, Karen Nichols Lipe, and any other parties of interest for \$1,050 for Albemarle 11332 8" Sanitary Sewer, Parcel #1. The resolution is recorded in full in Resolution Book 45, at Page 405.

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ITEM NO. 32: UTILITY FIELD OPERATIONS CENTER-ZONE 3

Councilmember Howard said I don't do this often as you know; pull consent items so I really have a concern about this one when it is simple construction bid for Utility Field Operations Center and when we make a goal of 9% and we only get to 3.75% for our Small Business INclusion Program. I was wondering if I could get some information about it. I'll be honest with you I'd almost prefer we take some time and not rush through this one tonight depending on what we hear. This one give me some concern that I think we may want to slow down and make sure we understand exactly what this project is all about especially if it's not time sensitive.

Assistant City Manager Hyong Yi said I have the brief answer and then there are obviously experts in the field both the Utilities and Small Business who can provide you more details if you should need it. With regard item 32 and the Business INclusion and why the SBE goal wasn't met there are really two ways for a company to meet the SBE requirements. The first and I would say the easiest way for a company to meet the requirements would be to simply meet or exceed the goal that we set for a contract. So if the SBE goal is 9%; if the bidder comes in with a 10% target or commitment; great. We're done. If for some reason a bidder cannot meet the SBE goal it's still possible for the bidder to comply with the City's policy with regard to the SBE policy if they earn good faith credit; what the City calls good faith credit. For this project; for

item 32, Morlando Construction earned the required 50 points out of a possible 155 points to get the good faith effort credits necessary to offset the fact that they didn't meet the percentage required for the SBE INCLUSION piece. What I would add is since bid opening Morlando Construction has continued to try and add additional SBE utilization in order to meet the goal so right now they are at 10.11% of SBE utilization. At the bid they didn't meet the requirements and it could be for a variety of reasons but over time they've continued to work and trying to utilize SBE's. Right now they've exceeded the 9% goal that was established.

Councilmember Smith said should this be a cause of concern for us about their ability to perform the work or a better way to say this; should we be concerned if they can't meet this minimum requirement that they will do what they say they'd do on the jobsite?

Mr. Yi said I'm not sure that I'm the best qualified to answer that. I'm going to ask Barry Shearin to come up.

Barry Shearin, Utilities said obviously there's not a guarantee of how things will work out but as history the City apparently has had three projects from Morlando and the history has been they have actually increased their SBE utilization through the projects. They came in at the goal and by the end of the project they'd actually increase that utilization based on our history with them so far.

Mr. Howard said when did we find out that they were going go from 3% to 10%? Did that happen after the question was asked or did we find that out before?

Mr. Shearin said it occurred over time. At the bid opening they committed to the 3.75% I believe it was and the as of about the end of last week; Friday, they had gotten to 8%. This is not uncommon. We have seen that before, in fact we've usually encouraged it at request of Council that if they don't meet it at bid opening which is the preferred time to meet the goal but if they can't we ask them to try to reach it as soon as they can or before the contract award. They actually reached the 10% today so that would be correct they were at about a little over 8% as of Friday. Like I said we have had that happen a couple of times.

Mr. Howard said did they get from 8% to 10% after I asked the question or before?

Mr. Shearin said before. I guess I better make sure I'm clear; which question?

Mr. Howard said I asked it at dinner. You knew before?

Mr. Shearin said before.

Mr. Howard said I have a problem with this moving target on this one. Either we're going to send the message that we're serious about it or we're not. You're telling me they've had a strong history. They've done projects for us before? They know how this works.

Mr. Shearin said yes.

Mr. Howard said would you mind letting them know that next time if they could do this ahead of time. This is just a building. We know that we have people to do dry wall, we know we have people that do lighting, we have people that do wiring, we have people that do this stuff. This is not hard so this good faith effort on a construction of a building and only coming in at 3% makes no sense to me. If it were not for the fact that they got to 10% I was going to vote against this tonight. I guess I in good faith can't in good faith; no pun intended. I guess I can do that but they need to take this program serious as far as I'm concerned. If not, I will vote against it next time.

<p>Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to approve the award of a low-bid contract of \$5,029,033 with Morlando Construction for construction of the Zone 3 Field Operations Center.</p>
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Summary of Bids:

Morlando Construction	\$5,029,033.00
Randolph & Son	\$5,053,702.00
Southside constructors	\$5,165,083.00
J.D. Goodrum	\$5,282,400.00
Marand Builders	\$5,332,250.00
J.M. Cope	\$5,391,900.00
G.W. Liles Construction	\$5,466,745.50

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ITEM NO. 33: LABORATORY SERVICES CONTRACT FOR UNION COUNTY INTERLOCAL AGREEMENT

Councilmember Mayfield said so the community knows item 33 is Laboratory Services Contract for Union County Interlocal Agreement. Action A is approve a professional services contract with Pace Analytical Services, Inc., in the estimated amount of \$250,000, for sample collection and sample testing associated with the operation of the five Union County wastewater treatment facilities, and B is to authorize the City Manager to approve two additional, one-year renewals with possible price adjustments as stipulated in the contract. I really wanted the opportunity for staff to speak to it because on paper it may look like we as the City and they in essence, citizens are paying this \$250,000 and moving forward contracts for Union County but there is a little bit more detail that goes along with it that I wanted staff to have a moment to address.

Barry Shearin Utility said that fee is actually built into the fixed fee they pay us and we actually collect the fee from Union County at the first of every month in advance. We will have the funds from Union before we actually incur any expenditures.

Ms. Mayfield said so if there was someone in the community that was to look up and they saw that this funding was coming through our utility operating budget in actuality it's based on the fees that Union County has already paid to the City.

Mr. Shearin said yes. That is correct.

Motion was made by Councilmember Mayfield, seconded by Councilmember Driggs, and carried unanimously to (A) Approve a professional services contract with Pace Analytical Services, Inc., in the estimated amount of \$250,000, for sample collection and sample testing associated with the operation of the five Union County wastewater treatment facilities, and (B) Authorize the City Manager to approve two additional, one-year renewals with possible price adjustments as stipulated in the contract.

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ITEM NO. 18: CONCLUSION OF CONSENT AGENDA

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ZONING

ITEM NO. 11: ORDINANCE NO. 5350-Z, PETITION 2014-032 BY THE AFFORDABLE HOUSING GROUP OF NORTH CAROLINA, INC. AND THE DRAKEFORD COMPANY, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.72 ACRES LOCATED ON THE WEST SIDE OF BEATTIES FORD ROAD BETWEEN PAULINE LANE AND SUNSET ROAD FROM R-4 (SINGLE-FAMILY RESIDENTIAL) TO UR-2 (URBAN RESIDENTIAL), (CD), CONDITIONAL DISTRICT.

Mayor Clodfelter said we have the modifications as noted in the planning documents. Let the record also note that Councilmember Howard had been previously recused on this item and so I think he's absented himself.

Motion was made by Councilmember Austin and seconded by Councilmember Barnes to adopt the Zoning Committee's recommendation and find that this petition, although inconsistent with the Northwest District Plan and general development policies, it is reasonable and in the public interest based on the information from the staff analysis and the public hearing and approve Petition 2014-032 by The Affordable Housing Group of North Carolina, Inc. The Drakeford Company for the above zoning change, as modified, and as recommended by the Zoning Committee.

This petition is found to be inconsistent with the Northwest District Plan and the General Development Policies but to be reasonable and in the public interest based on information from the staff analysis and the public hearing by a vote of 6-0. The Committee voted 6-0 to recommend approval of this petition with the following modifications:

The modifications are:

1. Staff rescinded the comment to define handicapped or disabled as these requirements are federally regulated.
2. The long south facing elevation has been visually broken into smaller elements by separating the mass into two building masses from both long sides of the building. The petitioner has added call-outs on the elevations that not these recessed features.
3. The revised building elevations replace the long horizontal expanse of brick, which accentuated the length of the building, with vertical brick faced elements interspersed with variations in siding materials and additional façade articulation.
4. The design has been enhanced by introducing variations in the window types. Specifically, the previous elevation showed the use of only double-wide windows. The latest revision uses single, double, and triple-wide window configurations.
5. The petitioner replaced the shed-style dormers with a hip roof.
6. The petitioner committed to providing at least 30% brick on each building face.
7. The petitioner added a note that commits to limiting the use of vinyl to windows and trim, with no vinyl to be used as siding material.
8. Note 5a has been amended to specify the proposed landscape buffer will be provided along all property lines that abut properties with R-4 (single family) zoning.
9. The "Building Elevation Detail" on Sheet RZ-3.0 has been removed from the site plan.
10. Note 5b pertaining to removal of the buffer has been removed from the site plan (effectively renumbering Note 5c to 5b).
11. The language "No wall pak type lighting will be used" has been removed from Note 8a.
12. The petitioner reduced the building height to 47 feet.
13. The notes on sheets RZ-1.0 and RZ-2.0 pertaining to building height have been removed from the site plan.
14. The petitioner has reduced the number of units from 85 to 82, reducing the density from 22.8 dwelling units per acre to 22 dwelling units per acre.

Councilmember Lyles said this is a particularly difficult decision for me and I wanted to just spend a little bit of time and talk about the issue that's before us. We've had, since I've been on the Council about five months now, several major rezoning's related to housing in areas where we've got existing neighborhoods and surrounding properties and in this case we have a property that's requesting a density higher than the surround densities and in addition it backs up to a business and commercial area. I completely understand the density issue but one of the things that I think we have as a responsibility, particularly as we're doing this infill development, is around the idea of design and how we build properties that I think we can be really proud of not just today but many years out. In this case there's no neighborhood opposition to this site. Certainly, the petitioner has done a great job working through all of the processes but when I look at the design for this site and the density that it's going to put on the three or so acres; I am very concerned that we are not putting in the type of design that meets the needs of the community and the neighborhood long term. I've spoken with the petitioner very much along these lines raising some of the issues about variability of materials, entrances, green space,

especially for seniors that are going to be living there, tree save areas; it's not an easy site and I recognize that. What I would just really like to ask my colleagues and as we are looking at these infill projects I think design is what's going to make us sustain it. The neighbors today may not have a problem with it but as a community will we be building what's absolutely necessary for seniors to live in an environment like that today. I am going to support the petition. I believe in the kind of housing that we're building for seniors. I believe in that but I really want the developer to understand that when we have the opportunities to make something really, really, quality that's the kind of thing we can be proud of not just today but 10 years from now. I would like for us to recognize that as an issue and deal with it upfront.

Councilmember Austin said Councilmember Lyles, at the community meeting there was an overwhelming support of this particular project. I would have concerns if we had people opposing it as we do in many others, but this one particularly along the Beatties Ford Road corridor where we have a lot of historic communities; many of those individuals came out and they saw the design, they saw the esthetics, they talked with the petitioner and those individuals involved. If anything I got an overwhelming support from seniors in the community who wanted to move in next week however, it was not built. In that regard I do believe that the petitioner and those partnering with that particular project will make a good effort to make sure that it is a project worthy of our future; worthy of my future because I might stay there and moving forward. I would call for the vote Mr. Mayor.

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

The ordinance was recorded in full in Ordinance Book 58, at Pages 697-698.

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PUBLIC HEARING

ITEM NO. 12: PUBLIC HEARING ON PRELIMINARY FISCAL YEAR 2015 OPERATING BUDGET AND FISCAL YEARS 2015-2019 COMMUNITY INVESTMENT PLAN

Mayor Clodfelter said this is going to be the bulk of our business tonight; listening to you tell us about your reactions to the proposed budget that was released a couple weeks ago. Let me tell you a little bit about how things are going to go. After tonight, just so you know the process going forward from here on Wednesday afternoon the Council will meet to consider what they've heard from you tonight and what's been presented to them in the prior workshops and prior meeting and at that time they will identify items in the Manager's proposed budget that they want to discuss for possible changes and that what will happen Wednesday. That will not be a public hearing that will be a working session of the Council. It will be upstairs in Room 267 at 3:00 p.m. After that the Council will next take up the budget on May the 28th and at that time they'll take tentative votes. Those won't be the final votes but those will just be the first votes to get a sense of where a majority of the Council is on the various things again that you're going to talk to us about tonight and also about the items that they have identified they might want to make adjustments to the proposed budget on in their workshops. That'll be on May the 28th and that meeting time is 12 noon in Room 267 upstairs also. The Council's tentative agenda right now is to take a vote on the budget on June the 9th and that meeting time is 6:30 p.m. in the chamber. That may or may not slip a little bit depending upon how much work they feel like is still needed to do but that's the current schedule. We've got 21 speakers signed up to speak to us and each speaker is allotted three minutes of time so if you do your math that's going to a good amount of time. Everybody is going to get their full three minutes but I would ask you to do is be mindful of the fact that there are other people after you to speak so please try to keep it within your three minutes. I've got a timer up here and the Clerk will help me with that and I'll try not to be to mean to you but I do need you to try to hold you to the three minutes. I'm going to call folks in groups of two or three so if you hear your name called and you're not the first person I called come on down though and get lined up so that as soon as the person ahead of you finishes speaking you can get up to the podium and you won't lose any time and we can get through this.

Funding for the Out of School Time Program

Kirsten Sikkelee, 3420 Park Road said I serve as the CEO of YWCA Central Carolinas. I'm here to ask that you preserve the \$307,000 that the city currently grants the YWCA for our youth programs. This amount is 30% of our budget for nine year round youth programs. We serve over 300 Kindergarten through Fifth Grade girls and boys everyday with an outcomes driven logic model focused on reading comprehension, safety and family engagement which is fairly closely aligned with the City's own logic model. We have a strong track record of financial sustainability and we have diversified funding sources but we cannot withstand this blow without closing programs. Closing three centers means that 90 children will lose their out of school time program that they have every day after school and all day teacher workdays, school breaks, 50 out of 52 weeks of the year. Our children and families have great needs; 90% of the households that we serve are earning less than \$15,000 annually. Our community engagement at the YWCA Youth Programs is top notch. Over 2,300 hours of volunteer time this past year from corporate, university and faith community partners as well as our own parents as volunteers. We partner with multiple agencies and we're housed in three public housing communities, four park and recreation communities and one low performing public school as well as our own facility at Park Road which serves homeless families. We are currently and effectively serving over 300 children every day not planning an expansion of programs that are not yet fully funded and do not yet have children in them. Two cycles ago Council identified funds to save another program that scored below the funding threshold. We ask that you value our children as you valued those children. We would also respectfully request that Council review the process used this year and how the scores were determined. Our staff has reviewed the other proposals recommended for funding and we strongly question our ranking in relation. Thank you very much for the opportunity to address you tonight.

Marvette Monroe, 2514 Arden Gate Lane said I serve as Board Chair of YWCA Central Carolinas. I want to give you some real live stories about how we impact children and families living in poverty. These impacts are not what we plan to do or hope to do; this is what we are doing; making a profound difference in the lives of 300 children each and every day. I want you to know about Sharrieff, a fifth grade boy who's consistently made D's and F's on his report card. Our Tuckaseegee coordinator received a call last week from his teacher at Allenbrook Elementary. She wanted to thank our team for the work of the YWCA. It seems that Sharrieff has taken his work seriously for the first time this year and is now making B's. This classroom teacher gave credit and praise to the daily support at YWCA Tuckaseegee Youth Learning Center for this powerful progress. At the same center two children in Kindergarten and First Grade who were not reading at the start of the year were able to read aloud to the class for the first time last week. These two children now have enough site words to participate in our web based objective measurement of their reading comprehension. We are so proud of them. We are also extremely proud of two young ladies at our Southside Homes Youth Learning Center who just won silver and bronze medals at the Regional 4H Science Fair Competition at Gaston College. 4H has been a partner with us for years providing activities around health living for youth and parents. These two young women did not win prizes solely for their project they completed but also for their stellar presentation skills. At our Leaf Crest Center, a Charlotte Housing Authority Community, our average reading level improvement over the past nine months is a gain of one year, three months. I hope these glimpses of our centers gives you a broader view of the positive impact our YWCA is having on fragile yet promising youth and families in our communities. There are of course many more stories that could be told. We are certainly not asking you to fund us because you have funded us for years. We are asking that you fund us because what we are doing works and we have proven it works. Without this funding 90 youth being served today in three centers will no longer have the opportunities they have had to change the trajectory of their lives. Thank you for this opportunity to share my views on one of our City's most outstanding youth programs.

Jason Perry, 3420 Park Road said I am the Family Support Coordinator at the YWCA. In working with children I've learned one thing; they don't live in a vacuum. They're part of a family and we have to serve that family in its entirety. If we fail to do that then we fail to serve the child. When I think about the families and the children who cross my path every day and I begin to learn their stories and understand their pasts it becomes even more important to take strategic steps in terms of securing their future. At the YWCA we believe that consistently

cultivating relationships with our parents is the best way to ensure academic accountability and success with our students. Whether it be a parent allowing me to have access to their power school login so that we can keep track of their child's grades, report cards and assignments or setting up meeting with all of the third graders in all of our eleven centers about the North Carolina Read to Achieve Legislation and making sure that their third grader is on track in terms of their literacy development. They're going above and beyond. Full circle engagement must be done in order to promote upward mobility in both the parent and the child. I think of the mother who called and said I'm so glad that you referred me to that employment agency or even hearing the stories about children who are progressing in their grade level and going from F's to A's; that's something that we need. Full Circle engagement is important. In the ways I've mentioned and more we will continue to serve, we will continue to engage and we will continue to invest in the future leaders of our society in Charlotte. Thank you for your time.

Gilbert Hayden, 3420 Park Road said my name is Gilbert Hayden. My son's name is Gilbert Hayden Tiesdale. We haven't been in the program long but for two years and during that two years I have seen tremendous change with the YWCA and I couldn't do it all by myself so I had to have something. I didn't know how I was going to get it or where it was going to come from but I honestly didn't have any help. Some kind of way on my knees, praying every night my prayers were answered. My son became a part of the YWCA and I didn't know much of the YWCA. I didn't know what it had to offer. When I heard the YWCA I just said women; I'm a single father; well I'm going to try it. I'm going to give him a chance. I'm not going to have my own views about the situation. I'm just going to give him a chance. My son, he was doing alright in school but he wasn't doing as well as I thought he would or he could do. As he started going to the YWCA after school every day; we played ball, football, everything and he started not wanting to go play ball. He wanted to be a part of the YWCA. Sometimes I didn't even want to go to the YWCA. I didn't have time to go to the YWCA but I see how it changed his attitude. I see how that's where he wanted to be. All his friends to be honest with you are like 30 years and older; families. I didn't want to take his childhood away from him and he is kind of grown for his age. He's 10 years; he's been there since he was eight but now he speaks like; I mean his social skills have really developed a lot. He's been in the spelling bee contest every year now and not only that he used to talk junk about his grades and now he is getting straight A's so I owe the YWCA. That's what I want. I want a change and a difference in his life. Something that I didn't have and so I know that him being with the YWCA; I'm alright and on top of that I know where he's at. I don't have to worry about when I left him over here or over there because you're families will ruin them too but I know what's going on with the YWCA so that program, that facility, I give them there props and I'm proud of my son. I just want to take the time to say thank you. Thank all of you and the audience that's filled with the people that represent hundreds of children and families served by the YWCA; I would like to ask them to all stand. Thank you all again.

Mayor Clodfelter said one of the hardest jobs in the world is to be a parent and you're doing mighty fine at that job sir.

Funding for the Above and Beyond Students Out of School Time

Carmen Blackmon, 3743 Havenwood Road said when we signed up for the speakers one of our persons wants to take two minutes because our children wanted to speak and they want to take his other one minute if that's okay?

Mayor Clodfelter said that will be fine.

Ms. Blackmon said it is indeed an honor and privilege to stand before you tonight on behalf of Above and Beyond Students, the families and students of Southside Homes and those that we represent around the City of Charlotte. Our program has served youth in Charlotte Mecklenburg for over 14 years. I started the program out of my home out the concern for the needs of children that were falling behind academically and socially. In 2012 we partnered with Charlotte Housing Authority Client Services Division to provide additional afterschool programming for Southside Homes. For two years we have built a strong relationship with Southside students and families and partnered with their schools. Our program serves students in both Southside Homes and Siegle Point Community along with Eastway Middle School and Sedgfield Middle. Daily we

provide students with homework assistance, end of grade preparation, access to technology, field trips, enrichment activities, STEM, social development and community service projects such as coat drives and neighborhood clean ups. Some of our programs successes are last year 92% of parents attended every parent meeting and we are on track this year to reach that same success. Our parents learned about such things as how to become effective partners with the school, how to budget, how to improve their credit score so that they can improve the housing that they desire to have and ways to improve their parenting skills. Our student attendance is between 82% and 92% and research shows that this is a very high number for a community based program. The school day teachers boasted that our students turn in quality homework and have demonstrated academic improvement. At our April parent meeting we had two principals, academic facilitators, guidance counselors and teachers attend our parent meeting. That is unheard of at a community based program. The CMS Community Engagement Department praises our program for the great partnerships we have built with the schools. Above and Beyond students go beyond the academic needs and strives to meet basic needs. We feed families when they are hungry, we provide transportation to appointments, we supply them with basic toiletry needs and connect them to other community resources. I say all that to say that our program goes to extraordinary efforts to send a message to our students and families that they matter to us, that they are important and that we care. I'm asking you as City Council to send the same message to our families. Last year our program was fully funded by the Out of School Time Program Grant Funding. This year our funding was reduced by 80%. Although we are truly grateful for the \$19,995 that was awarded; this amount will not allow us to continue serving the youth in Southside Homes. Southside Homes is CHA's largest housing community with over 340 school age youth in that community. There are only two other programs that serve that community and we are barely touching 10% of the students. To remove our after school program would cause extreme hardships for students that we serve. Their current schools do not offer after school programs and there are no affordable, accessible after school programs that their families can attend that live in Southside Homes. The only thing that I ask for you to do is to please review the applications and the process and see if there's an opportunity to restructure the funding and allow you to send a message to the families that says that we do care about you, we do desire you to have a safe and quality afterschool program for you to attend. Thank you for your time and your consideration.

Jeremiah Teeter, Student said I attend Above and Beyond Students Afterschool Program. ABS means family to me. I love ABS because I learn to be kind and respectful. I know I'm in a safe place. Since I've been with ABS my grades have improved. Whenever I have a question it gets solved right away. We have the best staff ever so that's why ABS means to me. Please don't close our afterschool program.

Makyah Boone, Student said if this afterschool wasn't open my grades would be B's, F's and C's. Since I came to this afterschool all my bad grades went up to A's and B's. We need summer camp; we need some learning this summer even though you might move us somewhere else we might not get to go there. They might be too far away from our homes. Don't move our afterschool. We love being there as a family.

Isaiah Jones, Student said this afterschool means a lot to me because it's a place where I feel safe and I can get help with my homework. If I have problems with a subject I can ask one of the tutors to help me. If this afterschool wasn't around I would still get help with my homework at home but there would be nowhere to be. I would sit at home being bored. Thank you.

Tonia Woodbury, 1000 Drummond Avenue said I'm with Carmen Blackmon. I'm a board member for Above and Beyond Students so I'll be the one with the one and half minutes because I allowed the children to speak. As you heard the testimony of the students; Southside facility is key to ABS and the services that we provide to the students that attend CMS schools. Our ask from a board perspective is that we make sure that our processes are equitable across the board. We understand there are formulated ways and methodology and metrics to run your RFP process but in the grand scheme of different organizations and who have different directives and objective and different populations that they're directing and trying to serve just be sure that the variables that make programs different and unique are not missed and someone is not penalized because what may seem to be innovative to one group may not be the same innovation to another

group and to another population. Again reconsider your funding decision for ABS schools. Thank you.

Mike Primiani, 1213 Green Oaks Lane said I work as a Community Partnerships Coordinator for CMS and I have the pleasure of working with Sedgefield Elementary among some other schools. My role very quickly is to work closely with my schools that I support to assess the needs of students and their families and then go out in the community and find business and community partners that might be able to fulfill and support those needs. ABS is one such great partner that I have the pleasure of working with and as I've gotten to roll up my sleeves and get into this work there are some themes that have emerged with regards to needs and I think ABS addresses those needs quite well; those themes. In providing a safe and positive afterschool and summer programming for the students, continued academic and social emotional support for students beyond the academic day and finally and very importantly an effective tool for reaching parents and for family engagement. I think that's one of the themes that I would hit on strongest here is that the monthly meeting that Ms. Blackmon eluded to are great ways to reach parents that might not otherwise be able to connect with the school. One quick example would be this past winter we had the support team from Sedgefield Elementary come out and meet with parents during one of the parent meetings and it was an opportunity to connect with parents, provide important academic and social emotional information to the folks; it was the entire support team that came out; and finally it was an opportunity to point to the connection between the elementary and middle schools. Both Sedgefield and Sedgefield Middle School were both there and it was a great opportunity to hold hands up together and say we're all in this to support the students and Southside. Lastly, I would say there is already a shortage of supports in Southside and this would be a tremendous loss; ABS leaving would be a tremendous loss to the community and for the students. Thank you very much for your time.

Funding for Jobs Plan

Reverend Sheldon Shipman, 6116 Monteith Drive said since I'm the first speaker representing this group I just like the Charlotte Job Coalition to stand wherever they are. Thank you very much. I am Sheldon Shipman the Pastor of Greenville Memorial AME Zion Church in the Hidden Valley Community. Charlotte has a poverty rate of 15% and many of its residents are suffering from high unemployment. In some communities even the Beatties Ford Road area it's higher around 17.8%. The situation is critical. I'm here today to speak on behalf of Greg, Vincent and Ronnie. One is in his 50's, another is one is homeless, one is in his 20's and has a record. All of them desire to work, willing to work but simply need an opportunity to prove themselves with a job. All of them are believing that this City is willing to invest in its people. I'm also here to speak for the unknown numbers of unemployed in Hidden Valley, North Charlotte, East Charlotte, West Charlotte and yes believe it or not even South Charlotte because jobs must be created for all of Charlotte's citizens especially those who are having the hardest time to get back into the labor force who tend to be people with barriers, who may face discrimination for one reason or another such as the formerly incarcerated single mothers, veterans; all of who may need additional support to prepare them for work and to help them to sustain their employment. With some of our older, long term unemployed who are qualified and have the necessary skills they end of facing age discrimination. Given the city has over a billion dollar budget supporting a \$10 million dollar jobs program is both morally and economically prudent. Morally prudent because the Torah encourages us in Deuteronomy 15; "If there is any among you in need a member of your community in any of your towns within the land that God has given you do not be hard hearted nor tight fisted toward your needed neighbor." And economically prudent because it will help citizens back to work and turn to generate more revenue for the City by expanding its tax base. Charlotte has proven herself to be a First Class City in so many ways in the past. This is a wonderful way to prove it in the present. Jobs are indeed family values. I implore our new Mayor and this City Council to make Charlotte a prototype jobs City that has job creation on the front. Support the Jobs Creation Coalition and make this \$10 million jobs program a reality so those young children from that program will be able to have a job in the future. Thank you very much.

Joel Segal, 6116 Monteith Drive said I am the Housing and Employment Coordinator for the Greenville AME Zion Church with the great Pastor Reverend Sheldon Shipman; my spiritual mentor and political mentor. Before I start I want to thank Mayor Clodfelter for giving me a start

in politics when I was 32 years old. I have not seen you in 23 years and you look as young as you did when I met you years ago. I think in the 23 years that I have been serving in local, state and federal government; I just left Representative Conyers Office; I was the lead staff on Universal Healthcare and Jobs for all in Katrina and to this day I still have never met a public servant Mayor Clodfelter, with your passion, with your intellect and with your skill and this City is so blessed and fortunate to have you as our Mayor. I would like everybody to give you a hand. I remember when you balanced the budget when I worked for you; I worked for you for three years; you balanced the budget in 24 hours and your assignment to me was to make sure that no programs that would benefit poor people would be cut. In 24 hours sir you balanced the budget and no programs that benefitted the poor were cut. I want to thank you sir for doing that.

I'm here today in support of the Charlotte Jobs Coalition. This is over 20 organizations that represent the faith community, the business community, NGO's and various civic organizations. I have never worked with such an outstanding group of people and committed dedicated folk who want a simple thing. They want to create jobs for the unemployed. I used to be the Director of the Charlotte Emergency Winter Shelter. I ran Charlotte's first transitional housing and jobs program; if it wasn't for Mayor Clodfelter the quarter of a million dollar loan that we got from HUD would've never happened. We put about 600 people into jobs and permanent housing and I remember when I would go to the day shelter 40 to 50 men would run up to me, "Mr. Segal, can you please get me a job?" They actually pleaded can you get me a job and I was the Deputy Director and the former Senior Manager of the districts foster care systems; same experience "Mr. Segal, can you help us get a job?" There are thousands of people in this city that need work. There is a mythology that poor people don't want to work. It's not true. I've never have seen that in the two decades I've been working in the field of employment and housing. Our DNA in our brains are wired to be productive and to work. We support the Charlotte Jobs Coalition request for a \$10 million dollar allocated for a budget to put people to work and just provide \$10 buck an hour for a subsidy. I don't know if you remember the Seeder program under Nixon; if Nixon and Roosevelt could put people to work so can the City of Charlotte. We look forward to a public, private partnership and working with you putting this city back to work, giving people their dignity back and putting family values back in the city. Thank you very much.

Reverend Dr. Joseph Robinson, 724-A Montana Drive said I am a new resident in our great City of Charlotte; not a new worker if you will for the voiceless, faceless and the powerless. Our ministries creates jobs for the returning citizens and so we're here in partnership and collaborations with the Center for Community Change for Jobs. We're getting ready to hire our first wave of returning citizens that have all been certified with fork lift certification, bailer certification. We are started them off at \$10.50 an hour, we're preparing for our grand opening June 20th and so we're soliciting the support of all of Charlotteans but particularly we're not discriminating against regular people who've been displaced but our specific target population is the returning citizen; formerly incarcerated individuals. Those currently under parole, probation supervision; we will train, certify and employ. Again, we're here to support this subsidized work initiative not only are we here but we have some partners that have some resources that are willing to partner with the community agencies here in this great City. We welcome the opportunity to create jobs. Thank you.

Karen Browning, 901 North Tryon Street said I'm here to seek support also for the Charlotte Jobs Coalition Program. I'm the Executive Director of the Charlotte Area Fund and since 1963 that agency has been the designated community action agency for Mecklenburg County whose purpose is to identify and address poverty causes by providing programs and services that assist the economic disadvantaged citizens with gaining the skills and abilities necessary to achieve self-sufficiency. Unemployment is a condition that contributes to poverty. Barriers to employment encompass many issues. Economic events especially recessions have a direct correlation to producing poverty situations because they often result in limited employment opportunities for those with multiple barriers. As an employment and training service provider we are elated to endorse the concept of a wage subsidy program in Charlotte. My agency operated a similar program that provided a structured system of training designed to prepare individuals for employment within a specific industry or vocation based on their career path. Program participants were placed for a specific number of weeks with area employers to further enhance their training and create opportunities to immediately obtain unsubsidized employment in a specific vocational area. The objective is for the clients to maintain as their afore mentioned

unsubsidized employment at the prevailing or greater wage rate upon the completion of the training and our outcomes as a result included that participants experienced hands on experience and training and developed skills relevant to their specific vocation and a career path. It made them more marketable. Participants developed self-worth and self-esteem as a result of their ability to visualize their successful completion. They became actively engaged in the development process as they were empowered to become productive citizens. Also, a high percentage of the participants were retained by the training employers at the prevailing or greater wage rate. The return on investment was realized within five weeks of obtaining unsubsidized employment because first it reduced reliance on public assistance, the earned wages added to the tax base and it reduced the recidivism rate, increased collaborative efforts among the other service providers and employer partnerships were developed and it reduced the risk for employers so we know that a well-developed program based on this concept will be successful in Charlotte. The most recent reported unemployment rate for Mecklenburg County is 6.5% however; this number does not include many individuals who have exhausted their unemployment compensation which could create an unrealistic perception of the unemployed in Mecklenburg County. These are the individuals for whom we're seeking this wage subsidy program and many of the service providers within the employment and training network in Mecklenburg County have endorsed this concept because current funding is not sufficient to address the myriad of needs of this vulnerable and targeted population. Many of the providers have also committed support in the form of wrap around services. We thank you and ask for the City's financial support of this initiative so we may expand our capacity to serve our neighbors in need. Thank you for your consideration.

Susan Glantzman, 8343 Highlander Court said I have lived in Charlotte since 2005. I love it here. I have worked since I was 16 years old. I don't have the same obstacles to employment as many of the others yet I'm still one of the long term unemployed. I've been unemployed since December 31, 2012 when the company I worked for had a rift, which is a reduction in force for anybody that doesn't know what that is. I have good references, I have an advanced degree and I'm a homeowner and I'm still unemployed. I apply for jobs daily; I see the same positions posted over and over. I recently applied for a job on CareerBuilder and once you apply for the job there's an app that lets you go on and see who else applied; 120 people applied for this one position. On June 30, 2013 thousands of North Carolinians were removed from the unemployment rolls. The unemployment rate goes down and it's no surprise but it's a skewed view. Suddenly thousands of people were no longer counted. We're told the recession is over; things are getting better. It's a false dichotomy. It's touted to make it appear that things are getting better but I'll tell you this they are not getting better. Is the length of my unemployment status the issue? Is the fact that I may be over qualified or maybe it's my age? I have taken jobs out of my field for less money than I'm accustomed to earning, most have been temporary and others were supposed to be permanent and yet many people were laid off at once in reductions in force. In order to secure employment do I need to go back to obtain specialized training. I don't want to go back to school. I'm 60 years old. I'm pretty much done with going to school. Or is it the lack of jobs? I apply for at least 10 jobs a week and at this point if I do get a call I have to ask what company is this and what job is it because I'm confused by how many jobs I actually applied for and all this time I've received a grand total of three phone responses and two interviews but no job. I've done some research and in some cities public private partnerships are resulting in secure jobs. Much of that success is anchored by some form of wage supports and programs such as OGT placements with job development and counseling. In my experience as former job developer and a social worker I had great success placing those that the Department of Labor had termed hard to place using these types of supports and I have seen the types of incentives work. It's time for Charlotte to invest in its own citizens. There are things the City can do to help and today is not too soon to start. Thank you.

Reverend Dr. Rodney Sadler, 5902 Marshbark Lane said it is a privilege to be able to be with you tonight. I'm a person who can say I have a job. I'm a seminary professor. I teach at Union Presbyterian Seminary. It is because I have that job that I want to stand here today and read this text to you. Isaiah Chapter 58 verse 3 says, "Why do we fast but you do not see, why humble ourselves but you do not notice. Look you serve your own interests on you fast day and you oppress all your workers." Today I want to talk about the oppression of all our workers. You see God is not pleased when our workers are oppressed. God is not pleased when those who want to work and have a sustainable wage aren't able to do that. That's why I want to stand here today

and lift up this job subsidy program. This job subsidy program works against the myth that people don't want to work because people are lazy. This job subsidy program works against the myth that people don't want to work because they're just dependent on the system; they're somehow deficient. We know that people want to work because nobody wants to be homeless, nobody wants to be unemployed, and nobody wants to have their children go without food at night. All of God's people want to have the benefits of being able to work in order to support their family. That's why we're standing for this program today. The program that we're talking about is the jobs subsidy program. In this program we're asking for \$10 million dollars. This \$10 million dollars can come from the City, a partnership between the City, the County, private and foundational interests. What we'd like to do with this is to take one thousand people who are otherwise unemployed because people think of them as unemployable. Long term unemployed, formerly incarcerated people and give them that opportunity to prove themselves. This job subsidy program will take these people and in six months of subsidized pay allow them to work for small businesses or larger businesses in our area; will pay them a wage of at least \$10.00 minimum wage an hour, will give them soft skills training, on the job training and also provide them with a mentor for the period of time that they're working in our system. The goal of this program which will be administered by DSS; the goal of this program is to give people that opportunity to prove themselves that all God's people deserve to work. All God's people want to work and all God's people can work. I ask for your support for this job subsidy program and I'm very thankful to be able to stand here with all of these my colleagues and support this today. Thank you so much for your consideration and thank you for your work on this effort. God bless you.

Beth Pickering, 11126 Bladworth Court said my name's Beth Pickering, former Councilmember. I'm here tonight to urge your support for a subsidized jobs program. I'm urging you to support it now; right now in this current budget cycle and I'm urging you because it's urgent. We all know that budgets are priorities. They reflect our priorities. What is more important than our people? Let's invest directly in our most precious resource; our people. Council, you have the rare opportunity to directly and almost immediately and dramatically improve the lives of some of your most stressed citizens. Why should Council do this? Number one the need is real, it's immediate and it's critical. While we have wonderful organizations doing this finding jobs work. Charlotte Works, Goodwill, Urban League, there are still citizens who can't find a job. There is no other solution currently. If the City steps forward others will follow; there is interest at the County Commission, there's interest at Foundation For The Carolinas. We have service providers who've run this type of program before who are ready and willing to put the final details on this program. I just want to mention two comments that some unemployed workers made that struck me. Gentleman, I would think maybe in his 50's; IT background, educated, experienced and he said to me "I used to be somebody." Ms. Glantzman, you just heard from her; she commented that at the meeting we were at she hadn't been sure if she would come because she wasn't sure if she should use the gas that it would take. This is where our people or at; they're demoralized, they're at their wits end. Give these workers some help, some hope. Help them stabilize their lives. Help them stop the hemorrhaging. Last, let's get to the money. We spend a lot of money around here. I know I keep saying we but you understand it's hard to let go. We spend money, sometimes we find money. We spend money on baseball stadiums, football stadiums, and multi-million dollar corporations and sometimes our citizens understand the need for those investments but they also expect us to invest in them. The fact is we have to do both. How do we say yes to baseball stadiums and football stadiums and multi-million dollar corporations but no to citizens who are in dire straits, who are only asking to work, who are only asking for a \$10.00 an hour job? In closing, I ask you Councilmembers who among you will stand up for our workers? Who among you at your Wednesday adds and deletes meeting will raise their hand and say I move that we add \$10 million dollars for a jobs program? Who will second and who will say Aye? There is only one thing standing between our workers and a job and that's political will. Do we have it? I hope so; thank you Council.

City Worker Wages

James Locklear, 7807 Burchshire said my name is James Locklear, President of UE 150. I am here to speak about our budget. They're talking about a 3%. If you do give us the 3% please give it across the board because a lot of people are not going to get 3%. Some of us are going to get 1% if they get that. Insurance is going up, that's going to put them in the hole. Gas is going up

which everybody knows about that. You go to the store to buy your food and it's going up. Water is going up and your rents going up. Where is that putting people at? If you look at what's going to happen in the next 10 or 15 years. You're going to have more people like these people up here hollering about jobs. You're going to have more people out there in this City. They say the Queen City. Queen of what? For Business? Just like the former City Council said, what about the workers? It gives ya'll the pat on the back when you got people coming in. Ya'll doing a good job. What about us workers? It makes ya'll look good. We are the ones out there in the rain, snow and all kind of weather trying to make a living and a lot of people they work overtime so they can pay their bills. When they lay their bills down with 40 hours then they have to look and say what bill am I going to pay? It's a shame to work for the City and you can't pay your bills like you ought to pay them. You have to pay this and put something else down. It's hard. I've been here a little better than 29 years with the City and I've never seen it like this before. It's hard. On our jobs we need people there. You need to hire extra people. These people shouldn't be sitting up there talking about they need a job and the guys that work for the City know we need help. Sanitation Department has routes standing, they get through their routes then they have to go to other routes. Utility, they have to be out there all kinds of hours working. All kinds of hours and that ought not to be. We're human beings. Like one brother said in Raleigh, "you want to work us like horses but you want to give us chicken feed. How long can we last?" How long can we last like that? If we were getting paid like we ought to be ya'll wouldn't even see us down here but it's hard. It's hard. People need to make a good wage. We know we ain't going to get rich but we need to be able to pay our bills to pay our house payment and pay our car payment but if your car breaks down what we go to do? Catch the bus. Thank God for the buses.

Larry Mackey, 8725 Water Rock Road said I thank you for this opportunity. This opportunity I'm not going to talk about 2012. Ms. Angela Lee got several awards nationally for the water. I'm not going to talk about 2013 that we got sewer system of the year, large sewer system of the year of the states. I'm not going to talk about the winter we had this year and as an essential employee that we came out and dug this City out and took tons of snow. We not going to talk about the Irwin Creek that they dump anestitol in and we not going to talk about Mallard Creek. No we're not going to do that. What we're going to talk about is the 3% raise. The 3% raise you want to give us and in February the news said food going up 10%. My grandkids, my family have to eat. Duke Power wants to go up 7.5%. Come on. 3%, how long would that last for us. We'd be in the same hole. We ask that we have a decent raise. A decent increase on our 40 hour because when I work those long hours I'm not there for my sons, they're not there for their daughters, they are out here working for the City. We are out here working for ya'll. We call it blood money when you have to put in 16, 17 hours in order to pay your bills. That's ridiculous. All we're asking is for fairness. Fair wages. That's all because you know what I'm in the same boat as everybody else with a 40 hour check. I can't afford it. I don't want a Mercedes, I don't want a Lexus, I don't want a BMW but yet I would like to have a Ford Fusion. I would like that. I don't like to have a Chevy; I don't like to have a Chrysler. All we're asking you is help stop the bleeding with the City workers. Thank you.

Freddie Smith, said congratulations Mayor Clodfelter and especially thank you City Manager, Mr. Carlee it's an honor and a privilege to have you aboard and we thank you so much for opening the doors, bringing the dialogue between the departments, human resources and allowing the workers to express the issue that's going on. I'll be brief. It's a win-win with the City employees if we only would keep it simple and insert the living wage standards. We can't lose guys. We won't lose. It's going to increase future educations for the kids, housing, and jobs as they spoke about; we're not going to lose. We're talking about growing and developing the City of Charlotte; that's what we're doing and that's what the increase would help the City of Charlotte do and that is to distribute across the board. I'll end with that to say that we will win. Thank you all very much.

Various Budget Topics

Vincent Frisiana, Jr., 3140 Edsel Place said Mayor and City Council thank you very much. I've got three topics to talk about the first one is for storm water issues. I've already talked to the head of storm water and she's agreed that she's going to come out and visit with us. I had a large project that was done three times in about 25 years and this last time someone else got expensive sod; we got grass that never worked and also other items. We were wondering why some people

got some items and some people don't; it's a customer service item which I am going to wish they extrapolate to say should there be standards in storm water? Next item up is a very simple one and I'm hoping this will actually put money into the City budget this year where you'll save some money; Capital One sent me my monthly bill and they know that I am an old person who likes to get a bill manually but I pay my bills online, therefore they started to say hey we're not going to send you an envelope anymore and I'm wondering if you can do the same for your water bills. Do you know how many people you're sending out bills and they're paying them online but they want that paper bill; can you stop sending them envelopes and maybe save a few thousand dollars a month in not mailing out envelopes to people and I'm showing you the exact same notification that Capital One sent me saying hey here's your bill but we're not going to send you an envelope and they're saving some money. The last item that I'm dealing with has to do with a church that went south in my neighborhood over a period of years. It was an African American church. I had people who complained to me that this church was now being used as a rental unit and was degrading and falling apart. In fact the person who lived next door who grew up there said hey why'd they tear down my house but they're not tearing down this church. That was before the non-residential building code came in. They tore down the church; there's a cemetery behind it that's dilapidated. I was the one who initiated it because I talked to many people now there's \$23,000 owed on that property, there's no Deed of Trust, I've talked to staff several times, the Finance Department, Code Enforcement, I would like to see this property be managed by the City of Charlotte. I see this more as a legal issue. I've given the City Attorney the heads up that little square on your piece of paper is now on a grave plaque for one grave that I knew an individual was buried in 1990's that there's no headstone, no anything towards the end of the parking lot and I want to see respect for that individual and I may ask even the FBI to actually locate where that grave is. It's not in the rest of the area and some of these graves go back to the 1800's. What I would like to see is this abandoned cemetery absorbed by the City of Charlotte with the this \$23,000 bill you're going to have to do something; all I'm asking is to find out and I have much more information to give. The last thing is, they're all gone; to thank these people and Mr. Carlee, when the worst thing happened to the City of Charlotte with the last Mayor, one of the first lines I remember you said was the trash is still being collected and these people work darn hard and not to exclude the engineering people who also dig and work very hard in the same type of related work. Thank you very much and enjoy the rest of the evening.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to close the public hearing.

Mayor Clodfelter said just a reminder that consideration of this will be on Wednesday afternoon at 3:00 p.m. in the Council work session upstairs in room 267.

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POLICY

ITEM NO. 13: CITY MANAGER'S REPORT

City Manager, Ron Carlee said no report this evening your honor.

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ITEM NO. 14: CITY MANAGER/CITY ATTORNEY PERFORMANCE REVIEW PROCESS

Councilmember Howard said I want to thank the committee for working through this process with me along with the staff. What we're trying to do is work on some of the work that's been done with the previous City Manager Council Relations Committee chaired by Mr. Cooksey. The last couple of years they're really trying to formalize our process so we set goals at the beginning so we evaluated the Manager and the Attorney on something other than kind of the general criteria we've been putting in place for at least the four years I've been on Council. This is an attempt to start down that road. Thank you committee members, thank you Vice Chair, Ms. Mayfield and with that I recommend approval.

bcp

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to approve (A) Approve the Governance & Accountability Committee recommendation of the performance review process for the City Manager and the City Attorney, and (B) Amend the City Council Meeting Calendar to schedule the performance reviews as follows: -City Manager: Monday July 28, 2014, at 12:00 p.m., CH-14, Charlotte-Mecklenburg Government Center, -City Attorney: Monday August 25, 2014, at 12:00 p.m., CH-14, Charlotte- Mecklenburg Government Center.

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ITEM NO. 15: COMMUNITY HOUSING DEVELOPMENT ORGANIZATION GRANTS

Councilmember Austin said this particular item is in keeping with the City's desire to support affordable housing. This action requests to approve two community housing grants; first to the Builders of Hope for \$300,000 and the second grant is to the Crossroads CDC in the amount of \$500,000. Both of these projects would address our need in our community for affordable housing and regular housing for individuals who are making 80% of the median income for rental properties and so I would move to approve this particular action to Council.

Motion was made by Councilmember Austin, seconded by Councilmember Mayfield, and carried unanimously to approve the Housing & Neighborhood Development Committee recommendation on the Community Housing Development Organization grants for a total of \$800,000 to: (A) Builders of Hope, Inc. for the Bradford Apartments Phase 2 multi-family rehabilitation development for a total of \$300,000, and (B) CrossRoads Corporation for Affordable Housing and Community Development for the Elizabeth Heights Phase 3 single-family homeownership housing development for a total of \$500,000.

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BUSINESS

ITEM NO. 16: WATER AND SEWER REVENUE BOND ANTICIPATION NOTE

Motion was made by Councilmember Barnes, seconded by Councilmember Howard, and carried unanimously to approve (A) Adopt the bond order authorizing the issuance of up to \$180,000,000 of revenue bond anticipation note, and (B) Adopt a bond resolution for the approval, execution, and delivery in connection with the issuance of up to \$180,000,000 of revenue bond anticipation note.

The resolutions are recorded in full in Resolution Book 45, at Page 309-311 and 312-316.

ITEM NO. 17: NOMINATIONS TO BOARDS AND COMMISSIONS

17-A: Bechtler Arts Foundation Board: The following applicants received nominations for one appointment for a three-year term beginning July 1, 2014, and ending June 30, 2017 in the Bechtler Arts Foundation Board:

Matthew Benson, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and appoint Mr. Benson by acclimation.

Mr. Benson was appointed.

17-B: Business Advisory Committee: The following applicants, recommended by the Asian American Chamber of Commerce, received nominations for one appointment by the City Council for a three-year term beginning April 29, 2014, and ending April 28, 2017:

Nimish Bhatt, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps, Smith.

Motion was made by Councilmember Barnes, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and reappoint Mr. Bhatt by acclimation.

Mr. Bhatt was reappointed.

The following applicants recommended by the Black Chamber of Commerce, received nominations for appointment by the City Council for a three-year term beginning April 29, 2014 and ending April 28, 2017:

Lester Selby, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and appoint Mr. Selby by acclimation.

Mr. Selby was appointed.

The following applicants, recommendation by the Metrolina Minority Contractors Association, received nominations for one certified Small Business Enterprise for appointment by the City Council for a three-year term beginning April 29, 2014 and ending April 28, 2017:

Edward Bryant, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and appoint Mr. Bryant by acclimation.

Mr. Bryant was appointed.

The following applicants, recommended by the Charlotte Chamber of Commerce, received nominations for two appointments by the City Council for three-year terms beginning April 29, 2014 and ending April 28, 2017:

Dale Gilmore, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Jonathan Utrup, nominated by Councilmembers Barnes, Lyles, Mayfield and Phipps

Motion was made by Councilmember Lyles, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and appoint Mr. Gilmore and reappoint Mr. Utrup by acclimation.

Mr. Gilmore was appointed and Mr. Utrup was reappointed.

The following applicants received nominations for two appointments by the City Council, one for a three-year term beginning April 29, 2014 and ending April 28, 2017 and the other for an unexpired term beginning immediately and ending April 28, 2016 on the Business Advisory Committee:

Sean Gautam, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield and Phipps

Sy King, nominated by Councilmembers Driggs and Smith

Chelsea Weavil, nominated by Councilmembers Austin, Barnes, Lyles, Mayfield and Phipps

Ben Smith, nominated by Councilmember Smith

DeAlva Glenn, nominated by Councilmember Howard

Motion was made by Councilmember Lyles, seconded by Councilmember Phipps, and carried unanimously to hold the nominations open until June 9, 2014.

The following applicants, recommended by the Hispanic Contractors Association, received nominations for one certified Small Business Enterprise appointment by the City Council for a three-year term beginning April 29, 2014 and ending April 28, 2017:

Milagritos Aguilar, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Lyles, seconded by Councilmember Smith, and carried unanimously to close the nominations and appoint Ms. Aguilar by acclimation.

Ms. Aguilar was appointed.

The following applicants, recommended by the Charlotte-Mecklenburg Latin American Chamber of Commerce received nominations for one appointment by the City Council for a three-year term beginning April 29, 2014 and ending April 29, 2017:

Julio Colmenares, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Barnes, seconded by Councilmember Driggs, and carried unanimously to close the nominations and reappoint Mr. Colmenares by acclimation.

Mr. Colmenares was reappointed.

The following applicants, recommended by the Metrolina Native American Association, received nominations for appointment by the City Council for a three-year term beginning April 29, 2014, and ending April 28, 2017:

Walter Baucom, nominated by Councilmember Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Barnes, seconded by Councilmember Howard, and carried unanimously to close the nominations and reappoint Mr. Baucom by acclimation.

Mr. Baucom was reappointed.

The following applicants, recommended by the National Association of Women Business Owners, received nominations for one appointment for a three-year term beginning April 29, 2014 and ending April 28, 2017:

Julie Ayers, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Barnes, seconded by Councilmember Driggs, and carried unanimously to close the nominations and appoint Ms. Ayers by acclimation.

Ms. Ayers was appointed.

Councilmember Howard said I would like to know if the Clerk could tell us, what happened with this Committee that everybody got reappointed at the same time.

City Clerk Stephanie Kelly said when it was reorganized the terms were not staggered; the reappointments were not staggered so all of these people will go on at the same time.

Mr. Howard said they won't all come off though; you did it so they would stagger coming off and that is why they have different terms?

Ms. Kelly said yes that is the intention.

17-C: Charlotte Housing Authority: The following applicants received nominations for one appointment for an unexpired term beginning immediately and ending December 17, 2014 in the Charlotte Housing Authority:

Brenda Adams, nominated by Councilmember Barnes

Patrick McNeely, nominated by Councilmember Smith

Alexander Vuchnich, nominate by Councilmember Driggs

Sheila Jones, nominated by Councilmembers Austin, Howard, Mayfield and Phipps

Motion was made by Councilmember Howard close the nominations and to appoint Ms. Jones.

Without a second, the motion was not considered.

Councilmember Lyles said I would like to ask the Council's consideration for keeping the nominations open. Earlier this afternoon Geraldine Sumter who is the Chair of the Housing Authority called me and said that unfortunately they had not had an opportunity to talk about the skill set that they were really looking at and they were wondering if it would be possible to keep the nominations open, or open the application process to anyone who has a financial background particular in housing, finance, mortgaging or development experience and she asked that I would pass that on to the Council as a request to keep the nominations open until next Monday.

Councilmember Barnes said I think we should keep it open primarily because we're missing three members so I agree with you about keeping it open. I understand their interests in having that skill set but also I'm concerned that we don't have three people who might have someone in mind. The question I have is whether next Monday is sufficient time to give them back enough time to be back with us or should we extend it for two more Mondays.

Ms. Lyles said I think we would have to in order to get the full participation by Council that would actually take a month.

Mr. Howard withdrew his motion.

Motion was made by Councilmember Lyles, seconded by Councilmember Barnes, and carried unanimously to extend the nominations until June 9, 2014.

Councilmember Greg Phipps said since we've already taken a previous vote to postpone some of these nominations for another month why wouldn't that be appropriate for some others that we had before us?

Mr. Barnes said here's the reason why I think it was appropriate in that case. One, the body, the entity had a specific skill set in mind that they haven't had met. Two, we have three members who aren't with us tonight and then three, I think with respect to most of the others we had at least eight nominations for the one or two people or one person and there wasn't a specific ask regarding skill sets with those nominations. With this one apparently there is one; a specific ask regarding skill sets.

Mr. Phipps said isn't it appropriate when we ask for a specific skill set that that be prominently detailed in the application process so in this case we're making the request at the dais. I would hope then in future occasions that we would make it plain.

Mr. Barnes said I agree with you; it should have been.

Ms. Lyles said I think that's a fair request but I also think that sometimes when you have a board chair that has; we've just recently made a nomination to this board and we've gotten a certain profile. I think that they are looking for that kind of skill set. I think they have a responsibility to come to us. I don't know that we should necessarily designate every time because we're looking for the very best to round out. This is a seven member board and maybe a little bit different than 20 member boards or others. That would be where I would be.

Mayor Clodfelter said we're also administering a lot of federal funds and the feds could get pretty angry with you if you don't handle that money right.

Mr. Phipps said I would just ask then that they would make that request known as do others for specific skill sets

Mayor Clodfelter said that is a message that all of these boards and commissions need to get.

17-D: Charlotte Mecklenburg Coalition for Housing: The following applicants received nominations for one appointment for an affordable housing representative for a three-year term beginning July 1, 2014, and ending June 30, 2017:

Dennis Boothe, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Mayfield, seconded by Councilmember Driggs, and carried unanimously to close the nominations and reappoint Mr. Boothe by acclamation.

Mr. Boothe was reappointed.

The following nominees were considered for one appointment for a financial representative for a three-year term beginning July 1, 2014 and ending June 30, 2017 in the Charlotte Mecklenburg Coalition for Housing:

Nancy Crown, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith.

Motion was made by Councilmember Barnes, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and reappoint Ms. Crown by acclamation.

Ms. Crown was reappointed.

17-E: Charlotte Regional Visitors' Authority: The following applicants received nominations for two appointments for an at-large representative for a three-year term beginning July 1, 2014 and ending June 30, 2017

:

Sean Gautam, nominated by Councilmember Driggs

Tracy Montross, nominated by Councilmembers Austin, Barnes, Howard, Mayfield, Phipps and Smith

Russell Sizemore, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield and Phipps

Ben Smith, nominated by Councilmember Smith

Motion was made by Councilmember Howard and seconded by Councilmember Phipps to close the nominations and appoint Ms. Montross and reappoint Mr. Sizemore.

Councilmember Barnes said I'm a no on closing the nominations here because once again I think that having these three guys with us might help.

Councilmember Howard withdrew his motion.

Mayor Clodfelter said Councilmember Howard is withdrawing his motion. There is now no motion before the Council. We have nominees but no motion.

Councilmember Lyles said I really wanted to ask a question whether or not the nominees that you know were for the two at-large appointments and not for the specifically designated slots.

Mayor Clodfelter said these were for the two at-large not for the slots.

Mr. Barnes said if I might Mr. Mayor and Council, I do believe we should reappoint Mr. Sizemore by acclamation. I think he's done a fantastic job since we appointed him to the CRVA and he got seven nominations and has added a great deal of value. I think he should be appointed. I actually support Tracy who's the other at-large rep. Again, my concern is having them here at least on that particular nomination might be helpful. I think they may support Tracy as well. With Russ I think we should reappoint him with Tracy for the other position. I support Tracy but if something else comes up I want them to be able to say that they have some other thoughts and they're not here tonight.

Councilmember Driggs said we've got majority nominating two people. I'm not sure what the absence of our three colleagues signifies at that point. There's a majority here already in favor of two people, two nominees and isn't that kind of sufficient to carry the day. Maybe I don't understand the process but it seems to me that we're there.

Mr. Barnes said Mr. Driggs; I understand what you're saying. I wish we could get eight on each. I don't know if that's going to happen but that would be great. If you don't we could still move ahead I agree with you. You got six on one and seven on the other. I agree with you. If the Council wants to do that, that's fine.

Motion was made by Councilmember Barnes, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and appoint Ms. Montross and reappoint Mr. Sizemore by acclamation.

Ms. Montross was appointed and Mr. Sizemore was reappointed.

The following applicants received nominations for one appointment for a convention hotel representative for a three-year term beginning July 1, 2014, and ending June 30, 2017 in the Charlotte Regional Visitors' Authority:

William DeLoache, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Mayfield, Phipps and Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and reappoint Mr. DeLoache.

Mr. DeLoache was reappointed.

The following applicants received nominations for one appointment for a town representative for a three-year term beginning July 1, 2014, and ending June 30, 2017:

Paul Jamison Sr., nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Phipps, and carried unanimously to close the nominations and reappoint Mr. Jamison, Sr..

Mr. Jamison, Sr. was reappointed.

The following applicants received nominations for one appointment for a restaurant representative for an unexpired term beginning immediately and ending June 30, 2015:

Arthur Gallagher, nominated by Councilmembers Barnes, Driggs, Howard and Lyles
Tom Sasser, nominated by Councilmembers Austin, Mayfield, Phipps and Smith

Motion was made by Councilmember Howard, seconded by Councilmember Lyles, and carried unanimously to close of the nominations.

17-F: Charlotte-Mecklenburg Public Access Corporation: The following applicants received nominations for three appointments for three-year terms beginning July 1, 2014, and ending June 30, 2017:

Michael Hernandez, nominated by Councilmembers Austin, Driggs, Howard and Mayfield
Dwayne Heyward, nominated by Councilmembers Barnes and Driggs
Carmen Johnson, nominated by Councilmembers Austin, Barnes and Mayfield
Sophia Matthews, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith
Antrice Mitchell, nominated by Councilmember Howard

Motion was made by Councilmember Barnes, seconded by Councilmember Mayfield, and carried unanimously to reappoint Sophia Matthews by acclamation and to hold nominations open for the other two appointments until June 9, 2014.

Ms. Matthews was reappointed.

17-G: Civil Service Board: The following applicants received nominations for one appointment for a three-year term beginning May 16, 2014, and ending May 15, 2017:

Jason McGrath, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Mayfield and Phipps
Dorian Taft, nominated by Councilmember Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Phipps, and carried unanimously to close the nominations and reappoint Mr. McGrath.

Mr. McGrath was reappointed.

17-H: Charlotte-Mecklenburg Utility Advisory Committee: The following applicants received nominations for one appointment for a three-year term beginning July 1, 2014, and ending June 30, 2017:

Pride Patton, Jr., nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield and Phipps
Laura Sieckmann, nominated by Councilmember Smith

Motion was made by Councilmember Mayfield, seconded by Councilmember Barnes, and carried unanimously to close the nominations and reappoint Mr. Patton .

Mr. Patton was reappointed.

17-I: Historic District Commission: The following applicants received nominations for one appointment for a business operator in Dilworth for a three-year term beginning July 1, 2014, and ending June 30, 2017:

Dominick Ristaino, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and reappoint Mr. Ristaino by acclimation.

Mr. Ristaino was reappointed.

17-J: Keep Charlotte Beautiful: The following applicants received nominations for two appointments for three-year terms beginning July 1, 2014, and ending June 30, 2017:

Scott Adams, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Vanessa Kenon-Hunt, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Austin, and carried unanimously to close the nominations and reappoint Mr. Adams and Ms. Kenon-Hunt by acclimation.

Mr. Adams and Ms. Kenon-Hunt were reappointed.

17-K: Neighborhood Matching Grants Fund: The following applicants received nominations for two appointments for representatives of a non-profit organization for two-year terms beginning April 16, 2014 and ending April 15, 2016:

Kellie Anderson, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Clair Craig-Lane, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Phipps, and carried unanimously to close the nominations and reappoint Ms. Anderson and Ms. Craig-Lane by acclimation.

Ms. Anderson and Ms. Craig-Lane were reappointed.

The following applicants received nominations for one appointment for a neighborhood organizational leader for a two-year term beginning April 16, 2014 and ending April 15, 2016:

Deborah Walker, nominated by Councilmembers Driggs and Lyles

Tommy Burch, nominated by Councilmembers Austin, Howard, Mayfield and Phipps

Motion was made by Councilmember Howard, seconded by Councilmember Austin, and carried unanimously to close the nominations.

The following applicants received nominations for two appointments for neighborhood representatives for two-year terms beginning April 16, 2014 and ending April 15, 2016:

Julio Colmenares, nominated by Councilmember Driggs
Karen Labovitz, nominated by Councilmembers Austin, Barnes, Driggs, Mayfield, Phipps and Smith
Joel Gilland, nominated by Councilmember Barnes
Chris Land, nominated by Councilmembers Austin, Howard, Mayfield and Phipps

Motion was made by Councilmember Lyles, seconded by Councilmember Phipps, and carried unanimously to reappoint Ms. Lebovitz and close the nominations for the remaining seat.

Ms. Lebovitz was reappointed.

The following applicants received nominations for two appointments for business representatives for two-year terms beginning April 16, 2014 and ending April 15, 2016:

Kim Graham, nominated by Councilmember Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith
Will Russell, nominated by Councilmember Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Smith, and carried unanimously, to close the nominations and reappoint Ms. Graham and Mr. Russell by acclamation.

Ms. Graham and Mr. Russell were reappointed.

The following applicants, recommended by the Superintendent of the School System received nominations for appointment by the City Council for an unexpired term beginning immediately and ending April 13, 2016:

Patrick Doiel, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Mayfield, Phipps and Smith

Motion was made by Councilmember Driggs, seconded by Councilmember Mayfield, and carried unanimously to close the nominations and appoint Mr. Doiel.

Mr. Doiel was appointed.

17-L: Planning Commission: The following applicants received nominations for one appointment for a three-year term beginning July 1, 2014, and ending June 30, 2017:

Paisley Gordon, nominated by Councilmember Smith
Karen Labovitz, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Mayfield and Phipps

Motion was made by Councilmember Lyles, seconded by Councilmember Smith, and carried unanimously to hold the nominations open until June 9, 2014.

17-M: Public Art Commission: The following applicants received nominations for a one appointment for a representative of the education field for a three-year term beginning July 1, 2014, and ending June 30, 2017:

Charles Barger III, nominated by Councilmembers Austin, Barnes, Driggs, Howard, Lyles, Mayfield, Phipps and Smith

Motion was made by Councilmember Barnes, seconded by Councilmember Phipps, and carried unanimously to close the nominations and reappoint Mr. Barger, III by acclamation

Mr. Barger was reappointed.

17-N: Transit Services Advisory Committee: The following applicants received nominations for one appointment for an express service passenger for an unexpired term beginning immediately and ending January 31, 2017:

R. Casey Celli, nominated by Councilmember Barnes
Dwayne Heyward, nominated by Councilmember Phipps
James Hilsman, nominated by Councilmembers Austin and Mayfield
Michael Messinger, nominated by Councilmember Driggs

Motion was made by Councilmember Howard, seconded by Councilmember Barnes, and carried unanimously to hold the nominations open until June 9, 2014.

There were no nominations for one appointment for a van pool rider for an unexpired term beginning immediately and ending January 31, 2016 for the Transit Services Advisory Committee. Nominations will remain open until June 9, 2014.

17-P: Waste Management Advisory Board: The following applicants, recommended by the City Council, received nominations for one appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending November 5, 2015:

Howard Cohen, nominated by Councilmembers Barnes and Driggs
Jay D. Winfrey, nominated by Councilmembers Austin, Mayfield and Phipps

Motion was made by Councilmember Howard, seconded by Councilmember Barnes, and carried unanimously to hold the nominations open until June 9, 2014.

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ITEM NO. 19: MAYOR AND COUNCIL TOPICS

Councilmember Mayfield said a couple of things. One, from our earlier discussion this evening regarding the Out of School Time Partners; I would like for Mayor and Councilmembers to refer to the Economic Development and Global Competitiveness Committee for further review of the evaluation criteria and the process for the awarding of the Out of School Time Partners.

Mayor Clodfelter said you would want that referred to ED and Global Competitiveness and not a budget committee?

Ms. Mayfield said it came out of Economic Development.

Mayor Clodfelter said okay it came out of that.

Councilmember Phipps said when was the last time it was even reviewed?

Ms. Mayfield said October.

Councilmember Barnes said last year.

Mayor Clodfelter said you established the policy in October last year?

Ms. Mayfield said we are tweaking a new policy and I think there was some thought that it was going to come back to committee since we had new members that were on committee as well as newly elected members. I don't think we necessarily clarified that was the expectation so I think there are some conversations that can be held around this process to make sure that we're actually creating the outcome that we're interested in and that's too support as many great

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programs on the front end opposed to the latter conversation we had tonight with identifying money on the backend.

Mayor Clodfelter said I think this is one of those kinds of things where you don't have to have a vote. I can say without objection so ordered.

Councilmember Howard said because we have to deal with adds and deletes on Wednesday; from talking with staff earlier there were a lot of criteria we put in place about how much CDBG money could be spent; different criteria's about how much. If we're going to start doing anything with other programs that were not recommended this year we should know what the criteria was for last year. I know we got some of that in the budget write up but we probably need a little bit more of this history of this if we're going to deal with this at all on Wednesday whatsoever. Between now and then if somebody could e-mail that out to us; I think a refresher would be really good.

Ms. Mayfield said a refresher and introduction because of the new members weren't part of the conversation at all.

Mayor Clodfelter said okay. We'll put it back for some further tweaking and consideration.

Ms. Mayfield said the second on is also a referral. I would like to refer to the Governance & Accountability Committee a review of our City's procurement practices related to the number of change orders allowed for projects. I did not pull an item earlier this evening but we did have an item that had 10 change orders on it. Even though the most recent change order there were very clear reasons because there needed to be some hand digging that wasn't anticipated; you couldn't use the machines. The machines are more cost effective but when we have bids that are coming in we really need to start a conversation around is there a percentage point when if we have to award our bids by the lowest bidder; well if you are 10 change orders, 7 change orders, 15 change orders in and your now at the cost or past the cost of the third or second lowest bidder; what really is that cost savings? It would be a great opportunity for the Governance & Accountability Committee to have a conversation around how our change orders are allowed for projects to possibly look at a percentage. You can have change orders but up to a certain percentage. That way you're doing a better job as that business of qualifying exactly this is how much it's going to cost us to do this work. You shouldn't be millions of dollars off or 10, 15 change orders off.

Mayor Clodfelter said it's an important question about contracting process that's been put on the table.

Councilmember Lyles said in that item I remember reading it and I was thinking Councilmember Mayfield is going to talk about this because it has 10 change orders. I went back and actually read the details and several of the change orders were actually lower; they were not increases in the contract. They were lowering the amount. Most of the change orders were requested by the staff to make some changes but all in all I think I'm a little bit concerned about being as open to talk about change orders in that respect because I'm not sure the number makes the difference and I knew when I saw 10 change orders that you would have that concern. You've made my eyes wide open on that one. When you look through it the change orders the contract amount was actually lower than it was in a case where; I can't remember the amount but let's just say it was \$1 million it didn't turn out to be \$1.1 million, it actually turned out be \$900,000 because of some of the changes in the scope. I'm not saying that this is not a good referral but I just wonder if we ought to get a little bit more data about what's going on before we go to the referral.

Mayor Clodfelter said let me make that as a suggestion. I wonder if we ask the Manager to noodle a little bit about how to shape the issue so we get the right issue in the committee and get our arms around it because there are all sorts of legal questions that are going to need to be shaped in this. It may be we need some help figuring out exactly what the specific charge to committee ought to be.

Ms. Mayfield said with that in mind the request and the referral this evening wasn't specifically on tonight's change order but this is a perfect time to have a conversation and I actually did work with staff to come up with the language as far as us having a review of the City's procurement practice related to the number of change orders allowed for projects. That's change orders period. Not saying that it's either increase or decrease that's to help our potential vendors and those that are participating in our RFP process to streamline their process because it shouldn't be a million dollars less nor should it be a million dollars over but to at least start having the conversation to look at what does our current process look like in order to streamline that process. There are going to be other change orders that will come before us that will be requesting additional but there also will be times where there will be cost savings and even at that if it's a cost savings of 5% to 10% that's great. If its cost savings of 25% to 30% then that means that you over projected, so do you need assistance; whether that assistance is coming from the City or from another source to make sure that you are actually submitting a RFP that's as close and true to form as possible.

Councilmember Barnes said the concern I have about that referral is that the governor on change orders is us. We have an opportunity to vote yes or no on change orders and I rely on Carolyn Flowers and Danny Pleasant and Jeb Blackwell to do their jobs and have their people do their jobs with regards to change orders. Every time I've talked to them about a change order they've told me how their people cross T's and dot I's and make sure that the contractors, the vendors are being as straightforward as possible about the spending of public money and with some of these large projects like the Airport projects, the Blue Line Extension I think you may see large change orders from time to time especially at the Airport just because of some the customized nature of the work that we're doing at the Airport. What I don't want to do is to tie the hands of our staff by saying that no change order can be greater than X percentage point or greater than X number of dollars because I think it might have a negative impact on the projects themselves. Where there is a change order that we don't like we can vote no. We've had that discussion since I've been around; we've talked about saying no to particular change orders because they seem to be out of line. I'm concerned about having any policy put in place that would restrict that.

Councilmember Smith said I think Councilwoman Mayfield actually raises some pretty good points and my understanding of this is not necessarily that it will be a policy change but it's to make sure we have a comprehensive understanding of the procedure and if that is indeed the intent behind it I'll second it. Having worked in the construction industry previously before my current job you can get into some issues with change orders; contractors can look to pad profits; there are all sorts of things that can happen and there not all always for correct reasons. If we're going to take a look at the procedures just to make sure that we're on top of it I can get behind that and I'll second the motion.

Ms. Lyles said what I was trying to say is I think this is something that the Council as a whole should get some data around before we go to the committee to make sure that we're shaping the referral in a way that if we decide to do something it has more information around it. What I was trying to do is how many do we have, where do they occur, why are they occurring, and just some data about what is the procedure so that all of us have a good understand and then when we do go to the committee or if we decide we actually can write a charge. When we do the charge to the committee that's kind of broad I think it doesn't help us really focus our energy and we've got a lot going on right now and I would just like to have the Council as a whole look at the data and then define what we need to do about it. I'm agreeing but could we start out with the full Council getting the information first?

Mayor Clodfelter said Ms. Mayfield, what if we started with a Dinner Meeting Briefing from the staff on how change orders are processed internally by the staff and then let you guys react to that and see how you want to put it in committee but we do it initially as a Dinner Briefing item for the whole council? Would that work for you as a starting point? I'm not saying an ending point but as a starting point.

Ms. Mayfield said that's fine.

Mayor Clodfelter said because frankly I'm not sure I understand exactly how change orders come about, what prompts them when they get on the consent agenda and when they get on the full agenda. I'd like to understand when you think it's important enough to put on the consent agenda versus the regular policy agenda and that would be useful I think just for a general briefing on it.

Mr. Smith said where I think Mr. Mayor it's a lot of good attention a lot of things that end up on the consent agenda; I think we had part of the Blue Line Extension it's well in excess of \$100 million on there and I think it sounds like we're headed in the right direction and unfortunately we'll get some stuff on the consent agenda that maybe at times should not be voted up on and then we kind of blow through it and it gets voted up on.

Mayor Clodfelter said and it maybe that that's one of the things we identify for the committee to look at is what items go on which agenda and when they go on which agenda.

Ms. Mayfield said what the biggest piece is what we're doing right now in starting the conversation so that everyone's on the same page as far as how we move forward with the type of process so if that's having a presentation to full Council and then narrowing it down for a specific committee to really get into it since we know that as a full Council we can't really into the whole process. The biggest piece is making sure that we have the best process available and that we're protecting not only our investments but more important we're protecting the tax payer's dollars when we're moving forward with these investments.

My third item was just a thank you. I wanted to thank Councilmember Lyles and Councilmember Autry even though he is out traveling and representing the City right now. This past Saturday was the Great American Cleanup and Reid Park was one of the neighborhoods and that is coordinated through our Neighborhood and Business Services Department and I did have the listing of specific teams and groups to thank but Bank of America had their employees out for a cleanup day and just wanted to really let the community know there are many opportunities to get involved outside of the listing of the Boards and Commissions that we went through 20 minutes ago to just really take ownership of your community, of your neighborhood and through the Great American Cleanup that is just one of the many.

Councilmember Phipps said I would like to invite the residents and voters of District 4 to my first of several toast and talk informal meet and greet sessions. The first one's going to be this Thursday, May 15th from 8:00 p.m. to 11:00 p.m. at Nona's Bakery right across from the customer information center for Wells Fargo Bank. It's at 1520 Overland Park Lane. They'll get an opportunity to voice their opinions and concerns and ask any questions on any topic. I'm looking forward to meeting with the constituents and of course the people around the dais are certainly invited. It's going to be this Thursday and I look forward to seeing you and everyone is welcome.

Councilmember Smith said I want to thank my lovely bride who is now asleep. Wednesday is our ninth wedding anniversary and I want to tell her that I love her and it's been an absolutely great nine years.

Mr. Howard said my 14th wedding anniversary was last week. My wife was here earlier so Happy Anniversary Mary.

Councilmember Driggs said I want to recognize members of staff who are still here and I'd like to move that we give Civics' Prize to any member of the public who is still here.

Mayor Clodfelter said I want to report to you that last week the Manager, City Attorney and I along with your Airport Director and your Transit Director made a courtesy trip to visit our Delegation in Washington and visit the folks at the FAA and the FTA just to sort of reassure them that everything was on track with the 2030 Transit Plan and to continue to remind them about the need for funding for the new Airport Tower. We were very well received all around. I think we're going to be in good shape on the Blue Line Extension funding and also on the rest of the support for the 2030 Plan. It's was very positive. No commitments obviously but we let them

know how important all those project were including the Airport Tower construction and we were very well received. They seem to be very committed to us.

Ms. Mayfield said thank you Mr. Mayor. I forgot one piece. I also wanted to acknowledge that last Wednesday and Thursday I had the opportunity to represent the City in Washington D.C. with the National League of Cities. This was the first time all five constituency groups actually shared a Lobby Day together so I had a chance to meet with our Senator and a number of other representative to talk about some of the key issues like our Municipal Bonds and making sure that we have access to the taxes at the internet rates. We had the opportunity to go out and share what's going on locally as well as support the National League of Cities.

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ITEM NO. 6: CLOSED SESSION

Motion was made by Councilmember Barnes, seconded by Councilmember Lyles, 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 Kay Guillermina Floyd v Cory Milbourn and the City of Charlotte, 13-cvs-18336.

The open meeting was recessed at 9:43 p.m.



Stephanie Kelly, MMC, NCCMC, City Clerk

Length of Meeting: 4 Hours and 20 Minutes
Minutes Completed: July 3, 2014