

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, October 27, 2014, at 5:11 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Michael Barnes presiding. Councilmembers present were Al Austin, John Autry, Edmund Driggs, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield and Kenny Smith.

ABSENT UNTIL NOTED: Councilmember Howard and Councilmember Phipps

ABSENT: Mayor Clodfelter

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Pro Tem Barnes said any questions on the Consent Items?

Councilmember Smith said I believe it is item number 27. Is that the DNA position?

Deputy City Clerk Emily Kunze said I think number 24 is what you're looking for.

Mr. Smith said are we hiring new staff for that position or are we taking existing staff and paying them with grant money? I'm trying to figure out what happens to these positions when the grant runs out and just have a little better understanding.

City Manager Ron Carlee said Randy Harrington is doing questions and answers tonight.

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ITEM NO. 2: CHARLOTTE GATEWAY STATION PROJECT UPDATE

CATS Deputy Director John Muth said we wanted to give you an update tonight on the status of the Charlotte Gateway Station Project. I'm going to show you some examples of other station projects around the country and give you a brief description and site overview, talk to you about our discussions with NC-DOT and then talk to you about the funding that's available. First, I wanted to lead off showing you some images of some different stations from around the country. A lot of these have often had the ability to go back and renovate maybe at one of their old existing grand railroad station if you will. Denver is an example and most of these examples and I'm going to also show you how to address or accommodate Amtrak intercity rail, intercity bus, and commuter rail. Often their light rail comes through or nearby these facilities. Salt Lake City built an intermodal hub again to accommodate and bring together a lot of their transportation uses. Portland Union Station as well. Again, a lot of these were built around the turn of the century and have been updated at one time or another. Seattle's King Street Station, again they have all the modes to come in their together. They also have light rail and street car nearby; within a couple of blocks to ease the transition and get folks between modes. Dallas Union Station, they have commuter rail. Their Trinity Rail Express and their light rail come together there at the Union Station. Here are some of the stations within the State of North Carolina along the Amtrak line; you see Greensboro, Highpoint and Salisbury have all had their stations renovated at one time and then Raleigh I guess doesn't have a station to renovate so you can see the concept there for what their downtown intermodal hub will look like. I also found this is the Southern Railway Station that was at 511 West Trade Street. I guess from 1905-1962 before it was torn down and was replaced with the current Amtrak station in 1961. As we all know there are a lot of issues associated with the current Amtrak station including the size and accessibility. It's along our Route 11 bus route but it doesn't have any real proximity to any of our other services. Here's a map to give you an overview; over here is the current Amtrak station. Again, it's about 1.4 miles from the square. Again, not real easy for folks to get from there; again, they can catch a bus but in terms of sidewalk or a walk it's not really accessible there. Right up here is the proposed location for the Charlotte Gateway Station and again it's about four tenths of a mile from the square and also you can see a lot of the services that we have or are proposed to have will come by there. The commuter rail would come into this area; the City LYNX Gold Line goes along Trade Street connecting the existing Transportation Center and the Lynx Blue Line with the proposed Gateway Station. Again, there's the Blue Line, here's the extension of the street car out to the airport so again this is a good location in terms of being downtown bringing together the various modes and also being well connected to the complimentary Charlotte Transportation Center that currently exists and again this proposed would also accommodate Greyhound, other inner city bus, the Amtrak as well as some of our local and regional express

could come in and out of this proposed multimodal station. This is a close up of the area. This is the block that we sometimes refer to as the main block. These properties outlined in green have already been acquired by the State of North Carolina; the Rail Division because there's a lot of rail improvements that will need to take place along here to set the stage for the Amtrak and passenger rail to come in but you can see again the proximity to the BB&T Ball Park, Romare-Bearden Park and then the football stadiums right over here so when we talk about the CVS main block we talk about this location here. The state already owns that parcel in green labeled C and this outline in yellow is the Greyhound Station and I'll talk about that in a minute but Greyhound still owns that.

Councilmember Howard arrived at 5:17 p.m.

Councilmember Kinsey said the site of the new station is virtually on the site of the old historic station that we tore down and what a shame.

Mr. Muth said we've been working with the state for a long time. We had our municipal agreement dates back to 2009 where we talked about I guess the division of labor on how we would try and bring the project about. At that time the state led all aspects of the project so it's logical for them to leave the piece trying to get all the track work in place but they were also in the lead of trying to build the facility. They led the effort and city staff participated but they went through a selection process to pick a developer to do a public/private venture with the hopes that the land that the state had acquired would be sufficient to allow the development to occur and then after Hines was selected and for a while after looking at it, it was determined that the amount of land that will be lost or carved off these parcels along here to accommodate the rail was taking about half of the developable land that was proposed in that P3 public/private partnership. One of the comments from Hines was that this is really not a lot of property here to be able to realize the type of development you want to occur so the land that was proposed at that time really isn't sufficient to entice a P3 project.

Councilmember Howard said I guess that's kind of the case if you look at each one of those parcels individually but if you started to look at how maybe the street could be relocated or it could be those parcels in front of you could be co-developed. Did they put a lot of thought into that at all? Especially up at A and B.

Mr. Muth said well you're right there are some properties that are under private control right in this area that could be candidates. I think this is being developed as apartments; this is a county owned parcel.

Mr. Howard said I think A is actually being done now but B is an opportunity to actually still maybe could join both of those properties and do something.

Mr. Muth said right. You might not need all of B to do the track work so you're right as we look at this as we've talked with the state we think there are some other opportunities that could be folded into this; either those property owners brought in as partners or somehow be how to assemble that so it would be more attractive to the public/private partnership.

Mr. Howard said the only thing that's stopping those parcels from getting busier is our streets.

Mr. Muth said which street are you talking about? That's already been taken out because of the road work that was done for the stadium.

Mr. Howard said B, E, F, G, H and J actually. I know some of those are hard like the Post-Construction one but some of those other ones could definitely be redeveloped as a part of that.

Mr. Muth said as we've talked with the state we feel we should revise the municipal agreement to better reflect the division of work efforts between us and the state. The state would continue to lead the design and construction of the rail portion including working with Amtrak, working with Norfolk Southern to get that relocated downtown. They are working with Norfolk Southern right now to do some capacity modeling of that area to determine what the trackers needs would be and then to put the City on the point for the design and construction of the station facility and then we would all work together to continue to seek additional project funding because we don't have anywhere near enough funds accumulated already to carry out the entire project. Also we would work in try to acquire the Greyhound parcel with the notion that Greyhound would be involved in the future redevelopment and then the multimodal.

Mayor Pro Tem Barnes said so Mr. Muth when it says the City will lead design and construction is there any funding for that?

Mr. Muth said yes we do have some funding. We do have federal grants that could be used for the preliminary design and the final design and construction with about approximately \$20 million remaining. The state also received a TIGER Grant that we think could be used to do some planning over in that area; master planning and land use planning and then also going forward obviously looking at other federal and state programs to try and accumulate the funding that would be required. We believe in talking with FTA the funds that we have could be used to complete the property acquisition and could also be used for the design activity and the work associated with trying to develop a public/private partnership. We do think we need to identify some funds; the FTA has felt that we would have to use planning funds and not the \$20 million that they've given us so far to do that planning work so that's one of the areas where we'll need to find and address funding of that early work. We briefed the MTC last week. We're here tonight talking to you and the state folks to talk about the desirability of maybe doing a joint presentation to the local delegation at some point; possibly in early December.

Councilmember Austin said I'm a resident in 3rd Ward and I don't recall and maybe it's been so long ago that we had some sort of update for the community; seems like it was around 2005. I was looking at your schedule, are we planning to go back out to 3rd and 4th Ward to talk to them about what's about to happen just kind of bringing them up to date.

Councilmember Phipps arrived at 5:23 p.m.

Mr. Muth said yes I think we could do that. We don't have anything scheduled right now but we could certainly go talk to the neighborhood associations maybe get on their regular monthly agenda and give them an update. We'd be happy to do that.

Mr. Austin said this might be too granular and I just remembered and it was contentious point for me, 2nd Street, was it supposed to go all the way through over to Cedar? Can you go back and just help me there a little bit? I know this was some time ago.

Mr. Muth said I think the city has proposed a project that would try and carry MLK through like you say over to Cedar Street. I don't believe that's funded at this time but it is a project I think that we've continually kept on the wish list; working with C-DOT on that.

Mr. Austin said is that to relieve traffic from the stadiums and whatnot? What would be the exact purpose of that?

Mr. Muth said I think it again to improve connectivity amongst the areas there. You have a limited number of streets that penetrate under the railroad so the ideas are trying to get neighborhood connectivity for that project. We might need somebody maybe from C-DOT to give a little more background on any analysis they might have done for that but I think primarily it's proposed to aid with connectivity; complete the street grid.

Mr. Austin said I definitely would like to see us come back out to 3rd Ward and 4th Ward because I think that's a contingent point for us; we don't necessarily want that.

Mr. Muth said so we can give an update on the Gateway Station and also talk about other aspects of the plan.

Mr. Howard said when it comes to the division of labor on this deal I think what I really want to know is when do we start trying to figure out what can happen on the parcel? Is that us doing it or is state, is it Hines, whose role is that?

Mr. Muth said the state has talked with Hines; they've pretty much discharged Hines from the terms of that original arrangement but the idea is that the TIGER funds we think could go towards doing or completing that master plan or working on that if you will so that will be a joint effort with us and the state and obviously Planning and C-DOT and all the appropriate City Departments. We've talked about trying to get that work under way next year in probably a 15 month time frame so it the completion of planning activities maybe June of 2016. We talked about trying to get the Greyhound parcel into the fold if you will, complete the assembly of their master block, update the municipal agreement all over the next four to six months in the next

summer and then concurrent with that try to get the planning activities going. I think we have some discussions coming up with the state to talk about the scope of that work.

Mr. Howard said so the planning activities are just the potential of going back out to the developers?

Mr. Muth said that's right. That summer of 2016 would probably involve testing the waters seeing who might be involved. There's probably some work to be done about what that RFP might look like and when it would actually go out. This is just some tentative dates and obviously to be anywhere completed with construction in 2020 that's all very dependent of funding that has not been acquired yet and I just want to make sure that's understood.

Mr. Howard said the importance of having the Red Line actually in there; have you given any conversation to whether or not that is a part of this? Do we wait on that or do we move forward?

Mr. Muth said I think obviously we have a few issues with the Red Line relative to availability of the corridor and the funding of the project but in terms of working with the state and planning for things we wouldn't want to do anything that would preclude commuter rail being able to come into that area and be served by that facility.

Mr. Howard said Council, the reason I'm pushing on this one so much is that I think it's important because financing of the Red Line and somewhat of a potential TIFIA, value capture that can go in help you fund that this is a really important piece of it so making sure we maximize this block which is really the only urban block that's really a part of this. It is really important to the financing too so I would hope that we take our time and get the right partner to really get as much density and make this the type of iconic project it needs to be so we can capture that value if possible maybe back into the line itself. That's why I'm pushing on this one so much.

Councilmember Driggs said I was looking at the funding sources and proposed uses slide. Do we know what the total budget is for the station? Do we have an idea of what we're going to need?

Mr. Muth said at one point and it's been several years since the concepts been updated but the state had talked about a grand total package of around \$250 million. The bulk of that being all the rail work and everything that would be needed to get from out near the current Amtrak facility and into here. I think at that time the break down was approximately \$170 million for track work and maybe \$80 million for facilities but again that would be a lot of the work we would want to do would be to determine what all needs to go into this facility, what's the proper size for it and then we would get an updated cost estimate.

Mr. Driggs said the funding sources identified here are a fraction of that so I guess my only concern is do we start down this road and have big questions about whether we're going to be able to get it done.

Mr. Muth said this project has been like many of the other projects that we do; we often start the planning and do some of that preliminary work before we are able to acquire the complete funding for the project so with the funds we have we think we could do a fair amount of work in terms of the planning effort and trying to design what the project would look like.

Mr. Driggs said are those funds that we have FTA funds or are the state funds?

Mr. Muth said the \$20 million is federal funds that's already been awarded to us from probably around 2007, 2008, 2009 there were a couple of bus and bus facility grants.

Councilmember Lyles said I just wanted to add that in terms of the track work that's basically going to be coming out of the state plan included in the governors 25 year improvement plan; now whether or not that's realistic but the track is absolutely something that is key to the project so most of that is around improving rail service that's in cooperation with the state railroad people as well as the private railroads.

Mr. Muth said the state in doing that capacity modeling with Norfolk Southern should have a good idea maybe in the next 12 to 15 months what's going to be required from a trackage standpoint and probably have a good ability to put a cost estimate on that.

Ms. Lyles said I just wanted to add one of the possibilities on this is that the track comes down to Gateway and then heads out towards the Airport. Is that correct?

Mr. Muth said the state has been working on assembling land to do a maintenance facility right out here; south of the loop, down off the Summit area and near Charlotte Pipe and Foundry so the idea is trains could come beyond here and go down and go into that maintenance area, turn around there, get cleaned out, any light maintenance before they take a return trip to Raleigh or Washington.

Mr. Howard said if you dream long term you could do that.

Ms. Lyles said even to just get the idea that we can adequate rail passenger service in the state is really where the state is trying to go.

Councilmember Phipps said speaking of dreams the current Amtrak station are there any plans to refurbish it or are we just going to wait until this conceptual plan turns into reality? What's going to be done with the current site? Is it just going to be there to languish in its unappealing state in perpetuity until the dream of this plan comes alive? Is that what we're saying for the north end?

Mr. Muth said I think Amtrak leases that facility from Norfolk Southern and I know they've done some things, small beautification projects and things like that but I'm not aware of any plans that withstand the facility or upgrade beyond what it is now.

Mayor Pro Tem Barnes said it leaves a lot to be desired and I think this will replace it.

Mr. Phipps said one day.

Councilmember Mayfield said maybe.

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ITEM NO. 3: PROPOSED METROPOLITAN TRANSIT COMMISSION 2015-2016 STATE LEGISLATIVE AGENDA

Mayor Pro Tem Barnes said I want to ask Committee Chair Driggs if he has any comments or Committee Chair Lyles if she has any comments before we hear from the honorable Madame Flowers.

Councilmember Driggs said really no this is related to additional funding sources that we need to try to develop the transit and I think the best thing we can do is listen to Ms. Flowers.

CATS Chief Executive Officer Carolyn Flowers said I'm going to be joined by Bill Thunberg who is the Chair of the MTC's Transportation Funding Working Group Subcommittee on Advocacy and so I'm going to start out providing some context and then I'll take care of the next steps but he'll talk about the legislative agenda that we're seeking approval of today. We're changing the approach that we normally have in terms of the MTC Agenda. This is an approach for a regional advocacy for our Transit Legislative Agenda so we're seeking resolutions from all of the towns and municipalities in the county to move forward with a legislative agenda that supports the identified tools that the transit funding working group identified last year that could help advance our funding, financing and project delivery of the remainder of the 2030 plan. To put this in context the 2030 plan is the Regional Transit Corridor Plan and the implementation of this plan has been impacted by the economic down turn which is a combination of reduced receipts and lower compounding of our sales tax growth projections so currently our sales tax capacity is limited to the funding for the Blue Line Extension but we want to continue to move forward and so we are seeking some legislative changes to help us with the financing of the projects and then I would like to ask Mr. Thunberg to cover those.

Bill Thunberg, Metropolitan Transit Commission said some of your Councilmembers have heard this and as a segue I'll go to bullet point number 3 first before we get into some of the details. The sales tax is maxed out. The goal of the MTC is to fully implement and fund the 2030 plan and to do that we're going to have to have additional funding from alternative sources to be able to fund those projects as they become viable. I can talk about that a little bit more but to be brief, but first the thing that we want to do is we want to seek federal credit assistance through the use of TIFIA which is the Transportation Infrastructure and Finance Innovation Act and

RIFIA. Currently we do not have direct access to that funding to support specific projects and generally you have to have specific legislation from the legislature to be able to do that and one of the things that we're trying to do as part of this process is to make common calls with other transportation folks around the region, other infrastructure that people who are interested in funding infrastructure projects so that they can assist at our legislative advocacy because they need things too just as much as we need them for funding the 2030 plan of the MTC. The benefits of those tools are federal credit programs have competitive loan terms and rates. For example on TIFIA if you get TIFIA money you don't have to start paying that TIFIA money back until two years after you begin revenue service with whatever your transit mode is and they have very low interest rates so that's a very good tool to have in our toolbox as we move forward and we try to finance these transit projects. Also, we want to have the ability to enter into public/private partnerships which this ability was extended to some extent in the previous legislative session because there was a key component left out and that is the finance portion of it. We now have the ability to enter into a design, build, operate and maintain contracts but not the finance portion of it so we want to seek the ability to be able to enter into design, build, finance, operate and maintain contracts with P3 partners. Of course as with any tool like that we have to have preapproval by the local government commission but what that does is it allows the private sector to bring equity to the table for a specific project and it allows the public sector to provide revenue grants and in kind contributions to leverage that funding and be able to make a particular project a reality. If you'll notice the potential projects are the Charlotte Gateway Station which there were some questions about where we're going to get the funding for that, the LYNX Red Line that Mr. Howard was talking about, the LYNX Silver Line and the City LYNX Gold Line are projects that we could use that money for.

The next one is value capture; what we would like to do is see the sunset that's in the assessment legislation removed. Special assessment districts are tax districts that are set up at the request of the developers or the property owners so that they can use that as opportunity to help pay for needed infrastructure in the area that they are developing or the areas that they are going to receive financial benefit for so it's a value capture mechanism and this special assessment districts are going to be useful for some of those same lines that we were talking about. That deal sunsets in 2015. It's very difficult in two years' time to get some of the environmental stuff done that you need to get done and all the permitting that you need to go through to be able to have this special assessment process work for you as you move forward so we would like to be able to get rid of that sunset as we go forward and maybe try to improve this legislation some but use it as an opportunity to add funding to the pile of money that we need to build these projects. The assessment is levied to build these projects. The assessment is levied on property owners in the corridor that would benefit the most from the line, commercial properties, residential properties are not included in assessment districts and any debt issued of course has to be approved by the local government convention just like any other financing option. Again we could use that in combination with TIFIA or some other funding opportunities to fund the Charlotte Gateway Station, the LYNX Red Line, the LYNX Silver Line or the City LYNX Gold Line. Ms. Flowers is going to talk to you about next steps.

Ms. Flowers said we've been providing presentations to all of the jurisdictions here in the county to obtain resolutions that we can take to our delegation to show that there's a coalition of all of our regional partners in support of our legislative agenda. What we'll be requesting of City Council is that they pass a resolution of support for this legislative agenda at the November 10th meeting and we will have MTC consider the proposed legislative agenda or actually consider the adoption of this proposed legislative agenda at the November 19th meeting.

Mr. Driggs said I just wanted to make the comment that we did look at this and I think the idea of trying to find new funding sources is commendable. We need to be creative about our financing. It does mean that we can take on longer term debt at lower rates which is advantageous. The only concern I have about it is that we not use this as a back doorway of getting ourselves into a debt situation that is later unattainable so I'm encouraged by the fact that anything we do needs to be approved by the local government commission and if we can get better terms this way I think we should.

Ms. Flowers said I'd also like to just say that we are working with our City Finance group and they have been involved with us in terms of our TIFIA application and other proposals that we have here.

Councilmember Phipps said will there be any effort to first have this reviewed by our Mecklenburg County Delegation prior to it going to the state delegation or are we going to be doing anything like that?

Ms. Flowers said we have a presentation to the Mecklenburg Delegation on November 18th. We were originally scheduled to meet with them tomorrow at their Intergovernmental Affairs Committee meeting but they don't have a quorum so they've asked us to present at their BOCC meeting on November 18th.

Mr. Thunberg said and I think if you're referring to the legislative delegation we've, particularly Ms. Flowers, has had a very active summer meeting with almost every one of the Mecklenburg County Legislative Delegation and other folks as well in response to try and get that kind of support and we do have some other plans as far as networking and making common calls with other folks that need these tools as well in their toolbox to try and make that a reality.

Councilmember Howard said as Council knows the Transit Working Group is one that I co-chair with Ms. Swain from Huntersville. Just to give you an update on kind of where we're going beyond the legislative committee and this piece we actually have a marketing committee as well as a committee looking at finance and we actually just formed a committee to look at regional partnerships as well. If you remember the 20/30 plan was always a growth framework for a regional growth, not just mass transit so we think that there is maybe some sources along for going out to the adjoining counties. They have the quarter cents sales tax that they haven't done anything with to Iredell, Union and then maybe even some opportunities to talk to South Carolina back down to York about bringing in some other sources to the whole conversation so that's one of the things that will be coming forward next. This whole conversation about value capture is something that's going to probably rain on Charlotte sooner than anybody and I just wanted to let you know that places like Atlanta have taken their beltline and actually created a zone around the whole belt line as a TIF district and used those funds to fund development around that beltline. I think we'll be talking about something similar to that hopefully that we can get Council behind in the next short while as one of the sources. Mr. Mayor Pro Tem you used this word last week and I was happy that this caught on; you used coddle because that's what it's going to take to actually do this. We're going to have to bring as many sources as we can. These are just a few of them; we'll be looking for other ones as well.

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ITEM NO. 4: COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING SUPPORT RECOMMENDATIONS

Mayor Pro Tem Barnes said we've got Ms. Wideman here to present on that and also I wanted to ask the Committee Chair Ms. Kinsey if she has anything she'd like to add.

Councilmember Kinsey said you will be receiving a briefing tonight on several requests for the Community Development Block Grant, the CDBG funding. The goal of the CDBG program is to provide resources to low and moderate income people to expand and improve housing and economic opportunities. The Housing and Neighborhood Development Committee unanimously approved these requests that you see in your material during our September 24 meeting and Council will be asked to approve these items on our November 10th meeting. Now Ms. Wideman our housing expert.

Neighborhood and Business Services Deputy Director Pamela Wideman said as Ms. Kinsey said I just want to spend a few minutes updating you on our CDBG request. As you all know I'm Pamela Wideman with Neighborhood and Business Services. We have requests in four different categories; multi-family rehabs, single family rehab, multi-family new construction and then we have infrastructure and infrastructure requests, primarily sidewalks to compliment some of the work we've done in the Grier Heights community. Again, you all will be asked to approve this at your November 10th meeting. The Community Development Block Grant Program primarily provides community development assistance to communities in need. I would ask that you as we talk through this consider this one of our neighborhood revitalization tools. That's how it's best used. Primarily in areas where low and moderate income where serving 50 households earning \$51,350. That's a household of four so low to moderate income. We issue a request for proposals back in June and July of this year. This primarily just walks you through the process that we use as a staff for how we review these, how we evaluate them. As Ms. Kinsey said we presented it to

the Housing and Neighborhood Development Committee with unanimous approval and we're here tonight to brief you and will be asking for action at your November meeting. The evaluation criteria; it's real important that you all understand this. We look at our city policies and again we look at the number of years that the units will remain affordable. We again make sure that this supports our revitalization efforts, we look at the strength of the development and the developers experience, we look at the financial strength of the different projects that we're looking at and then we have some bonus points for folks who use green building techniques, we look at proximity to amenities and services and then we want to make sure that we do as many mixed income developments as we can and we look at the age of the property. Again, a lot of this is about rehab. You asked us to just not consider building new but to preserve our existing housing stock in neighborhoods. Here you can see our funding summary; to sum it up we have a request for a little over \$4 million and again you can see the specific areas and we have three rehabs; Heritage Park, Savannah Woods and Thomasboro and I'll walk through each of these kind of hurriedly. Heritage Park, this is in East Charlotte, this is in District 5, and the key takeaways here are its 151 units. The funding request here we get about a 1 to 12 leverage ratio and again we have a 20 year affordability period. Savannah Woods, this is one of our Charlotte Housing Authority Properties, the proposal here is to rehab 49 units. The key takeaway is we have a 1 to 2 leverage ratio, a 20 year affordability period and again Charlotte Housing Authority is the developer. Let me just pause right here and say that the leverage ratio is not as great on this one and it's because of the financing tool that we're using.

Councilmember Fallon said how old is Heritage Park?

Ms. Wideman said I'm not sure Ms. Fallon. I can get that to you before approval.

Ms. Fallon said Savannah Woods and Thomasboro too.

Ms. Wideman said okay very good. I'll get that information for you. Thomasboro, 21 units, again it's a gut rehab here, affordability period is 20 years. We have a 1 to 3 leverage ratio for this one as well. Habitat for Humanity, Habitat has been a great partner for the City of Charlotte for many years. This is another opportunity for us to preserve our single family housing stock throughout the city. They are requesting funding for 35 units. They do about \$10,000 per unit and again this is anywhere throughout the city. This is new construction; this will represent the remaining portion of the affordable at Brightwalk which many of you know used to be Double Oaks. The good news here is we're going to get an increased amount of affordable units here. The original proposal was for 84 they're going to give us about 40 more than we originally planned for. You can see here we have a 40 year affordability period and again this affordability period is increased because of the financing tools that they're using. The developer is the Housing Partnership here.

Mayor Pro Tem Barnes said that was at the corner of Atando?

Ms. Wideman said actually Statesville and Atando.

Mayor Pro Tem Barnes said beside the graveyard? Is there a graveyard over there?

Councilmember Lyles said that's further down. You're going out of town. The graveyard is in town.

Ms. Wideman said closer toward 77. Grier Heights infrastructure, this is an infrastructure request to support a mixed income development that's being down by Crossroads Charlotte. Primarily what we'd be doing here is improving or putting in some sidewalk to support the new housing development. You can see we have some visuals here, the new sidewalk that would go in and let me pause here and thank the developers. All of them are here tonight, they're kind of sitting to my left, all of them have been very good partners through this process. I also want to thank my team. I'm often the mouthpiece that you all hear but I don't do this by myself so Zelleka Biermann and Warren Wooten they work with me on a daily basis.

Mayor Pro Tem Barnes said so could we get people to put their hands up so we can...the developers and such. Thank you. Thanks for being here.

Ms. Wideman said in terms of next steps like I said this will be back before you on November 10th. If you have any questions in the meantime please don't hesitate to contact me.

Councilmember Driggs said just to clarify this is an allocation of some of the annual funding you get. Can you tell us what the total amount is and what portion this represents?

Ms. Wideman said so we get about \$4.5 million dollars per year of CDBG funding. That is based on the size of the Charlotte population. This represents some of the carryover funding that we have year to year so it's first in first out Mr. Driggs.

Mr. Driggs said so there would be some more carryover funding left after we do this?

Ms. Wideman said yes sir.

Ms. Kinsey said I just wanted to put a plug in for Grier Heights. You probably saw in the paper this morning and you're all welcome to come at 11:30 at the Community Center; it's really exciting.

Mayor Pro Tem Barnes said congratulations.

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ITEM NO. 5: PUBLIC HEALTH UPDATE

Mayor Pro Tem Barnes said the next item on our agenda is a public health update. I believe Dr. Plescia is here with us and then we'll have some fun with some needles and I get to administer the shots. Of course I'm kidding; I'm not licensed to do that.

Mecklenburg County Health Director Dr. Marcus Plescia said I am delighted to be back here again to address all of you again. We did want to give you an update on a few public health items that are very relevant right now and as was mentioned we are going to have the opportunity right after this for some of you to get our flu shot. It is probably the best bargain in town. It is free and it will protect you from the flu all year. We really appreciate a few of you being willing to do that. It's a great opportunity for you to lead by example and I'll have the chance to say a little bit more about the flu during your main session. We want to give you an update on two issues, I'm going to start out and talk about the tobacco ordinances that we're passed by the Board of County Commissioners last week and then right after that Dr. Steven Keener is with me and he is going to talk a little bit about the Ebola problem and some of our efforts around preparedness for Ebola in the Mecklenburg community.

Let me start with a little update on the smoking and tobacco work. As many of you probably know the Board of County Commissioners passed two ordinances that are designed to limit smoking and tobacco use on government grounds. That applies to municipal building and that applies to the majority of our parks and I'll come back at the end and walk you through exactly what is in each of those ordinances. I'd like to start by saying I think this is a significant public health intervention for this community which is going to make a substantial impact on the health of the members of our community. I'll start by just backing up for a minute and giving you a little background on why we did this and what some of the reasoning was. This is a slide that summarizes the findings of our Community Health Needs Assessment. We do this assessment every three years, we have a variety of methods we use for this but the intent is to garner community input about what people see as the main health and public health issues facing our community. We have a lot of input from community members, we have a lot of input from human services and health services providers. The number one issue that was put forward or that came out of this Community Health Needs Assessment is chronic disease. Chronic diseases are conditions like heart disease, diabetes, cancer, pulmonary disease. This is an appropriate priority. These are the number one killers and the number one source of suffering for the people in our community today. We were very interested to get started on this and try to make a difference in this and the area we chose to work on to begin with was tobacco; tobacco control. There are two reasons for that that I want to discuss with you quickly. The first is that when you look at the main causes, the main things we can do to prevent people from developing chronic disease, tobacco is by far the most effective, and tobacco control is the most effective way to drive down chronic disease and conditions. This is a fairly complicated set of charts but basically on one side it shows the main chronic diseases and on the other side the main ways that we can prevent those chronic diseases and as you can see tobacco control is more effective than physical activity and nutrition interventions combined. It can be very, very impactful making these kinds of interventions and this is a big problem. Almost half a million people every year die in the United

States because of tobacco related conditions. In Mecklenburg County we're estimating that about 1,200 people die each year as a result of tobacco use. One in three cancer deaths, one in three heart disease deaths are traced directly back to use of tobacco products. The rates of tobacco use are high in this community; 20% of adults in Mecklenburg County smoke. That's 150,000 people are current tobacco users.

Now the other reason that we chose to focus on tobacco control is our first push to do something about chronic diseases in Mecklenburg County is that we have some new opportunities. When the state passed the law banning smoking in restaurants and bars in addition to passing that law they also opened the door for local communities to do more around tobacco control themselves. Prior to 2010 we didn't have the power to do any of these kinds of things. It all lay with the state so if the state was not willing to take a stance on some of these other issues but it was willing to let local communities begin to rule on some of these things. In this case we chosen to, already our local government buildings are smoke free and our local government vehicles are smoke free; we chose to focus on number three which is to make the grounds of local government buildings smoke free as well.

This is what was passed last Tuesday night there were two ordinances but really there were two pieces of this. One is a worksite intervention; it's looking specifically at government buildings; the buildings that people work in, the buildings that the public comes to for various services and various other endeavors. Those buildings, government vehicles and the grounds of the building, the area right side of the building will now starting in March of 2015 will be 100% smoke free. You cannot smoke in any of those places if somebody wants to smoke they'll have to go out to the sidewalk or they'll have to leave the premises of the property all together. That applies to Mecklenburg County government, that applies to the City of Charlotte and it applies to the government buildings of all six of the townships. The second piece of this is a ban on tobacco use in county parks and this is specific to the parks in the Mecklenburg County park system which is the majority of parks in our communities and in this case the parks are not just smoke free they are tobacco free. You can't use cigarettes in the parks, you can't use electronic cigarettes, you can't chew tobacco, and you can't use any kind of tobacco product in the parks. Now the Commission did put a few exemptions into this because a couple of golf courses that are considered part of the park system those were exempted and they also chose to exempt the 18 regional parks in the county.

That is a summary of the main components of this ordinance and I want to just close by talking a little bit about why this is effective, what does this do. There are three things that these ordinances accomplish. First of all they protect people from exposure to second hand smoke and that's particularly important when you look at the government worksites. The buildings like this where our employees are, where the public is coming in. They help protect people from exposure to second hand smoke. The second is particularly with the parks ordinance there designed to try to reduce youth initiation of using tobacco products, try to keep kids from taking up smoking using a variety of different tobacco products. This is very, very important nine out of 10 adults who smoke reported they started smoking when they were below the age of 18.

Councilmember Howard said I'm a little confused. I know my colleagues at the County Commission know what they are doing but aren't the 18 regional parks the biggest parks?

Dr. Plescia said they are the biggest parks in the county. That's correct. Yes. The 18 parks makes up about; if you look at the number of parks which is about 200 it's about 10% of the parks. If you look at acreage it's about 20% of the parks acreage. Protection from exposure to second hand smoke, reduce youth uptake of using cigarette products and then the third thing that these ordinances are designed to do is to help people who currently smoke quit and I think that's something we should not underemphasize and again that's why I think that the ban on smoking on government grounds is very important. This is many times when we talk to smokers, two-thirds of smokers have tried to quit in the last year and generally what we find is the more incentives, the more reasons you give them to consider quitting smoking the more likely they are so those are the three things. I can take questions now or I can let Dr. Keener talk about Ebola. Whatever you prefer.

Councilmember Lyles said I think my first question might be for the Manager. If I remember the Parks and Rec Consolidation or transfer that there are several parks that are owned by the city, perhaps they're not parks but open spaces, urban open spaces and I wonder if it's worth

having some conversation between the two governments about this idea of how do we do these things and make sure that we have some consistency in our goals around healthiness.

City Manager Ron Carlee said I'd be happy to do that.

Mr. Howard said wouldn't their ordinance cover us anyway?

Dr. Plescia said yes so any City Parks are covered and there are a variety of other spaces so probably the best example is the light rail system, the trails that run along the light rail system. They're covered; people cannot smoke on those trails.

Ms. Lyles said so if there are any exceptions you ought to be very intentional about...

Dr. Plescia said the other thing that was exempted was the Airport.

Mr. Howard said what did come to mind was the greenways. I know we're getting ready to fund the Cross Charlotte Trail. If it goes to a regional park it's not and greenways go through regional parks.

Dr. Plescia said greenways stand alone. Greenways are tobacco free.

Mr. Howard said if they go through a regional park?

Dr. Plescia said I don't know what happens right there when they're at the regional park but the greenways are part of the ordinance.

Councilmember Kinsey said I live in the Elizabeth neighborhood and we're blessed with two major hospitals. When they went smoke free, their campuses went smoke free all it did was drive the smokers across the street and then they smoked in front of yards and on the church property, St. Johns property and left their cigarettes there. How are we going to address that because it's going to happen and by the way I've never smoked a cigarette in my life, I'm somewhat allergic to cigarette smoke so I like this but it does have some unintended consequences.

Dr. Plescia said we will work with you and others to mitigate those consequences as we see what they are. I think you're right we will see some consequences of this. One thing is too we will make sure there are places that people can put their cigarette butts. Probably most people in this building are going to go out to the sidewalks and are going to try to make sure there are places that at least we can get all the trash.

Councilmember Smith said I have a question and sort of an editorial comment. The question is how much second hand, I don't smoke, I find it distasteful even on the golf course where people smoke cigars although I'm glad you exempted that for libertarian reasons, not so much for pleasure reasons but how much second hand smoke do you have to be exposed to to have some sort of chronic disease because as I walk into a building while I find it incredibly annoying to walk through a puff of smoke if you're going in there for less than two, three seconds. I mean what have studies shown and how much exposure does it really?

Dr. Plescia said even a small amount of exposure to second hand smoke can make a big difference. When the state passed the law banning smoking in restaurants and bars we saw emergency room visits for cardiovascular disease, particularly from myocardial infarctions go down 20 percent. This is not the people who are smokers that we're seeing people who it's generally people who have some cardiac risk factors but even a little bit of exposure to second hand smoke can set them off. It's even more significant for people who have asthma. It takes very little to set people off with that so it's surprising how sensitive people are to it but I want to be clear a lot of these bans in the outdoors are really about what kind of behaviors are we modeling to children and what are we doing to try to give people who smoke more incentive to quit. It's really a threefold thing; protection from second hand smoke but also what do we want to do to try keep you from taking up tobacco products in the first place and how do we help people quit.

Mr. Smith said I agree with my colleague. I suspect what's more than likely going to happen is we're just going to have a bunch of people unfortunately probably smoking on the sidewalk and it didn't look like the gap from lack of exercise and poor food was that great so I mean the libertarian in me says are you going to ban potato chips in the government building to but I'm not a smoker so.

Dr. Plescia said we're not going to ban potato chips in the government center but we are committed to working on physical activity and nutrition as well.

Mr. Smith said I had some questions about fluoridation in water that you helped me with. Thank you for sending back those responses. I appreciate it.

Dr. Plescia said thank you. Good. I'm glad that was productive for you. I'm going to turn it over to Dr. Keener who is going to give you an update on our preparations around Ebola.

Dr. Steven Keener, Mecklenburg County Health Department Medical Director said it's normal to feel a little bit of anxiety, even some fear about things that are unfamiliar to us and because of that it's important for us to know about the facts around Ebola and to know about the safeguards that are in place to detect Ebola and prevent people from getting infected. Here are the facts about Ebola. Ebola is caused by a virus which is spread by direct touch to body fluids like blood, sweat, urine, feces, saliva or vomit from a person who is sick with Ebola to another person. There is no cure. There's no vaccine as of yet. Ebola is not spread through the air, through water or through food. Only people sick with Ebola are contagious. A person without symptoms cannot spread the disease. Symptoms of Ebola include fever, severe headache, body aches and later vomiting, diarrhea and severe weakness. Our best prevention against Ebola right now and other infectious diseases as well are hand washing, avoid hand to face touching, staying at home when you're sick and keeping your children home when they are sick. Charlotte-Mecklenburg has already experienced several Ebola related incidents which I'm sure you are all aware of in early August prior to the illnesses in Dallas and these incidents were managed appropriately. These incidents remind us that we are concerned about our safety but also they reassure us about our preparedness and I want to talk a little bit more about what preparedness and response planning measures have been taken.

The Charlotte-Mecklenburg Emergency Management assumes overall coordination for any events or disasters; what kind of event or disaster determines what agency takes the initial lead? Because Ebola is a public health matter the Health Department has taken the lead. The Health Department has held meetings with Emergency Management, Airport Operations, the Charlotte-Mecklenburg School System, Medical Examiner, Charlotte-Mecklenburg Police and City and County Management and with leaders of the Liberian community in Charlotte. We have communicated with local colleges and universities and have had phone calls from independent schools, houses of worship and other organizations. Both hospital systems have set up a command center, they have screening protocols in place for emergency departments, urgent care centers and outpatient facilities to identify patients with possible symptoms who have had recent travel to Liberia, Sierra Leone or Guinea. Should an ill patient meet these criteria properly trained and equipped personnel are prepared to isolate the patient, notify the Health Department and determine what the next steps are in care. The Airport already has plans in place for travelers who become ill with symptoms of infectious disease. Those plans have been reviewed with the appropriate partners. The Health Department has briefed representatives of the air carriers, customs and border protection, the Airport operations all about Ebola and about the CDC guidelines for airports and airlines. As of last week all travelers to the US from those three countries are screened at one of the five major airports and their health is monitored for 21 days by the local health departments at their destination. The primary role of the Health Department would be contact tracing. This involves identifying persons with contact to an ill patient, assessing risk and placing them under a 21 day supervised period of observation called quarantine.

Councilmember Mayfield said in light of recent conversations and in light of possibly making an error regarding a health care worker who recently returned and being quarantined for 21 days and the fact that she was misdiagnosed from the beginning I would like to get a little bit more information on what out process would look like for Charlotte Douglas International Airport since what was used for this individual was a test where the tested her forehead and from the discussions that led up to her being quarantined she felt like that triggered the false positive response that was given and the fact that she actually spent that quarantine time within a tent that did not have adequate accommodations and there is now a lot of conversation on both sides of the house as far as how this was handled. I would like a little bit more detail on one the idea of why our medical community locally is supporting this idea of a 21 day quarantine when nothing has been proven to say that there's a 21 day incubation period but also how we're going to be identifying individuals that may or not come in with a fever. All of that to say I have a clear

concern because we as a community and as a society we have been known to make the wrong decisions when it comes to health concerns. The conversation we're having now, how Ebola can be passed is the exact conversation that we had in the 80's regarding HIV and AIDS and subscribing to fear opposed to actual medical conversations regarding safety and procedures I have a concern if we're going too far in the wrong direction especially looking at the most recent case of someone being isolated from their family. I would like a lot more detail.

Dr. Keener said let me start out by distinguishing isolation and quarantine. They're two different things even though in the media they use them interchangeably.

Ms. Mayfield said not just the media the fact that this person was in a tent outside of a hospital not in the hospital so I just want to know what we're going to do differently so that we do not face that type of situation.

Dr. Keener said so isolation is a restriction of movement or behavior that is put into place when somebody is sick. To put them separately so that no one else will be able to contact them. Quarantine is something that you use when someone has been exposed to an infectious disease and you want to observe them for the appearance of any symptoms. You just want to identify them. That's what the Health Department does when we do contact tracing. We identify those people who are not sick but we watch them for 21 days to make sure that they don't get sick or if they do get sick we know who they are and where they are. Quarantine doesn't necessarily mean that you have to be locked up somewhere, it just means that the Health Department knows where you are and we check in with you frequently. Now, I think the problem with the nurse in New Jersey was that there was some question about whether she had symptoms and some say she did and some said she didn't. I have no firsthand knowledge so I can't weigh in on it but if it were someone here in Mecklenburg County and we actually have already had several people, returning missionaries who were under quarantine in August and it was a fairly ideal situation because they had a place to go and a place where they could be separate from other people and we were able to monitor their condition for the entire 21 day period. The first question you asked is about how do we know whether we're getting people; as you know the five major airports where people from that part of the world enter the United States which is Chicago, New York, Newark, Washington, Atlanta are screening people and they know where they've been so in theory we should not get anyone at Charlotte Douglas that has not already been through that screening process and what's happening is that the CDC is letting our State Health Department know if there's anyone in North Carolina that has been screened in one of those five airports. We do have a number of folks that we are supervising and monitoring at this time. They are not in tents, they are in homes where they're comfortable and our public health nurses are contacting them daily for communicating to see whether they've had any symptoms or any change in their temperature.

Ms. Mayfield said thank you.

Councilmember Fallon said I understand you're not contagious until you are asymptomatic.

Dr. Keener said correct.

Ms. Fallon said but doesn't your blood show virus before you get the symptoms?

Dr. Keener said no ma'am.

Ms. Fallon said it doesn't so that's why you need 21 days.

Dr. Keener said the viral load, the detectable virus in the body even at the beginning of symptoms is zero so even somebody who starts coming down with symptoms and has a negative test then it's recommended you wait a couple of days and do it again. The test is not positive at the beginning of symptoms and certainly not before.

Ms. Fallon said why is that?

Dr. Keener said it's just a characteristic of the disease that there's just not very much viremia or not very many detectable virus particles in the blood at that time. They may be in the tissues rather than in the blood.

Ms. Fallon said thank you.

Dr. Keener said you're welcome. I think I was talking about contact tracing. The primary role of the Health Department would be contact tracing which involves identifying persons with contact to an ill patient, assessing risk and placing them under a 21 day supervised period of observation called quarantine; I already talked about that. Contact tracing is one of the fundamental tools of public health and our staff does it every day. The local Health Director has isolation and quarantine authority. This means that the movement and activity of someone sick with Ebola or someone exposed to Ebola can be restricted or supervised. Isolation and quarantine authority are statutory powers that can be enforced by law and are used not infrequently with patients who have a communicable disease and do not make the right choices with regard to their prescribed treatment; for example in tuberculosis control. We have discussed with the Sheriff's Department and with Charlotte-Mecklenburg Police how those departments may be called on for enforcement if necessary and the county attorney's office is assisting us with procedures that can be used if a person suspected with Ebola tries to leave a hospital against medical advice or does not want to be transported to a hospital or if someone under quarantine does not observe the terms of the quarantine order. It's estimated that since the Ebola outbreak began some 9,000 people have traveled to the US from Liberia, Sierra Leone or Guinea. Of that number only one has become ill with Ebola and unfortunately was claimed by his illness. Only two of nearly 100 contacts to that sick patient have become ill as of this date. Ebola is a serious illness and it is probable that there will be more cases in the United States before the outbreak in West Africa is controlled. Our community is as prepared as we can be today and we are putting more plans and protocols into place with each passing week. Under the coordination of Emergency Management which would open the emergency operations center in the event of Ebola case our agencies train, exercise and coordinate on a regular basis. We're confident in our ability to manage Ebola related situations which may come our way. That's all the remarks I have and if you have any more questions I'll be happy to try and answer.

Councilmember Driggs said I was just curious do we have the resources to treat confirmed cases here or is there someplace like Atlanta or some center?

Dr. Keener said it's not a question for me however we have had conversations with our colleagues in the hospitals and I think that they have looked at both of the options of caring for patients locally and also transporting patients to one of the specialty centers.

Mayor Pro Tem Barnes said were you asking whether people could be diagnosed locally?

Mr. Driggs said no, I wanted to know confirmed case, can we treat that here or would that case be transported somewhere else?

Mayor Pro Tem Barnes said any other questions? Thank you Dr. Keener, we appreciate it. Now we're going to have a few of our colleagues get flu shots.

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

Mayor Pro Tem Barnes said we have a couple of consent items. Mr. Manager, are we ready to get responses to those?

City Manager Ron Carlee said Mr. Harrington is doing that now.

Councilmember Driggs said I just wanted to point that I already had a flu shot and I recommend flu shots, I just don't need one anymore which is why I'm not getting one now.

Chief Financial Officer Randy Harrington said I do, I have three questions that were asked by Councilmembers. One from Councilmember Smith related to Item No 24, the US Department of Justice DNA Backlog Reduction Grant and the question was are we hiring new staff and the answer to that is no. The grant would fund existing, currently funded grant positions in CMPD. The second part of the question was what happens when the grant runs out and essentially the positions go away unless other grant funding or other available resources are identified. In the event that a non-grant funding proposal is brought forth in later years, in the event that there was no grant then City Council would have to authorize the positions as well as the funding.

Mayor Pro Tem Barnes said that make sense Mr. Smith?

Councilmember Smith said yes, I do not need to pull it.

Mr. Harrington said there is another question from Councilwoman Fallon related to some questions around the dates of when certain complexes were constructed. The Heritage Park was constructed in 1981, Savannah Woods was in 1982 and the third, Thomasboro, was in 1971. The final item, Item No. 44 was a question by Councilmember Howard. Item No. 44 is the Farm Pond Neighborhood Improvement Project Change Order and Mr. Howard had a question around the SBE utilization rate. Since this is a change order the percentage that's provided in the Council action is a utilization rate to date and it is below the target at this particular point but we fully expect them to be on target.

Councilmember Howard said he gave it to me earlier; I still want that on the record downstairs please.

Mr. Harrington said they're on target.

Mayor Pro Tem Barnes said he just wants to make sure we get it on record down in the chamber.

Mr. Harrington said that's it Mayor Pro Tem.

Councilmember Kinsey said I was going to ask for the Manager or staff to do something. I think all of us or most of us have been contacted recently by representatives of the Human Rights Campaign and other organizations who would like for us to add sexual orientation, gender identity and gender expression to the list of characteristics that are protected from discrimination in several city ordinances. For that reason I would like for us to ask the Manager to schedule this topic for an upcoming Workshop or Dinner Briefing.

Mayor Pro Tem Barnes said any objection?

The meeting was recessed at 6:26 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 the Citizen's Forum and Business Meeting on Monday, October 27, 2014, at 6:39 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Barnes presiding. Councilmembers present were Al Austin, John Autry, Edmund Driggs, Claire Fallon, David Howard, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

ABSENT: Mayor Clodfelter

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INVOCATION AND PLEDGE

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

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CITIZENS' FORUM

Mayor Pro Tem Barnes said during the City Council's Business Meetings we have 10 slots open for people who want to speak to the Council on any given topic. Tonight we have nine speakers signed up to speak on a topic of anti-racial profiling and an ordinance related thereto and then a 10th speaker speaking on the topic of gay marriage. Regarding this first topic of anti-racial profiling and the ordinance, I believe that topic was on our agenda a few weeks ago and we had asked the City Manager and the City Attorney to begin to do some work on that and I wanted to get a quick update from the City Attorney before we hear from the speakers.

City Attorney Bob Hagemann said Mayor Pro Tem Barnes, Council, those in the audience we did receive a written proposal from some of the speakers and proponents of this initiative back in July I believe. At the Manager's direction I have been working with the Police Chief and Willie Ratchford from the Community Relations Commission to look at that proposal. We are working

our way through it and I would anticipate, and I think the Manager agrees, that there will be a recommendation coming back before Council for Council's consideration by the end of the year. We see a number of things in the proposal that are very workable and make a lot of sense to us based on our preliminary analysis and are pretty confident that we are going to have substantive proposal recommended to you by the end of the year.

Mayor Pro Tem Barnes said thank you, we appreciate that update. Again, each of the speakers has three minutes and I'll name the first three and the people can come down and get ready that would be great.

Anti-Racial Profiling Ordinance

Steven Rundel, 4331 Eagle Lake Drive said I'm a small business owner here in Charlotte and I'm here tonight with a coalition, a wide coalition of folks who have showed up tonight in support of an ordinance for basically local civil rights restoration. It's basically a straight forward ordinance that has four goals; number one, transparency. Basically a requirement that the police record, track, analyze and disclose the data they collect about the demographics of people stopped, searched, arrested, charged and subjected to force. The second thing is accountability, a private right of action in state court to seek injunctive relief as well as attorney's fees to enforce this. Fourth is constitutional rights, basically a series of simple requirements to reiterate the long standing Fourth Amendment protections against unwarranted search and fourth local autonomy. Basically limits on coordination between local police and their federal counterparts when it comes to immigration enforcement and intelligence collection. The ordinance in front of you basically has just a couple of points; it limits the intelligence collection and surveillance. It limits profiling, especially according to political speech or activity, it has a prohibition on profiling according to race, religion, country of origin or gender, the basics, it ensures that the data collection and disclosure are required to ensure transparency of potential profiling, it has a prohibition on federal immigration enforcement operations by local officials and a provision for civil action and damages to ensure the measures provisions be enforced by aggrieved individuals acting in the public interest and we also like to suggest that it doesn't provide for infiltration of groups like those here tonight to see our private business so to speak. That's basically a quick run-down on what's comprised in the Civil Rights Restoration Ordinance and I'll defer to the next speaker.

Matt Newton, 2015 Ayrley Town Boulevard said thank you so much Council for allowing me the opportunity to speak. My name is Matt Newton, I am an attorney and I'm also the leader of the Citizen's Review Board movement last year. We were a leader as a City in passing a new ordinance then. I stand in support of this ordinance and ask that we as a Council be leaders again in passing a new ordinance. I am of the opinion that our Police Department is made up of well intentioned, decent, hardworking, law abiding folks that provide an indispensable service for this City and our citizens. However, the profession carries with it a lot of responsibility. It carries a lot of power and discretion; subject to that responsibility, power and discretion, is the potential for abuse. This ordinance, just as much so as the Citizen's Review Board Ordinance, is one way of curbing that potential from seeing its full fruition. I ask you all too seriously consider the passage of this and also want to comment on the fact that as an attorney I understand the value of statistics. I understand the value of making arguments in court but far be it from that is the fact that this is something that can be used by the city, by our Police Department and other agencies to help further function to create policies to prevent any discrimination down the road. It's so essentially important that you take action on this, you take action quickly. I am so grateful to hear that the City and the City Attorneys' office has taken this seriously and when that does come back in front of you I would ask that you send this to Committee for further consideration. I think most appropriately that would be the Community Service Committee and after doing so pass this ordinance when it comes back before you. Thank you.

Mayor Pro Tem Barnes said it may be a matter of a committee, I actually think we may all want to hear it but thank you so much.

Nasif Majeed, 5401 Rupert Lane said a few years ago I had the honor of serving as a Charlotte City Councilmember and we established the first Citizens Review Committee in Charlotte, to insure justice in policy matters for all of our citizens. It was a controversial policy at the time but it was essential to address excessive policies practices to satisfy our public that justice would be enforced on police that broke the law they were sworn to uphold. I am here today to encourage

all of you to support a local ordinance to protect the civil rights of the citizens served by the Charlotte-Mecklenburg Police Department. We live in a world of mass communication, internet, cell phone, drone and cyber warfare that invades our citizens' rights of privacy. We live in a world of new technologies that require that we need to update our local ordinances so that our Constitutional protections are not violated.

Our ordinances have not kept up with this dynamic technology that many of you are just as surprised as I was to find out that our Charlotte-Mecklenburg Police Department was utilizing sophisticated "Sting Ray" tracking technologies in their operations. We need more transparency in light of what is happening in police/citizen relationships today. That is no small task for City Council. In order to address the writing of such a Citizens Civil Rights Ordinance, we need to charge the Community Safety Committee and form a blue ribbon committee, consisting of a cross section of our Charlotte citizens, to hammer out policies to address parameters concerning surveillance, profiling, data collection, disclosure requirements, immigration enforcement operations by local officials, and provisions for civil actions, damages and enforcement. Local protections against profiling are necessary to protect vulnerable communities. Profiling affects all communities of color, which share an interest in curtailing it. African Americans, Latino Americans, Native Americans remain subject to disproportionate scrutiny in drug enforcement. Muslims, Arabs, and South Asian Americans have increasingly encountered profiling by counterterrorism efforts, which essentially cast suspicion based on association. Profiling cast guilt on the basis of association, which is constitutionally prohibited. Local protections against profiling require at least transparency and ideally consequences to deter and remedy violations.

The "driving while black," cases addressing racial profiling in the war on drugs often required that police agencies begin compiling demographic data about the individuals stopped, searched, and arrested, in order to establish whether profiling was actually happening. Data gathered in many states verified racial profiling.

Limits on police behavior can be easily disregarded unless violating the law carries consequences. Limits on law enforcement, as it related to intelligence collection, immigration enforcement and racial profiling, needs to be functionally addressed by this council, at this time. We are asking you, our council representatives to initiate a strategy to formulate and implement a local Civil Rights Ordinance. Thank you.

Hector Vaca, 724 Matheson Avenue said I'm a community organizer with Action NC. We work a lot with our community, people of color, immigrants and I'm here to explain a little bit tonight why we need this ordinance. The kinds of examples I've seen in the community and that I've actually seen myself, I've actually experienced myself. First, I want to say thank you to the City Council for even thinking about this issue. Thank you for passing an ordinance to actually bring about Charlotte Immigration Task Force. It shows the City of Charlotte really wants to move forward, really wants to work with our immigrant population; we want to thank you for that. Some of the examples I've seen; awhile back while we were doing voter registration work a lot of our employees were late for work every single day. These were all African American males; every one of them was always late every single day. They were telling me that the police were stopping them when they were getting off the bus. One day I looked out my window and I saw that the police was indeed stopping every single black man getting off of the bus. I asked them why and they said well we got a description of a six foot tall, slender black man and they were stopping everybody so I asked for their badge numbers, I asked to talk to their supervisors and the response they gave to me was that people's descriptions don't always match. I said so you're looking for a tall black man and you're stopping a short black man by a foot in every direction? What are you talking about? After I inquired about their badges and talked to their supervisor this stopped. I've also been profiled on Central Avenue. The police say that their license checks are random. I drove through one, they were looking inside every windshield letting people pass by slowly just looking inside every windshield; when they got to mine they stopped me. I believe it's because I'm a Latino. They were looking inside every single windshield. One of our members of our organization, Estelle Hernandez, a police officer drove past her, looked into her window while he was driving past her and he stopped her. When she inquired as to why he stopped her she said my license tag is good, my insurance is paid up why did you stop me? The police officer stuttered, try to figure out what to say next, he paused for a second and then he said because your license is expired. He wouldn't have known her license was expired had he not stopped her. He stopped her because she's brown. He drove past her then looked straight at her and then he stopped her. A few months ago, July 27th, five people attacked

a Latino, the police shows up, they put all the Latinos behind the police tape, refused to talk to any of them including the victim, only interviewed the perpetrators and they accused the Latino's brother of throwing a rock at a door; arrested right there on the spot and they refused to talk to any of the Latinos including the victim. They threw two Latinos on the ground, cuffed him, and held guns over their head with no intention to arrest them. This is what happened a few months ago so we need this ordinance, please do something and continue your good work.

Joel Siegle, 4518 Randolph Road said I'm the former Senior Legislative Assistant to Representative John Conyers in Washington D.C. He was the Chair of the House Judiciary Committee now he's the ranking Chair. I hope he becomes the Chair again. I grew up in this town. I worked for Dan Clodfelter for four years as his Senior Legislative Director; actually I worked for you guys. I had hair back then, it was not receding, it was like I had hair, brown hair and all that, that's gone but I'm here in support of the local civil rights restoration ordinance to be introduced and passed with all deliberate speed. I want to talk to you a little bit about something many of you have never heard of its called DWJWPB; Driving While Jewish with Black People and its okay to laugh. When I was working for Dan Clodfelter, I was just out of law school, UNC Law School and my favorite class was criminal law and I loved studying the Fourth Amendment because it was about The Constitution and you can't stop somebody unless you have what's called reasonable suspicion. That's in our Constitution; it's a constitutional right in this country. You can't just say oh, I think that person is committing a crime; to adhere to The Constitution there has to be reasonable suspicion, you can't pull someone over. I was doing Bible study with two of my African American friends from East Mecklenburg High School; I'm an Eagle. I was in Earl Village, I don't even know if they have Earl Village, I just moved back here a year ago and I had a police officer who stopped my truck, I was in a truck at that time and he pulled his gun out and he said get out of the car and I said why what's your probably cause and he used an explicative that I will not use because my mother raised me better. He said explicative your probably cause. I said no, no, no you have to tell me why you're stopping me. He said I don't have to tell you anything get out of the car so he accused me of having a bag of crack cocaine; I don't even drink tea and I said I'm doing Bible study with these friends of mine and I said how could I have a bag of crack cocaine on my lap I'm in a truck and you're in a cruiser. I said the only reason why you're doing this is because I'm white with two black people and you think that it's a drug deal but I've been doing Bible study. My African American colleague said be quiet because we've been through this our entire life and if you don't be quiet he'll shoot you. I shouldn't be laughing; it was the most traumatizing experience I've ever been through in my life. I'll conclude by saying that this affects everybody; every race, every color, it should not be Republican. The Constitution is not Republican or Democratic it's our Constitution, it's our law and we have to abide by it and I think we have to have video cameras on people and if the argument is we can't afford it then go to Congress. I'll help you with that, talk to Mr. Conyers and help you get some money here.

Reverend Kojo Nantambu, 2224 Pimpernel Road said I represent an organization that's 105 years old. It was created by white Americans and it was created because of the fact of racial profiling over 105 years ago when African Americans were being hung every day at least; a African American was being hung but even before African American's were being hung every day in this country over 100 million were killed during the Transatlantic slave trade. Fifty million Indians were killed in this county and tens of millions of buffalo were killed so that they could kill the Indians and this is because of racial profiling which is the result of racism which is very rampant in this country at this time and if we could get rid of racism we might be able to get rid of racial profiling which I know we can't get rid of racism but there is something that we can do about it. We could enforce laws and policies that could have control of those people who are racist and would be an authority to exercise that racism. We can't get rid of racism but you can implement policies such as the Civil Rights restoration bill and anti-profiling bill to stop those who are in authority from profiling and stigmatizing and stereotyping other people and since racial profiling is usually exhibited on and it's usually the people who are victimized by it are the poor black, brown people of this country. I wonder what would happen if those same people would just flip the script and instead of the police harassing them they found a way to harass policemen, beat their hind parts, drag them out of their house and attack them unnecessarily just because they're policemen. I said that in a press conference not too long ago. We're having so many African American youth being shot by policemen for no reason. I wonder what would happen if somebody in this country started shooting at policemen just because they're policemen because they carry guns and they kill people and most of the time they kill people without

warrant; they don't really need to. What would happen, what would your position be then, what would you do if policemen started getting killed just because they're policeman and people started stereotyping them.

Jibril Hough, 13328 Calloway Glen Drive said I'm here to support the civil rights restoration act and as we look things we're discussing tonight and some of the things we've seen in our City in the past weeks and the past few years I think some of these things would make George Orwell shake his head. That's what we're getting and that's what we want to get away from. I want to remind us of something that happened in this City a little while back but it addresses profiling and a lot of times when these things happen in Charlotte they have a way to make the national news and we had a visitor to this City, he was a tourist, he wasn't a terrorist, he happened to be from Pakistan and he was taking pictures of our beautiful skyline and some police officer on the street arrested him. Trying to make a long story short he was guilty of nothing but being here enjoying our city. He was here on an expired visa; that was his only quote unquote crime. I got involved with him and it broke his family up because he had to go back to Pakistan, his wife was here illegal and our Mayor at the time acted like this was ground zero and brought drama like we were under attack. When this guy went to the courthouse they had snipers on the roof, snipers. This guy was just a tourist in our town with an expired visa. They had snipers on the roof because I went to court with him so I'm saying these are the extreme things that you get when you allow your Police Department to profile and it make our City look bad because these things often times they make the national news. I know Charlotte does not want to be represented like that. We want to be a welcoming City, we want people to come here and visit our City. We don't want to lock them up just because they look different then someone else. I'm saying these things to say if we want to go forward and present Charlotte well the key is building trust. You cannot build trust if you racial profile, you spy on people, you infiltrate groups in our City when folks are just out here in the streets doing the work that people here are doing tonight so the key is building trust and you do that by spreading liberty and that's how you make the City safe and that's how we'll get out of this together.

Councilmember Fallon said I have asked the Councilmembers to refer to this to my Committee which is Public Safety, Community Safety. I hope that you all will.

Mayor Pro Tem Barnes said I had hoped it would be a Committee as a whole but if somebody wants to make a motion on that that's fine; but this is such a big issue I think we should all have it.

Councilmember Howard said just a question on process if the City Attorney is actually already and the Manager is looking at something just a suggestion from you guys do we refer to Committee or to Council? Any thought from you?

Mayor Pro Tem Barnes said I thought you were bringing it back to all of us?

City Manager Ron Carlee said its Council prerogative. We're going to do the work we had intended and present it to the Council in a dinner or workshop briefing; however you prefer of course to deal with it. It's your discretion.

Mayor Pro Tem Barnes said I think that would probably work better than if we determine at that point to send it to committee we could do that. Is that okay?

Councilmember Driggs said Mr. Mayor Pro Tem I just wanted to say a number of people have made some pretty serious allegations about our police department here. I take them very seriously but I also resist the characterization of CMPD in general terms this way and I hope that we will be balanced in seeking the necessary safeguards for the population and also recognizing the very difficult job that our police officers do.

Gay Marriage

Lori Gathings, 8704 Cinnabay Drive said in listening to everything that everyone has said about the police profiling I feel I need to come and speak to the Council about all the things that are going on in Charlotte and in the country as a whole. Just look around us and see we have a national debt near 18 trillion dollars, we have 92 million Americans not working, we have a foreign policy that helps our enemies and puts Christians in danger world-wide, we have radical Islam on the march beheading our soldiers, over 40% of American children are born out of

wedlock, we have unelected judges overturning marriages protection laws and we have dozens of states and legalizing homosexual marriage, we have veterans not receiving treatment and sometimes they die. We have the IRS under investigation, we have a national healthcare law that to me is still confusing to this day, are the dumbing down of America we have voter suppression laws, we have guns, weapons taking innocent lives and that is a total international disgrace. We have police killing our kids, racial injustice, abortion, the Planned Parenthood genocide and this is just a few things that's wrong in America and in Charlotte so we need to have a solution to these things and to me the only solution that I see now is that America we need to turn back to God. Our nation was founded on in God we trust and until we turn back to God and do the right things have a good, clean heart like the police go out they know what's right. We have common sense and we know what's right to do so we just have to start doing those things. Put the morals back in our White House, put the morals back in the Senate, the House of Representatives because a nation that forgets God they're turned totally into hell and you can look around like I say just naming some of those things there that America, Charlotte we need to get back to people's heart and love people sincerely. When someone's there looking or they're not looking do the right things America. Do the right thing Charlotte; that's what we need to do. Get back to the original intent and that is America; everybody wants to come here they say America is the land of the free, the home of the brave, it's a good place and we're glad to be here but let's do the right things no matter what, no matter how and have the heart of God to do what's right and this will solve all of our problems no matter what they are, no matter what's going on, the problems will be solved putting God first.

Interfaith Initiative for an Environmental Stewardship in City of Charlotte

Ahmer Inam, 6702 Constitution Lane said thank you for giving me the opportunity to speak to you about a new interfaith initiative to address the issues of climate change and environmental stewardship that I'm helping launch with several friends of mine. I'm a concerned citizen of Charlotte. I don't represent any organization. I recently became a citizen about two months ago and this is my first time standing here and I feel very deeply about this critical subject and that's why I'm taking this initiative working with several of my friends. Several Charlotte area faith based institutions representing diversity in our faith community including Buddhist, Hindus, Muslims, Jews, several denominations of Christians, Trinitarians, we all are coming together, working with interfaith organizations like Mecklenburg Ministries, Being there, Charlotte Cooperation Circle and CIPL and several other organizations to help put together and launch this initiative. Our goal as people of faith is to pay heed to the call, to be the faithful stewards and caretakers of God's creation by limiting future impacts of climate change and environmental degradation. We believe that all beings are connected and we have a moral imperative to respond to God's decree to protect our planet and it is time for the faith community to come together working with the greater community of Charlotte and our government to act locally. We are hosting an interfaith panel discussion on November 13th, at the Midwood International Culture Center at 6:30 p.m. and I would like to invite the City Council and everybody attending this meeting here to come and attend this event and hear from our faith community about their concerns about the climate and environmental issues that are impacting them locally. We all need to work together on this and I urge the City Council to support us in this initiative and become part of this and let us work together to make Charlotte the best City to live in and also leave a legacy behind for our future generations.

Mayor Pro Tem Barnes said will you make sure that the City Clerk gets that date and location.

Water Fluoridation Program in Charlotte

Phillip Alexander, 426 Marsh Road said I'm here tonight on behalf of Fluoride Free Charlotte. Everyone on the council is probably familiar with the subject I'm going to speak on because this is not my first time here. I feel it my duty as a citizen to keep addressing this issue until some action is taken. I cannot stress enough how important it is to take a closer look at water fluoridation. This is not some wild rumor or theory; I come to the Council with facts. The facts are fluoride is linked to numerous health problems including arthritis, cancer, thyroid malfunction and lowered IQ. Hydrofluoric salicylic acid is used as a fluoridation agent by C-MUD. Fluor salicylic acid is an industrial waste from the phosphate mining industry. No one at the Health Department, at the county, state or federal level has been able to give me any proof of the safety or effectiveness of hydrofluoric salicylic acid. The country of Israel has recently ban fluoridation; the Health Minister saying that scientific evidence show that fluoride can damage

health, it's not effective, is a waste of money and violates an individual's freedom to regulate the amount of fluoride their children ingest. The Health Minister touches on the most important issue of fluoridation the freedom to choose. This is a form of medication and people should have a choice on what is put into their bodies and that is not an opinion it is a law. When medicating someone there is something called informed consent. The American Medical Association says informed consent is the patient right of self-decision can be effectively exercised only if a patient possesses enough information to enable an informed choice. The patient should make his own determination about treatment. The physician's obligation is to present the medical facts accurately to the patient or to the individual responsible for the patients care and to make recommendations for management in accordance with good medical practice. The physician has an ethical obligation to help the patient make choice among therapeutic alternatives consistent with good medical practice. Informed consent is a basic policy in both ethics and law that physicians must honor unless the patient is unconscious or otherwise incapable of consenting. C-MUD has failed to inform customers of the dangers of ingesting hydrofluoric salicylic acid. In fact C-MUD has failed to even identify hydrofluoric salicylic acid on the water quality report mailed out to customers. How are people to make an educated decision when they are not being given all the facts? You can choose to ignore the dangers of health but you cannot ignore a person's right to choose. No one at any level of government has the right to force chemicals on an unknowing population through the water supply. This unethical and criminal, when the Council finally decides to take a look at the facts you will be as alarmed as I am that this allowed to take place. I have a Facebook page, Fluoride Free Charlotte, and was recently asked by a member if we should sue C-MUD for not informing us that toxic waste is being added to the water. I hope that's not what it takes for the Council to take this matter seriously. I hope that common sense will take hold and a lawsuit will be not necessary to get basic human rights.

Mayor Pro Tem Barnes said thank you Mr. Alexander. We did get an update on this item from Dr. Plescia who is actually up next a few weeks ago.

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AWARDS AND RECOGNITIONS

ITEM NO. 8: FLU SEASON REMINDER

Mayor Pro Tem Barnes said next up we have our awards and recognitions portion of our meeting and the first item is a Flu Season reminder from our County Health Director Dr. Marcus Plescia. I welcome you to this portion of our meeting Dr. Plescia.

Dr. Marcus Plescia, Mecklenburg County Health Director said just earlier this evening prior to coming into the chamber we had several City Councilmembers and the City Manager get their flu shots from a couple of nurses we had here from the Health Department. I know many others of you on the Council have already had your flu shot privately and I would like to thank you. I think this is democracy at its best. It's our elected leaders leading by example on what is a very, very important public health issue for our community. The flu or influenza is a frightening reality. It is the most significant infectious disease in the United States. In some of the years where we've had some of our worst flu epidemics we've had as many as 50,000 people across the United States die from the flu. It's particularly dangerous for people who are older; people who are over the age of 85. Ninety percent of deaths from flu occur in people over the age of 65. Luckily we do have a very good vaccine for the flu. It's available for anybody over the age of two years old. This year we're trying to put a real emphasis on getting children vaccinated often times we forget about getting children vaccinated and that may be one of the most effective ways to protect others in our community from the flu. Luckily the flu shot is widely available. You can get a flu shot at your doctor's office. You can get it at many drug stores and you're certainly all welcome to come to the Health Department and we'd be happy to give you a flu shot there so I'd like to thank you again for leading by example on this important issue getting a flus shot is a very, very effective way to protect yourself from the flu but it's a particularly effective way to protect others; those in our community who are most vulnerable if they end up contracting this disease which can in many cases be deadly so thank you very much.

Mayor Pro Tem Barnes said thank Dr. Plescia, I believe Mr. Carlee, Mr. Phipps, Mr. Smith and Mr. Austin got shots and they seem to be doing fine and they got the needle to so they're doing good.

Councilmember Smith said even with the fear of needles we are doing fine.

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ITEM NO. 9: SMART CITY PROCLAMATION

Mayor Pro Tem Barnes said next up we have a Smart City Proclamation which I'll read. I want to introduce Amy Aussieker. She's the Executive Director of Envision Charlotte. She's going to share some information with us, I'll ready the proclamation if that's okay and then you can talk to us for a brief moment. The proclamation reads:

WHEREAS, Smart Cities use technology and data management to revolutionize the integration and delivery of city services, including housing, transportation, environmental, social and cultural initiatives; and

WHEREAS, Charlotte has a rich history of accomplishment through public/private collaboration; and

WHEREAS, Charlotte is already one of the leading hubs for the growing energy industry, with nationally recognized leadership from Envision Charlotte, E4, EPIC, and CLT Joules; and

WHEREAS, these organizations are already fostering innovation, driving savings and improving environmental sustainability, laying the foundation for Charlotte to become a Smart City; and

WHEREAS, becoming a Smart City will help grow Charlotte's economy, improve delivery of its services, and enhance the quality of life for citizens, business and visitors:

NOW, THEREFORE, I, Daniel G. Clodfelter, Mayor of Charlotte, do hereby proclaim October 27, 2014 as

“CITY OF CHARLOTTE A SMART CITY”

in Charlotte and commend its observance to all citizens.

Amy Aussieker, Envision Charlotte said a smart city has been defined as one that uses big data and technology to improve the quality of life of its citizens. Envision Charlotte is one way we are doing this and is like no other city. We aren't just connecting the public sector or one business, we are doing it Charlotte style. We are bringing together universities, the public sector, and the private sector through multiple honors, utilities and finding efficiencies through data. No other city or group has networked 61 buildings and 21 million square feet first by collecting energy data and implementing programs to decrease use but we are on the cusp of doing that for water and waste. After those connections are made we will be one of the first cities to truly be able to study the nexus of water and energy and make improvements. Envision Charlotte appreciates the support from E4, Epic and CLT Joules as we continue to build this model. The term smart cities is becoming very popular among industries and cities but Charlotte has been involved in building a smart city for years and we have already seen what it can do; reducing energy use by 8.4% saving our businesses over \$10 million dollars. This will give Charlotte a huge economic development advantage and create a more sustainable city for the community. I want to thank the city for the continued partnership and participation of your buildings and we will keep you updated as progress is made. Thank you.

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ITEM NO. 10: NEIGHBORHOOD LEADERSHIP AWARD WINNERS

Mayor Pro Tem Barnes said so next up we have introduction of our Neighborhood Leadership award winners and I want to invite Liz Mitchell to come down and I also want to provide an opportunity for the Chair of our Housing and Neighborhood Development Committee, Councilmember Kinsey to say anything that she'd like, an introduction, just a thank you would be great.

Councilmember Kinsey said I was going to brag a little bit. There were six awards given and five of the six went to neighborhoods in District 1 but also I want to recognize a neighborhood in District 5 which is right next door to District 1. It was a wonderful day to be there and as proud

as I was of District 1 neighborhoods and individuals I want to issue a challenge to the other people elected from Districts; you need to get your neighborhoods involved and recruit them and come on out. I don't want to give up the majority of the awards but it was a wonderful day and I'd like to see more neighborhoods from across the City involved.

Liz Mitchell, Neighborhood and Business Services said the Second Annual Neighborhood Leadership Awards were held Saturday, September 27th at BB&T Ballpark. The events celebrates Charlotte's diverse network of neighborhoods and recognizes the accomplishments of residents who contribute their ideas, passion and volunteer efforts towards bettering our community. Please join me tonight in congratulating the 2014 Neighborhood Leadership Award recipients.

The Community Safety Ambassador Award winner, Eastway-Sheffield Neighborhood Association represented tonight by Carolyn Mellon. Eastway-Sheffield Neighborhood Association was nominated for their work partnering with CMPD to address resident concerns and improve safety in their community. The group regularly plans neighborhood cookouts and street cleanups. Members also routinely walk the neighborhood to inform the community about any concerns.

The Good Neighbors Award winner, Bridlewood Community Association represented tonight by Ola Mitchell. Bridlewood Community Association resolved a bulky item issue by teaching a class to residents about bagging garbage, recycling and bulky item pickup. The association also connected residents with the annual Catholic Heart Work Camp to provide them with home repairs. Bridlewood also received tree banding grants during the last five years to assist them with eliminating cankerworms in the community.

Embracing Diversity Award winner, Eastwood Acres is represented tonight by Dianne Garris. After receiving a Neighborhood Matching Grant with a goal of improving communication Eastwood Acres began printing newsletters and other neighborhood association documents in English and Spanish. Queens University recognized the group as a model of how other neighborhoods can effectively communicate with diverse populations.

The Moving Forward Award winner, Plaza Midwood Association represented tonight by Adam Richmond. Plaza Midwood encourages residents to use alternative transportation by hosting the Tuesday Night Bike Ride, the city's largest and most popular casual bike ride and Plaza Midwood Bike Fest. The neighborhood received a Power to Live Green Grant that provided funding for installation of bike racks and bike repair station at the corner of Thomas and Commonwealth Avenues.

Sustainability Pioneer Award winner, Grier Heights Community Improvement Association represented tonight by Phyllis Barnett. The Grier Heights Community Improvement Organization was recognized for sustainability efforts including a community garden that features composting and rain water harvesting, street adoption through Keep Charlotte Beautiful and managing a cash for trash program to incent litter collection.

Last but not least the People's Choice Award winner, Hollis Nixon Noda Community Leader and Advocate. Hollis has provided leadership to Noda Neighborhood and Business Association for 10 years. Under her leadership Noda has flourished as a business district and community and is poised to benefit from new projects and light rail construction. Please join me in congratulating all of our winners.

Mayor Pro Tem Barnes said so listen here is what I'd like. I'd like for all the winners to come down here and we're going to stand up and give you a round of applause and let our staff take a picture.

Ms. Kinsey said I should have thanked staff; they did a great job, Neighborhood and Business Services staff. Thanks guys, I appreciate it.

Councilmember Phipps said I was there during the celebration on that day and it was wonderful event and I'd just like to thank all of the nominees and finalists from all over the City that even though they might not have won the final award that we definitely appreciate their volunteer service to the City because it means so much. This is a large City, a big city and we need all hands on deck and they have proven with their energy and drive that they are there in the

trenches with us to help us manage this City so my hat go off all of you that were nominated and were finalists.

Mayor Pro Tem Barnes said that sounds like a challenge from District 4 to District 1 so let's see what happens.

Councilmember Austin said I also except that challenge Patsy.

Mayor Pro Tem Barnes said District 2 is in which means that 3, 5 and 6 and 7 have to get in too.

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ITEM NO. 11: SICKLE CELL ANEMIA PRESENTATION

Mayor Pro Tem Barnes said the next presentation we have concerns sickle cell anemia and I'm going to invite Ashley Turnbull to come down. She's a senior from UNC Greensboro and she's affiliated with the Levine Cancer Institute Sickle Cell Clinic and she wants to share a few brief words with us about sickle cell and I know Councilmember Lyles wanted to say a something as well.

Councilmember Lyles said I had the opportunity to hear from Ashley through the effort that the Charlotte Community Blood Bank is taking to have access to enough people that we can actually provide the services that Ashley is going to speak about. It is something that this community, we talk about being "can do" this is a time that we can do something to help people have better quality of life and I just want to say thank you Ashley for coming today. You are fantastic and I'm so proud of you.

Ashley Turnbull, UNC Greensboro said I wanted to make a correction that I graduated in May so go Spartans.

Mayor Pro Tem Barnes said she's a graduate of UNC Greensboro.

Ms. Turnbull said I'm a research intern with the Sickle Cell Medical Center at LCI. Sickle cell if you don't know is an inherited blood disorder and it affects about 90,000 Americans most of whom are African American. The red blood cells become hard and they become sticky and form into like a banana or sickle shape instead of being oval shaped and soft and squishy and when this happens there's a lack of oxygen in the blood and so it causes pain in the body and organ damage and anemia in sickle cell patients. I have sickle cell disease and I've been able to manage it well throughout my life but I have had my challenges so I've been admitted in the hospital, I've missed school, I've missed work and the most challenging part for me is that I'm not able to do all the things that I want to do in life because I have limitations physically. I can say that I live a healthy, independent lifestyle but working with the Sickle Cell Clinic here in Charlotte and in Greensboro I've noticed that a lot of patients aren't able to live a healthy and independent lifestyle like I do. They're not able to live on their own or work consistently or travel like they want to and so this is a big concern for me and I want to be able to help in some way so that people with sickle cell are able to live a better quality of life. Dr. Iffy is the Medical Director at our brand new Sickle Cell Clinic that was just opened in April of this year and so her goal is to provide comprehensive healthcare to patients with sickle cell and what that means is they're not only getting the healthcare that they need for their sickle cell issues but all the issues that come along with it; with their organ damage, strokes that happen, iron overload in their body. They're able to get the healthcare from these specialists that are able to work specifically for other issues. With the help of her and our sickle cell nurses, the social worker, the program manager there we're trying to do our best to improve the quality of life for the sickle cell patients here in the community and so my only goal here is to spread awareness for the efforts we are putting forth in the community and nationwide.

Ms. Lyles said Ashley has been very, very kind to share her story but let me just be really clear about this; what we need is we need people of color to be able to donate blood in significant amounts so that we can serve this folks that have this illness. If you have any group, I want to say our Police Department is actually one of our strongest supporters in this area, there is a fraternity I think it's purple and gold, they're very, very strong in this area and many houses of worship are but if you are in a group and you have the opportunity to invite people to donate their blood this is really one of the most important things that you can do as a person of color and I encourage

you to contact the Sickle Cell Association in order to do that or the Community Blood Bank of Charlotte. Thank you.

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CONSENT AGENDA

Motion was made by Councilmember Lyles, seconded by Councilmember Kinsey, and carried unanimously to approve the Consent Agenda as presented with the exception of Item No. 30, which was pulled by staff, Item No. 44, which was pulled by Councilmember Howard, Item Nos. 52-O and 52-Q, which were settled and Item No. 52 P which was deferred until November 10, 2014.

The following items were approved:

Item No. 22: Police Assets Forfeiture-Portable Lights and Pole Cameras

Approve the use of \$30,300 in assets forfeiture funds for the purchase of portable lights and pole cameras.

Item No. 23: Undercover Vehicle Lease

Award the unit price contract in an estimated amount of \$460,000 with Wilmar, Inc. for leased undercover vehicles for an initial term of four years.

Item No. 24: U.S. Department of Justice DNA Backlog Reduction Grant

(A) Accept a grant from the U. S. Department of Justice in the amount of \$309,110 to fund four personnel for the Charlotte-Mecklenburg Police Department DNA Lab, and (B) Adopt Budget Ordinance Number 5499-X appropriating \$309,110 in grant funds from the U.S. Department of Justice.

The ordinance is recorded in full in Ordinance Book 59, at Page 82.

Item No. 25: Private Developer Funds for Traffic Signal Improvements

(A) Authorize the City Manager to execute developer agreements between the City of Charlotte and the following developers: Charter Properties, Inc., 1125 South Tryon Street, LLC, and The Charlotte-Mecklenburg Hospital Authority, and (B) Adopt Budget Ordinance Number 5500-X appropriating \$156,375 in private developer funds for traffic signal improvements.

The ordinance is recorded in full in Ordinance Book 59, at Page 83.

Item No. 26: Airport Hourly/Rental Car Parking Deck Network Communication Equipment

(A) Approve the purchase of Avaya Network Communication Equipment from a federal contract as authorized by G.S.143-129(e) (9a), and (B) Approve a unit price contract with Ronco Communications for the purchase of Avaya Network Communication Equipment under the General Services Administration Contract GS-35F-0156V.

Item No. 27: Airport Hourly/Rental car Parking Deck Contract Amendment

Approve contract amendment #3 in the amount of \$138,600.91 to LS3P Associates, LTD for additional design services.

Item No. 28: Airport Daily Deck Access Road

(A) Award a low-bid contract of \$312,570.50 to Kelby Construction, Inc. for the construction of the Daily Deck Access Road and (B) Adopt Budget Ordinance Number 5501-X appropriating \$312,570.50 from the Aviation Discretionary Fund to the Airport Community Investment Plan Fund.

Summary of Bids

Kelby Construction	\$312,570.50
Dakota	\$393,272.00
Tarpon Construction	\$441,856.80

Showalter \$481,448.00

The ordinance is recorded in full in Ordinance Book 59, at Page 84.

Item No. 29: Airport Rental Car Deck Barriers

Award the low-bid contract of \$277,010 to The Bowers Group, LLC for the purchase and installation of concrete barriers for the Rental Car Parking Deck.

Summary of Bids

The Bowers Group, LLC* \$277,010.00

*The Bowers Group, LLC was the sole bidder.

Item No. 31: Airport Central Energy Plant Improvements

Approve a professional services contract in the amount of \$141,840 with McKim & Creed Inc. for engineering design services for the replacement of three centrifugal chillers serving the terminal complex.

Item No. 32: Airport Telecommunications Antenna Site Lease Amendment

Approve a second, five-year lease amendment with CELLCO Partnership dba Verizon Wireless for a telecommunications antenna and related facility site on the Airport's Rotating Beacon.

Item No. 33: Utility Billing Cycle Alignment Project Services

(A) Approve a professional services contract in the amount of \$603,840 with Milestone Utility Services, Inc., for software development and support services critical to implementing the Billing Cycle Alignment project, and (B) Approve a professional services contract in the amount of \$175,646 with Westin Engineering, Inc. for route design and functional support services critical to implementing the Billing Cycle Alignment project.

Item No. 34: Combined Heat and Power Design Contract

Approve a professional services contract in the amount of \$556,490 with CDM Smith, Inc. for the design of and construction administration for a Combined Heat and Power System at the McAlpine Creek Wastewater Management Facility.

Item No. 35: Utility Line Easement Mowing and Clearing Services

Approve a services contract in the amount not to exceed \$800,000 with Single Oak Farm, Inc. for sanitary sewer easement mowing and clearing services.

Item No. 36: Utility Janitorial Services

(A) Approve a service contract in the amount of \$94,800 with Greens Commercial Cleaning for janitorial services for a one-year term, and (B) Authorize the City Manager to extend the contract for one additional, one-year term contingent upon the company's satisfactory performance.

Item No. 37: Utility Mini Excavators

(A) Approve the purchase of mini excavators from a state contract as authorized by G.S. 143-129(e) (9), and (B) Approve the contract with Rob's Hydraulics for the purchase of three mini excavators.

Item No. 38: Utility Wastewater and Water Treatment Chemicals

Award a low-bid, unit price contract for wastewater and water treatment chemicals, for a one-year term to the following companies: Southern States Chemicals, GEO Specialty Chemicals, Greer Industries, Brenntag SE, Univar USA, and Jet, Inc.

Summary of Bids

Vendor	Chemical	Amount
Greer Industries	Hydrated Lime	\$419,860.00
Lhoist North America of VA	Hydrated Lime	463,624.00
Carmeuse Lime	Hydrated Lime	544,684.00
Mississippi Lime	Hydrated Lime	582,400.00

Brenntag SE	Sodium Hydroxide	14,304.00
Univar USA	Sodium Hydroxide	15,123.20
Brenntag SE	Sodium Hydroxide, Partial Loads	16,704.00
Univar USA	Sodium Hydroxide, Partial Loads	17,568.00
Univar USA	Sodium Hypochlorite	13,200.00
Univar USA	Sodium Hypochlorite	18,000.00
Brenntag SE	Acetic Acid	173,600.00
Geo Specialty Chemicals	Sodium Aluminate	765,887.20
Univar USA	Sodium Aluminate	77,636.00
Brenntag SE	Sodium Aluminate	82,800.00
Univar USA	Dense Soda Ash	70,080.00
Southern States Chemical	Sulfuric Acid 66	7,296.00
Brenntag SE	Sulfuric Acid 66	8,320.00
Univar USA	Sulfuric Acid 66	9,040.64
Jet, Inc.	DE chlorination Tablets	2,481.06
Brenntag SE	DE chlorination Tablets	3,000.00

Item No. 39: Utility Technology Professional Services

(A) Approve a unit price contract with KBA Computer Services, Inc. for technology project management for an initial term of two years, and (B) Authorize the City Manager to approve one, one-year renewal option with possible price adjustments as authorized by the contract and contingent upon the company's satisfactory performance.

Item No. 40: University Walk Pedestrian Improvements

Award the low-bid contract of \$125,022.25 to Carolina Cajun Concrete, Inc. for the University Walk Pedestrian Beacon project.

Summary of Bids

Carolina Cajun Concrete, Inc.	\$125,022.25
DOT Construction	\$128,123.80
United Construction, Inc.	\$129,829.25
Red Clay Industries	\$152,525.94
Little Mountain Builders of Catawba, Inc.	\$155,170.19
W.M. Warr & Son, Inc.	\$169,774.50
OnSite Development, LLC	\$174,166.17
Zoladz Construction Co., Inc.	\$185,679.00

Item No. 41: Real Estate Services for South Tryon Street Sidewalk Improvements

Approve a contract in an amount up to \$140,000 with THC, Inc. for real estate acquisition and relocation services on the South Tryon Street Sidewalk Improvement project.

Item No. 42: Storm Water Services Channel Cleaning Contract

(A) Reject the low-bid of \$98,417 from Mighty Men Property Services, LLC for failure to comply with the bid requirements, (B) Reject the second low-bid of \$664,050 from Carolina Cajun Concrete, Inc. for failure to comply with the Charlotte Business INclusion Program requirements, (C) Award a contract to the third lowest bidder, OnSite Development LLC in the amount of \$678,960.14 for the Storm Water Services Channel Cleaning Contract Fiscal Year 2015-A, and (D) Authorize the City Manager to approve up to two renewals, each in the amount not to exceed the original contract amount.

Summary of Bids

Mighty Men Property Services, LLC	\$ 98,417.00
Carolina Cajun concrete, Inc.	664,050.00
OnSite Development LLC	678,960.14
United Construction, Inc.	821,744.00
Blythe Development Company	886,350.00
D.E. Walker Construction Co.	1,004,855.00

Item No. 43: Land Acquisition for Police and Fire Training Academy Expansion

(A) Approve the purchase of approximately 7.26 acres in the amount of \$186,100 for the Police and Fire Training Academy at 3210 Beam Road, Parcel Identification Number 143-221-01, and (B) Authorize the City Manager to execute all documents associated with the transactions between Goudes Group, LLC (Seller) and the City of Charlotte (Buyer).

Item No. 45: Citywide Document Management Services

(A) Approve unit price contracts with the following companies for Document Management Services for an initial term of three years each: Advanced Imaging Systems, Inc., Automated Shredding Inc., COR365 Information Solutions, Iron Mountain, Records Reduction Inc., and Ricoh USA Inc., and (B) Authorize the City Manager to approve two consecutive one year renewal options with possible price adjustments as authorized by the contract, contingent upon the company's satisfactory performance.

Item No. 46: Credit Card Merchant Services

(A) Approve the purchase of credit card merchant services from a state contract as authorized by G.S. 143-129(e) (9), (B) Approve a contract with SunTrust Merchant Services, LLC for the credit card merchant services for a term of three months under N.C. Office of the State Controller Contract #14-06002, and (C) Authorize the City Manager to extend the contract for an additional one-year term as long as the state contract is in effect, at prices and terms that are the same or more favorable than those offered under the state contract.

Item No. 47: Refund of Property and Business Privilege License Taxes

(A) Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$23,985.92, and (B) Adopt a resolution authorizing the refund of business privilege license payments in the amount of \$12,152.28.

The resolutions are recorded in full in Resolution Book 46, at Page 434-435 and 436-437.

Item No. 48: Resolution of Intent to Abandon an Unopened Portion of Providence Road North

(A) Adopt the Resolution of Intent to abandon an unopened portion of Providence Road North, and (B) Set a public hearing for November 24, 2014.

The resolution is recorded in full in Resolution Book 46, at Page 438-441.

Item No. 49: Legal Settlement

Approve the settlement of Timothy Parker v. City of Charlotte, I.C. No. 908527, in the amount of \$125,000.00.

Item No. 50: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: September 8, 2014 Business Meeting, September 15, 2014 Zoning Meeting and September 22, 2014 Citizen's Forum/Business Meeting.

Item No. 51: In Rem Remedy

Item No. 51-A: 2401 Ashley Road

Adopt Ordinance 5503-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2401 Ashley Road (Neighborhood Profile Area 124).

The ordinance is recorded in full in Ordinance Book 59, at Page 86.

Item No. 51-B: 215 Gene Avenue

Adopt Ordinance 5504-X authorizing the use of In Rem Remedy to demolish and remove the structure at 215 Gene Avenue (Neighborhood Profile Area 370).

The ordinance is recorded in full in Ordinance Book 59, at Page 87.

Item No. 51-C: 4214 Rochelle Lane

Adopt Ordinance 5505-X authorizing the use of In Rem Remedy to demolish and remove the structure at 4214 Rochelle Lane (Neighborhood Profile Area 385).

The ordinance is recorded in full in Ordinance Book 59, at Page 88.

Item No. 52: Property Transactions

Item No. 52-A: 9422 Snow Ridge Lane

Acquisition of .80 acres in Fee Simple at 9422 Snow Ridge Lane from Necole C. Ortega & James E. Ortega for \$148,000 for Aviation Master Plan.

Item No. 52-B: 511 South Hoskins Road

Acquisition of 3,215 square feet (.074 acres) in Storm Drainage Easement, plus 6,329 square feet (.145 acres) in Sanitary Sewer Easement, plus 9,608 square feet (.221 acres) in Temporary Construction Easement, plus 1,242 square feet (.029 acres) in Sanitary Sewer Easement and Storm Drainage Easement at 511 South Hoskins Road from Marcie Thompson Hinson as Executrix of the Estate of David Lee Thompson and Guardian of Barbara Aileen Thompson for \$15,725 for Blenheim Storm Drainage Improvement Project, Parcel #60.

Item No. 52-C: 5600 The Plaza

Acquisition of 14,912 square feet (.342 acres) in Sanitary Sewer Easement, plus 23,351 square feet (.536 acres) in Temporary Construction Easement at 5600 The Plaza from Trustees of Plaza Methodist Church for \$36,600 for Briar Creek Relief Sewer Phase III, Parcel #88.

Item No. 52-D: 5632 Barrington Drive

Acquisition of 3,948 square feet (.091 acres) in Sanitary Sewer Easement, plus 3,004 square feet (.069 acres) in Temporary Construction Easement at 5632 Barrington Drive from Archie Oris Melchor and Wanda B. Melchor for \$10,650 for Briar Creek Relief Sewer Phase III, Parcel #101.

Item No. 52-E: 6101 Prosperity Church Road

Acquisition of 62,295 square feet (1.43 acres) in Fee Simple and 3,610 square feet (.083 acres) in Sidewalk and Utility Easement, plus 26,098 square feet (.599 acres) in Temporary Construction Easement, plus 508 square feet (.012 acres) in Utility Easement at 6101 Prosperity Church Road from Nisbet Oil Company for \$310,275 for Prosperity Village Northwest Arc B, Parcel #12.1.

Item No. 52-F: 7237 Nada Park Circle Drive, Lot 20

Acquisition of mobile home and storage building at 7237 Nada Park Circle Drive, Lot 20 from Heather Jane Maynor for \$11,600 for Prosperity Village Northwest Arc B, Parcel #12.81.

Item No. 52-G: 7245 Nada Park Circle, Lot 22

Acquisition of mobile home and storage buildings at 7245 Nada Park Circle, Lot 22 from Jesus Javier Olvera Mendoza for \$26,100 for Prosperity Village Northwest Arc B, Parcel #12.82.

Item No. 52-H: 7249 Nada Park Circle, Lot 23

Acquisition of mobile home at 7249 Nada Park Circle, Lot 23 from Walter Raymond Singleton, Jr. for \$13,600 for Prosperity Village Northwest Arc B, Parcel #12.83.

Item No. 52-I: 7303 Nada Park Circle Lot 25

Acquisition of mobile home and storage building at 7303 Nada Park Circle, Lot 25 from Estela Hernandez Cervantes for \$24,400 for Prosperity Village Northwest Arc B, Parcel #12.85.

Item No. 52-J: 7307 Nada Park Circle, Lot 27

Acquisition of mobile home and storage building at 7307 Nada Park Circle, Lot 27 from Eva Rice for \$22,700 for Prosperity Village Northwest Arc B, Parcel #12.86.

Item No. 52-K: 7311 Nada Park Circle, Lot 75

Acquisition of mobile home and storage buildings at 7311 Nada Park Circle, Lot 75 from Donald Gilbert Raborn for \$17,500 for Prosperity Village Northwest Arc B, Parcel #12.87.

Item No. 52-L: 7315 Nada Park Circle, Lot 76

Acquisition of mobile home at 7315 Nada Park Circle, Lot 76 from Lara Anastacio for \$14,700 for Prosperity Village Northwest Arc B, Parcel #12.88.

Item No. 52-M: 1041 Scaleybark Road

Acquisition of 2,502 square feet (.057 acres) in Fee Simple, plus 2,017 square feet (.046 acres) in Fee Simple within Existing Right-of-Way and 1,964 square feet (.045 acres) in Temporary Construction Easement from Julie A. Viveros and Jose Luis Viveros for \$21,725 for Scaleybark Road Traffic Calming, Parcel #7.

Item No. 52-N: 430 East 36th Street

Resolution of condemnation of 10,988 square feet (.252 acres) in Temporary Construction Easement from RM 36th Street Investors, LLC and any other parties of interest for \$9,850 for LYNX Blue Line Extension, Parcel #1260.1.

The resolution is recorded in full in Resolution Book 46, at Page 442.

Item No. 52-R: 4226 Rochelle Lane

Resolution of condemnation of 1,072 square feet (.025 acres) in Temporary Construction Easement, plus 98 square feet (.002 acres) in Utility Easement from John London and any other parties of interest for \$150 for Blenheim Storm Drainage Improvement Project, Parcel #55.

The resolution is recorded in full in Resolution Book 46, at Page 443.

Item No. 52-S: 4244 Rochelle Lane

Resolution of condemnation of 794 square feet (.018 acres) in Temporary construction Easement, plus 168 square feet (.004 acres) in Utility Easement from Cayco Realty & Investments, Incorporated and any other parties of interest for \$125 for Blenheim Storm Drainage Improvement Project, Parcel #58.

The resolution is recorded in full in Resolution Book 46, at Page 444.

Item No. 52-T: 425 Ashworth Road

Resolution of condemnation of 6,077 square feet (.14 acres.) in Storm Drainage Easement, plus 2,451 square feet (.056 acres) in Temporary Construction Easement from David K. Maynard and Katherine Gordon Maynard and any other parties of interest for \$52,950 for McAlway/Churchill Storm Drainage Improvement Project, Parcel #17.

The resolution is recorded in full in Resolution Book 46, at Page 445.

Item No. 52-U: 501 Ashworth Road

Resolution of condemnation of 4,034 square feet (.093 acres) in Storm Drainage Easement, plus 396 square feet (.009 acres) in Temporary construction Easement from David L. Glontz and Anne E. Glontz and any other parties of interest for \$36,825 for McAlway/Churchill Storm Drainage Improvement Project, Parcel #19.

The resolution is recorded in full in Resolution book 46, at Page 446.

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**ITEM NO. 44: FARM POND NEIGHBORHOOD IMPROVEMENTS PROJECT
CHANGE ORDER**

Councilmember Howard said if I can get somebody from Engineering to come up or whoever wants to talk about it. The concern on this one during the dinner was about the SBE requirement and when I asked the question earlier about the fact that the goal was 16% and we had only been at 12% they gave me an explanation I thought would be important to tell the public about.

David Meachum, Engineering and Property Management said the goal is stated here is 16%. It says the utilization to date is 12.52%. That is not a number that is up to date as the current

expenditures on the project. They tell us that the expenditure right now is around 15% and we fully expect to meet the 16%.

Mr. Howard so on the original project before this change order they had projected that they would meet the required percentage?

Mr. Meachum said absolutely.

Mr. Howard said do you remember what they said they would meet?

Mr. Meachum said it will be over the 16%.

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey, and carried unanimously to approve change order #1 in the amount of \$134,750 with Sealand Contractors Corporation for the Farm Pond Neighborhood Improvement project.

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ITEM NO. 20: CONCLUSION OF CONSENT AGENDA

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PUBLIC HEARING

ITEM NO. 13: PUBLIC HEARING ON VOLUNTARY ANNEXATION

There being no speakers, either for or against, a motion was made by Councilmember Howard, seconded by Councilmember Austin, and carried unanimously to close the public hearing on the Inverness voluntary annexation.

Motion was made by Councilmember Howard, seconded by Councilmember Austin, and carried unanimously to approve annexation Ordinance 5497-X with an effective date of October 27, 2014, to extend the corporate limits to include this property and assign it to the adjacent City Council district.

The ordinance is recorded in full in Ordinance Book 59, at Page 74-79.

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POLICY

ITEM NO. 14: CITY MANAGER'S REPORT

City Manager Ron Carlee said as everyone knows we have General Obligation Bonds on the referendum election coming up eminently. In addition General Obligation Bonds the City also issues revenue bonds for our various enterprise funds and on September 22nd the City Council authorized issuance of new bonds and refunding of bonds both for our Storm Water Enterprise and for our Airport Enterprise and I'm very happy to report to you that we have now refinanced about \$180 million and no debt as we've watched the markets very closely and these refunds will generate \$32.6 million dollars in savings, \$8.7 million of that will be in the Storm Water Enterprise where we refunded \$45 million dollars in bonds. Our interest rate there is on the refunding in 2.8% over 20 years. At the Airport we refunded \$135 million in bonds, we have an interest rate there that averages about 3% over 20 years and again a savings there of \$23.9 million. The savings are greater in both instances than we actually had predicted because of the very strong position of the City's credit and a market that is really looking for high quality, low risk bonds. We also approved a different kind of funding for the Airport where it's a private placement funding to provide temporary funding for about \$100 million in new projects before we go to permanent financing on that debt and the estimated initial interest rate on that \$100 million dollars is .45%.

Mayor Pro Tem Barnes said I wish I could get that.

Mr. Carlee said so it truly is extraordinary, I want to thank the staff of Storm Water Services and Aviation and all of the finance staff and those people advised us for what was a really good fall on financing.

Mayor Pro Tem Barnes said Mr. Manager, as a point of clarification in the event that anyone is curious about this it would be true to say that the refunding stays within the enterprise funds so the Utilities Department keeps the savings, the Airport keeps the savings, and it doesn't come into the City's general fund.

Mr. Carlee said that's exactly correct so the \$8.7 million that we saved on the Storm Water Enterprise frees up more money to do more projects. As you know we have a significant backlog of projects in Storm Water so this \$8.7 million in savings is hugely significant. Likewise, with regard to the Aviation Department, our goal is to be the best value hub Airport in the country and being able to save this much money, \$23.9 million that helps keep our airport the lowest cost hub in the United States.

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ITEM NO. 15: BUSINESS CORRIDOR REVITALIZATION PROGRAM GEOGRAPHY EXPANSION

Mayor Pro Tem Barnes said the next item on our is the Business Corridor Revitalization Program Geography Expansion and I want to give the Committee Chair, Ms. Kinsey an opportunity to say anything if she has anything to say and then to make a motion.

Councilmember Kinsey said very briefly on February 24th of this year the City Council asked staff to explore ways to broaden the participation in the programs to property owners who are unable to cover 100% of the upfront costs as currently required by program policy. Strategies to engage multiple property owners in areas of need to create the maximum impact on the community and possible expansion of the eligible program geography based upon the most recent economic and community data. On September 10th of this year staff presented to the Housing and Neighborhood Development Committee its preliminary findings related to Council's request. They are a more comprehensive review of all matching grant program as needed. Current data supports the expansion of geography. The following recommendation was made to City Council and that is to approve the revised Business Corridor Revitalization Geography and I will put that in the form a motion.

Motion was made by Councilmember Kinsey and seconded by Councilmember Howard to approve the Housing and Neighborhood Development Committee's recommendation to revise the Business Corridor Revitalization Program Geography.

Councilmember Smith said I have a quick question just for clarification. We are approving the expanded geography; we are not necessarily approving tonight extended funds. Is that correct?

Mayor Pro Tem Barnes said correct.

Councilmember Phipps said I just wanted to get some idea; how does the reallocation, I think I recall that we reallocated some of the Business Corridor funding to help support the Gold Line. How much of an impact would this be in as much as those funds were reallocated to the expansion of the corridor?

City Manager Carlee said I don't think we can answer that question off the top of our heads tonight. This was really focused on the geography of the area provided. We'll be happy to give you a financial analysis on funding available though.

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

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ITEM NO. 16: POST-CONSTRUCTION STORM WATER ORDINANCE REVISIONS

Mayor Pro Tem Barnes said the next item on our Agenda is Item 16. This is a discussion of our Post-Construction Storm water Ordinance revision and we had a discussion about this a few weeks ago. I believe we have an item that was at your place earlier today regarding a revision for

our action. The Environmental Committee under the leadership of Mr. Autry has taken action on this and we appreciate that leadership. We also have had some further efforts by the Vice Chair of the Committee, Mr. Driggs and by Ms. Lyles on the matter as well so I will ask Mr. Driggs if he has as Vice Chair of the committee or I think you deferred to him. Right Mr. Autry?

Councilmember Autry said sure.

Councilmember Driggs said I think by way of background I will explain that what we're talking about is a provision here that allows for a fee to be paid in lieu of mitigation of storm water in certain areas where redevelopment is occurring. So it is a specific thing. A temporary ordinance was passed allowing the fee to be paid in lieu of mitigation in 2011 which sunsets at the end of this month. The Environmental Committee conducted a process for considering whether or not that should be renewed or extended; whether that fee in lieu provision should be left in place and that was a six month process that included a public hearing and a couple of meetings of the Environment Committee and at the end of that process the committee voted three to one to extend the existing provision allowing the fee in lieu for five years. During the end stages of that process a couple of issues came up that the committee didn't feel it had time to consider properly before the deadline; the sunset of the existing provision and therefore after the five year extension was passed there were conversations among members of Council about whether we might consider tonight another solution other than the one that was actually voted on and recommended by the committee.

What we have here in front of us now is the alternative that was developed in which instead of renewing for five years the existing fee in lieu would be renewed for three years and the same time Council would instruct the Manager to convene a stakeholder group to consider some of the other issues that came up in a late stage of our process before. The stakeholder group will be made of environment and development industry interests. Staff will serve as facilitator and will provide technical expertise. The stakeholder group will use sound science data and findings of fact to reach agreement on any proposed changes. The charge the City Manager appointed the stakeholder group is to develop a recommendation for a permanent solution to allow a mitigation fee option for the temporary district and if approved under what circumstances such as cost, site constraints and other factors to develop that recommendation in the context of the 2008 Council decision to determine other mitigation measures such as catch base and inserts that would further the goal of mitigation.

The process will begin in January of 2015 and have a goal to conclude within six to nine months but no later than by January 2016 which allows time in the three year period for staff to act on any action that was taken before the sunset of the existing extension. The Council Environment Committee will monitor progress of the stake holder group and provide regular updates to the City Council. I will say that as Vice Chair I am personally in favor of an extension of the fee in lieu. I think under the right circumstances it provides a useful outlet and allows some redevelopment to occur that might not otherwise happen therefore I'm going to support this measure and I believe it also represents a reasonable accommodation of the concerns expressed by environmental interests against the original decision of the Environment Committee therefore I recommend that we approve it.

Motion was made by Councilmember Driggs and seconded by Councilmember Howard, to approve the substitute recommendation for revisions to the Post-Construction Storm water Ordinance extending the use of fee-in-lieu mitigation fees on certain redevelopments projects until December 31, 2017.

Councilmember Howard said it is not a substitute motion, it is just the motion.

Mayor Pro Tem Barnes said it is a substitute recommendation; that is the way it was written.

Mr. Driggs said in lieu of the Environment Committee recommendation this is the recommendation.

Mr. Howard said on bullet number two in the write up I just wanted to make sure if I can get Darryl and Jeb to come down and just clarify for me what is meant by hardship.

Darryl Hammock, Storm Water Services said the intent there of mentioning hardships is that hardships can come in many different ways. They can be technical hardships such as topography or adjacent property owners. They can also be hardship based on high costs or unreasonable costs so the intent there is that the hardship can come in many different ways and whatever type of hardship it is that would be the kind of hardship we would discuss.

Mr. Howard said it's not hard to develop, just hardship in general.

Councilmember Smith said I serve on the Committee and wanted to say that I support the original proposal to extend the fee in lieu for five years. I think its sound policy. I think that there is development that occurred in areas it would not occur otherwise and a project on the Committee that I often point to is The Bank of The Ozarks which is on Park Road. It actually, I wish it was in my District Patsy but I think it just across the line in your District but this is a project there were some buildings on there that had passed their useful life. They were able to be redeveloped. We could not get certainty; there were easement issues that prevented the new mitigation fee from being put into place, or the new mitigation requirements we put in place and here's an example of a win-win. We were able to collect money to remediate downstream, we were able to increase our tax base, we were able to create jobs and having a new project and we reduced the impervious area on that particular site. I think staff's original recommendation of five years was sound. I'm going to support the substitute agreement because I do think when it's all said and done you may not always get all of what you want but this seems to be the best compromise to get more of what I want than what I don't want. I do support the three year extension. I think that the original proposal put forth by staff had been publically vetted in multiple Committee meetings, there were ample opportunities for various stakeholders to come and make changes or recommendations and then at sort of the eleventh hour coming short of the vote there were some substantial changes made. With that said I do support the three year extension and plan on working in good faith with my colleagues on the committee to look at a more permanent solution and ways to make the policy more effective. I think there are things in the existing PCCO that I would like to see tweaked as well.

Councilmember Lyles said this has been a very tough decision to look at and I eventually landed in a way that supports the recommendations for Council's consideration. There are a couple of things that I want to say about how we get there. I spoke with a number of the interests around the PCCO Ordinance, it's very odd the name, and when I spoke with them they were very different opinions about it. There was discussion about what was committed and promised in 2008 and what was said in 2011. When I would ask the two interest groups; primarily development and environmental, I said have you talked with each other and I found that that was not taking place. I think anytime that we're in Charlotte I truly believe that we have people with good intent and then when you have that kind of intent that you should work together for our community. That's why I'm going to support this motion because it encourages the stakeholder groups that represent those two positions to sit down and talk about this in a way that takes it from being a temporary let's do it for three years, five years to a permanent solution because that's where we need to go for our community and the quality of our water. I also think that one of the things that is important about this is that there are no absolutes and we were often given a list of ten projects that over the last several years had been exempted or paid the mitigation fee and when I would look at that and talk to about it with both the environmental and developmental interests I think that several people could point to as Mr. Smith did. This was a good project and then other people would point to other projects that weren't a good project. At some point we've got to stop pointing to these things and claiming them for good or for bad and come up with something that's really enough that we can live with and support both the good intentions of having excellent water quality and the type of development that we need in our community to create jobs. I don't believe that we should have these finger pointing's in two groups and I think that this process allows for a discussion that ends in a good result and I think the Council has given it a lot of consideration, a lot of time and I'm going to support the motion and I hope that both groups in this area that have positions will stop with the positions and begin to focus on the interests that need to occur for our community to be a better place.

Councilmember Kinsey said this has been a difficult decision. It was struggle, my conscious was sort of fighting with me and I do appreciate the effort put into this compromise so thank you for that. I supported the original ordinance in 2008. I supported the temporary extension in 2011 with the understanding that there would be a sunset. I'm not going to be able to support an additional time period. I'm going to vote no. I think we have to have the political will to stick to

our guns. I think that the ordinance in 2008 was good, it was well thought out. I don't believe in extending it any further. We need to make the decision and move on with it. I think the best mitigation is on site mitigation and for that reason I'm going to vote no for the extension.

Councilmember Austin said I will also not be supporting this extension. One of our speakers tonight really kind of hit it on the head for me. He talked about this creation that we call earth. We only get one of them and mankind has not been kind to our air, our water and our earth and it's a shame because we're supposed to be very good stewards of it. I have spent many mornings going out to Stewart Creek and many of our communities trying to clean those up; terrible. Lots of debris, lots of pollution, lots of chemical smells all through them and I can only imagine the consequences of what's going to happen when that water is seeping into the rest of the land and to the neighbors yards where they have gardens and all those types of things so I am concerned about the direction that this Council wants to make. The ordinance that was developed in 2008 I believe was developed after many, many years of conversations with environmentalists and developers to come up with this solution and we decided to do a temporary fix to help Charlotte, to help our economy, to help some development and it had a sunset. We need to go back to that sunset and move forward. We need to think about the consequences that we have, we need to think about this earth and we need to think about Charlotte, we need to think about the children that we're leaving behind and I will not support this extension of five year or three years.

Mr. Smith said I have a question for Mr. Hammock. I'm curious there was a stakeholder meeting in May; were any groups excluded from being allowed to participate in the stakeholder meeting? Did you identify one particular interest on this subject only or was this a meeting that would have been open to any and all parties that had an interest in this subject matter?

Mr. Hammock said the meeting was noticed to the public and there were interests on both side of the issue that came to the meeting and we also received comments after that meeting in writing sent to staff and to Council so it was I would say fairly widely represented by all.

Councilmember Phipps said seems like during this whole process we've had a stakeholder group. I'm conflicted when we talk about convening another stakeholders group. We've had a stakeholders group so what would really be different with this new stakeholders group. I know it's a wish to reach some permanent solution but were those things not discussed? What was the status of the first stakeholders group in as much as now we need another one, we need another extension so what do we expect to gain from it or do we expect a different outcome from this second stakeholder group?

Mr. Hammock said I think the stakeholder process as proposed for right now is just associated with a temporary district that was approved in 2011 and the stakeholder process we would undergo right now would be an opportunity for both sides to get into a room and discuss it and to learn more about facts surrounding the issue, what's good for the environment, what's good for business and come with a new recommendation just for this temporary district. I think it's a good opportunity for dialogue that perhaps we did not have earlier this year.

Mr. Phipps said I've been in my discussions with staff and different parties with this. I've seen where we've had over the course of the last three years about ten projects. It look as if to me that the process is carefully vetted. My concern was that someone would chose to opt to pay the fee without any regard but it looks to me to be a very deliberative process in terms of how the fee is applied. I don't see any real abuse with it this time but I am conflicted about another three years of extension on it. It's really a tough one for me because I'm a steward of the environment, I think it's important that we protect our resources but I don't know if it's one size fits all in this whole debate and I'm concerned that some projects, it might not be practical to institute all of the different controls and measures but at the same time I want the streams to be protected. Now we got fish swimming in the Sugar Creek whereas before we didn't but the streams are still degraded so it is a tough situation and I just don't like another extension but I do think we need to come to some consensus on it. I'm really struggling with this one.

Councilmember Fallon said I've a question for you. We get \$5 million dollars in fees and that's used to cleanup downstream what we can. Scenario, we vote against extending anything; what happens then? What happens to the streams, what happens to the money that's going away, can we replace it?

Mr. Hammock said the mitigation fees that have been collected to date are being scheduled to be invested in watershed restorations and watershed improvement projects. Many of those are already under way; many of those are already completed. They can be seen, they can be visited. Those projects are high impact; watershed restoration projects. The funds that we've collected will go to improve watersheds. The storm water fee supplements this type of program and a portion of the city's storm water fee goes toward improving streams and watersheds. It's a very long process to restore a watershed; decades long so one of the successes of this program has been that we are on a track to restore watersheds in many decades but we get to that destination quicker when we leverage mitigation fees and we're able to do these high impact water shed restoration projects. It gets us to the goal of clean water quicker and that's why staff has been supporting the mitigation fee.

Ms. Fallon said but you will continue to do it even if you don't have that money?

Mr. Hammock said storm water services will still collect storm water fees and a portion of our annual budget; about 12% goes toward watershed restoration efforts but it would be a slower investment process.

Ms. Fallon said will it start at the top or will it be at the bottom of the streams like you're doing now?

Mr. Hammock said we look for opportunities throughout the watershed so some of them may be lower down the watershed, some of them may be higher up in the watershed. We just really look for higher impact projects that provide the biggest environmental benefit for the least cost and so we're constantly looking around for great opportunities like that. They really vary in terms of location of the watershed.

Ms. Fallon said but the continuum will be there. It won't stop. It'll just take longer.

Mr. Hammock said investment will continue to occur using storm water fees but if we stop the mitigation fee for this temporary district then an additional funding source will cease to exist.

Ms. Fallon said additional is the word.

Mr. Hammock said yes.

Ms. Lyles said I know this is a tough decision and I understand that. I want to really reiterate that the charge to this committee is to develop a recommendation that is in the context of the 2008 Council decision to do it in a way that addresses the opportunity to develop when necessary not necessarily just because of an ask.

Mr. Driggs said I just want to comment there's kind of a process issue here. In effect what happened was the Environment Committee took up the question early this year about whether or not to extend this and there was the opportunity during that process for everybody to join in to make their opinions known and for us to be thoughtful. We've arrived at this point because the issues in opposition to the extension were kind of introduced quite late like the filters for catch basin or maybe creating a different fee structure for parking lots so I think the feeling on the committee was let's make the extension which was the outcome of our process, a perfectly orderly process. We had a public hearing, we had a bunch of meetings, we had recommendations from staff and I don't want to kind of walk through all over again all those conversations but it was along the lines of there is some redevelopment that will occur when their a fee opportunity that doesn't otherwise occur that will result in cleaner water than is there right now but not as clean as would be required by the ordinance and although I don't think there's anybody on Council that doesn't support clean water; we need to look at sort of the magnitude of the thing we're talking about here. This was actually invoked if I remember correctly about 10 times affecting about 12 acres; this fee at a few hundred thousand dollars. We need to look at what the loss of that redevelopment would represent versus what those twelve acres that weren't done in compliance with this new ordinance. It's not an emotional question about whether we like clean water or not it's got to be a decision that is informed by input from all the stakeholders. The way this was brought up, the time we went through this process before there wasn't time for that. There just was not time for all of the parties to sort of compare their different priorities and their data so the finding of the Committee was well okay, we should look at it again. The intention as this says is to conduct a process within six to nine months and if the conclusion of that process is

that we should not stay the three years; we won't. This Council can vote at any time on the basis of that process to just say let's terminate the thing completely or let's change it in ways that serve the interests of all the parties. I'm just concerned that if we drop this right now the decision was made without the benefit of the opportunity of all the parties to make their positions known.

Mayor Pro Tem Barnes said the original Committee action with the extension of 60 months concerned me and my interest was in us having a shorter extension, 36 months, 24 months would've been fine with me, but I wanted to have the environmental groups and the development community have an opportunity to get together with our staff and work on a permanent solution. I don't know that there is a perfect answer to this but I certainly think having all the interested parties get together over the course of six to nine months and work on areas of commonality is in the best interest of Charlotte. Everybody's concerned about the environment and this case to your point Mr. Driggs we're talking about an area of about 12 acres that's been impacted 10 times when the fee has been used and it's been about \$750,000 or so.

Mr. Hammock said \$750,000 is the amount of revenue that's been collected from those ten sites.

Mayor Pro Tem Barnes said and so just for the benefit of the viewing public it's not a very, very, very large area of Charlotte. It would fit into a small corner of the Eastland site basically. I'm going to support the motion tonight because I think giving people a chance to work together and resolve this will in the long term be good for the City.

Councilmember Autry said I don't think it's any secret amongst my colleagues that I don't support the fee in lieu anywhere. What we're talking about here is not the elimination of the fee in lieu as it was written into the original ordinance in 2008. That remains in place with redevelopment along distressed business corridors and into transit. The fee in lieu will remain; what we're talking about is whether we want to open it up and allow it over the entire city. What we're trying to do is find a way that when there's a hardship on the specific property that redevelopment would not occur is there a process, a formula, a reasoning, a justification for permitting the fee in lieu and how do we do that. There was talk about maybe the PCCO is a tough name. I would concur with that. I would think that the proper name for this ordinance to be the Water Quality Protection Ordinance bringing up the point here about how this has changed for what was conducted during the public hearing and Mr. City Attorney are we justified and legal and buttoned up by accepting this substitution in the ordinance this evening?

City Attorney Bob Hagemann said yes you are. Of course the purpose of the public hearing is to get the public's input with the possibility that it will change your thinking so you can make changes to an ordinance from the time of the public hearing to adoption so long as the changes are fairly within the scope of the context of the public hearing. In this case the proposal is a slightly shorter extension of the provision clearly within in my opinion the scope of the public hearing so yes.

Mr. Autry said thank you sir, I appreciate it. So here we are and I've been frustrated, beat up about it and I certainly appreciate everyone's position on this and I understand how difficult it is; how do we balance this. Let me just read something here from the Focus Area Plan for the Environment Committee, "The City of Charlotte recognizes that environmental stewardship is fundamentally important to the quality of life and essential to maintaining a vibrant economy. Protecting our natural resources, promoting conservation and improving the environment all enhance the City's mission to preserve its citizen's quality of life." I would put forth to you that the distressed streams and creeks that we have running through Mecklenburg County and in the City of Charlotte have an impact on the quality of life. There's something lost by not being able to access that water to allow your pets to ford it whenever they need to, the discovery of children playing in the creek; that has a value also and I think it's more than \$750,000 dollars. With that I would also like to remind us that if the Environmental Focus Area Plan and the position of the City as a leader by leading by example, I'd like to refer to the State of North Carolina's Constitution, Article 19, Section 5, "it shall be the policy of this state to conserve and protect its lands and waters for the benefit of all its citizenry and to this end it shall be a proper function of the State of North Carolina and its political sub-divisions to acquire and preserve parks, recreational and scenic areas to control and limit pollution of our air and water, to control excessive noise and in every other appropriate way to preserve as a part of the common heritage of this states; its forest, wetlands, estuaries, beaches, historical sights, open lands and places of

beauty.” That’s in our Constitution. We took an oath to defend that. I will not be supporting the motion this evening and this is where we are.

Mayor Pro Tem said we have one member who we have not heard from. Would she like to say anything?

Councilmember Mayfield said move to vote.

The vote was taken on them motion and recorded as follows:

YEAS: Councilmembers Driggs, Fallon, Barnes, Lyles, Howard, Smith and Phipps.

NAYS: Councilmembers Austin, Autry, Kinsey and Mayfield.

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BUSINESS

ITEM NO. 17: ON-STREET PARKING PROGRAM MANAGEMENT SERVICES

Motion was made by Councilmember Howard and seconded by Councilmember Kinsey to (A) approve a contract in an estimated annual amount of \$803,409 with Republic Parking System for on-street parking program management services for an initial term of three years, and (B) authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract and contingent upon the company’s satisfactory performance.

Councilmember Lyles said earlier today when we were asked about questions on the Agenda the question that I asked about this is the context for the financial decision and I received an answer as a follow-up. But basically what I would like for the Manager to give us some thought about is that as we go through this for the first three years before we get to the two additional years or even maybe after the first year how do we know that we’re actually doing something that’s consistent with best practices or benchmarking. The answer I got is all of these things are very different and we don’t know where we could get that but we’re somehow people access these kinds of parking contracts all the time. I don’t know what we’re doing but we need to figure something out. I can’t access whether or not the revenue and the expense are appropriately proportional or accurate in a way that we want to operate, I don’t know what drives it so somehow there’s no context for this financial plan for me and I’d like to be able to do something a little bit more clear around that kind of action especially with the numbers that we’re talking about.

Councilmember Smith said I want to pick up on my colleague. Mr. Attorney, in the event that we approve both A and B, if during that you said that the City Manager will have the authorization for the two additional one year terms. In the event that we arrive at the conclusion that we don’t think the revenues match up and there are some issues but will a future Council be able to take action to prevent B from happening or by giving the Manager authorization tonight are we locked into what looks like a five year?

City Attorney Bob Hagemann said Mr. Smith the way the contract is written and the way the action is written for you tonight it would give the Manager that authority but I have a high degree of confidence that the Manager would provide appropriate reporting to you if you request it and based on what was learned during that first term if the Council expressed a desire that he not extend I have a high degree of confidence that the Manager would go along with that.

City Manager Ron Carlee said on the advice of the City Attorney I would listen very closely to the City Council.

Mr. Smith said thank you. I think my colleague raised some good questions and I wanted to make sure the body has recourse if need be.

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

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ITEM NO. 18: NOMINATIONS TO BOARDS AND COMMISSIONS

18-A: Charlotte-Mecklenburg Coalition For Housing: The following applicants received nominations for one appointment to fill a new position for a representative of the hospital industry beginning immediately and ending June 30, 2015, and then continuing for a full three-year term beginning July 1, 2015, and ending June 30, 2018:

Denise Howard, nominated by Councilmembers Austin, Autry, Driggs, Fallon, Howard, Mayfield, Phipps and Smith.

Nancy Hudson, nominated by Councilmember Lyles.

The following applicants received nominations for one appointment to fill a new position for a homeless or formerly homeless representative beginning immediately and ending June 30, 2015, and then continuing for a full three-year term beginning July 1, 2015, and ending June 30, 2018:

Justin Markel, nominated by Councilmembers Austin, Autry, Barnes, Driggs, Fallon, Howard, Kinsey, Mayfield, Phipps and Smith.

Motion was made by Councilmember Autry, seconded by Councilmember Driggs, and carried unanimously to appoint Justin Markel by acclimation.
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18-B: Charlotte-Mecklenburg Utility Department Advisory Committee: The following applicants received nominations for one appointment for an unexpired term beginning immediately and ending June 30, 2015:

Leslie Jones, nominated by Councilmembers Austin, Autry, Driggs, Howard, Kinsey, Lyles, Mayfield, Phipps and Smith.

Thomas Rothrock, nominated by Councilmembers Barnes and Fallon.

18-C: Community Relations Committee: The following applicants received nominations for one appointment for an unexpired term beginning immediately and ending June 30, 2016:

Hung Chau, nominated by Councilmembers Fallon and Phipps.

Sheila Etheridge, nominated by Councilmembers Barnes and Driggs.

Torrey Feimster, nominated by Councilmembers Austin and Lyles.

Felisha Fletcher, nominated by Councilmembers Howard and Mayfield.

Passion Graham, nominated by Councilmember Kinsey.

Nehemie Owen, nominated by Councilmember Autry.

Deidra Young, nominated by Councilmember Fallon.

18-D: Historic District Commission: The following applicants received nominations for one appointment for a resident/owner of Fourth Ward for an unexpired term beginning immediately and ending June 30, 2016:

James Haden, nominated by Councilmembers Austin, Autry, Barnes, Driggs, Fallon, Kinsey, Mayfield, Phipps and Smith.

Motion was made by Councilmember Autry, seconded by Councilmember Austin, and carried unanimously to appoint James Haden by acclimation.
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18-E: Keep Charlotte Beautiful: The following applicants received nominations for two appointments for unexpired terms beginning immediately and ending June 30, 2015:

Charles Fennell, nominated by Councilmember Autry.

Martin Joseph, nominated by Councilmember Austin, Driggs and Mayfield.

Deborah Lee, nominated by Councilmember Howard.

Joshua Middleton, nominated by Councilmembers Austin, Driggs, Howard, Lyles and Mayfield.

Theresa Rosa-Corey, nominated by Councilmembers Barnes, Fallon, Kinsey, Lyles and Phipps.

Laura Sieckmann, nominated by Councilmember Autry.

Regina Tisdale, nominated by Councilmembers Fallon and Kinsey.

Sarah Zdeb, nominated by Councilmembers Barnes and Phipps.

18-F: Privatization/Competition Advisory Committee: The following applicants received nominations for one appointment for an unexpired term beginning immediately and ending March 1, 2016:

Casey Celli, nominated by Councilmember Phipps.
Torrey Feimster, nominated by Councilmembers Howard and Lyles.
Felisha Fletcher, nominated by Councilmembers Barnes and Kinsey.
Mark Frietch, nominated by Councilmember Driggs.
Paisley Gordon, nominated by Councilmember Smith.
Emanuel Reid, nominated by Councilmember Autry.

18-G: Tree Advisory Commission: The following applicants received nominations for three appointments for three-year terms beginning December 14, 2014 and ending December 13, 2017:

Joshua Arnold, nominated by Councilmembers Austin, Autry, Barnes, Driggs, Howard, Kinsey, Mayfield and Smith.
Jeffrey Wells, nominated by Councilmembers Austin, Autry, Barnes, Driggs, Howard and Mayfield.
Joe Zuyus, nominated by Councilmembers Austin, Autry, Barnes, Driggs, Fallon, Howard, Lyles, Mayfield and Phipps.

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, and carried unanimously to appoint Joshua Arnold, Jeffrey Wells and Joe Zuyus by acclimation.
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18-H: Waste Management Advisory Board: The following applicants received nominations for one recommendation by the City Council for appointment by the Board of County Commissioners for an unexpired term beginning immediately and ending May 18, 2016:

Dwayne Heyward, nominated by Councilmembers Driggs and Kinsey.
Jason Thomas, nominated by Austin, Barnes, Mayfield and Phipps.
Jay D. Winfrey, nominated by Councilmembers Autry and Howard.

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ITEM NO. 19: APPOINTMENTS TO BOARDS AND COMMISSIONS

19-A: Charlotte Community Capital Loan Fund: The following nominees were considered for one appointment for a three-year term beginning October 2, 2014, and ending October 1, 2017:

Dimple Ajmera, nominated by Councilmembers Fallon and Phipps.
Kyle Bender, nominated by Councilmember Driggs.
Bernadette Johnson, nominated by Councilmembers Austin, Autry, Barnes, Howard, Kinsey, Lyles, Mayfield, Phipps and Smith.

Results of the ballot were recorded as follows:

Dimple Ajmera, 1 vote-Councilmember Fallon.
Kyle Bender, 1 vote-Councilmembers Driggs.
Bernadette Johnson, 9 votes-Councilmembers Austin, Autry, Barnes, Howard, Kinsey, Lyles, Mayfield, Phipps and Smith.

Ms. Johnson was appointed.

19-B: Community Relations Committee: The following nominees were considered for two appointments for unexpired terms beginning immediately and ending June 30, 2016:

Brenda Adams nominated by Council member Phipps.
Maritza Adonis nominated by Council member Smith.
Takiyah Amin nominated by Council member Lyles.
Joshua Arnold nominated by Council member Driggs.
Namine Coombs nominated by Council member Driggs.

Mayada Hawkins nominated by Council member Mayfield.
Deborah Lee nominated by Council member Austin.
Patricia Middleton nominated by Council member Kinsey.
Emanuel Reid nominated by Council members Howard and Lyles.
Delores Reid-Smith nominated by Councilmembers Austin, Autry, Fallon, Mayfield and Smith.
Rodney Sadler nominated by Council member Autry.
Diana Sanchez nominated by Council members Kinsey and Phipps.
Anton Shaw nominated by Council member Howard.

Results of the first ballot were recorded as follows:

Joshua Arnold, 3 votes-Councilmembers Driggs, Lyles and Smith.
Namaine Coombs, 1 vote-Councilmember Driggs.
Denise Howard, 2 votes-Councilmembers Howard and Smith.
Deborah Lee, 2 votes-Councilmembers Austin and Mayfield.
Patricia Middleton, 2 votes-Howard and Kinsey.
Delores Reid-Smith, 7 votes-Councilmembers Austin, Autry, Barnes, Fallon, Lyles, Mayfield and Phipps.
Rodney Sadler, 1 votes-Councilmember Autry.
Diana Sanchez, 1 vote-Councilmember Kinsey.
Anton Shaw, 1 vote-Councilmember Phipps.

Ms. Reid-Smith was appointed.

A second ballot was taken between Joshua Arnold and Deborah Lee and recorded as follows:

Joshua Arnold, 2 votes-Councilmembers Driggs and Smith.
Deborah Lee, 6 votes-Councilmembers Austin, Autry, Barnes, Howard, Lyles and Mayfield.

Ms. Lee was appointed.

19-C: Housing Appeals Board: The following nominees were considered for one appointment for a three-year term beginning January 1, 2015 and ending December 31, 2018:

Amanda Kitts by Council members Austin, Autry, Kinsey, Lyles, and Mayfield
Cedric McCorkle by Council members Fallon and Phipps.
Jason McGrath by Council members Driggs and Smith.

Results of the ballot were recorded as follows:

Amanda Kitts, 4 votes-Councilmembers Autry, Barnes, Howard and Lyles.
Cedric McCorkle, 5 votes-Councilmembers Austin, Fallon, Kinsey, Mayfield and Phipps.
Jason, McGrath, 1 vote-Councilmember Smith.

A second ballot was taken between Amanda Kitts and Cedric McCorkle and recorded as follows:

Amanda Kitts – 7 votes

Ms. Kitts was appointed.

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ITEM NO. 21: MAYOR AND CITY COUNCIL TOPICS

Councilmember Smith said I have two quick things. One is we have some unsung heroes that often help make our lives at the dais a lot easier and when we are helping with our constituents and I want to give a special shot out to Kim Oliver and Mindy Levine who helped me this week on a pretty sticky constituent issue that required I think more than the normal amount of work although they would argue they just doing their jobs but it was quite helpful to me and the public. I want to publically recognize them and give them thanks. Then secondly I am having a town hall for District 6 on November 18th at the Morrison Regional Library beginning at 6:30 p.m. until 8.00 p.m. We have light refreshments provided. We are going to discuss planning issues within District 6, some transportation issues and public safety. All are invited. My

colleagues are invited. We will also have Q&A towards the end where you can ask me on about any topic you want. If you want me to defend my votes I'll be happy to do so. Come on down it's your opportunity to meet with your District 6 representative.

Councilmember Howard said we can talk about the street cars.

Mr. Smith said we can talk about the street cars; come on down.

Councilmember Phipps said we're going to have a couple of more infrastructure meetings specifically as it relates to the northeast corridor infrastructure investments, the NIECY investments in the district there. The first meeting is going to be on the 28th at 6:30 p.m. at Sugar Creek Church there at the corner of Sugar Creek and Tryon and then the next one is the next night, the 29th at 6:30 again at the Hampton Place Conference Center there off of Tryon so 6:30 p.m. each night. I would encourage people in that general vicinity, the north end and University City to come out to those infrastructure meetings.

Mayor Pro Tem Barnes said that would be tomorrow and Wednesday so right around the corner.

Mr. Howard said I'm just doing what I've been doing for the last couple of months and reminded the public about the bonds you heard our City Manager talk about a little while ago. I'll just remind the public that early voting has begun and that on November 4th, I am advocating for your support. The bonds are about \$146 million of financing and it's covering roads, housing and neighborhood expenses projects and just too kind of give them some kudos out to the Observer. We got endorsed by the Observer today and it's been endorsed by the Black Caucus. Just one note remember that the bonds are at the very end of the ballot. It's a pretty long ballot with all of the races and the judges so please don't stop until you get to the end and I ask for your support. There are three different initiatives on the bond, on the referendum. One for roads, one for housing and one for neighborhoods and I advocate for your support.

Councilmember Lyles said I would like to just remind Council and our community that the Smart Rail USA 2014 Conference is going to be held in Charlotte. It begins on Wednesday and continues until Thursday. It's going to be for Charlotte a lot of really good things going on and we're our former CATS Director, Keith Parker, talking about what he's doing around economic development and rail in Atlanta, Georgia. We're going to have our own Carolyn Flowers presenting early in the conference and then the US Secretary of Transportation, Anthony Fox, will be speaking on day one of the event on Wednesday, October 29th, so all of the Council is invited to attend wherever your schedule allows you to fit in some time to come down and learn about what's going on around rail and both heavy and light.

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ITEM NO. 7: CLOSED SESSION

Motion was made by Councilmember Lyles, seconded by Councilmember Howard, and carried unanimously to adopt a motion to go into closed session pursuant to NCGS 143-318.11(a) (4) to discuss matters relating to the location of industries or businesses in the City of Charlotte, including potential economic development incentives that may be offered in negotiations, and pursuant to NCGS 143-318.11(a) (3) to consult with an attorney in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of Georgia Ferrell as Administrator over the Estate of Jonathan A. P. Ferrell versus the City of Charlotte, Randall W. Kerrick, et al, 3:14-CV-47.

The open meeting was recessed at 8:31 p.m. to enter into a closed session.



Stephanie Kelly MMC, NCCMC, City Clerk

Length of Meeting: 4 Hours 29 Minutes
Minutes Completed: November 24, 2014