

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

* * * * *

ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Assistant City Manager Ann Wall said I have a question on item number 22 and a question about item number 30 and a question about item number 31.

Mayor Clodfelter said okay then let's start.

Councilmember Mayfield said mine's is covered.

Mayor Clodfelter said yours is covered. You've got the same question David's got. Any other Consent Agenda Items we need to run down? Do we have any that we need to pull for separate vote Madame Clerk?

City Clerk Stephanie Clerk said Item 39 has been pulled.

* * * * *

ITEM NO. 5: CLOSED SESSION

Motion was made by Councilmember Barnes, seconded by Councilmember Howard, and carried unanimously to go into closed session pursuant to (A) GS §143-318.11 (a) (3) to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of City of Charlotte v. the State of North Carolina and Charlotte Douglas International Airport Commission, 13-CVS-12678; and (B) GS §143-318.11 (a) (5) to establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

The meeting was recessed at 5:15 p.m. to move to Room 278 for a closed session.

The City Council reconvened for the Dinner Briefing at 6:30 p.m. in Room 267.

* * * * *

ITEM NO. 3: LYNX BLUE LINE EXTENSION PROJECT UPDATE

Danny Rogers, Transit said I'm going to give you a quick update at this point and tell you what things are going on and some of the challenges we're facing as we go forward with the project. Just an overall slide I show every presentation, I'm sure you've seen it before but the jest of it is it runs from uptown extending the existing line out to the university, 11 stations, 4 park and rides, our projection is about 25,000 riders a day on this portion of the track. When you combine that with the existing line that will be at 50,000. The important thing to know about that is that will be stretching our capacity so in order to address that on the Blue Line Extension we are building the platform to accommodate three car trains. That does of course mean we have to do the same in the south corner. The good thing is since we have a TIGER 3 Grant for the Blue Line Capacity Expansion that's getting started on that. We will have all the power that we need constructed with this project and we will get four of the stations extended so we're getting a good start on that. You'll actually start to see some work on that in January or February. Something to be proud of, we got our first new vehicle for the new line. It came in on October 27th. It's very similar to vehicles we have now except for it's been upgraded because it's 10 years newer. We'll be getting three more in the next couple of months to give four vehicles delivered early and we'll get another 18 in early 2016. We can't receive any more than the initial four because we don't have anywhere to put them. We are building a storage yard out at what was the

North Southern Intermodal Yard, that's where we're going to be putting them. We have to build that first before we can proceed with the rest of the vehicles.

Councilmember Phipps said we could actually go out and look at this new train right?

Mr. Rogers said I'm sure that could be arranged. It will probably get unwrapped at some point. I like the picture with it wrapped because it really shows that it's new. When you unwrap it it looks like the others. The next few slides like I said is just going to give you an idea of some of the areas that we're doing work and what's going on and maybe some of the impacts that you might be feeling from this. In the uptown area you can see stuff going on. One of the things that has happened that was significant is we were able to, over a weekend a couple of weeks ago, move some of the overhead power from between 7th and 9th Street that we use to use to allow trains to store for special events. We had to move that out of the way so that our civil contractors get to get in there and start doing work safely. That's done and they are able to get in there and do some work. Some of the things you notice is 8th Street is closed, part of that is for us, part of that is for the Levine Project being done at the same time so that kind of reduces the overall length of that closure so that's a positive. 7th and 9th Streets will be closed at different times also for our work. 7th Street will not be closed before January because we want to make sure that we give our partners in the Center City the chance to get through the Christmas Season before we do that. 7th, 8th and 9th will never be closed at the same time just in case you're wondering. We wouldn't do that.

The next section is from Uptown out to Old Concord Road that's the section that is going to be in either an old railroad right of way or adjacent to existing railroad right of way. The main things that are going on out there right now is building walls to create a place to relocate the existing freight tracks, we've also started work on the Old Concord Road Station foundation. The notable things up there as you probably already noticed if you've been out there at all; 16th Street is closed, that will reopen in February, 36th Street is closed and will be closed for quite a while, it's going to be a two-year closer. That's a big improvement, we're significantly changing the appearance of that area, taking 36th Street down and under the freight tracks and as well we'll be under the light rail tracks. We are also creating a station there that will be over the road so it will be very visible and very convenient to what is called downtown NoDa. Eastway Drive is currently closed, that is so that we can lengthen the bridge to make room for our tracks to go beside the existing freight tracks. That should be reopened in April by the end of April and as soon as that opens up then Sugar Creek Road will be closed. We can't have Sugar Creek and Eastway closed at the same time they provide detours for each other. The Sugar Creek Road is two reasons, one is NCDOT has a project to take Sugar Creek out and over the freight tracks and ultimately our light rail tracks and then obviously we need to build through that area. It'll be closed about two years and then Craighead Road is an at grade crossing at Norfolk Southern, that will close when Sugar Creek reopens and that will be closed permanently and that's to give basically a sealed corridor for the freight tracks and eventually it has to be rail through there.

Councilmember Howard said do the people in NoDa know you're closing Craighead? That's a way out of that area.

Mr. Rogers said yes that's been publicized. They will have better access because they won't have to stop at 36th Street anymore because that grade separation is going to change that. A couple things about that that I didn't mention is the people of NoDa are very happy because when you take that at grade crossing away it takes away the horns away so they'll be happy to see that the noise will go away too. Along North Tryon Street, this is the BC section of the project. I did mention that the Sugar Creek project was NCDOT project. One of the things we did work really hard to do is coordinate with the Department of Transportation to make sure our projects complimented each other. The Sugar Creek project is being done at the same time as we're going across so that makes it a concurrent closing as opposed to sequential closing reducing the difficulty or the impact on the public there. Similarly out on North Tryon Street NCDOT is replacing the bridges over Mallard Creek on North Tryon Street which is just north of the limits of our project and we worked closely with NCDOT to make sure that those projects are being done at the same time because DOT was already going to impact the public by closing the southbound lanes, we're taking advantage of that; while they're closed we're reducing what's left of Tryon down to one lane because there's really no traffic coming through there because they can't get to it and getting an opportunity for our contractor to really get out and do a lot of work and be more efficient while that period is going on.

Some of the other things that are going on is you'll see a lot of walls and storm drain work going on. The unfortunate part of what's going on is there is still probably utility relocations going on and that's making it difficult to do too much of the things that we would like to do so I'll come back to that as we move forward. One of the, I think good news stories of the project is our ability to work with the university. I think it has been a very good partnership; we've had a lot of work going on there. If you've been out there you'll see a big pathway into campus that used to be trees, we're building a bridge across Toby Creek, and we had to actually build a temporary bridge so that we can construct the bridge; that's all happened. As you can see by the picture there's clearing going on, the mud pit is actually going to be built up, and we're going to fill that in with a lot of dirt so that we can build the future station for the university in that area as well. One of the other good news is that during all this construction there is a greenway that goes through there; we've been able to keep that open so that a heavily used greenway doesn't have to shut down. I put this in here because one of the most important things that we think with this project is keeping the community informed and helping them through this construction period. We're trying to create a positive economic environment out on North Tryon Street so we don't want to take away from that by having the construction have negative effects. We have a communications team put together that has put a lot of effort working with our residents, our businesses out there to make sure they know what to expect and when things are coming and when are roads going to be closed. When are lanes closures happening so I think that's one of the things we have done very well so far. It's just going to get harder as construction kicks in heavier though.

Our commitment is still to open the train service in summer of 2017 moreover, we are committed to the university to have this open and running when they start classes in August of 2017. That is our plan and in order to do that we've got to overcome some of the challenges primarily the one I have mentioned before which is getting all of the private utilities relocated but we also have other issues that we've known from the beginning their always going to be challenging as we have a lot of contractors out here in this corridor or throughout that are going to have to work together. Our original plan was that we would have one contractor do their work; turn it over to the next contractor. In the situation we are in now we're going to have to have a lot of effort coordinating that work together so that they may be in similar areas at the same time so they're going to have to work together. One of the good opportunities is our civil contractor and for civil a and tracking systems contractor are under the same umbrella of Balfour Beatty so they've already committed to us that they're going to work together.

The next step is we've already started having meetings with our civil pc contractor, Lane Construction and Balfour Beatty, to make sure that they are looking at those opportunities as well. Some of the challenges that you see our there are also may end up being opportunity. That said that's still probably not enough to get us to where we need to be so we are working with the contractors and they have committed to extending their hours and they're going to put together proposals of how we're going to meet that schedule. Moreover, we have commitments from some of the private utilities that they're accelerating their work, specifically AT&T and Time Warner Cable, both of them came in and committed to accelerating their current schedule by two months. All our utilities should be gone by the end of January which is when we'll really get to see a lot of work started. I talked about some of the challenges; this is the good news we have let all our major contracts at this point and we are most of them have come in under budget because of these favorable bids we are in a very good situation within our contingencies. That said that allows us to do some things that we need to do. Primarily that is the cost that will be involved with accelerating or recovering our schedule; that's going to take some effort in working longer hours, more crews cost more. The other thing it does is that it allows us to recover some of the items that we had planned on doing in the project that went away in 2010 and also do some things that are very important we've observed for safety and we think that's very important and also allow us to do things that would avoid future cost.

The next couple of slides are the items that I am referring to. Some items that have already been approved and when I talk about approved I'm talking about through FTA.

Councilmember Driggs said could I just ask the question about the budget slide. What was the mix again of the federal, state and local funding for the project?

Mr. Rogers said it's not exactly; it's 50% federal that's exact and then 25%, 25% but because we're doing freight relocation in I guess from Sugar Creek up to uptown that is somewhat to

allow NCDOT to comeback and put future high speed rail in that area. They are covering the total local share so the state percentage is a little bit higher than ours and I can't tell you the exact; it's like 26% to 24%, something like that.

Mr. Driggs said right so if we come in under budget do we think of the option of just doing what we were going to do and spending less money as opposed to finding other ways to spend the money?

Mr. Rogers said what we are proposing to do, these items are things that we will probably end up having to spend at some point anyway and we have the opportunity to do them now. I was going to show you what they are so that you'll understand what we're talking about. I think that might make it a little easier.

Mr. Driggs said I would just mention for my colleagues that I think those decisions are decisions we should make to de novo and not because we happen to have some money left over from these contracts. I think we should be more intentional about committing to those out ways.

Mayor Clodfelter said let's see what the proposals are and then consider them.

Mr. Rogers said so with that said some of the things have already come before this board have been approved. One of the things that happened was that we added a fifth level to the parking garage at JW Clay. As we experienced on the south corridor, I-485 being the end of the line parking deck as soon as we opened we needed more capacity. We were able to get more capacity on the JW Clay deck because the bids came in and we were able to add that within the budget there. Sugar Creek Station, we're putting in a parking garage there instead of two surface lots. Not a significant cost increase for what we were gaining. The initial plan was to put a parking garage here to begin with; 2010 we had the budget crisis, we had to reduce the project and one of the things that we cut was the parking deck and put it in two lots. The second larger lot was fairly remote and going to be very difficult. Our experience on the south corridor is those remote lots aren't used very well and having the parking garage right in the proximity of the station gave us a lot more convenience and safety and FTA agreed. The third thing is ticket vending machines which will come before this body in December so you will get a chance to vote on that. We added ticket vending machines that would make sure that we had two machines on every station so that if one were down we'd still be able to collect fares, that's just for efficiency.

The last one we feel like is very important and that's safety. One of the things we've noticed as we've been under construction is the number of people crossing the block along North Tryon Street. When we put tracks down the middle going 45 miles an hour we cannot have people walking across the tracks in that block so we fell like fencing is very important there. Another thing that we did is we will have trains going through intersections, do not have stations at 45 miles per hour. We're putting in pedestrian gates at those locations so there will be a physical barrier so that people will know that there's a train coming. People and trains don't mix well so we're putting in additional traffic safety facilities in those locations. Some of the things that have not been approved yet and you will certainly get a chance to have your say on them is the North Yard Maintenance Facility expansion. Again, back in 2010 we had a plan to build a second maintenance facility at the North Yard location reducing costs we took that out and reduced it to just a storage yard and basically dispatch building. At that time we were only going to buy 18 more vehicles for a fleet of 38. Since then we got very favorable costs for vehicles and based on feedback we were getting from FTA that they were getting concerned that we didn't have enough vehicles we were able to buy four more vehicles and that makes are fleet now 42. An additional four vehicles put a lot of strain on our ability to maintain them efficiently; costs would actually probably be higher because we would have to shift vehicles back and forth between the two facilities to maintain them. That's very important that we be able to get that. We're still waiting to hear back from FTA and once we hear back from FTA then we would come before you before we would go forward with that.

A couple other safety issues, we have pedestrian bridges as part of the plan already for the parking garage at JW Clay and University City Boulevard. They only go from the upper levels of the deck down to directly to the station. What we want to do is extend in all the way across Tryon Street specifically in JW Clay because it gets us to the University. With football games and other events that are coming from them the first thing they would hit would be that pedestrian bridge to get them to the station without having to cross North Tryon Street. We think that would be a big benefit, the University is very much in favor of that. University City

Boulevard future development, we see that being a positive, not necessarily as critical now and then another thing that has changed since we scoped the project is at Sugar Creek, originally Sugar Creek was supposed to go down and underneath the tracks, even the light rail tracks, making a fairly easy path from one side of the freight tracks to our station. North Carolina DOT figured out they could not do that, they could not make it drain, there were significant reasons so they had to go up and over the freight tracks and when they do that it added a half mile to the walk to get to the station.

There's significant reasons that people would not do that and would just walk across the freight tracks and then light rail tracks; not a good plan and so having a pedestrian bridge will connect us to existing neighborhoods that are high transit usage and to the NoDa area, the northern part of that so that area could develop as well so we see that as a major benefit. Tom Hunter Station is a high transfer location between buses and trains and would be a much safe situation if we could include that as well. Those are the items that we're talking about so you will all get a chance to comment on most of those. Some of those you've already approved so that's already gone. These are the contracts that will be coming before the body, one thing that is not on here that will probably be coming before you is the cost that's associated with some of these items and the cost that's it's going to be to recover or accelerate schedule so that we can maintain our opening in the summer of 2017. I'm going to stop there because I think we're running out of time.

Mayor Clodfelter said any follow-up questions here? Mr. Manager, what do you want to do about the Gold Line presentation?

City Manager Ron Carlee said you have at least two options; I don't think we should start it in this room given the proximity to 7:00 p.m. We can try to reschedule for you or we can do it downstairs as part of the meeting, as part of the Manager's Report.

Councilmember Barnes said Mr. Mayor; I wanted to talk about the Blue Line for a brief moment.

Mayor Clodfelter said okay let's do that. We'll take five minutes to get the questions there and then we'll go back to Consent Agenda items and get those questions answered before we go downstairs so let's take any questions you've got on the Blue Line presentation.

Mr. Barnes said to a couple of the issues that I think if I'm understanding Mr. Driggs correctly as I recall when we initially scoped the project and planned the project it was to run north to I-485, there was supposed to be a 3,000 space garage at that end of that terminus point to the line. Then the downturn occurred, we scaled the project back and we took out a number of features, amenities and other structures associated with the Blue Line and I believe what I'm understanding now is that because of cost savings that we've experienced because of favorable contracting with the Extension as it is we're able to add back some of those features to make the line safer to enhance convenience for the traveling public and also to make it a more enhanced experience from the public's perspective. I don't think that on that issue of saving money as long as we're not going beyond the \$1.16 billion which I don't think we can do based upon the contract and we are adding in features that make the line more useful I think that's a good idea as opposed to having to go back five or ten years from now and extend platforms and add in parking garages which would only I think create a less favorable financial environment for the city but I'm not sure that's what you were talking about but I still want an answer to the question that I heard you asking; even though I could have been wrong.

Mayor Clodfelter said which is what are the cost items and so forth.

Mr. Howard said I'm going to say it another way; until it goes all the way to 485 there is no extra money. We have to keep putting that money into that line until we get it out there. There's no extra money because we had to cut the line short so that should be clear. There's nothing to give back because we don't have a completed project.

Mr. Driggs said I'm just making a general point that applies to a lot of situations; if it costs you less money to do something than you agreed to do then the decision to spend the money you saved should be a new decision. Conversation would be perfectly legitimate to consider what you just said and arrive back at that conclusion. I don't the presumption that that money is available to be spent should go unchallenged.

Mayor Clodfelter said as I understand it we're going to have action items where we take a vote, yay or nay on exactly that.

Mr. Rogers said some of the items you've already acted on.

* * * * *

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

Assistant City Manager Ann Wall said we had questions about three items on the Agenda; item number 22, Mr. Howard asked a question about how the inclusion goal was determined. When we have service solicitation such as this one we will look at historical averages and use that as a basis for the targeted goal and that was the case with this one which was for the electrical, mechanical and energy and engineering design services.

Councilmember Howard said so 10% is what the precedent is?

Ms. Wall said is what the historic average is for that kind of contract.

Mr. Howard said that would be the answer to the next question too then.

Ms. Wall said yes sir. We also had Ms. Mayfield ask a question about item 30 and 31; she wanted to know about the maintenance facility and the age of the maintenance facility. The airport purchased the current CLT Center in 2002; the Aviation Department moved different work sections into the building starting with the maintenance division starting in 2004. The most recent work group to move into the building was the leadership and administrative staff this past year and the main reason to build a new maintenance facility is that that the current maintenance function has outgrown the existing space. Lastly, item 31, there were two questions about that, Ms. Mayfield had a question about paying for weather related delays and the cost of the project and Mr. Howard had a question about contingency. The original contract for this construction for this schedule for the deck was 12 months long which was extended due to changes required to obtain building permits and a very rainy season as they started construction last year. In order to recover some of that time the construction contractor initiated a recovery schedule that included a high number of nighttime concrete pours, PCI provided staff, that's the contractor subject to this change order, PCI provided staff to test those pours which carried overtime rates that were not originally anticipated in the contract and the recovery schedule will now allow the airport to occupy, to open the deck in January. To Mr. Howard's question about contingency this extra amount was included within the project budget.

Councilmember Mayfield said so even though, first of all for disclosure you know I'm not a fan of amendments because I'm still trying to understand as a business we see that Charlotte weather has had many changes just within the last three years. I'm still trying to understand why it is then our responsibility to pay you to complete the job that you already put a bid in for stating that you can complete this job at this dollar amount. I'm not understanding why then I'm responsible to pay you additional because of weather related because if it was an insurance claim you don't get payment based off that tree falling because it was hit by lightning; that's weather related. You either continue the work or while it rains you make the adjustments that you need, you don't come back with more a third of the total cost of the original project and say well we need this additional in order to complete it.

Assistant Aviation Director Jack Christine said well Ms. Mayfield, the construction contractor has not asked for additional funds to recover the schedule. PCI was providing the testing services for the concrete pours; they were responding to the contractors work schedule to try and get that recovery. We should have kept a little better track of their burn rate to make sure that we didn't run into this situation; that's on us but they also had a responsibility to tell us that they were burning through cash faster than we had anticipated as well. All those things aside we're going to make sure that that doesn't happen again in the future but this is for work that they performed at our and the contractors request in order and try and accelerate the project to get the parking deck opened closer to its time than it should have opened. They had no control over that part and they simply responded to what we asked them to do.

Ms. Mayfield said are we anticipating any additional amendments on this?

Mr. Christine said no ma'am.

Ms. Mayfield said thank you and for disclosure Mr. Mayor, I had a lot of other questions that I didn't mention to Ms. Wall that I was going to ask but they were just entirely too long so I wrote them up for once our other meeting went a little longer than anticipated I wrote them up for her to bring back further clarification on a couple of the same so more clarification on number 30 and 31, a couple of other questions.

Mayor Clodfelter said do we need to pull any of these items for separate vote?

Ms. Mayfield said well I just gave to you the paperwork for number 22, which was a different question than my colleagues, 24 and 25, 30 and 31 we already had pulled out but there were additional questions that I had for them but adding to that would be 22, 24 and 25.

Mayor Clodfelter said so I'm just trying to be clear on what we're pulling for voting purposes so we can discuss the questions downstairs so you want to pull 22, 24, 25, 30 and 31 and vote those separately?

Ms. Mayfield said please.

Ms. Wall said Ms. Mayfield, I had thought that I would provide you with those responses tomorrow but you wanted them tonight during the meeting?

Ms. Mayfield said right because I didn't anticipate the other meeting being this long as it was so I was going to ask the questions since again it was additional writing but before voting on them there is some very clear questions that I have that tie into our NWSBE and some other questions regarding our RFQ process before voting yea or nay on projects.

Mayor Clodfelter said do all of these items need to be voted this evening?

Ms. Wall said I don't believe that we have any items on the do not defer list. Is that correct?

Mayor Clodfelter said Mr. Manager, Councilmember Mayfield has questions about these items do you want to proceed and try to deal with those questions this evening? Do you maybe want to pull them to a future agenda if they're not time sensitive?

City Manager Ron Carlee said I just need a couple of moments to look at them. I have no idea what they are.

Mayor Clodfelter said let's do that and then if you'll sort of let us know before we start the meeting downstairs. You can decide whether to pull the item and vote it on a future agenda or whether to pull it for separate vote and deal with the questions tonight. Either way, what do you say?

Ms. Wall said 30 and 31 are on do not defer. Is that right?

Mr. Carlee said I'll look and see.

Ms. Mayfield said thank you Mr. Mayor.

The meeting was recessed at 7:05 p.m. to move to the Council Chamber for the regularly scheduled business meeting.

* * * * *

BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for the Business Meeting on Monday, November 10, 2014, at 7:13 p.m. in the Council Chamber of the Charlotte Mecklenburg Government Center with Mayor Dan Clodfelter presiding. Councilmembers present were Al Austin, John Autry, Michael Barnes, Edmund Driggs, Claire Fallon, David Howard, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

* * * * *

INVOCATION AND PLEGE

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

* * * * *

AWARDS AND RECOGNITIONS

ITEM NO. 6: RECOGNITION OF PATRICIA MCBRIDE

Mayor Clodfelter said Patricia McBride has been celebrated as an outstanding American ballerina with international stature. Her remarkable artistic range was first demonstrated in more than 100 ballets during three decades with New York City Ballet. McBride joined the company of New York City Ballet in 1959, and just two years later became its youngest principal dancer. She has performed all over the world and has danced for five American presidents. She joined Charlotte Ballet in 1996 as associate artistic director and is a master teacher with Charlotte Ballet Academy. McBride is married to Jean-Pierre Bonnefoux, Charlotte Ballet's President and Artistic Director, and they have two children and three grandchildren. She and Bonnefoux won the Arts & Science Council Honors-Lifetime Achievement in the Field of Arts Award in 2008. In September 2014, the John F. Kennedy Center for the Performing Arts announced McBride as a 2014 Kennedy Center Honoree. She is currently working on staging parts for Bonnefoux's Nutcracker, at the Belk Theater December 12-23. The Kennedy Center Honors will be held December 7. In recognition of her many accomplishments and contributions to the arts in Charlotte, it's my pleasure to present Ms. McBride with the Key to the City. This key is presented to an esteemed citizen and trusted friend of the city's residents. Patricia, it is our privilege to honor you at this time.

Patricia McBride said thank you so very much. This is such a surprise and a wonderful, wonderful treat. It's great. This is my city, Charlotte. My husband and I came here 18 years ago and we just had a feeling about it and we've seen the city grown and we're just very proud our children went away to college and they came back here to live actually and our grandchildren are here and it's a wonderful place to live. We're really proud of our city. In fact we changed the name of the company that I'm with, The North Carolina Dance Theatre to the Charlotte Ballet because my husband and I are both so proud of the city we live in. We feel the Arts and Science Council is behind us, we have amazing professional dancers working here and living here and reaching out to all the public, we have a wonderful school, an Academy of Dance, the city has raised funds to build a new home for Charlotte Ballet which is beautiful right on Tryon Street uptown, we have a new beautiful theatre, The Knight Theatre and we've got a beautiful arts center, the arts are living and alive and well and I've always said you can only judge a city by the arts that it has. A great city, any city, what is it without its arts? The dancers are magnificent, I'm really proud of what we've done, our school has grown, we can reach so many people and I just thank you so much for this wonderful special, I didn't expect this so this came as a really wonderful surprise. Thank you so very much.

Councilmember Howard said I just wanted to thank the City Manager, over the weekend Ms. McBride the Manager's actually sent us a link to a MPR story about you and it had a video I think of you and your husband dancing and he's pretty good too. I just wanted to tell you we had no idea we had such a jewel in the city so it was an impressive story and an impressive resume for sure so I'm happy you call Charlotte home and we got to get you guys to come dance.

Ms. McBride said I'd like to invite you all to our next performance, Nutcracker on December 11th at the Blumenthal Performing Arts Center and we do many different, you can't judge ballet just by seeing the Nutcracker because we do so much more. We do contemporary, ballets and just everything under the sun, classical, our dancers can do anything. They're just magnificent. This is their job it's not like they...they do not have two jobs. This is their primary job; they're professionals in the highest level. They're world class professionals and I feel so happy that we have the beautiful Knight Theatre in the Blumenthal Arts Center. We have a big ballet fans that love to come to all of our performances. We have new creative ballets done by Sasha Janes who is our resident choreographer, my husband does wonderful, his Nutcracker, his Peter Pan is coming up. We have a lot of outside choreographers, resident, Dwight Rhoden from New York comes and does ballets and I'd love to have you all come. I think it might be a lot of fun. It could be moving, ballet can be moving, it can be fun, and it should touch the senses and take you into another world away from your normal everyday world.

ITEM NO. 7: PANCREATIC CANCER PROCLAMATION

Councilmember Lyles read the following proclamation:

WHEREAS, in 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease; and

WHEREAS, pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States, and is projected to become the second by 2020; and

WHEREAS, pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis, while 94 percent of pancreatic cancer patients die within the first five years; and

WHEREAS, approximately 1,190 deaths will occur in North Carolina in 2014; and

WHEREAS, the Recalcitrant Cancer Research Act was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework for pancreatic cancer and other deadly cancers that helps provide the strategic direction and guidance needed to make true progress against these diseases; and

WHEREAS, the Pancreatic Action Network is the national organization serving the pancreatic cancer community in Charlotte and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, the Pancreatic Cancer Action Network and its affiliates in Charlotte support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS, the good health and well-being of the residents of Charlotte are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments:

NOW, THEREFORE, I, Daniel G. Clodfelter, Mayor of Charlotte, do hereby proclaim November 2014 as "PANCREATIC CANCER AWARENESS MONTH" in Charlotte and commend its observance to all citizens.

Ms. Lyles said as I read this proclamation you can imagine it's very special to me. My husband died of pancreatic cancer and many of you know Harry Jones who's been a dear friend of mine since we were 18 years old and that's a very long time is struggling with this disease right now. When you really think about the number of people that suffer that we don't know about but if we really think about it there's someone that we know that's going through this. I am just really grateful to the work of the Pancreatic Action Center and network for the support. I'm also very grateful that we have these wonderful medical facilities in Charlotte; Novant and Carolinas Healthcare who are really doing remarkable work in this area and thank you for the opportunity to say and recognize pancreatic cancer as something that one day we're going to cure and beat.

Harry Jones, Cancer Action Network said August 28, 2010, I made a phone call to my brother who is a year older than me to wish him a happy birthday. The call turned out nothing but happy. That was the day that he shared with me that he was diagnosed that morning with pancreatic cancer. We just cried. I had no idea what it was but he was a doctor so he knew what it was and what it meant. Unfortunately, that's the stigma that this disease carries because people believe that it is a death sentence when diagnosed and it is if we don't get support; if we don't raise awareness. I traveled down that road with him up until November 17th, which is next week; two years ago I lost my brother, Ed, to pancreatic cancer in 2012. I was furious, I was angry, I had to do something. I volunteered and in 2013 in January I decided to do something more than just volunteer and I became the affiliate chair for the Pancreatic Cancer Action Network here in Charlotte and since I've been involved it has been a tremendous opportunity to share with others that have gone through what we've gone through. To share with those who are surviving pancreatic cancer, to see the breakthroughs in the research, to do a purple stride which is a 5K run, this past year was our third in the City of Charlotte and we raised over \$176,000 dollars on a disease that I had no clue existed in 2010. It is by the support of volunteers that are sitting behind me and many others that we have been so successful in getting the word out and this means so much. I had left ribbons and wristbands at each of your desks and I'd encourage you to please

wear them this month so that other people are aware that November is proclaimed as National Pancreatic Cancer Awareness Month. I love my brother, I miss my brother today as I know you miss your husband terribly and we all miss our families and our family members but we're doing something and our middle name is action so we are the Pancreatic Cancer Action Network and we stand here today to wage hope for those people that are battling, surviving and those caregivers that are supporting those people that are battling this disease. Thursday, November 13th, I just wanted to mention in a couple days is Purple for Purpose Day. I would encourage every City Council member to wear purple, anything purple, even if it's the ribbon that I left at your table if you would wear purple and just let people know that we're here and that we're trying to make an effort to fund research so that we don't have to be the fourth leading cause, expected to be the second leading cause so we need to do something. I appreciate what you've done and thank you so much for this time, thank you to my volunteers, I love them to death and we appreciate this honor.

ITEM NO. 8: CLYDE AND ETHEL DICKSON VIOLENCE SHELTER RECOGNITION

Mayor Clodfelter said we are honored this evening to have you and others of your team with us tonight as we recognize The Safe Alliance as the 2014 North Carolina Housing Finance Agency Supportive Housing Award Winner for the Clyde and Ethel Dickson Domestic Violence Shelter. After the shelter opened in December 2012, this 80 bed facility quickly became a critical community asset for Charlotte providing victims of domestic violence with a real opportunity to live safely with dignity while taking the necessary steps towards self-sufficiency. This award from the North Carolina Housing Finance Agency supports what we already know that the Safe Alliance team is among the best in the country and is critical to providing support, advocacy and awareness around this complex and deeply personal issue. We are fortunate indeed to have Safe Alliance as a part of the Charlotte community. I'm going to present you an award that we've been sent from the Housing Finance Agency here in just a second but before I do that I just want to take a minute to pay honor to you personally on behalf of the City of Charlotte.

Phil Kline is going to be retiring from Safe Alliance in December and he will leave behind a legacy of civic engagement, philanthropy and community service in Charlotte that is really unparalleled. In addition to being the CEO of Safe Alliance Phil has been a key community influencer in philanthropy at Charlotte's Mint Museum where he successfully provide leadership for the building of the Mint Museum uptown which opened in October of 2010. He also led endowment efforts at the Mint that increased that institutions endowment from \$7.5 million to almost \$40 million dollars when the pledges are finally completed. He's a long time community volunteer and a child advocate; he served as President and as Treasurer for the Council for Children's Rights, as board member of the Children and Family Services Center and as President and Finance Chair of the Teen Health Connection you have been Phil and you continue to be a true model of community service and we commend you for it. If you would please come up I would like to present the award.

Phil Kline, Safe Alliance said thank you so much. That was so kind of you and so unexpected and so I've completely lost my train of thought now. I do want to thank you for your support. The City of Charlotte stepped up and they stepped up early. When this campaign started to raise the funds for the shelter the Housing Trust Fund provided a \$1.5 dollars of funding for the shelter and that got us started and that helped us leverage other gifts as well. Then we had the great honor to be able to work with the city staff, Pat Mumford and his team at Neighborhood and Business Services and so many other people throughout the city and always so supportive in helping us achieve this wonderful goal of increasing the shelter capacity from 29 beds to officially 80 beds although we normally run about 110 women and children on any given night at the shelter through use of trundle beds, sofas, sleepers and things like that so it's been a wonderful experience for me. The money that you provided again was so important to help us achieve that but I also tonight want to and need to express a personal connection that we have with the city as well because as I'm sure you all know a little over two years ago Ron and Jan Kimble lost their daughter to domestic violence and Ron and Jan immediately engaged with Safe Alliance, they designated us for the memorials to honor Jamie's memory and in return we have wanted to continue to honor her memory and her courage and so the courtyard at the shelter is named for Jamie Kimble and we're so proud to have that connection, we're so proud to have Ron and Jan involved as volunteers with our agency serving as speakers in the community and also Ron serving on our board of directors on the executive committee. I want to thank you for your support, I want to thank Ron and Jan particularly for everything they've done to help us be able

to serve the hundreds and thousands of women and children in this community so thank you again for having us here tonight and thank you again for the wonderful surprise that you had.

Mayor Clodfelter said you are the heart and soul of this community.

* * * * *

CONSENT AGENDA

Motion was made by Councilmember Barnes, seconded by Councilmember Howard, and carried unanimously to approve the Consent Agenda as presented with the exception of Item Nos. 22, 24, 25, 30, and 39 which were deferred to a future meeting.

The following items were approved:

Item No. 18: Municipal Agreements to Maintain Traffic Control Devices

(A) Approve a resolution authorizing the City Manager to execute Municipal Agreements and any subsequent renewals for up to five years with the North Carolina Department of Transportation for annual maintenance of signs/supports, pavement markings/markers, traffic signals, and computerized signal systems, and (B) Adopt Budget Ordinance No. 5506-X appropriating \$300,000 in North Carolina Department of Transportation funds to the General Fund.

The resolution is recorded in full in Resolution Book 46, at Pages 449-450.
The ordinance is recorded in full in Ordinance Book 59, at Page 89.

Item No. 19: Intelligent Transportation Systems Projects

Award the low-bid of \$391,223.76 to Whiting Construction for the Graham Street, Rocky River Road, and Westinghouse Boulevard Intelligent Transportation Systems projects.

Summary of Bids:

Whiting Construction	\$391,223.76*
Partners Communications Services, Inc.	\$600,012.37
Traffic Control Devices	\$692,536.90

* Adjusted for math errors

Item No. 20: Charlotte-Mecklenburg Government Center Elevator Modernization

(A) Approve the purchase of equipment and installation services for a new elevator operating system from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), (B) Approve a contract with Otis Elevator Company in the amount of \$396,351 for Phase I – Elevator Modernization in the Charlotte-Mecklenburg Government Center through the National Intergovernmental Purchasing Alliance contract #19281, dated July 27, 2011, (C) Authorize the City Manager to approve a contract with Otis Elevator Company in an amount not to exceed \$800,000 for Phase II – Elevator Modernization in the Charlotte-Mecklenburg Government Center through the National Intergovernmental Purchasing Alliance contract #19281, dated July 27, 2011, pending future City Council capital appropriation, and (D) Authorize the City Manager to extend the contracts for Phase I and Phase II for an additional one-year term as long as the cooperative contract is in effect at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Item No.21: Fire Investigation Facility Roof Replacement Project

Award the low-bid contract of \$299,950.00 to TeamCraft roofing, Inc. for the Fire Investigation Facility Roof Replacement project.

Summary of Bids

TeamCraft Roofing, Inc.	\$299,950.00*
-------------------------	---------------

* Only one bid was received.

Item No. 23: Heating, Ventilation, Air Conditioning Servers Software Upgrade

(A) Approve the purchase of building automation systems software and hardware upgrades from a federal contract as authorized by G.S. 143-129(e)(9a), (B) Approve a contract in the amount of \$250,150 with Schneider Electric for building automation systems software and hardware upgrades for the term of 10 months under the General Services Administration contract (#GS-07F-7851C), effective September 1, 2010.

Item No. 26: Sanitary Sewer Pipe Root Control - Fiscal Year 2015

(A) Approve the purchase of chemical root control services, as authorized by the sole source exemption of G.S. 143-129(e)(6), (B) Approve a contract with Duke's Root Control, Inc. for the purchase of chemical root control services for the term of one year, and (C) Authorize the City Manager to extend the contract for one additional, one-year term with possible price adjustments as authorized by the contract and contingent upon the company's satisfactory performance.

Item No. 27: Mallard Creek Wastewater Treatment Plant - Compressed Air System Upgrades

Award the low-bid of \$111,125.00 to B/W Solutions, Inc. for the installation of a decentralized compressed air system.

Summary of Bids

B/W Solutions, Inc.	\$111,125.00
Gilbert Engineering Company, Inc.	\$159,875.00

Item No. 28: McDowell Creek Wastewater Treatment Plant - Digester Cleaning

Award the low-bid of \$129,372.00 to Carolina Management Team, Inc. for interior digester cleaning.

Summary of Bids

Carolina Management Team, Inc.	\$129,372.00
Containment Control, Inc.	\$136,769.00
Gilbert Engineering Company	\$170,000.00
Superior Industrial Maintenance Co.	\$280,000.00

Item No. 29: Water Metering Equipment

(A) Approve the purchase of water meters, registers, replacement meter parts, and transmitters as authorized by the sole source exemption of NC G.S. 143-129(e) (6), (B) Approve a contract with Badger Meter, Inc., Mueller Systems, LLC, and HD Supply Waterworks for the purchase of water meters and registers, replacement meter parts, and transmitters for the term of one year, and (C) Authorize the City Manager to renew the contracts for two additional, one-year terms at the same unit prices.

Item No. 31: Airport Business Valet Parking Deck Contract Amendment

(A) Approve contract amendment #1 in the amount of \$252,400 with Professional Service Industries, Inc. for additional testing services for the Business Valet Parking Deck, and (B) Adopt a Budget Ordinance No. 5508-X appropriating \$252,400 from the Airport Discretionary Fund to the Airport Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 59, at Page 91.

Item No. 32: Airport Hourly/Rental Car Parking Deck Roadway Signage

Award a low-bid of \$415,083.96 to Driggers Electric & Control for roadway signage installation for the Hourly/Rental Car Parking Deck.

Summary of Bids

Driggers Electric	\$415,083.96
Brooks, Berry & Haynie	\$425,441.50

Item No. 33: Citywide Managed Print Services and Related Products, Services, and Solutions

(A) Approve a unit price contract with Ricoh USA, Inc. for Managed Print Services for an initial term of four years, and (B) Authorize the City Manager to approve one, four-year renewal option

with possible price adjustments as authorized by the contract and contingent upon the company's satisfactory performance.

Item No. 34: Charlotte Fire Department Fuel

(A) Award a low-bid, unit price contract to Quick Fuel Fleet Services for the purchase of emergency and transportation fuel as authorized by G.S. 143-129 (e) (5) for the term of three years, and (B) Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract and contingent upon the company's satisfactory performance.

Summary of Bids

Atlantic Coast Fire Trucks (on behalf of Smeal) \$2,654,685.00*

* Only one bid was received.

Item No. 35: Fire Pumper Trucks and Ladder Trucks

(A) Award the low-bid, unit price contract to Smeal Fire Apparatus Company for the purchase of fire pumper trucks and ladder trucks for the term of three years, and (B) Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract and contingent upon the company's satisfactory performance.

Summary of Bids

#2 Ultra Low Clear 15 PPM Diesel Fuel (Truck Size ≤ 2500 Gallon)

Quick Fuel Fleet Services OPIS + \$0.18*
Great Lakes Petroleum OPIS + \$0.25*

#2 Ultra Low Clear 15 PPM Diesel Fuel (Truck Size 2500-6999 Gallon)

Quick Fuel Fleet Services OPIS + \$0.18*
Great Lakes Petroleum OPIS + \$0.21*

82 Octane 10% Ethanol (Truck Size ≤ 2500 Gallon)

Quick Fuel Fleet Services OPIS + \$0.18*
Great Lakes Petroleum OPIS + \$0.20*

82 Octane 10% Ethanol (Truck Size 2500-6999 Gallon)

Quick Fuel Fleet Services OPIS + \$0.18*
Great Lakes Petroleum OPIS + \$0.17*

Zero Ethanol (Truck Size ≤ 2500 Gallon)

Quick Fuel Fleet Services OPIS + \$0.20*
Great Lakes Petroleum OPIS + \$0.20*

Zero Ethanol (Truck Size 2500-6999 Gallon)

Quick Fuel Fleet Services OPIS + \$0.20*
Great Lakes Petroleum OPIS + \$0.17*

* All prices are in addition to the daily local OPIS (Oil Price Information Services) Rack rate.

Item No. 36: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$18,480.93.

The resolution is recorded in full in Resolution Book 46, at Pages 451-452.

Item No. 37: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: October 6, 2014 Workshop.

Item No. 38: In Rem Remedy

Item No. 38-A: 2219 Carmine Street

Adopt Ordinance No. 5509-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2219 Carmine Street (Neighborhood Profile Area 363).

The ordinance is recorded in full in Ordinance Book 59, at Page 92.

Item No. 38-B: 2101 Edison Street

Adopt Ordinance No. 5510-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2101 Edison Street (Neighborhood Profile Area 363).

The ordinance is recorded in full in Ordinance Book 59, at Page 93.

Item 38-C: 4233 Glenwood Drive

Adopt Ordinance No. 5511-X authorizing the use of In Rem Remedy to demolish and remove the structure at 4233 Glenwood Drive (Neighborhood Profile Area 385).

The ordinance is recorded in full in Ordinance Book 59, at Page 94.

Item 38-D: 1920 Newland Road

Adopt Ordinance No. 5512-X authorizing the use of In Rem Remedy to demolish and remove the structure at 1920 Newland Road (Neighborhood Profile Area 374).

The ordinance is recorded in full in Ordinance Book 59, at Page 95.

Item 38-E: 634 Northway Drive

Adopt Ordinance No. 5513-X authorizing the use of In Rem Remedy to demolish and remove the structure at 634 Northway Drive (Neighborhood Profile Area 385).

The ordinance is recorded in full in Ordinance Book 59, at Page 96.

Item 38-F: 5727 Phillips Street

Adopt Ordinance No. 5514-X authorizing the use of In Rem Remedy to demolish and remove the structure at 5727 Phillips Street (Neighborhood Profile Area 305).

The ordinance is recorded in full in Ordinance Book 59, at Page 97.

Item No. 40: Property Transactions

Item No. 40-A: 4200 South Boulevard

Acquisition of 7,897 square feet (.181 acres) in Access Easement, plus 2,581 square feet (.059 acres) in Temporary Construction Easement, plus 1,335 square feet (.031 acres) in Utility Easement at 4200 South Boulevard from Carlton Hill, LLC for \$93,750 for Blue Line Capacity Expansion Project, Parcel #1.

Item 40-B: 225 East 6th Street

Acquisition of 477 square feet (.011 acres) in Access Easement, plus 540 square feet (.012 acres) in Temporary Construction Easement at 225 East 6th Street from Bank of America, National Association and any other parties of interest for \$39,925 for Blue Line Capacity Expansion Project, Parcel #4.

Item 40-C: 1801 Tippah Avenue

Acquisition of 4,870 square feet (.112 acres) in Natural Storm Drainage Easement at 1801 Tippah Avenue from Curry Family Partnership, LLC for \$20,975 for Lyon Court Storm Drainage Improvement Project, Parcel #1.

Item 40-D: 4200 Welling Avenue

Resolution of condemnation of 2,327 square feet (.053 acres) in Storm Drainage Easement, plus 1,837 square feet (.042 acres) in Temporary Construction Easement, plus 451 square feet (.01 acres) in Existing Sanitary Sewer Easement and Buffer Storm Drainage Easement Overlap, plus

3,321 square feet (.076 acres) in Buffer Storm Drainage Easement at 4200 Welling Avenue from Frank Garner and any other parties of interest for \$1,050 for Blenheim Storm Drainage Improvement Project, Parcel #33.

The resolution is recorded in full in Resolution Book 46, at Page 453.

Item 40-E: 436 Cone Avenue

Resolution of condemnation of 5,550 square feet (.127 acres) in Sanitary Sewer Easement, plus 7,410 square feet (.17 acres) in Temporary Construction Easement at 436 Cone Avenue from 436 Cone Avenue, LLC and any other parties of interest for \$13,375 for Charlotte-Mecklenburg Utility – Town of Pineville 8” Sanitary Sewer, Parcel #1.

The resolution is recorded in full in Resolution Book 46, at Page 454.

* * * * *

ITEM NO. 16: CONCLUSION OF CONSENT AGENDA

* * * * *

ZONING

ITEM NO. 10: PETITION NO. 2014-084

<p>Motion was made by Councilmember Kinsey, seconded by Councilmember Barnes, and carried unanimously to defer Item No. 10, Petition No. 2014-084 by 7th Street Progression Partners, LLC to Monday, November 17, 2014.</p>
--

* * * * *

POLICY

ITEM NO. 11: CITY MANAGER'S REPORT

City Manager Ron Carlee said I do have a short report for you if we can pull up the PowerPoint very quickly. We'll go through these quickly if you want to set a two minute clock on me that will be fine. As you know last Tuesday we had a bond election and we want to thank the voters for the tremendous amount of support that you received. We all know what the bonds are intended to do if we go to the next slide a reminder that in addition to the bonds that were approved most of which are going to transportation but also to neighborhood projects many of which are also transportation related to so just sidewalks and other improvements and of course our commitment to diverse housing. This is part of a larger capital plan that includes our Certificate of Participation Financing project which will provide other significant improvements with the bulk of the money going towards public safety areas. Going to the next slide you can see the tremendous voter confidence that was expressed in the approval of these bonds and certainly on behalf of staff we want to thank the voters. We are actually very humbled by this and on staff we've been thinking about how we have to really double our efforts to make sure we're good stewards of these resources and get the projects done on time and within budget. We of course appreciate all of the work all of you did out on the campaign trail. As staff we cannot advocate for bonds and we're particularly appreciative of all the work...I've not seen a partnership like this in other communities where the Chamber really takes on the campaign for bonds; work for the city and the county and the schools and it's a great partnership and they'll be at a future meeting where you can recognize them but of course all of the neighborhood and business groups as well. What are we doing moving forward? We have already been working on preparing for the implementation of these projects so first of all we've organized ourselves into a community teams. We're seeing these just not as discrete projects but as overall community enhancement. We want to connect the dots and make sure that these investments provide a real return and to work at the neighborhood level and helping people understand what the projects are and have input in them and to understand how they can play a role in helping shape the

community themselves. The other thing that we're doing is we're also developing a lot of communication vehicles. We want people to know what's going on and when it's going to happen so there's a newsletter we've put out that we recommend that people come to www.CharlotteFuture.com to get current updates and we will be making a very detailed presentation about all of this at your December meeting. The final thing that I want to mention is recognition of all of the work that we've been seeing over the past several months. We acknowledge that there's been a lot of disruption in this community. With much improvement comes much disruption and with the implementation of this project again most of the money going to transportation you don't improve transportation in an urban community without disrupting it to make it better. We have put together a new interdepartmental staff team of all of the agencies that will be doing work that will affect the right of way and we are mapping out the calendar, the geography that's going to be affected so that we can try and make sure that we minimize the disruptions as much as possible. For instance, you don't want to do a discretionary repaving project on a detour route and as you can understand with all of the things that we've got going on and so many different departments it would be very easy to happen. In addition to all of our city projects there's also a lot of private investment going on in Charlotte right now. There's a lot of utility work. If we get Google Fiber there's going to be a build out in the community around Google and there's North Carolina Department of Transportation. We are a vibrant city, we have a tremendous amount of going on and we're going to ask for people's patience. I'm not going to say that there won't be disruptions but what I do want to message to you and to the community we're planning now to try and minimize that as much as possible. Thank you Mr. Mayor and Council for the opportunity to give you at least that piece; ideas, suggestions that other people have please let us know and as I said we'll be coming back to Mayor and Council in December with an even more detailed briefing of the implementation of our community investment program.

* * * * *

ITEM NO. 12: OUT OF SCHOOL TIME PROGRAM MODIFICATIONS

Mayor Clodfelter said I want to recognize the chairman of the committee Mayor Pro Tem Barnes, I also have Tom Warshauer here; do you want Tom to present or do you want present?

Councilmember Barnes said I'll do it. If I need help we'll extend the clock. As the Mayor and Council will recall during the last budget cycle, the budget retreats we talked about our out of school time program and there was some concern expressed by the Council regarding the process that we undertake to award grants and some of the structural issues and that issue was referred to the Economic Development and Global Competiveness Committee. At our October 17th meeting the Committee voted to recommend unanimously three proposed modifications to the full Council. The first was to reduce the maximum per agency funding from \$300,000 to \$200,000 for the upcoming 2015 RFP and that will enable the city to actually fund more programs. We also voted to recommend that we implement a \$1,200.00 cost per child award allocation that would simplify some of the budgeting issues that some of our partners experienced. It would also allow us to fund at least 1,000 children which was important I think to the Council and to the Mayor. We have fully communicated all these matters to the partner agencies so they are all aware of the impacts on their budgets for the upcoming year and we as I indicated earlier fully recommend this to the Council for its approval.

Mayor Clodfelter said so I take it that's a motion from you to approve items a, b and c. If we need to divide the question for vote we'll do that but let's see how the discussion goes.

Motion was made by Councilmember Barnes and seconded by Councilmember Mayfield to approve the Economic Development & Global Competiveness Committee recommendation for Out of School Time program modifications to: (A) Reduce maximum per agency funding from \$300,000 to \$200,000, (B) Implement a \$1,200 cost-per-child allocation, not to exceed the maximum per agency funding amount, and (C) Use annual maximum available funding allowed by the Community Development Block Grant.

Mr. Barnes said I should thank the members of the Committee for their efforts here; Vice Chair Lyles, members Mayfield, Fallon and Austin for all of their hard work. I appreciate you guys.

Also the support staff, Mr. Warshauer, Deputy Manager Kimble who's always dedicated and engaged and Mr. Mumford as well so thank you all for your efforts and your hard work. Mayor Clodfelter said okay let's see if we have any discussion on any of those components. We don't have any discussion on any of those components.

Councilmember Kinsey said I have a comment but not from any of those components. I want to thank Emily Cantrell for getting me the information sort of while we were at our earlier meeting but I was a little disappointed that we weren't going to have a presentation because I haven't seen it as a Councilmember and I was involved earlier on, in the early days when we were going through this procedure so I guess I would have like to been a little more involved or known a little bit more about it but I do appreciate Emily getting this to me during our closed meeting. I will ask this; are these the only three differences to the old program or are these some major differences?

Mr. Barnes said these are the three major differences. Mr. Warshauer if you think of other key differences please feel free to share but I think these are the major differences.

Ms. Kinsey said thank you.

Councilmember Howard said well she opened the door Mayor. Could you share just a little bit about whether or not you looked at contracting this out to an outside agency at all?

Mr. Barnes said we did. We talked about the idea of allowing a third party like the Foundation for the Carolinas to administer the program and as you recall Mr. Howard during the spring when we talked about that there was some reluctance by members of the Council to send money that we were getting from the government out to another body because of the cost that we might incur and lose funding that could be used for kids and the administrative costs of an outside partner so we were recommending against handing it to a third party. But I think what you're getting at is something that the Manager and Mayor and I talked about earlier today and that is the idea that come April/May of 2015 we're all going to be lobbied once again by somebody who didn't get what they wanted and we're going to have to commit to not succumb to that pressure and stick to our policy.

Mr. Howard said easier said than done.

Mr. Barnes said I agree.

Mayor Clodfelter said indeed, budgets are always like that. Are there other comments or matters that the Council wants to explore on this item?

Councilmember Phipps said would you think it necessary Mayor that we sign a commitment now that we would adhere to the guidelines?

Mr. Howard said it's not binding.

Mr. Barnes said right it wouldn't be binding.

Mayor Clodfelter said any overruns will be deducted from your very generous salaries.

Mr. Howard said that's not enough to pay for a kid.

Mayor Clodfelter said that's right that might not even pay for one child. With that let me take the vote.

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

Mayor Clodfelter said thank you for your good hard work because that was an issue that was much discussed during budget time and I think you came back with some useful changes.

* * * * *

ITEM NO. 13: FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING SUPPORT DEVELOPMENT RECOMMENDATIONS

Motion was made by Councilmember Lyles, seconded by Councilmember Driggs, and carried unanimously to recuse Councilmember Howard from Item No. 13-A(3) and to divide and vote separately on Item No. 13-A(3).

Councilmember Kinsey said let me just remind you that we were briefed on this during our November 10th Dinner Briefing so I think we're probably all very familiar with it. I could certainly go over it but I don't know that it's necessary unless somebody has a question.

Mayor Clodfelter said let's see then are there any questions or a need for explanation of any of the items?

Ms. Kinsey said we also have Pam Wideman here if we need expert advice.

Mayor Clodfelter said well then if I don't have anyone wanting to discuss or ask questions about any of the components I take it Councilmember Kinsey that you're moving items a 1, 2, 4 and item b and there's a second from Councilmember Autry.

Motion was made by Councilmember Kinsey, seconded by Councilmember Autry, and carried unanimously to (A) Approve the Housing & Neighborhood Development Committee recommendation to approve Community Development Block Grant Fund Allocations for a total of \$4,069,002 for (1) Three Multi-family Rehabilitation developments for a total of \$2,444,002 to Heritage Park Apartments, \$650,802, Savannah Woods Apartments, \$1,465,200, and Thomasboro/ Hovis Apartments, \$ 328,000, (2) Single-family Rehabilitation developments for a total of \$375,000 to Habitat for Humanity Charlotte, (4) Grier Heights Infrastructure Improvements for a total of \$750,000 to City of Charlotte, and (B) Authorize the City Manager to negotiate and execute grant agreements for the housing developments set forth in Action items A1-A3.

Motion was made by Councilmember Kinsey, seconded by Councilmember Austin, and carried unanimously to (A) (3) Multi-family New Construction development for a total of \$500,000 to Charlotte-Mecklenburg Housing Partnership for Atando Avenue Apartments.

Mayor Clodfelter said let the record show that Councilmember Howard was not present and did not vote on Item No. 13-A (3).

ITEM NO. 14: RESOLUTION OF SUPPORT FOR METROPOLITAN TRANSIT COMMISSION'S 2015-2016 STATE LEGISLATIVE AGENDA

Councilmember Driggs said we did discuss this at the October 27th Business Meeting so I will note only the amendment that you have here deletes two of the Agenda items that were included originally in the Agenda for tonight and that we had discussed previously. The only one remaining is to the appeal the sunset date of the Special Assessments for Critical Infrastructure Needs Act that's based on the declining federal funding for transportation and the STI's reallocation of some of the state funding so the motion is that Council approve the resolution of support for the MTC Commission's 2015-2016 State Legislative Agenda which will then be taken up by the MTC on November 19th for a vote.

Motion was made by Councilmember Driggs and seconded by Councilmember Howard to approve the Intergovernmental Relations Committee recommendation to approve the Resolution of Support for the Metropolitan Transit Commission's 2015-2016 State Legislative Agenda.

Mayor Clodfelter said Councilmember Driggs, I understand the reason the two items are dropped is because it was discovered they were not needed.

Mr. Driggs said they were not actually needed; that's right.

Mayor Clodfelter said so don't ask for something you don't need. Don't go to Raleigh on something you don't need to go Raleigh about.

Mr. Driggs said less is better.

Mayor Clodfelter said any questions for Councilmember Driggs or Mr. Fenton who's here also on this item?

Councilmember Phipps said when was it discovered that we no longer needed those two items?

Senior Executive Assistant to the City Manager Dana Fenton said one of those items CATS had been working closely with finance and others in the financing field that's the federal credit assistance we try to use the Transportation Infrastructure and Finance Innovation Act or what's called TIFIA. They had been working on a parallel track for some time to try and look at getting legislation and also at the same time trying to use existing authority and as it turned out we can use existing authority to get a TIFIA loan. On the second issue it's something that we had been talking about for quite some time that had to do with public/private partnerships and design, build, finance, operate and maintain method. We received some information very recently that gave us hope that another piece of legislation could be used for it and it turned out it could. We received very late notice about that last week so we're very happy that we can go forward with a resolution for Council tonight.

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

The resolution is recorded in full in Resolution Book 46, at Pages 447-448.

* * * * *

BUSINESS

ITEM 15: APPOINTMENTS TO BOARDS AND COMMISSIONS

15-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.

Results of the ballot were recorded as follows:

Denise Howard, 8 votes – Councilmembers Austin, Autry, Barnes, Driggs, Howard, Mayfield, Phipps, and Smith

Nancy Hudson, 2 votes – Councilmembers Kinsey and Lyles.

Ms. Howard was appointed.

15-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.

Results of the ballot were recorded as follows:

Leslie Jones, 10 votes – Councilmembers Austin, Autry, Barnes, Driggs, Howard, Kinsey, Lyles, Mayfield, Phipps, and Smith.

Thomas Rothrock, 1 vote – Councilmember Fallon

Ms. Jones was appointed.

15-C: Community Relations Committee: The following applicants received nominations for two appointments 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.

Deidre Young, nominated by Councilmember Fallon.

Nehemie Owen, nominated by Council member Autry.

Results of the first ballot were recorded as follows:

Hung Chau, 3 votes – Councilmembers Driggs, Fallon and Phipps.

Sheila Etheridge, 1 vote – Councilmember Barnes.

Torrey Feimster, 5 votes – Councilmembers Austin, Driggs, Howard, Lyles, and Smith.

Felisha Fletcher, 4 votes – Councilmembers Austin, Howard, Lyles, and Mayfield.

Passion Graham, 5 votes – Councilmembers Autry, Barnes, Kinsey, Mayfield and Phipps.

Nehemie Owen, 2 votes – Councilmembers Autry and Kinsey.

Since no nominee received six votes, a second vote was taken between Hung Chau, Torrey Feimster, Felisha Fletcher, and Passion Graham. Results of the second ballot were recorded as follows:

Torrey Feimster, 9 votes – Councilmembers Austin, Autry, Driggs, Fallon, Howard, Kinsey, Lyles, Phipps, and Smith.

Felisha Fletcher, 4 votes – Councilmembers Barnes, Howard, Mayfield, and Smith.

Passion Graham, 7 votes – Councilmembers Austin, Autry, Barnes, Kinsey, Lyles, Mayfield and Phipps.

Ms. Feimster and Ms. Graham were appointed.

15-D: 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 Councilmembers 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.

Results of the first ballot were recorded as follows:

Martin Joseph, 3 votes – Councilmembers Austin, Mayfield, and Smith.

Deborah Lee, 1 vote – Councilmember Howard

Joshua Middleton, 6 votes – Councilmembers Austin, Autry, Howard, Lyles, Mayfield, and Smith.

Theresa Rosa-Corey, 3 votes – Councilmembers Barnes, Kinsey, and Phipps.

Laura Sieckmann, 1 vote – Councilmember Autry.

Regina Tisdale, 3 votes - Councilmembers Driggs, Fallon, and Kinsey.

Sarah Zdeb, 5 votes – Councilmembers Barnes, Driggs, Fallon, Lyles, and Phipps.

A second vote was taken between Martin Joseph, Theresa Rosa-Corey, Regina Tisdale, and Sara Zdeb and results of the second ballot were recorded as follows:

Martin Joseph, 2 votes – Councilmembers Autry and Mayfield.
Theresa Rosa-Corey, 2 votes – Councilmembers Autry and Kinsey.
Sarah Zdeb, 7 votes – Councilmembers

Mr. Middleton and Ms. Zdeb were appointed.

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

R. 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.

Results of the first ballot were recorded as follows:

R. Casey Celli, 1 vote – Councilmember Phipps.
Torrey Feimster, 3 votes – Councilmembers Austin, Autry, and Mayfield.
Felisha Fletcher, 3 votes – Councilmembers Barnes, Kinsey, and Lyles.
Mark Frietch, 1 vote – Councilmember Driggs.
Paisley Gordon, 3 votes – Councilmembers Fallon, Howard, and Smith.

A second vote was taken between Torrey Feimster, Felisha Fletcher, and Paisley Gordon and results of the second ballot were recorded as follows:

Felisha Fletcher, 8 votes – Councilmembers Austin, Autry, Barnes, Fallon, Howard, Kinsey, Mayfield and Phipps.
Paisley Gordon, 3 votes – Councilmembers Driggs, Lyles, and Smith.

Ms. Fletcher was appointed.

15-F: Waste Management Advisory Committee: 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 Councilmembers Austin, Barnes, Mayfield, and Phipps.
Jay D. Winfrey, nominated by Councilmembers Autry and Howard.

Results of the first ballot were recorded as follows:

Dwayne Heyward, 5 votes – Councilmembers Driggs, Fallon, Kinsey, Lyles, and Smith.
Jason Thomas, 4 votes – Councilmembers Austin, Barnes, Mayfield, and Phipps.
Jay D. Winfrey, 2 votes – Councilmembers Autry and Howard.

A second vote was taken between Dwayne Heyward and Jason Thomas and results of the second ballot were recorded as follows:

Dwayne Heyward, 7 votes – Councilmembers Autry, Driggs, Fallon, Howard, Kinsey, Lyles, and Smith.
Jason Thomas, 4 votes – Councilmembers Austin, Barnes, Mayfield, and Phipps.

Mr. Heyward was appointed.

* * * * *

ITEM NO. 17: MAYOR AN CITY COUNCIL TOPICS

Councilmember Austin said earlier this year the Salvation Army received some funds from the City to expand and they realized later on that they needed also to change their zoning.

Motion was made by Councilman Austin and seconded by Councilmember Smith to expedite the public hearing for Petition No. 2015-010 by the Salvation Army by moving it up from the February 15, 2015 Zoning meeting to the January Zoning meeting.

Councilmember Barnes said is that just for public hearing?

Mr. Austin said, yes just for a public hearing.

Mayor Clodfelter said just starting it a month earlier, is that right?

Mr. Austin said yes.

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

Councilmember Mayfield said I just want to remind residents that live off of West Tyvola and Nations Ford, we had one meeting regarding a potential rezoning for that area. We will be having a second neighborhood meeting at Wingate Hotel tomorrow at 6050 Tyvola Center Circle. Basically the Wingate right in front of Truliant on Tyvola. That meeting starts at 5:30 so please come out if you have any comments or suggestions.

Councilmember Smith said I'm not sure anybody's actually watching us now with the Panthers on. I do want to announce my Town Hall meeting November 18th at 6:30 at the Morrison Regional Library. All members of Council are invited to attend as are residents in District 6.

* * * * *

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.



Emily A. Kunze, Deputy City Clerk

Length of Meeting: 2 hours and 55 minutes
Minutes Completed: December 03, 2014