

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, November 24, 2014, at 5:18 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Dan Clodfelter 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: Councilmember Barnes

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Clodfelter said we've got just a few items on the agenda and we've got probably tonight unlike some of our last meetings, we've got ample time to actually get through them so that's news for a change. We start out with Consent Agenda questions and I know you've been filling Deborah's list up all day from what I understand but do you have anymore?

Councilmember Kinsey said it could probably be answered right here, I'm just curious Item No. 32, page 32, vehicles graphics manufacturing, installation and removal; is that just the signs on the sides of our cars and other equipment? It's no big deal.

Assistant City Manager Debra Campbell said yes that's what it's for; City Logos.

Ms. Kinsey said that's what I figured. Thank you.

Councilmember Driggs said can I ask a question about Item No.17 which is the fiber optic cable? We're talking about paying \$132,000 for 1.4 miles of the cable. Is this a prelude to a much bigger investment and a city-wide rollout or exactly what do we get for that particular outlay?

Mayor Clodfelter said I think unless she's a magician she may not have that answer off the top of her head.

Ms. Campbell said we'll get that.

Councilmember Smith said Item No. 20 looks like we're in at about 14-15% for the cost of the project and the design stages, is that a typical ratio? If I did my math correctly.

Ms. Campbell said I'll get that one answered for you.

Councilmember Fallon said Item Nos. 16 and 27. What's the software, have you gotten an answer yet?

Ms. Campbell said I am working on this right now. You also asked a question on the business agenda Item No. 12 and I can have that answer for you as well.

Councilmember Autry said Item No. 12 is a City owned land sale in the Cherry neighborhood; as I was reading that item, it wasn't really clear in there about property taxes, whether the City will be receiving property taxes during the term of that deal and I'd just like some clarification on that.

Ms. Campbell said we'll get that answer.

Councilmember Mayfield said I've already sent Ms. Campbell the questions so she already has them.

Mr. Driggs said I'm sorry one more on Item No. 21, the Time Warner Cable Arena, is this within the \$27 million that we recently approved for upgrades there. Is that part of that?

Ms. Campbell said it should be but I'll get back a concise answer for you.

Mayor Clodfelter said I see some head nods on that, I think you just need confirmation that that's the case right?

Ms. Campbell said that is the case but I'll get a more detailed response for you.

Mr. Driggs said I think that was just the basic question. This is not something aside from; it's within that prior approval.

Mayor Clodfelter said Madame Clerk do we have any that we already know are going to be pulled for voting purposes?

Deputy City Clerk Emily Kunze said yes Item Nos. 21 and 27.

Mayor Clodfelter said Item Nos. 21 and 27 are to be voted separately. Alright, we'll come back to those at the end of the Dinner Briefing.

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ITEM NO. 2: PROPOSED ORDINANCE CHANGES TO AMEND NON-DISCRIMINATION LANGUAGE

Scott Bishop, Board Chair, MeckPAC said MeckPAC is a Mecklenburg LGBT Political Action Committee. I think I've met most of you on City Council. We're here tonight as a part of a coalition of organizations that's been working on a project over the last four or five months that looked at the non-discrimination ordinances within the City of Charlotte. Over here behind you or in front of you depending on which way you're facing we've got a bunch of representatives from MeckPAC, the organization I belong to, the Human Rights Campaign, Quality North Carolina, Gender Lines, the LGBT Democrats, the ACLU and Democracy North Carolina and Straight Allies Charlotte. All of these folks have been working with me over the past several months bringing us up to where we are today. I want to give you a little bit of background on what we've been working on. I've met with many of you over the last four months to talk about updating some ordinances within the City of Charlotte to expand some of the non-discrimination language. During the course of those four months I've met and talked with you all, made sure that you understood what we're trying to ask for and then we worked with the Human Rights Campaign to develop a draft proposal and that's what we're here today to present to you. We employed the Human Rights Campaign to research all the ordinances that exist within the City of Charlotte and where there is non-discrimination language they then put together that draft proposal that we brought forth to the City Attorney, The Assistant City Attorney and the Executive Director of the Community Relations Committee. After that meeting we made some revisions and we are back here today to present those revisions to you and a proposal for some updates to the non-discrimination language.

Charlotte has six areas within the Code of Ordinances that has non-discrimination language; the commercial non-discrimination ordinance which basically says that any company that does business with the City of Charlotte has to have an equal employment non-discrimination clauses in their employment non-discrimination policies. Cable communications, I'll come back to them in a few minutes. The Charlotte-Mecklenburg Community Relations Committee, I hope most of you know what that is, working with complaints within public accommodations and fair housing led by Willie Ratchford. The ordinance itself that describes what the Community Relations Committee is has some protected classes that are covered in that ordinance. Public accommodations, talks about discrimination in places that serve the public; hotels, motels, restaurants, any store or business that serves the public, we have an ordinance that describes how you cannot discriminate against people in those businesses. Fair housing, we'll talk about that in a few minutes and then passenger vehicles for hire, basically taxis. When you hail a taxi a taxi cannot refuse to pick you up based on who you are; that's what our non-discrimination language is there. These six areas where what we originally started with; when we met with your City Attorney we learned that the Cable Communications Ordinance is obsolete and has been superseded by legislation at the state level so we removed that from our proposal and then Fair Housing, we saw that Fair Housing also is governed by what's in the City Charter so the avenue to update this City ordinance in particular is a little different path that we would need to follow. We would need to update our City Charter as well and we're not ready at this point to go to that point so we're left with the four of the six that we started with, the Commercial Non-discrimination, the Community Relations Committee, Public Accommodations and Passenger Vehicle for Hire.

What our proposal does is update these four ordinances to add additional protected classes of people and those would be adding the following classes; gender identity, gender expression, familial status, marital status and sexual orientation. Currently none of the ordinances have any

language related to gender identity, gender expression and sexual orientation so these would be new classes to those ordinances. Some of these four ordinances mention familial status some mention marital status and what we're doing is looking to update them so they are all consistent when you read them. The reason we're wanting to do this today basically is we want to keep up with best practices around the country. Charlotte is now one of only three cities in the top 20 that do not have these enumerated classes in their Book of Ordinances for non-discrimination. We feel it's time that Charlotte keep up with its peers around the country and update these. We feel that all the residents of the City should be treated fairly and equally by the laws of our City. We feel that arbitrary discrimination is detrimental to the peace progress and welfare of the City and we feel that updating these ordinances will help strengthen the community by fostering an atmosphere of respect and inclusivity. Our proposal today and what you have in front of you is a memo from the coalition of organizations asking that we update the four ordinances that we mentioned to add the protected classes that we have covered here and that's our basic request and I'd just like to open it up for any questions.

Mayor Clodfelter said my understanding of our next steps on this is Mr. Hagemann you're going to take these recommendations and craft them in the proposed ordinance language that the Council can then put on the Agenda for consideration so the next thing that would happen unless the Council wants to put a red light on the effort would be for Mr. Hagemann to take this and wrap it up in the proposed ordinance language for an upcoming Agenda. I want to acknowledge Councilmember Kinsey and Councilmember Mayfield; I think you got the ball rolling on this. I was very pleased to discover when you guys put me in this seat that this effort was underway. It was something I was happy to see was underway so I thank you and I know others of you also on Council, I don't want to exclude anybody by not mentioning them but Councilmember Austin I think you've been instrumentally involved in this as well and I was very pleased and just thank you, all of you and anyone else on Council that I wasn't aware of I thank you all for getting this effort off the ground. I really appreciate it.

Councilmember Kinsey said I wanted to follow up with what you said and ask if it would be appropriate to make a motion that we ask the City Manager and the City Attorney to draft some information for us to be considered at a later meeting?

Mayor Clodfelter said we can do it by motion if you'd like. I think the matter was already moving toward a December 8th Agenda anyway but we'll do it by motion and that way folks get to show where they want to be on the issue. Is that alright?

Motion was made by Councilmember Kinsey, seconded by Councilmember Mayfield, and carried unanimously to formally ask the City Manager and the City Attorney to draft information on the proposed ordinance changes to amend non-discrimination language.
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City Attorney Bob Hagemann said maybe not the 8th, but as soon as we can.

Councilmember Smith said I've got a question maybe for you, maybe for the City Attorney; how does this square up with how we typically approach issues? I'm under the impression something usually originates at the committee level and then comes out or gets referred to a committee and doesn't necessarily go straight to drafting an ordinance and I'm just trying to understand procedurally how this lines up with how we conduct most of our other business.

Mayor Clodfelter said I think it comes about however you guys want it to come about. We've got another item on a completely unrelated different topic on the Agenda tonight that's come to us in a way other than the method you just described. We'll talk about that one later but I think it's however Council wants to entertain items that come to them. I don't think there's a rule about how matters come.

Mr. Hagemann said that's correct. It's your prerogative.

Councilmember Phipps said if it was to come before committee, which committee would it likely go through.

Councilmember Howard said transportation.

Councilmember Lyles said I would be delighted to do that if the Council proposed that but I'm not quite sure that there's a connect. I think the question is do you have a committee?

Mayor Clodfelter said I don't know that we have a committee referral. The question I think Councilmember Smith and Councilmember Phipps may be putting on the table for you guys to discuss is do you think this ought to have a committee referral before it hits the agenda for the full meeting. That's what I hear them asking is should it or should it not? I don't hear them taking a position on it one way or the other. I just hear them asking the question.

Councilmember Mayfield said I think it goes back to you original statement that it is at the pleasure of Council just as when we moved forward with domestic partner benefits; at the end of the day that was a budget decision, it was more so a HR decision with how we identified the most qualified and the best candidates. We already have a Community Relations Committee, by us moving it forward that's to give the opportunity for full Council, for us all to be on one page to get Bob to bring back the language that we need, then we move forward from there like we do with so many other discussions and we move and decide whether or not there's going to be support to move forward and look at making sure all citizens have equal access when they are moving about our city or not. We don't have a committee and that's not saying we shouldn't create yet another committee when we already have so many but I think what the conversations that Councilmember Kinsey and some many of us around this dais have already had with Mr. Bishop and others in the community and working with Bob is getting the language right so us moving it was really to get it on record, making sure that we're all on the same page of saying yes for our City Attorney we want you to move forward with this, get that legislation, the wording back to full Council so that we can then move forward with whatever the next steps are.

Councilmember Driggs said I guess what I'm interested in is as we approach this subject is maybe more information about what the practice is in the other cities are. In other words I think there's a goal here about which says probably a general consensus we do not want to discriminate. There are certain situations in which certain people might feel that their rights are being infringed because of the assertion of some of these rights on the part of some people here and I would like to think that we would explore this and make sure that all parties to the conversation are represented in what we finally decide to do. I don't know what the ordinances in other cities look like but as I say in some limited instances some of the things that we might do here are actually not that uncontroversial and I just want to make sure that anybody that has a view on it has a chance to be heard.

Mayor Clodfelter said I don't know Scott if you want to say anything about how this, I think Councilmember Driggs's question was how does this actually play out in practice in other cities. Are there issues that have been identified and in the administration of ordinances. I think that's the question he might be asking.

Mr. Bishop said from just a layman's point of view when I think about the public accommodations, ordinance and updating the language you're Community Relations Committee is already in existence and manages complaints due to discrimination and public accommodations so in talking with the Executive Director of that Committee adding these protected classes really from an operational standpoint doesn't do much more other than now they have other people that they may have to manage those complaints. I think from a commercial contracting ordinance standpoint as well your current contracts requires language in there that says that any business that does business with the City has to have this non-discrimination language in there so I don't think there's any operational changes to do. It's just now adding additional classes to that language.

Mayor Clodfelter said Mr. Ratchford do you want to say anything about the proposal on the table?

Director of the Community Relations Committee Willie Ratchford said the Community Relations Committee has been working with Scott Bishop for several months now on this issue and my sense is that the vast majority of the members of Charlotte Mecklenburg Community Relations Committee are supportive of City Council actually approving this language, the ordinances and policies and procedures.

Mayor Clodfelter said I didn't want to put you on the spot but I thought if you had anything you wanted to share. You know you can't walk into a discussion like this and not talk.

Mr. Smith said how does any proposed ordinance to the city level measure up with any sort of federal protections or things that may already be in place. I think it would be good exercise for

me is I would like to see staff sort of, to Councilmember Driggs point maybe have some of the stuff implemented in other cities where federal statutes, what protections are already there at the federal level just to make sure I have a more complete understanding of exactly what ordinance I would be voting on because this is the first I've heard of this and I know you guys have been working on this. I know you've had Councilmembers that have been engaged but this is the first I've heard of all this and I feel like I don't have quite a complete picture of the topic to be fair.

Mayor Clodfelter said I'm hearing a request for a substantial briefing paper, that's something that could be worked on along with the text of the proposed ordinance I think.

Mr. Smith said it typically, I feel as though again I've only been here for a year; I feel as though we will have a reasonably in depth presentation from staff that sort of helps bring us a little more up to speed on it.

Mayor Clodfelter said I don't think it's an unreasonable request.

Councilmember Fallon said I just look at this as pure civil rights. It's been in every kind of federal and state regulation to begin with so I don't see a problem, its civil rights reaffirming what the people have gotten anyway and cohere it into one.

Mayor Clodfelter said I don't want to put words in anybody's mouth. I didn't hear Councilmember Smith necessarily suggesting it was a problem. I think he just wants to understand a little bit more about how it all works. I don't want to presume or put words in anybody's mouth.

Councilmember Austin said just to piggy back on what Ms. Fallon said these are civil rights and it adds to your point I don't think the things that are listed here are overly violating anyone else's rights but we do have people who now can get married in North Carolina but you might get put out of your house or you may not be able to maintain your job and some other things so I think we have to look at this broader. I would like not for it to go to Committee again and kind of languish there for a bit of time. I think we have an opportunity, Kenny to your point, maybe staff can come back and do a deeper dive presentation for us but Ed I think once you really see this this isn't anything beyond what we would ask for people of any race, any color, any religious, any ethnic group; these are civil rights that everyone is afforded in this country and they should be safeguarded here in North Carolina and in Charlotte.

Mr. Howard said I want to go back a slide or two if you can. I want to talk about the new groups that you wanted to make sure were added. Help me understand familial and marital status and maybe can get that from the Attorney. Wouldn't some of that have been covered now that the Supreme Court did the ruling on gay marriage? Didn't that take care of that and wouldn't those be kind of assumed now?

Ms. Kinsey said may I ask my colleague to talk into the microphone? We can't hear you over here.

Mr. Howard said I apologize. What I'm saying is that I wanted to get kind of an update from a federal law standpoint now on familial status and marital status at least in your opinion based on what's been going on in Washington. It seems like those would be covered in this conversation now; am I wrong?

Mr. Bishop said in North Carolina same sex couples can now get married however because they can get married they still are not protected from a discrimination standpoint so when we talk about marital status here and familial status marital status is really what we're saying is if you're a single mom and or a single dad and you are in a place of public accommodation you would not be if you were discriminated against or felt you were discriminated against because of your status as a single dad or single mom this would cover you here. Familial status, same thing if you were say divorced and you wanted or I'm sorry I have them flipped familial status is the single mom, single dad, marital status is if you are divorced and you are in a place of public accommodation and you felt discriminated against because of the fact that you're divorced this would cover that kind of discrimination. It's not really related to the fact that we now have same sex marriage in North Carolina but now that we do have that it does open the door up for additional discrimination in the City.

Mr. Howard said but the same rights that would be afforded a heterosexual married couple would be afforded a homosexual married couple, right? Am I wrong on that?

Mr. Hagemann said Councilmember Howard let me see if I can articulate a different way to think about this. The marriage litigation that has happened all across the country is a challenge to state laws that previously allowed for opposite sex couples to be married while same sex could not. It was an equal protection challenge; they were equal protection challenges against government decision regulation. What's being proposed here is a request that you as government put in place provisions that protect against discrimination by private actors, by the private sector so while we're talking about the same classifications the litigation that at least to this point has resolved in North Carolina, the same sex marriage issue, would not extend to provide protections against private action which is what the subject of this particular proposal.

Mr. Howard said but this would imply that there's no protection for heterosexual married couples either then so this is like a whole new introduction period about families and married couples it has nothing to do with LGBT issues at all then. That's I guess what I'm trying to get at so we're actually introducing families and something new period that would cover a bunch of different things and that's what I was trying to figure out what does that cover no matter who it is?

Mr. Bishop said I'm trying to see if I have this in one of my slides. With the familial status and the marital status when you read through the ordinances that we covered up in the top there some of them already have familial status or marital status listed in them and what we're saying here is we want to make them consistent so that all your nondiscrimination ordinances protect the same classes of people.

Mr. Howard said those are not protected, my family relationships are not protected classes any kind of way right now.

Mr. Bishop said them may be. I'm not sure which of the ordinances in the top list does have that but it's not consistent when you look at all the ordinances.

Mayor Clodfelter said Bob; you guys had a chart at one point. I suggest it would be very useful. It shows how those different categories, I think that gets to what Councilman Howard is asking about.

Mr. Howard said I would be really interested in that. Where is family and familial status?

Mr. Bishop said unfortunately I didn't add that in. I'm just realizing that so I will get that.

Mayor Clodfelter said I think that will be very useful as part of what Councilmember Smith is asking for if you could just include that in the package, an updated chart, an expanded chart to add this additional category.

Mr. Howard said and I would like to better understand how those classifications could be discriminated against. It's kind of a sweeping change across the City and I need to understand what it means to all families, all familial status.

Ms. Mayfield said it's specific to this. Both for Bob and Scott, we have the language already where it shows in certain ordinances where marital status is identified and familial status so what Scott was saying is that this is to have continuity throughout so when staff presents back to Council the packet for those that are interested in basically getting a the bullets of what it is we're talking about then that's something that can be added so that you can see what it is. I hear what you're saying, it's not that the classes that you weren't already protected but some of our ordinances already included it and some other ones didn't so this was to have continuity throughout all of our language and make sure that these five classes are consistent throughout and that's just saying for the paperwork when they submit it back giving that to those that are interested so that you can see what the differences are.

Mr. Howard said that just stood out to me because I didn't even know it was a problem so I'd like to understand how you can discriminate. I'm sitting here thinking is it me, am I hollering baby then I can't come to your restaurant. I mean what is that when you start getting into families and marriages; I don't get that. I'd love to be educated in that more. That's all. I want to understand.

Mayor Clodfelter said the tricky one actually would be and they haven't brought it forward so you don't have to worry about it but on marital and family status the tricky one would be housing because that gets into questions where you've got places that say no children, that's familial status or they say seniors only or single living community.

Mr. Howard said that's that unintended consequence I'm trying to get my hands around. I hadn't even thought about that.

Mayor Clodfelter said that's not involved in these ordinances.

Mr. Howard said but if we do a blanket familial status and

Mayor Clodfelter said only for these ordinances.

Mr. Howard said I want to understand it. That's all.

Mr. Bishop said I think what our proposal is that we're not asking for an overarching nondiscrimination ordinance that's different from these. We're just saying of the existing ones that you have update those to add the additional classes of people so fair housing in the example that we talked about would not be covered here, we would not be updating that language at this time.

Ms. Lyles said I just wanted to, I think the chart that the Mayor mentioned, I think having that and the briefing package but I think in terms of process I thank the coalition for bringing this information forward. To me the question is now the staff has a responsibility to bring it forward in a way that is ability for us to consider it and make a decision so I support the briefing paper, more importantly I support the staff doing the ordinance preparation, making sure it's consistent with what we've talked about and bringing it forward with that recommendation.

Mr. Howard said another interesting twist on public accommodations and I keep trying to figure out if I'm going to be that guy tonight I guess maybe just a little bit. The public accommodations around restrooms has been kind of what's been the hardest thing with this conversation and one of the things I'd like to do is pull in and that's why Ed McKinney was over here, he was telling me it's a building standards issues but the whole idea of us having men and female restrooms is the way that we do restrooms. In Europe they have individual restrooms; people do that all kind of ways. I'd like to make sure that we look at all options on how you can approach that too with best practices everywhere because it may be something we encourage in building standards. Ed told me it's actually not something we can do in zoning; we have to do it in building standards.

Interim Planning Director Ed McKinney said we have regulations for the ... of restrooms for example on public facilities in building code issues.

Mr. Howard said I wanted to put that on the table to while staff is looking at this if you'll research kind of that option too so we make sure that we're looking at everything. The way we organize restrooms doesn't have to be the way it is.

Mayor Clodfelter said although we don't really have any control over building codes.

Mr. Howard said explain to me why we don't have control over building codes.

Mayor Clodfelter said state building codes, building codes are statewide.

Mr. Howard said so you have requirements by the number of whatever you have in your building.

Mayor Clodfelter said whatever it says is statewide.

Mr. Howard said can the City add something on top of it?

Mayor Clodfelter shakes his head no.

Mr. Howard said we can't require more restrooms? Okay.

Mr. Smith said I have several questions. Help me understand this is a, I think Bob you spoke on this; this is a private sector issue. Help me understand commercial contracting public accommodations like practical examples of either where discrimination takes place, how it may

take place, how we can enforce it at the City level just to try to help and then I have one other question to bring me along on this a little more.

Mr. Hagemann said let me elaborate a little bit on the four areas that have been identified. One is commercial nondiscrimination, that ordinance came about in 2003 in the wake of issues regarding our MWBE Ordinance and the Council developed a commercial nondiscrimination ordinance and effectively what it says is that businesses that want to do business with the City cannot discriminate based on the protected categories against their suppliers, vendors and sub-contractors. It technically does not go to their employees. It goes to businesses that they do business with and there are mechanisms in that ordinance where complaints can be filed, investigations occur and if it's determined that discrimination occurred there is a debarment potential.

Mr. Smith said for practical purposes so let's say a caterer that did our meal tonight if they didn't want to cater to a specific group then they would be barred from doing business with the City.

Mr. Hagemann said yes, that could be. Yes, yes, a real world example if a complaint is alleged right now under our ordinance our caterer refused to use a supplier based on race and if that was determined to be in fact true the caterer could be debarred for a period of time. What this would do is extend that same protection to these categories that are being proposed. The second area is the Community Relations Ordinance which simply gives the Community Relations Commission the power to make recommendations to the Councils for actions that will eliminate or reduce discrimination so it's more of a we want you keeping an eye on these things and if you have ideas or suggestions that we might implement that would reduce or eliminate discrimination you have the power to do that. The third is public accommodation, that goes to businesses operating in the city and it prohibits them from discriminating against customers based on the protected classification. Again, using race as an example if a restaurant was alleged to have discriminated against an African-American based on race and proven to be true they could be subject to the effects of ordinance. What this would do is also add to the list of protected characteristics the ones that are proposed. The last one is passenger vehicle for hire, taxi cabs and other vehicles for hire essentially not treating their customers equally based on one of these characteristics. The Passenger Vehicle for Hire Board can sanction for that kind of activity.

Mr. Smith said for example say public accommodation, if a private restaurant chooses not to serve somebody that is in this potential protected class what is the enforcement mechanism, what's the practical enforcement mechanism of the City, do you shut them down? Do they get fined?

Mr. Hagemann said I think I'll defer to Willie on this piece in terms of what the Community Relations Committee can do in the area of public accommodations.

Mr. Ratchford said well you don't have the ability under the ordinance to shut them down obviously. I think that there are a small number of fines that you might levy against them. The ordinance really does not have real teeth and so one thing that you all might want to consider is whether you put some teeth to whatever you decide to approve.

Mr. Smith said I have two more questions. The other question is can you go back a couple of slides to the definition; help walk me through the difference between number one and number two.

Mr. Bishop said gender identity is how you identify, what gender you identify with? I identify as a male, that's what I perceive myself to be so that's your identity. Your expression is how the world might perceive you so if I identify as male and I dress as male then that's my gender expression. If I identify as male and I'm dressing as a woman my expression might be as a woman but my identity is a male so they're two different things. It's how you perceive yourself and then how the world perceives you and then sexual orientation is who you're attracted to.

Mr. Smith said I was a little blurred on the first two. The last question and this is for Bob as well so as we look at this ordinance how and where religious freedom and other issues that are bantered into the national debate on these type issues; how and where do other constitutional issues come into play with any perspective ordinance that we may or the ordinance if we make some of these additions?

Mr. Hagemann said that's a big question. I don't have an easy, succinct answer to that because there's all different ways that you can interject that question into this debate. As we do our analyses we'll do some work on that as well.

Mr. Smith said what would be most helpful for me and this may not go for my other colleagues but I would like a staff presentation prior to a vote and not necessarily the same night just to continue to try to get my hands around exactly what we're headed towards. I think the colleagues bring some valid points; I just want to make sure I have a thorough understanding.

Mayor Clodfelter said Mr. Hagemann, do you think you could accommodate that?

Mr. Hagemann said yes. If the Council is done discussing this I have a pretty good idea of what you're looking for us to come back with.

Mr. Driggs said I just wanted to clarify in case anybody was concerned; it's not my intention to erect barriers here. The only thing that I thought was there are actually as we've seen in this conversation a lot of issues and we were talking about okay let's start writing it and I wondered whether there was anything we needed to think about in terms of what it says. You can get odd situations where for example somebody who expresses their identity as a biological man dressing as a woman and then working in a store or restaurant causes people not to go there because the sad fact is not everybody is completely excepting. Is the owner of that establishment required to employ that person notwithstanding the fact that others aren't excepting and in fact I think there was a Supreme Court case along those lines in which the court found that you were not required to hire somebody that would cause people not to come to your store so I just think there are things that might be worth looking at a little closer. I was slightly taken aback by the fact that this was brought to us and now we're going start writing without having the conversation we just did for example.

Mayor Clodfelter said I want to be sure I understand, I don't think any of these ordinances relate to employment.

Mr. Driggs said it's an example but I'm just saying there are circumstances in which some citizens here might find that some of the things, the rights that are guaranteed to certain people in their minds whether or not we feel that we should agree with them, I mean the restroom issue for example, it could happen. I would just like for us to be thoughtful about it and I would like to know for example what the ordinances in all the other cities say. Are they the same or is there a variety in the way that they are expressed? You've got an enumeration here for example, theaters, restaurants, grocery stores, I just think we'll get there but it's a question of the specifics and being sensitive to any areas where other people might need to be considered as well.

Mr. Phipps said I would like for any analysis that staff might do, I know that it's probably many complaints that probably have given rise to some of the issues we're discussing tonight. I would be interested in knowing the number of complaints of alleged discriminatory activity based on the criteria that we're looking at. If we could get that from the Community Relations Committee or whatever and also if we are aware of any confirmed cases of discriminatory practices based on some of those items that we are looking at tonight.

Mr. Bishop said it's my understanding that because these classes are not protected right now in what the Community Relations Committee is in charge of they don't track that so I don't know that we'll be able to get that from City information. We do have examples that we can bring to you that we are aware of in the community that have happened. We're certainly able to bring those examples to you.

Mayor Clodfelter said it gets packed into the briefing too.

Ms. Kinsey said maybe I can wrap it up. The intent is to continue this conversation but because it's new to some people my feeling is that if staff has done some work on it and brings back something that then we can really discuss it will be helpful. That's why I made the motion I did and that's why I suggested we go in that direction.

Mayor Clodfelter said I think that's the way I understood the motion, it is to direct the City Attorney to bring back a specific proposed ordinance and that was the intent of the seconder. I think I've heard some Council wish to have additional staff briefing on questions perhaps in a Q & A format or some other format. I don't want to presume that was a part of your motion but I

think you're getting a lot of requests for that. I understand you're willing to accommodate that in your motion.

Ms. Kinsey said yes, absolutely I am.

Mayor Clodfelter said is there more discussion? The motion was to bring it back as expeditiously as Mr. Hagemann can do given that he has far more hours in his day than any of us do.

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

Mr. Hagemann said given the requests for additional information which we'll pull together I don't see this coming back by the 8th. We will do it as expeditiously as possible.

Mr. Smith said we will have some sort of presentation prior to a vote?

Mayor Clodfelter said prior to a vote. Thank you for all the hard work so far and all the hard work I know you're going to do. Scott, thank you for the work of your group as well.

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ITEM NO. 3: PROPOSED RENOVATIONS TO BOJANGLES COLISEUM

Deputy City Manager Ron Kimble said glad to be with you tonight for what the staff of the city and the CRVA feel is a good news story; We have a partnership that we would like to talk with you about and we some renovations and upgrades to a long standing city asset on Independence Boulevard and also a new partnership that we'd like to bring forward to talk about tonight. I will call your attention to the packet that is in front of you it's in the yellow color PowerPoint presentation but I also want to call your attention to some of the attachments that are behind here because we going to be referring to those so you have a lot of information in the package including the proposed renovations and what they total to and what they consist of, also the \$51 million dollars on Bojangles that we talked about in March of 2014 during your budget conversations and budget deliberations. We also have some information on the Charlotte Checkers and items that they would pay for in this partnership and we also have some items at the rear that are the memorandum of understanding; that's a nine page document that's been negotiated between the CRVA and the Charlotte Checker's. I'd also like for you to know that in the room tonight from the CRVA is Tom Murray who is going to be joining me for part of the presentation, the CEO of Charlotte Regional Visitors Authority, Steve Bagwell, Mike Crumb, George Height and Laura White are all here from the CRVA. If you'll raise your hands and let people know who you are and then we also have Tara Black who is the Chief Operating Officer for the Charlotte Checkers and she's accompanied tonight by Mac McCarley, somebody that we know very well from the past. We've got a great team tonight and a partnership that's in the making. Also, I want to walk through this with you, give you a little bit of background and then talk specifically about the opportunity with the Charlotte Checkers.

Bojangles Coliseum as you know opened as the Charlotte Coliseum in 1955, it was the first free span dome in the United States and it has stood the test of time over the last 70 years or so. Its hosted celebrities like Elvis, Neil Diamond, Billy Joel and the Evangelist Billy Graham and other great events at the Charlotte Coliseum.

Councilmember Howard said MC Hammer too.

Mr. Kimble said the list could go on and on, we could get lots of folks on this. The Atlantic Coast Conference, the Southern Conference Basketball Tournaments, the Carolina Cougars of the original American Basketball Association also found there home in the Charlotte Coliseum which has had several names over the years. Also, you need to know that the coliseum is designated as a historic landmark by the Historic Landmarks Commissions so any renovations to the exterior that would alter it would have to go through a review. The renovations that mostly we're talking about tonight are going to be interior renovations but also we need to stay close to the Historic Landmarks Commission to make sure that what we're doing doesn't harm the integrity of the structure from a historic standpoint.

Councilmember Smith said does historic designation prevent us from tearing the building down like it does with other.

Mr. Kimble said it doesn't prevent you but it puts in place a one year moratorium towards doing that where the public can weigh in on any action that might move in that direction.

Mayor Clodfelter said if you propose that you get all the phone calls

Mr. Smith said no, I was more just trying to understand exactly what the historic designation does.

Mr. Kimble said the facility needs renovation to stay competitive and highly functional.

Councilmember Austin said when was the last renovation for this facility?

Mr. Kimble said in 2002, 12 years ago.

Mr. Austin said how much did we spend then?

Mr. Kimble said \$2 million dollars, a very minor amount at that time.

Mr. Austin said just a follow-up question, the naming rights to Bojangles, how much money did we get, how long do they have on the naming of it?

Mr. Kimble said I think it was 10 year agreement; there may be five years left on the Sponsorship Naming Rights Agreement with Bojangles, \$125,000 per year in that ten year agreement. In March 2014 we proposed a long-term, 20 year needs list totaling \$51 million dollars, and we've included that same documentation that was presented to you in March of 2014, just earlier this year. What we're proposing to you tonight and there's no action necessary tonight. We would propose that we put this on a future Council Agenda, it's a two year plan for \$16 million dollars in renovations and I'll walk you through the rationale for why those renovations would be important and would be very advantageous for the City, the CRVA and the community. Currently there are 85 annual event days held here; graduations, consumer shows, civic events, concert performances and so the improvements that we're talking about tonight are going to serve very well the current activities and events that are occurring in Bojangles Coliseum but also future amateur sporting events and I'll name some of those including early round CIAA basketball games because as we negotiated the new six year contract with the CIAA we talked about some of the early round games of the men's basketball tournament being played here and maybe even all of the women's basketball tournament games being played here.

Councilmember Mayfield said I actually have a question regarding the last comment Mr. Kimble. What I'm trying to figure out is with the negotiations with CIAA, one of the biggest selling points was the fact that everything is so compact uptown. What exactly is the plan if we're going to now have people going from uptown to get out to the Coliseum because are we looking at shuttles, are we looking at buses because a lot of people don't have their own vehicles when they come to town and that's been the biggest selling point and from what I'm understanding I think it's the women's games that's going to be separated and going out to the Coliseum.

CRVA Chief Executive Officer Tom Murray said women's games decision is not finalized yet but what we know about the early rounds is that it is not when the large fan base is here and so we don't anticipate that being as big of a problem and we will think about that. We're not thinking about moving them until 2017 so it's not as big of a crisis but we'll certainly accommodate. Remember the coliseum while it seems far away it's only 1.4 miles away from downtown so it's not a major jump.

Ms. Mayfield said we're looking at 2017 so what hopefully I'm hearing is that there are discussions as far as transportation from the uptown area where most people are going to be staying.

Mr. Murray said we haven't finalized a decision on it yet.

Ms. Mayfield said but we are in discussions. That's what I wanted to make sure.

Mr. Kimble said college basketball conference games; there's a chance to land additional tournament games here from college basketball tournaments and college basketball games throughout the year and also youth sports because we're talking about the upgrade of Bojangles Coliseum for youths sports along the way as well. Finally, the proposed 2015 move of the

Charlotte Checkers to Bojangles Coliseum is what we want also to talk about tonight. To give you some details about that, to showcase the opportunities that that presents, to show how it financially benefits not only the Checkers but the City of Charlotte and the Charlotte Regional Visitors Authority because they would be a major tenant in the building and bring some new activity and new life to this area and I will tell you that the \$16 million dollars that we are proposing is comprised of \$12 million dollars that was previously proposed in the college basketball amateur sports and civic events discussions that we've been having with you for the past year plus an additional \$4 million dollars to up fit the facility and make it ready for hockey 2015 and we'll talk about some of those renovations. \$8.6 million of the improvements would be expected to be done before the first season of the Checkers so we would propose that those improvements be done by the end of summer 2015, which is only about 10 months away and in your packet in the back is a complete listing of the first phase improvements in the right hand column on the chart the total to the \$8.6 million dollars. The additional \$7.4 million dollars would be completed by the end of the next summer so we would do the \$16 million dollars proposed to do them in two phases, one in 2015 and one in 2016. The improvements are all broken out and listed on the attachments that are in your handouts. The improvements would include such things as score board replacement, new bowl seating, food and beverage upgrades and major mechanical and electrical repairs and improvements that a building of this age is going to need that kind of care and attention and that maintenance and upgrade.

Mr. Howard said when you say seating I'm pretty sure that those seats that are in there have been there most of my lifetime. Are you talking about replacing all of those seats?

Mr. Murray said yes.

Mr. Howard said the seats like in the coliseum, something the same quality? Have you gone that far?

Mr. Murray said yes we have gone that far and the seats are a little larger than the existing seats and we will lose a few seats in the changeover, they will be more comfortable, they'll likely be a plastic but they will be much more acceptable to our customers. It should be noted that our number one complaint that we have from our current customers is the uncomfortable seating.

Mr. Kimble said and the seats would not be looking so modern. They might have a throwback look to them that would be in context in décor with the existing facility.

Ms. Mayfield said following up on the seating, do we know how many seats we're going to lose with the upgrades because recognize that seats are smaller and unfortunately not as many of us are as small as we used to be 50 plus years ago so we need larger seats but do we know what that tradeoff is?

Mr. Murray said we haven't finalized the design but it's roughly 600 to 800 seats that we would lose.

Ms. Mayfield said do we know how that would impact?

Ms. Murray said we don't have that many events that completely sell out and we think we will be able to accommodate that within our pro forma. I think we're fine with that.

Ms. Mayfield said second question is on the VIP seating upgrades, is that equivalent of another recent upgrade we did where we told them they need to handle their own.

Mr. Murray said VIP is probably, the seats are for selected folks which are likely going to be the ownership. We don't have suites in this arena but want to try to figure out a way to cordon off those seats. Maybe put some railings around them. It may be the outcome that we add padding to a few seats there but it won't be what you're thinking about with beautiful suites and those kinds of things. That would be the owner's area and VIP guests of the owners.

Ms. Mayfield said I was thinking more about the owner's contributing to this cost.

Mr. Murray said the owners are making a contribution as Mr. Kimble will mention on some of the up fitting in the facility.

Mr. Austin said Bob, you indicated there were a number of complaints and the major complaint was seats and so are these renovations going to address all of the others and what were some of

the other things that you had found? It would be a shame to go ahead and do renovations and we're really not addressing the complaints of the customers.

Mr. Murray said we don't have a lot of other complaints that stick out but certainly the seating has been one of a challenge. We also will upgrade other things in this proposal like the sound system, that's probably the second major complaint and that's addressed in this proposal. We're addressing a new scoreboard and screen in the center as well and I think that will help solve a lot of those issues as well.

Councilmember Driggs said I was wondering what the timetable is for the remaining 35 million. We're talking about \$16 out of \$51 here, right over a two year span?

Mr. Kimble said I will say that the \$51 million was in 2014 dollars, \$51 million described in 2014 dollars so the 16 million is the first phase of the \$51 million dollars that was referenced in that document. We will have to track again over time as you do those renovations, cost them out, make sure that we're accurate in our projections and the first phase is a \$16 million renovation.

Mr. Driggs said I'm just wondering in what span of time will it be necessary to do the other \$35 million.

Mr. Kimble said the \$51 million was a 20-year projection on the facility and we would have to pace those over that 20-year period as the need arose and addressing the issues that come about with a major tenant in the facility.

Mr. Driggs said from 2014 how does this tie into the discussions we've had about amateur sports?

Mr. Kimble said the Bojangles Coliseum would still serve as a venue for amateur sports. In fact the Charlotte Checkers are going to be putting some youth sports and amateur sports in the facility as part of their programming. The good sports proposal continues to be negotiated; yet to be seen when we might bring that back forward but these renovations that we are proposing doing would also benefit amateur sports that would be held in this facility with or without the Good Sports proposal.

Mr. Driggs said so the \$12 million was actually included in the numbers that we saw for the Good Sports proposal.

Mr. Kimble said that is correct. The \$12 million that you've been discussing for the last year and an additional \$4 million as a result of the checkers becoming a major tenant move in 2015.

Councilmember Fallon said where are we going to get the \$35 million?

Mr. Kimble said that's a needs list and you would have to address it as the funding sources became available. Most prominently in the hotel, motel, food and beverage and car rental tax, hospitality tax funding sources.

Ms. Fallon said what about revenue bonds?

Mr. Kimble said if it were to throw off enough revenue you could consider that but most of the time you've turned to hospitality taxes as the source of funding for these kinds of improvements.

Ms. Fallon said so what would you use then when we do Convention Center that we have to do something about?

Mr. Kimble said as of June 30th we track our debt capacity for the Convention Center and for amateur sports that come out of the same category as of June 30th there was \$40 million in 20-year debt capacity in the Convention Center Fund. This would take \$16 million of that capacity from the particular fund but we consider this to be a priority at this time and we'll talk about the reasons why we believe it's a priority and the move of the Checkers is supported by the Hornets and it frees up 38 coveted dates in the Arena so that the Arena can fill those dates through the booking for new events, new concerts, new performances, new shows. This improves and solidifies the business model for Bojangles because we've run the pro forma and it takes away the...Mr. Smith said Mr. Kimble, supported by the Hornets in the form of an economic participation or supported by the Hornets in the form of they are able to free up their Arena to have more dates to make more money?

Mr. Kimble said they are able to free up our Arena because it is our Arena and it is run by them, backup house provided by CRVA but it is a benefit to this community to bring those kinds of new events to this community and still maintain the Checkers vitality in this community and so the community wins as a result of those dates being freed up.

Mr. Smith said I think the community could win a little more if we had some participation from the Hornets in this; just an editorial comment.

Mr. Kimble said the Hornets are doing their thing in our Time Warner Cable Arena. The Checkers, if this is successful will do their thing in our Bojangles Coliseum. It also brings the Checkers back home where they started in Charlotte and it also creates economic vitality in the Independence Boulevard Corridor and 38 home dates by the Checkers can bring significant benefits in that corridor.

Mr. Driggs said would our deal with the Checkers include commitments for future improvements at this location, contractual commitments like we have at the Arena?

Mr. Kimble said Mr. Murray is going to step up and talk about the MOU and he might want to address that question about does it address future.

Mr. Murray said there are no obligations on behalf of the Checkers beyond this arrangement for future contributions to capital. Our agreement with them is a ten year agreement with two five-year extensions. It begins pretty fast, October 2015 so if Council chooses to act in approval of this we will begin planning for these renovations almost immediately. We will take the facility off line after the graduation season as we feel it's important to continue our support for CMS and getting all of their graduations done and then be ready to play in October of 2015 and as part of our agreement the team will pay what we believe are competitive rents to use the facility. We have negotiated that they would share a part of concessions. It is between 5% and 15% of our concession sales. It is 5% for the first \$500,000, between \$500,000-\$900,000 is 10% and over \$900,000 it's 15%. The CRVA will retain all the revenues from parking revenue.

Mr. Austin said who is the business model; we've been operating in the red with Bojangles?

Mr. Murray said the last three years we've averaged about a half a million dollar loss out of those facilities and we believe that our pro forma estimates that this will bring the facilities back to break even or better. Lastly, there is a claw back provision if the Checkers leave for two separate reasons; one reason being that they lost their affiliation and the second one if they just chose to leave and we put those claw back provisions into the agreement.

Mr. Howard said what is the average attendance at a Checkers game right now downtown?

Mr. Murray said 6,200.

Mr. Howard said and this building will go down to roughly 9,000?

Mr. Murray said roughly 10,000.

Mr. Kimble said so there are sufficient hospitality tax capacity dollars to fund the \$12 million in improvements already planned that you've been talking about for the last year and the additional \$4 million needed for the Checkers relocation and the payback on the \$4 million additional improvements is estimated to be after the seventh year because of the positive operating impact that Mr. Murray just described going from about a half a million dollar deficit at Bojangles Coliseum to going to break even or better.

Ms. Mayfield said this is just for clarification; as we're looking at doing the upgrades on Bojangles just something that came to mind, do we own Ovens?

Mr. Kimble said yes we do own Ovens.

Ms. Mayfield said so in the next few years we're going to be looking at not only the Convention Center but also Ovens so I would like to hear even though we have the capacity now what is the plan because if we notice just in 2014 between our Arena, between our football we're getting a lot of requests for upgrades which need to be done but what is the plan to make sure that we maintain capacity and that we do not put ourselves in a position where in 10 years we're trying to figure out an additional unknown source today to fund all of these improvements.

Mr. Kimble said we do very conservative debt modeling and we do projections and we do have to look at prioritizing our needs and we're doing that now in our Finance Department all the time, we are trying to track these, we're growing these, trending them back to the normal growth and using the excess funds to create the capacity in a conservative debt modeling way. There is not enough money to go around to do everything we might want to do, we have to pace ourselves. It just means that we have to prioritize and do a better job of applying the resources that we have to the most critical needs at that given point in time but we are planning for the future in all of these funding sources against the assets that we own and operate.

Mr. Murray said just to add to that we have begun a process of evaluating the long term needs of Ovens Auditorium and we've just begun that process so we'll think through that with an idea of how to keep it moving for another 25 years. It does not necessarily mean that renovations for Ovens would come from these funds. That hasn't been determined.

Mr. Kimble said and we also need to make sure that we're maintaining these facilities not just the upgrades and the expansion of these facilities so you'll see us coming back to you with information on both maintenance and upgrades and expansions.

Mr. Smith said this sounds a lot like government math. I want to see how we're going to have a positive revenue because it sounds like we may break even but then our payout is seven years out. I want to see how we're going to have a positive cash flow analysis on this. Simply to invest money to break even just sounds like government math.

Mr. Kimble said they've run the pro forma on these and we'll be glad to share them.

Mr. Smith said I would love to see that and then two I'm not sure we got an answer to Mr. Driggs question or I didn't or at least the question I thought he asked and that was is the City going to be contractually obligated? You answered that the Checkers will have no obligation, is the City going to be obligated to future repairs associated with the lease? I didn't hear that so that's what I was trying to understand.

Mr. Kimble said the building is still ours so we own it and we continue to maintain it.

Mr. Smith said for example we're putting in \$27.5 million into Time Warner scoreboard and some other things that were part of our lease that we had to maintain a certain standard with the NBA. Are we going to have certain provisions in this lease that we will have to maintain a minimum standard in which we may get nipped for \$10 million at a future date? I'm just again trying to get an understanding of this.

Mr. Murray said we don't have those minimums standard requirements although we will have to certainly maintain the facility in a way that the American Hockey League will allow their team to play there but that's our responsibility with any clients that we are normally dealing with.

Mr. Smith said is there a possibility that the American Hockey Association comes to us and tells us we're not up to a certain standard and then we may lose the franchise if we don't make said investment?

Mr. Kimble said we don't think that the standards that would be set by AHL are going to reach the same kind of depth of description that the standards would with an NBA team in Time Warner Cable Arena.

Councilmember Phipps said what's the typical season for a Checkers franchise, hockey franchise and given the length of the season, how many other nights does that free up after the season is over for other events?

Mr. Murray said there are 38 games so we think that we had 85 events there last year so we think there's room to do these additional nights. There may be some nights, Friday, Saturday nights when the team will be able to play here that will be better for the team when they may have not been able to get into the Time Warner Cable Arena so we think this works well for the team as well and for us; the activities Friday and Saturday nights. We've done the pro forma, we've only thought that we might lose one or two shows and so we think that's fine. We think there's ways to move folks around so we don't think there's a big negative loss. We almost see all of the events as being advantageous.

Mr. Austin said so if the renovations are not approved then what?

Mr. Kimble said we don't have a deal with the Checkers and the Checkers are unable to move to Bojangles Coliseum.

Mr. Austin said would you still move them out of Time Warner Arena or where would they go?

Mr. Kimble said I think then it's a negotiation with the Hornets and right now they have a one year agreement to play in Time Warner Cable Arena. Remember the benefits of freeing up those dates in Time Warner Cable Arena to bring new economic activity to our community and still at the same time have the Checkers game still held in Charlotte over the years and also to have a building, Bojangles Coliseum, that now is in the black as opposed to being in the red with a major tenant there that's got a ten year agreement on Bojangles Coliseum and the economic activity that this adds to the Independence Boulevard Corridor. There are a lot of pluses and a lot of benefits to moving in this direction for the reasons that we have identified.

Mayor Clodfelter said next steps?

Mr. Kimble said City Council to consider the CRVA and City staff recommendation on your December 8th, 2014, Agenda. We need to move if we're inclined to go in this direction to do it fairly quickly so we can make sure that we can perform the first phase of the renovations by the end of summer 2015 and then the Charlotte Checkers would move to Bojangles October 1, 2015, and start playing 38 home games of hockey in Bojangles Coliseum and bring new amateur sports and youth sports programs as part of their hockey affiliation to Independence Boulevard Corridor as well.

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ITEM NO. 4: PROPOSED 2015 FEDERAL LEGISLATIVE AGENDA AND 2015-2016

Mayor Clodfelter said Mr. Manager, do you think we can do it?

City Manager Ron Carlee said no sir, if we're going to be downstairs on time I don't think we can do another presentation. Mr. Fenton could present as part of the Manager's Report downstairs if you like or he could be available to brief Councilmembers individually. The action item will come to us on the 8th.

Mayor Clodfelter said the action item is coming on the 8th?

Councilmember Mayfield said just to add on this same topic Mr. Mayor I did have two items that I was going to refer to the Legislative Committee.

Mayor Clodfelter said not on the Bojangles topic but on the next topic.

Ms. Mayfield said no not on the Bojangles for the next part.

Councilmember Driggs said can we do it as part of the Manager's Report?

Mayor Clodfelter said let's try to do the briefing as a part of the Manager's Report tonight and then we'll pick up the additional items from Councilmember Mayfield. Before we go downstairs let me also suggest to you that when we get to the Mayor and Council Topics I think all of you have now been talked to about, and it's a time sensitive issue about the naming opportunity for the new section of I-485. The Board of Transportation needs to know whether we have a position on that or not, a resolution on that or not and they need to know it. This is apparently the last day on which we can take that action so I'm going to put it on at the Mayor and Council Topics. I have the resolution, I'm going to pass the resolution out, and you've got to adopt a resolution. I've got it finally, I'm going to pass it out to you in the meeting and when we get to that item we'll consider it then.

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The meeting was recessed at 6:33 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 Business Meeting on Monday, November 24, 2014, at 6:43 p.m. in the Council Chamber of the Charlotte Mecklenburg Government Center with Mayor Dan Clodfelter 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: Councilmember Barnes

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INVOCATION AND PLEDGE

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

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CITIZENS' FORUM

Mayor Clodfelter said we will begin with our open Citizens' Forum; the way we work this is that each month we take a half-hour and take 10 speakers in that half-hour, each speaker is allowed three minutes to speak to us on any topic that he or she would like to address. These are not items that we are going to take any action on tonight; the Council is probably not going to have answers. If you are bringing us an issue we probably won't have the answer for you on the spot, but we will listen to you and most likely if you've got a concern or a topic that you think we need to be addressing of something that hasn't been taken care of, we will take that matter, listen to your comments and then ask the Manager and his staff to give us a report after doing some inquiry and investigation into the matter. Again, these are not items that we will be taking action on tonight.

Homeless Awareness Month

Veronica Mathis, 418 Neill Ridge Road said I'm with the Helping Homeless Housing and I thank the City Council for your time tonight. HHH is a group adjective for available housing for people who are homeless. Our group is to remind you that November is Homeless Awareness Month. Typically during November we remind City Council and the public of individuals that lost their lives during this past year while we're still living without stable housing. This year we know about eight people considered to be coming to some...in contrast years where 20, 30 people fell in the category we will remind them that a special service in December to which you will be invited. We'd like to express our gratitude this evening because the effort to end homelessness in the Charlotte area is working. Last month people progress report on the ten year plan to end homelessness shows this community has recognized several individuals as homeless. We announce our Housing Heroes Campaign in 10,000 homes campaign is manifest. Others live in this community and we thank City Council for your support of this body of works. Is it alright if I tell you my story? I was homeless for 15 years. The police knew me by my street name, Cookie. I was raped and nearly murdered. One night I sold cocaine to an undercover cop and was sent to prison in Rocky Mount, NC for eight months. I made up my mind that I was going to do something different. I became determined to turn my life around. I asked God to take the desire of drugs out of my mouth, away from me I mean. When I was released from prison I went to live at the Center of Hope Women's Shelter from there I was referred to ...to work on recovery from alcohol and drug use. I got the help I needed and after six months I moved to Moore Place. I had been at Moore Place for three years; there members are kind and willing to help me in any way possible. I'm an advocate and also in activities, cooking class, movie nights, car groups and Bible study. I am able to spend time with my family and my grandson. My two main goals are to learn how to tell time and count. I even thought that I knew it would be hard I was determined to do it. Moore Place has saved my life and made my dreams possible. In closing we thank the City

Council for attention and support ending the homeless in the Charlotte region. We look forward to continued support of a future together as we ensure the homelessness is eliminated in our time.

Mayor Clodfelter said Ms. Mathis, thank you for sharing your story with us and thank you for the journey you've undertaken.

Traffic Calming Policy

Eric Burgess, 2801 Forest Drive said to start off thank you for taking a couple of minutes of your time to allow me to make a request for your consideration. I'm a resident in South Charlotte and like many of you I live in a residential neighborhood on a 25 mile an hour street. I happen to live near Wendover Road in between Providence and Sharon Roads and as you might suspect, especially during prime time people use residential roads as cut-through. I'm a father of two young children, there are several toddlers living on our street and having lived there almost three years now the speed and volume of traffic on the street is considerable. There are a couple of speed bumps on the road but as I'm sure many of you can relate drivers sometimes ignore those and still go at excessive speeds. I requested a traffic study about a year ago which did in fact show that the volume of cars was significant on the street but based upon some nuances in the traffic calming policy today did not allow or explicitly allow for stop signs in addition to speed bumps. There are two three-way intersections on either side of my driveway so it's quite an odd street arrangement so my request is to afford the opportunity to evaluate those policies, to emit three-way stops or multi-way stops in addition to speed bumps for roads that have a modest amount of traffic but not an excessive amount as the policy states of 2,500 cars in a 24 hour period. You can do the math; there aren't many streets that actually carry that kind of volume, especially in a 25 mile per hour zone. My request is quite simple; the Charlotte Department of Transportation refers to this as traffic calming. The policy was last evaluated in 2006 so I'd like to request the City Council or the Transportation Committee ask the Charlotte Department of Transportation to reevaluate the neighborhood traffic calming policies to allow for more flexibility to add multi-way stops on residential streets with modest traffic or excessive traffic flow when speed bumps are already present.

Mayor Clodfelter said thank you Mr. Burgess we will get some update on the status of that policy and how it's playing out and then Council will be able to take a look at that and consider your request that we revisit that.

Mr. Burgess said great, I really appreciate that.

Councilmember Smith said can I be associated with the follow up?

Mayor Clodfelter said you can be associated with it, yes.

Mr. Smith said I mean I want it to come through...

Mayor Clodfelter said I think it's going to come to everybody and I understand you have an interest in the issue.

Mr. Smith said Mr. Burgess is a constituent and we've been working with Doreen extensively and just would like to make precedence on the request.

Councilmember Autry said I'm very interested in this issue also. We're challenged with that all over the city. I hear from constituents in District 5 once or twice a week about the 25 mile an hour speed limits. The neighborhoods with no sidewalks, small children, trying to move around in the community, senior citizens trying to move around in the community and how their compromised by cut-through traffic, traffic looking for a destination that they can't possibly get to by making those traverses of some of these streets and that our policy will not allow speed bumps to be installed, we can't get extra stop lights or stop signs in some of the neighborhoods and because of the traffic counts, but if you live on that street it doesn't matter whether it's two

cars or a hundred cars if they're rolling through the stop signs and violating the speed limit it's a concern and is detrimental to the quality of life for the people that live in those neighborhoods.

Mayor Clodfelter said thank you Mr. Burgess for raising the issue. More years ago than I'm going to confess but I'll tell you just to be straight with you it's more than 30 the very second time, I won't tell you the first time, the second time I ever came to the City Council to address a subject it was on traffic calming devices in neighborhoods. It's a long standing issue Mr. Burgess.

Notice of Violation

Vincent Frisina, 3140 Edsel Place said this is my third time here. I've received a notice of violation, my wife Jennifer, my next door neighbor Ashir Mohammed and his wife Pawa, possible fine and possible imprisonment for work done by the City of Charlotte. They failed to take a permit when they stabilized my footings. This drain activity we've had was one of the first drains that were repaired when storm water fees were charged. As a result they've gone back and back, there have been numerous issues and myself and Ashir have decided that we want oversight from the County Building Enforcement, from the Board of Professionals Engineers, the external auditors, he signed off on that. What we're going to do next week is go to the County Board of Enforcement who is the contractor, is the City of Charlotte the contractor, the review for procedures for independent professional engineer to certify these footings. We don't know if they're going to have to dig up our yard again and a review of other work that as a diabetic I walk around that I see that you may need to get additional permits that you didn't take out the first time. We're asking that you please do not work, obtain a permit on our behalf without our or start work without our approval, please stop using the term an inspector for non-licensed inspectors, it's intimidating and there's a sense of security when these people are not licensed inspectors. How much did we pay this individual to sit and look at these footings being placed in without knowing that a permit was supposed to be there? I asked the head of Storm Water was it supposed to be there and they said yes we do not need a permit so through a fluke I had checked it. What I'm going to do two weeks from now is set up an appointment and ask for either you, Mr. Mayor and/or Mr. Carlee to come out and take a look this summer when it was boiling hot all the dead ends were not being maintained and low-level personnel says one says we should be maintaining it, the other one says we don't have the money, parts were missing, thrown to the side and I want to show you more work of the work of C-MUD, C-DOT, Engineering and others and I've already contacted Aaron McKeathen who many of you know. We questioned whether, like you just talked, whether this is an east, west or entire City of Charlotte. I do want to thank one employee, Mike Yancer, he was probably the only one who at his level, a drainage specialist said look we could do a better job of communicating and he was much in the line for those of you who remember Tom Drake where I could get a straight answer from years ago. Thank you very much and I'm looking forward to working with staff but at the same time we'd like to bring this outside and have other people start to look at it.

Mayor Clodfelter said Mr. Frisina thank you. Mr. Manager, I assume you're going to get an investigative report on this to all of Council.

Councilmember Howard said Mr. Manager, so you were clear on what the issue was?

City Manager Ron Carlee said I have some ideas of it. I've talked to staff already a couple of times today. We need to drill down a little bit further into it but we will.

CMPD Secure Communications Network

Brian Lutes, 6001 Gate Post Road said I apologize for my appearance I came straight from work so I didn't have a chance to change. Councilmember Smith and I have gone back and forth on this for a while and I've sent him some information for it. I apologize I don't have a handout for it. I live in the Stonehaven Community and I operate the Stonehaven Community Patrol

which is a neighborhood patrol organization that I operate; we established back in 2009. We received an award from CMPD for our actions in it, we're very proud of it and we have a marked patrol car and we go out, I've got six years of law enforcement experience so I go out and do what I can in the community. The secure communications network CMPD had, they no longer have it, was established in 2001 and it's been held up as an example by the United States Department of Justice Office of Community Oriented Policing as a program that should be used across the country. Through this program private security agencies, protective agencies and member organizations were able to purchase radios that they paid for themselves in which they would receive from the CMPD bulletins, be on the lookout for, vehicles, suspicious people, wanted people that they had committed crimes, things like that and everyone knows the more eyes you have on the street the better your chances of catching the bad guys. I haven't been told definitively why this program went away or exactly when it went away but it did. I get the general answer of funding issues. That doesn't make sense to me because the people in the program purchased the radios so where's the cost for that? The dispatchers send out that radio signal regardless of how many radios are receiving it so I don't buy that cost; that just doesn't make sense to me. In addition we spend a lot of money on things that I don't think is appropriate for government to be involved in, purchasing and destroying hotels, malls and things like that and then we're going to say we don't have the money to operate this kind of program. It just does not make sense to me and I'm still waiting for someone to explain how having people know who the police are looking for is detrimental in any way. I've sent Councilman Smith the information on it, I don't have a printout for it but I have it on my tablet here but I actually have the physical print out of the book that this was featured in by the Department of Justice and I sent that link to Councilman Smith. What I would request the Council do is restart this program; it seems to me a win, win situation. It's not like the people who have the radios are privy to information they shouldn't have. It just simply hey this is who we're looking for if you see this person call and let us know where they are. For instance when I'm out in my patrol car they could be looking for a black Buick that just robbed a 7-11, it could go right by me. I have no clue that they're looking for this car because this program isn't there and obviously they're not going to pick up the phone and call neighborhood watch organizations and say hey we're looking for the black Buick that that just knocked over the 7-11 so this program seems to be a very good program and one that we should still be doing. If anybody has any questions I'd be happy to answer them.

Mayor Clodfelter said we will get some information about why the program was discontinued and whether there are any opportunities for perhaps using elements of the program in the present. Councilmember Smith, if you've got some materials let's get them to the Council Office and they can distribute them to everybody.

Mr. Smith said and then maybe we can figure at a future meeting if it's something the community safety wants to take a look at.

Mayor Clodfelter said we can all take a look at that and get the Manager's Report on why the program was discontinued and see if it's perhaps appropriate for a committee referral.

Global Day of Giving

Kelly Brooks, 4425 Randolph Road, Ste. 270 said I've lived in Charlotte for seven years. In 2012 after looking for the right way for me and my family to give back I founded Share Charlotte. Share Charlotte.com is a one stop shop is a one stop shop that brings local non-profits together and makes it easier for people to learn about them and get involved. I wanted to let you know about an exciting and important campaign that Share is spearheading to benefit our community. It's called Giving Tuesday CLT. If you are unaware Giving Tuesday is a global day of giving. It's movement encouraging people to give back to their communities. It's in its third year this year and was created in response to Black Friday and Cyber Monday. Those are days when we get good deals. Giving Tuesday, which is December 2nd this year is a day that we do good. Share Charlotte has brought together 64 non-profits to participate in our local movement

called giving Tuesday CLT. Our goal is to raise awareness of the work they do but also increase giving in Charlotte overall. We are thrilled that Mayor Clodfelter has proclaimed December 2nd as Giving Tuesday CLT Day. Thank you very much for supporting our program. Through our campaign we want to inspire Charlotteans to give a gift to the community. The size of the gift doesn't matter, it just matters that you give. We believe that we're all in this together and that we all play a critical role in making Charlotte a success. Giving your gift is simple, visit GivingTuesdayCLT.org and you will have the opportunity to make a monetary donation directly to the non-profit of your choice or you can pledge the number of hours you will volunteer in 2015. Again, the size of the gift doesn't matter. We hope that you all will participate and that you'll share this with your family and friends and neighbors and we're really excited to see what Charlotte can do on December 2nd. You can also follow the movement and join the conversation on social media by using hash tag [GivingTuesdayCLT](https://twitter.com/GivingTuesdayCLT). Remember you have through December 2nd to visit GivingTuesdayCLT.org to give your gift to Charlotte. We really truly believe at Share Charlotte that we're all in this together.

Homeless

Reverend Willie Simpson, P.O. Box 16537 said I brought with me today some articles that are in the newspaper that when I was out to Parkwood Avenue concerned about the homeless in that area, Belmont and the Plaza area. I setup an organization called We Care to feed the community. People started communicating and talking with each other; we had a good time. I didn't see any media out there. That was a good occasion to see the media but I never did get them out after 10 years, 10 long years out there and this article reads that the green light for Parkwood, some of you know about it, there was approximately \$2.1 million set aside to improve that community from the Plaza back to Belmont; it's documented in this article. I have other articles where I was active to move some things in the Hornet's Nest Park on Beatties Ford Road. In stating that I just wanted to let you know that my concern is for the homeless and thanks to two banks people had withdrawn out of the bank some money that I had set aside to feed the homeless and send money across country, feed the children, any other organization, Boys and Girls Town so they made sure I didn't have money to do that so standing before you now is a challenge because I know how it feels to stand in the backend of a food line of 250 people waiting to get some lunch. I know how that feels. I been there and believe it or not it's a big challenge and my concern is to do something for the homeless and I see North Tryon and all over Charlotte from Atlanta, Georgia to New York City I've been there and I've seen homelessness. It's ugly and I want to do something about it and I have something I want to read to you before my time runs out. Psalms 1 says "Blessed is he that considered the poor. The Lord will deliver him in times of trouble." Now I want you to know these great towers we have around Charlotte that's the City's towers, that's their wealth but the poor is the City poverty. If I can get somebody, if it's one or two or three to get with me to solve this problem with the homelessness in Charlotte. I've been affected by it myself, I know how it feels.

Mayor Clodfelter said Reverend Simpson, thank you again for the work you've done and your commitment to this issue. You know I think that we've got the 10 year plan on homelessness eradication and we announced last week a new initiative on veterans homelessness so I hope we can get you plugged into those because you've got the right idea and the right commitment. I thank you for that.

Reverend Simpson said I'd like to get with someone to set up an appointment to sit and talk with you about the plan.

Mayor Clodfelter said you should contact the Manager's office and they can then sort of see who to put you in touch with.

Reverend Simpson said I do have a plan.

Water Fluoridation Program in Charlotte

Phillip Alexander, 426 Marsh Road said in 1984 Proctor & Gamble, the manufacturer of Colgate toothpaste admitted a small tube of toothpaste contained enough fluoride to kill a child. Following a ruling by the USFDA American toothpaste now comes with a warning that states if more than a pea size amount is swallowed a poison control center must be contacted immediately. Just like on this tube. Now I have a tube of children's toothpaste and it says on the front fluoride free, safe to swallow so it's not safe to swallow in a toothpaste but safe to swallow in the tap water. Fluoride is dangerous enough to require a warning on toothpaste that's supposed to be safe to ingest in unregulated amounts in the water supply. Something doesn't add up here. I posed this question to Dr. Kinnear and even the head of our Health Department cannot provide an answer. If he can't provide an answer and there's a warning not to swallow fluoride on every tube of toothpaste containing fluoride then why are we allowed to swallow fluoride every day with no warning in the water? Maybe the Council can get an answer from Dr. Kinnear because I cannot. You don't have to be a doctor or a scientist to know the answer. The safety material data sheet for the additive we use clearly states that it may be fatal if large amounts are ingested and here's a warning label for hydrofluoric acid clearly says do not take internally. You can pass it around if you like. The warnings are as clear as day and right in front of us and we continue to add this harmful chemical to the water. We're doing the exact opposite of what the warnings warn us against. This seems insane to me. If fluoridation is so safe then why have over 150 communities all around the world rejected the practice since 2010? Why did the Health Minister of Israel ban fluoridation this past year citing health concerns and the right of choice and why is there a warning on the toothpaste? How many pea size amounts do you think the average person in Mecklenburg County swallows every day? Remember every beverage, every meal made with tap water contains fluoride or in our case hydrofluoric acid. It's time to end this dangerous practice.

Mayor Clodfelter said Councilmembers are still talking about what you've provided us so keep providing it alright.

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

Mayor Clodfelter said that concludes the open forum part of the meeting and we'll move now to the business meeting. We ran a little late in the dinner meeting so we didn't get all of our Consent Agenda items taken care of so I'm going to see if Debra Campbell can start us off on the Consent Agenda by running through any answers she's come up with.

Assistant City Manager Debra Campbell said there were questions with regards to about four or five items, items 16, 17, 20, 21 and 27. There was also a question asked about an item that's not on the Consent Agenda, it's part of your business item and I'm prepared to answer that one as well. Question that relates to Item No. 16, which is the Police Digital Photography item, the question was what is the software and what are the services that will be rendered by the vendor. The software application being purchased is called Commander. The software will allow the Police Department to take digital pictures obtained at crime scenes and load them into the software. The services that will be provided by the vendor, which is MediaSoft, will include installation of the software, configuration of the software onto Eity equipment and ongoing maintenance.

Mayor Clodfelter said I don't have a notice as to who asked that question.

Ms. Campbell said that was Ms. Fallon.

Mayor Clodfelter said Councilmember Fallon is that sufficient for your purposes?

Councilmember Fallon said yes.

Ms. Campbell said the next item is Item No. 17 which was asked by Councilmember Driggs. IBM Drive Intelligent Transportation Project is the title of the Agenda item and I'm going to

paraphrase the question which is what do we get for this investment? This is a developer funded investment of approximately \$131,000, just north of that, which includes approximately 1.36 miles of fiber optic cable and one traffic management camera. This investment ties three signals into the greater traffic signal system network, the connection will allow staff to make real time remote signal judgments during normal and emergency conditions.

Councilmember Driggs said I was wondering in particular whether this investment is part of a larger investment program to introduce this technology throughout the City.

Ms. Campbell said I'm going to ask someone from the Charlotte Department of Transportation to respond to that.

Mayor Clodfelter said is it part of a specific developer project?

Ms. Campbell said it is.

Mayor Clodfelter said that may be part of the answer.

Transportation Director Danny Pleasant said you often see on your Council Agenda items from developers allocating revenue that we receive from developers to install traffic signals. This is very similar to that; and almost all those include some level of interconnectivity through our fiber optic network. This is the same thing but instead of allocating the revenues you're hiring a contractor to actually do the installations so the revenues for this came from the developer of Innovation Park. We use fiber optic, we've got a fairly sensitive network of fiber optic all through the City, part of your Community Investment Program actually includes funding to continue to extend that for about 75% or 80% complete now so we'll finish that network out and that allows us to have a look at all the traffic signals throughout the City through a central location.

Mayor Clodfelter said do you need to keep the item pulled from the Consent Agenda?

Mr. Driggs said I actually didn't pull it, I just had that question.

Ms. Campbell said another transportation one, Item No. 20, the University Park Contract, this is for the bridge. The question was asked again by Mr. Driggs, is this a typical ratio of design costs to construction costs and the short answer is yes. I can embellish by saying that typical planning and design costs for a project of this size and complexity ranges from about 14% to 20% as a percentage of construction cost. Total planning and design cost is about \$1.3 million at least for this contract for an estimated construction cost of \$9.5 million; at 14% this percentage falls at the low end of generally what is expected of these kinds of projects.

Mr. Driggs said thank you. I think it may have been Mr. Smith that actually asked that question.

Ms. Campbell said was it Mr. Smith? I am so sorry.

Councilmember Smith said that's quite alright. I'm sure Councilman Driggs was anxiously awaiting the answer as well.

Mr. Driggs said it was good information, I'll tell you that.

Mayor Clodfelter said do you need that item pulled or are you satisfied?

Mr. Smith said I'm good.

Ms. Campbell said I think No. 21 was asked by Mr. Driggs which relates to the Time Warner Arena. Does the \$2.3 million requested in the Consent item come out of the \$27.5 million or is this in addition to? Did I get that one correct? Nearly all of the \$2.3 million will come from within the \$27.5 million capital budget or the \$600,000 annual contribution that the City and the Hornets each provide so there's no additional cost that's being added.

Mr. Driggs said that answers my question.

Mr. Smith said we're going to keep that item pulled.

Mayor Clodfelter said we're going to keep that item for separate vote.

Ms. Campbell said Item No. 27 is the app for janitorial services.

Councilmember Mayfield said before we go forward did you have the answer for No. 21 that I e-mailed you earlier?

Ms. Campbell said I did but I thought a result of mailing it to you that you didn't want it answered at the dais because I think I got about 18 questions e-mailed and I tried to respond to all of them. Item No. 27 is the app for janitorial service, Ms. Fallon asked this question. How many jobs are full-time and how many are part-time; 270 are full-time jobs and only 12 are part-time jobs and that concluded the questions on the Consent items. Again, there was one item that you asked that's on the Business Agenda, No. 12. I don't know if you all wanted me to answer those questions or wait until that Agenda item comes up.

Mayor Clodfelter said we have a speaker on Item No. 12 so why don't we just bring you back on that one because we're going to have a speaker on that item when we get to it anyway.

Ms. Mayfield said just follow up on No. 19, the question that I asked which was a breakdown of our SBE. Though that was something that I did want shared did you have that information in front of you and if not I can repeat the question and give the response because it is something that I think the community would want to see.

Mayor Clodfelter said you want all Councilmembers to have the answer to your question.

Ms. Mayfield said yes. No. 19, the question that I asked is that I believe months ago Council had started asking for a breakdown of our contracts so when you have a total of a \$900,000 contract but we show \$30,000 going towards our CBI goals, I along with some of my colleagues requested what is the actual breakdown so that if we're promoting and supporting CBI we have small business minority women businesses out there that don't feel that particular need. What are we doing to also help to identify and help our diversity supplier and our other partner organizations to create businesses in their area? The response for No. 19 was the fact that we do have 3 consultants and there was a 10% committed goal of \$30,000 to the Small Business Enterprise so giving a total of \$90,000 that's committed of the \$900,000 total approval and one of the funds being awarded a prime contract which is great so we're moving forward. AME, which is a Small Business Enterprise, is committing to you Wilson Group Architects, McCracken and Lopez is committing to use C Design Architects and Professional Engineering Associates is committing to use Fryday & Doyne Architects so thank you for getting that information back. Of course I'm always going to ask for greater numbers but it is good to know that we are not only utilizing but also an update at some point of what the City's role is in helping to grow these organizations by saying we have a hole in these particular arenas, do you have businesses in your network that would be able to fill those holes.

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CONSENT AGENDA

Motion was made by Councilmember Howard, seconded by Councilmember Austin, and carried unanimously to approve the Consent Agenda as presented with the exception of Item No. 21 which was pulled.

The following items were approved:

Item No. 15: Animal Care and Control Medical Supplies

(A). Award the low-bid, unit price contract to Butler Animal Health Supply, LLC for animal care and control medical supplies for an initial term of two years, and (B). Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments at the time of renewal as authorized by the contract and contingent upon the company's satisfactory performance.

Summary of Bids

Henry Schein	\$38,431.36
Patterson Veterinary Supply, Inc.	\$40,857.19

Item No. 16: Police Digital Photography Evidence Management System

(A) Approve a contract with MediaSolv Solutions Corporation in the amount of \$270,100 for software licenses and implementation services for the Digital Evidence Management System, and (B) Authorize the City Manager to extend the contract for five additional, one-year terms for license renewals, maintenance, and support with possible price adjustments as authorized by the contract and contingent upon the company's satisfactory performance.

Item No. 17: IBM Drive Intelligent Transportation Systems Project

Award the low-bid of \$131,664.94 to Whiting Construction Company, Inc. for the IBM Drive Intelligent Transportation Systems project.

Summary of Bids

ALS	\$189,514.88
Templar	\$158,101.54
Whiting	\$131,664.94

Item No. 18: Metropolitan Planning Program Grant Municipal Agreement

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

The resolution is recorded in full in Resolution Book 46, at Page 470-471.

Item No. 19: Electrical Mechanical and Energy Engineering Design Services for City Facilities

Approve professional services contracts not to exceed \$300,000 each, for electrical, mechanical, and energy engineering design services for a term of three year with the following firms for the combined amount of \$900,000: AME Consulting Engineers, PC (\$300,000), McCracken & Lopez, PA (\$300,000), and Professional Engineering Associates, PA (\$300,000).

Item No. 20: University Pointe Connection (South Bridge) Engineering Services Contract Amendment

Approve contract amendment #2 in the amount of \$400,000 with Parsons Brinckerhoff, Inc. for engineering services for the University Pointe Connection project.

Item No. 22: Clark Boulevard Connectivity Project

Award the low-bid of \$162,244.59 to Red Clay Industries, Inc. for the Clark Boulevard Connectivity Project.

Summary of Bids

Red Clay Industries, Inc.	\$162,244.59
Carolina Cajun Concrete, Inc.	\$184,231.15
United Construction, Inc.	\$185,294.90
Blythe Development Co.	\$207,920.00
Davis Grading, Inc.	\$224,888.25
W.M. Warr & Son Inc.	\$235,526.90
Zoladz Construction Co., Inc.	\$274,850.00
J.T. Russell and Sons Inc.	\$320,103.65
Blythe Construction, Inc.	\$354,344.90

Item No. 23: Reimbursement Agreement for Storm Drainage Improvements on Steele Creek Road

Approve the reimbursement agreement in the amount of \$233,001 between the City of Charlotte and Charlotte Outlets, LLC for storm drainage improvements on Steele Creek Road.

Item No. 24: Wiseman Storm Drainage Improvement Project

Award the low-bid of \$4,414,267 to Hall Contracting Corporation for the Wiseman Storm Drainage Improvement Project.

Summary of Bids

Hall Contracting Corporation	\$4,414,267.00
Sealand Contractors Corp.	\$4,592,913.27
United Construction, Inc.	\$4,748,082.90
DeVere Construction Company Inc.	\$5,183,037.48

Zoladz Construction Co., Inc.	\$5,872,729.50
Sanders Utility Construction Company Inc.	\$5,959,294.00
Blythe Development Company	\$7,431,032.57

Item No. 25: Vegetation Establishment and Management Services

Award the low-bid of \$258,298.53 to Carolina Wetland Services, Inc. for the Storm Water Bioengineering and Invasive Plant Removal for the Fiscal Year 2015 contract.

Summary of Bids

Carolina Wetland Services, Inc.	\$258,298.53
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*Only one bid was received.

Item No. 26: Airport Maintenance Facility Design Services

(A) Approve a professional services contract in the amount of \$152,450 with Bergmann Associates, Architects, Engineers, P.C. for preliminary design and scope services of a new Airport Maintenance Facility, and (B) Adopt a budget ordinance 5333-X appropriating \$152,450 from the Airport Discretionary Fund to the Airport Community Investment Plan Fund.

The budget ordinance is recorded in full in Ordinance Book 59, at Page 151.

Item No. 27: Airport Janitorial Services

(A) Approve a management agreement with Sunshine Cleaning Systems, Inc. to provide janitorial services at Charlotte Douglas International Airport for a term of three years, and (B) Authorize the City Manager to extend the contract for two additional, one-year terms as authorized by the contract and contingent upon the company's satisfactory performance.

Item No. 28: Airport Conveyor Workshop Room

(A) Award the low-bid of \$324,500 to Encompass Building Group, Inc. for construction of a conveyor workshop, and (B) Adopt a budget ordinance 5534-X appropriating \$324,500 from the Airport Discretionary Fund to the Airport Community Investment Plan Fund.

The budget ordinance is recorded in full in Ordinance Book 59, at Page 152.

Summary of Bids

Encompass Building Group, Inc.	\$324,500.00
Liles Construction Company, Inc.	\$375,240.90
The Bowers Group	\$409,200.00
Hostetter & Keach, Inc.	\$434,500.00

Item No. 29: Water/Sewer Extensions and Replacements – FY2015

Award the unit price, low-bid of \$2,040,918.05 to Dallas 1 Construction, LLC for the new construction or replacement of water and sewer mains throughout the Charlotte-Mecklenburg Utility Department service area.

Summary of Bids

Dallas 1 Construction, LLC	\$2,040,918.05
RH Price, Inc.	\$2,224,280.80
State Utility Contractors, Inc.	\$2,274,130.00
Dellinger, Inc.	\$2,435,815.98
Propst Construction Company	\$2,809,456.60

Item No. 30: Light Rail Train Control System Parts Supply

(A) Approve the purchase of Original Equipment Manufacturer LYNX Light Rail Train Control system spare parts, as authorized by the sole source exemption of G.S. 143-129 (e) (6), (B) Approve a unit price contract with Ansaldo STS (formerly Union Switch and Signal) for the Original Equipment Manufacturer LYNX Light Rail Train Control system spare parts and repairs for an amount not to exceed \$1,050,000 for a term of three years, and (C) Authorize the City Manager to extend the contract for up to two, one-year terms with possible price adjustments as deemed reasonable and appropriate by the City Manager.

Item No. 31: Vehicle Up-fit Accessories and Components

(A) Award the unit price, low-bid contract for the purchase of vehicle systems mounting, safety, up-fit accessories, and related components for the term of three years to the following vendors: Campbell-Brown Inc., Dana Safety Supply Inc., 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 on the company's satisfactory performance.

Summary of Bids

	Gamber-Johnson	Havis	Pro-Guard	Setina
Dana Safety Supply	\$94,329.20	\$117,787.00	\$147,397.00	\$121,785.55
Campbell-Brown	\$0	\$150,060.65	\$0	\$114,723.35

Item No. 32: Vehicle Graphics Manufacture, Installation and Removal.

(A) Approve a unit price contract with Industrial Sign and Graphics for vehicle graphics manufacture, installation, and removal for an initial term of one year, and (B) Authorize the City Manager to extend the contract for four additional, one-year terms with possible price adjustments as authorized by the contract and contingent upon the company's satisfactory performance.

Item No. 33: A T & T Voice Telecommunications Services

(A) Approve an extension to the unit price contract with AT&T North Carolina for the continued provision of local voice telecommunications services for a term of three years and, (B) Approve the purchase of AT&T long distance telephone services from a state contract as authorized G.S. 143-129(e) (9), and (C) Approve a contract with AT&T Corporation for the purchase of long distance telephone services for up to three years under state contract number ITS-004729, as long as the state contract remains in effect at prices and terms that are the same or more favorable than those offered under the state contract.

Item No. 34: Technology Project Management Professional Services

Approve a professional services contract estimated at \$302,500 with Optimum Holdings, Inc. for technology project management services for an initial term of one year.

Item No. 35: Investment Consulting and Custodian Services for the Long-term Investment Program

(A) Approve a professional services contract for investment consulting services for an initial term of three years with Dahab Associates, Inc., (B) Approve a professional services contract for investment custodian services for an initial term of three years with US Bank, and (C) Authorize the City Manager to extend each of the contracts for two additional, one-year terms with possible price adjustments as authorized by the contracts and contingent upon the company's satisfactory performance.

Item No. 36: Voluntary Annexation Public Hearing Date

Adopt a resolution setting a public hearing for January 12, 2015, for a voluntary annexation petition.

The resolution is recorded in full in Resolution Book 46, at Pages 472-475.

Item No. 37: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$9,861.37.

The resolution is recorded in full in Resolution Book 46, at Pages 476-477.

Item No. 38: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of the October 20, 2014, Zoning Meeting.

Item No. 39: Jonas Federal Courthouse Lease Extension

(A) Approve the extension of the Jonas Federal Courthouse Lease for property located at 401 West Trade Street between the General Services Administration (as Tenant) and City of Charlotte (as Landlord) for an additional one year, to end December 15, 2015, with an annual rent of \$1,076,337, and (B) Extend the Option and Purchase Agreement for the Jonas Federal Courthouse property granted to Queens University of Charlotte through December 15, 2015.

Item No. 40: Behringer Harvard Subterranean Lease Space

Approve a five-year lease with two, five-year extensions with Behringer Harvard 101 South Tryon, LLC for \$20,388 per year with 2% annual rent escalations (Parcel Identification Number 12501201).

Item No. 41: Property Transactions

Item No. 41-A: 8107 Robbie Circle

Acquisition of .68 acre in Fee Simple at 8107 Robbie Circle from Deborah Sedgeley for \$145,000 for Aviation Master Plan.

Item No. 41-B: 9000 Steele Creek Road

Acquisition of .44 acre in Fee Simple at 9000 Steele Creek Road from JSM-JHR, LLC for \$147,000 for Aviation Master Plan.

Item No. 42-C: Bryant Farms Road

Acquisition of 310 square feet in Fee Simple, 2,319 square feet in Sidewalk and Utility Easement, plus 3,501 square feet in Temporary Construction Easement from Harris Teeter, LLC at Bryant Farms Road for \$16,000 for Community House Farm to Market-Phase 2, Parcel #45.

Item No. 42-D: 4018 Melchor Avenue

Acquisition of 4,540 square feet in Storm Drainage Easement, plus 1,131 square feet in Temporary Construction Easement at 4018 Melchor Avenue from N. Frank Dixon and Denise B. Dixon for \$64,725 for McAlway/Churchill Storm Drainage Improvement Project, Parcel #57.

Item No. 42-E: 220 East Sugar Creek Road

Resolution of condemnation of 11,655 square feet in Storm Drainage Easement, plus 21,557 square feet in Temporary Construction Easement, plus 77 square feet in Utility Easement, plus 24 square feet in Storm Drainage Easement and Utility Easement from Metromont Corporation and any other parties of interest for \$61,400 for LYNX Blue Line Extension, Parcel #1297 and #3244.

The resolution is recorded in full in Resolution Book 46, at Page 478.

Item No. 42-F: 3916 North Tryon Street

Resolution of condemnation of 432 square feet in Temporary Construction Easement from Khalid M. Alasfar, Mustafa M. Alasfar and Abed M. Alasfar and any other parties of interest for \$500.00 for LYNX Blue Line Extension, Parcel #3248.

The resolution is recorded in full in Resolution Book 46, at Page 479.

Item No. 42-G: 1051 Scaleybark Road

Resolution of condemnation of 1,076 square feet in Fee Simple, plus 9,991 square feet in Fee simple within Existing Right-of-Way, plus 1,009 square feet in Temporary Construction Easement from Chester Eugene Callaway and any other parties of interest for \$12,300 for Scaleybark Road Traffic Calming, Parcel #6.

The resolution is recorded in full in Resolution Book 46, at Page 480.

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ITEM NO. 21: ARCHITECTURAL SERVICES FOR THE TIME WARNER CABLE ARENA UPGRADES

Motion was made by Councilmember Kinsey, seconded by Councilmember Howard, to authorize the City Manager to negotiate a contract in an amount up to \$2,300,000 with AECOM Services of NC, Inc. for architectural services for Time Warner Cable Arena upgrades.

Councilmember Smith said this for the viewing public is a request to fund the upgrades or design upgrades to the Hornet's Arena in the \$2.3 million dollar range. This is something I did not support when it first came before us on the \$27.5 million. I want to keep my record consistent that I feel as though a number of the upgrades for the Arena go above and beyond what I think are general building maintenance. I attended the Chapel Hill/Davidson game on Saturday and for example the \$7 million that go into the scoreboard, the scoreboard appeared to be operating just fine from where I sat and I want to keep my vote consistent.

Mayor Clodfelter said I don't know I thought the scores where reported wrong all the way through the game all the way to the very end.

Mr. Smith said I think they did a good job. Anyway, I want to keep my vote consistent, this was something I did not support and I continue not to support.

Councilmember Driggs said I also did not support the original funding and it was because I felt that the contract pursuant to which we were required to make payment was unreasonable onerous on the City and on the tax payers so I too consistent with that vote will not support this.

YEAS: Councilmembers Austin, Autry, Kinsey, Lyles, Howard, Phipps and Mayfield.

NAYS: Councilmembers Driggs, Fallon and Smith

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ITEM NO. 13: CONCLUSION OF CONSENT AGENDA

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PUBLIC HEARING

ITEM NO. 7: PUBLIC HEARING ON RESOLUTION TO CLOSE AN UNOPENED PORTION OF PROVIDENCE ROAD NORTH

Mayor Clodfelter said we'll open the Public Hearing. Are there any speakers on the proposed closure of an unopened portion of Providence Road North? Do we need the staff presentation on this? You have the materials do you guys feel the need to make a presentation? If not then I'll take a motion to close the Public Hearing and adopt the resolution to close the unopened portion of Providence Road North.

Motion was made by Councilmember Howard, seconded by Councilmember Kinsey, to (A) Conduct a public hearing to close an unopened portion of Providence Road North, and (B) Adopt a resolution to close an unopened portion of Providence Road North.

Councilmember Phipps said I guess I was confused by the wording of this thing. How do you close an unopened portion of a road? I just don't know.

City Attorney Bob Hagemann said the term closed really is short for extinguishing all of the City's legal rights so we use that word even if the road is not actually physically open. It extinguishes our rights to the right of way and returns ownership to the property owners on either side.

Mayor Clodfelter said I remember we used to call it abandonment of the right of way. Does that help?

Mr. Phipps said yes. Is there any compensation associated with this transaction? If not, why not?

Mayor Clodfelter said Mr. Hagemann; you want to field that one too? I think you may be appropriate for that one. The question is, was there any compensation being paid in connection with the closure here or if not, why not?

Mr. Hagemann said because the statute does not provide for it. There's a state statutory process whenever you see one of these that we follow and it does not authorize payment of compensation.

Mayor Clodfelter said this is usually land that the City got by gift from the property owner and so when the City lets it go it usually goes back to the property owner where it started. That's the common situation that occurs.

Councilmember Howard said I guess I'm trying to understand. You're saying why wouldn't they pay us for land and we're closing the road.

Mr. Phipps said I thought they petitioned, they put a petition to have it abandoned so I was just wondering with that process is there any compensation associated with it.

Mr. Howard said ok, I didn't understand it.

Councilmember Autry said Mr. Hagemann, this property would then go back on the tax roll, is that correct?

Mr. Hagemann said that is correct.

Mayor Clodfelter said we had a Public Hearing where nobody spoke and then we got into a lot of discussion so I've lost track. Did we adopt the motion or not? Madame Clerk we took the vote?

City Clerk Stephanie Kelly said we did not take a vote.

The public hearing was closed; the vote was taken on the motion and was recorded as unanimous.

The resolution is recorded in full in Resolution Book 46, at Pages 455-459.

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POLICY

ITEM NO. 8: CITY MANAGER'S REPORT

City Manager Ron Carlee said because we did run late in our Dinner Briefing we'd like to have Dana Fenton our Intergovernmental Liaison to come and give you a brief overview of our Intergovernmental Program, Councilman Driggs may want to comment on it from the standpoint of his committee. This will be coming back to the Council for action on December 8.

Councilmember Driggs said I just wanted to quickly say Mr. Fenton is going to brief us on the 2015 Federal Legislative Agenda and the 2015 and 2016 State Legislative Agenda. These Agendas are scheduled for adoption by Council on December 8th. The Intergovernmental Relations Committee has met three times in preparation for the upcoming sessions of Congress and the General Assembly. We had good discussions with our lobbyists in Washington, Holland & Knight, with staff and with The North Carolina League of Municipalities. The Committee voted five-nothing on November 10th to recommend these proposed Agendas to Council. In addition to myself the members of the Committee are Vice Chair Claire Fallon and Councilmembers Howard, Mayfield and Smith. If the Council desires that the Committee reevaluate any issues in the proposed Agendas we can do so at the next meeting of the Committee which is on December 1st and apparently the City Manager has referred a late breaking state legislative request from the Charlotte Firefighters Retirement System which we would then take up at that Committee meeting and Council would then be asked to vote on December 8th. We have a meeting scheduled with the State Delegation on December 15th, so with that I will hand it over to Mr. Fenton.

Intergovernmental Relations Manager Dana Fenton said I am pleased to be here tonight to provide an overview of the proposed, both State and Federal. If I could go into the Federal Legislative Agenda first there are four items that we're recommending tonight all of which you have seen in some form or fashion over the last several months. The first one is continue the work we've been doing the last several years on getting a new Airport Control Tower into the Charlotte-Douglas International Airport. The second one is to reiterate the Council support for seeking a Manufacturing Community Designation under the Investing and Manufacturing Communities Partnership Program. This is a partnership that you all approved, participating in back in April, I believe that night that it was approved was Mayor Clodfelter's first meeting that you presided over as Mayor of the City of Charlotte. The third and fourth issues are things you've seen before of course; support reauthorization of the Federal Surface Transportation

Program, it did expire earlier this year, it was extended for another several months and it will expire at the end of May of 2015 and also support for the 2030 Transit System Plan which is a plan that was put in place in the region to get the Blue Line Extension, the Red Line, the Gateway Station and other transit system properties in service. I might pause here for a moment to see if there are any questions about the proposed Federal Legislative Agenda.

Councilmember Phipps said the second one, investing in Manufacturing Communities Partnership, you talk about the Charlotte region; is it conceivable that in addition to us approaching our Federal Legislators that other municipalities within the region will be doing the exact same thing?

Mr. Fenton said yes, other municipalities and other groups within the region for example, I'll just go from memory that the Town of Mooresville was part of this before and then of course the Charlotte Chamber of Commerce, the Regional Partnership, Central Piedmont Community College, The University of North Carolina at Charlotte and a whole lot of other groups were involved as well. This is truly a public/private partnership.

Mr. Phipps said so it's not the intention for those municipalities to leverage off of one entity, they're just going to inundate the Legislative staff with a repetitive request.

Mr. Fenton said the request itself will be coordinated by the Centralina Council of Governments and all the localities will sign on to that and agree to be part of that one. If we were to send in say 50 or 100 different applications I am sure that this designation would be disapproved for this region. By acting as one we have a greater chance of receiving such a designation.

Councilmember Mayfield said I actually had two items that I had wanted to refer to our Intergovernmental Relations Committee.

Mayor Clodfelter said can we get the full report and then I'll recognize you after the end of the report for additional referrals. Let's let Mr. Fenton complete the state piece of the report and then I'll recognize you.

Mr. Fenton said we'll move on to the 2015, 2016 State Legislative Agenda and there are four issues that we're presenting tonight. The first one is one that we've talked about for over a year now and we've come to the point now where we need to think about a replacement source of revenue for the Privilege License tax. As you all recall that has been abolished effective July 1, 2015. It was abolished without a replacement source of revenue and as I think you all know that that brings in about \$18 million per year to the city. The second one under Storm Water Management, what we would be seeking here is the same legislation that Wake and Mecklenburg counties received last year. They received express authorization to undertake flood control solutions on private properties. Actually our city has been doing this for about 20 years or so and we feel like it's better to go out and ask for that same authority in order to mitigate any objections to it in the future.

Moving on to the Street Gang Nuisance Abatement, as many of you know a couple of years ago the General Assembly enacted an Act called the Street Gang Nuisance Abatement Act and the city last year, CMPD went out and got the first temporary injunction against a street gang in a neighborhood in Charlotte. By law those temporary injunctions expire after one year. There is no provision in the law at all to extend that injunction and we're simply asking for the courts to have the authority to extend that injunction for good cause shown.

Councilmember Howard said just a point to make on that one; will you share what the Committee talked about? Did we add the part about limiting how much, how long it can be? Is that part of what we added?

Mr. Fenton said yes sir. It's two things; one is to limit an extension of the injunction to one year and the second was to ensure that it was for good cause shown.

Mr. Howard said of course that's just kind of what it is; not to just have an indefinite extension of that because that can get into civil rights issues but to make sure that it was tool that could be extended as needed so just FYI about that part.

Mr. Phipps said I'm thoroughly familiar with the Street Gang Nuisance Abatement Program in as much as one of the communities in question happen to be in District 4 but I was kind of curious as to why this wasn't brought before the Community Safety Committee just for courtesy or whatever. It would just seem to me that before it got to this point it would have at least been mentioned in Community Safety Committee meeting. I would hope on a go forward basis that we wouldn't look at it in a silo in as much as we've had some active discussions on the issue all summer long preceding the expiration of the injunction against the gang members.

Mayor Clodfelter said Mr. Manager; I think Councilmember Phipps raises a question about sort of a broader process question about the development of our Agenda and how it gets processed. We have substantive committees and then we have the Intergovernmental Committee as well and so going forward from this point I think we are where we are on this but going forward from this point we probably ought to think about how we review those items and what sequence we review those items. It's a useful suggestion. I don't think we do anything about it at this point but I think Councilmember Phipps raises a question for the future to think about.

Mr. Howard said I'm going to disagree with my colleague. We've done this this way for a number of years so we'd have to take the tower, we'd have to take every one of these different one's and refer them to a Committee. That's kind of the point of the Intergovernmental Committee, that's why we're bringing it to Council before we go forward with it. Either we get rid of that committee all together or we trust that Committee and we do it the way we've been doing it. If not we have to dissect every piece that he just went through and it's more than just this one issue.

Mayor Clodfelter said I want to be clear, I was making an open-ended suggestion that folks think about it and use judgment in terms of when an issue might require review by a substantive committee and when it might be ready to go straight to the Council so I was simply suggesting think about it as you go forward. No bright line rules.

Councilmember Austin said Councilmember Howard, you said that the reason why did not want to extend beyond a year was because of civil rights issue. What was the thinking behind all that? I'm sorry.

Mr. Howard said the way that this worked is that the police got a year to be able to use this tool if you will in the neighborhood. I think that works but the idea of asking for a judge to be able to open-endedly just extend it without putting a set period of time on it felt like it could infringe on civil liberties at some point. I wanted to make sure that if it was asked for, for instance if the issues in the neighborhood were taken care of, if you can have a good reasonable purpose for extending it fine but it still should have a sunset so you can come back and say okay after another year it didn't and after another year not something that a judge could just say is open ended and can kind of be free reign on a neighborhood from now on.

Mr. Austin said did that bubble up from the Committee or did someone file something?

Mr. Howard said it came from me during the committee meeting. We kind of all agreed on it that it should be set periods of time that it's extended not just kind of open ended. The way it was written originally it was just kind of open ended.

Mr. Austin said I actually kind of agree with Councilmember Phipps, I really think this should have also come to the Public Safety Committee for some discussion. As one of those districts that also has some issues with gangs and what's happening in my communities then I really would want some discussion and some feedback from our Committee on that; just a side note.

Mayor Clodfelter said I think this is useful discussion and again I know the Committee Chair and Mr. Fenton will take the discussion under advisement when you are developing future agendas you may encounter ones where you think it might be some need for Council discussion on the issue before it's brought forth.

Councilmember Fallon said as Chairman of the Committee I will tell you I am handed an Agenda. I am not asked what I think should be in it. When I've made suggestions like cell phones I get put down, they don't want it. That's from Management so very little comes to the Committee that should be in the Committee.

Mr. Phipps said looking at this issue it was my understanding that once it was given a definitive date that it would expire and the only way that it could be extended was you would have to show through statistics and other means the need to renew it so I wasn't aware that it was a problem with the length of it but I know the community really wanted it to be extended but without the evidence of a need to go that route and it was something that it wasn't feasible to do.

Mayor Clodfelter said I will say again I think here is a question where we've got to sort of keep mindful of the fact that we have many moving parts here and that when we have an item that may cross the boundaries between one or more committees we just have to think about that in terms of how we process the issues so it gets the proper review by all those who have some involvement in the issue. I know that that will be done going forward. I'm asking that it be done.

Ms. Fallon said very often there are things that the community gets in touch with me about, that the community wants us to be transparent on and I'm handed an Agenda that has nothing to do with what the community is asking about. There has to be a way of revising the way we're handed what our committees are going to do; that we have the input. It's not handed to us.

Mayor Clodfelter said as I understand it Mr. Manager and members of Council I'm the new kid on the block here but the matters are referred to Committee by Council as I understand it.

Mr. Howard said and by the Mayor and by the Manager.

Mayor Clodfelter said and by the Mayor and by the Manager and so I hope you will call me out if I ever put an item on your committee Agenda...

Ms. Fallon said I'll come directly to you.

Mayor Clodfelter said you do that because I haven't done it so far.

Ms. Fallon said no you haven't but it has been done and I think it's unfair to our public that wants answers and wants to know something is relevant to what's going on in their communities and we don't do it.

Mayor Clodfelter said point taken.

Ms. Mayfield said as an elected body we all receive all the information from all the multiple committees. We have the ability to review those Agendas and decide if we're going to attend that additional committee meeting. Personally, I already have five committees but if it's something of importance then I'm going to attend that additional committee meeting. I don't necessarily agree that staff should have to figure out if it has already been referred to a committee like in the particular case that we're speaking on, governmental issues, we have a committee. If any of us want to get more information all that information is in our packet, it's emailed to us, we have several ways to look at it. We make a conscious decision whether or not we're going to review all the information and then decide either we're going to reach out to the Chair of that committee to find out more information or we're going to attend the meeting so that we can be a part of the conversation because all of us have the ability to attend each other's meetings and we've all been welcomed to each other's meetings. I don't agree that we need to add an additional step for staff to try to figure out what other committees are also included in this conversation because that is

our responsibility because again as was mentioned by Councilmember Fallon we are the elected body so it is our responsibility to do our homework and not wait for staff to identify because when I was Vice Committee Chair for Housing and Neighborhood Development under Councilmember Kinsey we were in constant contact with staff regarding what was going to be on the Agenda. The majority of the items came from this body or came from comments that came from the community. We had the ability to decide whether something was going to be on which meeting or whether it was going to be pushed back or if we needed additional time on it so we have to take some responsibility on how the information is disseminated and not necessarily look for staff to say okay well this is going touch three of your eight to ten committees so I need to make sure that everyone is on the same page.

Mayor Clodfelter said alright, I think I have heard all the positions well stated and I think they've been very clearly stated. Again, this is not something you can manage by sharp rules. It's something you sort of look at and exercise judgment as you go case by case on to what extent a policy matter may implicate the need for a different way of discussing it. I trust that that's the way we're going all work on these things. I think we've heard each other. I think it's been good and with that maybe we can let Mr. Fenton present the rest of the State Legislative Agenda.

Mr. Fenton said thank you Mayor. The last issue we have on the State Agenda tonight is the Civil Service Board. We brought this one up a couple of years ago to increase the Board from seven to nine members. They have had some issues in trying to get enough members on to hold hearings and we're presenting this to you tonight for consideration in a couple of weeks. That's completes the four items on the State Legislative Agenda. If you noticed earlier we do have another issue that we'll be talking about next week that has to do with the Charlotte Firefighters Retirement System.

Ms. Mayfield said after attending Austin this week with the National League of Cities, HUD Secretary Castro made a couple of announcements. Two of them I want to have referred to our committee for our December 8th meeting to be added to our Legislative Agenda. One of them, thankfully our Mayor Clodfelter is a part of our Mayor's Leadership, there was a MOU between HUD and the National League of Cities as benefitting joining of Mayors and a challenge to end Veterans homelessness and that partnership moving forward will help to prioritize our most vulnerable Veterans, coordinate outreach, target rapid rehousing, leverage housing. We're having these conversations through our Housing and Neighborhood Development but this will be a great opportunity for us to take it to the next level with our Legislative policy and to get more information with the committee. The second one would be looking at how we can support through our Legislative Committee the HUD Secretary Castro announced \$30 million in grants to help transform communities and that is under the Choice Neighborhoods Programs and just to give a quick idea that's looking at housing, people and neighborhoods but the grants are due by February 9, 2015. There will be a lot of opportunities and as we're having conversations about how we're trying to have a greater impact in our broader community especially those that may have had some financial challenges here's a great opportunity for us to utilize what's already being created on the federal level and to get in the room to possibly apply for some grants that may be able to assist us moving forward. I am requesting Council to support us moving this to our Intergovernmental Relations Committee to have discussion I believe at our next meeting which is December 1st.

Mayor Clodfelter said I want to be clear; these are two housing issues, housing related and community development issues, are you asking a referral to the Housing and Neighborhood Development Committee or to the Intergovernmental Relations Committee? Which first?

Ms. Mayfield said right. The reason I'm asking for the Intergovernmental Relations Committee is so that we can add this into our Legislative Agenda since these are legislatives.

Mayor Clodfelter said because of timing?

Ms. Mayfield said right.

Mayor Clodfelter said let me hear from the Committee Chairman Councilmember Kinsey and see what she thinks.

Councilmember Kinsey said I think this is a Government Relations issue and I don't think it needs to come to Housing and Neighborhood Development. As Mr. Howard mentioned we would be changing our way of doing business if we started sending some of these to another a committee and then it goes to the Government Relations. It's just not necessary, I think its fine. Go right ahead and send it to the Government Relations Committee.

Mayor Clodfelter said I'm going to take Councilmember Mayfield request in a minute. I want to say something again about the point I was making earlier. There may be times when the Council has a policy or has taken a clear position and then the questions whether you do it a little differently, whether you change the road you've been going down and move in a different direction or you change your course. Those might be the occasions when you think about the level of review in your committees and that's all I'm suggesting. I'm not suggesting that's every occasion or every item. I'm suggesting that when there might be a change in direction from what you've been doing in the past and that might be useful.

Ms. Kinsey said as Ms. Mayfield said we get all of this information so we have had this for I don't know how long so we know what it is. I understand what you're saying and I respect that but when we start going down the road of having two committees consider some of these things it's going to take a lot more time and a lot more staff time.

Mayor Clodfelter said I understand Councilmember Kinsey the Council has historically been a very, very strong supporter of the State's Low Income Housing Tax Credit Policy. If a matter where to be brought forward to the Intergovernmental Relations Committee abandoning that support and withdrawing Council's support for that that might warrant some review by the committee whose expertise is in housing issues first. That's the only point I would make.

Ms. Kinsey said I told you I understand what you're saying. It needs to go to two committees too often.

Mayor Clodfelter said not too often but on occasion.

Ms. Mayfield said before bringing this to the dais speaking with my colleagues actually because I had the same question; I did speak to Mr. Fenton to find out is this legislative since what we're looking at is a legislative policy. I do agree that there are times and we have done it. There have been times when we've moved, we did it with Band the Box, so we have moved things into appropriate committees but for this particular issue I did have conversations with my colleagues to try to identify which would be the correct committee for this to go in but when we're looking at an early 2015 deadline this committee, when we're looking at legislative policy and how we move forward and also how we're building relationships with our partnership with the National League of Cities so this ties in perfectly so therefore Dana and I had a conversation and this is more for the community to know because we're having a great conversation and not everyone in the community knows how we move forward with these procedures and how we move any particular issue to community but I did have conversation with our legislative guru to find out the best way to move forward with it.

Mayor Clodfelter said I applaud the way you have handled these two matters. Is there any objection to sending these two matters to the Intergovernmental Relations Committee?

Mr. Howard said I have an objection on information and I'm going to get in on this one just for a second. The time that we did send it to two committees I think about is the afterschool programs, we sent part of it to one committee and part to another and it was a mess so just know that we tried that before and we have to be careful about it. I wanted to get some information from my

colleague so the Choice Neighborhoods way I understand it and Pam and Deion nod at me if I get this wrong. Choice Neighborhoods is a replacement of the Hope VI and the Housing Authority has to apply for projects that qualify for it so us as a city just putting it on our Legislative Agenda won't mean anything if the Housing Authority doesn't apply for something. We just need to make sure that we coordinate that with them if we're going to do it so I'm not against it. I noted they looked at Alton Hills I think as a Technical Assistance Grant last year with Choice Neighborhoods, they didn't get it. I think it's a great one to continue to go after because they have several of them that would make a lot of sense to go after. I just want to make sure that if we do that one we do it in coordination with the Housing Authority. Just FYI.

Ms. Mayfield said thank you Mr. Howard, Ms. Wideman and I have already had that conversation.

Mr. Howard said just putting it on the record. Thank you Ms. Mayfield.

Mayor Clodfelter said I like the way you've handled this matter as I've said Councilmember Mayfield. Is there any objection to the request to refer these two items to the Intergovernmental Relations? If not that will be done; Ed, you've got them.

Mr. Phipps said I got a similar issues, well not issues but concerns with two of the four. With Storm Water Management and with the Civil Service Board it seems with Storm Water Management are you saying why do we need to get permission to implement common sense flood mitigation efforts with the case of Storm Water Management?

Mr. Fenton said if I just back track about 20 years when the legislation that we're operating under first went through the City did undertake those measures and then just in the past year the two counties that I spoke of Wake and Mecklenburg received the authority to do that by express authorization and we felt it was better just to handle any future issues with that just to make sure we had that same authority, the same written authority as those two counties do. We don't feel like we're under any pressure it's just that we just think it's better to be safe than sorry.

Mr. Phipps said okay. This final one on the Civil Service Board, it seems to be a very innocuous request for something we should be able to do ourselves. You're talking about we want to increase our numbers by two members but yet we have to go to our Delegation to get that permission.

Mr. Fenton said this is the City Charter and City Charters have to be amended by the General Assembly.

Mr. Phipps said I guess that's the way it is then.

Councilmember Lyles said generally that is the way it is.

Mayor Clodfelter said just remember we are not a home ruled state we are absolutely a creature of the Legislature.

Mr. Fenton said Mayor I just have one quick other item to just let you know after next week committee meeting I'll be back here on December 8th and Mr. Driggs and I will present the final and then on December 15th Mayor and Council we do have an item just right after this to amend your calendar to have the Legislative Breakfast with the Mecklenburg State Delegation on December 15th.

Mayor Clodfelter said and we will do that if Council approves that item. This is a report item only tonight not an action item after all that. Mr. Manager your report's not over I understand you have some other things you want to talk to us about.

Mr. Carlee said just very briefly Mr. Mayor. There's been press attention around some research we're doing at the staff level on the concept of pay to throw waste collection. There's an article

in the Observer today we're getting information in from citizens, residents who are anxious about what we may or may not be doing and I just want to take a few moments to clarify that this is at a study level right now. There are some members on the Council who are very much interested in it and there are some members on the Council who are very much not interested in it as I have heard from. This is simply an analysis at this point. The idea behind pay to throw is to try to reduce a municipality's waste stream by providing some financial relationship between how much you throw away and what you actually pay. One of the things that makes this concept challenging in Charlotte is that currently Solid Waste collection is supported by the General Fund, property taxes, sales taxes, other taxes that go into the General Fund and is not an Enterprise Fee based system. Many other municipalities actually operate waste collection as an Enterprise Fee based system and in that environment changing from a flat rate to a variable rate based on how much you throw away is obviously a much easier thing to do. It's harder in an environment where it's General Fund supported and so we're not anywhere close at this point to fully analyzing what the benefits would or would not be under a variable rate disposal system nor have we developed financial analysis that we could present to you that would deal with the main concern that we're hearing from the public and that is why are you imposing this new fee on us. Obviously to impose a new fee I would expect you would require some offset or you would expect at least for staff to present some options for you around offsets and we're just not at that point at this time. I don't expect that we will have a report ready for you on this topic until May of next year but there are a number of vendors that provide products and technologies around pay for throw. Some of them are very aggressive in their marketing. I think some of them have presented to different members of Council at conferences and conventions that you go to. There are many different ways of doing it. We're looking at it as a whole and making the assessment and whether or not we would make a recommendation ultimately to go down this path is not anything that we're close to deciding at this time.

Mayor Clodfelter said fair to say that you're still in the question and asking stage.

Mr. Carlee said that is exactly right.

Ms. Fallon said when you do the questioning would you find out how much you are going to refund of property tax to people?

Mr. Carlee said well that's the offset that I'm talking about and so I would expect that anything I would bring forward to you in a funding plan would include recommendations on how you might provide some offsets. I don't know what that would be. It's actually fairly challenging because the tax rate that people pay say property tax is divided between both commercial and residential providers whereas the waste collection is just residential and getting one to one relationships is really difficult there so in the end this may just be too complex for us to do but on the other end we may look at it and look at what other cities have done in a similar situation and find there's a pathway here that really makes sense for Charlotte. I don't presume what the conclusion is at this point.

Ms. Kinsey said Mr. Manager; will you be bringing us information prior to making any kind of recommendation?

Mr. Carlee said yes ma'am. I think we would need to have a Workshop presentation around the concepts of the different alternatives and before I would actually bring a recommendation to you I would seek guidance from the Council overall as to whether or not you wanted to go down the path based on an informed presentation and if so what policy guidance you would give me in terms of developing a recommendation for you.

Mr. Kinsey and somewhere in some information that you have sent out I seem to recall that you or someone sent out to me maybe it was one of the Assistant City Managers that the public would have an opportunity to make comments if indeed we decide to go down that path.

Mr. Carlee said by all means yes. You do have a memo in your late e-mail this afternoon that summarizes some of the same things I'm saying tonight.

Councilmember Smith said Mr. Manager this is as you can imagine a hot button issue. I assume not just in District 6 but other areas I've received numerous calls on this and e-mails on this and it's barely in its infancy. You answered part of my question but what I would ask is to the extent possible, that you keep us updated on the progress of where things are because as this unfolds there is some angst in the community and we are going to be asked questions about it on a pretty regular basis I think until May and so it's best we can be kept apprised of progress, where things stand and some of the ideas that maybe coming out of it. I think we'll find it helpful on Council and one thing that I would ask is that if we're going to look at I assume this is driven to save land fill space and change recycling habits, I hope we are looking at the possibility of extending recycling service on a weekly basis and this truly is a comprehensive view as to how to approach a problem not simply throwing on some fees for garbage.

Mr. Carlee that's actually a very good point because at the end of the day this is not a revenue generated program. This would be intended to be in part of a larger strategic approach to waste disposal and reduction of waste disposal and increasing recycling so if it doesn't actually achieve those environmental ends there would be no reason to even go down the path at all.

Mayor Clodfelter said anyone else? Mr. Manager any other items?

Mr. Carlee said no sir. Thank you for the extended time tonight.

Mayor Clodfelter said so you made up for all your prior Manager's Reports in prior months this evening.

Mr. Carlee said I made a dent in it.

Mayor Clodfelter said we'll take you ask having evened out now.

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ITEM NO. 9: 2014 CITY COUNCIL REGULAR MEETING CALENDAR AMENDMENT

Motion was made by Councilmember Howard, seconded by Councilmember Driggs, and carried unanimously to approve an amendment to the 2014 City Council Regular and Budget Meeting Calendar by adding the Joint Council-Mecklenburg State Delegation meeting for Monday, December 15, 2014, at 8:30 a.m. in Room 267 of the Charlotte-Mecklenburg Government Center.

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ITEM NO. 10: 2015 PROPOSED CITY COUNCIL REGULAR MEETING CALENDAR

Motion was made by Councilmember Phipps, seconded by Councilmember Howard, and carried unanimously to approve the 2015 City Council Regular and Budget Meeting Calendar and to move the City Manager and the City Attorney's evaluations from 2 p.m. to 12 p.m. on the days listed.

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BUSINESS

ITEM NO. 11: 2014 GENERAL OBLIGATION BOND REFERENDUM CERTIFICATION

Motion was made by Councilmember Howard, seconded by Councilmember Mayfield, to adopt a resolution certifying and declaring the results for the November 4, 2014, Special Bond Referendum.

Councilmember Phipps said I was wondering as part of the post celebration of the passage of the bonds will there be any type of analysis to determine for those areas, we had considerable vote no on some of these things, but will there be an attempt to try to figure out where those no votes came from and how we could possibly leverage and make some enhancements for subsequent bond activity in the future years that we do it? We have three others.

City Manager Ron Carlee said let us take a look at it. I don't know what's been done in the past. I'll talk with our partners at the Chamber who've actually run the campaign and get some assessment from them on basically after reaction debrief, what did we learn from this, what do we need to think about two years out.

Mr. Phipps said right, any ways we need to enhance our delivery or improvement on education just to see for subsequent bonds.

Mr. Carlee said I will say at 70%, 71% and 63.5%, these are extraordinarily good results on an election of this type.

Mayor Clodfelter said the bonds ran better than just about anybody else on the ballot except the unopposed candidates.

Mr. Carlee said probably better than some of those if we look at all the votes.

The resolution is recorded in full in Resolution Book 46, at Pages 460-465.

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ITEM NO. 12: SALE OF CITY-OWNED LAND IN THE CHERRY NEIGHBORHOOD

Deputy Director Neighborhood & Business Services Pamela Wideman said we did not prepare a staff presentation but I'm happy to answer any of the questions that you all might have.

Mayor Clodfelter said we did have one questions that we've got the answer for from Ms. Campbell or do you have the answer?

Ms. Wideman said I have the answers to the questions that you all asked. There were actually three questions. Mr. Autry asked will the City receive tax revenue as a result of the development and the answer is yes. It's a nominal amount. Mr. Smith asked where will the proceeds of this development be returned to. The proceeds will be returned to the City's Capitol Housing Program and Mrs. Fallon had a question; the question was who are the principal owners of Baxter Street Affordable. The principal owners, so this is a two part answer, the principal owner of Baxter Street Affordable is Laurel Street Residential and if they're successful with the tax credit it will be the tax credit investor. The owners of Laurel Street Residential are Ms. Deion Nelson and Mr. John Crosland.

Councilmember Phipps said I wanted to know is a value finding the same as an independent appraisal.

Ms. Wideman said Mr. Korolos is coming down from our city's Real Estate Department.

Engineering & Property Management Real Estate Division Manager Tony Korolos said independent appraisal is different than value finding. What we've done in this specific transaction is our own city appraisal have done specific research and analysis for all listed properties and properties that have been sold recently and that was the market value for the property.

Mayor Clodfelter said so you compared to comparable sales.

Mr. Korolos said that is correct.

Mayor Clodfelter said does that get you taken care of?

Mr. Phipps said yes that answers my question.

Councilmember Smith said question and then a statement. I want to delve into this in a slightly more detailed manner. What I was trying to get at is if the City were to sale this land in an open market transaction where do the proceeds of said sale go?

Ms. Wideman said Mr. Smith because the original intent of this land was for affordable housing years ago there was some CDBG dollars infused in this so again that money would come back to the housing program.

Mayor Clodfelter said it's largely driven by the source of the original money by which it was acquired.

Ms. Wideman said correct sir.

Mr. Smith said I have spent a lot of time analyzing this and I've got a couple things I want to point out and then I'll get to my larger point. One is I'm not quite sure that I agree with our Departments assessment of value. Pulling comps myself I pulled a quick comparable for a site that recently was rezoned that sold for \$515,000 an acre which would put the value of this site a little north based on the 2.2 acres, a little north of \$1.1 or in the \$1.1 million range. With that said I think this site probably has a handful of challenges, lacks some of the frontage that the other site did. You have a right of way issue to contend with so dollar for dollar you probably may not get to the \$1.1 million but I do think we could get north of the \$500,000 we're allocating for it. With that said if this money is going to be allocated to the housing use and you guys think this is the best application of those dollars then I think I am comfortable coming around and supporting this initiative. I did support the recent rezoning in Cherry. I'm not sure that I am changing my opinion as to whether or not it's the role of the government to subsidize housing. I think that should still be driven more by the free market. I think there's some extenuating circumstances both within the Cherry Community and within the site and within how these dollars will ultimately be allocated but I appreciate we had a long conversation and numerous back and forth by email. I appreciate you getting me all this information but I'm on board. I'm going to support it.

Councilmember Kinsey said I want to remind us that the Cherry Community is currently facing significant gentrification pressure and also remind you all that in April of this year City Council referred the issue of gentrification to the Housing and Neighborhood Development Committee for additional study and that referral and through the course of our study one of the tools we were asked to explore is development on City owned land as a tool to address the impacts of gentrification in our neighborhoods. We also learned that this is a national best practice. Tonight we have the opportunity to approve the sale of five parcels of vacant City owned land to Baxter Street Affordable, a wholly owned subsidiary of Laurel Street Residential. Laurel Street Residential has committed to developing up to 30 units of high quality affordable housing units with rents ranging from \$300-\$895 per month. The developer purposes to develop in a manner consistent with the City's and the Cherry neighborhood's goal as outline and approved within the Midtown Morehead Cherry Area Plan some of which include preserving Cherry's history and

character, using architecture and materials that fit the neighborhood including conforming with adjacent single family architecture, continuing to provide viable, affordable and mixed income housing opportunities, retaining its close knit community spirit and enhancing Cherry's pedestrian network and tree lined streets. With that said I hope you will join me in supporting the sale of the land in Cherry to Baxter Street Affordable, a wholly owned subsidiary of Laurel Street Residential. Approval of this item will allow us to make a significant impact in offering affordable housing in a neighborhood that is adversely affected due to ongoing gentrification pressures.

Councilmember Driggs said I recognize that the City has a policy to try to promote affordable housing and I will note that there are a lot of people that question the social engineering aspects of that and this use of taxpayer money but my issue with this is really just that I'm trying to achieve a certain transparency and people will know that I've spoken on this point repeatedly. The characterization of this transaction is that the property is being sold for \$500,000 and that that represents some sort of fair market value. I share Councilman Smith's concerns about whether that really is what could be realized or whether that's evaluation that reflects the encumbrance, the affordability encumbrance on the Deed that would accompany this transaction but in particular as a guy who used to be a banker I'll point to the loan. The actual payment of the \$500,000 is in the form of a 40-year interest free loan so we get our \$500,000 40 years from now and I just think we need to be very clear on the fact that that is worth in today's money at 3.5% per annual about \$125,000. I think that aside from the individual merits of this transaction I would like for all of us in the interest of transparency and accountability to be cognizant of what these numbers are. The value of the property, what we're receiving for it and therefore what the investment is that we are making which is the cross side of the equation the benefits of which Councilmember Kinsey has just described they're undisputed but I just think that because a things good that doesn't mean that we should do it without any awareness of what we're paying. I don't see in this description for example any acknowledgement of the fact that \$500,000 in 40 years is actually worth about a quarter of that today and the other \$375,000 is an investment that we are making. In the interest of promoting better disclosures and more conscious decisions I'm going to oppose this on those grounds.

Mayor Clodfelter said I'm going to apologize to Council. I let you guys drift into debating a matter before we even had a motion on the floor and before we really heard from the speaker who really is the one who matters. Sylvia Bittle-Patton do you want to come down and tell us all about this which is what I should have done first. I apologize I thought I was just getting questions for staff so when we get to the motions stage I'm going to take it that most of you have already debated it.

Sylvia Bittle-Patton, 1623 Luther Street said I'm a native Cherry resident and I'm here tonight on behalf of the Cherry Neighborhood Joint Leadership Team to show support for the proposed sale of the parcels on Avant Street to Baxter Street Affordable, LLC for the sole purpose of developing up to 30 units of affordable rental housing. I want to say thank you to the City for recognizing and honoring the affordable housing covenant deed restrictions that were placed on the parcels on Avant Street. Our joint leadership team has had the opportunity to meet with Laurel Street Residential also doing business as Baxter Street Affordable, LLC and their team to review the proposed development. We fully recognize the immediate need for affordable housing in Cherry if we are to mitigate the severe effects on the quality of life for so many residents who have been permanently displaced from their homes because of recent rezonings. We are confident that Ms. Nelson and her team will honor their commitment to the community to build affordable housing on the parcels and we look forward to a long and trusting partnership between the Cherry Neighborhood and Baxter Street Affordable, LLC. We ask for your support on this proposal.

Motion was made by Councilmember Kinsey, seconded by Councilmember Howard, to approve a private sale of the following parcels: 12524332, 12524333, 12524505, 12524506, and 12524501 to Baxter Street Affordable, LLC, a wholly owned subsidiary of Laurel Street Residential, for the development of up to 30 units of affordable rental housing.

Councilmember Fallon said there is such a thing called the greater good and sometimes you take aside money and the return of it for what we have constantly said we need in this City which is disadvantaged housing and neighborhoods. I am applauding you for wanting it when everybody else turns away and tries to stop it. It's something we need. It is a greater good; I support it and thank you.

Councilmember Lyles said I do want to say sometimes it's really bad to be someone that has a long history in this community and sometimes it's good but I wanted to just point out that this land was acquired with federal money. It is a dedicated restricted use and I think that's what Councilmember Smith was alluding too. We can look at this as one transaction but no matter what we've got we still have to be funneling it back into appropriate uses that we acquired it by and so I appreciate Councilmember Driggs point the \$500,000 is probably worth \$125,000. We probably paid \$25,000 for the lots altogether 30 years ago. I'm not sure how to calculate that value but at the same time I think we need to be very clear that this Council doesn't have a choice about where to or how to dispose of that property without having different rules that are not set by this Council but were set when we made the acquisition with Community Development Block Grant Funding over 30 years ago. I support this effort because we spoke to this issue when we talked about what we're going to try to do as we try to preserve as much inner city housing as possible and with that I really commend the neighborhood, the developer for coming in, the staff for moving so quickly in this area. Without that we would have a number of missed opportunities and so with that I want to say thank you for the efforts to do this.

Mr. Phipps said I was just wanted to comment on the length of time before the first house is available for lease. I don't know how we can accelerate the timeline but it looks like you got it pretty much mapped out on the different things that have to happen before we can begin this construction there so it just seems like it's just a standard tax credit process so hopefully there's no problem. Everybody is optimistic that we won't have any problems with the tax credit.

Councilmember Austin said I will be supporting it. I just want to congratulate the members of the Cherry neighborhood for fighting for your communities, for living through some gentrifications and now we're going to see some realization of some affordable housing and committed and being honest about it and moving forward with it so thank you for all of your efforts keeping the fight. Keep up the good fight.

Mayor Clodfelter said it's been said and I don't need to say it again except I need to say it again; you guys have stayed the course ever since the days when I was your District 1 representative way back in the early days of the Cherry Community Organization and I commend you just like you've heard from Councilmembers Lyles and Austin. Thank you for staying the course and continuing to fight the fight.

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

NAYS: Councilmember Driggs

The resolution is recorded in full in Resolution Book 46, at Pages 466-467.

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ITEM NO. 14: MAYOR AND CITY COUNCIL TOPICS

Mayor Clodfelter said let me start with the one that may require some action and then I'll take Council topics if I can. We discussed briefly at dinner, I think all of you know because you've all

been talked to individually about this, that we had a request from some folks in the community that the City Council adopt a resolution requesting that the North Carolina Department of Transportation name a portion of the I-485 project in honor of H. Allen Tate in recognition of his efforts to get that portion of the project actually built and there's a timing issue on that so I would ask that we consider that resolution this evening; you have that before you. Are you willing to do so?

Motion was made by Councilmember Howard and seconded by Councilmember Kinsey to adopt a resolution requesting the North Carolina Department of Transportation name a portion of I-485 (Project R-2248e) in honor of H. Allen Tate, Jr. and to erect the appropriate signage designating this honor.

Councilmember Phipps said what section are we talking about?

Mayor Clodfelter said it's the new section that's just to be completed here between Highway 115 and I-85. He was really instrumental in getting the construction of that accelerated dramatically; but for those efforts, we would still be waiting for construction to start on that section of the freeway.

Councilmember Austin said just for the general public what is the process for naming sections of streets just so that the general public knows.

Mayor Clodfelter said we name streets that are under the City's jurisdiction but the Department of Transportation names streets that are under its jurisdiction and it generally solicits the opinion of the local governments involved where the road may run. It wants to know what the local government opinion is on the matter of the naming and the Board of Transportation will be considering that naming and needs to know what the City of Charlotte's position is.

Mr. Austin said so does the City keep a list of folks that we're considering or are they just kind of bubble up from wherever?

Mayor Clodfelter said I think they tend to bubble up. I don't think there is a waiting list or anything like that. It just tends to be a particular person happens to have been associated with a particular road. If you go over to Gaston County and drive up to Lincolnton on Highway 321 every half mile you will see a sign that says the Senator David W Hoyle Highway because if he hadn't pushed for it there would not be a four lane road from Gastonia to Hickory.

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

The resolution is recorded in full in Resolution Book 46, at Page 468-469.

Councilmember Mayfield said I just want to invite everyone out and remind one say happy holidays, happy Thanksgiving to all of those and hopefully we will find time to reach out to others this holiday season but want to make sure that everyone knows that on Saturday we will be kicking off Small Business Saturday in SouthEnd and there will be a celebration at Triple C Brewery in the large warehouse which is located at 2900 Griffith Street at Triple C Brewery starting at 9 a.m. so let's get out and support our small businesses. Last piece I just really want to say thank you to Kenny's mom, Mrs. Smith for always watching our meetings.

Councilmember Smith said I want to quickly thank staff for a successful Town Hall meeting last week. Kim Oliver did a great job organizing the event, putting it together. Chief Monroe showed up, we had excellent representation from CMPD, Ed McKinney, Solomon Fortune, Dan Gallagher, Mike Davis, Randy Harrington, Debra Campbell, Alton Staff, Kent Mane showed up so it was a very good meeting. Thanks for showing up. Councilmember Lyles showed up as constituent, not as a member of Council. She did not jump on as District Representative but it was a successful meeting. We will look to schedule something in the spring but special thanks to staff. We go out and actively campaign, in essence beg for this job for the nights that staff comes

and helps us. It is an extra-long day for them so I just want the record to reflect that I am incredibly appreciative of all they did for this meeting.

Mr. Phipps said I have two things. I want to first offer my congratulations to our Storm Water Services and our Charlotte Mecklenburg Utilities staff for winning all kinds of awards over the last couple of weeks. They've gotten world renowned recognition as being some premier organizations within the City of Charlotte and I think you all should be proud of that fact and I wanted to congratulate them. Also I have before you the latest issue of Black Enterprise Magazine where I have a constituent of mine in my District that's on the front cover. She specializes in financial advice primarily for Millennials and I know as I look around the dais I don't see many Millennials here but I would encourage people to go out and get this off the newsstand shelves there are some good articles in here, some good advice on retirement planning from a District 4 constituent, Ms. Tanya Rapley.

Councilmember Lyles said I'd like to congratulate another staff member; Jeff Stovall was named North Carolina Chief Information Officer. He's located here in the City of Charlotte and I'm always proud when we have that recognition for great employees who do great work.

Councilmember Driggs said I just wanted to point out we have a big rezoning pending in District 7 at Golf Links. It's about 188 acres. There's been a lot of community engagement on possible uses of that site. I'm going to host a meeting on December 3rd with Stonecreek Ranch at 7 p.m. and I'd like to invite anybody who's interested in that to attend. There will be somebody from CMS present to talk about school issues which seem to be on everybody's mind and the venue will be to be determined. I can announce that next week but I'd like people who are interested to put it on their calendars.

Mr. Austin said members of Council I need to make a request; a request that the public hearing for the rezoning petition 2015-010 be expedited from the January 2015 Zoning Meeting to the December 2014 Zoning Meeting. This is the Salvation Army project and so they're trying to expedite so they can meet the need of our community.

Mayor Clodfelter said is there any objection to that? Do we need to do it by formal motion? Without objection then we'll move that item to the December Zoning Agenda.

Mr. Austin and just lastly, I want to wish all my colleagues Happy Thanksgiving. I do need to know when you're having your Thanksgiving dinner so that I might come since I'm a single guy I need to do that.

Mayor Clodfelter said I will ask Council if you will tonight that we adjourn in memory of Catherine Zanga and in remembrance and gratitude for her life and for her family, Hyong Yi and the children so we can adjourn in her memory and in her honor tonight. I think that would be appropriate.

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ADJOURNMENT

The meeting was adjourned at 8:51 p.m.



Stephanie C. Kelly, MMC, NCCMC, City Clerk

Length of Meeting: 3 Hours and 33 Minutes
Minutes Completed: December 30, 2014