

This City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, April 11, 2016, at 5:20 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Ed Driggs, Julie Eiselt, Claire Fallon, Patsy Kinsey, Vi Lyles, Greg Phipps, Kenny Smith.

ABSENT UNTIL NOTED: Councilmembers LaWana Mayfield and James Mitchell

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Councilmember Kinsey said on Item 24, page 257, it is the Historic Charlotte Coliseum Ice Floor Replacement, on the background information, it says it was the first free-span dome in the United States, actually it was the first in the world. It only held that for a short period of a time, and I double checked that. I just would like for us to know that and recognize it. Then, after it lost that, it was still the first free-span in the United States, and it is a designated historic property.

Councilmember Eiselt said is it for that reason that it is a historic property?

Ms. Kinsey said I have not read the ordinance, so I do not know if it was just for that reason or not, but it could possibly have been because of its architectural importance.

Councilmember Smith said I pulled two items; I pulled 24 for separate vote and 27 for separate vote. I will need the recusal on Item 27.

Mayor Roberts said do you need a recusal for Item 24 as well?

Mr. Smith said no.

Councilmember Austin said I think that we are probably going to be pulling one of these In Rems, although I do support staff and moving ahead; I am trying to figure out which one it is.

Mayor Roberts said there are speakers signed up for Item 49, so we are going to pull that one. Do you want to speak to it as well?

Mr. Austin said no, I support the In Rem; we have been working on that since 2013.

Mayor Roberts said okay, we have two speakers I think on that.

Chief Financial Officer Randy Harrington said I did answer some questions throughout the day, and any others I would be happy to answer.

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ITEM NO. 2: 2016 HOUSING TRUST FUND DEVELOPMENT RECOMMENDATIONS

Deputy Director of Neighborhood and Business Services Pamela Wideman said it is my privilege to provide you a briefing on the FY2016 Housing Trust Fund recommendations. Let me start by thanking the Housing and Neighborhood Development Committee; that is Councilmembers Mayfield, Austin, Autry, Driggs, and Kinsey for their work on these recommendations and also, I would like to thank my team members Zelleka Biermann who does a lot of background work on these proposals. I would also like to thank neighborhood representatives who are here tonight. We have some members from the Cherry Community. I do not know if we have any other neighborhood representatives here, then also thank members of the Development Committee who are here tonight.

Just by way of our objectives, I want to talk to you about your priority, provide you some current context for where we are, a little bit of background on the trust fund, walk through the proposed recommendations with you, the process, the evaluation criteria and then talk about what the next steps are. At your January retreat, you talked a lot about building and preserving vibrant and diverse neighborhoods by expanding the supply of affordable and workforce housing. You talked about doing that through new construction and also by preservation of existing housing stock. Any units funded through this process will help you with the new affordable units that will help us meet our goal and you all articulated a goal of 5,000 units in five years, and so we are working really

hard to help you help us meet that goal. In terms of the current context, we know that the need is growing like many other urban and urban grow in cities, the need is growing. More than two-thirds of the population growth in North Carolina between now and 2035 will be in Charlotte and the Triangle. People want to be here, and this is according to the UNC Carolina Population Center. We also know that half of the new residents who will be here will be over the age of 65. So, that is good news. Folks are living longer and the senior population is increasing. Then we also know that growth is occurring into low to moderate households who need that assistance. We always ask who needs affordable housing. These are working families, so this is just a snap shot of some of those occupations for people who need affordable housing. Also want to remind you that housing costs are rising and incomes are stagnating. Just by way of background, your trust fund was established in 2001. Since that time, you have financed over 5,000 units; of those units, a little over 4,000 have been completed. That is total development of \$544 million; you have committed \$93 million, so you are still getting a really good leverage ratio. You are getting about one to six leverage ratio. What that means in plain English is for everyone one of your dollars, six dollars is coming from somewhere else.

The Housing Trust Funds are available for developers of affordable housing. We layer those with development to receive an allocation from the North Carolina Housing Finance Agency. Your funding provides alignment with the state. It allows for a greater leverage of your local dollars. All of the development, as in previous years, they must meet your current housing policy, your housing locational policy or request a waiver. All of the developments that I am going to show you tonight, they meet those criteria and also all of the proposed developments, they have convened at least one neighborhood meeting to answer any questions that neighbors had about the development. In terms of the process, the process is the same as in previous years.

Where we are tonight is I am providing you obviously a dinner briefing; the next step would be to go on to Council for a vote on April 25, 2016. We talked about this at the Housing and Neighborhood Development Committee on April 6, 2016, last week. Same as in previous years, the evaluation criteria, we want to make sure that it is consistent with your policies of the affordability periods in your neighborhood revitalization goals. We look at the strength of the development, and most importantly we look at the developer's experience. We want to make sure that they have a track record in developing these types of properties and managing them. We look at the financial strength of the development and we also look at some bonus points about efficiency of the units, the proximity to transit and amenities, and then also one of the things that is really important is that there is a market study done to make sure that there is a need for these units and to make sure that they will be captured; they will be absorbed in the market, and undoubtedly there is a great need for these types of units. As the same as last year, there was a program at the state, it was called the state tax credit program. That is not the federal low income housing tax credit, but it was an additional program that the state had. The point here is developers in Charlotte are not eligible to participate in that. What that means is that they have to request more funding from other funding sources like the Housing Trust Fund, and that is not specific to Charlotte. That is medium to large size cities; Raleigh, Greensboro, those types of cities are not. That is not punitive if you will. That is because what is realized is that smaller cities throughout North Carolina, more rural cities don't have the funding sources that some of the other larger cities have. So, same as in last year, that is not new. This year, specific developments: there were six developments who applied to the city for funding, all of them meet your criteria, again they have a waiver; they have held their neighborhood meetings. As a reminder, not all of the developments will receive funding just because of the way the state has a limited allocations, and so not all of the developments I am going to show you will receive funding. As in previous years, the state will announce their funding awards in August of this year.

Here is what we have; the good news is that you have seen all of these except for the Catawba II. All of these were before you last year, and they are back just because they did not receive the funding. Again, the state has a limited amount of funding to award. I will walk through each of these to show you the particulars of the development, but what I will say to you is that Weddington has submitted; it is back, but it is a four percent bond deal rather than a nine percent tax credit, and I will walk through that with you. Really, what that means for you all is that the funding ask is greater. Each development, Baxter, this is the one over in the Cherry Community; again I started by thanking folks from Cherry for being here. What I would point out, 30 units will be developed on your city owned land, notice the deeper targeting of incomes, you have some units for 30% and below, 50% and below, and 60% and below the area median income. You can see the trust fund

request is \$1.4 million, because that request is a larger request, the developer has agreed to go for a longer affordability period, so 40 years. You typically have a 30 year affordability period, but again, they have agreed to go longer. The next one is Catawba II that is the housing partnership, 39 units, and the request is \$585,000, 30 year affordability period. Cedar Wood Apartments, this is 66 units, the request is \$1.3 million. Magnolia Gardens, you all saw this one last year, 82 units, and the trust fund request is \$1.4 million. Tuckaseegee Seniors, 104 units, and the request is \$2.3 million. Weddington Road, again 70 units, and the request is \$3.1, and it is a different financing mechanism. So, four percent tax credit request rather than nine percent. Four percent bond allocation brings fewer dollars to the deal, so that is why they have a larger request. The Housing and Neighborhood Development Committee review these at their meeting on April 6, 2016. They voted unanimously to recommend funding for Baxter Street, Catawba II, Magnolia Gardens, and Tuckaseegee, one family development, three senior developments. They voted four to one to approve funding for the Weddington Road development, and they voted unanimously to deny funding for the Cedar Wood's development. So, the next steps; on April 25, 2016 this will be on your agenda for a vote by Council, and then pending your vote, developers must submit their final applications to the state by May 13, 2016 and again awards will be made by the state in August. With that, thank you for your time.

Councilmember Lyles said I was wondering if you could go back to the slide on unanimous to not do the funding for Cedar Woods. Tell me a little bit about the property, 66 units and the ratio leverage is 1 to 6, which is equal to Tuckaseegee Senior. Tell me a little bit about that project.

Ms. Wideman said I will tell you, this was submitted as a family development last round; this was submitted as a senior development this year. Basically, there were representatives from the neighborhood at the committee meeting. What I will say is it meets your requirements. Their sentiment was, and Mr. Autry it is your district, so I do not want to overstep, that until new development came that they could not support any affordable development. That was the comment.

Councilmember Autry said Ms. Lyles, the consensus of the community folks that attended the public meeting was that until we could see some more positive and upward trajectory in District 5, that the concentration of affordable product at market rate that we already have, it was going to have to see something different in an upward trajectory for that district before the citizens would feel like they were able to absorb any more affordable housing.

Ms. Lyles said can we talk a little bit about that? This is a senior project, and those projects are usually really some of the best product in our housing area, and I understand. Things aren't so great; we are not seeing the new single family housing that we thought that we were going to get. We have a lot of single family, and we have already got a lot of rentals, but this isn't a rehab. It is a new project for seniors that would be at 46 units over 60, and I guess the question that I might ask is, is it that we are not going to do anything unless we can do market rate single-family? Is that the sentiment? I am just not sure if I have heard you say that.

Mr. Autry said I think you are very astute.

Ms. Lyles said I understand that it is tough, but we have toured your area, but this is new construction. Is that what the other members thought? I know Ms. Kinsey is on the Committee, so I am just trying to get a handle on it.

Councilmember Kinsey said I'm not attending the meetings, so I was not there. You are right; senior housing is much preferred because the seniors don't cause problems. We don't cause problems. What is the expectation of having single-family market rate there anytime soon, meanwhile we have an aging population that would probably love to live in that area, possibly some of the people live in the area already and are maybe downsizing.

Councilmember Mayfield arrived at 5:36 p.m.

Councilmember Austin said I think also as a district rep as well, I understand where John is coming from, out two districts have a wealth of affordable housing units and so at some point we are getting a little strained ourselves about having the desire to have something else beyond that. I believe that is where my colleague is coming from, and that is where I would come from because that is the whole purpose of the locational policy. I recognize that it does; however, it is just becoming too much. So, I support him in that effort, as a district rep, because I get the same thing.

We get bombarded with a lot of affordable housing units, and so ultimately we have to say that we need to spread the joy all around. That is one reason why we supported Weddington.

Ms. Lyles said I agree with that, but the locational policy I believe did not apply to senior housing. What we are talking about is a different product all together. I am not disagreeing with either of you because what you are talking about is the type of housing that you get and to not move forward with a great need that is actually new construction and improvement for seniors that have the ability to live there, I am still struggling. I understand it is not market rate, but it is also not affordable family housing. We have an increasing need in the community for seniors, and it is some of the best housing, and it meets all of our criteria. It wouldn't even apply under the location policy. It still has to get funded. This is no guarantee of it, but I am just struggling with that.

Councilmember Smith said I want to just chime in on this. Last year I did support the district rep. I do think the senior housing is a slightly different component, and I was with you last year on having a concentration of affordable, but I think for me, the senior is a different aging factor. I think people like to try to stay close to home when they move to the next phase, and I don't see this as apples to apples as what I supported you on last year.

Ms. Lyles said I live a mile from senior housing. That is all 30% and below, and I see people walking to shop, being able to utilize the environment. I think for seniors it is a little different for me, so I do not know if that is a sentiment.

Mayor Roberts said anyone else on the committee when this was first discussed?

Councilmember Mayfield said as Chair of the Committee we did have a lot of conversation around it, and I know every time I say something about it Mr. Autry gives me that look since I have quite a bit of development, thankfully it is happening in District 3 , and I have a much wider area where we are looking at senior housing. So, I can speak to either side of it. Ultimately, I had a conversation earlier and the perspective was shared that I honestly had not considered when we looked at just the development of Brightwalk. It started out the first three phases were all the affordable pieces before the additional has come, and I am seeing the ground movement create a major change. There has been quite a bit of senior housing throughout District 3 on the west side as well as out in Steele Creek. I have four developments just within the last two years that have happened between West Boulevard and West Tyvola. Those projects, because of the level of the development, unlike a developer coming in that is not receiving any funding from the city, we have so many requirements between our funding, state funding, and federal funding that the level of that product is a lot greater than some of the other products, the market rate products that we have seen come out of the ground, unfortunately in the last year and a half two years. So, I understand that the district rep is listening to his community and that the community has a clear concern and there is a lot of fear of what is going to happen on the east side. I support the district representative, but I also recognize that the opportunity of having a nice project in the area could also trigger that additional growth and development coming in because it would not look at some of the other products. It would probably look a lot better than some of the other products. The materials would be a lot better. The design would be a lot better, and it will help for our aging in place, but I do understand my colleagues concern regarding what appears to be something that wouldn't benefit, but I think this actually would benefit the area having this type of project over there and that it could get the dirt moving on some other projects. As a committee we did vote to not approve it, but I still think ultimately around full Council that everyone needs to do what they are going to do, vote their conscious on it because it still has to go up. We have several projects that we are going to be presenting. Generally, we only hopefully will get three of those projects actually approved. It is not guaranteed that this will be one, but that level of scrutiny, if it was to be one of those that are approved; I think you are going to have a much higher quality product than you would if it was just a market rate product going in where we have very little controls over design.

Ms. Lyles said I just understand what people see when they hear the word and it is awful. I think we have to begin to deal with that. Just like we go look at things, maybe this is the time for the neighborhood leaders to go and look at senior projects. I think Ms. Mayfield and I went to one on West Boulevard that looks way beyond what we have over here. I understand that fear because it is a trust fund project, but I will at the Council Meeting when it is considered, I will support moving the project forward because it is not guaranteed to be funded, but I think it meets all of our criteria. I like the staff to actually go back to the neighborhood, engage the people there, and say let's go

look at these senior houses, even if they still are appose, I think we always have to continuously educate around our need and the standards that we set.

Ms. Wideman said we will do that. We will offer them, to take them on a tour, but what you see in front of you is the first two are senior housing developments that have been funded from you trust fund in previous years. I just wanted to put that up there. I do not know if people are here, but you can see to all of the points that have been made that they are great products. The last thing that I will say is just thanks to your leadership last year; we did get four developments, a total of 387 units. Again, every little bet you get helps you towards your goal of 5.000 units in five years. You have a current balance of \$12 million in your fund, and so you have plenty to do this. We are happy to help the neighborhood in any way that we can.

Councilmember Driggs said I just wanted to comment. I am on the committee, and I was a no vote partly because what the district rep said about the attitude of the community towards it. When I tried to decide in my own mind whether I agreed with the community about it, I wasn't too sure. There are certain parallels that I think to the Eastland situation where there may be hopes that wouldn't be fulfilled if we kind of did things the way they want. Again, I would want to be sure of my ground before I went back to residents and said I am sorry, even though you do not like this, this is something that we ought to be doing and at that meeting I couldn't get to that point and based on the district reps position I voted no.

Mr. Smith said we have six folks that applied and met the criteria; a couple of them were multiple time applicants. Just for a procedural standpoint, how many times can folks come back and apply? Is there a limit on that number? Noticing also, granted I have only done this a couple of cycles, we do not seem to have a massive inundation of new product. Do you just sort of stay on the list until you eventually get funded and then the developers decide to do another project?

Mr. Wideman said we don't have a limit in terms of how many times you can apply; the state does not either. I am looking to my development community. The state doesn't either. People can reapply as many times as they want. A developer could agree to sell the land for something else for market rate, but we do not have a limit.

Mr. Smith said so they stay on?

Ms. Wideman said let me suggest to you that they do not necessarily stay on a list; they present a new proposal to us every year. They are reevaluating this every year. We did not just hold these over from last year. It was their decision to bring it back.

Councilmember Phipps said I was going to say this Cedar Wood, even after I cast a no vote last year; I was able to sort of get religion with some of these projects, because I took a tour Ms. Wideman arranged. I went over to west side to Renaissance and toured that facility and met with the management and staff there. The quality of the management team that oversees operations, the quality of the construction, I would think that given what our needs are, and our needs are great in that area, especially with the seniors living in place and such, that I would have a hard time voting not to let this move forward for consideration. So, I would probably be supporting that as well. I think that if the community got a chance to see that this is not just some Helter Skelter project that will be out there subject to getting and tenants in, how the tenants are more or less, screened and the quality of the management and the quality of the construction. I know we have some rezoning where some land that has already been rezoned for such projects in District 4, but they haven't gotten off of the ground yet, but some of these other projects like these Renaissance projects and things, I would welcome them in my district.

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ITEM NO. 3: URBAN FORESTRY MANAGEMENT PLAN

Assistant Director of Engineering and Property Management Gina Shell said before I kickoff the presentation, I want to introduce someone to Council. Many of you have worked with him already, as you know Don McSween retired last year after being our City Arborist for a couple of decades. Don did a great job for us. We appointed Tim Porter to be Interim Arborist, and as of last month, Tim is your new City Arborist. Tim has been with the City about seven years. He has served as the head of our Urban Forestry Group and also as Assistant City Arborist. He has a master's degree in Forest and Natural Resources Management from Suny College of

Environmental Science and Forestry. Tim does a great job, both with our programmatic elements with the trees themselves and with citizens. So, I know you will enjoy working with him.

Tonight, we are here to talk to you about kicking off our Urban Forestry Management Plan, we see this as the next step in our strategies for our tree canopy. Erin Oliverio is going to speak with you first. She is our Tree Canopy Program Manager. She is going to talk with you about what the city currently does, our policies and programs, and then Dave Cable, Executive Director of Tree Charlotte, is going to talk to you a little about the success of that program. Then Erin will be back to introduce the Urban Forestry Management Program.

Erin Oliverio, Engineering and Property Management said we are here to talk about the Urban Forestry Management Plan, which we call the playbook for managing our tree canopy. Just a brief outline of what we will be covering tonight, we just want to say that a management plan is important to Charlotte moving forward because it will help us coordinate our programs, establish a more proactive culture, and plan for citizen engagement. In 2011, as you know, City Council adopted a tree canopy goal of 50% coverage by the year 2050. Progress towards meeting that goal is measured by periodic tree canopy studies, and this long term goal provides a bold but realistic target, recognizing that the tree canopy is dynamic and ever changing. This goal was to become a rallying cry to encourage citizen action in reaching the goal. Charlotte's tree canopy is one of the finest urban forests in America; the city has a long history of valuing our trees, starting with the hiring of an Arborist back in 1977 and passing an early tree ordinance, and recently the city has been building momentum with the Tree Charlotte Program, it is a huge success of public, private, non-profit. The city has multiple rolls in the protection of our tree canopy, and the first one is: protection. The tree ordinance, which was last updated in 2012, works to protect the canopy, while allowing Charlotte to grow. It provides tree save, replanting requirements, and tree protection during construction. Most recently, staff has really worked to develop the tree canopy preservation program, which takes the payment in lieu funds that developers can pay in lieu of providing tree save on certain sites, and we identify properties for purchase and conservation permanently protecting large tracts of forested lands. So far we have acquired just over 60 acres, and we are negotiating an additional 130 acres for preservation, and you can see here through iTree, which is a software suite from the forest service, that provides forestry analysis and benefits, tools, and they provide a quantifying number towards the environmental services that trees provide to us. You can see here the numbers just in one calendar year for the 60 acres that we have already protected that those are the benefits right here that those trees are providing to us.

Councilmember Smith said I was unaware and had this discussion just last week on the buyout. I did not know that you could buyout of the tree ordinance. What sites qualify for the buyout?

Tim Porter, Engineering and Property Management said generally speaking, I do not manage the Urban Forestry Group anymore, so I am a little bit out of practice, but essentially the more urban and transit related development locations you have, you have more options, something in the wedge that zoned R4 there would be no option. You would have to provide onsite tree save, but if you were located TODD zoning within a transit station area regulatory foundry within the plan, then you would have options such as: payment in lieu, onsite, offsite, green roof, something like that.

Mr. Smith said as our classifications expand into suburban areas, let's say you are which you have seen some creep into District 6, is it where the classification is located, or is it the classification? So, if somebody is doing a zoning that may be allowed in a more dense area and they are pushing out in the suburb, would you have the same ability to buy out?

Tim said yes, if you rezone to a new zoning within a certain growth framework designation, then yes you would be available; all of those options would be available to you.

Ms. Oliverio said another city role is obviously planting, and last year, staff planted over 2,600 trees through our street tree capital improvement and tree replacement programs. We also handle maintenance of our street trees, and last year, city staff pruned over 2,700 large trees 338 small trees, and we removed over 700 dangerous trees. Large trees, just for reference, are those that require bucket trucks to prune, small trees are those that can be trimmed from the ground.

Our favorite little pest, we handle management of different pest issues, canker worm is always high on everyone's agenda right now. We see them all coming out. We have completed our 2016 counts, and staff is working to monitor defoliation levels on the trees as well as monitor the Fiery

Searcher Beetle. I do not know if you all heard on NPR the funny April Fool's joke that they did with the Canker Worm where they advertised a Canker Worm brew, and Tim was actually involved in that and got interviewed. They had a funny joke about how no Canker Worms were harmed in the making of the beverage; they just came out a little inebriated, but they let them sober up and sent them to a worm petting zoo in Florida. Typically, no one was out looking for the Canker Worm brew, but that was a funny thing that we did there. The other pest that is coming our way is the Emerald Ash Borer, it is an invasive, non-native insect. It will kill all Ash Trees in affected areas. Fortunately, Ash is a very small part of our canopy, and there is a state wide quarantine on wood products here. Staff this year, we contract to band our trees. We banded 5,500 street trees, all willow oaks, 20 inches or greater.

One of our biggest concerns in Charlotte is our aging canopy, because you all know we have the majestic Willow Oaks that were planted 80 to 100 years ago. We have a large number of Bradford Pears as well that were planted 20 to 30 years ago, and a lot of these trees are nearing the end of their life cycle. As I said before, 700 dangerous trees were removed last year, and that number is expected to be slightly higher this year. We are working to manage that and be proactive with that situation.

Councilmember Mitchell arrived at 5:51 p.m.

Dave Cable, Tree Charlotte said I really have two messages tonight. The first is to send a really hearty thank you to each of you for all of your support to Tree Charlotte. We have something really special going in this partnership with the city, and I am really proud to give you a report on where we have come from and where we are today. It wouldn't be possible without the support of all of you. Ron has been on the board of Tree Charlotte and has been a wonderful contributor. Staff has really embraced Tree Charlotte in a way that is really special. Mr. Mitchell, you were there from the very beginning at Peach Tree Hills and many of you have been to our events, and I am really grateful for each of you for all that you have done to make this what it is.

Councilmember Mitchell said can you clarify I was planting trees. Everybody thinks I just showed up to eat, but I did do some work that day.

Mr. Cable said my second message is going to give you an update about Tree Charlotte, where we are. We have just finished our fourth planting season. As many of you know, we started in October, and we end in April, so we are just winding down right now. We have done about 80 events over the last four years, and Tree Charlotte was really born on the heels of your establishment as a Council of this 50 by 50 goal, and we are working hand and glove, arm and arm with the city to make sure that we meet that goal. Our job is really to expand the canopy in Charlotte and diversify it. Erin was talking a little bit about the Emerald Ash Borer, many of you know about other things like other disease around like Dutch Elm and other diseases. We don't know what fungus or little critters are around the corner, and it really underscores the importance of having a diverse canopy in order for it to be resilient through time. So, Tree Charlotte is partnering with the city to enlist volunteers, raise private capital, and plant 50, 60, 70, different varieties of trees year, after year, after year such that we will create a great resilient force for our city for all time.

This is a collaboration that is truly in what I would say near perfect balance. I think of Tree Charlotte as a three legged stool. Tree Charlotte itself is a non-profit organization; we are a 501C3. We have a board that is shared by Johnny Harris and Marsha Simon, a very engaged board. Our job is to raise the money and provide the community organization for these events, large scale planting events, to be successful across Charlotte. As I have said, we have held about 80 of those events, and the thing that I have been most surprised about with this project is the incredibly strong level of community support that we have felt, all the way from our city tree stores to individual neighborhoods, to school plantings. It has really been a great way to bring the community together and message a very powerful conservation message into the urban environment.

The City of Charlotte plays a key role the second leg of the stool. The city provides us in kind services that include all the technical support so that we stay within the guard rails of science. We stay close to the science of urban arboriculture, and it is to make sure that we are doing things the right way. We couldn't do it without the city. So, the city support has just been fabulous in that regard. The third leg of the stool is the community. These are HOA groups, Boy Scout troops, all sorts of schools, school groups, PTSA's that rally around these projects and have a good time

planting trees, and I tell the kids that we have done 27 schools across Charlotte now, about 6,000 trees, and I tell all of them, when you plant that tree you will never forget that day, and as you go away you are going to want to come back and see how your tree is doing. It creates a magical, out of classroom, experience for the kids that really provides a special connection to their community.

This is where we stand; we have planted a little over 16,000 of the containerized trees. These trees are about six to ten feet tall. They are grown especially for Tree Charlotte by four growers; they are very high quality. The two big wedges here are schools and neighborhoods. The neighborhood is a play on words; that is our program where we work with neighborhood groups to plant trees across Charlotte. We have also given away about 12,000 seedlings across the city and are preparing to give away another 6,000 in the next couple of weeks. This is really a combination of great in-kind support from the city about \$1.3 million of private capital that was raised to allow us to buy \$700,000 worth of trees to make this happen, and it is very willing and able volunteers and community leaders that provide for the framework for us to be successful in the community. These are the locations where we have planted; the larger circles are where we have planted higher concentrations of trees across Charlotte, and we are walking the line of working with communities that are most interested in working with us, but then also trying to proactively be an arrow point into those communities that could really benefit the most from having trees. Education is core to the mission. We have a variety of education programs, one of which we call tree champions, where we pay a stipend to a science teacher in a school where we plant. That teacher connects us with a PTSA, drives a curriculum we developed that is consistent with North Carolina standards in the school, and really encourages the children to come out, have the experience of planting trees on their campus and learning about how to care for them.

Now we will give you an experience of what Tree Charlotte is. One last thing I want to touch on in order to honor our canopy in Charlotte, our urban forest, and also honor our major donors. We have partnered with the County Park and Rec to establish an honorary garden in Freedom Park; it is currently under construction. This is an image of what it will look like, and it will include an honorary wall of our major donors, including the City of Charlotte, which will be highlighted and recognized in this, which we are really proud of. So, that is my update from Tree Charlotte, and again, my message is thank you. We have engaged over 8,000 volunteers at this point, and we really have nice momentum going into the next planting season. I am delighted to be part of it and really appreciate the city's support. Thank you.

Ms. Oliverio said I just want to say that Tree Charlotte is one of my big roles in my position, and I have been out to almost every planting event that they have had since I started two years ago. That one that was just up there was just amazing to me. The school community came out, there were just so many children, people that did not register, they all had such a great time, and if you haven't been out to one of our planting events, you really should. We are done for this season, but we will pick up again in October. They are just really great and positive; you never hear any negative comments when you are out there. It is a really great thing to be involved with. So, in going over all of those things that we just talked about with our canopy and the nature of the forest that we are dealing with, staff has brain stormed some ideas that will be main themes in our management plans. You can see them all listed up there. The aging canopy is obviously self-explanatory. Urban forest threats, such as the Cankerworm, Emerald Ash Borer, and invasive plants, diversification, making sure that we protect the canopy from an overabundance of one species, figuring out what Charlotteans like and dislike about our trees, establishing the canopy as the identity of Charlotte, making sure that we are balancing development and the environment, as well as optimize the relationships there with developers, looking at trees for the wild life and habitat benefits, and the then also looking at policies long term to insure that our trees are represented across the departments.

What we feel is missing from some of our current programs, and what will be our plan objectives are making sure that all of our programs are focusing and aligning with the common goal of the 50 by 50. Making sure that we are proactive as appose to reactive in the management of the forest, and it is especially important as our canopy is aging out. The most important thing is really making sure that we have intentional citizen engagement to get both input and engage the community in caring for the trees, that is takes a village. They are partially responsible. The city cannot do everything. A lot of these trees are on private property. If we want to meet the goal, they are going to have to get involved and start maintaining their trees and planting trees as well. The management plan will be designed to address these gaps.

Like we said in the beginning, the management plan is a playbook. It is going to provide detailed information, recommendations, and resources needed to effectively and proactively manage and grow our city's tree canopy. It will set benchmarks as well for city's staff to be able to gage the progress towards our canopy goal. It provides a shared vision for everyone in Charlotte to inspire and engage all of the stakeholders in the care and protection of trees. Then in researching these I have read lots of different management plans out there. There are some really great ones and lots of positive things have come out of these plans. If you are looking at the screen on the right, that was part of Pittsburg's management plan. One of the recommendations were that they form a working group. They did that and it is called Protect. It is focusing on the Emerald Ash Borer and Oak Wilt Disease, and to date they have treated 158 trees for the Emerald Ash Borer and they have held multiple trainings with citizens to help them identify with Oak Wilt Disease and be able to report that to city staff so they can better manage that. Probably one that you have heard about, I think this made the rounds throughout the city, is in Melbourne, Australia. One of their things from their plan was to engage the community; they created an online mapping system that was designed as they built it to make it easier for citizens to report problems with street trees. Each street's tree has a code, and once you pull up the map, you can see here this is a Poplar tree, it has a code, and they can email if there is something wrong with the trees. The citizens can email and say there is a dead branch; they are worried about this one. It looks like there's some type of insect problem with it, but instead what happened is the citizens started writing what they called love letters to trees. They had thousands of people writing about what these trees meant to them and why they were so important. People that were moving away, writing a goodbye letter to the tree by their house saying how much they would miss it and what it did for them. There were workers at one library who wrote about they cared so much for the trees in front of the library that they were watering them continuously throughout the drought to try to help them to survive. So, these are just some great things that come out with the community, being able to gage the community from these plans.

Then, just moving forward, our timeline: we just had our kickoff meeting today. Actually, our consultants are actually in the room right now. Rachel Comte and Joe Gregory over here with Davey Resource Group, just to start the process for our plans, we are officially on our way to moving forward. April through July we will be doing community outreach, there will be lots of opportunities and we will be sure to keep you all informed of what is going on. We will be forming stakeholder groups to guide the plan development. We are going to hold three to four focus groups with Charlotte citizens, and we are going to be developing a survey that they can complete online to get their impute about how they feel about our trees, and what they would like to see into the future. Late fall or early December, we will have a plan for you to approve and then moving forward after that we will be implementing Council each year on the updates and how we are moving forward with the plan.

Mayor Roberts said thank you for that extensive update, and we are truly appreciative of the great partnerships and helping us restore our tree canopy. We hope that we can continue to get lots of folks engaged in doing that.

Councilmember Phipps said how are we really doing in terms of growing our tree canopy? I know with all of the growth and development that we have had, different projects clear cut acres and acres of trees, so are we making progress, or are we treading water?

Ms. Oliverio said we are actually due for another canopy and aerial analysis and after we get that we will be able to compare apples to apples with the last one that we had in 2012. So, part of the plan would probably be recommending that we get more current data and at that time we would be able to better tell you, but right now as it stands, we are at 46-47% canopy, and we are planting a lot of trees, but we are also taking a lot down, and we recognize that. Is that accurate would you say Tim?

Tim Porter said yes, I would say previous canopy analysis from 2008, 2002 for the same level, around the 46-47% but the data, the methodology you used back then with anything that is technology advances so quickly; it is a little bit apples and oranges to go back to 2008 or 2002. 2012 is our benchmark and the next analysis which will take place in the next one to two years.

Councilmember Autry said how many trees equal one percent of the canopy?

Ms. Olverio said the number that I hear a lot is 100,000 is one percent.

Mr. Autry said and how many trees did the city and Tree Charlotte plant in the last planting cycle?

Ms. Olverio said this year we planted about 6,000 with Tree Charlotte and it is probably about 1,500 total with the city's street tree plantings and project plantings, so, 7,500.

Mr. Autry said like the good lawyer that I am not, you never ask a question that you do not already know the answer to. I think that just kind of lays the benchmark as to how much more we have to put into this effort to be able to achieve this goal.

Mayor Roberts said if I remember correctly, there is a request in our budget for \$1 million for trees?

City Manager Ron Carlee said there are multiple requests; some from Tree Charlotte for an endowment they are looking to start as well as resources to enhance the city's program as well. So, we will be packaging all of that in the regular committed budget. We are evaluating all of those; what level we hit is to be determined.

Mayor Roberts said every time there is a major storm we lose more.

Mr. Carlee said our closed session will be downstairs in CH-14; it should be relatively short, and I spoke with Councilmember Driggs. He was going to do a report to Council during the Manager's Report about the future Manager's Report, and if it is accessible, I think we have time now where he could give an update on the committee on what they are doing.

Councilmember Driggs said I wanted to tell everybody; the committee met on April 8, 2016 to review the status of our process and also to look forward to the dates and events that we can expect in the future and how we will interact with Council. The RFIs that we all agreed and approved have been sent out. They are being sent to search firms, they are being sent in wide distribution through our procurement process so that anybody that has a capability in this area will have the opportunity to look at them and decide if they want to bid. The deadline for replies to those is April 21, 2016, so that is when we need to hear back from all of the search firms with their proposals for the work they would do. The committee is going to meet again on the 25th, and with you, the responses we got with HR, consider those, look at what we consider to be the best ones and then the May 2, 2016 Council Workshop we will bring all of them to full Council with our own kind of recommendations from having studied them at greater length. My feeling is, from the way this worked last time, that a couple of those will pretty clearly jump out in terms of the credentials, the pricing and various other considerations, but all of that will be shared each step of the way, again leading up to the intention to actually select a search firm on May 2, 2016 through a vote of full Council.

The other thing we talked about at some length was the process to develop the candidate profile. When this was done in 2012 there was outreach to community leaders, to the members of the Charlotte Chambers Executive Committee, to the public and to senior staff. We talked about how that would work this time to get input through a face to face meeting with all of those groups except the general public who would have the opportunity to submit online their ideas for priorities that we should set and qualities that we should be looking for in the manager. A list is going to be circulated to you. HR is going to send a list around of the names of the current executive committee members for the Chamber and community leaders who we have talked to before so that all members of Council may make suggestions if they feel that anybody else should be involved in that community outreach. We want to try to limit the number of people in each of those categories to 25, so we will see exactly how many recommendations come back and whether it looks like an unmanageable process and also, it is the intention to have the senior staff involved and have them have an opportunity to provide input just so we get all of the dimensions. That will in turn inform the final description that you saw before of the job, the input that we get through this community outreach effort will cause us to customize that profile. Again, full Council will agree on the final form of that, that goes to the search firm and they use that in order to attract and short list the candidates. The time line that we are looking for going forward is in May and June we will have individual Mayor and Council meetings with the search firm to discuss the candidate profile; in early July, full Council would be in closed session to review and select final candidates. In July and August, we would interview the final candidates working out the details of that process and the goal is in early August, to go into closed session to discuss an offer. That is kind of where we are

in terms of the concept for the whole process now. The next thing you will see is a list of those community leaders who would be included in the development of the profile and if anybody has any input they would like to provide, I would be glad to hear it.

Mr. Smith said as a member of the committee, we are working exceedingly hard. There was no committee for the last search, so we are working exceedingly hard to do the ground work and leg work to make sure that Council as a whole will have every bit of input at each step along the way, so we may, as Ed said, put some ranking so to speak or some thoughts into it because we are doing a little bit more work on the front end, but Ed is working exceedingly hard to make sure that everything is fully transparent to all of our colleagues and that you guys will have ultimate say on it.

Councilmember Mayfield said what is the process of identifying the neighborhood and community leaders, since we have a number of people who do not have internet access? How are you identifying neighborhood leaders?

Mr. Driggs said we haven't specifically addressed that. I think, again, you will get a list of the people that we know about, and you have the opportunity to nominate others.

Councilmember Austin said I think that she is talking about the general, public one that we want to send out to everyone.

Ms. Smith said I think that one is going to be internet based; I do not know how they get around.

Mr. Driggs said Councilmember Mayfield is saying that they may not have internet and the opportunity to participate.

Ms. Mayfield said one, how do I identify the leaders, so you just addressed that. You all will send out a list and then we submit additional names.

Mr. Smith said they have a working list from 2012, so we have a list to build upon, and those that were in the meeting were already sort of talking names and some of them already cross referenced that some on the list are no longer in Charlotte.

Ms. Mayfield said then you will send that list to full Council and we make recommendations to that list?

Mr. Smith said correct.

Mr. Driggs said you will be seeing that very soon. They were going to work on it some more after the committee meeting and then circulate it to everybody to make sure it is up to date, like the current members of the Chamber Executive Committee, but to your other question, how we allow people who do not have internet access to participate, that is a tough one.

Ms. Mayfield said we have a number of community leaders. There are a lot of parts of our city that don't have internet access.

Councilmember Kinsey said I would think maybe would could enlist the libraries to do this. I am sure somebody at the library, whichever branch they go to, would be helpful.

Councilmember Fallon said the small business group has a list of community leaders that come to those meetings.

Mayor Roberts said we will use multiple outlets to make sure that people have a chance to know about that. I am sure we will get it in the paper and radio; we can make some public service announcements to make sure people have a chance to weigh in. To follow up on that, Councilmember Driggs, that is going to happen before the actual job description goes out?

Mr. Driggs said that whole process is in order to customize and finalize the actual job description, the profile.

Mayor Roberts said so that is a lot of meetings that have to happen pretty quickly.

Mr. Driggs said because of the managers, absolutely correct suggestion that we should try to get this done during the summer before kids go back to school, we moved that portion in the overall

time line ahead as far as we could, but yes, it is an aggressive schedule. I just want to mention, as my colleague pointed out, all members of city staff will have the opportunity also to participate to provide input through the online process.

Mayor Roberts said and to apply, members who may want to apply as well.

Mr. Smith said we have had a lot of internal discussion on the committee about the timeline, and we are very cognizant; we want to set a hopeful timeline we can hit. We are cognizant that a potential leader may need to relocate prior to school starting and stuff, but we also want to get the right candidate, so I do not think that anything will be sacrificed for the sake of speed. I think that was common consensus on the committee.

Mr. Driggs said there will be no decisions made at the committee level; no one that we see will not be brought forward to full Council, we are just going to make recommendations.

Ms. Kinsey said I just want to reinforce something that we did talk about and the Chairman has mentioned. It is because of the need to move ahead, but also because we cannot get too much done with too many people in one room. We really do want to hold that list to 25, particularly the neighborhood leaders, and from what I saw on the list that we were given that they used last year, there is really a good representation around the city, but we certainly want to do that as well. We really need to hold that to 25, and actually HR suggested that.

Councilmember Lyles said let's distribute the list and see that there might be some that need to come off and go on.

Councilmember Austin said there are; as we were looking at that list, there were a number of community leaders that are already gone.

Ms. Lyles said the other thing that I think you could probably do, I think Ms. Kinsey said, is the library and other places. I think there are going to be some other opportunities where there are neighborhood meetings going on where we can actually utilize some time and get some feedback.

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ITEM NO. 5: CLOSED SESSION

Motion made by Austin, seconded by Mitchell, and carried unanimously to adopt a motion to go into closed session pursuant to North Carolina General Statute 143-318.11(a) (4) to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.

The meeting was recessed at 6:28 p.m. to go into CH-14 for the closed session. The closed session was recessed at 6:48 p.m. to move into the 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, April 11, 2016, at 6:56 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Ed Driggs, Julie Eiselt, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield, James Mitchell, Greg Phipps, and Kenny Smith.

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INVOCATION AND PLEDGE

Mayor Roberts said those are the folks who are serving you today and every day in your city. For the invocation tonight, in recognition that we have many different faiths and many different perspectives in our community, we are diverse and welcoming and inclusive, and we have people from all over the world who live here. I am going to have a minute of silence, so those who are here can pray or think your own thoughts as we prepare to do the public's work tonight at our meeting. Let's take our moment of silence. The Pledge of Allegiance followed the moment of silence.

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AWARDS AND RECOGNITION

ITEM NO. 6: 2016 CITY EMPLOYEE OF THE YEAR

Mayor Roberts said tonight we start with awards and recognition, and we have an amazing employee that we are going to recognize tonight. We have an Employee of the Year. The Employee of the Year award is a 53 year old city tradition acknowledging a stand out employee whose efforts, ideas, suggestions, and courtesy in job performance deserve special recognition. This award is sponsored by the Employer's Association and recipients are selected by an independent panel of judges. The external committee reviews and rates each nomination based on performance, innovation, customer service, leadership, and self-improvement. This year, the city received nine nominations and all of them were exceptional candidates; however, they had to pick someone, one person, and one in particular stood out. The winner of the 2015 Employee of the Year, for this past year, was Planning Coordinator, John Howard Jr. Mr. Howard has been with the city for 15 years and has held a number of rolls working in both Neighborhood and Business Services and the Planning Departments. He is driven by a passion for Charlotte's neighborhoods, their history and their future. In his current assignment as Administrator of the City's Historic District Commission, Mr. Howard has established and promoted a vision for strengthening and growing the Historic District's program to better serve Charlotte's six historic districts with more than 3,000 properties, the largest program in North Carolina. His vision has instituted a culture of patient and intentional customer service, proactive community or engagement, and predictable and transparent procedures and practices. His stewardship has breathed new life into the program and established new and strengthened existing relationships with the public as well as with colleagues throughout the city and the county. Mr. Howard is well deserving of this award, and we would love to have you say a few words. We appreciate you.

John Howard, Jr., Planning said I really appreciate this honor. I have been humbled by all of the well wishes, and emails, and thank you's from people I really sometimes do not even know. That just goes to show that people are always watching you. I have to thank of course my wife Sharon who is in the audience, who has been with me through this journey and just helping me grow not only as a professional but also as a person; we need that in our lives. This all started back in 1994, I was an intern hired by Debora Campbell, thank you Debora for this moment. She has let me have a lot of freedom, but I was doing my job as a planner and worked on some great jobs all over the city and met so many great people. I have also worked with City Council members as well and also my Planning staff, Mr. McKinney is here, our Interim Director and Laura Harmon, Garrett Johnson, and other staff members who have helped me along this path as well. I could not have done this by myself, of course. Also, my friends in Neighborhood and Business Services, I worked there for three years under Tom Warshauer and work with Pam Wideman, thank you Pam for your advice along the way, and Pat Mumford. Thanks to all of our city friends and our partners and you all for the jobs you do as well, and City Manager, thank you. I have got to give a shout out the best barbers in the world, Fourth Ward Barbershop. They help make me look good.

Mayor Roberts said we have wonderful employees in the City of Charlotte, and we appreciate each and every one.

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ITEM NO. 6A: THE INSTITUTE OF ECONOMIC DEVELOPMENT- CHARLOTTE'S WOMEN'S BUSINESS CENTER

Councilmember Mitchell said on March 30, 2016, the Institute was selected by the Office of Women's Business Ownership in the U.S. Small business Administration to operate and host a Women Business Center in Charlotte, North Carolina. This award represents the second Women's Business Program managed by the Institute. The location of the Women's Business Center in Charlotte provides a unique opportunity for the City of Charlotte to further its commitment of facilitating growth and development of small business, inclusive for women and minority owned small business throughout the City of Charlotte. At this time, I would like to recognize Mr. Farad Ali, the President and CEO of the Institute of Economic Development.

Farad Ali, Institute of Economic Development said the Institute of Minority Economic Development is a 30 year old, non-profit organization that has been working state wide in building diverse businesses and women owned businesses and Veteran owned businesses and all of the diverse businesses to make sure that they can participate in our economy. We recognize that women owned businesses, particularly in the Charlotte area has grown just because of the mere fact of the volume of people here. We realize by having the Women's Business Center of North Carolina that we wanted to have a distinct focus on Women Businesses in this region. We were fortunate enough to be one of the six Women's Business Centers selected to have a second center here. The Charlotte area would be wonderful. The Raleigh Women's Business Center, that covers the whole state, was ranked 2014 Women's Business Center of the year nationally and was presented an award at the White House. We feel very confident that working here in Charlotte, where we have even a bigger market share, there will be an opportunity to expand Women owned businesses, give them access to capital, access to contracts, and access to great consulting services. We will have the grand opening sometime after May 1, 2016 once we have our Executive Director in place. Thank you, Councilmember Mitchell for having us here today.

Mayor Roberts said thank you very much; we appreciate what you are going to help women business owners do in the future.

Mr. Mitchell said there were two staff people that work extremely hard behind the scenes on the application, Pamela Wideman and Nancy Rosado, thank you Nancy and Pamela for helping us on this application.

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ITEM NO. 6B: LITERACY WITH A PURPOSE

Mayor Roberts said the North Carolina Local Barber Association is here tonight. Are all of you fine, young men part of that association? This association that is very committed to literacy and reading.

WHEREAS, the North Carolina Local Barber Association is a non-profit, 501-C3 association created to unify our Charlotte Mecklenburg Barber industry with one another and their area communities; and

WHEREAS, the mission is to unify local barbers to enrich and strengthen our industry and communities through consistent education, social networking, and community and peer partnership opportunities; and

WHEREAS, Literacy With a Purpose is a project of the North Carolina Local Barber Association to help create the love of reading and foster literacy skills with children, particularly boys 4 to 10 years old; and

WHEREAS, Barbers will create reading zones and partner with neighborhoods and community organizations to read with children and build trusted relationships; and

WHEREAS, this program is being supported by the following community partnerships: United Way of Central Carolinas, Mecklenburg County Sheriff, Mayor's Mentoring Alliance, Scholastic Books, Charlotte Library, and Charlotte Mecklenburg Schools:

NOW, THEREFORE, I, Jennifer Watson Roberts, Mayor of Charlotte, do hereby proclaim

April 16, 2016 as

“LITERACY WITH A PURPOSE DAY”

in Charlotte and commend its observance to all citizens.

Mayor Roberts said I have been to your barber shop, twice I think.

Debra Ferguson said we would like to say thank you to Mayor Roberts, Pro Tem Lyles, and the prospective Councilmembers, we are overwhelmed with the opportunity that you are presenting with us today to help us to recognize the need to help educate the children four to ten years old and help them to become better readers and to bridge partnerships with the children and community leaders. We are just very thankful that you are recognizing us for the efforts that we are putting fourth. We look forward to doing more in the community. One of our thoughts is that you all have serviced us for years, the community. You are how we make our money, so it is only right that we give back to those that honor us by coming and sitting in our chair and allowing us to give them beautification of services. Thank you very much.

Eugene Winchester said I want to thank you all very much for this opportunity. We have some awesome partners, the United Way and the Sheriff’s Department. We have our community partners that are here, and I would like for them to stand up this time. They are supporting this program with donations and serious hard work behind the scenes. We are excited to have them here with us to help us except this award today, and we want to thank you again.

Mayor Roberts said we appreciate all that you do. It takes all of us to help get our kids reading.

Mr. Mitchell said can you share with us and the citizen about the event that is going to take place on Saturday?

Mr. Winchester said on April 16, 2016 from 10:00 a.m. to 12:00 p.m. at 516 North Graham Street, we are going to have the big kickoff. We are going to have DJs, face painting; the mascots are going to be out. We are just going to create an environment for literacy, engage the kids, and let them know how important it is and how fun it is from the barbershop’s perspective. We are going to add two barbershops a month and spread it out across the across the Mecklenburg County area. Our two pilot shops are No Grease Mosaic Village and Fourth Ward on Graham Street, and we plan to spread it out around the Mecklenburg County area the rest of the year. We are excited about that. We are just ready for this kick off on Saturday, and we hope to invite you all to come down and your support from the Councilmembers; we really appreciate it and we accept it very much.

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CONSENT AGENDA

Motion was made by Councilmember Driggs, seconded by Councilmember Phipps, and carried unanimously to approve the Consent Agenda as presented with the exception of Item Nos. 24, 27, 35, and 41 which were pulled by Councilmembers; Item No. 49 which was pulled for speakers, and Item Nos. 61, 62, 64 and 71 which were pulled by staff.
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The following items were approved:

Item No. 23: Regional Hazardous Material Response Team

(A) Adopt a resolution authorizing the City Manager to negotiate and execute a contract with the North Carolina Department of Public Safety, Division of Emergency Management, to fund a regional hazardous materials response team for Region 7 with firefighters from the Charlotte Fire Department for a period of four years, and (B) Authorize the City Manager to extend the contract for an additional one-year term.

The resolution is recorded in full in Resolution Book 47, at Page 279.

Item No. 25: City Parking Deck Inspections and Repair Design Services

Approve a contract with the following firms for parking deck inspections and repair design services: SKA Consulting Engineers, Inc., in an amount not to exceed \$250,000, and Zapata Engineering of North Carolina, in an amount not to exceed \$210,000.

Item No. 26: Thermoplastic Pavement Marking Material

(A) Award a unit price contract to the lowest responsive bidder Crown Technology, LLC for the purchase of Thermoplastic Pavement Marking Material for the term of three years, and (B) Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

Summary of Bids

Crown Technology, LLC	Woodbury, GA	\$ 48,246.00
Ennis Paint, Inc.	Thomasville, NC	\$ 49,280.00
Swarco Industries, LLC	Columbia, TN	\$ 50,050.00

Item No. 28: Private Developer Funds Appropriation

Adopt Budget Ordinance No. 7091-X appropriating \$27,000 in private developer funds for traffic signal improvements with TWO Capital Development, LLC and M Station, LLC.

The ordinance is recorded in full in Ordinance Book 59, at Page 807.

Item No. 29: McAlway-Churchill Storm Drainage Improvements

Award a contract in the amount of \$3,631,467.97 to the lowest responsive bidder Sealand Contractors Corp. for the McAlway-Churchill Storm Drainage Improvements project.

Summary of Bids

Sealand Contractors Corp.	\$3,631,467.97
Blythe Development Company	\$3,871,021.00
Hall Contracting	\$4,282,269.20
Zoladz Construction Co., Inc.	\$4,560,160.00
Blythe Construction Inc.	\$4,777,215.63

Item No. 30: Storm Water Services Revenue Bond Refunding

Adopt a resolution and bond order approving the refunding of \$31,205,000 of 2006 Storm Water Services revenue bonds.

The resolution is recorded in full in Resolution Book 47, at Pages 280-284.

Item No. 31: Biosolids Treatment Modifications Study

Approve a contract with CDM Smith Inc. in the amount of \$633,808, for planning, market research, and analysis for bio solids treatment systems improvements.

Item No. 32: Water and Sewer Extensions/Replacements (Fiscal Year – Contract #3)

Award a contract in the amount of \$2,722,298.80 to the lowest responsive bidder R.H.Price, Inc. for the new construction or replacement of water and sewer mains throughout the Charlotte Water service area.

Summary of Bids

The complete Summary of Bids is available in the City Clerk's Office.

Item No. 33: Wastewater Treatment Plant Pump Parts (Netzsch)

(A) Approve the purchase of Netzsch pump parts, as authorized by the sole source exemption of G.S. 143-129 (e)(6), and (B) Approve a unit price contract with Premier Water, LLC for the purchase of Netzsch pump parts for the term of three years.

Item No. 34: Briar Creek Relief Sewer Phase III Construction and Construction Administration Services

(A) Award a contract in the amount of \$15,998,861 to the lowest responsive bidder Sanders Utility Construction Co., Inc. for the construction of the Briar Creek Relief Sewer Phase III project, and (B) Approve a professional services contract for \$2,389,950 with CDM Smith Inc. for construction administration services.

Summary of Bids

Sanders Utility Construction, Inc.	\$15,998,861.00
Oscar Renda Contracting, Inc.	\$16,947,700.00
Alex E. Parris Contracting Co.	\$19,155,955.00
Layne Heavy Civil, Inc.	\$20,340,144.00
Garney Companies, Inc.	\$22,892,250.00
State Utility Contractors, Inc.	\$25,671,350.00
BRS, Inc.	\$28,032,426.40

Item No. 36: Airport Taxiway A Rehabilitation Design Contract

(A) Approve a contract in the amount of \$490,930 with Talbert, Bright & Ellington Inc. for design services for the pavement rehabilitation of Taxiway A, and (B) Adopt Budget Ordinance 7092-X appropriating \$490,930 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 59, at Page 808.

Item No. 37: Airport Concourse E Phase VIII Design Contract Amendment

(A) Approve contract amendment #2 in the amount of \$197,770 with LS3P Associates LTD for additional design services of Concourse E Phase VIII, and (B) Adopt Budget Ordinance 7093-X appropriating \$197,770 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 59, at Page 809.

Item No. 38: Aviation Roof Maintenance Services

(A) Approve unit-price contracts with the following companies for roof repairs for an initial term of three years: Davco Roofing and Sheet Metal, Mecklenburg Roofing, and (B) Authorize the City Manager to renew the contracts for up to two additional, one-year terms with possible price adjustments and to amend the contracts consistent with the City's business needs and the purpose for which the contracts were approved.

Item no. 39: Charlotte Pipe and Foundry Airline Hanger License

(A) Approve a 10-year license with Charlotte Pipe & Foundry for corporate hangar facilities, and (B) Authorize the City Manager to execute two additional, five-year renewal options.

Item No. 40: Airport Distributed Antenna System Contract Amendment

Approve contract amendment #1 for \$276,955.37 to DPJJ, LLC d/b/a Wireless Services for additional maintenance and monitoring services for the Distributed Antenna System.

Item No. 42: Donation of Surplus Computers and Related Equipment to Goodwill Industries

Adopt a resolution approving the donation of surplus computers and related equipment to Goodwill Industries of the Southern Piedmont.

The resolution is recorded in full in Resolution Book 47, at Pages 285-286.

Item No. 43: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$24,372.92.

The resolution is recorded in full in Resolution Book 47, at Pages 287-291.

Item No. 44: Resolution of Intent to Abandon an Alleyway off of Umstead Street

(A) Adopt a Resolution of Intent to abandon an Alleyway off of Umstead Street, and (B) Set a public hearing for May 9, 2016.

The resolution is recorded in full in Resolution Book 47, at Pages 292-294.

Item No. 45: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: February 24, 2016, Budget Workshop, February 29, 2016, Zoning Meeting, and March 14, 2016, Business Meeting.

IN REM REMEDY

Item No. 46: In Rem Remedy: 512 W. 28th Street

Adopt Ordinance 7094-X authorizing the use of In Rem Remedy to demolish and remove the structure at 528 W 28th Street (Neighborhood Profile Area 369).

The ordinance is recorded in full in Ordinance Book 59, at Page 810.

Item No. 47: In Rem Remedy: 6232 Kinghurst Drive

Adopt Ordinance 7095-X authorizing the use of In Rem Remedy to demolish and remove the structure at 6232 Kinghurst Drive (Neighborhood Profile Area 211).

The ordinance is recorded in full in Ordinance Book 59, at Page 811.

Item No. 48: In Rem Remedy: 100/102 Mattoon Street

Adopt Ordinance 7096-X authorizing the use of In Rem Remedy to demolish and remove the structure at 100/102 Mattoon Street (Neighborhood Profile Area 382).

The ordinance is recorded in full in Ordinance Book 59, at Page 812.

Item No. 50: In Rem Remedy: 3754 Glenwood Drive

Adopt Ordinance 7098-X authorizing the use of In Rem Remedy to demolish and remove the structure at (3754 Glenwood Drive) (Neighborhood Profile Area 5).

The ordinance is recorded in full in Ordinance Book 59, at Page 814.

Item No. 51: In Rem Remedy: 3421 Mable Hubbard Drive

Adopt Ordinance 7099-X authorizing the use of In Rem Remedy to demolish and remove the structure at 3421 Mable Hubbard Drive (Neighborhood Profile Area 88).

The ordinance is recorded in full in Ordinance Book 59, at Page 815.

PROPERTY TRANSACTIONS

Item No. 52: 1514 North Tryon Street

Acquisition of 2,402 sq. ft. (.055 ac.) in Sidewalk and Utility Easement, plus 2,829 sq. ft. (.065 ac.) in Temporary Construction Easement, plus 412 sq. ft. (.009 ac.) in Bus Stop Easement, plus 870 sq. ft. (.02 ac.) in Utility Easement at 1514 North Tryon Street from 1514 North Tryon Street, LLC for \$45,600 for North Tryon Business Corridor, Parcel #14.

Item No. 53: 1713-1725 North Tryon Street

Acquisition of 591 sq. ft. (.014 ac.) in Fee Simple plus 1,345 sq. ft. (.031 ac.) in Storm Drainage Easement, plus 2,652 sq. ft. (.061 ac.) in Sidewalk and Utility Easement, plus 2,021 sq. ft. (.046 ac.) in Temporary Construction Easement at 1713-1725 North Tryon Street from Richard Kevin Massey and Glenda C. Massey for \$82,400 for North Tryon Business Corridor, Parcel #20.

Item No. 54: 2100 North Church Street and 2112 North Church Street

Acquisition of 13 sq. ft. in Fee Simple plus 382 sq. ft. (.009 ac.) in Sidewalk and Utility Easement, plus 1,553 sq. ft. (.036 ac.) in Temporary Construction Easement, plus 3,560 sq. ft. (.082 ac.) in Utility Easement at 2100 North Church Street and 2112 North Church Street from Donald J. Swofford, L.L.C for \$37,874 for North Tryon Business Corridor, Parcels #33 and #34.

Item No. 55: 2601 North Tryon Street

Acquisition of 6,257 sq. ft. (.144 ac.) in Fee Simple plus 1,896 sq. ft. (.044 ac.) in Storm Drainage Easement, plus 1,445 sq. ft. (.033 ac.) in Sidewalk and Utility Easement, plus 10,428 sq. ft. (.239 ac.) in Temporary Construction Easement, plus 168 sq. ft. (.004 ac.) in Bus Stop Easement at 2601

North Tryon Street from JKS Management, LLC for \$758,621 for 2601 North Tryon Street, Parcel #51.

Item No. 56: 2617 North Tryon Street and 2627 North Tryon Street

Acquisition of 21 sq. ft. in Fee Simple plus 339 sq. ft. (.008 ac.) in Storm Drainage Easement, plus 1,520 sq. ft. (.035 ac.) in Sidewalk and Utility Easement, plus 2,218 sq. ft. (.051 ac.) in Temporary Construction Easement, plus 33 sq. ft. (.001 ac.) in Utility Easement at 2617 North Tryon Street and 2627 North Tryon Street from JKS Management, LLC for \$41,379 for North Tryon Business Corridor, Parcels #52 and #53.

Item No. 57: 209 West 28th Street

Acquisition of 2,476 sq. ft. (.057 ac.) in Fee Simple plus 2,663 sq. ft. (.061 ac.) in Sidewalk and Utility Easement, plus 3,221 sq. ft. (.074 ac.) in Waterline Easement, plus 3,795 sq. ft. (.087 ac.) in Temporary Construction Easement, plus 432 sq. ft. (.01 ac.) in Bus Stop Easement, plus 2,250 sq. ft. (.052 ac.) in Utility Easement at 209 West 28th Street from First Mount Calvary Baptist Church for \$50,000 for North Tryon Business Corridor, Parcel #60.

Item No. 58: 127 West 28th Street

Acquisition of 4,265 sq. ft. (.098 ac.) in Temporary Construction Easement, plus 61 sq. ft. (.001 ac.) in Utility Easement at 127 West 28th Street from Maine Investment Group, LLC for \$225,000 for North Tryon Business Corridor, Parcel #61.

Item No. 59: 300 Dawn Circle

Acquisition of 11,918 sq. ft. (.274 ac.) in Fee Simple plus 1,000 sq. ft. (.023 ac.) in Temporary Construction Easement, plus 230 sq. ft. (.005 ac.) in Utility Easement at 300 Dawn Circle from Katherine M. Wisor for \$23,400 for Orr Road Extension, Parcel #4.

Item No. 60: 5743 Cherrycrest Lane

Resolution of condemnation of 388.1 sq. ft. (.009 ac.) in Storm Drainage Easement, plus 2,021.5 sq. ft. (.046 ac.) in Temporary Construction Easement, plus 939.7sq. ft. (.022 ac.) in Existing Drainage Easement To Be Accepted at 5743 Cherrycrest Lane from Ricky C. Calhoun and Gioia De Ette Calhoun for \$675 for Alanhurst/Cherrycrest Storm Water Community Improvement Project, Parcel #38

The resolution is recorded in full in Resolution Book 47, at Page 295.

Item No. 63: 1901 North Tryon Street

Resolution of condemnation of 4,398 sq. ft. (.101 ac.) in Storm Drainage Easement, plus 6,090 sq. ft. (.14 ac.) in Sidewalk and Utility Easement, plus 27,204 sq. ft. (.625 ac.) in Temporary Construction Easement, plus 1,408 sq. ft. (.032 ac.) in Utility Easement at 1901 North Tryon Street from WSOC Television for \$144,775 for North Tryon Business Corridor, Parcel #25.

The resolution is recorded in full in Resolution Book 47, at Page 296.

Item No. 65: 2020 North Tryon Street

Resolution of condemnation of 790 sq. ft. (.018 ac.) in Temporary Construction Easement, plus 1,180 sq. ft. (.027 ac.) in Utility Easement at 2020 North Tryon Street from Heath Land Company LLC for \$9,950 for North Tryon Business Corridor, Parcels #28 and #29.

The resolution is recorded in full in Resolution Book 47, at Page 297.

Item No. 66: 2130 North Tryon Street

Resolution of condemnation of 472 sq. ft. (.011 ac.) in Sidewalk and Utility Easement, plus 9,558 sq. ft. (.219 ac.) in Temporary Construction Easement, plus 90 sq. ft. (.002 ac.) in Utility Easement at 2130 North Tryon Street from Tryon Street Properties, LLC for \$36,275 for North Tryon Business Corridor, Parcel #32.

The resolution is recorded in full in Resolution Book 47, at Page 298.

Item No. 67: 2220 North Tryon Street

Resolution of condemnation of 1,012 sq. ft. (.023 ac.) in Sidewalk and Utility Easement, plus 9,321 sq. ft. (.214 ac.) in Temporary Construction Easement, plus 110 sq. ft. (.003 ac.) in Utility Easement at 2220 North Tryon Street from Charles F. Helms and Delana R. Helms for \$37,125 for North Tryon Business Corridor, Parcel #35.

The resolution is recorded in full in Resolution Book 47, at Page 299.

Item No. 68: 2400 North Tryon Street

Resolution of condemnation of 199 sq. ft. (.005 ac.) in Sidewalk and Utility Easement, plus 180 sq. ft. (.004 ac.) in Temporary Construction Easement, plus 1,457 sq. ft. (.033 ac.) in Utility Easement at 2400 North Tryon Street from Nu & Minh, Inc. for \$13,000 for North Tryon Business Corridor, Parcel #39.

The resolution is recorded in full in Resolution Book 47, at Page 300.

Item No. 69: 2408 North Tryon Street

Resolution of condemnation of 73 sq. ft. (.002 ac.) in Sidewalk and Utility Easement, plus 121 sq. ft. (.003 ac.) in Temporary Construction Easement, plus 560 sq. ft. (.013 ac.) in Utility Easement at 2408 North Tryon Street from Gilbert Allen Heath, William White Heath, and Harriet Heath Ferguson for \$3,025 for North Tryon Business Corridor, Parcel #42.

The resolution is recorded in full in Resolution Book 47, at Page 301.

Item No. 70: 110 Matheson Avenue

Resolution of condemnation of 2,377 sq. ft. (.055 ac.) in Sidewalk and Utility Easement, plus 3,583 sq. ft. (.082 ac.) in Temporary Construction Easement, plus 113 sq. ft. (.003 ac.) in Bus Stop Easement, plus 5,695 sq. ft. (.131 ac.) in Utility Easement at 110 Matheson Avenue from Quiktrip Corporation for \$60,650 for North Tryon Business Corridor, Parcel #50.

The resolution is recorded in full in Resolution Book 47, at Page 302.

Item No. 72: 525 Burroughs Street

Resolution for condemnation of 1,301.89 sq. ft. (.03 ac.) in Sanitary Sewer Easement, plus 1,301.89 sq. ft. (.03 ac.) in Temporary Construction Easement at 525 Burroughs Street from William Edward Miller and Marion A. Miller for \$1,250 for Upper Little Sugar Creek Sewer Replacement-Phase 1, Parcel #15.

The resolution is recorded in full in Resolution Book 47, at Page 303.

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ITEM NO. 24: BOJANGLES COLISEUM RENOVATIONS PHASE 2 – ICE FLOOR REPLACEMENT DESIGN AND INSTALLATION

Councilmember Smith said I pulled this; it was part of a larger project. I recognize the need for dispensing it and not voting against it because I do not think it is warranted. This is just a project I was not in support of when it originally came through, and in order to remain consistent I am going to cast my no vote.

Councilmember Kinsey said I want to give a little history because some people do not realize, this is the original Charlotte Coliseum. I call it the Historic Charlotte Coliseum. It was built in 1955, and at the time it was built it was the first and only free span dome in the United States, and actually it was in the world too, but only briefly. A little bit of history and with that I am going to move approval.

Motion was made by Councilmember Kinsey and seconded by Councilmember Mitchell to Authorize the City Manager to negotiate and execute a contract in an amount up to \$1,300,000 to Encompass Building Group, Inc. for the Bojangles Coliseum Ice Floor Replacement Design and Installation.

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

YEAS: Councilmembers Austin, Autry, Driggs, Eiselt, Fallon, Kinsey, Lyles, Mayfield, Mitchell, and Phipps.

NAYS: Councilmember Smith.

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ITEM NO. 27: DEVELOPER REIMBURSEMENT AGREEMENT WITH HWW CHARLOTTE PINNACLE LLC

Motion was made by Councilmember Mayfield, seconded by Councilmember Phipps, and carried unanimously to recuse Councilmember Smith from this Consent Item.

Motion was made by Councilmember Fallon, seconded by Councilmember Driggs, and carried unanimously to approve a developer reimbursement agreement with HWW Charlotte Pinnacle LLC to reimburse developer up to \$250,000 for design and construction of an extension Collins Aikman Drive.

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ITEM NO. 35: ARCHITECTURAL SERVICES FOR THE ZONE 3 FACILITY CONTRACT AMENDMENT

Councilmember Mayfield said for those following at home, what we are looking at is a project that was initially started by one company and unfortunately that company was not able to complete the project. We are now asking for a contract amendment number one, which I always have some concern with amendments that come in for contracts, but the amendment amount is for \$130,000. The question that I ask of staff was two-fold. One, how many times have we actually moved forward with the bond as far as a company not being able to complete the work in order to recoup any monies that we have lost in that development. Also, now we are having to get another company come in and anyone who does any work around their home, you know you run into challenges when you have someone start on say a bathroom remodel, something goes wrong and then a new company has to come in and you are looking at additional costs. So, the staff responded that the city will not recover 100% of the additional fees for the architectural services and that there may be a small percentage that will be covered in the liquid damages; however, that we would not know that amount until the project moves forward. I think it also goes back to when we are submitting RFPs out for companies and we have bonds that are taken out, because back in 2014 we approved \$5, 029,033 for the contract on this. For the company not to be able to complete it, we are not opening the door where there is a possibility to where we are going to have to start over or more than half way through. I wanted to at least ask the question when we are looking at tax dollars of do we ever get to recoup any of these monies when there is a bond out there. The answer to that general question is 100% of that money, no. It is not going to be recouped, but I am confident that staff has identified the right company the right company now to come in and complete the project. It is just something we might want to consider moving forward when we are bidding through the RFP process, even though we are supposed to go with the lowest responsive bidder, making sure that the bidder also has a proven track record of being able to complete work on the scope that we need. So, with that said, I do move to approve.

Motion was made by Councilmember Mayfield, seconded by Councilmember Mitchell, and carried unanimously to approve contract amendment #1 for \$130,000 to the Unspecified Services Contract with C Design, Inc. for Architectural Services for the Zone 3 Facility Construction project.

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ITEM NO. 41: CITYWIDE JANITORIAL SERVICES

Councilmember Mayfield said we put a lot of work in our Minority, Women and Small Business Enterprise program, and there are a number of janitorial services that are out there so one of the first questions that I wanted to know is why would we not work directly with those subcontractors

appose to having a prime to manage for that prime to then go out and solicit. When you look at the dollar amounts of the breakdown of these particular expenses, do you look at one particular company they're guaranteeing 56% of the cost will go to two janitorial services? I wanted to know why aren't we working directly with the janitorial services as well as two of the companies that we identified are using the same janitorial service. My question is why we have two separate companies using the same janitorial services appose to having a real conversation because we do have one company, Green's Commercial Cleaning that has received 100% of the actual project. Staff did respond and give me an update of why we didn't utilize specifically the MWSBEs and go directly with them, and pretty much cut out the middle man of administrative cost, and that is because of the size and scope of some of the projects. They actually went out, spoke to 40 plus of the MWSBE janitorial companies and they knew that they were not able to take on the full project. We were able to move forward in this particular direction. As far as the question if anyone is following at home or in the audience, we have the BUDD Group as well as GCA Services Group that are both utilizing Latin Labor Staffing. I wanted to find out a little more detail on that, and that is because they are really one of our well respected janitorial services out there. That is why they are utilized by more than one of the groups. Then I asked of course the most important question in my opinion, which is exactly what are the primes responsible for if the subs are the ones doing the majority of the work. Where you have the opportunity to utilize the primes is because since they are larger companies, they are going to have a better opportunity of discounted pricing and better pricing on the bulk items that will be needed in order to complete all of the work as far as the stocking of all of the facilities of supplies and equipment. That way this will be a positive effort moving forward and everyone pretty much exceeded their MWSBE goals. Also, just wanted to make sure that those following at home and the community know that with all of Council, we do quite a bit of research and as a lot of questions regarding a lot of the dollars that we are expending on your behalf.

Motion was made by Councilmember Mayfield and seconded by Councilmember Austin to approve unit price contracts with the following companies for janitorial services for a term of three years: The Budd Group, Inc, GCA Services Group of North Carolina, Inc., Green's Commercial Cleaning, Inc., ISS Facility Services, Inc., Mops & Paws; and Paramount Service Solutions, LLC.

Councilmember Mitchell said just following up on Councilmember Mayfield. We have two firms subcontracting through the prime; can you explain why? If the two subcontractors have the bonding capability of doing the work, why would a subcontract? I hear the one explanation is buying the supplies for purchasing, but if they have a proven track record and have the capacity to do larger amounts, I would think it would be in our best interest to make sure that they could be prime rather than subcontracting.

Nancy Rosado, Management and Financial Services said when we were looking at this particular project, we work extensively with procurement and really looking at all of the opportunities, making sure that we were looking at prime opportunities as well as subcontracting. As Councilmember Mayfield stated, in some of these, we called all of our MWSBE's that are certified in this particular scope, that do this type of work, and some of them just don't have the capacity to serve as a prime; therefore, they were more interested in the subcontracting opportunities.

Mr. Mitchell said so the two or more interested in subcontracting then the prime are the two she mentioned?

Ms. Rosado said well in Latin Labor Staffing, it is a staffing agency. That is the service that they are providing. So, it was a win-win for the BUDD Group who actually does the janitorial part of it, but they need to hire the staffing to fulfill this effort. It was a win-win situation in that particular case.

Mayor Roberts said I just want to point out too before you all leave, our Business INclusion Program, we really appreciate your dedication. The collective percentage for all of the firms hired was 70.24% small, women, minority owned businesses, and that is a great percentage so we really appreciate your hard work there. There are 50 different facilities that our janitorial services work in. That is a big amount so thank you so much for our work in that.

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

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ITEM NO. 49: IN REM REMEDY: 2316 SANDERS AVENUE

Kenneth Spears, 5009 San Francisco Circle said I would ask that Mr. Al Austin recuse himself, I would appreciate it.

Councilmember Austin said why would I do that?

Mayor Roberts said from the public comments or from the vote?

Mr. Spears said from the vote.

Mayor Roberts said our policy has if you have a direct financial conflict that you recuse yourself or a conflict of interest.

Mr. Spears said conflict of interest.

Mayor Roberts said why don't you tell us what your concern is about the item and then we can discuss whether or not that is appropriate based on our rules.

Mr. Spears said there is a relationship in terms of friendship that deals with Mr. Austin, and I am afraid that he would prejudice the case or the vote; that is why.

Mayor Roberts said that was your main concern for coming down here tonight?

Mr. Spears said as it relates to Mr. Austin.

Mayor Roberts said other than that you have no issue?

Mr. Spears said with the In Rem?

Mayor Roberts said right

Mr. Spears said definitely, I have issues concerning the permit as well as the code enforcement timing that is allotted to do repairs versus renovation. I have expressed my concern about that from day one. I recently talked with Mr. Krise about it, and the code enforcement is not concerned about doing substantial renovations. They are only concerned about repairing homes, and I have pointed this out to them time and time again. The home was my grandparents, and I opted to get it and restore it. That is the wiring, the plumbing, electrical, and that is what I have been involved with mainly. The house was broken into about five years ago. A young lady was homeless just took up residence there. I was there to cut grass one day, and I made an agreement with her, and the agreement was that she would get a social security card, ID card, and become affiliated with some church. She did all three, and since that time she made me aware that she was once a CNA, her license has expired, and now she wants to renew her license; however, she did not have funds or the wherewithal to do that. I made it available to her provided that she would pass the state exam, become gainfully employed, and she has done that. She has done extremely well and is doing extremely well. The reason that I want to restore it mainly is because it was my grandparents' home.

Mayor Roberts said unfortunately, your time is up, but we can have staff follow up with you.

Councilmember Fallon said I have seen new windows here, did you do those?

Mr. Spears said I did.

Ms. Fallon said and on the side in screens?

Mr. Spears said yes.

Ms. Fallon said is this shoring up the roof or the beams, this metal pole?

Mr. Spears said yes, it is.

Ms. Fallon said how much more work are you going to be able to do in a short period of time?

Mr. Spears said in terms of renovating?

Ms. Fallon said yes.

Mr. Spears said how much more work? I have interior as well as some more floor joist because the span exceeded today's standard, which is 16 or 20, basically 16 on center, 12/16.

Ms. Fallon said so you are talking about Code Enforcement you mean? You are meeting Code Enforcement?

Mr. Spears said meeting Building Standards, not Code Enforcement. There is a difference.

Councilmember Mitchell said I guess the first question that I have. The young lady that you have allowed to live in your house, if anything was to happen, do you know you would be responsible?

Mr. Spears said she has signed a waiver; all of that has been addressed.

Mr. Mitchell said even though it is unconditional, you are okay with someone living in that house?

Mr. Spears said that was her choice.

Mr. Mitchell said and she signed a waiver? Here is the other point that I want to make Sir. It is frustrating when people try to serve this community with the most integrity and character and other people don't view them that way. I took a little offence of you attacking Councilmember Austin. I served that district for 14 years, so maybe I should recuse myself from the vote because I have friends, people in District 2. I would say, make sure you call a Councilmember and sit down with them before you come down here and what I call make personal attacks. We all signed up to do a good job and serve the community, and we try to do the best of our ability, but it gets frustrating, and maybe just because this is my second go around, I do not have much patients as I did the first time. I just take exceptions when a young man who I know serves District 2 very well and you made that attack on his character. I didn't appreciate it sir.

Mayor Roberts said I didn't feel it was an attack on his character.

Councilmember Phipps said I just wanted to know from Mr. Krise, is this structure suitable for habitation?

Ben Krise, Neighborhood and Business Services said very simply, no sir.

Mr. Phipps said it is a condemned property?

Mr. Krise said it is unsafe.

Mr. Phipps said I do not know what the rules are, but if something like that is condemned, is it appropriate for somebody to be leasing it out for someone to stay there?

Mr. Krise said our process would be, upon the passing of the ordinance, if the Council chose to do that we would have to relocate or offer emergency housing assistance to the current occupant. She has refused so far, but we would offer that to her if she is eligible, and if she refuses, we could potentially have to go through the eviction process, including the whole summary ejection through the Magistrate's Office.

Councilmember Lyles said are you allowing that person to stay in the house even though she signed a waiver puts us in a particularly vulnerable position because our laws now look at her as a person without the ability to stay in the home. That may have been her circumstance all along, but now we have to go and spend a lot of time and effort on that process, in addition to helping her, again dollars just spent unnecessarily because of that choice. My experience has been that we are willing to work with you if you can make the difference the staff will continue to work with you, but we have a motion before us for adoption of the demolition. If you can work out with the staff that time, that is fine, but for this Council, I would like to make a motion that we approve the In Rem as recommended.

Motion was made by Councilmember Lyles and seconded by Councilmember Mitchell to Adopt Ordinance 7097-X authorizing the use of In Rem Remedy to demolish and remove the structure at (2316 Sanders Avenue) (Neighborhood Profile Area 85).
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Councilmember Eiselt said I just wanted to make a comment also about as the homeowner; you allowing her to live there you have a liability too. If the floor fell through and she was badly injured, she could sue you because you gave her the right to live there. I think you have a big liability on that as well.

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

The ordinance is recorded in full in Ordinance Book 60, at Pages 813.

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POLICY

ITEM NO. 8: CITY MANAGER'S REPORT

City Manager Ron Carlee said just a few items tonight; at the beginning you recognized John Howard, the Employee of the Year. Thank you so much for doing that. As you noted, the Employee of the Year is selected by a third party outside of the city of government. Our annual employee awards also include a number of peer review awards, and I wanted to share with you the peer review awards for this year in the category of Civic Engagement, it was the Parkwood Avenue Streetscape Virtual Tour and Comment Videos Team; for Community Ambassadorship, individually it was James Laney from Engineering and Property Management; and the team was the Woodstone Apartment Reading and Mentoring Program, which is a group of Police officers. The Innovation team is one of those behind the scenes work that nobody ever sees, and that was the Billing Cycle Alignment Team in Charlotte Water, which basically realigns all of the way that we read water meters across the city, developing a significant amount of inefficiency, potentially causing a lot of concern because everyone's water bill changed, but it was implemented flawlessly thanks to their outstanding work. They actually did preparation for about a three year period to figure out the right way to do it. The Inspiration/People's Choice Award, this was different; city employees could actually vote for the nominees in this case, and Chip Gallup from CDOT was the winner, and you know him. He is such a delightful person and very deserving. For Outstanding Work was Monifa Hendrickson-Woodside, with Engineering and Property Management, and for the team award for Outstanding Work was the City LYNX Gold Line Team for implementing Phase 1 of our street car. Truly just a small snapshot of the incredible breadth of dedicated employees we have in this city and the outstanding work that they do on a day to day basis.

Looking to future workers, potentially for the city and other places, we have this Wednesday, April 13, 2016, Charlotte Career Discovery Day, a partnership between the City of Charlotte's Mayor's Youth Employment program and Charlotte Mecklenburg Schools. The event will provide 4,000 students in the Charlotte Mecklenburg area with an interactive experience that showcases career paths in various fields relevant to today's job market. It is from 8:00 a.m. to 2:00 p.m. at Park Expo Conference Center on Briar Creek Road. Additional details are available on our website at the Mayor's Youth Employment Program.

Finally, sort of a fun and interesting thing, there are a lot of different mapping aps that you can buy to get around Charlotte, and if you live in Charlotte it is really good to have a mapping ap since the streets change names and go in circles. So, I am pleased to announce to you one of the interesting aps, it is called WAZE and C-DOT is partnering with WAZE to include city data, road closures, detours, and other conditions integrating our data into their ap, and we are excited about this and we will continue to work with other technology companies to take City of Charlotte data and make it available to the largest platform possible.

Mayor Roberts said I have to point out that Councilmember Mayfield is sporting the superhero cape that is part of the Career Discovery Day and the Mayor's Youth Employment Program. We had our super heroes of the Work Force Development today, and I want to give a big shout out to Microsoft and the Bank of America. We received a \$100,000 check from Bank of America today in support of the Mayor's Youth Employment Program, and Microsoft has given us thousands of dollars and spend several hours with 200 young people teaching them coding and Minecraft and Surface Hub. It was a terrific event today.

Councilmember Mayfield said career day is coming. Can we quickly, since the City Manager went through all that received awards just to give them a quick round of applause and congratulate all of them for the amazing work that they have done for peer-to-peer recognition?

Mayor Roberts said all of you that are watching, great job.

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ITEM NO. 9: CITY COUNCIL RULES OF PROCEDURE

Councilmember Smith said first I would like to recognize my fellow committee members: Vice Chair Mayfield, and Councilmembers Phipps and Autry serve on the committee. Thank you for your work; we met over a course of several meetings to discuss and update and review City Council procedures that have not been addressed in over 15 years. There were some technical changes made such as using gender-neutral pronouns, eliminating some redundant language that the attorney felt was not needed, and then we actually made some substantive changes to help make, when folks come down here, a little more consistent. One big item is the treating of an agenda item in a hearing, so citizens will have the same amount of time to speak. We will no longer have to waffle back and forth as to whether we consider, say the toll road meeting and an agenda item or a public hearing. Everybody that comes down will have three minutes. We have made some changes to allow for the Mayor's discretion as well, if the list gets too big, but we vetted it pretty thoroughly and had some robust conversation, and I think that we all arrived at a unanimous place that this was a good move forward for the Council and the City.

Motion was made by Councilmember Smith and seconded by Councilmember Autry to approve the Governance and Accountability Committee's recommendation to adopt revised Roles of Procedure for the Charlotte City Council.

Mayor Roberts said these are all online if anyone wants to see all of the detail.

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

Mayor Roberts said those new rules are adopted.

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BUSINESS

ITEM NO. 10: CROSS CHARLOTTE TRAIL TIGER 2016 GRANT

Vivian Coleman, Transportation said I want to thank you very much for giving staff a few minutes to talk about the Cross Charlotte Trail Tiger Grant application and as a lead member of the team that has been working on this project probably for a year and a half, I do want to say that it has been very inspiring to see the community support for this project for the trail in and of itself. It has been a great ride thus far; it has been great project, and we look forward to continuing to work on it. It is timely, because the US-DOT has approved a call for proposal for the Tiger Grant funding, and that gives us the opportunity to look at some big scale projects that are part of the trail over all in its 26 miles. The grants purpose is to fund the Cross Charlotte Trail gap, which is a gap that has been here for a long time and there is a reason for that, because it has been difficult to build between seventh and tenth, and I will share a site plan in a moment. Tonight's action is for the Council to adopt a resolution in support of that grant application. So, with overview, the city is applying for this grant. We are feverishly working on the application.

It is a very complex, comprehensive application, and we have a number of staff pulling together information for us. The application is due on April 29, 2016, and we have had a number of letters of support already submitted for this project from the Chamber, CPCC, UNCC, ULI, Sustain Charlotte, to name a few. So, a lot of those are coming in to us now. There was an interdepartmental team that discussed the project and other projects to see which one would rise to the top for the city's application for Tiger. The city staff determined the Cross Charlotte Trail Bridge best met the competitive criteria for this, and the project team, in and of itself studied options for completing this gap, which included some interim solutions and some long-term solutions. That bridge is truly the long-term solution, but with the Tiger opportunity that gives us the opportunity to apply for this grant and possibly, should we succeed, have the permanent

solution build much faster. This also included stakeholders input for stakeholders near that portion of the trail. This has been a city and county partnership for the duration of the Cross Charlotte Trail, and its naming rides along the little Sugar Creek Greenway, the Toby Creek Greenway, and we have worked with county staff very diligently on everything from maintenance agreements to real estate to design of the trail. So, all of these things are working in concert with the county as we move forth in the city sections of that trail. The Tiger grant purpose is really listed here, and you see in your map, there is a gap between 7th street and 10th street. A is at 7th street and B is at 10th street. The trail in and of itself will run south to Pineville and then north to the Cabarrus County line. You are really looking at a very comprehensive, robust trail system here, and this gap in its existence breaks that up.

To have this trail installed and the bridge installed at some point would provide a very seamless connection over US 74, and you have all driven on US 74. You have probably driven over Central, but have you ever walked over Central or biked over Central. The idea here is to create a seamless trail that goes under 7th street from the existing Little Sugar Creek Greenway under 7th it switches back to meet grade to get up to where the bridge will cross the US 74 divide and then connect into an area where we have two rezoning cases to the north, and the trail would then run northward and connect to the Little Sugar Creek Greenway. This is a pretty amazing project. The bridge in and of itself would include an observation pier because of the views of the center city crossing this bridge are phenomenal. So, we do want to emphasize that there will be some greater purpose here in terms of place making. So, the need for connection closes a critical gap that we have had for years, and we have heard from our stakeholders and from the public at large that crossing Central, walking or biking, is not comfortable, and it isn't at this point. So, this would create a much safer and seamless way to cross. It would connect the north and south segments so you are connecting the 26 miles as a whole over time, creates a seamless facility which really would be of high quality materials and would be designed such that it would create a very iconic kind of experience. It would link residents and our visitors that are using it to jobs, recreation, hospitals, education, and transit. It is linking us to neighborhoods, to business, to housing, and to retail and office, to all kinds of different things. So, the need is there and we have heard recurring themes from our stakeholders over the past few months immediately in the vicinity of the bridge but then also recurring themes over the past two years of what the public wants out of this trail.

We have heard so much from the public, and one of these is the need to complete this missing section. That has been recurring since we started public meetings and maintain the views of uptown. This bridge gives you an amazing opportunity to see the uptown and experience it. We suspect a lot of people will be taking pictures from that bridge. Creating a unique and iconic experience is important and that was very important to a lot of the stakeholders we are hearing from. This bridge should be special. The public has asked us to provide lighting for safety and aesthetics, which totally makes sense, but there are ways to do lighting to make it even more special. This is Raleigh, North Carolina, and the bridge that they have built over I-440 connects Meredith College to the museum of art and is well used on the House Creek greenway in Raleigh. So, they are doing something very special there; we could do something special here. So, bridges and their importance nationwide throughout the world really for bike and ped bridges, there are a number of bridges out there that create a significant transportation connection, and many of this is over water, many of them are over freeways where there is a barrier, and there is a barrier at US 74. The place making opportunity is another piece that we would like to include in our application and we will be working with the public to determine what this bridge looks like over time and how the design will come into fruition. So, in summary the application is due again, April 29, 2016. We are working diligently many hours to get the application as perfect as we can get it to submit it to the US-DOT. It would be a very competitive process, and if selected, if we are the chosen city receiving one of these Tiger grants, we will conduct public engagement process and get that going. We are still working through those kinds of details; we will get into those if we win the grant. We will finalize the design and then construction will begin in 2019. So, this is pretty fast turnaround for a gap in the greenway system that has been sitting there for a number of decades. With the Tiger grant out there, it gives us the opportunity to really push forth, should we win it.

Councilmember Driggs said I wanted to understand, is the \$5 million that we would have to pay the local share, is that included in our current budget for the trail, or is this new money that would be needed?

Ms. Coleman said that is part of the future bond referendum, so that would be included within the next bond.

Mr. Driggs said right, but that is included in the money that we have already identified for bond offerings for the trail?

Mayor Pro Tem Lyles said the trail was included in last years, the first five and then the second being in the next referendum.

Mr. Driggs said right, and this five is part of that, not additional? So, in effect, we have already agreed to the five million portion that we would need to put up alongside this grant.

Mayor Pro Tem Lyles said yes.

Mr. Driggs said looks good.

Councilmember Fallon said the matching money will come from the next bond?

Mayor Pro Tem Lyles said it is, and we had the \$5 million approved, and I believe the \$30 million, a portion of it is on the 2016, it is in our budget; it was presented to us in the capital document that we got last week, if the bond passes.

Councilmember Kinsey said I have been serving on the Little Sugar Creek Greenway Action Committee since 2004, and this has been a challenge, a real challenge. I am pretty proud that the city has taken it over because we can do it, because it is a huge challenge, and we have talked about it and talked about it, and I think it is great that the city is going to be able to do it. Thank you to all of you working on this project for us.

Motion was made by Councilmember Kinsey and seconded by Councilmember Autry to adopt a resolution authorizing the City Manager to submit an application to negotiate and execute a TIGER 2016 Grant Agreement with the U.S. Department of Transportation for the Cross Charlotte Trail Bridge over US 74. The total bridge project will cost up to \$15.5 million, including a local share of up to 30% upon federal approval of the TIGER 2016 grant application.

Councilmember Eiselt said I just would like to say, I enthusiastically support it. I think it is one of the best assets we have here, and it is exciting to see it progress.

Mayor Pro Tem Lyles said I think you are getting a lot of kudos, and just remind the Department of Transportation that we are all very pleased with this idea and concept and we want to make it happen.

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

Resolution is recorded in full in Resolution Book 47, at Pages 278.

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ITEM NO. 11: PURCHASE AND SALE AGREEMENT AMENDMENT #1 WITH FOUNDATION FOR THE CAROLINAS FOR THE CAROLINA THEATRE PROPERTY

Motion was made by Councilmember Mitchell and seconded by Councilmember Autry to approve amendment #1 of the Purchase and Sale Agreement for the Carolina Theatre property, consistent with the Foundation for the Carolinas' current plan for a development project, which will include the renovated Carolina Theatre and lobby, new office space, and a luxury hotel.

~~City Manager Tom Curlee~~ said this is another one of the most exciting projects going on in Charlotte right now. It is appropriate to follow the Charlotte Trail three years and three days ago at my first City of Charlotte Council Meeting where Council approved selling the Carolina Theater to the Foundation for the Carolinas with a hope that that historical gem, dating back to 1927, could be preserved. The Foundation for the Carolinas designed an extraordinary renovation and redesign of the entrance into the building and set a fundraising goal of \$39.8 million to achieve this renovation and as of today they are at \$36.6 million that they have raised. This is so quintessentially Charlotte, the way the public and private sector comes together to create, at the end of the day, a civic space for discourse around community issues. The item that we are bringing you today and Michael Marsicano who is the master mind behind this is in the audience. What we are bringing to you

today are some amendments to the sales agreement taking into consideration some of the developments that could not have been predicted three years ago involving two items, one is the foundation actually building some office space above the theater and their ability to potentially sell that in the future as well as a hotel on top of that that would generate revenues to help support the theater. Mr. Hagemann has done the technical legal work behind the changes that are proposed and if you have legal questions around those specifics, he can respond to those for you.

Councilmember Driggs said the old deal was that we contributed the property basically for nothing, and they were going to renovate that. Now we are talking about selling office and hotel space. Do we know how much they expect to realize from those sales?

Mr. Carlee said there is no specific plan at this point to sell them; this is in order to establish the ability to sell at a future date if they choose to do so.

Mr. Driggs said but the intention is to include a hotel and office space in the expanded development. It just seems to me that this warrants a re-examine. This is not just a little text amendment. This is a financially completely different transaction, and I think that we should be looking at more information about how it works, again it may well be find, but I do not see enough here. I do not know how much they are investing, what they would do with the proceeds from the sale, the for profit entities for those other two portions, and it is a whole new deal.

Mayor Pro Tem Lyles said I think that the attorney addressed that question particularly the for profit entity portion.

City Attorney Bob Hagemann said let me be more specific in terms of what the amendments would allow. The original contract did not contemplate anything being done on the site other than a renovation of the theater. They have now come forward with this greater plan. The office space would be an extension of the office space next door that they already control, and in my conversations, there are no current plans or plans in the foreseeable future to sell that at all. If it was sold, it would go with the existing space next door that it would connect to. The hotel space would be sold, but they have agreed that any net proceeds from that sale have to be held for the benefit of the Carolina Theater. It is an opportunity to bring more revenue into the actual renovation and operation and maintenance of the theater facility. The way we would drafted the original contract, it just restricted them from selling anything, but again it was before these concepts were developed.

Mayor Pro Tem Lyles said when you say next door to the office, the Foundation is a not for profit organization and would have to follow those rules, so did we cover all of your questions Mr. Driggs?

Mr. Driggs said I am not judging the thing; I think this is a new proposal and not some little amendment that we cover in five minutes. I would be interested to see more about the structure of the new deal as it was negotiated by the staff. The amounts involved are significant. It looks good, I guess, I just don't think it is the same deal we talked about before. It looks like it is a very different transaction. Does it say in here that they have to limit the use of the hotel sale proceeds to the benefit of the theater?

Mr. Hagemann said yes sir, absolutely. We did not provide the actual amount, but the third bullet point under terms of the amendment specifies that the proceeds from the sale are held by the foundation, managed by its board, and used for the benefit of the theater.

Mr. Driggs said and this does represent a larger investment on their part on community property, not just in Foundation but in the kind of property that we intended to promote when we contributed the asset?

Mr. Hagemann said correct and it also will now put the hotel on the tax rolls and will be paying property taxes, something that would not have happened through the original idea.

Councilmember Kinsey said this clearly says that they would be permitted to sale or transfer the office unit, also the hotel unit, and also the theater. That concerns me.

Mr. Hagemann said to an affiliate or 501C3 who would have to assume the obligations under the agreement.

Ms. Kinsey said I read that, but we had given this to the Foundation to restore the theater and then to turn around and sell it. I have a little bit of background since I serve on the committee, but I have never heard in a committee meeting talk about selling it. We have talked about someone else managing it, but that does concern me a little bit.

Mayor Pro Tem Lyles said do you want to address Mr. Michael Marsicano, President of the Foundation for the Carolinas has come to the podium? I am not sure if there is a question, but I want to make sure Ms. Kinsey If you have a question for Mr. Marsicano that you...

Ms. Kinsey said no, I am just expressing my concern about selling the theater, selling the hotel unit. This is just something new to me.

Councilmember Fallon said I do not know, but I am surprised by it too. I was always under the impression an apartment house was going to go up above it.

Michael Marsicano, Foundation for the Carolinas said let me try to take you through all of the thinking on this. First, it is important to remind you that it was the City Council that asked us to try to put commercial development on the property when you essentially gifted us the property, and we have worked very hard to find what would work on that property. The foot print does not allow apartments, nor does it allow condominiums. The only financially viable commercial development option is in fact a hotel. It is all that the footprint will allow without going into the theater itself, which you would never want to do because you would destroy it. That is why the hotel became the option, number one. Number two, Councilmember Kinsey there is not an intent in any of the language for us to sell the theater. What was envisioned is if someday, the Foundation, when I am gone, when the board is different, did not feel that they wanted to continue to run the theater that while we would have invested the \$39.8 million in it that we would gift it either to the city or to the Blumenthal Center or somebody who would carry on the same purpose. There was never to be a thought of selling it as a profit sale type situation. Because we can't know what will be in the future.

Ms. Kinsey said yes, but sale is in this agreement, the word sell.

Evan Wolkofsky, J.D. Foundation of the Carolinas said by sell, transfer, any type of an assignment where we would no longer be operating and running the theater, we would give it back to the city, to another 501c3 that operates civil art facilities.

Ms. Kinsey said I don't know why we use the word sell.

Mr. Marsicano said the notion of selling in the sense of making something on it is not where we are at all. We are just trying to go with perpetuity and if for some reason for the Foundation or it was better for the Blumenthal for somebody else to operate it, we would freely be giving over that \$39.8 million asset. In terms of the offices, we did realize that between the hotel and the theater, we could forever try to stay on this site if we had expansion capabilities. Since that would be paid for, not by fundraising but by our own resources, if that piece of it were ever to be sold, that we would not be giving that away because we would want to recoup what we put into it. If the hotel were to sell, which you could conceive of it would sell to another hotel operator or developer, we are in negotiation with them that the proceeds or the revenue string from all of that would be permanent dedicated to the running of the theater. So, in our mind, everybody has won. We have a long term plan for the theater. If we do not operate it, some other civic organization will. The probability that the foundation will always want to operate it because now it has more expansion space, which we can recoup if we were deciding to sell it, and we put it is \$1.9 million a year, according to the Chamber of Commerce analysis, in taxes that are coming back to the city and the county which, never would have happened if we had not taken your advice to do the commercial development on top. In our way of thinking, everybody wins with this condominiumize notion of the three different areas.

Councilmember Lyles said I just wanted to make certain, and maybe this is for Bob to address. When we talk about the conditions, we do say in the bullet it says. We will be permitted to sell or transfer the theater unit to the subsidiary affiliate of FFTC or another 5013C, is sell the appropriate language? I was thinking that we sold that land for \$1, so I do not know if sell is right, but is it something that would be more helpful? What do we want to accomplish? What is the best language for it?

Mr. Hagemann said I think the protection you have is primarily, in that it is an entity that is an affiliate of, and it is not going to be a for-profit company that comes along that is going to pay them multi-millions of dollars for the theater property. It really is, I believe as intended and as drafted to allow flexibility to put it into another non-profit that has to assume all of the responsibilities that are in the agreement in terms of using the theater for the purposes that we bargained with the Foundation for to achieve that public good.

Mr. Marsicano said this was actually to be a protective mechanism since we cannot predict what my predecessor or the successive boards of the Foundation; there is no intention to ever give this theater up, but to protect it.

Ms. Lyles said I understand that, but I am just wanting to make sure that the legal document that does all of this, that our attorney agrees that whatever the wording is, manages the intent that we have expressed here today. Does that make sense? Do you hear what I am saying? I think I just want to make sure that we express the intent that stated here is that we are talking about maintaining this as if it is not the Foundation, a not-for profit or public entity that is what I am trying to make sure that we are protected that way for that intent.

Mr. Hagemann said the answer is yes.

Ms. Kinsey said I still do not like the word sell, are you taking it out? I understand the transfer, I do not have any problem with that; I know all about the hotel.

Mr. Marsicano said we are perfectly comfortable taking out the word sell. Let me tell you that the donors would have my head if we ever sold it to a for-profit entity.

Ms. Lyles said I bet they would. I am just talking about the development agreement.

Councilmember Smith said if an entity is transferring ownership within the entity on the tax records it is listed as a sale, regardless of whether or not it is a true sell in the sense of selling something.

Mr. Hagemann said I understand the concern that the word sell connotes for value consideration, but there is language in the document that limits or restricts their ability to do it. It really is using the word sell as a conveyance, not a sell for fair market value, but I think we have already heard a willingness to take out the word sell. We will take out that concern that way.

Ms. Kinsey said we have not seen the document. All we have are these few pages, a page and a half.

Mr. Driggs said which we have not seen before.

Mr. Carlee said we are happy to provide those specific documents for you, if it is your pleasure we would be happy to carry this over to the next meeting so that you have an opportunity to look at it more closely.

Mayor Roberts said is the desire of the Council to carry this to the next meeting to verify some of the language?

Mr. Driggs said and if we can get a more detailed term sheet, the documents. This isn't an amendment; it is a new deal, and it needs to be kind of rolled out that way, so if we could do that for the next meeting that would be great.

Councilmember Austin said I am wondering if there is any time sensitivity to us proceeding ahead tonight.

Mayor Roberts said are we going to make your board of trustees really nervous?

Mr. Marsicano said I think we are okay. This is really good. We just have to make sure everybody knows what it is because it is really good.

Mr. Carlee said Mayor, that is why given what I am hearing around the dais, we would prefer to carry it over. We do not want you to have any anxiety about it. This is an extraordinary good news story for the city, and we would like to take the additional time so that you know all of the details and that if there are any concerns we could address them for you.

Mayor Roberts said okay so we want to make sure that we are all equally enthusiastic and excited about how good it is, because I hear all good things as well.

Ms. Kinsey said I just want to say, I have invested a lot of time in this too and a lot of years. I want to see it be successful, there is no question about it, but I really would like to be able to read what we are voting on, if it is okay to delay it for two weeks.

Mr. Marsicano said I do want to say Councilmember Kinsey has put a lot of work from the other advisory committee for which we are grateful.

Ms. Kinsey said I was stubborn about it.

Mayor Roberts said well that is good, looking out for the interest of all of Charlotte.

Mayor Roberts said I think we had a motion. We need to have that person withdraw the motion.

Councilmember Mitchell said I did.

Mayor Roberts said do you agree to withdraw your motion?

Mr. Mitchell said no, I do not.

Mayor Roberts said okay, we are going to go ahead and vote on the motion.

Mr. Mitchell said the City Manager mentioned he is going to bring the material back. I guess I am just kind of getting confused. I thought that the deal he described was a win-win for everyone. If it is just looking at the language, I think we can get comfortable, but what is the next two weeks going to buy us besides reading material?

Ms. Kinsey said reading material.

Mr. Driggs said the numbers, the terms of the agreement; we are seeing this right now for the first time in this meeting or prior to this meeting, and that is not how I would normally go about approving a transaction like this. I do not know what the value was of the property that is contributed originally and I am assuming it is great, and I certainly do not mean to question it. I want to be clear about that. I am not suggesting that it is not great. I am just saying I do not like voting on what I do not know.

Mr. Marsicano said I would need a clarification of my expectations for the next two weeks. I can tell you everything about the theater; I can tell you the costs of two and a half floors of office space the foundation would build on top of it, but we are not done negotiating the hotel deal, so I actually will not be able to speak to that in terms of the numbers there because the deal is under negotiation, so I do not know how I would answer all of your questions in two weeks.

Mr. Driggs said it would be just a matter of what is allowed by the contract that we would sign, what could happen. I am just at a disadvantage here because normally if I vote on something like this, I understand it. I do not understand this deal. I just do not have enough information about it. So, if I am told this is how the hotel works, I will probably say great, I like it, but I just haven't had enough time to look at it.

Mr. Austin said James, did you get a second on your motion?

Mr. Mitchell said yes.

Mayor Roberts said just for you guys watching, we do get our agenda three days ahead. We had our agenda Wednesday, and folks do have questions in the future, we can get those questions to staff in between Wednesday and Monday to try to get these kinds of things answered.

Mr. Marsicano said I do not know exactly what is happening, but if this were to go down because of a procedural issue, that could send the wrong message to donors not understanding why it is being voted or not voted. I do not know what you are doing with the motion.

Mayor Robert said let me see the Council Rules. If a motion does not pass, then it could be put on the agenda for the next meeting.

Mr. Hagemann said if instructed to do so, yes.

Mayor Robert said the motion is to accept your agreement and accept the transfer, and if it doesn't pass tonight, we can then make a motion to put it on our next agenda for reconsideration with more information.

Mr. Hagemann said I hesitate to interject procedurally for the Council, but I recognize the concern that even if it is because you are not ready, a motion to approve it fails to be interpreted the wrong way. If there is a substitute motion to defer it to the next meeting, would be in order, that would be voted on first, and presumably if that does not carry, it means that a majority of Council is prepared to approve tonight.

Mr. Smith said I just want to weigh in real quick. I would ask my good friend and colleague, Mr. Mitchell, it sounds like we may be holding the Foundation in the middle of what I think may be more of a staff procedure than an issue around the dais. In light of looking at it from a slightly different prism, would that alter your thinking to withdraw the motion? What I think I am hearing my colleague say is that they did not get enough information from the staff, and I am not sure that would be the Foundations issue, and I feel they might be held in the crosshairs on this one.

Mayor Roberts said absolutely, it is an internal issue, nothing to do with your presentation or your project, but if we do not know if this will pass, that will the bad message then we should defer it.

Councilmember Eiselt said I would like to make a substitute motion to defer. This is the first time I have ever seen it, just being a new Councilmember, and I would like to see a little bit tighter language too just so that we know. What I am hearing is that we sold the property for a dollar, and we would not ever want to think that it could be sold for profit or have the wording misinterpreted, so I would like to make the substitute motion just to defer it, just to get tighter language so that we all know exactly what is within your rights to do with the property.

Substitute motion was made by Councilmember Eiselt and seconded by Councilmember Fallon to defer this item until the next scheduled Business Meeting.

Mayor Roberts said it is also for Council who have questions to get further explanation to feel comfortable and as a new Councilmember, and I am a new Councilmember too, that is always good to have more information.

Mr. Driggs said I would second the motion and just say absolutely, without prejudice, I look forward to this. It sounds exciting; I trust you. I would like us to all come back with confidence and give you a round of applause instead of wondering what we are doing.

Mayor Roberts said we will vote on the motion to defer first and before we do that and before you go away, I just want to say, Mr. Marsicano congratulations on your vision award from Charlotte Center City Partners, because that was an amazing event and an amazing record of what you have done for Charlotte in that public ceremony. It was well deserved and beautifully done.

The vote was taken on the substitute motion and recorded as follows:

YEAS: Councilmembers Driggs, Eiselt, Fallon, and Kinsey.

NAYS: Councilmembers Austin, Autry, Lyles, Mayfield, Mitchell, Phipps, and Smith.

The substitute motion failed. A vote was taken on the main motion and recorded as follows:

YEAS: Councilmembers Austin, Autry, Driggs, Eiselt, Lyles, Mayfield, Mitchell, Phipps, and Smith.

NAYS: Councilmembers Fallon and Kinsey.

Mr. Driggs said normally, before we vote you would invite comment. I just wanted to remark on this. If I am given the choice between voting in favor and deferring, I will vote in favor. Again, I admire the work you do, and I want to support it. So, I would vote in favor if I was down to that choice. So, I will join the yes votes. I would have preferred to see this brought to us in a Dinner Briefing and explained more fully as an essentially new transaction, but I do not want to send the wrong message about the work that you do.

Ms. Eiselt said I would also like to say that that went a little fast for me. If we could not defer it, then yes by all means, I support the project and think that it sounds like a great project, and I would have liked to seen a little tighter language, but I guess that is not an option.

Mayor Roberts said I also wanted to say, any Councilmembers are welcomed to call the Foundation of the Carolinas and get a briefing update or talk furthermore with our staff about the way that the agreement works.

Ms. Lyles said please get the language; send it out to everyone, I also think that we ought to be able to come down. I do not know when your next opportunity to tour and visit, but I think an invitation to the full Council would be in order.

Mr. Marsicano said we have established a project room in one of our conference rooms that have all of the designs and the technology, and I would love nothing more than for all of you to come down and look at it. It is why we are having such success in raising the money. I think you will be very excited. The invitation is coming.

Mr. Smith said we are beating a dead horse. When we move forward, I think this would be an example of a Dinner Briefing. It is a big deal; I didn't want to hold you guys accountable for something that I thought we could have better addressed as a staff. I think additional information would be helpful. I know we did get this on Wednesday, but a 15-20 minute presentation at our Dinner Briefing clears most of this up, but we are enthusiastically behind the work that is going on down there.

Ms. Lyles said we have opportunities. We have the briefing, we have the dinner meeting. If someone had said, hey look I got a question, and I know that we don't all get a chance to read everything. It was a long day for everybody in here.

Mr. Smith said this type of issue is one that we have put a lot of stuff on Dinner Briefings where staff comes through and walks through, say the recent airline agreement. They come through and help walk through some of the data for us, and I think this would have been a great opportunity for 15 minutes at a Dinner Briefing off camera that we could get everything answered and feel more comfortable with it and then we come down here.

Mr. Marsicano said I am happy to be where you need me to be.

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NOMINATIONS TO BOARDS AND COMMISSIONS

ITEM NO. 12: NOMINATIONS TO THE BICYCLE ADVISORY COMMITTEE

The following applicants were considered for two appointments for partial terms beginning immediately and ending December 31, 2017 and December 31, 2018:

Leigh Altman, nominated by Councilmember Fallon
Joel Bonasera, nominated by Councilmembers Kinsey and Phipps
Robert Boyer, nominated by Councilmembers Austin, Autry, Driggs, Eiselt, Lyles, and Mitchell
Charles Castle, nominated by Councilmembers Driggs, Eiselt, Mayfield, and Smith
Elizabeth Frere, nominated by Councilmember Kinsey
Kevin Kennedy, nominated by Councilmember Mitchell
Katherine Lloyd, nominated by Councilmembers Austin, Autry, Lyles, and Phipps
Catherine McLaurin, nominated by Councilmember Mayfield
Peter Noris, nominated by Councilmember Fallon

Motion was made by Councilmember Autry, seconded by Councilmember Driggs, and carried unanimously to appoint Robert Boyer.
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Mr. Boyer was appointed. The remaining appointment will be brought back to the next Business Meeting.

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ITEM NO. 13: NOMINATION TO THE BUSINESS ADVISORY COMMITTEE

The following applicants were considered for two appointments for terms beginning April 29, 2016 and ending April 28, 2019:

Lawrence Bibbs, nominated by Councilmember Eiselt
DeAlva Glenn, nominated by Councilmembers Austin, Autry, Fallon, Kinsey, Lyles, Mayfield, Mitchell, and Phipps
Stephen Vaughan, nominated by Councilmember Driggs
Gregory Wiley, nominated by Councilmembers Austin, Autry, Driggs, Fallon, Kinsey, Lyles, Mayfield, Mitchell, and Phipps

Motion was made by Councilmember Mitchell, Councilmember Autry, and carried unanimously to reappoint DeAlva Glenn and Gregory Wiley.
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Ms. Glen and Mr. Wiley were reappointed.

ITEM NO. 14: NOMINATION TO THE CHARLOTTE INTERNATIONAL CABINET

The following applicants were considered for one appointment for a partial term in the Cultural/Ethic category beginning immediately and ending June 30, 2018:

Nalan Karakaya Mulder, nominated by Councilmembers Driggs, Kinsey, Mitchell, and Phipps
Regina Owens, nominated by Councilmembers Autry and Mayfield
Larken Egleston, nominated by Councilmember Fallon
Omar Kazzaz, nominated by Councilmember Eiselt
Brian McGill, nominated by Councilmember Austin

The appointment will be brought back to the next Business Meeting.

ITEM NO. 15: NOMINATION TO THE CIVIL SERVICE BOARD

The following applicants were considered for one appointment for a partial term beginning May 16, 2016 and ending May 15, 2019.

Karen Burke, nominated by Councilmembers Austin, Autry, Driggs, Eiselt, Kinsey, Lyles, Mayfield, Mitchell, and Phipps
Harvey Katowitz, nominated by Councilmember Fallon

Motion was made by Councilmember Mitchell, seconded by Councilmember Driggs, and carried unanimously to reappoint Ms. Karen Burke.
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Ms. Burke was reappointed.

ITEM NO. 16: NOMINATION TO THE HOUSING APPEALS BOARD

The following applicants were considered for one appointment for a partial term in the City within a City Category beginning immediately and ending December 31, 2019.

Regina Tisdale, nominated by Councilmembers Austin, Fallon, and Kinsey
Michael McLean, nominated by Councilmember Mitchell

The appointment will be brought back to the next Business Meeting.

ITEM NO. 17: NOMINATIONS TO THE NEIGHBORHOOD MATCHING GRANTS FUND

The following applicants were considered for two appointments for the Business Representative category for a term beginning April 16, 2016 and ending April 15, 2018:

Will Russell, nominated by Councilmembers Austin, Autry, Driggs, Fallon, Kinsey, Lyles, Mayfield, Phipps, and Smith

James White III, nominated by Councilmember Kinsey

Chris Corcoran, nominated by Councilmember Lyles

Lauren McCleabi, nominated by Councilmember Mitchell

Motion made Councilmember Mayfield, seconded by Councilmember Austin, and carried unanimously to reappoint Will Russell.

Mr. Russell was reappointed. The remaining appointment will be brought back to the next Business Meeting.

The following applicants were considered for two appointments for Neighborhood Representative Category for a term beginning April 16, 2016 and ending April 15, 2018:

Chris Corcoran, nominated by Councilmembers Driggs, Fallon, Kinsey, and Lyles

William Hughes, nominated by Councilmembers Austin, Autry, Driggs, Fallon, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith

James White III, nominated by Councilmembers Mitchell, and Phipps

Syretta Willis, nominated by Councilmembers Austin and Autry

Motion made by Councilmember Mitchell, seconded by Councilmember Autry, and carried unanimously to reappoint William Hughes.

Mr. Hughes was reappointed. The remaining appointment will be brought back to the next Business Meeting.

The following applicants were considered for one appointment for Neighborhood Organizational Leader Category for a term beginning April 16, 2016 and ending April 15, 2018:

Thomas Burch, nominated by Councilmembers Austin, Autry, Driggs, Fallon, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith

Motion made by Councilmember Mitchell, seconded by Councilmember Fallon, and carried unanimously to reappoint Thomas Burch.

Mr. Burch was reappointed.

The following applicants were considered for two appointments for Non-Profit Category for two terms beginning April 16, 2016 and ending April 15, 2018:

Kellie Anderson, nominated by Councilmembers Austin, Autry, Driggs, Fallon, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith

Clair Craig-Lane, nominated by Councilmembers Austin, Autry, Driggs, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith

Frank Kretschmer, nominated by Councilmember Fallon

Motion was made by Councilmember Driggs, seconded by Councilmember Mayfield, and carried unanimously to appoint Kellie Anderson and Clair Craig-Lane.

Ms Anderson and Ms. Craig Lane were reappointed.

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ITEM NO. 18: NOMINATIONS TO THE TRANSIT SERVICES ADVISORY COMMITTEE

The following applicants were considered for one appointment for a partial term in the Express Service Passenger category beginning immediately and ending January 31, 2017.

Daniel MacRae, nominated by Councilmembers Austin, Autry, Driggs, Eiselt, Kinsey, Lyles, Mayfield, and Mitchell

Corine Mack, nominated by Councilmember Fallon

Motion was made by Councilmember Mayfield, seconded by Councilmember Mitchell, and carried unanimously to appoint Daniel MacRae.
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Mr. MacRae was appointed.

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ITEM NO. 19: NOMINATION TO THE TREE ADVISORY COMMISSION

The following applicants were considered for one appointment for a term beginning March 1, 2016 and ending February 29, 2019.

Chris Breedlove, nominated by Councilmembers Fallon and Kinsey

Rebecca Herron, nominated by Councilmembers Austin, Driggs, Mayfield, Mitchell, and Smith

Michael Hughes, nominated by Councilmember Austin

The appointment will be brought back to the next Business Meeting.

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APPOINTMENTS TO BOARDS AND COMMISSIONS

ITEM NO. 20: APPOINTMENT TO THE HISTORIC LANDMARKS COMMISSION

The following nominees were considered for one appointment for a partial term beginning immediately and ending June 16, 2017.

SyDonia Williams, nominated by Councilmembers Austin, Autry, Mayfield, and Mitchell

Cameron Wright, nominated by Councilmembers Driggs, Kinsey, Lyles, Phipps, and Smith

Results of the ballot were recorded as follows:

SyDonia Williams, 6 votes- Councilmembers Austin, Autry, Kinsey, Lyles, Mayfield, and Mitchell

Cameron Wright, 4 votes- Councilmembers Driggs, Fallon, Phipps, and Smith

Ms. SyDonia Williams was appointed.

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ITEM NO. 21: APPOINTMENT TO KEEP CHARLOTTE BEAUTIFUL

Amy Villegas-McCleave, nominated by Councilmembers Austin, Autry, Mayfield, Mitchell, and Phipps

Brian Withrow, nominated by Councilmembers Driggs, Kinsey, Lyles, and Smith

Results of the ballot were recorded as follows:

Amy Villegas-McCleave, 6 votes- Councilmembers Autry, Lyles, Mayfield, Mitchell, Phipps, and Smith

Brian Withrow, 4 votes- Councilmembers Austin, Driggs, Fallon, and Kinsey

Ms. Amy Villegas-McCleave was appointed.

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ITEM NO. 22: MAYOR AND CITY COUNCIL TOPICS

Councilmember Mayfield said I just want to give two updates. This Saturday at Renaissance West and the Crawford Renaissance Center, we will be hosting a job fair. HMS Host, which is one of our amazing partners through the Mayor's Youth Employment program, as well as the Charlotte Douglas International Airport has 100 positions that are available now. They will be hosting a job fair this Saturday in collaboration with Renaissance West. That will be from 9:00 a.m. to 12:00 p.m. Information has been shared. If you would like more information, please contact my office or email me at lmayfield@charlottenc.gov. Also, my next budget workshop, Saturday, May 14, 2016 from 9:00 a.m. to 12:00 p.m. at Steele Creek AME Zion, which is located at 1500 Shopton Road. We will have our second budget workshop, and this is to provide citizens with an opportunity to learn about our budget process as we are in the middle of our current budget and to participate in an interactive budget exercise and interact directly with staff. We also will have an organization that will be presenting and who will be speaking with all of you and sharing with you information that is happening with our community partners. Thank you Mayor, and I invite all of my colleagues to attend on Saturday, May 14, 2016, again 9:00 a.m. to 12:00 p.m. at Steele Creek AME Zion Church.

Councilmember Smith said I would like to bring notice again from my Town Hall on April 21, 2016 at Sharron Methodist Church to discuss the ULI study that is performed for SouthPark. As many of you know, the Sharron Methodist Church was just rezoned for exciting new project. Come learn what experts from across the country and 70 of your closest friends within the city thought about the direction in which it had with SouthPark and I encourage all of you to attend. It will be at 6:30 p.m. to 8:00 p.m. I would also like to give a little shout out to Kenneth R. Smith IV who turns four today, affectionately known as Mini Kenny. We went over and had cupcakes at school with him. He is in bed, but happy birthday Kenny.

Councilmember Phipps said I want to give kudos to our Airport Management team as recorded in the Observer this afternoon, Charlotte's airport ranking jumped in its annual rankings, claiming the title of the fifth busiest airport in the nation, measured by takeoffs and landings. I want to give a shout out to the able people who run our airport.

Councilmember Mitchell said please support our Charlotte Knights. The season opener is April 14-17th. Go out and support our team. This is a big year for them. They also will be hosting the All-star game July 13, 2016. Please go and support the Knights. That is my first announcement. Second one, please join me on May 5, 2016 for my Town Hall meeting. It will be titled Engagement through Economic Development in Room 267, at 6:30 p.m. on Thursday, May 5, 2016. Please give Kim Oliver or Alvin Bernie a call to RSVP.

Mayor Roberts said I just want to give another thanks to all of the folks who supported the launch of the super heroes of Youth Employment and Workforce Development who were at the corner of Trade and Tryon this morning with 200 young people who got to be trained by Microsoft and some of their latest technology after that. We thank Microsoft and some of their latest technology after that. So, we thank Microsoft; we thank Bank of America. There were several other corporate members there, and I especially want to thank, I forgot to bring show and tell. I have a cape that was hand made by South Mecklenburg students, and if you haven't been to my office to see it, I would be glad to show it off. It has the emblem of the City of Charlotte on the back, and it has when you open the cape up, a sky line of Charlotte stitched into the inside. It was amazing. I am going to bring it next meeting. I just want to say thank you to South Mecklenburg, to your teachers who helped you, to the students who are just awesome. You did a great job, and on Wednesday we are going to be all morning with 4,000 students at the Park Expo helping those students connect with careers, career discovery, connect with employers, Carowinds and many others will be there actually signing youth up. They will actually get a sense of what a lot of different careers and professions entail and why they study hard and stay in school, so they can go into those professions. So, we are looking forward to that, and thanks for all of the community partners who are part of that as well. This Wednesday, April 13, 2016, and Charlotte-Mecklenburg Schools are a big partner in that too.

Councilmember Fallon said on Sunday, April 24, 2016 from 2:00 p.m. to 4:00 p.m. at the University City Library, I will be having a Town Hall with Chief Kerr Putney and Sheriff Irwin

Carmichael about community policing trends, public safety, and homeland security. Contact Kim Oliver at 704-336-2180 or koliver@charlottenc.gov to RSVP.

Councilmember Autry said I would just like to remind us all again to try to observe the speed limits as they are posted, especially in the neighborhoods. Drive through these neighborhoods like it is your children that are playing in those communities and hopefully the weather will be warming up pretty soon, and as we are driving through the city with our windows down, that we do not let any litter fly out of those windows and into our streets. We have a real serious littering problem in this city. I would also, without any objection from the Council, like to refer the Solid Waste Services ordinance to the Environment Committee. I would like us to take at least six months to review the current ordinance in our policy which is 25 years old, look at the opportunity that we might modernize our ordinance and our Solid Waste Services. Look at the policies of our peer cities and hopefully be able to glean some of the basis for maybe even writing a completely new Solid Waste Services ordinance. So, without any objection, I would like to have that referred to the Environment Committee, and for that to be the work that I would like to see if we could complete within six months.

Councilmember Driggs said I would just like to emphasize, with that action, what we have done is taken the conversation about discontinuing service to condos, townhomes, or apartments out of our budget discussion for this year, so that there will be more time for the community to engage on that subject as we look for a comprehensive solution on solid waste.

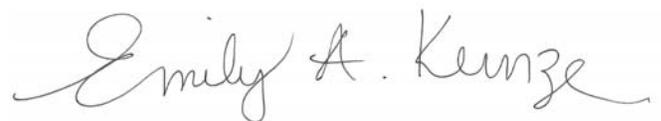
Councilmember Austin said I want to thank Mayor and members of the Council, they helped, came out to celebrate Johnson C. Smith's 149th year in existence. We have had wonderful events. We had our Arch of Triumph Gala, which members came out to. We also had Vi Lyles deliver a riveting speech at our founder's day. I just want to thank her for that as well and the Mayor coming out as well, so thank you. At our commencement exercise, our speaker will be none other than Oprah Winfrey.

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ADJOURNMENT

Motion was made by Councilmember Austin, seconded by Councilmember Mitchell, and carried unanimously to adjourn the meeting.
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The meeting was adjourned at 8:41 p.m.



Emily A. Kunze, Deputy City Clerk

Length of Meeting: 2 Hours and 41 minutes
Minutes Completed: May 2, 2016