

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, August 22, 2016 at 5:14 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Edmund Driggs, Julie Eiselt, Claire Fallon, Patsy Kinsey, LaWana Mayfield, and Greg Phipps.

**ABSENT:** Councilmembers Vi Lyles, James Mitchell, and Kenny Smith.

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#### **ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS**

**Councilmember Kinsey** said I want to pull Item No. 48 and Item No. 62. Item No. 48 is the Airport Bull Dozer. All I want to do is let people know we are giving a vintage bulldozer to the transportation museum and then 62 is Adam's Outdoor, and I am pulling that to vote against it.

**Councilmember Mayfield** said I am pulling Item No. 24 for staff to give a response from the dais.

**Councilmember Austin** said Item No. 65.

**Councilmember Phipps** said I want to pull Item No. 28 and also Item No. 67.

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#### **ITEM NO. 2: FISCAL YEAR 2017 SERVICES INVENTORY UPDATE**

**Councilmember Phipps** said this is the review that we had talked about during our budget process approval and workshops last year; this is actually a kickoff to that process to describe our we will approach our services review and basically, as Ms. Eagle will get into in her remarks, we look at this as a framework for us to evaluate all of our current services. So, as to better inform us as to how we are going to approach our 2018 budget on a go forward basis and we have some strategic objectives that we are going to accomplish in terms of how we are going to meet the challenges of our growth and other needs and how we would deal more effectively with our Legislature in terms of maybe presenting items that we might want that would impact our budget for consideration on their end and come up with an overall work plan of how we are going to address these issues. With that said I will turn it over to Ms. Eagle to walk through this presentation.

**Kim Eagle, Strategy and Budget Director** said I will be brief because I know you have another item that is significant on your agenda and can you believe that we are talking about the budget again already. As Mr. Phipps said, last spring you all did determine that it would be appropriate to dig into the services the City currently provides and spend some more time talking about that as a foundation for those discussions, so that is what we are kicking off tonight, and that is my purpose to go through some staff recommendations on how we approach that work so that we can accomplish that and be in a really good place in January when we officially start the process.

This review is not about just the services we provide; it is more importantly about the citizens that we serve and the commitments that we have because of those folks that rely on our services every day. We serve about a million people, when you think about the folks that not only reside here, the people who work here, who come here to do businesses, who come here to recreate and the folks that just may be passing through. This is a tremendous commitment that we have because of the reliance. Very briefly, I want to walk through the approach to that very important work, and we have divided this into two phases; the first phase we look at how we frame our budget discussions as Mr. Phipps mentioned, so it will serve two immediate needs. First of all, it will give everyone on Council and staff, as we revisit this information, a good common foundation of what we do today; the services we provide, why we provide them, what it cost, how many employees it takes, kind of a comprehensive look. That is the first need. The second is giving us a framework for those budget discussions. We will very quickly step into making choices and thinking about priorities because we know we have big issues that continue to face

us. That is the second immediate need. We need to position ourselves collectively for that conversation for next year's budget.

Phase two is a longer term need, and we've spent some time at the staff level talking and thinking and brainstorming around how we can help the Council and how we can best position the City moving forward, because we know the needs are going to continue to grow. What we would like to propose is that we take what we all learn in Phase one, that foundational review and apply that to a long-term strategy. I've been using the phase long-term financial viability, but that piece of work can accomplish two additional goals. First of all we know, based on feedback from you, based on conversations at the staff level, we know we have some structural budget challenges. They are not new; they have grown over the years, but they are there. The first is something that we talked a lot about this past year, and that is our continuing public safety demands. There was conversation, for example, Mr. Phipps put in the room do we need to think about adding additional officers every year, but how do we plan for those public safety needs? That is a structural budget question that would fall into this category of work. I will mention briefly some of those other things; you've seen that long unfunded needs list for the capital program, those things that are outside of the funding right now for infrastructure needs that is not going away; that is another structural issue. Our employee compensation philosophy is another; how we fund technology is yet another that you all have raised recently that we need a plan to address. So, phase two could first look at structural budget challenges and put a plan in place to try to start to tackle those. The second piece of that work is really up to you all in terms of how you want to approach it. We at the staff level see a need to start talking about that long-term plan, and what you've got on the screen is just a list of examples of the kinds of things that you all might want to talk about or pose moving forward. You can see the list and I will highlight the last item there; this was an idea that Councilmember Lyles put in the room at one of our last budget workshops that you might want to consider appointing a citizen committee to do some of that work to look at those big issues and bring forward recommendations. There are other things listed here, like alternative revenues, trying to think about growing service expectations, all from a strategic standpoint.

I will leave this with you to think about; this is work that you can make a recommendation in January timeframe on how you want to proceed and then staff can take that and move forward. What I anticipate is finishing phase one, if the Council agrees, positioning you all and us to have this conversation and then we can move forward with specific steps, because it seems very much like this long-term work might take us a year. That is a heavy lift, but if we do the short-term work to prepare you for the budget discussions and give us that foundation we will be ready to step into that.

Very briefly, Phase One is the immediate work to occur between now and December. This is a list of questions that we would pose to you that we consider. What are we doing today? What services do we provide? What of those are mandated by law? What are discretionary? What are tied directly to Council policy but not mandated by law? Can we look at the operating costs, the associated capital costs, the employees assigned? We very definitely can; that is an easy piece of work but giving you that insight into what it takes to provide those services is important. We can also provide for you what we are accomplishing today, the results that are being achieved in those service areas. We have service areas that without looking at the data yet, we know at the staff level, we have some gaps so we need to shine a light on those, and it may be okay that there are gaps, but we need to expose that information for you all so that you can be best positioned for the budget discussions moving forward.

Here is a timeline on the process in terms of what staff proposes would happen when. I'm recommending to you that we leverage the Budget Committee to start doing some of this work sooner than later. For example, in September, I would suggest that we take to the Budget Committee a template for the information we are gathering so that we can get feedback on are we sharing this in a way that is accessible to you and helpful to you. I would like to show the Budget Committee a list of services, so that we can test whether or not the level of granularity is appropriate for you in the discussions you need to have. So, if it is the pleasure of the Council, use the Budget Committee to test those particulars and get that feedback and then bring that back to the full Council for your information as well. Two Budget Committee meetings to really get us rolling and then in the October timeframe an idea, because of the amount of information, the volume and the details that we will be looking at, I would like to suggest one on one or maybe

two of you at a time meetings to go through the information to do that level setting and review, get your individual questions in perspective before we come together again and talk about it in this setting. That is a suggestion for your feedback, and we of course are open to your pleasure. Then have conversations at your workshops in November and December collectively. It is extremely important, based on the nature of the work, in my opinion, that we give you direct access to the Department Directors. I would envision that being a Q and A forum where the Directors will be here to speak to their departmental information and you can engage in that way. After you've seen the information one on one and then have the Directors be able to speak to it, so we've mapped that out. Then all leading to your annual retreat, January/February timeframe so that we would be positioned to start talking about the budget needs and then you could tell us how you want to proceed on any kind of long-term work.

**Councilmember Driggs** said Kim, will we have balanced score card type of information about a lot of these activities for reference? That would give us an indication of what the assessment has been.

Ms. Eagle said you absolutely will. We will have that as one of the columns on our template so we can show you what the results have been, but that is an excellent question because it triggers a thought for me related to our focus area plans and making sure we connect this work to our focus area plans. If you recall, we decided intentionally this past spring not to ask you to adopt the plans as we have traditionally done in the past, because Council had that new piece of work that came out of your Retreat, that Strategic Policy Objective Document, it was more of a short-term focus but connected to our focus area plans. I would like to make sure, to your point, that we connect the focus area plans with this work.

**Councilmember Fallon** said thinking about the focus area plans, does this include for next year the 63 police on the street, from this year, for the 63 we talked about for next year?

Ms. Eagle said that would be a question you all would need to evaluate as a part of the budget conversations for next year. It is not automatically assumed that would be in there at that level, but the conversation around the need definitely would be. I know the Chief is in the midst of an ongoing evaluation of what that need might be so those numbers are subject to change, but that would definitely need to be on the table.

Ms. Fallon said we are adding other parts of Charlotte and density which requires more oversight by the Police Department and the Fire Department.

Ms. Eagle said those questions would definitely need to be on the table as we work through this work for both Police and Fire.

Ms. Fallon said what our priorities are because the focus priority was Police and Fire, as well as transportation and roads. Those were our three focuses.

**Councilmember Eiselt** said Kim, in this process are you doing modeling to say if all things being equal, if there was no growth, this is the infrastructure needs that we would have just because of the age of infrastructure without any growth components to it at all with regards to Police and Fire, but also with regards to Storm Water, with regards to roads?

Ms. Eagle said we can provide that insight; that is an excellent question. The focus is on the operating budget, with some capital elements for the general fund, but we are collecting this data for all funds, so that we can step into a discussion for the enterprise funds later. We can definitely do that, because when we look at the current service provision and the current funding levels we also want to ask the question where are there gaps or where are there areas where we might need to do some adjustments. The short answer is yes; we can provide that and then later on top of that the growth assumptions.

Ms. Eiselt said I would think it would be hard to separate just operating without consideration for that capital.

Ms. Eagle said we actually did some work on that today in terms of how we would marry the two and how we would present that.

Mr. Phipps said concerning the long-range phase of it, I'm still not certain how it would work; I know it is always advisable and appropriate to get citizen input on a task force type project, but it seems to me that we would want something that is more of a finite ending date for something like this, and I don't know how long something that would take if you tried to get a committee together of citizens and give them the charge and get them up to speed where we won't have to do, so I would hope, and I guess that is something we can consider but looking at how the logistics and mechanics of how that would work, is it going to take a year? What is the shortest committee we've had to do something like that? I don't know.

Ms. Eagle said I don't know the answer to that, but I do know that back in 2010 when Mayor Foxx appointed the Citizens' Task Force on Efficient and Effective Government, they worked for a year. They did have a very specific charge and scope, and there was a lot of staff involvement, but those topics that we listed earlier are very technical, so that is a big ask, but that group took one year.

Mr. Phipps said the process, as we go forward, that is something we could discuss and reach mutual consensus on but that is something we would have to give some thought to I think.

**Mayor Roberts** said the County does have a Citizens' Budget Advisory Group as well as a Capital Budget Advisory Group, but they meet yearly and every year gives sort of citizens input. They are going to delve more deeply into the budget than most citizens would so it is kind of a helpful input and they figure out how to manage that in an appropriate way. It is possible, but we could certainly have that discussion. I also want to add, I really appreciate the organizing of the budget around discretionary, mandated, even the programs that are mandated but the amount is a matter of total discretion. That is very helpful for me when I'm looking at a budget to know kind of what legally are we required to do and then if we are required are we required to fund it at a certain amount and we start to separate that out? I think that is very helpful when looking at priorities.

**Councilmember Mayfield** said I would like to encourage that if we are going to identify a citizens committee then we as a Council need to make a commitment and have an idea of what two to three items that we are actually going to implement, because unfortunately with previous citizens committees that have come together six months, eight months, a year of their life that information makes its way into a book that ends up on the shelf, and that is not good use of our citizens' time and their talent. It is not a good use of our staff's time and talent, so if we are going to identify people to come to be a part of this discussion and make some real suggestions then we need to be able to commit to actually listening and seeing what we can implement from those decisions, and if we are not going to be able to do that then I would really like for us to reconsider convening yet another committee if we are not going to actually utilize what they submit to us as recommendations.

**Councilmember Kinsey** said I'm sorry I didn't hear all of what Ms. Mayfield said, but I totally agree, and in fact, I wrote myself a note; if we put together this stakeholders group what happens if we really don't or can't do what they suggest? I think it would be better not to do it, than to sort of ignore their suggestions. I guess we can handle it in a way that would work around that, but I agree with Ms. Mayfield.

Mr. Driggs said I think if there is going to be a committee like that we need to be very careful in defining what it is we are asking them to do because the level of the conversation we are having right now is so big and so general I wouldn't want to ask a bunch of kind of newcomers so if we can whittle it down and say what kind of investment do you think we need to make here or whatever, that might be a good thing to do, but it is very tough to pull a group together, get them up to speed and get something useful back.

Ms. Fallon said and then not use it and then the frustration sets in that they are just there as showboating.

Ms. Eagle said I'm hopeful that the work we do in phase one, between now and December, will position you all to have that conversation to determine if a committee makes sense and if so what it looks like or if there is another direction you want to take. I do believe these next few months will position you to have that conversation and make that determination.

Ms. Mayfield said the other piece is I want to thank you Kim and commend you and your staff, because we did something very different this year with having budget workshops in lieu of my Town Hall meetings in the district. I think the model is there; I just think if we are going to do it then Council needs to direct staff on that parameter of what area can citizen input be the most effective, and as Ms. Kinsey said, we don't want to give you information for you to work on and then you bring it back to us and there is nothing we can do about it. If we are going to do it and create a committee, let it be useful to them, and let it be useful to us where they are actually working on recommendations that we may very well be able to implement, but staff I think started out really well with having budget charrettes where the community is actually getting together talking about a mini version and learning a little bit about how we do through figuring out this \$3.2 billion budget to fund the entire City. I think can be done; I just want to make sure that we are on the same page and we don't want you out doing something and then it is just going to end up on the shelf.

Mayor Roberts said thank you Ms. Eagle and we look forward to that continuing process and getting a head start on next year's budget.

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### **ITEM NO. 3: CITY LYNX GOLD LINE PHASE 2**

**Ron Kimble, Interim City Manager** said Mayor, I would like for you and the Councilmembers to know that you have information in front of you; it was the information we sent out on July 20, 2016 in your Council/Manager Memo that detailed a number summary that you had, and we also have a copy of the PowerPoint presentation that Mr. Lewis and others will make tonight. You know that we have been working on this issue for a month now, and we are here to give you an update tonight; this involves CATS, Engineering, Charlotte Water, Charlotte Department of Transportation, and Storm Water. They all have a stake here in what is happening with the Gold Line Phase 2, and Mr. Lewis will lead off with the presentation.

**John Lewis, Transit Director** said I will start off the presentation this evening and then as we get into the details and depths of where we are on the project, I'm going to turn over the podium to Project Manager, David McDonald. First, I wanted to go through an update on where we are, giving a little bit of background and history on the project, and where we are currently. As you know, the City LYNX Gold Line is an integral component of the 2030 Transit Corridor System Plan linking bus and rail service in Uptown. It was first adopted by the MTC in 2002 and reaffirmed in 2006. The February 2014 approval to enter project development means that the funds that we have spent to advance the project are eligible for 50% federal share. In September 2014, the City Council appropriated \$75 million in local matching funds and authorized the City Manager to submit and execute a Small Starts Grant Agreement with the Federal Transit Administration for the \$75 million federal Share. In May 2016, we receive the final federal approval of that Small Starts Grant Agreement and the Manager executed the Grant Agreement; a City Budget Ordinance to add the funds to the City Budget will be coming to you next month, and we can then begin to draw down reimbursements for the funds spent to date on that project. That would be about \$9.5 million to date.

The project opened in July 2015 and has been reported and as we all know, we have exceeded all of our estimates in terms of ridership with 1,600 average week-day passenger trips and over 460,000 passenger trips since the opening. Phase 2 of the project extends the original alignment by 2.5 miles; a half mile east from Presbyterian across Independence Boulevard to Sunnyside. We will also be adding two stops along that segment and two miles west from the Charlotte Transportation Center and the Time Warner Arena to Johnson C. Smith University, and we will be adding nine new stops along that segment. The project will add 11 new stops in total; we will also be going back and raising the existing stops in order to come in conformant with the new vehicles that we will be bringing on line when we replace the Gomaco replica vehicles and replace those with modern streetcars. The completed project will result in a four mile alignment with 17 stops.

**David McDonald, Transit** said looking ahead to the Phase 2 project, we will get into a little of the details related to that project. John mentioned that we are going to be upgrading to modern streetcar vehicles from the Gomaco replica vehicles; that vehicle procurement process is

underway, and that selection process is a little different from what we see with construction; it is a best value process, and we select that vehicle based on overall rating of several items. It is a combination of looking at the technical specifications; that is 40% of the score; price is 35% of that rating; qualifications is 20%, and the aesthetics is 5%. When we look at the vehicles, we are examining hybrid versus the standard wired vehicles. The light rail vehicle runs on the overhead wire today and what we are looking at is a hybrid vehicle that has the ability to run wireless for a limited distance. What we have found from all of the proposals is that they have the ability to operate on a wireless segment for a limited distance. We are continuing to move forward with this process and we anticipate bringing a recommendation to Council to award a contract to a manufacturer in November of this year.

Looking at the overall project the final design for the project was completed earlier this year; right-of-way acquisition is actually underway. We have 33 parcels to acquire, so it is much smaller than you have seen on the Blue Line Extension. Most of these parcels because we are predominantly within the right-of-way are just slivers of land associated with being able to relocate utilities or move the sidewalks or make some small widening within the road. All of that acquisition is underway and you should anticipate seeing some Council actions coming before you over the next few months related to real estate actions. Looking next to utility relocations; those are underway. This is an area where it is always something that can take some time so we've been very proactive in moving ahead. If you have driven the corridor, you probably noticed that there is some work going on that is related to Duke Energy and AT&T relocating some of the underground utilities. There is additional working coming from AT&T and Duke Energy, related to overhead work, and there will be following work from Piedmont Natural Gas as well as some of the other utilities, telecoms that typically follow Duke and AT&T. We are continuing to work to coordinate that as it moves forward.

This brings us to the construction bids, which you've got the information before you; we sent some information out July 20, 2016 in the Council/Manager Memo. The initial construction bids that we received in July, both exceeded the available funds that we had. At that time, we recommended rejecting those bids in order to seek a negotiated contract price, and we have been pursuing that course. The negotiations were held with the bidders August 2, 2016 through the 5<sup>th</sup>, and I want to give you an update of what we learned from that. Looking at the negotiations, some of the key opportunities for savings that we have identified after meeting with both of them, first of all I want to make sure that you understand that it was a very productive process. We were very well engaged with both bidders and contractors and it was a very useful process. In looking at it, the underground utilities was an area where we felt like we had a lot of opportunity. With private utility coordination, they had a lot of concern related to the private utilities. Where this process has slowed us down a little bit, there is actually a benefit here; the private utilities continue to move ahead and do their work we are actually providing more certainty to the contractors, so when they resubmit they will know what is going on. We are also providing updated information on the coordination; we took a very active role there, and as we provide more clarity it will help reduce the contractor's risk or uncertainty in that area and bring prices down. We also heard concerns about the public utilities, storm water and the water line. Related to the storm water, we are looking at some of the contract and installation provisions that were in that, and there was a small change related to a change in NC-DOT standards that we think we are going to be able to mitigate and should give us some relief in that area. With the water line, this is something we work very closely with Charlotte Water to look at the material and the size of the line. They went back and looked at their model and updated their model work related to the overall system and the future demand and were able to determine that they recommended changing the material type of PVC or ductile iron pipe, which is a more traditional type of material that we've used in this area and also that we could reduce the size within the project. We anticipate that this will allow the contractor to move much more quickly, as far as the depth of the pipe; it won't have to be as deep. We anticipate being able to get some significant savings in that area. That kind of led into the traffic control and phasing. We are allowing the contractor now a technique and installation that can go faster. We anticipate being able to give the contractor a little more area to be able to work in so that as his production rates go up his costs goes down and our cost goes down. We also looked at contract terms and provisions; we are making adjustments to the overall contract and the firms to clarify the changes we are talking about making above as well as some of the other smaller items.

Another area we've heard about was the insurance requirements; this is why we went with Risk Management, looked at our requirements for insurance. One of the things in this area we feel like we are pretty good in most areas, but one specific area we are looking at making a change is with the smaller contractors. Some of the sub-contractors, especially DBEs, Disadvantaged and Business Enterprises, some of the terms of the insurance limits that we had were relatively high compared to the amount of work they are doing, and we are looking at making some adjustments there that still protect the City with the appropriate amount of insurance, but don't discourage participation from those smaller contractors. Overall specifications clarification – just going through and cleaning up any ambiguity, uncertainty; as you develop by a very large document of instructions for bids and information about the project and you think you have certainty, but we understand that there are areas we could have been better so we've gone back and done some clarifications there that should help remove uncertainty from the contractor.

Finally, we have some smaller items within the overall contract that prime typically is going to give to a smaller contractor with a mark-up. As we looked at these areas where the contractor saw risk, we saw opportunity; we are going to be looking at removing some of these smaller select items and bidding them directly, so those subs will work for us. We think that will encourage more participation from smaller sub-contractors and allow us to better control the costs of those items.

Let's talk a little bit about the results of the negotiations, and this is kind of rehashing them. We are going to be redesigning the waterline based on the recommendations from Charlotte Water. We are looking at making adjustments to that traffic phasing to take advantage of being able to move a little quicker. We are doing the overall clarification of the contracts and the specifications, and we are developing those separate bid packages for some of those select items. Looking at this in total it led us to the conclusion that there wasn't significant enough change here that we felt it was appropriate not to complete the negotiations or take them any further but to end negotiations and recommend that the project be rebid. That is what we are going to do and move ahead. We believe that the rebid opportunity will provide greater opportunity for sub-contracting; some of the areas had very limited participation from some contractors and this will open it up to a broader scale. We believe it will increase competition among the prime contractors and result in a better value to the City.

Finally when we looked at the schedule impact this is basically the same schedule as completing the negotiations, and so we felt like this gave us the best opportunity to provide the fairest and the most level playing field and get this information out and have it rebid and get a competitive price.

Next Steps – We are in the process now of making some of the design changes and updating the specifications based on what we learned, and we will be in a position to rebid the construction in early September. That will lead to receiving new construction bids, probably mid to late October of this year and anticipate coming back to City Council for action in November, not only for the construction contract but also for the vehicle contract we mentioned a little earlier.

In conclusion looking over all, John had told you about the success of phase one, and we are seeing ridership exceed projections. We've got the federal grant in place, and you will see an action on that in the near future to appropriate those federal funds so that we can begin drawing reimbursements. Utility relocation and real estate acquisition will continue to move forward, so you will see some actions related to real estate in the next few meetings. We will receive those new construction bids in October and be back before you in November to award those contracts and that will be the bulk of the work to allow us to move forward.

**Councilmember Fallon** said when are we going to start charging for rides?

Mr. McDonald said once Phase 2 opens which will be in 2020 we will go to the same local fare as the light rail.

Ms. Fallon said not until 2020?

Mr. McDonald said when Phase 2 is open is when the fares are set to come in.

Ms. Fallon said what about Phase 1 that is up?

Mr. McDonald said Phase 1 was determined at the time to operate without a fare, since it is only a mile and a half.

Ms. Fallon said you really don't know what ridership is going to be when you start charging because right now it is Disney World.

Mr. McDonald said the ridership that we have is based on Phase 1, the information has been reported, and we do count riders. We have a system to count them and the new vehicles will have on board fare collection, and it will also have the same equipment we have on the light rail vehicles which has the automated counters, and so we do have an accurate way of counting passengers.

Ms. Fallon said that doesn't mean they are going to ride it when they have to pay for it. I rode it, and I wouldn't pay for it.

**Mayor Roberts** said I have talked to a lot of folks who ride it, and a lot of people use it as a continuation; they will take the bus to the Transit Center, and they will jump on the streetcar for that last mile or last half mile so I think there is a combination of being part of the system and having that fare already paid for as part of the system as well as having it free if you are just going on that short half-mile or mile.

Mr. Lewis said Mayor, I think you hit the points. Our modeling both for Phase 1 and for Phase 2 takes into consideration the complete transit trip. I think Phase 1 and the challenges we had for that from a ridership standpoint is the limited number of origin and destination points within that 1.5 miles. Once we begin to extend through downtown you start to add other destination points and at the conclusion of the line at Johnson C. Smith. You will see exactly as you stated, full trips along that line; we get a good number of those 1,600 people are transferring at CTC in order to continue their trips, so now we give them the opportunity to have one trip.

**Councilmember Autry** said Phase 1 basically replaced the Gold Rush, correct?

Mr. Lewis said that is correct.

Mr. Autry said what did fee did we charge for a fare to ride the Gold Rush?

Mr. Lewis said none.

Mr. Autry said insurance requirements, how do you test what the impact is going to be on that?

Mr. McDonald said the key there is some of these contracts may be for \$100,000, but we required \$5 million worth of insurance; we lower it to \$1 million of insurance; it is affordable. It still covers the City adequately; it is looking at areas where typically within the contract when we are trying to get the Disadvantaged and Business Enterprises in place, a lot of times we will do those waivers afterwards. We are looking at being more proactive and putting those in place where they make sense ahead of time.

Mr. Autry said move smaller items for separate bidding; how will you test on what the impact on coordinating all those different efforts now that they are going to be basically handled by the City's PM now. What is the impact?

Mr. McDonald said we have a full time construction management staff; they are City staff on this project because it is a smaller scale project and we are working closely with them to identify those areas where we have the greatest advantage to be able to do this and the least amount of impact. We are being very thoughtful and selective in doing that; when we see an area where it is way too much mark-up from the prime contract. We are identifying it, not only for the cost savings but also the potential risk to us.

Mr. Autry said no additional schedule impact compared to negotiations; what contingency are you seeking with the renegotiations?

Mr. McDonald said within the renegotiation process, we are at a point now where the amount of changes that we have done, if we had continue with negotiations, what we would have done is had to complete the redesign packet. We would have put the same package together that we would do for a rebid except we have gone just the ones that had bid. Then you wouldn't have any others participating in it. We felt it was best to go back out for rebid to get the maximum amount of competition at that time rather than to proceed with just the bidders we have at hand so far. We felt like it gave us the best opportunity for competition and get the best price. It is the same time wise; it doesn't take any longer.

Mr. Autry said I'm sorry I wasn't clear with my question; all these projects, the BLE has a contingency in the budget. We've seen change orders come forward, how much contingency are you seeking in what we hope to achieve through this process?

Mr. McDonald said are you taking about the contingency in schedule or the contingency in costs?

Mr. Autry said costs.

Mr. McDonald said right now we are managing to keep the project within the \$150 million; the construction portion includes a 5% contingency in its costs to allow us to be able to manage that and then anything below our overall piece we have the potential to keep unallocated contingency, extra contingency back. It is much smaller than the BLE because it is a much smaller project but our goal is to bring the project in within the available funds.

**Councilmember Austin** said I've had a great opportunity to ride the Gold Line several times and it creates a great experience for people who are visiting our City who might be downtown and trying to get out to many of the restaurants that are located up near Novant Health and it definitely provides an alternative transportation for those people who think differently about how they move themselves around in the City. What were the initial projections for the first year for the Gold Line?

Mr. Lewis said it was about 900 riders daily.

Mr. Austin said so, we have almost doubled that. Do we do any sort of passenger surveys or anything of that nature; I know we do it for our buses; have we done anything for this?

Mr. Lewis said yes, we just recently completed an overall system survey. We ask across bus, light rail and streetcar.

Mr. Austin said are we able to get that to get some feedback, just segmenting that piece?

Mr. Lewis said yes, we did get feedback from our streetcar riders on a variety of issues. If there something specific you are interested in -

Mr. Austin said no just overall, if that is something you can deliver to us. The other piece, the hybrids – the hybrids will only go a certain distance. Are we just looking like from Time Warner to the Marriott?

Mr. McDonald said what we put into the information that was sent out to the vehicle manufacturers is we asked for a hybrid vehicle capable of operating off wire basically from the Time Warner Cable Arena up the hill across the square and then be able to pick wire back up at the Tryon Street stop. That allows us to go through Founder's Square off wire but it also allows us to climb that hill off wire as well which is a pretty significant challenge because it is about 6% grade going up that hill.

Mr. Austin said in terms of negotiation did we do something similar to this as we were looking at the Blue Line in terms of our negotiation and trying to get it within budget?

**Jeb Blackwell, City Engineer** said we got bids that we were satisfied with on the Blue Line Extension but the point is that we will not bring a bid here that we don't feel is a good cost and a

good value for the work. The first bid wasn't; a negotiation didn't get it, and we will not bring you a recommendation for a bid that we are not comfortable with a good price.

Mr. Austin said this does not take us off schedule?

Mr. McDonald said obviously we had contingency built into the schedule; we talked about contingency in the budget. We had anticipated opening in early 2020 and our requirement with the Small Starts Grant Agreement is that we would be open by August 31, 2020. This is going to push us a little later within 2020, but we still anticipate being able to open prior to the August 31, 2020 requirement.

**Councilmember Driggs** said I'm looking at the original estimated costs for what I think is exactly the same project of \$126 million; now it looks like we are struggling to get it done for \$150 million. Is the thing that is going to be rebid less than what we originally felt we could do for \$126 million? It sounds like we are talking out a little content to get the number back in line.

Mr. McDonald said the \$126 million I think you are talking about is an estimate from several years ago; it did not include escalation within it.

Mr. Driggs said it was the basis on which the thing was originally approved.

Mr. McDonald said yes, the project is substantially the same; we've looked at value engineering among different items, but as far as the overall scope the length of the project, the number of stops is being maintained, and so it is looking at the individual smaller elements within it, making adjustments where possible to be able to bring the project within budget.

Mr. Driggs said you are expecting the rebid process to bring us back down from \$160 million or \$170 million, as happened the first time to \$150 million?

Mr. McDonald said the apparent low bid was \$123 million including the betterments and so when you adjusted that number for what is the project versus what are the items that we typically do with other City contracts we were at \$159 million, so overall are within with everything. We are only about \$9 million over our estimate, so we don't have as far to go as it looks like.

Mr. Driggs said right but I'm asking if you think having changed the specification and putting it out for rebid are you confident that you will get back to the \$150 million number, or should we be ready for a larger number when we see those bids?

Mr. McDonald said we certainly believe this will give us the most competition and the opportunity to bring the project within budget.

Mr. Driggs said we have a schedule we got in July that talked about the City improvements that are not part of the Gold Line; are all of those things that were funded in other places before and are simply being coordinated with the Gold Line, is there anything in the City improvements that used to be in the Gold Line Budget?

Mr. McDonald said no, these are items that were going to be done at some point by the City anyway; typically when we go out and do this type of work sometimes projects are accelerated slightly to be able to match up with the overall construction. It allows us to typically get a better value of the work and also minimize the disruption to the citizens when we put that work in.

Mr. Blackwell said this practice is widely done on road projects; any type of project if there is a waterline in it or stormwater that needed improvement, we go ahead and do it so you don't tear the road up twice. It saves a lot of money and also a lot of disruption, so we do that work concurrently.

Mr. Driggs said right and that makes sense; I just want to clarify that the amounts that we see for those were already identified as CIP funding or whatever, we are not moving any money between the Gold Line and these improvements.

Mr. Blackwell said yes.

**Councilmember Phipps** said do you envision the need to elevate the platforms at each spot to accommodate the new vehicles? Would that cause a suspension of ridership service during that construction phase of those station stops?

Mr. McDonald said during the construction, toward the end, we coordinate that so that those platforms as they are being raised will actually take the existing City LYNX Gold Line operations out of service; the Gomacos will stop running. Those platforms will be raised, and during that time we will run a bus bridge that will carry the traffic of Phase 1 on buses during that time. Once it is complete, we will load them back up with level boarding platforms throughout the system and the new modern vehicles.

Mr. Phipps said is it too early to predict how long they would be out of service to accommodate such construction?

Mr. McDonald said six to nine months is what we are anticipating for that and is the timeframe we've given. It is not that complicated; all those platforms were designed to be able to be raised, so everything, all the furniture, the shelters and everything that is on it is bolted on, so they will unbolt that, put that in storage. They will raise the platform and then bring the furniture back and bolt it back in place. It is designed to go as quickly as possible but we are allowing ourselves six to nine months for that portion.

Mr. Phipps said what kind of cost escalation is there for the hybrid model of the vehicle as opposed to the standard version of the streetcar?

Mr. McDonald said you are looking at the cost differential between the two; right now, what we are anticipating is somewhere in the \$300,000 to half million dollars per vehicle. It is predominantly related to the cost of the batteries and the other systems that go with that, so that is the anticipated cost range.

Mr. Phipps said I know that utility relocations have been a sore spot all around the City in terms of the Blue Line Extension, the Graham Street Extension, so do you think you are getting out in front of this early enough to get those kind of things ironed out, or is it still pretty much at the leisure of the vendors to be able to move those utilities?

Mr. McDonald said as always utility relocation is difficult; there is a lot out there and we've done a lot of work to coordinate. We are getting very good response from the utilities; typically the lead in that is when Duke and AT&T begin to relocate. A lot of the other ones are forced to follow because they are on top of them, so we are starting to see the ramping up and we are staying on top of it.

Mr. Autry said the portion that the car run not on the wire is how long?

Mr. McDonald said I think it is right at a quarter of a mile.

Mr. Autry said how much would it cost to add wire to that one-quarter of a mile?

Mr. McDonald said probably about half a million dollars.

Mr. Autry said and we are buying how many cars?

Mr. McDonald said our goal is six to seven vehicles; we will operate five and that will leave one to two for spares.

Mr. Autry said okay, I can do the math.

Mr. Driggs said I just wanted to check one thing; we talked early on about the expectation that the operating costs for Phase 2 would be about \$6 million, and we would recover about a million and a-half in fare box collections; are those still the numbers that you are working with?

Mr. McDonald said I don't have any updated numbers beyond what was provided earlier, so I'm sorry; I don't have anything updated from that.

Ms. Fallon said is it possible, can this be integrated into an east/west rail, or would there be so many changes to get it to conform?

Mr. McDonald said this is the plan for the east/west line through town, so ultimately this will extend. Remember, we are building streetcar in phases so the ultimate is to extend it all the way out to Eastland to the east and all the way up to the Rosa Parks Transit Center in the north along Beatties Ford Road.

Ms. Fallon said what is the difficulty with integrating this into regular light rail?

Mr. McDonald said there is no difficulty; the vehicles that we are purchasing are streetcar vehicles, but these streetcar vehicles actually because we are maintaining them on the LYNX Blue Line at that facility, these vehicles come ready to operate on the light rail corridor as well.

Ms. Fallon said what about road bed and if you go into hybrid rather than over line?

Mr. McDonald said what the hybrid opportunity offers us in the short-term it offers the ability to go through a limited distance off wire; long-term it gives us the opportunity to be able to study that and look at extending its range as we go to the future.

Ms. Fallon said what about the gauge of the rails are they the same?

Mr. McDonald said they are the same gauge.

Mr. Lewis said I just want to make sure we all understand the hybrid vehicles are the exact same as the non-hybrid vehicles. All it does it is the cant lever will drop in the area that we need to go off wire and then come back up. The hybrid capability is just in those areas that are not wired, we will then operate off the batteries.

Ms. Fallon said what you are saying and the question I have asked; that can be integrated without any problem, roadbed, gauge of line, car facility, into an east/west line without any problem, just an extension of the roadbed?

Mr. Lewis said the vehicles that we are acquiring–

Ms. Fallon said I'm not worried about the vehicles; I'm worried about the roadbed and the gauges.

Mr. Lewis said the rail; it will be able to operate on both streetcar and the Blue Line. In order to get to our maintenance facility, it has to ride on the current Blue Line alignment, but the east/west corridor is a streetcar corridor.

Ms. Fallon said even if you wanted to take it all the way out either way? For the future, looking ahead not to say arming ourselves with this is set, because Charlotte is growing and you have to take that into consideration; it is not going to just stay where it is and if we are not going to do an east/west line can this be used with an extension as an east/west line?

Mr. Lewis said if we wanted the current alignment out to Rosa Parks as a streetcar alignment these vehicles can operate on both alignments. If there was a change that we would want to change to a different type of alignment in terms of light rail, these vehicles would also be able to work.

Ms. Fallon said so in other words, there is no problem in switching.

Mr. Lewis said this would not prohibit us from changing.

Mr. Driggs said I wonder since we were talking about that extension, Phase 3 is meant to be another six miles, is that right?

Mr. McDonald said the remainder is we would build four miles; it is a ten mile, so six total additional miles to complete the overall system. At this point in time there has been no

definition of what a Phase 3 would look like as far as how much of that would be built in another phase.

Mr. Driggs said so we don't have a timetable and cost estimates?

Mr. McDonald said I don't have a timetable or cost estimates for that.

Mr. Austin said help me understand; Mr. Driggs talked about the fares select to offset the operational costs. There are other revenue streams that we are looking at to support this, correct?

Mr. Kimble said there was a plan that came forward to Council; we can resubmit that plan to you for the \$6 million.

Mr. Austin said that included sponsorships and some other avenues as well correct?

Mr. Kimble said yes.

Mayor Roberts said we appreciate this update and we look forward to hearing more as the bids go out again.

\* \* \* \* \*

#### **ITEM 5: CLOSED SESSION**

Motion was made by Councilmember Eiselt, seconded by Councilmember Austin, and carried unanimously to adopt a motion pursuant to NC General Statute 143.318.11(a)(4) to go into closed session to discuss matter 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 6:16 p.m. to move to CH-14 for the closed session. The closed session recessed at 6:41 p.m. to move to the Meeting Chamber for the regularly scheduled meeting.

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#### **BUSINESS MEETING**

The City Council of the City of Charlotte, North Carolina reconvened for the Citizens' Forum and Business Meeting on Monday, August 22, 2016 at 6:47 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, LaWana Mayfield, and Greg Phipps.

**ABSENT:** Councilmembers Vi Lyles, James Mitchell, and Kenny Smith.

\* \* \* \* \*

#### **INVOCATION AND PLEDGE**

Councilmember Mayfield gave the Invocation. Boy Scout Troop 45, led by Scout Master Lynn Snuggs, from Central Steele Creek Presbyterian Church led the Council in the Pledge of Allegiance to the Flag.

\* \* \* \* \*

#### **AWARDS AND RECOGNITION**

#### **ITEM NO. 6: NATIONAL SICKLE CELL MONTH**

**Mayor Roberts** said this is National Sickle Cell Month and I understand there are some folks here who are doing a lot of great work in this area. Mayor Roberts read the following proclamation:

**WHEREAS**, Sickle Cell Disease is the most common genetic disorder in the United States and affects thousands of patients across North Carolina, an estimated tens of thousands across the United States, and millions more worldwide; and

**WHEREAS**, Sickle Cell Disease is a complex inherited blood disorder characterized by chronic anemia; episodes of debilitating pain; infections; bone deterioration; disability; damage to vital organs; and in some instances death; and

**WHEREAS**, Sickle Cell Disease is a chronic but treatable health condition although there is no single best treatment for people with Sickle Cell Disease, treatment options vary for each patient depending on symptoms which can be from mild to severe; and

**WHEREAS**, support for research and continual understanding on the treatment and management of Sickle Cell Disease, as well as overall awareness, are vital to improving the quality of life for persons with Sickle Cell Disease; and

**WHEREAS**, Sickle Cell Partners of the Carolinas is a support group formed to provide a network of support for patients and families affected by Sickle Cell Anemia, to raise awareness and educate the community, and to advocate for a cure; and

**WHEREAS**, the conference "Sickle Cell Disease... Let's Talk About It" will include discussions for patients and families to promote optimal living and care for patients affected by Sickle Cell Disease, and promote more awareness and understanding for the community-at-large; and

**WHEREAS**, Sickle Cell Partners of the Carolinas in collaboration with major medical centers, regional educators and counselors, local health departments, blood banks and community based programs are committed to raising the level of awareness to help meet the needs of Sickle Cell patients; and

**WHEREAS**, the faces of those affected by Sickle Cell Anemia across the world are many and vast and where an opportunity will be provided today to come together and have conversations to discuss the needs and concerns facing many patients and families battling Sickle Cell Disease; and

**WHEREAS**, Sickle Cell Partners of the Carolinas envisions a world that will one day be free of Sickle Cell Disease and other related inherited blood disorders and where an open, honest and continuing dialogue for a cure will continue for those who suffer from Sickle Cell Disease:

**NOW, THEREFORE**, I, Jennifer Watson Roberts, Mayor of Charlotte, do hereby proclaim September 10, 2016 as

**"SICKLE CELL PARTNERS OF THE CAROLINAS DAY"**

in Charlotte and commend its observance to all citizens.

**Charles Everage, Piedmont Health Services** said thank you for declaring and proclaiming September as Sickle Cell Month. I speak to you on behalf of Piedmont Health Services and Sickle Cell Agency. June 10, 2005 was one of the proudest days of my life; my son Noland Everage was born. Having a child is truly a blessing; being told that your child has been diagnosed with Sickle Cell is a moment of concern. There are anxieties and questions; what do I do, what will the health of my child be? Here in Charlotte we have Piedmont Health Service and Sickle Cell Agency that provides counseling to families and answers those important questions. I have friends that have moved to larger cities just so they can get sickle cell care. I have clients who have moved to Charlotte because of the excellent care that is provided in Charlotte. Thank you for observing and recognizing this disease; thank you for allowing us and working with us in our fundraiser, our Sickle Cell Learn and Walk, which will kick off the month on August 27, 2016. Thank you for being there and being supportive of this community.

Mayor Roberts said we appreciate all the work that you do in helping raise awareness and hope everyone will learn how to help recognize the signs and how to treat the disease. Mayor Roberts presented the proclamation to Mr. Everage.

\* \* \* \* \*

## CONSENT AGENDA

Motion was made by Councilmember Driggs, seconded by Councilmember Austin, and carried unanimously to approve the Consent Agenda as presented with the exception of Item Nos. 21, 24, 28, 48, 62, 65, and 67, which have been pulled for discussion or separate vote.

The following items were approved:

**Item No. 19: Governor's Highway Safety Program Grant Application for Driving While Impaired Task Force**

(A) Adopt a resolution authorizing the Charlotte-Mecklenburg Police Department to apply for fourth year funding in the amount of \$359,847 from the Governor's Highway Safety Program for Driving While Impaired Task Force, and (B) Adopt Budget Ordinance No. 8098-X appropriating \$359,847 in grant funds and \$359,847 in City matching funds contingent upon if Charlotte is the successful grant recipient.

The resolution is recorded in full in Resolution Book 47 at Pages 545-546.

The ordinance is recorded in full in Ordinance Book 60 at Page 183.

**Item No. 20: Governor's Highway Safety Program Grant Application for Traffic Safety**

(A) Adopt a resolution authorizing the Charlotte-Mecklenburg Police Department to apply for a \$20,000 grant from the Governor's Highway Safety Program, and (B) Adopt Budget Ordinance No. 8099-X appropriating \$20,000 in grant funds contingent upon if Charlotte is the successful grant recipient.

The resolution is recorded in full in Resolution Book 47 at Pages 547-548.

The ordinance is recorded in full in Ordinance Book 60 at Page 184.

**Item No. 22: Electronic Monitoring Services Contract Amendment**

Approve contract amendment #3 in the estimated amount of \$244,640 to extend the Electronic Monitoring Services Contract with Omni Link Systems, Inc. for an additional six months.

**Item No. 23: Police Security Equipment, Maintenance and Support Services**

(A) Approve a one-year unit price contract with ADM Security to provide security system maintenance, equipment and support services and for the purchase of new card readers and cameras at Charlotte-Mecklenburg Police Department facilities, and (B) Authorize the City Manager to renew the contract for up to two, one-year renewals 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.

**Item No. 25: Fire Station Alert System Maintenance and Support**

(A) Approve contract amendment #1 with US Digital Design, Inc. to provide station alerting system maintenance and support, (B) Authorize the City Manager to purchase maintenance and support under the existing Fire Station Alert System Contract for as long as the City uses the system, and (C) Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the system, and to approve other amendments consistent with the City's business needs and the purpose for which the contract was approved, including price adjustments.

**Item No. 26: Charlotte Fire Department Small Equipment**

(A) Award unit price contracts for the purchase of Small Equipment and Related Parts for an initial term of three years to the following lowest responsive bidders: Interstate Supplies & Services, Inc. and Newton's Fire & Safety Equipment, 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 contract was approved.

**Summary of Bids**

A complete list of the Summary of Bids is on file in the City Clerk's Office.

**Item No. 27: Developer Agreement with Hills Homes of North Carolina, LLC**

(A) Approve a Developer Agreement between the City of Charlotte and Hills Homes of North Carolina, LLC and (B) Adopt Budget Ordinance No. 8100-X appropriating \$175,000 from Hills Homes of North Carolina, LLC to the Prosperity Village Northwest ARC Phase B project.

The ordinance is recorded in full in Ordinance Book 60 at Page 185.

**Item No. 29: Private Developer Funds Appropriation**

Adopt Budget Ordinance No. 8101-X appropriating \$176,000 in private developer funds for the following: Signal modifications from Bainbridge Communities Acquisition I, LMC New Bern Holdings, LLC, Publix North Carolina LP, Dominion Realty Partners, LLC and a new signal from Bissell Development, LLC.

The ordinance is recorded in full in Ordinance Book 60 at Page 186.

**Item No. 30: Kilborne Drive Streetscape**

Approve a contract in the amount of \$303,000 with DRMP, Inc. for sidewalk planning and design services.

**Item No. 31: Eastway Drive Streetscape & Pedestrian Improvement Study**

Approve a contract in the amount of \$117,910 with Alta Planning + Design, Inc. for Eastway Drive Streetscape & Pedestrian improvement Study.

**Item No. 32: McCullough Drive Streetscape Improvements**

Approve a contract in the amount of \$644,000 with STV, Inc. for engineering design services for the McCullough Drive Streetscape improvements project.

**Item No. 33: Interlocal Agreement for the Briar Creek and Museum Tributary Water Quality Improvement Project**

Adopt a resolution to execute an Interlocal agreement with Mecklenburg County to allow the City to pay the County \$550,000 to design and construct a portion of the Briar Creek and Museum Tributary Water Quality Improvement Project.

The resolution is recorded in full in Resolution Book 47, at Pages 549-560.

**Item No. 34: Landscape installation Services**

Approve landscape installation services contract with each of the following firms: Roundtree Companies, LLC, \$125,000; Champion Landscape, Inc., \$125,000; and Carolina Wetland Services, Inc. \$75,000.

**Item No. 35: National Flood Insurance Program Plan Submission**

Adopt and approve submission of Public Information and Flood Response Plans to the National Flood Insurance Program.

**Item No. 36: Various Stream Restoration Project Contract Amendments**

Approve contract amendment #1 for \$540,000 with Stantec Consulting Services, Inc. for engineering services on stream restoration projects.

**Item No. 37: Water Oak Storm Drainage Improvement Project**

(A) Approve \$190,000 of the purchase price for 4751 Emory Lane (tax parcel identification 163-08-310) from Mecklenburg County, (B) Approve a Memorandum of Agreement between the City of Charlotte and Mecklenburg County for Floodplain Acquisition and Stormwater Improvements at 4751 Emory Lane, and (C) Authorize the City Manager to execute any and all documents necessary to comply with the terms of the purchase agreement.

**Item No. 38: Airport Federal Aviation Administration Grant Acceptance**

(A) Adopt a resolution accepting a Federal Aviation Administration grant in the amount of \$3,750,000, (B) Adopt a resolution accepting a Federal Aviation Administration grant in the amount of \$11,564,438, and (C) Adopt Budget Ordinance No. 8102-X appropriating \$15,314,438 of grant proceeds to the Aviation Community Investment Plan Fund.

The resolutions are recorded in full in Resolution Book 47, at Pages 561-562.

The ordinance is recorded in full in Ordinance Book 60, at Pages 187-188.

**Item No. 39: Transportation Security Administration Canine Team Other Transaction Agreement.**

Adopt a resolution approving an Other Transaction Agreement from the Transportation Security Administration National Explosive Detection Canine Team Program for a term of four years.

The resolution is recorded in full in Resolution Book 47, at Pages 563-564.

**Item No. 40: Airport General Aviation Ramp Rehabilitation**

(A) Award a contract in the amount of \$4,835,995 to the lowest responsive bidder Blythe Brothers Asphalt Co., for pavement rehabilitation of the General Aviation Ramp, and (B) Adopt Budget Ordinance No. 8103-X appropriating \$4,835,995 from the Aviation Excluded Discretionary Fund to the Aviation Community Investment Plan Fund.

**Summary of Bids**

Blythe Brothers Asphalt Co., LLC	\$4,835,995.00
Cedar Peaks Enterprises, Inc.	\$5,020,020.00

The Ordinance is recorded in full in Ordinance Book 60, at Page 189.

**Item No. 41: Airport Flight Tracking System Services**

(A) Approve a contract with Harris Corporation for flight tracking system services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

**Item No. 42: Airport Consolidated Rental Car Facility Car Wash Improvements**

(A) Award a contract in the amount of \$635,525 to the lowest responsive bidder Encompass Building Group, Inc. for improvements to the existing Consolidated Rental Car Facility Car Wash and Detailing Areas, and (B) Adopt Budget Ordinance No. 8104-X in the amount of \$635,525 from the Aviation Contract Facility Charge Fund to the Aviation Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 60, at Page 190.

**Item No. 43: Airport Pavement Deicing Chemicals**

(A) Award a unit price contract to the lowest responsive bidder Nachurs Alpine Solutions Industrial for the purchase of airport liquid deicing chemicals for a three-year term, (B) Award a unit price contract to the lowest responsive bidder LNT Solutions, Inc., for the purchase of Airport solid deicing chemicals for a three year term, and (C) Authorize the City Manager to renew the contracts for up to two additional, one-year term 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**

A complete list of the Summary of Bids is on file in the City Clerk's Office.

**Item No. 44: Airport Roof Replacement at Fire Station 17 and Piper Lane Properties**

(A) Award a contract in the amount of \$278,197 to the lowest responsive bidder Johnson's Roofing Service Inc. for the Fire Station 17 roof replacement project, (B) Award a contract in the amount of \$194,152.365 to the lowest responsive bidder Mecklenburg Roofing for the 3140 Piper Lane roof replacement project, (C) Award a contract in the amount of \$136,402.35 to the lowest responsive bidder Mecklenburg Roofing for the 3141 Piper Lane roof replacement

project, and (D) Adopt Budget Ordinance No. 8105-X appropriating \$278,197 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

**Summary of Bids**

A complete list of the Summary of Bids is on file in the City Clerk's Office.

The ordinance is recorded in full in Ordinance Book 60 at Page 191.

**Item No. 45: Airport Terminal Escalator Infrastructure Changes**

(A) Award a contract in the amount of \$210,100 to the lowest responsive bidder The Bowers Group, LLC for infrastructure change necessary for the replacement of escalators at Terminal B and C Checkpoints, and (B) Adopt Budget Ordinance No. 8106-X in the amount of \$210,100 from the Aviation Discretionary Fund to the Airport Community Investment Plan Fund.

**Summary of Bids**

The Bowers Group	\$210,100.00
Design Estimates	\$156,145.00
McFarland Construction	\$345,125.00

The ordinance is recorded in full in Ordinance Book 60, at Page 192.

**Item No. 46: Concourse E Employee Entrance Doors**

(A) Award a contract in the amount of \$142,800 to the lowest responsive bidder the Bowers Group, LLC for general construction for the employee entrance doors on Concourse E, and (B) Adopt Budget Ordinance No. 8107-X appropriating \$142,800 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

**Summary of Bids**

The Bowers Group	\$142,800.00
McFarland Construction	\$267,750.00

The ordinance is recorded in full in Ordinance Book 60, at Page 193.

**Item No. 47: Airport Redesign of Airfield Markings**

Approve a contract in the amount of \$267,560 with Delta Airport Consultants, Inc. for redesign of airfield markings.

**Item No. 49: Charlotte Water Community Investment Plan Amendment for the Little Sugar Creek Tributary to Fairview Road Sanitary Improvement Project**

(A) Amend Charlotte Water Community Investment Plan for Fiscal Years 2017-2021 in the amount of \$1,750,000 to include the Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvement Project, (B) Approve a five-year reimbursable contract with Liberty Healthcare Management in the amount of \$1,750,000 to pay for the design and construction of the sanitary sewer capacity improvements for the Little Sugar creek Tributary to Fairview Road Sanitary Sewer Improvements project, and (C) Adopt Budget Ordinance No. 8108-X appropriating \$350,000 from Liberty Healthcare for Fiscal Year 2017.

The ordinance is recorded in full in Ordinance Book 60, at Page 194.

**Item No. 50: Courier Services for Mail and Laboratory Samples**

(A) Approve a contract with Philman Glen Nichols (dba Help Services, LLC) to provide courier services for mail and laboratory samples for an initial term of one year, and (B) Authorize the City Manager to renew the contract for up to two additional, one-year terms and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

**Item No. 51: Small Diameter Water and Sewer Service Installations (Fiscal year 2017)**

(A) Award a contract in the amount of \$1,940,158 to the lowest responsive bidder State Utility Contractors, Inc. for the installation of small diameter water and sewer services (Fiscal Year 2017), and (B) Authorize the City Manager to renew the contract for up to one additional term

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**

State Utility Contractors, Inc.	\$1,940,158.00
BRS	\$2,132,928.60
Propst	\$2,334,777.50

**Item No. 52: Motor and Pump Repair Services for Water and Wastewater Facilities**

(A) Approve unit price contracts with the following companies to provide electrical motor and pump repair services at all Charlotte Water's treatment and pumping facilities for an initial term of three years: Purser Central Rewinding Co. Inc., Dixie Electric Motor Services Inc., Jenkins Electric Company, Integrated Power Services, American Rewinding of NC, Inc., B&M Electric Motor Services. Inc., Electric Motor Shop of Wake Forest Inc., and Armor Electric Repair Services, Inc. (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. 53: Stevens Creek Lift Station, Forcemain, and Gravity Sewer Design Modification Services**

Approve a contract in the amount of \$158,690 with LandDesign Inc. to provide engineering design services for modifications to the Stevens Creek Lift Station Forcemain and Gravity Sewer.

**Item No. 54: LYNX Blue Line Extensions Design Services Contract**

Approve contract amendment #6 for \$1,900,000 with STV Inc. for design and construction administration services for the LYNX Blue Line Extension Project.

**Item No. 55: LYNX Blue Line Extension North Yard Building Change Order**

Approve change order #8 for \$1,500,000 to New Atlantic Contracting, Inc. for the LYNX Blue Line Extension North Yard Building project.

**Item No. 56: LYNX Blue Line Extension Sugar Creek Parking Garage Change Order**

Approve change order #3 for \$500,000 to Messer Construction Co. for the LYNX Blue Line Extension Sugar Creek Parking Garage project.

**Item No. 57: LYNX Blue Line Extension Station Finishes Change Order**

Approve change order #8 for \$1,200,000 to Edison Foard for the LYNX Blue Line Extension Station Finishes project.

**Item No. 58: Public Auction for Disposal of Surplus Equipment**

(A) Adopt a resolution declaring specific vehicles, equipment and other miscellaneous items as surplus, and (B) Authorize said items for sale by public auction on September 17, 2016.

The resolution is recorded in full in Resolution Book 47, at Pages 567-577.

**Item No. 59: Surplus Computer and Related Equipment Disposal Services**

(A) Approve a contract with Goodwill Industries of the Southern Piedmont for Surplus Computer and Related Equipment Disposal Services for an initial term of five years and (B) Authorized 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.

**Item No. 60: Order of Collection for Tax Year 2016**

(A) Receive as information and record in the minutes the Mecklenburg County Tax Collector's Settlement Statement for Fiscal Year 2016. (B) Adopt an Order of Collection, NC General Statute 105-373 and (3) authorizing the Tax Collector of Mecklenburg County to collect the taxes as set forth in settlement statement for tax year 2016.

The Order of Collection is on file in the City Clerk's Office.

**Item No. 61: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of June 27, 2016 Business Meeting, July 18, 2016 Zoning Meeting, and July 25, 2016 Business Meeting.

**PROPERTY TRANSACTIONS**

**Item No. 63: Sale of Property: 6746 Glenmoor Drive**

(A) Adopt a resolution proposing to accept the offer from Alexis R. Riddle and Jayne M. Payne to purchase City-owned real property (parcel tax identification 055-155-47 located at 6746 Glenmoor Drive for \$81,001, and (B) Authorize the City Manager to execute all documents necessary to complete the sale of the property in accordance with the resolution.

The resolution is recorded in full in Resolution Book 40, at Page 578.

**Item No. 64: Sale of City Property: 8415 East W. T. Harris Boulevard**

(A) Adopt a resolution proposing to accept the initial offer subject to upset bid sale for \$82,000 from JDSI, LLC to purchase City-owned real property (parcel tax identification 109-171-03) located at 8415 East W. T. Harris Boulevard and, (B) Authorize the advertisement of the proposed sale for upset bids and authorize the City Manager to execute all documents necessary to complete the sale of the property in accordance with the Resolution.

The resolution is recorded in full in Resolution Book 40, at Pages 579-580.

**Item No. 66: In Rem Remedy: 2517 Rozzelles Ferry Road**

Adopt Ordinance No. 8109-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2517 Rozzelles Ferry Road (Neighborhood Profile Area 382).

The ordinance is recorded in full in Ordinance Book 60, at Page 195.

**Item No. 68: Aviation Property Transaction – 7620 C Steele Creek Road**

Acquisition of 1.012 Acres at 7620-C Steele Creek Road from Mai Vu for \$44,500 and all relocation benefits in compliance with federal, state or local regulations for Airport Environmental Impact Statement Mitigation Land.

**Item No. 69: Aviation Property Transactions – 9220 Dorcas Lane**

Acquisition of .444 acres at 9220 Dorcas Lane from Metrolina Land Company for \$169,850 and all relocation benefits in compliance with federal, state or local regulations for Airport Environmental Impact Statement Mitigation Land.

**Item No. 70: Aviation Property Transactions – 9233 Dorcas Lane**

Acquisition of 2.133 acres (.556 and 1.557 acres) at 9233 Dorcas Lane from Metrolina Land Company for \$214,000 and all relocation benefits in compliance with federal, state or local regulations for Airport Environmental Impact Statement Mitigation Land.

**Item No. 71: Property Transactions – 25th Street Connection, Parcel #4**

Acquisition of 643 square feet, (.015 acre) in Fee Simple plus 1,805 square feet (.041 acre) in Sidewalk and Utility Easement, plus 5,413 square feet (.124 acre) in Temporary Construction Easement at 417 East 25th Street from Howard F. Starnes and Bennie S. Starnes for \$221,543 for 25th Street Connection, Parcel #4.

**Item No. 72: Property Transactions – Lilly Mill Drainage Improvements, Parcel #11**

Acquisition of 7,604 square feet (.175 acre) in Storm Drainage Easement, plus 1,575 square feet (.036 acre) in Sanitary Sewer Easement, plus 2,574 square feet (.059 acre) in Temporary Construction Easement at 2501 Merrywood Road from Donald A. Young and Trudy M. Young for \$36,000 for Lilly Mill Drainage Improvements, Parcel #11.

**Item No. 73: Property Transactions – Nelson Avenue 309, Parcel #2**

Resolution of condemnation of 527 square feet (.012 acre) in Storm Drainage easement plus 1,994 square feet (.046 acre) in Temporary Construction Easement at 301 Nelson Avenue from Laura Sutton for \$100 for Nelson Avenue 309, Parcel #2.

The resolution is recorded in full in Resolution Book 40, at Page 581.

**Item No. 74: Property Transactions – Nelson Avenue 309, Parcel #3**

Resolution of condemnation of .94 square feet in storm Drainage Easement, plus 917 square feet (.021 acre) in Temporary Construction Easement at 247 Alabama Avenue from Nesbit Oil Company for \$250 for Nelson Avenue 309, Parcel #3.

The resolution is recorded in full in Resolution Book 40, at Page 583.

**Item No. 75: Property Transactions – Tom Short Sidewalk, Parcel #3**

Resolution of condemnation of 190 square feet (.004 acre) in Sidewalk and Utility Easement, plus 673 square feet (.015 acre) in Temporary Construction Easement at 6305 Horseplay Court from Franklin Morreale and Rose Morreale for \$425 for Tom Short Sidewalk, Parcel #3.

The resolution is recorded in full in Resolution Book 40, at Page 583.

**Item No. 76: Property Transactions – Tom Short Sidewalk, Parcel #6**

Resolution of condemnation of 86 square feet (.002 acre) in Storm Drainage Easement, plus 944 square feet (.022 acre) in Sidewalk and Utility Easement, plus 1,285 square feet (.029 acre) in Temporary Construction Easement, plus 21 square feet in Sidewalk Utility Easement and Storm Drainage Easement at 0 Tom Short Road from Equity Ventures, Inc. for \$75 for Tom Short Sidewalk, Parcel #6.

The resolution is recorded in full in Resolution Book 40, at Page 584.

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**ITEM NO. 21: COMMUNITY ENGAGEMENT AND DIVERSITY EDUCATION FOR THE CHARLOTTE-MECKLENBURG POLICE DEPARTMENT**

**Mayor Roberts** said I pulled this because I wanted the public to be aware of our Police Department is undertaking this great endeavor to connect with the community and we have one of our Officers here to tell us a little more about that.

**Vicki Foster, Deputy Police Chief** said first of all the actual item with Jennifer Davis is kind of a continuation of what we've already started doing. This particular item is for us to have an eight-hour training education that will be an emersion where Officers will be able to actually sit and have more conversations about some of the daily challenges. This will also be in conjunction with the Officers already doing dismantling racism training, where we partner with Race Matters with Juvenile Justice and the Racial Equity Institute, and we also partner with the Safety and Justice Initiative, and they are working on workforce development so we will have continual training throughout so it is not just the one time training. Jennifer Davis' piece is specifically for an eight-hour conversational emersion, and they will have follow-up assignments to do after that, but it is just one piece and the continuum of all the different diversity education trainings that we are offering.

Mayor Roberts said this was a Consent Item, but again I think the public isn't always aware of the great efforts that we are undertaking and I just wanted to highlight this.

Motion was made by Councilmember Austin, seconded by Councilmember Autry, and carried unanimously to (A) approve a 10-month contract in the amount of \$141,200 with Jennifer P. Davis & Associates for enhancing community engagement and developing diversity education for the Charlotte-Mecklenburg Police Department, 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.

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**ITEM NO. 24: STATE CONTRACT WITH POLICE STEEL-PLATED BODY ARMOR VESTS**

**Councilmember Mayfield** said the conversation is regarding specific to the state contract for Police steel-plated body armor vests. I wanted to get a little bit more information regarding how basically the who, what, when, where and why, and what situation would there be a need for a steel-plated armor body vest and who will be using this? I think we need to have the conversation with as much transparency as possible, but also the conversation of has there been a need previously for a steel-plated body vest and why would we move forward now?

**Vicki Foster, Deputy Police Chief** said first of all the difference between what we are asking for and what we currently have is the Level III vests are the only vests that can stop a rifle or a shotgun; so what we currently have are for handguns. The Level III is just an extra layer of protection for us and it would be for situations, just to give you an example, such as the Northlake Mall and that would be a situation where the Officer would go into their trunk and they would put this vest on prior to going into that situation where we had the active shooter situation. That is exactly what it is for; it is specifically for shotguns and rifles because the current Level II vest that we carry now does not carry enough protection. That is why we are asking for a Level III.

Ms. Mayfield said you gave the example of Northlake Mall and I believe recently there was another example where there was an active shooter situation but again I'm just trying to understand it. Our current vests that are available; if it is a high power weapon the Officers are not as protected?

Deputy Chief Foster said correct.

Ms. Mayfield said how are these vests going to be allocated; are all the Officers going to have these vests, is the vest associated with the vehicle but how is this going to make its way into the situation where it may be needed if we don't know until the active shooter comes in?

Deputy Chief Foster said they will be assigned to the cars, that is why it is 680 so it is assigned to the car and if the Officer is in a situation like that they will go into the trunk of the car, retrieve that vest and would be able to put it on on the outside; it is an outer vest that you slip on and then they would go into the situation. They would be assigned to the cars, not to the individual Officer so whoever is driving that car would have access to that vest.

Ms. Mayfield said so it is just not accessible for all Officers to be able to pull out a vest?

Deputy Chief Foster said it would be for Patrol Officers; there are 680 Officers in patrol and they would be in the trunk of the patrol car.

Motion was made by Councilmember Mayfield, seconded by Councilmember Austin, and carried unanimously to (A) Approve the purchase of Level III steel-plated body armor vests for all Charlotte Mecklenburg Police Department patrol vehicles and Level IIIA helmets for all Charlotte-Mecklenburg Police Department patrol officers from state contracts as authorized by G.S. 143-129(e)(9), (B) Approve a contract with Galls, Inc. for the purchase of Level III steel-plated body armor vests for all Charlotte-Mecklenburg Police Department patrol vehicles and Level IIIA helmets for all patrol officers for the term of one-year under statewide term contract 680c-Body Armor, effective August 1, 2016 through March 15, 2018, and (C) Authorize the City Manager to extend the contract for additional one-year term as long as the state contract is in effect, at prices and terms that are the same or more favorable than those under the state contract.

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**ITEM NO. 28: GRAHAM STREET EXTENSION TRAFFIC SIGNAL**

**Councilmember Phipps** said I just wanted to highlight this Consent Item because of the fact that we have a part of our community, both in District 4 and in District 2, along the Derita Corridor in the Graham Street area, the Graham Street Extension Project. This is some funds designated for some signalization at about seven roads that are critical to that overall Graham Street Extension Project and I just wanted to make the residents of the Derita area know, because they have been facing considerable frustration with regards to the completion of that Graham Street Extension construction and just wanted to let them know that with funding like this for these signalizations at the key roads and intersections that we are moving ahead to getting that situation corrected as soon as possible. I think they will be pleased that some good progress is being made.

Motion was made by Councilmember Phipps, seconded by Councilmember Kinsey, and carried unanimously to award a contract in the amount of \$1,085,996.75 to the lowest responsive bidder Whiting Construction Company, Inc. for the installation of traffic signals for the Graham Street Extension Project.

**Summary of Bids**

A complete list of the Summary of Bids is on file in the City Clerk's Office.

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**ITEM NO. 48: AIRPORT BULLDOZER DONATION TO NORTH CAROLINA TRANSPORTATION MUSEUM**

**Councilmember Kinsey** said this is not just a bulldozer; it is a vintage 1952 bulldozer that made it to the North Carolina Transportation Museum so it will be on view up ther, and my understanding is you can go visit it and touch and may be able to even get on; I'm not sure. Just in case you want to go see it, the North Carolina Transportation Museum, if you have never been there I highly recommend you go. It is wonderful; they have trains and airplanes, it is in Spencer, North Carolina and that is very close to Salisbury. I just thought that was a fun thing for everybody to know.

Motion was made by Councilmember Kinsey, seconded by Councilmember Fallon, and carried unanimously to adopt a resolution authorizing the donation of a bulldozer from Charlotte Douglas International Airport to North Carolina Transportation Museum Foundation.

The resolution is recorded in full in Resolution Book 40, at Page 565-566.

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**ITEM NO. 62: TWO BILLBOARD LEASES WITH ADAMS OUTDOOR ADVERTISING**

**Councilmember Kinsey** said I pull this because I am going to vote against it. I believe billboards should be along the highways and not within our City limits, particularly since the billboard companies tend to want to cut down all the trees in front of their billboards, so I am going to vote against this.

Motion was made by Councilmember Austin, seconded by Councilmember Phipps, to (A) Approve Adams Outdoor Advertising lease for a five-year term, with two five-year options to extend for an existing billboard located along Old Statesville Road (parcel identification number 043-088-14) for \$12,000 per year or 20% of gross revenue, whichever is greater, (B) Approve Adams Outdoor Advertising lease for a five-year term with two five-year options to extend for an existing billboard located along South Boulevard (parcel identification number 205-211-11) for \$3,900 per year or 20% of gross income whichever is greater, and (C) Adopt a resolution authorizing the City Manager to execute all necessary documents to complete the Agreements between the City of Charlotte and Adams Outdoor Advertising.

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

YEAS: Councilmembers Austin, Driggs, and Phipps

NAYS: Councilmembers Autry, Eiselt, Fallon, Kinsey, and Mayfield.

**Bob Hagemann, City Attorney** said it takes six votes to take action; my recommendation, since you are missing three members is for this to come back at your next Business Meeting and be voted up or down then.

**Mayor Robert** said we will see this next time, as it does not pass for this evening.

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**ITEM NO. 65: IN REM REMEDY: 104 WALNUT AVENUE**

**Councilmember Austin** said I asked staff to pull this; we need to go back and take another look at that altogether.

**Mayor Roberts** said so you are asking that this not be approved and it be delayed?

Mr. Austin said right. They were to pull it altogether; did I miscommunicate to staff what we wanted to do? We are going to pull that item altogether; we need to go back to code by not approving that.

Mayor Roberts said if nobody moves to approve it then we will be looking at it next time. There was no motion, so that will be deferred until our next meeting and staff apparently is aware of this.

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**ITEM NO. 67: IN REM REMEDY: 7747 PICKERING DRIVE**

**Councilmember Phipps** said I'm seeking approval of my colleagues to move forward with this demolition. I visited the property over the week-end, talked with neighbors, received e-mails and this property has been fire damaged since January of this year. It is structurally deficient and unsafe as deemed by the Charlotte Fire Department, and it is just an eyesore to the community, and I agree with Code Enforcement, Mr. Krise and concur with his recommendation for demolition as soon as possible and would urge my colleagues to support me in this particular Consent Item.

Motion was made by Councilmember Phipps, seconded by Councilmember Fallon, and carried unanimously to adopt Ordinance No. 8110-X authorizing the use of In Rem Remedy to demolish and remove the structure at 7747 Pickering Drive (Neighborhood Profile Area 221).
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The ordinance is recorded in full in Ordinance Book 60, at Page 196.

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**Mayor Roberts** said one thing I forgot to mention when we talked about the consultant for Community Policing and outreach and engagement, we have another item that has been referred to our Public Safety Committee by our Manager and that is the 21st Century Policing Document and set of recommendations put forth by the Obama Administration about two years ago, and that document has been referred to Public Safety. We are planning to go through that document and have responses and feedback from each of those recommendations from the President's Report on 21st Century Policing. I thank Mr. Manager for making that referral.

**Councilmember Fallon** said our former Police Chief sat on the Committee at the White House.

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## CITIZENS' FORUM

### Public Safety Concerns

**Karen Jensen, 311 Baldwin Avenue** said not so much public safety, public safety and public corruption. I have been here several times, and if you look up 'Charlotte, NC police misconduct', this will be the first video that comes up on YouTube. It has been getting quite a few views, which I appreciate. It's just a little bit of the conduct that has been exhibited by my neighbors over the last number of years, as you are aware; you all have a personal copy, stalking, threats to kill me, vial, racists attacks, all of which you are still denying. Convictions in court for assault, the assault is not shown on here. This was not intended, of course, to be evidence; it was just a sampling. There is an email that I now have in my position, just very recently; although, I have asked for my public records over and over again with Captain Norman Garnes denying that any crimes have ever been committed, and that even on here, despite that there is a screaming threat to kill me and aside from the stalking and all the other crimes, he says there is no evidence of any crime. He has also told the magistrates, lying to them, saying there has never been a crime and that I should be banned from charging anyone with any crimes; when anyone with a brain can easily check the court record and see all the convictions for those times before anyone prevented me from being able to get all of the other things that should have been charged and have not been. I have been here too, asking for my public records. You have gone to the court to say that I am accusing people of deleting records, which would be a crime. I do agree with that last part. It would be a crime, and it is a crime, and now you are representing to the court that all the records have disappeared.

Mr. Hagemann has assigned Daniel Peterson to come to ask for criminal and civil penalties, money, I guess, and criminal penalties against me for asking for these records, which you are required by law to give me. It's despicable. He has also said that I have personally threatened Robert Hagemann, because I named him on a subpoena, which by the way, for anyone listening, if they don't know, I am required to do by law. I have not threatened Mr. Hagemann; have I sir? He is not going to answer. I haven't threatened Mr. Hagemann; I named him on a subpoena, as I have to by law. That might be the basis of naming people that work for the City, when you have to deal with them for city records or other issues; it's the basis for saying that you have been threatened. That might explain some of the other bizarre slander hurled at me by this City. I have clearly been here asking for my records and if you have destroyed them, I would agree, that is a crime. Ms. Eiselt, apparently, did one sensible thing and said, 'Could someone tell me what she is legally entitled to and ask for a list of that?' Then a statement saying 'Well, I think we are good for now'; you are not. You have been breaking the law.

### Asian American Community Concerns

**Kao Cheny, 4938 Central Avenue** said I'm here to speak on behalf of the Southeast Asian Coalition, which is based in Charlotte and any other community members who can relate to what I will be talking about today. I am Hmong American; my parents settled in the United States after the Vietnam War, to seek refuge from being persecuted by their communist Laos Government. I remember Dr. Hamilton-Merit say "40 Hmong lives for two wounded American soldiers". When my parents and thousands of other Chinese Asians came to the United States majority were placed in neighborhoods, known as the ghetto. We, Southeast Asian Coalition are not the model minority. Statistics shows that highest school drop-out among Southeast Asian are a lot higher than East Asians and South Asians. Why is that? Because unlike East Asians and South Asians, many Southeast Asians come to the US as homeless and poor refugees with little English to know or low education. Our Community is not immune to discrimination; our Community is not immune to police brutality. In April of this year, Bong, a Laotian refugee who was mentally ill, living right here in Charlotte was shot and killed by Charlotte Police and. In 2014, Chieu Di a 47-year old Vietnamese refugee, who is also mentally ill, was shot and killed by a Greensboro Police. It took two years for the families to see police recording of this tragic moment. Now that House Bill 972 is a North Carolina law, it will be more difficult to hold police accountable for their wrongful doing. These are just two cases. People are calling police to come with guns to handle mental health issues when right now mental health issue is not a police matter. Police brutality and injustice is also an issue in Asian American communities. We are also impacted by municipal violence, racism, and inequality. We were also at the last City Council meeting, but we didn't have a chance to speak. We gave each present

City Councilmember copies of a two-pager on Asian-Americans in North Carolina, a handbill of House Bill 972 and a petition of House Bill 972 with more than 3,000 signatures. I would like to give that information to you guys later on. Asian American are people of color just like the black community the Latino community, the Native American community. Where groups of people are suffering the same thing. Shouldn't that convince government officials, leaders and enforcers to make proper changes that positively affect all sides? We call upon the City to create a sanctuary where there is not; we have asked you to tell us of your progress in making Charlotte one of the welcoming cities. We have asked for the City to not participate in 287-G activities which profile people of color. We have called upon you to mandate racial equality and implicit racial bias training to report progress and their recommendation of the 21st century policing.

### **CMPD Guidelines and Training**

**Elsie Marie Greene, 3307 Pikes Peak Drive** said before I begin, I want to call your attention to the blue signs in the audience. You may not have had an opportunity to review them, so I will give you a chance. They say "We are Charlotte Our Voice Matters." They say "679 people killed by Police this year". Last year as a matter of fact every single person in the City of Charlotte who was killed by police happened to be the same color as me. I can't help but take that a little personally. They also say "Black Lives Matter," which I heard you mention in the last meeting and I appreciate it. I also heard you mention in the last meeting last month that you would be reviewing the 21st Century Policing and then I heard you say tonight that you plan on reviewing it. We demand a date, we demand a date by which that will be reviewed, and we demand to be included in the conversation on how it is going to be implemented.

### **Police Brutality**

**Whitney Joyce Dunlap, 308 Plymouth Avenue** said I am speaking on Police Brutality. Police brutality is the biggest issue that is arising in America today, especially among minorities. As a mother of three African American boys and a wife of an African American husband, I am deeply concerned. I fear for their lives and their safety daily, not due to the black on black crimes that we like to divert back to, but due to police brutality and police killings. As a mother, I can't teach my children to turn to the police when they fear for their lives or fear for their safety. I have to teach my children that if God forbid you are stopped, to roll your window down, put your hands on the steering wheel, comply with every demand, don't ask any questions and please by no means pose as a threat, and hopefully they will return home safely. African Americans account for 24% of the fatally shot and killed by police despite only making only 13% of the US population. Police brutality is an issue that affects the lives of so many innocent people; however steps can be taken in order to create peace in our communities. CMPD needs to comply with the President's Task Force 21st Century Policing. We want empathy and prejudice and racial bias evaluations for all CMPD and report progress. We ask that you thoroughly assess CMPD Officers, based on whether they are fit to serve our community or a threat according to the results of the empathy evaluation. Rather than ask our community and City leaders for funding to hire more officers, Chief Putney needs to demand to assure that officers complete the trainings that have been asked. Also CMPD should patrol in the areas where they reside and maybe this will eliminate some of the routine traffic stops, racial profiling and harassment from police in our own communities. There has been an outpour of senseless killings on innocent black people by poorly trained officers. Why do we as a black race have to be fearful of who we are by those of who are supposed to protect and serve us? Black lives matter.

### **Community Engagement**

**Gloria Merriweather, 2740 Beach Nut Road** said Mayor Roberts, City Councilmembers listen to us. Each of you have the power and the responsibility to do everything that you can to protect every citizen in this City but you have failed. You have failed Jonathon Ferrell, you failed Janisha Fonville you failed , you failed Bong Ackhavong; you failed Daniel Harris and too many other citizens. Last year CMPD only killed black people, with 30% of your population how do we catch 100% of the bullets? Each of your tenures will be tarnished by the murderous legacy of your police department. It is past time for you all to act. Each of you much center the lives of the most marginalized in our community. Since you aren't sure or able to do this, we invite you to join us at our tables in our communities since we've come here and tried so hard to make things right. Next month, if you would like to, we would like to teach you all that you need to

know. Sadly, our collective must leave this meeting to attend the vigil for Daniel Harris, another citizen who lost their life to violence in this City. Question – can we get body armor vests for the black communities since we are the ones getting the bullet? How much of your funds are you willing to allocate to the protection of black Americans, people of color here? Plenty of funds have been allocated to your murderous police department; how many more dollars do we need to fund this, to fund bullets going into our bodies? If you are unwilling to put all of your money towards the preservation of black lives, then we have a bigger problem here. That means we need to restore the humanity on your Council if you aren't willing to do this. If you have to worry about, oh we need a budget for bike lanes. No, put the money where your mouth is. If black lives matter, I want to see it in my people; I don't want to see people out here afraid to come downtown your police are ready to do whatever they need to do. How many of your police officers died last year? How many? That is pretty much all I have to say but I want to take all of my time so black lives matter, black trans lives matter, Southeast Asian lives matter, all of our lives matter. It would be appropriate for you to act swiftly on this right? It would be appropriate for you to do everything in your power starting today. I don't want another date about a budget meeting. I want you all to swear to me that my life does matter by implementing structured legislation, all the things that we need to be protected from these folks over here who will collect a check whether they kill us or not, right? They are getting checks. How much more money do they need, a steel armored vest? I need that. It doesn't stop here like this conversation; this is not the beginning we've been having with you. Come to our table, start doing your work. Bring your money, bring your bills you can sign.

### **Affordable Housing**

**Greg Jerrell 2901 Parkway Avenue** said I am Executive Director of QC Family Tree in the Enderly Park Neighborhood in west Charlotte in Ms. Mayfield's District and part of this beautiful collective of people that you've seen speaking regarding ending structural and state sanctioned violence, particular against communities of color and against the poor in our City. I want to speak specifically about land use and housing policy. We know that in Charlotte, as in most cities in the United States, people of color and poor people have been disproportionately harmed by unjust land use and housing policy. We know that Charlotte currently has a deficit of 34,000 affordable housing units and that number is growing. We know that the flourishing of all of citizens, particularly those how have been made into a permanent underclass by structural and systemic barriers, is in the best interest of the City so that all can flourish. We know that the City is a significant land owner but is currently moving on a trajectory towards selling off parcels of land owned by the City. Some land sales have happened, notably with land made available by the realignment of exit ramps around I-277; these lands are found on the historic red lining maps meaning that they have a history of state sanctioned violence against black people, yet their sale was not used to create conditions for repair. So, I am asking and we are asking for the following: that the City stop the sale of City owned land, until a policy can be set regarding the use of that land for helping to solve our affordable housing problems. We understand that the City is currently set to begin work with the Urban Land Institute to assess the City's land holdings and their suitability for new affordable construction. We applaud this effort, we say thank you and we ask for one significant portion of that work as it develops,; that is that in working with national experts at the Urban Land Institute the City staff and elected officials also put in positions of authority and leadership, those who suffer the most harm from unjust housing and land use policies, precisely because those people have the most at stake. They need to be a part of the leadership of where they will live, how they will occupy the soil that nurturers them, and how they can be a part of a participatory planning process that takes into account the flourishing of all of our citizens.

### **Charlotte Pride**

**David Jordan, 3990 Shiloh Church Road, Davidson** said I've heard about corruption tonight, and I'm not surprised. I think that you all are a disgrace. I want to ask you a question, are our proud that you facilitated an orgy of immorality this weekend? Are you proud that 16-year old girls were walking around topless? Are you proud that they were getting high and drunk in the streets of Charlotte? Are you proud of yourselves that you facilitated all of this debauchery? You are a disgrace to your office. You know that in the constitution of the North Carolina State that you have to acknowledge God to even hold your office, yet you deny God in everything you do. You deny God when you openly celebrate sin in our streets when you promote that which is

obviously evil according to God's word. I would like to know, what God do you serve? Who do you serve? Have you received some chastisement from the Lord, will you receive his rebuke and his correction right now? I don't think you will. You want to make what is illegitimate legitimized and in so doing you prove yourselves to be illegitimate children of our Father, and if our Father is not your father then means that you are children of the devil, and you have one master, the devil. I pray to our Father in the name of Jesus Christ that you would repent of your sins, that you would stop promoting that which is evil, that you would stop corrupting our children, that you would turn from you wicked ways and that you would just open your eyes because this is madness. You are serving corruption, and it is leading to death. The wages of sin is death; the gift of God is eternal life, but it is only found in Jesus. He is the only way. Your way is not working. Did you go through Charlotte; did you see all of the sin, all the sickness, all the depravity that our people were partaking in? They didn't care. We told them that they were going to die in their sins that they were going to meet their maker, they didn't care. They didn't care that they were going to perish and spend everlasting life in hell. Do you care; do you care that when you stand before Almighty God that you are going to give an account for what you do here? Do you care that you are going to have to answer to the true authority who is God Almighty? Do you care? I would like for you to really consider your position. Do you know that in the old days the requirement for leading people was to fear the Lord? I don't see any fear of God before your eyes; I see people lifted up in pride. I think you are proud. The Bible says that pride comes before destruction and a haughty spirit before a fall. You are on your way down if you do not repent of your pride, if you don't humble yourself before the hand of Almighty God. If you don't humble yourself, He will humble you.

**Daniel Parks, 8040 Cedarbrook Drive** said I want to express my concerns about what I saw this week-end at Charlotte Pride. On Trade Street, one of the main streets going through Charlotte, it was easy to observe women walking around topless. I'm sure the City Council is informed that there is a Charlotte Pride Festival that takes place every year and of course regular citizens can just happen through this Pride event and of course children are there as well. With women walking around topless, obviously full frontal nudity there except for the lower part, and as I was there observing this I went to the one of the Police Officers and ask him is this not against the law; is public nudity not illegal? The police officer just looked at me in the face without any response to my question is public nudity not illegal; are you not required to do something about this? To me if we are going to have a City that is first class that is what we want, a first class City, then we can have people walking around naked in our City in our streets. The Bible says in Proverbs 14, "Righteousness exalts a nation, but sin is a reproach to any people." If we want this City to be a first class City, if we want this City to be among the greatest cities in these United States we are going to have to walk in righteousness; we are going to have to uphold God's standard. We can't just take a standard that we feel is right and run with it; we can't just take a standard that society is trying to shove down our throats and run with it. We've got to take God's standard and uphold God's standard, and that will exalt us. It is not good economic policy that is going to exalt this nation or this City; it is not good ideas. It is not technology that is going to exalt this City and make it first class. It is righteousness, and so we've got to see the things that are going on in our City. I just moved to Charlotte at the beginning of this year because I love Charlotte; I love to ministry here. I love to work here. I love to be here to do all that God has called me to do, but in order for this City to be what it needs to be, we have to take God's standard and take it seriously. We can't have our own standard. Righteousness exalts a nation or a City, but sin is a reproach to any people. Don't be surprised, as I have said earlier this year, as we were speaking about the ordinance about LGBT people being able to use the bathroom of their choice. Don't be surprised if you are trying to make this City a first class City it becomes a first class cesspool, because that is what it is becoming, and that is what I saw this past week-end. Sin just celebrated in the streets. We need to turn to the Lord; Righteousness exalts a nation, but sin is a reproach to any people.

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## ZONING

### **ITEM NO. 8: ORDINANCE NO. 8093 PETITION NO. 2016-T001, BY ENGINEERING AND PROPERTY MANAGEMENT AND CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT FOR A TEXT AMENDMENT TO SECTIONS 21-2, 21-95, AND 21-96 OF THE CHARLOTTE TREE ORDINANCE**

The Zoning Committee found this petition to be consistent with the Centers, Corridors and Wedges Growth Framework, based on information from the staff analysis and from the public hearing, and because it meets the goal to maintain a healthy and flourishing tree canopy. Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because the proposed text amendment: Clarifies the tree save provisions by defining "single family development" and exempts the incentives from being used for individual single family lots that are not subject to the Subdivision Ordinance. Tree save incentives being applied to single lots are increasing the density in existing residential neighborhoods by allowing reduced lot sizes and only resulting in negligible tree save opportunities that are difficult to monitor and preserve and adds perimeter protection for single family developments providing greater than 25 percent tree save area to minimize visual impacts on adjacent single family properties and includes changes that are not expected to impact the City's overall tree canopy goal because to date the total acreage of tree save areas saved by projects not subject to the Subdivision Ordinance is minimal. The Zoning Committee voted 4-2 to recommend approval of this petition.

**Mayor Roberts** said we held a public hearing on this on July 18, 2016, and we have had this before the Council before.

**Councilmember Driggs** said this Text Amendment addresses some issues related to our tree save policies; it is partly in response to concerns that have been raised by neighbors about subdivision of small lots, so there are essentially two parts to it. I will propose that we approve the portion that limits the applicability of the tree save incentives to single family development sites and also that we approve the requirement for perimeter tree save buffer for developments with greater than 25% tree save, but I would like to suggest that we defer the effective date of that number three item for three months in order that people who have already started development and have made investments towards and have the ability to see those through and that we just stop future development. I do that partly because I want Charlotte to be seen as a business friendly environment, and I think coming down too hard with a requirement like this could be required as being insensitive to people who might have made investments already.

Motion was made by Councilmember Driggs and seconded by Councilmember Kinsey, to approve Petition No. 2016-T001 by Engineering and Property Management and the Charlotte-Mecklenburg Planning Department for a Text Amendment to Sections 21-2, 21-95 and 21-96 for the Tree Ordinance with the proviso that Section 21-96 would become effective after three months from the time of passage.

**Councilmember Kinsey** said I second that assuming that the first two bullets will go into effect immediately.

Mr. Driggs said correct, only the third be deferred.

**Councilmember Phipps** said I'm wondering why given Mr. Driggs' motion, even if one and two became effective immediately, even if number three became effective immediately, why couldn't those that have already been in the pipeline not be affected but any future ones would not go forth? If we wait three months, what is going to stop someone from putting in an application within that three month period? Are we still giving someone an opening to make a filing to take advantage of this loophole in the tree save ordinance?

Mr. Driggs said I did actually talk to the staff about that, what the appropriate deferral was for the effectiveness, and it is not an exact science but the feeling was that a three-month period didn't open a big window for a lot of new people to come rushing in but allowed the people who had already started to work on something in good faith under the old rules to see it through.

There isn't an exact time that you can define for that but three months was kind of not too long and not too short.

Ms. Kinsey said I think the first two bullets take care of the immediate problem where we have in single family neighborhoods where developers are coming in, buying one lot and sub-dividing it, and I really think the first two bullets will take care of that immediately and then whatever is in the pipeline now is in the pipeline, but this would give some opportunity if there are others for a larger development. We really concerned right now that the character of the neighborhood, single family and single family lots.

**Councilmember Eiselt** said that is what I want to make sure, the delineation between points one and two and three, because that is really why we are talking about this, to address points one and two, but with point three that is really referring to a larger sub-division so that three-month window, is that enough time to start a new project of that magnitude to get it in the pipeline so as to take advantage of that deadline? Is two months better?

**Shannon Frye, Planning** said to clarify, as it is being described here like we are saying one and two and if you can recall from the public hearing we had the major subdivision, the minor subdivision and this not subject to; we had those three images before you. For bullets one and two, that proposal to not allow the incentive to be on the not subject to, which is the infill, the less than two acre, that not subject to, one and two successfully will stop the application of the incentive being applied on those development proposals. The last bullet, number three, the perimeter tree save, the recommendation for the 90-day deferral window is really allowing someone that has purchased a property time to work with a civil engineer to do a set of construction drawings to accommodate delineating that buffer and adequately showing it and submitting it as a complete plan to the City, so that we will have something is compliant with all of the other standards and not rushing to do that to beat some applicability and waste our time reviewing it and it being deficient. We are trying to give a balance of time that allows for a full complete design.

**Councilmember Autry** said you know I was part of supporting my colleague here to get this process to develop this text amendment change expedited, and I commend the staff for doing exactly what we asked you to do. I did not anticipate the need to vote on it in such a hurried manner after getting all of the information late last week, so I would like to be able to support this amendment; I'm certainly interested in preserving and enhancing our tree canopy. I would have liked a little more time to digest this information and chew on it a little bit before having to make the vote, so I will not be supporting the amendment this evening.

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

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

NAYS: Councilmember Autry.

Mayor Roberts said that passes and that means that the first part in terms of clarifying the definition of single family development and limited applicability of the tree save and says that single development sites that are subject to the subdivision ordinance, those go into effect immediately and the third part requiring a perimeter tree save buffer will have a three-month implementation time.

Motion was made by Councilmember Driggs and seconded by Councilmember Kinsey, that this petition is consistent with the Centers, Corridors and Wedges Growth Framework, based on information from the staff analysis and from the public hearing, and because it meets the goal to maintain a healthy and flourishing tree canopy; therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because the proposed text amendment: Clarifies the tree save provisions by defining "single family development" and exempts the incentives from being used for individual single family lots that are not subject to the Subdivision Ordinance. Tree save incentives being applied to single lots are increasing the density in existing residential neighborhoods by allowing reduced lot sizes and only resulting in negligible tree save opportunities that are difficult to monitor and preserve and adds perimeter protection for single family developments providing greater than 25 percent tree save area to minimize visual impacts on adjacent single family properties and includes changes that are not expected to impact the City's overall tree canopy goal because to date the total acreage of tree save areas saved by projects not subject to the Subdivision Ordinance is minimal.

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

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

NAYS: Councilmember Autry.

The ordinance is recorded in full in Ordinance Book 60, at Page 171-173A.

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**ITEM NO. 9: ORDINANCE NO. 8094-Z PETITION NO. 2016-091 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.4 ACRES LOCATED ON THE NORTH SIDE OF NORTH DAVIDSON STREET BETWEEN EAST 33RD STREET AND NORTH BREVARD STREET FROM MUDD-0 (MIXED USE DEVELOPMENT, OPTIONAL TO MUDD-0 SPA (MIXED USE DEVELOPMENT, OPTIONAL, SITE PLAN AMENDMENT WITH FIVE-YEAR VESTED RIGHTS.**

This petition is found to be consistent with the Blue Line Extension Transit Station Area Plans and inconsistent with the adopted streetscape recommendations and does not implement the active ground floor retail street elements, based on information from the staff analysis and the public hearing, and because the plan recommends transit supportive uses and the request is inconsistent with the adopted streetscape recommendations for North Davidson Street and North Brevard Street and it does not implement the active ground floor retail street elements along North Davidson Street within the plan area; however, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the site is located approximately ½ mile from the 36th Street transit station and is included in a larger area envisioned to be developed with transit supportive uses and the proposed addition of townhomes provides a new housing option, in addition to the multi-family and detached single family units nearby, to the transit station area as encouraged by the Transit Station Area Principles and the site design, especially the proposed building locations, respects the existing historic Highland Mill building by maintaining visibility of the mill from North Davidson Street and respecting the established setback, as requested by the Historic Landmarks Commission and while the proposal does not provide active ground floor retail uses along the frontage of North Davidson Street, as recommended by the plan, it does activate the corner of North Davidson Street and East 33rd Street with a grassed and treed open space area and the proposed streetscapes maximize the limited space, given the existing mature trees, and improves the pedestrian environment with wider sidewalks on 33rd Street and North Brevard Street. The Zoning Committee voted 5-0 to recommend approval of this petition with the following modifications:

1. Revised the site plan to show and label existing/proposed right-of-way, permanent sidewalk utility easement (SUE), back of curb lines, and the existing centerline with dimensions on each public street frontage.

2. Added Note D under "Optional Provisions" to read as follows: "Petitioner requests a deviation from the standard ordinance requirements to allow stormwater facilities to be located below sidewalks and private drives as long as they are outside of any required setbacks and public street right-of-way."
3. Replaced the note under "Storm water" with the following: "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance."

Motion was made by Councilmember Kinsey, seconded by Councilmember Austin, and carried unanimously to approve Petition No. 2016-091 by Saussy Burbank, LLC, as modified.

Motion was made by Councilmember Kinsey, seconded by Councilmember Fallon, and carried unanimously that this petition is consistent with the Blue Line Extension Transit Station Area Plans and inconsistent with the adopted streetscape recommendations and does not implement the active ground floor retail street elements, based on information from the staff analysis and the public hearing, and because the plan recommends transit supportive uses and the request is inconsistent with the adopted streetscape recommendations for North Davidson Street and North Brevard Street and it does not implement the active ground floor retail street elements along North Davidson Street within the plan area. However, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the site is located approximately ½ mile from the 36th Street transit station and is included in a larger area envisioned to be developed with transit supportive uses and the proposed addition of townhomes provides a new housing option, in addition to the multi-family and detached single family units nearby, to the transit station area as encouraged by the Transit Station Area Principles and the site design, especially the proposed building locations, respects the existing historic Highland Mill building by maintaining visibility of the mill from North Davidson Street and respecting the established setback, as requested by the Historic Landmarks Commission and while the proposal does not provide active ground floor retail uses along the frontage of North Davidson Street, as recommended by the plan, it does activate the corner of North Davidson Street and East 33rd Street with a grassed and treed open space area and the proposed streetscapes maximize the limited space, given the existing mature trees, and improves the pedestrian environment with wider sidewalks on 33rd Street and North Brevard Street.

The ordinance is recorded in full in Ordinance Book 60, at Page 174-175.

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#### **PUBLIC HEARING**

#### **ITEM NO. 10: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF TROSS STREET**

**Mayor Roberts** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Autry, seconded by Councilmember Mayfield, and carried unanimously to close the public hearing and adopt the resolution to close a portion of Tross Street.

The resolution is recorded in full in Resolution Book 40, at Page 539-541.

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#### **ITEM NO. 11: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF AN ALLEYWAY BETWEEN BROOKSHIRE BOULEVARD AND BLACK AVENUE**

**Mayor Roberts** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Phipps, seconded by Councilmember Kinsey, and carried unanimously to close the public hearing and adopt the resolution to close a portion of an alleyway between Brookshire Boulevard and Black Avenue.

The resolution is recorded in full in Resolution Book 40, at Page 542-544.

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#### **ITEM NO. 12: PUBLIC HEARING ON VOLUNTARY ANNEXATION**

**Mayor Roberts** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Autry, seconded by Councilmember Kinsey, and carried unanimously to close the public hearing and adopt Ordinance No. 8095-X with an effective date of August 22, 2016, to extend the corporate limits to include this property and assign it to the adjacent City Council District 5.

The ordinance is recorded in full in Ordinance Book 60, at Page 176-180.

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#### **ITEM NO. 13: CITY MANAGER'S REPORT**

**Ron Kimble, Interim City Manager** said I have no report.

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#### **BUSINESS**

#### **ITEM NO. 14: NATIONAL BASKETBALL ASSOCIATION ALL-STAR GAME**

**Ron Kimble, Interim City Manager** said this is a business transaction; it is under the Business Section of your Agenda, because what this does, since the NBA has already made its announcement regarding the 2017 All-Star Game, there was a feeling on the part of the Hornets and others, that we should approach the NBA to see if we were to hold the game in 2019, as they have indicated they may, that we could simply transfer the 2017 agreements that were in place for hosting the 2017 game to 2019, thereby avoiding lots of negotiations that led to the agreements that formed the 2017 agreements for All-Star Week-end. As this relates to the City of, we have a City Services Agreement that was in force in effect for 2017. That was regarding Police, traffic control and other services that would be provided. Remember that a previous Council action said that that shall be limited to \$600,000 of costs. The agreement with the NBA said that we would provide those services. There is a separate agreement with the Charlotte Regional Visitors Authority (CRVA) that if those costs were to exceed \$600,000, that the CRVA would come in and cover costs over and above the \$600,000. The one agreement that is really affected for you is the City Services Agreement, but the action would be to allow us to sign the document that is attachment here, that would be signed by all parties that say the agreements that were in effect across the board with the NBA, including those with the Hornets and the NBA and the CRVA and the NBA, would remain in substantially the same form in 2019 as they were going to be in 2017. There are several agreements, but the one that affects us most specifically is the City Services Agreement.

**Councilmember Fallon** said is this tentative that they are coming, or is this contingent on us being good little people and doing what they want?

Mr. Kimble said what this says is if the game is decided to come to Charlotte in 2019, that these agreements that were in place in 2017 would be also in place, substantially the same form in

2019. It is not a statement about non-discrimination or policies regarding that in this action. This is the business transaction side; this says if the game does come here in 2019, these are the conditions and the terms that would be in place for hosting the games.

**Councilmember Driggs** said I studied this pretty closely, because there is no doubt in many people's mind there is an association between the subject of the All-Star Game and some of the events of this year. I think it is important to emphasize that as in fact Governor McCrory pointed out the whole time, a lot of those issues are going to be resolved by the courts and therefore no action on the part of the General Assembly or of City Council is necessarily required for the game to come here. I will support this on the basis that the game would be a good economic event to the City, that there is no reason for us to revisit the terms and also on the assumption that it might proceed without necessarily entailing any action by the General Assembly or City Council.

Motion was made by Councilmember Austin and seconded by Councilmember Autry, to approve a letter agreement among the National Basketball Association, the City of Charlotte, the Charlotte Regional Visitors Authority, Charlotte Arena Operations, LLC and Hornets Basketball, LLC that, among other things, states that if the National Basketball Association decides to hold the 2019 All-Star Weekend in Charlotte, the material terms and conditions of the 2017 All-Star Weekend City Services Agreement shall apply in substantially similar force and effect with respect to the 2019 All-Star Weekend.

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

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

NAYS: Councilmembers Fallon and Mayfield.

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#### **ITEM NO. 15: JOINT COMMUNICATIONS CENTER**

**Reverend Phillip Benham, 761 Harris Street, Concord** said I had the unfortunate opportunity to be at that July 25, 2016 Dinner Meeting that you had concerning this, establishing of 82,914 square feet of joining the Joint Communication Systems together, in other words removing them further and further from the people, as government does, and begins to get up to this higher up kind of a place where we lose touch with our police and the 911. I know and understand that you have heard about other cities that have done this and it has been such a great thing. What I would encourage you to do is to not do it. By the way, it went up \$8.3 million, and you sat right there and say, well that is okay because it is going to go up again. You are going to have this four-story building at 1222 Statesville Avenue and there you think you've got everything coalesce, and everything is going to be ruled from the top down, which is exactly what we are doing at this City Council. It is exactly what is happening here and why you can't deal with black lives matter. You can't and you will never be able to; you have been riding this tiger, and it is really hard to get off because it will devour you. You don't have any answers for them. Bob Hagemann, you don't have any answers for little Jennifer, none.

**Mayor Roberts** said I believe we are talking about the Joint Communications Center.

Reverend Benham said I am talking that and this is a terrible waste of money; \$61.3 million you are going to throw away, and by the way, that is going to go and you are going to remove the government of this people further and further away from we the people, just as you have done over and over again by doing this surreptitious and sneaking them through. Listen, in Jesus Name, unless the Lord builds the house its labors labor in vain. Unless the Lord watches over this City the watchmen stand guard in vain. God is not at the bottom of this and his name is not Father/Mother/God. Jesus is a male. Jesus is Father. Jesus is God, and he has a word for you. Repent, you are dragging us into a cesspool of your own metanarrative and fancy. It is not true, and you are the ones that caused the NBA not to come here, and believe me we don't need the NBA. Do you know who we are; we are sixth fastest growing City in this nation, and we are

wrapping approaching fifth. They want to come to this City; people want to come but unfortunately in the Charlotte-Mecklenburg Schools that keeps us out.

Mayor Roberts again said we are talking about the Joint Communication Center.

Reverend Benham said I am dealing with that; please do not build the building. You can use that money for something better, but money isn't going to buy our way out of this mess.

Motion was made by Councilmember Austin and seconded by Councilmember Autry, to (A) Approve contract amendment #1 for \$1,456,105 with Little Diversified Architectural Consulting Inc. for architectural and engineering services, (B) Approve a contract in the amount of \$53 million with Rogers Leeper I (A joint venture between Rogers Builders, Inc. and RJ Leeper Construction) for construction manager at risk services, and (C) Adopt Budget Ordinance No. 8096-X appropriating an additional \$8.3 million in Certificates of Participation Notes from unallocated debt capacity.

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

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

NAYS: Councilmember Mayfield.

The ordinance is recorded in full in Ordinance Book 60, at Page 181.

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**ITEM NO. 16: AIRPORT CONCOURSE A EXPANSION – CONSTRUCTION MANAGER AT RISK**

Motion was made by Councilmember Mayfield and seconded by Councilmember Kinsey, to (A) Approve a contract in the amount of up to \$120,579,586 with Turner-Rodgers, A Joint Venture, for Construction Management At Risk services for the Concourse A Expansion Phase I, (B) Approve a contract in the amount of \$620,000 with Amer Foster Wheeler Environment & Infrastructure, Inc. for construction materials testing and special inspections, and (C) Adopt Budget Ordinance No. 8097-X appropriating a total of \$121,199,586 to the Aviation Community Investment Plan Fund: \$60,171,076 from the 2016 Bond Anticipation Notes proceeds and \$61,028,510 from the Aviation Discretionary Fund.

**Councilmember Mayfield** said this is quite a bit of money that we are looking to approve. We all know the Airport is a self-contained entity. I would like to encourage our staff to continue to work with our diverse businesses and business owners; there are some MWSBE goals that have been established. I think we can do a lot better. We started the conversation more than a year ago that for City and/or Airport staff, if we do not have an MWSBE business that fits in that category, then I think it is our responsibility to help identify through our community partners like CBMSSCC, the Centralina Economic Development Corporation, and other groups to help create those jobs because there are a lot of opportunities. There is a lot of development, a lot of growth that is getting ready to happen in the Airport, and we need to make sure that we are giving every possible opportunity to Minority Women Small Business Enterprises, and if that means us helping to create them and help identify the gaps, I think we need to do better job in helping to move that conversation forward.

**Mayor Roberts** said absolutely the City needs to support the continued growth of small women and minority owned businesses. Many of them are on the west side; they are also many folks who can benefit from construction jobs. There are some great opportunities there as well, and I know you will be holding a job fair.

**Councilmember Driggs** said could I just confirm that the amounts here are within the \$1.6 billion CIP that we have in place for the Airport; this is just part of the capital plan that we've already formulated, is that right?

**Jack Christine, Deputy Aviation Director** said yes sir it within that budget.

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

The ordinance is recorded in full in Ordinance Book 60, at Page 182.

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#### **ITEM NO. 17: CITY ATTORNEY'S COMPENSATION**

**Mayor Roberts** said there are three people the Council hires and compensates; the City Manager, the City Attorney and the City Clerk.

Motion was made by Councilmember Kinsey and seconded by Councilmember Eiselt, that the City Attorney be awarded a base pay increase of 8% effective July 2, 2016 in recognition of his outstanding performance from July 1, 2015 through June 30, 2016.

Mayor Roberts said for public information the 8% base pay adjustment increases base salary from \$221,235 to \$238,934. I want to take this opportunity to say Thank You. Bob Hagemann has been a tremendous public servant and a terrific attorney. I think his counsel has been sought from attorneys around the country. As a big growing City, we have quite a bit going on and quite a bit of unusual legal questions, and he has handled them with grace and rapid response. I just want to say from my heart, thank you.

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

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#### **ITEM NO. 18: MAYOR AND CITY COUNCIL TOPICS**

**Councilmember Austin** said I just want to thank our organizers for the Pride Weekend this past weekend. We had an extraordinary event; lots of people from all over the country participated in parades and activities downtown. Members of Council participated in the parade so it was a great event despite kind of what happened here tonight in terms of the public feedback. It was a great event to show the unity of this City and the diversity of this City, and how we come together and celebrate who we are, and we allow people to be who they are.

**Councilmember Driggs** said I just wanted to send greetings to my brother-in-law who is visiting in Charlotte this week and enjoying his stay here.

**Councilmember Autry** said I would like to remind all the citizens to observe the posted speed limits on our streets and roads; drive on those streets and roads as if you own children were playing on them please. Let's try to not litter on those streets either.

**Councilmember Kinsey** said actually, I have several things that I want to mention to you. I want to invite you to District 1 to see the new pedestrian path that extends Eighth Street to the railroad track, and I want to thank Planning, and I think I need to really point Alan Goodwin, because he worked with us on that. It is really beautiful, and I am excited to walk it, so I invite you to come do that. Also I wanted to mention that two weeks ago we had a ground breaking for the Allen Street Residences at St. Paul Baptist Church; it was on August 6, 2016. It was a kickoff to the development of the Allen Street Residences, and you will recall that in 2015 Council approved funding through the Housing Trust Fund to support a tax credit award for this development. When complete this development will be comprised of 112 new residential units in the Belmont Community; 60 new units for seniors, and 52 new townhomes and flats with rents ranging from \$510 to \$825 per month, so they are all affordable. They are within very close proximity to the Blue Line Extension, and construction is scheduled to begin this fall and be completed by December 2017. We still have a lot to accomplish, but at least we can talk good things about this, and I want to tell you how much I appreciate your support of that. This is in the Belmont Neighborhood in case you don't remember. I also want to thank staff because they really worked tirelessly to help shape the policies and strategies to enable the City of Charlotte to

be recognized as the Best Practice City in providing affordable housing. I also want to mention the news in Cherry; as you recall, two years ago thanks to the Council we did provide some land for some affordable housing on Baxter Street, and we did get some tax credits for that. We will be seeing some affordable housing going up in Cherry, much needed affordable housing. Thank you for everything that this Council has done for the affordable housing need.

**Councilmember Fallon** said on Thursday night at the University City Library on W. T. Harris Boulevard, I will be hosting a town hall meeting, and it will be the Police Department with their updates, public safety and active survival training. Lieutenant Hoover will come and tell you what the new rules are that you should follow to save yourself in assault attack. Unfortunately, we all have to be on the alert for that. If you wish you can RSVP to Kim Oliver, who I have to thank for setting this up for me Thursday night at 6:00 p.m. at the University City Library on W. T. Harris Boulevard. I would love for you all to come to know how to keep yourself as safe as possible.

**Councilmember Eiselt** said I first want to wish all of our students and teachers good luck as they go back to school next week and our university students who are leaving this week, some have already left. It is back to school season and I just want to remind everybody next week when CMS is back in school, please be careful on the roads especially in the early morning when you've got those high school drivers out on the road at 6:00 a.m. in the morning, and be really mindful of kids at bus stops. A lot of them are little confused and might be crossing the road when they shouldn't be, and it is our job to make sure that we are looking out for the kids. Good luck to all of our students and teachers.

**Mayor Roberts** said it has been a busy month; I know we only had one meeting in August, but the Mayor's Office has been very busy working on a lot of things. Just a few things to highlight, tomorrow we are having an Exporting Seminar for small and medium size businesses. The XM Bank Chairman will be here at 9:00 a.m. at the Cato Campus of Central Piedmont Community College. Anybody with a company of 500 employees or less who has a product that might be suitable to export is welcome, and we look forward to having a great discussion to help more of our companies grow. We know that exporting companies grow faster, pay better and are more successful. We thank Fred Hochberg Chairman of XM Bank for coming down to Charlotte.

Also I want to thank all the companies including Office Depot Foundation and Domtar for contributing school supplies and Classroom Central for all you do at the whole back to school push. A lot of our kids don't have the supplies that they need. Thank you to all our community for contributing those supplies that are so necessary for our students to be successful. I also want to thank all those involved in the Mayor's Mentoring Alliance; we had a great event this past weekend. A lot of our kids need great mentors; please sign up if you haven't. We had a great thank you event with a lot of kids and some celebrities and continue to grow that program. We also had a visit from the European Union Ambassador who came to Charlotte because Charlotte is on Europe's radar as a lot of other countries around the world. We appreciate her visit. We had a visit in Statesville talking about regional transit including the rapid express bus that we are going to have when our I-77 managed lanes are finished to make sure that we have express bus service that goes down those managed lanes to get people here faster from Huntersville, Cornelius, Davidson and Mooresville and maybe eventually Statesville as well. The last thing is just thank you to all the sponsors, participants, churches who were heavily engaged in this past weekend in our pride events. We had a terrific festival, a terrific parade, 132 participants in the parade. There were 3,000 plus folks walking in the parade supporting equality and supporting Charlotte continuing to be a welcoming inclusive City. I appreciate all the participants.

**Councilmember Phipps** said I just want to amplify the Mayor's comments; this is an example of the sack packs that were donated by the Office Depot Foundation and Classroom Central and Domtar. I participated and certainly some members of Council; I know Councilmember Austin and the Mayor participated in several back to school events this week-end where these were distributed. I know some more back to school events that are planned later on this week-end in anticipation of back to school Monday. You could see the kid's smiling faces as they received these sack packs' and I would like to echo the Mayor's comments and thanking the Office Depot Foundation, Domtar, and Classroom Central distributing these. A lot of these went out over the weekend, and there is a lot more going out this week and this weekend.

**Councilmember Mayfield** said I'm going to follow in your footsteps because there is a lot of information to share. Starting, I want to make sure that everyone is aware that this coming Saturday, August 27, 2016, Ponderosa Neighborhood will be having their cookout give away, as well as back to school extravaganza at Kenthill Drive and West Boulevard.

Also, I want to acknowledge and thank my church, St. Luke Missionary Baptist Church who did march in the PNC Pride Festival yesterday. I believe we were the first non-conforming Missionary Baptist Church to be a part of Pride and when you go back to 1990, we had a much greater number of religious institutions that recognized that we use of the word of Lord for love and to bring people together and not to divide or speak hate. I am extremely proud to be a member of St. Luke under the leadership of Pastor Clifford Matthews.

I also want to thank my colleagues, specifically the members of the Housing and Neighborhood Development Committee, thanks to us moving forward, Councilmembers Austin and Driggs as well as my Vice Chair Councilmember Autry. I wanted to share with you some really good news that some of you probably had a chance to read it regarding affordable housing. It came out in Friday's packet; but just so the community knows, on August 15, 2016 the North Carolina Housing Finance announced its 2016 low income housing tax credit awards. Normally, we may submit four to six applications and maybe receive one possibly two. The following four developments in the City of Charlotte received an award; that is the Baxter Street representing 30 units for families which was mentioned by Ms. Kinsey in the Cherry Community, which is a rapidly changing community in District 1, as well as Magnolia Street which represents 82 units for seniors in District 2. Tuckaseegee, which will be representing 104 units for our seniors which is in District 3, and Weddington Road representing 70 units for seniors in District 7. Award of these four developments is significant for the following reasons: they represent 286 new affordable housing units that will advance Council's affordable housing goals. This award also represents the successful use out of a piece of City owned property to construct quality affordable housing in the Cherry Neighborhood, as Ms. Kinsey mentioned, which has experienced significant gentrification pressure, and it represents that Council's willingness to partner with staff in supporting innovative strategies to expand and increase the supply of affordable housing throughout the City. While we still have a lot to accomplish as it relates to providing affordable housing and we will resume those conversations at the Committee level at our next scheduled meeting for September 7, 2016, I definitely want to take this opportunity to thank all of Council for the continued support for providing Housing Trust Fund dollars, which support the much needed affordable housing development in this community. Supporting developments such as these are a move forward in helping to address the City's affordable housing needs. I also want to extend a sincere thank you to our City's Neighborhood and Business Services staff, especially to Ms. Pam Wideman and Zelleka Biermann. They worked tirelessly to help us shape the policies and to Ms. Ann Wall, who is my Assistant City Manager and direct report to the Manager's Office, regarding Housing and Neighborhood Development. We have a lot conversations; I push them a lot. they let me know what I can and cannot do and still let me get away with a little extra. The strategies and policies help us to enable Charlotte to be recognized as the best practice and a lot of what we are doing is being duplicated in other cities around how we provide both workforce and affordable housing.

The last piece I want to share is thanks to 100 Black Women of Mecklenburg County, 100 Black Women, Inc. the Queen City Metropolitan Chapter. I along with several amazing women have been invited for the My Sister's Keeper Award. I along with LaVonda Johnson, Robin Emmons, Brenda Robinson and the amazing Judge Shirley Fulton, we will be recognized for our service and our work in the community. The title is My Sister's Keeper Awards lunch honoring women who serve. That will be on Saturday morning, September 10, 2016 I invite you all to come out; it will be at the Hilton Charlotte City Center from 10:00 a.m. to noon so if you have time I would like for my colleagues to join us for the community. Last piece, Fox Valley Road which is in Mecklenburg County outside of the City limits. Unfortunately, thanks to large trucks part of the shoulder is kind of eroding. That has not gone unnoticed; I was out there this past week-end, and I have already put in a call, working with not only Code Enforcement but also with NC-DOT to find out what if anything could be done, because there is development that is happening on a private piece of land, but since it is outside of the City limits I am working with our NC-DOT and our staff to figure out what we can do in support of making sure that you are safe as your are driving in and out of your community.

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Citizens' Forum and Business Meeting  
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Mayor Roberts said we are busy working, although we only had one meeting in August; we are busy working for all of Charlotte in all the different areas the City covers. Thank you all for your updates.

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**ADJOURNMENT**

Motion was made by Councilmember Driggs, seconded by Councilmember Austin, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 8:26 p.m.



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Emily A. Kunze, Deputy City Clerk

Length of Meeting. 3 Hours, 12 Minutes  
Minutes Completed: September 2, 2016